

**Justice Forsaken: How the Federal Government
Fails the American Victims of Iranian and
Palestinian Terrorism**

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On

“The Confluence of Responsibilities of the US Government to
Victims of Terrorism”

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Subcommittee on Oversight, Agency Action, Federal Rights and
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THE CONFLUENCE OF RESPONSIBILITIES OF THE UNITED STATES GOVERNMENT TO AMERICAN VICTIMS OF TERROR

INTRODUCTION

The confluence of the work, roles and responsibilities of the legislative, executive and judiciary branches of the US government provides the most comprehensive juridical system in the world designed to protect victims of terror. Congress has enacted legislation that provides access to US courts for American victims of acts of international terrorism, allowing victims to hold both state and organizational sponsors of terror legally accountable.

ISLAMIC REPUBLIC OF IRAN; WORST STATE SPONSOR OF TERROR IN THE WORLD

The Islamic Republic of Iran is the worst sponsor of terror in the world. It has been included on the State Department's list of State Sponsors of Terror since 1984. [See Exhibit I] Numerous federal judges have held trials, reviewed evidence and issued extensive opinions finding the Islamic Republic of Iran to be liable for sponsoring acts of terror against Americans abroad. Notably, in such cases as those brought on behalf of the Marine Barracks bombing in Beirut in 1983, former Chief Judge of the United States District Court for the District of Columbia, Royce Lamberth held that Iran was not only liable for the Iranian – Hezbollah bombing of the barracks housing the US Peacekeeping Force in Lebanon, but that Iran's conduct was so outrageous that he assessed one billion dollars in punitive damages against Iran. *Valore v. Islamic Republic of Iran*, 700 F. Supp. 2d 52, 90 (D.D.C. 2010).

I am honored and privileged to represent some of the family members of the Marines killed in that case, which adopted the earlier liability findings in the landmark action of *Peterson v Islamic Republic of Iran*. In the *Valore* case, during my argument in support of the punitive damages award, I reminded the court of the opinion which Judge Lamberth himself rendered in the *Peterson* action:

No order from this Court will restore any of the 241 lives that were stolen on October 23, 1983. Nor is this Court able to heal the pain that has become a permanent part of the lives of their mothers and fathers, their spouses and siblings, and their sons and daughters. But the Court can take steps that will punish the men who carried out this unspeakable attack, and in so doing, try to achieve some small measure of justice for its survivors, and for the family members of the 241 Americans who never came home.

Peterson v. Islamic Republic of Iran, 264 F. Supp. 2d 46, 64-65 (D.D.C. 2003)

While governments generally are immune from prosecution in US courts, enjoying immunity under the Foreign Sovereign Immunities Act ("FSIA"), an exception exists for American nationals to pursue actions in United States federal court against governments who are on the State Department List of State Sponsors of Terror and who commit or sponsor or provide material support for acts of international terror committed against Americans abroad. In addition, American

nationals can bring actions under the Anti-Terrorism Act against entities other than governments who commit, sponsor and support terror.28 U.S.C. §1605A, 28 U.S.C. §2331 *et seq.*].

I believe there are more than 50 judgments that have been entered against the Islamic Republic of Iran for sponsoring or committing acts of terror against Americans. Those judgments are believed to total \$43 billion dollars, including punitive damage awards. They range from the Marine Barracks bombing to attacks upon US embassies and installations to sponsorship of terror organizations and acts of terror committed against innocent civilians in the State of Israel.

In one of those cases, *Estate of Yael Botvin v Islamic Republic of Iran*, where our firm is privileged to represent the family of a 14 year old innocent student, Yael Botvin z'l, who was on Jerusalem's Ben Yehuda mall buying school supplies when she was murdered in a suicide bombing attack. In that case, the Court found that the Islamic Republic of Iran was liable for this act of terror committed in 1997, during what is referred to as the Intifada, by HAMAS, the Islamic Resistance Movement which operates throughout Israel, wreaking havoc and destroying lives and the families of victims.

As the Court noted, “[o]n the afternoon of September 4, 1997, three Hamas suicide bombers with cases of powerful explosive bombs arrived at the crowded Ben Yehuda Street pedestrian mall in downtown Jerusalem. These bombs contained ‘nails, screws, pieces of glass, and chemical poisons to cause maximum pain, suffering, and death.’ The bombs were intended to be detonated in intervals designed to inflict maximum casualties on both civilians and responding rescue workers. The explosion wounded nearly 200 civilians and killed five, including fourteen-year-old Yael Botvin. Iran provided financial, technical and other material support to Hamas and other terrorist groups, including Hizbollah and the Palestinian Islamic Jihad, at the time of this bombing.”

