

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

171 “DEHLAVIEH” ANTI-TANK GUIDED
MISSILES;

EIGHT TYPE “358” SURFACE-TO-AIR
MISSILES;

TEN RAYAN ROSHD AFZAR RU60G
THERMAL WEAPONS OPTICS;

ONE USV KIT GM2 35-1;

ONE USV KIT 36-1;

ONE USV KIT 38-1;

ONEBOX NO 573/714;

13,000 “PLAIN DETONATOR, NO. 8”
BLASTING CAPS;

351 COMPONENTS FOR LAND-ATTACK
CRUISE MISSILE;

ONE SET OF COMPONENTS TO NOOR-
C802 ANTI-SHIP CRUISE MISSILE; and

SIX BOXES OF MISCELLANEOUS
UNMANNED AERIAL VEHICLE
COMPONENTS

Defendants.

Case: 1:20-cv-02299
Assigned To : Boasberg, James E.
Assign. Date : 8/20/2020
Description: Gen. Civil (E-DECK)

Civil Action No. _____

UNITED STATES' VERIFIED COMPLAINT FOR FORFEITURE *IN REM*

COMES NOW, Plaintiff the United States of America (the "United States"), by and through the Acting United States Attorney for the District of Columbia, which alleges as follows and brings this verified complaint for forfeiture in a civil action *in rem* against the Defendant Properties (defined and displayed below), namely:

- i. 171 "Dehlavieh" anti-tank guided missiles ("Defendant Property 1");
- ii. Eight type "358" surface-to-air missiles ("Defendant Property 2");
- iii. Ten Rayan Roshd Afzar RU60G thermal weapons optics ("Defendant Property 3");
- iv. One USV KIT GM2 35-1, which includes: two optics, one gear box controller, one USV control panel, one hydraulic control, one antenna adaptor AMP FK-2, one USV 10 panel, three 3 outlet connectors (bronze), and one mounting hardware kit ("Defendant Property 4");
- v. One USV KIT 36-1, which includes: one USV control panel, one USV 10 panel, four optics, one gear box controller, one hydraulic control box, and one antenna adaptor AMP FK-2 ("Defendant Property 5");
- vi. One USV KIT 38-1, which includes: six optics, one gear box controller, one USV control panel, one USV I/O panel, one antenna adaptor FK-2, one hydraulic control box, and one mounting bracket kit ("Defendant Property 6");
- vii. One "BOX NO 573/714," which includes: five optics "AK-12" with bags, three USV controller boxes, and three camera controllers ("Defendant Property 7");
- viii. 13,000 "Plain Detonator, No. 8" blasting caps ("Defendant Property 8");
- ix. 351 components for land-attack cruise missile ("Defendant Property 9");
- x. One set of components to Noor-C802 anti-ship cruise missile ("Defendant Property 10"); and

xi. Six boxes of miscellaneous unmanned aerial vehicle components (Defendant Property 11), (collectively, the “Defendant Properties”).

NATURE OF ACTION AND THE DEFENDANT IN REM

1. This *in rem* forfeiture action arises out of an investigation by Homeland Security Investigations (“HSI”) and the Defense Criminal Investigative Service (“DCIS”). Specifically, the United States is investigating an Iranian maritime weapons smuggling network involved in the illicit trafficking of advanced conventional weapons systems and components, including systems that contain U.S.-origin components, by sanctioned Iranian entities that directly supports military action by the Houthis movement in Yemen and the Iranian regime’s campaign of terrorist activities in Yemen and throughout the region.

2. The Defendant Properties are subject to seizure and forfeiture pursuant to 18 U.S.C. § 981(a)(1)(G)(i), as domestic and foreign assets of a designated foreign terrorist organization, the Islamic Revolutionary Guard Corps (“IRGC”), which has engaged in planning and perpetrating federal crimes of terrorism as defined in 18 U.S.C. § 2332b(g)(5), against the United States, citizens or residents of the United States, and as domestic and foreign assets affording any person a source of influence over any such entity or organization.

JURISDICTION AND VENUE

3. This Court has jurisdiction over this action pursuant to 28 U.S.C. §§ 1345 and 1355.

4. Pursuant to 14 U.S.C. § 522(a) and 28 U.S.C. § 2461(b), this court has jurisdiction for property subject to forfeiture on the high seas.