Estate of Yael Botvin v. Islamic Republic of Iran, 873 F. Supp. 2d 232, 238 (D.D.C. 2012)(internal citations omitted)

In another terrorist attack where our law firm represents the family of a tragically murdered victim, *Roth v Islamic Republic of Iran*, the Court found that the Islamic Republic of Iran is liable for having sponsored HAMAS which committed the Sbarro Pizza Bombing in central Jerusalem. During that attack Malkie Roth, a 14 year old student was killed along with many others who were killed or maimed. This took place in 2001, during the height of the raging Second Intifada of Palestinian terror.

I cite these specific cases to you as examples of acts of terror committed by the Islamic Republic of Iran and their proxies, including, but not limited to, Hezbollah, HAMAS and Palestinian Islamic Jihad.

The sponsorship of terror takes the form of training, housing, travel, weapons, funding and assistance, all of which are essential tools for terror organizations and their terrorist participants to be able to plan, move, execute, strike, kill and maim.

The courts have clearly labeled the Islamic Republic of Iran as the world's worst sponsor of terror, but that is not enough. Who listens? The victims listen to the precious words of the court, because

they are able to have not only their day in court but an opportunity to speak out themselves as they seek justice, no matter how many decades it may take. The lawyers listen as they often cooperatively work together to share in the attempt to attach and collect against assets of these State sponsors of terrorism that are able to be located within the United States. The press listens as they pronounce to the court of public opinion the individual cases and tragedies endured by victims and their families. Congress listens, as evidenced by this hearing.

ROLE, RESPONSIBILITY AND ACTIONS OF THE US GOVERNMENT WITH REGARD TO VICTIMS OF TERROR

The executive branch of our government, however, only occasionally listens and often ignores the rights of the victims when it is viewed by the administration to interfere with US foreign policy. Different administrations have taken varying approaches in support of victims

President Clinton ordered the release of frozen Iranian assets to US victims of Palestinian terror sponsored by Iran, notably, to the families of Alisa Flatow, Matthew Eisenfeld and Sara Duker, student victims of the Intifada; and to the family of US Navy service member Robert Stethem who we all remember being thrown off an airplane onto the tarmac. Those cases and others were all pursued in United States federal courts on behalf of families (mothers, fathers, sisters, brothers, spouses and children, each of whom are entitled to bring claims) who sued the Islamic Republic of Iran for its sponsorship of Palestinian terror organizations.

President George W. Bush, in dealing with Qaddafi and Libya, took affirmative steps to hold Libya accountable for numerous acts of terror, including the Pan Am 103 bombing and two cases in which our firm serves as lead counsel: the EgyptAir Flight 648 hijacking and the Rome and Vienna coordinated airport attacks committed in 1985. In the EgyptAir case, Palestinian hijackers of the Abu Nidal Organization, a foreign terrorist organization, had a mid-air shootout with air marshals. After the plane landed in Malta, the Abu Nidal terrorists separated the passengers by country, putting the Americans and Israelis in first class. When the Maltese refused to refuel the aircraft, the terrorists every fifteen minutes systematically shot first the two Israeli women and then the three Americans in the head and tossed them one by one from the plane onto the tarmac below. In entering into the Libya Claims Settlement Agreement with the Bush Administration, Libya agreed to pay \$1.5 billion dollars to US victims of Libya terror, including the victims of the EgyptAir and Rome and Vienna cases. The money was paid essentially through the US Department of State to the US Treasury, and some was paid directly to certain victims and their families, commencing in 2008. Many of the victims, however, were required to submit claims to the US Department of Justice's Foreign Claims Settlement Commission.

During the Obama administration, the Foreign Claims Settlement Commission has now taken seven years to "administer" those claims, some of which are still not yet adjudicated, extending the agony of victims and their families who are awaiting awards from the money which Libya deposited into the accounts of the United States Treasury in 2008, an unconscionable span of seven years. Moreover, the claims of some victims of Libyan terror have been administratively denied

by the Foreign Claims Settlement Commission, leaving victims with little further recourse and contrary to the intent of the understandings between the victims and the US government.

Libya is a case study worthy of note. Although the Libyan regime ultimately fell, the Libya story with respect to Libya giving up its weapons of mass destruction is a great success, because it proves that the confluence of the power of the branches of the US government can indeed force a foreign country to change its ways. Libya turned over whatever capability it possessed to threaten or use weapons of mass destruction, and, equally important, agreed to cease the sponsorship of terror. As a result, both the United Nations and the United States, as well as other countries, agreed to lift sanctions against Libya and to restore its immunity from prosecution in US courts.

Unfortunately, that same tactic has not been employed by the Obama administration in dealing with the Islamic Republic of Iran. The recently negotiated nuclear deal with Iran – the Joint Comprehensive Plan of Action -- has not only ignored Iran's sponsorship of terror, and did not require the release of Americans held in Iranian prisons such as the Washington Post reporter Jason Rezaian but, moreover, is expected to release more than \$100 billion dollars in assets frozen pursuant to UN, US, EU and other sanctions to the Iranians. The Administration did not take the necessary steps to insure that Iran is giving up its ability to produce weapons of mass destruction on a permanent basis while at the same time is rewarding Iran with sanctions relief.

By returning assets which were previously frozen under economic sanctions, experts have made it clear that those funds will be used to increase the ability and reality of Iran's poisonous sponsorship of terror. Noted expert Dr. Matthew Levitt, Fromer-Wexler Fellow and Director of the Stein Program on Counterterrorism and Intelligence, Washington Institute for Near East Policy has recently opined that the JCPOA will further embolden Hezbollah, a foreign terrorist organization, in the region. As Dr. Levitt points out, Iran is the primary benefactor of Hezbollah and gives this militant group some \$200 million a year in addition to weapons, training, intelligence, and logistical assistance. However, Levitt believes that over the past eighteen months, Iran had cut back its financial support to Hezbollah—a collateral benefit of the unprecedented international sanctions regime targeting Iran's nuclear program, as well as the fall in oil prices.

By releasing funds to Iran, Iran will in turn be able to once again provide financial support to Hezbollah. And as Dr. Levitt aptly warns, a newly enriched Hezbollah would be more aggressive at home and abroad.

The cutback has mostly curtailed Hezbollah's political, social, and military activities inside Lebanon. Its social-service institutions have cut costs, employees have received paychecks late or been laid off, and funding for civilian organizations, such as the group's satellite television station, al-Manar, has been reduced. By contrast, Hezbollah's Syria command, which has been a priority for Tehran given its commitment to defending Bashar al-Assad's regime, has shown no sign of financial hardship.

If nuclear-related sanctions are lifted in whole or in part, an influx of Iranian money will enable Hezbollah to push back against Lebanese political and social movements that are uncomfortable with its intervention in Syria. Lebanon's political crises, from

its inability to select a president to its failure to collect garbage, is a result of this deep sectarian division. An influx of radicalized Sunnis from Syria could bring further instability to Lebanon.

Increased Iranian spending will also benefit Hezbollah's regional and international operations. The group is no longer limited to jockeying for political power in Lebanon and fighting Israel. With more money, it could step up its aid to Shia militias in Iraq and Yemen in cooperation with Iran, sending small numbers of skilled trainers to bolster local forces and, in some cases, fight alongside them. In Iraq, Hezbollah is training and fighting with Shia militias. Though they are fighting on behalf of the government, their tactics exacerbate sectarian tensions. Its footprint in Yemen is small, but it could expand with additional resources. Hezbollah is already trying to find long-term support for these operations. In Iraq, for example, it is investing in commercial front organizations.

Finally, increased funding could help Hezbollah reconstitute its capabilities beyond the Middle East. The group has expanded its terrorist operations in countries as disparate as Cyprus, Peru, and Thailand.

See Expert Round-up, The Middle East After the Iran Deal, Council on Foreign Relations, http://www.cfr.org/middle-east-and-north-africa/middle-east-after-iran-nuclear-deal/p36963#expert_roundup_author_9217

To me, it is beyond comprehension that the Obama administration did not require, as a condition of the deal, both the release of American prisoners in Iran and a binding agreement – with consequences – that Iran would cease the sponsorship of terror.

This failure threatens Americans, both at home and abroad. This failure threatens the free world, at home and abroad. And, this failure emboldens terrorists who are part of Hezbollah, Hamas and Palestinian Islamic Jihad, all of whom today get their funding and munitions primarily from the Islamic Republic of Iran. This failure further emboldens Hezbollah and Hamas in their determination to attack the State of Israel. We cannot tolerate nor countenance this failure in US foreign policy.

Congress must act to fully hold the Islamic Republic of Iran legally accountable for their past, present and future threatened acts of terror. Congress should make as a condition of Iran enjoying any future benefits of the nuclear deal that it must cease the sponsorship of terror and must pay every penny of every Judgment already entered and those to be entered against Iran.