5. Venue is proper within this judicial district pursuant to 28 U.S.C. § 1355(b)(1)(A) and (b)(2).

FACTS GIVING RISE TO FORFEITURE

I. BACKGROUND

A. Iranian Support of Military Action and Terrorist Activity in Yemen

6. According to reliable reporting, the Houthis, who have been fighting the United Nations-recognized government in Yemen, took control of the Yemeni capital, Sana'a, in 2014. In response to Houthi advances, neighboring states launched a military campaign in 2015. Iran is widely known to provide support to the Houthis. Yemeni officials and their allies, most notably the Kingdom of Saudi Arabia, have repeatedly alleged that Iran and its proxy Hezbollah¹ have provided arms, training, and financial support to the Houthis. Iranian and Hezbollah officials have denied such claims.

7. In January 2020, the United Nations ("U.N.") Security Council published its Report of the Panel of Experts on Yemen (hereafter "Panel of Experts Report") regarding their findings on the ongoing conflict between the Houthis and U.N.-recognized Yemeni government. With regard to potential violations of the targeted U.N. arms embargo, the Panel of Experts Report noted the continued reception by Houthi forces of military support in the form of assault rifles, rocket-propelled grenade launchers, anti-tank guided missiles, and more sophisticated cruise missile systems.

8. According to the Panel of Experts Report, some of those weapons have technical characteristics similar to arms manufactured in Iran.

¹ On October 8, 1997, the United States Secretary of State designated Hizballah, including several aliases, as a Foreign Terrorist Organization ("FTO") under Section 219 of the Immigration and Nationality Act. On May 16, 2017, the Secretary of State amended the designation of Hizballah to include the following aliases: Lebanese Hizballah, also known as Lebanese Hezbollah, also known as LH, among other aliases. To date, Hizballah remains a designated FTO.

9. The Panel of Experts Report further noted that for both commercial parts and weapons, the main smuggling route seems to run overland from Oman and the southern coast of Yemen, through territory controlled by the U.N.-recognized Yemeni government, but the recent interdiction of a vessel carrying anti-tank guided missiles and other missile parts in the Arabian Sea indicates that, as in previous years, sea transport continues to play a role in potential violations of the targeted arms embargo.

B. The Islamic Revolutionary Guard Corps

10. The U.S. Department of State and the U.S. Department of the Treasury have found that the Iranian government uses the Islamic Revolutionary Guard Corps (“IRGC”) as its primary means to direct and implement its global terrorist campaign, to include the illicit trafficking of advanced conventional weapons to proxies in various countries, including Yemen.

11. On April 15, 2019 the United States Secretary of State designated the IRGC as a Foreign Terrorist Organization (“FTO”) under Section 219 of the Immigration and Nationality Act. To date, the IRGC remains a designated FTO.²

² The Secretary of State has also listed the following aliases for the IRGC: Islamic Revolutionary Guards Corps; Islamic Revolution Guards Corps; Iran’s Revolutionary Guard Corps; Islamic Revolutionary Corps; IRG; The Iranian Revolutionary Guards; Islamic Revolutionary Guards; Iran’s Revolutionary Guards; Revolutionary Guards; Revolutionary Guard; Army of the Guardians of the Islamic Revolution; The Army of the Guardians of the Islamic Revolution; AGIR; Pasdaran; Pasdaran-e Inqilab; Pasdarn-e Enghelab-e Islami; Sepah; Sepah Pasdaran; Sepah-e Pasdaran-e Enghelab-e Eslami; Sepah-e Pasdaran Enghelab Islami; Islamic Revolutionary Guard Corps-Qods Force; IRGC-Qods Force; IRGC-QF; Qods Force; Sepah-e Qods; Jerusalem Force; Al Qods; Islamic Revolutionary Guard Corps (IRGC)-Qods Force; Pasdaran-e Enghelab-e Islami (Pasdaran); Sepah-e Qods (Jerusalem Force); Qods (Jerusalem) Force of the IRGC; Qods Force; IRGC Ground Forces; Islamic Revolution Guards Corps Ground Force; Basij; Baseej; Basij-e Melli; Islamic Revolution Guards Corps Resistance Force; Basij Resistance Forces; Mobilization of the Oppressed; Mobilization of the Oppressed Unit; Mobilization of the Oppressed Organization; Organization of the Mobilisation of the Oppressed; Sazman Basij Melli; Sazman-e Moghavemat-e Basij; Sazeman-e Basij-e Mostazafan; Vahed-e Basij-e Mostazafeen; Vahed-e Basij Mostaza’feen; National Mobilization Organization; National Resistance Mobilization; Resistance Mobilization Force; Nirooye Moghavemate Basij; Niruyeh Moghavemat Basij; IRGC