Congress should hold Iran and its leaders accountable, the same way it did against Libya and Qaddafi: no lifting of sanctions, no benefits, no enjoyment of good relations unless each and every victim of Iranian terror is not only compensated but given full justice against this state sponsor of terrorism.

In its annual Country Reports on Terrorism, the State Department has stated that “Iran remained the most active state sponsor of terrorism” and “Iran's involvement in the planning of financial support of terrorist attacks throughout the Middle East, Europe, and Central Asia has had a direct

impact on international efforts to promote peace, threatened economic stability in the Gulf, and undermined the growth of democracy.” See *In re Islamic Republic of Iran Terrorism Litig.*, 659 F. Supp. 2d 31, 36-37 (D.D.C. 2009) citing U.S. Dep’t of State, Country Reports on Terrorism 2008, at 182, available at <http://www.state.gov/documents/organization/122599.pdf>.

[See Exhibit II, State Department Country Reports on Terrorism, section on Iran].

In 2013, I was asked to write about the Islamic Republic of Iran’s sponsorship of terror by the Louis D. Brandeis Center for Human Rights Under law. At that time, I wrote,

Today, it is most critical that world leaders not only speak up and make their voices heard; they must take strong action against Iran designed to hold Iran fully accountable for its terrorist conduct. Iran, a state which takes a callous view of human life should not and cannot threaten our global community or the very foundations upon which our free, open and dynamic society is based.

[See Exhibit III]

These words are even more true today, as victim’s rights are human rights which must be protected by the United States government.

CONCLUSION

This Congress must take action. It must act on behalf of American victims of Iranian terror to hold the Islamic Republic of Iran fully accountable. It must act on behalf of American victims of Palestinian terror to hold the Palestine Liberation Organization and the Palestinian Authority fully accountable. It must act to hold every terror organization and sponsor fully accountable. Congress must demand that the administration demonstrate a renewed commitment to the principle that Americans are entitled to protection, both at home and abroad, from against those who threaten and attack us. Victims of terror are entitled to not only seek – but to obtain – justice and deserve the full protection of each branch of the US government: the Congress, the Courts and the Administration.

It is indeed the confluence of our ideals, our commitment to justice and our respect for the dignity of every man, woman and child, that requires that we do better than we have done in the past. We cannot permit any sponsor of terror to get away with murder.

This Congress, and this Administration, are duty bound by existing law to protect every American; to prevent acts of terror; to punish the perpetrators; and to not be a bystander when any government or terror organization threatens America and our allies.

We are not, however, only engaged in a war of words with Iran and with Palestinian terrorists. We are engaged in a struggle for freedom, democracy and the right of all to enjoy their lives free of tyranny and threat of murder.

In holding Iran liable for its acts and sponsorship of terror, however, this must be not only about paying every judgment and every claim; it must also be about stopping the Islamic Republic of Iran from using its proxies, including Palestinian terrorists, in operating with impunity. Iran applauds Palestinian terrorists; encourages Palestinian terrorists; and threatens the people and very existence of the State of Israel, the most important and most democratic ally of the United States in the entire Middle East.

The foreign policy of the United States must follow the law, which this Congress has enacted, to hold sponsors of terror legally accountable.

That includes the Islamic Republic of Iran and both the Palestine Liberation Organization and the Palestinian Authority. They must not be permitted to evade responsibility or the jurisdiction of our courts.

As it is written in Deuteronomy 16:20 “Justice, Justice Shalt Thou Pursue”.

Senators we thank you for listening. As importantly, we will all thank you for acting.



U.S. DEPARTMENT OF STATE

DIPLOMACY IN ACTION

State Sponsors of Terrorism

Countries determined by the Secretary of State to have repeatedly provided support for acts of international terrorism are designated pursuant to three laws: section 6(j) of the Export Administration Act, section 40 of the Arms Export Control Act, and section 620A of the Foreign Assistance Act. Taken together, the four main categories of sanctions resulting from designation under these authorities include restrictions on U.S. foreign assistance; a ban on defense exports and sales; certain controls over exports of dual use items; and miscellaneous financial and other restrictions.

Designation under the above-referenced authorities also implicates other sanctions laws that penalize persons and countries engaging in certain trade with state sponsors. Currently there are three countries designated under these authorities: Iran, Sudan, and Syria.

Country	Designation Date
Iran	January 19, 1984
Sudan	August 12, 1993
Syria	December 29, 1979

For more details about State Sponsors of Terrorism, see "Overview of State Sponsored Terrorism" in [Country Reports on Terrorism](#).

Country Reports on Terrorism 2014

June 2015

United States Department of State Publication
Bureau of Counterterrorism
Released June 2015

Country Reports on Terrorism 2014 is submitted in compliance with Title 22 of the United States Code, Section 2656f (the "Act"), which requires the Department of State to provide to Congress a full and complete annual report on terrorism for those countries and groups meeting the criteria of the Act.

IRAN

Designated as a State Sponsor of Terrorism in 1984, Iran continued its terrorist-related activity in 2014, including support for Palestinian terrorist groups in Gaza, Lebanese Hizballah, and various

groups in Iraq and throughout the Middle East. This year, Iran increased its assistance to Iraqi Shia militias, one of which is a designated Foreign Terrorist Organization (FTO), in response to the Islamic State in Iraq and the Levant (ISIL) incursion into Iraq, and has continued to support other militia groups in the region. Iran also attempted to smuggle weapons to Palestinian terrorist groups in Gaza. While its main effort focused on supporting goals in the Middle East, particularly in Syria, Iran and its proxies also continued subtle efforts at growing influence elsewhere including in Africa, Asia, and, to a lesser extent, Latin America. Iran used the Islamic Revolutionary Guard Corps-Qods Force (IRGC-QF) to implement foreign policy goals, provide cover for intelligence operations, and create instability in the Middle East. The IRGC-QF is the regime's primary mechanism for cultivating and supporting terrorists abroad.

Iran views Syria as a crucial causeway in its weapons supply route to Lebanese Hizballah, its primary beneficiary, and as a key pillar in its "resistance" front. In 2014, Iran continued to provide arms, financing, training, and the facilitation of primarily Iraqi Shia and Afghan fighters to support the Assad regime's brutal crackdown that has resulted in the deaths of at least 191,000 people in Syria, according to August UN estimates. Iran publicly admits to sending members of the IRGC to Syria in an advisory role. There is consistent media reporting that some of these troops are IRGC-QF members and that they have taken part in direct combat operations. While Tehran has denied that IRGC-QF personnel participate in combat operations, in 2014 it acknowledged the deaths in Syria of two senior officers (Brigadier Generals Abdullah Eskandari and Jamar Dariswali). Tehran claimed they were volunteers who lost their lives while protecting holy shrines near Damascus.

Likewise in Iraq, despite its pledge to support Iraq's stabilization, Iran increased training and funding to Iraqi Shia militia groups in response to ISIL's advance into Iraq. Many of these groups, such as Kata'ib Hizballah (KH), have exacerbated sectarian tensions in Iraq and have committed serious human rights abuses against primarily Sunni civilians. The IRGC-QF, in concert with Lebanese Hizballah, provided training outside of Iraq as well as advisors inside Iraq for Shia militants in the construction and use of sophisticated improvised explosive device (IED) technology and other advanced weaponry. Similar to Hizballah fighters, many of these trained Shia militants have used these skills to fight for the Assad regime in Syria or against ISIL in Iraq.

Iran has historically provided weapons, training, and funding to Hamas and other Palestinian terrorist groups, including Palestine Islamic Jihad (PIJ) and the Popular Front for the Liberation of Palestine-General Command (PFLP-GC). These Palestinian terrorist groups have been behind a number of deaths from attacks originating in Gaza and the West Bank. Although Hamas's ties to Tehran have been strained due to the Syrian civil war, in a November 25 speech, Supreme Leader Khamenei highlighted Iran's military support to "Palestinian brothers" in Gaza and called for the West Bank to be similarly armed. In December, Hamas Deputy Leader Moussa Abu Marzouk announced bilateral relations with Iran and Hamas were "back on track."

In March, Israeli naval forces boarded the Klos C cargo ship in the Red Sea off the coast of Sudan. On board, they found 40 M-302 rockets, 180 mortars, and approximately 400,000 rounds of ammunition hidden within crates of cement labeled "Made in Iran" and believed to be destined to militants in the region.

Since the end of the 2006 Israeli-Hizballah conflict, Iran has also assisted in rearming Lebanese Hizballah, in direct violation of UNSCR 1701. General Amir Ali Hajizadeh, head of the IRGC Aerospace Force stated in November that "The IRGC and Hezbollah are a single apparatus jointed together," and Lebanese Hizballah Deputy Secretary General Naim Qassem boasted that Iran had provided his organization with missiles that had "pinpoint accuracy" in separate November public remarks. Iran has provided hundreds of millions of dollars in support of Lebanese Hizballah in Lebanon and has trained thousands of its fighters at camps in Iran. These trained fighters have used these skills in direct support of the Asad regime in Syria and, to a lesser extent, in support of operations against ISIL in Iraq. They have also continued to carry out attacks along the Lebanese border with Israel.