12. According to the U.S. Department of the Treasury, the IRGC and its major holdings have a dominant presence in Iran's commercial and financial sectors, controlling multi-billion dollar businesses and maintaining extensive economic interests in the oil industry. The profits from these activities support the IRGC's full range of nefarious activities, including the proliferation of weapons of mass destruction and their means of delivery, support for terrorism, and a variety of human rights abuses, at home and abroad. *See* <https://home.treasury.gov/news/press-releases/sm703>.

II. UNITED STATES MARITIME INTERDICTION OF STATELESS VESSELS CONTAINING IRANIAN ADVANCED CONVENTIONAL WEAPONS DESTINED FOR YEMEN

13. This civil forfeiture action arises from two separate U.S. Navy Central Command ("NAVCENT") interdictions of stateless vessels (*i.e.*, vessels not displaying a national flag), the *Al Qanas 1* and *Al Raheeb*, occurring on November 25, 2019, and February 9, 2020, respectively. These interdictions occurred while the USS *Forrest Sherman* (DDG-98) and the USS *Normandy* (CG-60) were conducting routine maritime security operations in the Arabian Sea. These two interdictions led to the discovery and seizure of two large caches of Iranian-made advanced conventional weapons, including surface-to-air-missiles and anti-tank missiles, some of which contained U.S.-origin components.

14. Analysis conducted by U.S. and U.N. authorities of the *Al Raheeb* and *Al Qanas 1* interdiction revealed that Iran was responsible for planning, organizing, and making both shipments of weapons discovered therein. For example:

Air Force; Islamic Revolution Guards Corps Air Force; Islamic Revolutionary Guards Corps Air Force; Islamic Revolutionary Guard Corps Air Force; IRGCAF; Sepah Pasdaran Air Force; Air Force, IRGC (Pasdaran); Islamic Revolutionary Guards Corps Aerospace Force; Aerospace Force of the Army of the Guardians of the Islamic Revolution; AFAGIR; Aerospace Division of IRGC; IRGC Aerospace Force; IRGCASF; IRGC Navy; Islamic Revolution Guards Corps Naval Force.

a. examination by United Nations inspectors and U.S. analysts determined that the seized weapons were of Iranian manufacture and consistent with known Iranian weapon systems; and

b. the land-attack cruise missile components discovered on the *Al Raheeb* matched the missiles used by Iran to attack the Saudi Aramco oil refineries in the Kingdom of Saudi Arabia in September 2019.

15. Specifically, an authority at U.S. Central Command (“CENTCOM”), who has expertise in these matters, concluded that there was “not any plausible way that these missiles and weapons could have gotten on a dhow between Iran and Yemen except that the IRGC has continued a pattern of smuggling to the Houthis and Yemen.” Furthermore, these seizures reflect that the “the IRGC continues to attempt to deliver weapons to the Houthis in Yemen, and support the Houthis in that conflict despite the U.N. Security Council resolutions embargoing weapon deliveries to Yemen.”

A. Defendant Properties Seized from Maritime Vessel *Al Raheeb*, which is Linked to IRGC-QF, Include Iranian-Designed and Manufactured Advanced Weapons Systems

16. On or about November 25, 2019, in accordance with international law and routine maritime security operations in the Arabian Sea, a team from the USS *Forrest Sherman* (DDG-98) boarded the *Al Raheeb*, a stateless maritime vessel known as a “dhow” manned by Yemeni nationals.