Iran remained unwilling to bring to justice senior al-Qa'ida (AQ) members it continued to detain, and refused to publicly identify those senior members in its custody. Iran previously allowed AQ facilitators to operate a core facilitation pipeline through Iran since at least 2009, enabling AQ to move funds and fighters to South Asia and Syria.

Iran remains a state of proliferation concern. Despite multiple UNSCRs requiring Iran to suspend its sensitive nuclear proliferation activities, Iran continued to be in noncompliance with its international obligations regarding its nuclear program. Implementation of the Joint Plan of Action (JPOA) between the P5+1 (China, France, Germany, Russia, the United Kingdom, and the United States, coordinated by the EU), and Iran began on January 20, 2014. Iran has fulfilled the commitments that it made under the JPOA. The parties negotiated during 2014 to pursue a Joint Comprehensive Plan of Action (JCPOA) to achieve a long-term comprehensive solution to restore confidence that Iran's nuclear program is and will remain exclusively peaceful.

The Louis D. Brandeis Center Blog



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Islamic Republic of Iran: The World's Worst Sponsor of Terror Must Be Stopped

Posted on August 23, 2013 by Richard D. Heideman

The Islamic Republic of Iran, a designated State Sponsor of Terrorism since 1984, remains the world's "most active state sponsor of terrorism" according to the U.S. Department of State's most recent Country Reports on Terrorism. Yet the world continues to turn a blind eye to Iran's sponsorship of terror, ignoring the suffering of terror victims and the instability sown by terrorist groups acting at the behest of the Islamic Republic of Iran and continuing both threats and attacks throughout the world .

While the United States, Europe and the United Nations have imposed sanctions against the Islamic Republic of Iran, the world has not stopped Iran's continued development of its nuclear enrichment program. Sanctions, strong and clear, approved by the United States Congress and the White House, have not done the job. During his tenure as Iran's President, Mahmoud Ahmadinejad flaunted the international community's repeated deadlines and there is no indication that Iran's new President or its Ayatollah leadership will stop their drive to achieve nuclear capability. How can the world accept the prospect of a nuclear Iran, with its inherent real-time dangers, including its threats against Israel and the United States, particularly when viewed through the lens of Iran's continued sponsorship of terrorist attacks? Indeed, separate from and in addition to the justified and crucially important ongoing focus on Iran's weapons of mass destruction (WMD) threat, the time is ripe for the US and the world to take concerted steps to stop Iranian-sponsored terrorism.



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Iran's historical support of terrorist groups is incontrovertible; according to the US State Department, Iran provides money, weapons, training, and other material support to numerous foreign terrorist groups including Hamas, Hezbollah, al-Qaeda, Arab Palestinian rejectionist groups, and Ansar al-Islam. Malta and Israel a few years ago stopped Iranian ships laden with weapons believed to have been bound for Syria. Iran has moved Revolutionary Guards, munitions, missiles and assistance into Syria and across Syria into the hands of

Hezbollah in Lebanon. Nothing has deterred this activity. The threat is real as the Islamic Republic of Iran is truly a continuing and dangerous rogue state, providing hundreds of millions of dollars per year to Hezbollah, Palestinian Islamic Jihad and HAMAS, all of which directly threaten Israel on her northern and southern borders and inside Israel itself. Khaled Mashal, HAMAS' political leader, publicly confirmed Iran has financially supported HAMAS since it won elections in 2006. Moreover, Iran continues to provide safe haven to terrorists wanted by the United States for murdering US citizens. The Iranian Congress' previously ratified a wanted-terrorist, Ahmad Vahidi, accused by Argentina of direct involvement in the horrific AMIA Jewish center bombing in 1994, as Iranian Defense Minister, and continues to name terrorists to key positions in the Iranian government, further illustrating a regime hell-bent on defying, threatening and harming the free world.

In addition to these despicable acts, Iran has in the past few years test-fired a long-range ballistic Sejil-2 missile capable of hitting Israel and US bases in the region. These actions further endanger an already unstable region. Mike Hammer, who served as a US National Security Council spokesman, noted at the time in response to the test-firing that "at a time when the international community has offered Iran opportunities to begin to build trust and confidence, Iran's missile tests only undermine Iran's claims of peaceful intentions. Such actions will increase the seriousness and resolve of the international community to hold Iran accountable for its continued defiance of its international obligations on its nuclear program." Iran's provocative actions are evidence of their continued intent to develop nuclear capability and delivery systems that threaten Israel and others in the region. These threats cannot be countenanced.