17. Concerning this interdiction, the U.N. Panel of Experts noted: “The high-profile seizure on 25 November 2019 of a dhow carrying anti-tank guided missiles and other missile parts in the Arabian Sea indicates that, as in previous years, sea transport continues to play a role in potential violations of the targeted arms embargo.”

18. In December 2019, in response to the seizure of Iranian-manufactured weapons on the *Al Raheeb*, the Department of the Treasury, Office of Foreign Assets Control (“OFAC”) designated the Abdolhossein Khedri Network for “smuggling lethal aid from Iran to Yemen on behalf of the [IRGC-QF].” Describing the network, OFAC stated: “For over ten years, Iranian businessman Abdolhossein Khedri had been involved in shipping operations for the IRGC-QF. Since 2018, Abdolhossein Khedri used his companies, Khedri Jahan Darya Co. and Maritime Silk Road LLC, as well as vessels owned by Khedri Jahan Darya Co., to support the IRGC-QF’s smuggling operations.”

19. The Panel of Experts Report indicated that the items onboard the *Al Raheeb* included “21 anti-tank guided missiles, which were likely to be the Iranian Dehlavieh version of the 9M133 Kornet, two previously unknown surface-to-air missiles, and components for the Quds-1 land attack cruise missile, for a C802 anti-ship cruise missile and for a third, unidentified cruise missile. The shipment also included a large number of detonators, parts for the assembly of waterborne improvised explosive devices, thermal optical weapon sights and other components.”

20. U.S. law enforcement has identified the following items found on the *Al Raheeb* as being subject to forfeiture:

- a. 21 “Dhelaveih” anti-tank guided missiles, which are a portion of Defendant Property 1;
- b. Five type “358” surface-to-air missiles, which are a portion of Defendant Property 2;
- c. Several thermal optical weapon sights, which are a portion of Defendant Property 3;

d. Approximately 13,000 “Plain Detonator, No. 8” blasting caps, which are identified as Defendant Property 8. Law enforcement is aware that U.S. military forces use approximately this many blasting caps over a year, leading law enforcement to believe these blasting caps were intended for a large military force;

e. 351 components for land-attack cruise missile, which are a portion of Defendant Property 9;

f. One set of Noor-C802 anti-ship cruise missile components, which are identified as Defendant Property 10; and

g. Six boxes of various unmanned aerial vehicle components and miscellaneous electronics, which are identified as a portion of Defendant Property 11.

See Attachments (pictures of the aforementioned weapons and parts seized during the USS *Forrest Sherman* interdiction).

B. Defendant Properties Seized from Maritime Vessel *Al Qanas 1*, which is also Linked to IRGC-QF, Include Iranian-Designed and Manufactured Advanced Weapons Systems

21. On or about February 9, 2020, in accordance with international law and routine maritime security operations in the Arabian Sea, a team from the USS *Normandy* (CG-60) boarded the *Al Qanas 1*, another stateless dhow manned by Yemeni nationals, and discovered another large cache of Iranian-designed and manufactured advanced weapons systems and components.

22. Concerning this February 2020 interdiction, the U.N. Panel of Experts assessed the seized items to be “evidently of Iranian origin.” The Panel of Experts noted that the seized anti-tank guided missiles had container launch units with characteristics consistent with those of the Iranian produced Dehlavieh anti-tank guided missile. Additionally, the seized thermal optical weapon sights had design characteristics similar to those produced by an Iranian entity. The Panel of Experts further found that the serial numbers of the optical weapon sights matched those of

items previously delivered to Iran. Records revealed that the importer of model sights was the “State Purchasing Organization of the Ministry of Defence and Armed Forces Support of Iran.”

23. On February 19, 2020, CENTCOM authorities concluded that there were indications that the Iranian Quds Force / IRGC were responsible for the weapons seized from the *Al Qanas 1*. A representative from CENTCOM subsequently confirmed that the weapons and components discovered aboard the *Al Qanas* are linked to the IRGC.

24. The advanced weapon systems and components on board the *Al Qanas 1* which are subject to forfeiture included:

- a. 150 additional “Dhelaveih” anti-tank guided missiles, which are a portion of Defendant Property 1;
- b. Three type “358” surface-to-air missiles, which are a portion of Defendant Property 2;
- c. Thermal optical weapon scopes, which are a portion of Defendant Property 3; and
- d. One “BOX NO 573/714”, which includes: five optics “AK-12” with bags, three USV controller boxes, and three camera controllers, identified as Defendant Property 7.

See Attachments (pictures of the aforementioned weapons and parts seized during the USS *Normandy* interdiction).

C. U.S.-Origin Components Discovered in Seized Cache of Iranian Weapons

25. The investigation revealed that that a subset of the items recovered from the missiles seized from the *Al Qanas I* were U.S.-origin components. These components were found as having been integrated into the “358” missile and would be considered critical to the functionality of that weapon. For example the recovered U.S.-origin technology included:

- a. a high-frequency communications antenna; and
- b. an inertial navigational system controller, which aids a missile in its guidance capabilities.

COUNT ONE—FORFEITURE
(18 U.S.C. § 981(A)(1)(G)(i))

26. The United States incorporates by reference the allegations set forth in Paragraphs 1 to 25 above as if fully set forth herein.

27. As described above, the Defendant Properties were part of a weapons smuggling scheme involving the IRGC.

28. The Defendant Properties are subject to seizure and forfeiture pursuant to 18 U.S.C. § 981(a)(1)(G)(i), as domestic and foreign assets of a designated foreign terrorist organization, the IRGC, which has engaged in planning and perpetrating federal crimes of terrorism as defined in 18 U.S.C. § 2332b(g)(5), against the United States, citizens or residents of the United States, and as domestic and foreign assets affording any person a source of influence over any such entity or organization.

PRAYER FOR RELIEF

WHEREFORE, the United States prays that notice issue on the Defendant Properties as described above; that due notice be given to all parties to appear and show cause why the forfeiture should not be decreed; that judgment be entered declaring that the Defendant Properties be forfeited to the United States for disposition according to law; and that the United States be granted such other relief as this Court may deem just and proper, together with the costs and disbursements of this action.

Dated: August 17, 2020
Washington, D.C.

Respectfully submitted,

MICHAEL R. SHERWIN
Acting United States Attorney

By: /s/ Zia Faruqui
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VERIFICATION

I, Alan Poorman, a Special Agent with the Homeland Security Investigations, declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the foregoing Verified Complaint for Forfeiture *In Rem* is based upon reports and information known to me and/or furnished to me by other law enforcement representatives and that everything represented herein is true and correct.

Executed on this 17th day of August, 2020.

/s/ Alan Poorman
Special Agent Alan Poorman
Homeland Security Investigations

I, Kenneth Wheeler a Special Agent with the Defense Criminal Investigative Service, declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the foregoing Verified Complaint for Forfeiture *In Rem* is based upon reports and information known to me and/or furnished to me by other law enforcement representatives and that everything represented herein is true and correct.

Executed on this 17th day of August, 2020.

/s/ Kenneth Wheeler
Special Agent Kenneth Wheeler
Defense Criminal Investigative Service

ATTACHMENT 1

On November 25, 2019, U.S. authorities seized: 21 Dehlabieh anti-tank guided missiles; five type “358” surface-to-air missiles; 351 land-attack cruise missile components; one set of Noor-C802 anti-ship cruise missile components; and six boxes of unmanned aerial vehicle components and miscellaneous electrical components.



ATTACHMENT 2

On November 25, 2019, U.S. authorities seized: 13,000 “Plain Detonator, No. 8” blasting caps.



ATTACHMENT 3

On November 25, 2019, U.S. authorities seized: five Rayan Roshd Afzar RU60G thermal weapons optics.



ATTACHMENT 4

On February 9, 2020, U.S. authorities seized: 150 “Dhelaveih” anti-tank guided missiles.



ATTACHMENT 5

On February 9, 2020, U.S. authorities seized: three type “358” surface-to-air missiles.



ATTACHMENT 6

On February 9, 2020, U.S. authorities seized: five Rayan Roshd Afzar RU60G thermal weapons optics.



ATTACHMENT 7

On February 9, 2020, U.S. authorities seized: additional optics, controllers, and miscellaneous electrical components.