Iran's outrageous deeds are accompanied by its outrageous rantings. While Tehran supports those who threaten the very basis of an open and dynamic civil society, during Ahmadinejad's term as President of Iran he declared the Holocaust a mere myth and continuously called for Israel to be wiped off of the map. The recent change of Iranian leadership with the election of Rouhani has shown no indication that the Iranian leadership and its regime intend to stand down either on their words or threats of devastating deeds. In fact, they must be taken at their word and held accountable for their hate mongering and for their sponsorship of terror.

As Israeli Prime Minister Netanyahu strongly asked before the United Nations: "Will the international community thwart the world's most pernicious sponsors and practitioners of terrorism?" The answer is clear: Indeed, the world must confront and stop not only Iran's drive toward nuclear armament, but also Iran's relentless, murderous support and funding of terrorism.

Evidence submitted to US Federal Courts in numerous cases have resulted in Federal Judges holding Iran liable for varied and repeated terrorist acts, ranging from the bombing of the US Marine Barracks in Beirut in 1983, to various attacks in Israel during the Palestinian Intifada, killing and maiming innocent civilians, to responsibility for their involvement in the 9/11 attack upon the United States in 2001. Iran's repeated use of proxies in the form of Foreign Terrorist Organizations such as Hezbollah to murder and attack must be stopped.

Today, it is most critical that world leaders not only speak up and make their voices heard; they must take strong action against Iran designed to hold Iran fully accountable for its terrorist conduct. Iran, a state which takes a callous view of human life should not and cannot threaten our global community or the very foundations upon which our free, open and dynamic society is based. The international community must deal with Iran now, before the recalcitrant state gets any closer to crossing the clear red line which Prime Minister Netanyahu drew at the United Nations. Iran cannot be permitted to further develop its capability to have nuclear weapons as it already has no incentive to stop sponsoring terror or threatening the free world.

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RICHARD D. HEIDEMAN

Richard D. Heideman was born in Detroit, Michigan and is a graduate of The University of Michigan (BA, LSA 1969) and The National Law Center of the George Washington University in Washington, DC (JD 1972). He completed the American University Law and Policy Institute Abroad at the Hebrew University in Jerusalem, Israel during the summers of 1970-1972. Licensed to practice law in the District of Columbia, Maryland, Kentucky, Indiana and Wyoming, he has been admitted to practice in numerous federal courts, including the United States District Courts for the District of Columbia, the District of Maryland, the Northern and Southern Districts of Indiana, the Eastern and Western Districts of Kentucky, the Western District of Wisconsin and the United States District Court for the District of Wyoming. In addition, he has been admitted before the United States Courts of Appeals for the Fourth, Sixth, Seventh, Federal and DC Circuits, the United States Court of Appeals for the Armed Forces, the United States Court of International Trade, the United States Court of Federal Claims as well as the Supreme Court of the United States of America.

The law firm of Heideman Nudelman & Kalik PC is based in Washington DC and serves as counsel in challenging US and international matters including corporate development, non-profit foundation, government relations matters and as lead counsel in complex civil, corporate and criminal defense litigation cases in federal and state courts in various jurisdictions throughout the United States. The firm serves as lead counsel representing American victims of terrorism in claims brought or pending against Libya, Syria, the Islamic Republic of Iran, the PLO and other organizations and financial institutions accused of providing material support for terrorism. In the past few years, the firm has been awarded Judgments against the Islamic Republic of Iran in the amounts of \$1.27 billion and \$813 million; and against the Syrian Arab Republic in the amounts of \$601 million, \$51 million and most recently was awarded a landmark Judgment of \$3.4 billion. The firm has represented numerous victims of terror before the US Foreign Claims Settlement Commission and is counsel to American Victims of terrorism against the Arab Bank, PLC, pending in the Eastern District of New York.

Heideman has recently received the Distinguished Alumnus Award from George Washington University. He is a noted public speaker and advocate who has appeared live on CNN's Burden of Proof, Fox Morning News, CNBC, 124 News and as legal analyst for WUSA-9, the CBS-TV affiliate in Washington, DC, Reuters and other news organizations, providing commentary and analysis on various civil and criminal matters. The firm has served as lead counsel in litigating and settling pharmaceutical, medical and consumer protection and products liability claims.

Heideman is the author of "*The Hague Odyssey: Israel's Struggle for Security on the Front Lines of Terrorism and Her Battle for Justice at the United*" and has been published or featured in

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articles in the Jerusalem Post, the Legal Times and other publications. Heideman authored a chapter in the ABA Manual on *Criminal Defense Practice*, served on the faculty of the National College of Criminal Defense Lawyers and has served as Vice President of the Teton County, Wyoming Bar Association. He is a member of the District of Columbia Bar, as well as numerous state trial and bar associations and served a three-year term on the DC Bar Association Steering Committee for the Criminal Law and Individual Rights Section and as Chair of the Criminal Law Committee of the Bar Association of the District of Columbia. He has taught seminars at the Potomac Institute, for the Kentucky Bar Association, lectured at the Georgetown University School of Foreign Service Center for Arab Studies, at the International Law Society of the George Washington University Law School, the Israel Bar Association and at the Institute for Law and Policy, The Hebrew University Faculty of Law, as well as on contemporary topics of interest throughout the world.

Active in numerous civic affairs, Mr. Heideman served as President of B'nai B'rith International from 1998-2002 and now serves the organization as Honorary President. In 1985, Heideman served as an NGO delegate to the United Nations World Conference on Women in Nairobi, Kenya; in 2001 he served as Head of Delegation to the United Nations World Conference Against Racism in Durban, South Africa; in 2009 as Head of Delegation to United Nations Durban Review Conference in Geneva; and in 2011 as Chairman of the UN Durban 10-year assessment event. He has participated in meetings at The White House, the Department of State and with numerous heads of state, prime ministers, foreign ministers and ambassadors around the globe. In February 2004, he served as Chief Trial Counsel for Israeli victims of terrorism at hearings convened by the Dutch Center for Information and Documentation on Israel coincident with the International Court of Justice Hearings at The Hague. He authored the Legal Brief filed with the International Court of Justice on behalf of the Foundation for the Defense of Democracies regarding legal issues arising from Israel's construction of its terrorism prevention security fence and highlighting Israel's right to defend her people in her quest to stop terror.

Currently Heideman serves as Chair of the Institute for Law and Policy at the Hebrew University Faculty of Law, Chair of The Israel Forever Foundation and recently completed a five year term as Chair of the United States Holocaust Memorial Museum Lawyers Committee in Washington, DC. He served a two-year term as President of the George Washington University Law School Alumni Association and four years as the Chair of The Herzliya Conference International Advisory Board. He has previously served on the Boards of the Anti-Defamation League, Hillel, the World Zionist Organization, the Jewish Agency for Israel, the American Israel Public Affairs Committee, The American-Israel Chamber of Commerce, Inc. of Washington, DC, the World Jewish Congress, the Memorial Foundation for Jewish Culture, the Conference on Material Claims against Germany, the National Conference on Soviet Jewry, Health Care for America, Inc, and Northern Virginia Family Services, Inc. Former Chair of the Board of the American Indoor Soccer Association and co-chair of the Greater Louisville/Jefferson County Sports Commission Planning Committee, he served as the publicly elected Mayor of the City of Spring Valley, Kentucky. In 1965 he was elected one of the youngest International Presidents of the B'nai B'rith Youth Organization and in 2002 served as the founding incorporator of the B'nai B'rith Youth Organization, Inc., the largest Jewish youth leadership training organization in the world.

Mr. Heideman has the distinction of receiving the distinguished Merito de Mayo decoration by President Duhalde of Argentina (2002), having received in 1988 the Heritage Award from State of Israel Bonds and in 1999 the Sam Beber Distinguished Alumnus Award from the B'nai B'rith Youth Organization. In 2005 he received the Joseph Papp Racial Harmony Award from the Foundation for Ethnic Understanding. He has currently or has previously been listed in *Marquis' Who's Who in the East*, *Who's Who in America*, *Who's Who in the World*, *Who's Who in American Law*, *Who's Who of Emerging Leaders in America*, and *Who's Who in Finance & Industry*.

Heideman lives in Bethesda, Maryland with his wife, Hon. Phyllis Greenberg Heideman, a former Presidential Appointee to the United States Holocaust Memorial Council. They are the proud parents of three daughters, Stefanie Jo Heideman of Potomac, Maryland, Dr. Elana Yael Heideman of Jerusalem, Israel and Ariana Michal Heideman of Washington, DC as well as grandparents of five grandsons, Max, Eytam, Noam, Theo and Jake and one granddaughter, Ayelet.