

Iran's Misuse of Civilian Aircraft

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Overview

Iran's civil aviation industry has historically aided the Islamic Revolutionary Guard Corps (IRGC) efforts to procure, supply and transport weapons, ballistic missile components and military personnel to its terrorist proxies and allies such as Hezbollah and the Assad regime. According to a July 2019 [advisory](#) published by the U.S. Department of the Treasury, "Iran has routinely relied upon Iranian commercial airlines to fly fighters and materiel to international locations in furtherance of Iranian state-sponsored terror operations."

The advisory warns, "U.S. and non-U.S. persons operating in the civil aviation industry face potential civil and criminal consequences for violating OFAC's [Office of Foreign Assets Control, Department of the Treasury] sanctions programs, including by engaging in unauthorized transfers of U.S.-origin aircraft or related goods, technology, or services to Iran."

As well as the notorious Mahan Air, which was sanctioned for its terrorist activities as far back as 2011 and is now banned from landing in all of mainland Europe, a multitude of Iranian civilian airlines are listed as Specially Designated Global Terrorists (SDGT), including Caspian Air, Meraj Air, Pouya Air, Dena Airways, Khors Aircompany, Qeshm Fars Air. On November 5, 2018, OFAC also added Iran Air, the main civilian airline of the Islamic Republic of Iran, to the Specially Designated Nationals (SDN) list. All are subject to "secondary sanctions," which apply to non-U.S. persons outside the U.S.

Under the terms of the JCPOA, the United States committed to "allow for the sale of commercial passenger aircraft and related parts and services to Iran by licensing the (i) export, re-export, sale, lease or transfer to Iran of commercial passenger aircraft for exclusively civil aviation end-use." In December 2016, Boeing entered into a [contract](#) with Iran's national airline, the government-owned Iran Air, for 80 civilian airliners valued at \$16.6 billion. In June 2017, Boeing [inked](#) another deal with Iran's third largest airline, Aseman Air, for 30 Boeing aircraft. Aseman's CEO, Hossein Alaei, has [longstanding ties to the Islamic Revolutionary Guard Corps](#) (IRGC). Following the U.S. withdrawal from the JCPOA, Boeing [terminated](#) all agreements with Iranian airlines.

Other major aircraft makers, including Airbus and ATR, have also sought – and succeeded – to do business with Iran. In February 2016, Iran Air announced it would [purchase](#) 118 Airbus commercial aircraft at an estimated \$27 billion. Airbus received an OFAC license and three of its aircraft were delivered before the Treasury Department revoked its export license for the planes. In June 2017, Airbus agreed to [tentative](#) sales of 45 A320 aircraft to Iran's Airtour Airline and 28 A320 aircraft to Iran's Zagros Airlines. No license for the sale was announced prior to the U.S. exit from the JCPOA. ATR, owned by Airbus and Italy's Leonardo, sold 20 aircraft to Iran Air. It delivered eight aircraft by the time of the U.S. JCPOA exit and was given licenses to deliver another five by November 2018 effective date of the export license revocation. In April 2019, OFAC granted a [license](#) for ATR to supply spare parts (with U.S. consent) to the ATR aircraft used by Iran.

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It has always proved impossible to guarantee that planes and parts sold to Iran will be for “exclusively civil aviation end-use.” Even during the height of the JCPOA, at a [June 2016 press briefing](#), former State Department Spokesman John Kirby was unwilling or unable to confirm that Iran Air had taken any action to merit the lifting of sanctions against it or that it was no longer engaged in sanctionable activities.

Iran Air’s aircraft attempted buying spree raises obvious red flags that it is not the final buyer for all the aircraft it is seeking to acquire. Tehran is [reportedly seeking to purchase 500 civilian airliners](#) over the next decade, a massive expansion considering that Iran Air and its subsidiary currently operate around 50 aircraft. With no clear need for the number of planes it is seeking, there is a high likelihood that some of the planes delivered will be resold or transferred to the Iranian air force, or other Iranian air carriers still under sanctions such as Mahan Air and Pouya Air (formerly Yas Air, a long sanctioned airline [operated by the IRGC and its Pars Aviation Company](#)).

Iran’s civil aviation industry is a clearly complicit partner in ballistic missile proliferation, terrorism, and human rights abuses. The hazards of conducting business with the sanction-designated Iran Air and other Iranian civil airlines, implicated in the provision of material support to the terrorism and human rights abuses of the IRGC-Quds Force, Hezbollah, and Assad, far outweigh any theoretical benefit of commercial engagement in the Iranian civil aviation market.

History of Abuses:

- On May 19, 2020, the U.S. [designated](#) China-based Shanghai Saint Logistics Limited, for acting as a general sales agent services for Mahan Air.
- In April 2020, Spain [banned](#) flights of Mahan Air, signaling the cessation of Mahan Air scheduled routes into mainland Europe.
- In November 2019, Italy [banned](#) flights of Mahan Air.
- In March 2019, [France](#) joined Germany and several other countries to deny Mahan Air landing rights due to the airline’s involvement in transporting military equipment and personnel to Syria.
- In January 2019, Germany [announced](#) its decision to deny Mahan Air landing rights saying that “it is in Germany’s diplomatic interest that there are no flights to Germany by companies that support the military conflict in Syria and contribute to the repression of people in war zones.”
- In January 2019, The U.S. Treasury’s Office of Foreign Assets Control (“OFAC”) [designated](#) Qeshm Fars Air for being owned or controlled b Mahan Air, and for providing material support to the IRGC-QF, and Armenia-based Flight Travel LLC for acting for or on behalf of Mahan Air.
- In November 2018, the U.S. Treasury’s OFAC added Iran Air to the Specially Designated Nationals List (SDN).
- In September 2018, the U.S. Treasury’s OFAC [designated](#) Thailand-based My Aviation Company Limited for action on behalf of Mahan Air.

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- In July 2018, The U.S. Treasury's OFAC [designated](#) Mahan Travel and Tourism Sdn Bhd, a Malaysia based General Sales Agent (GSA), for acting on behalf of Mahan Air. According to the designation, "GSAs such as Mahan Travel and Tourism Sdn Bhd are key to enabling Mahan Air's international operations, especially in regards to conducting financial transactions on behalf of the airline."
- In May 2018, The U.S. Treasury's OFAC [designated](#) nine individuals and entities procuring export-controlled U.S. origin goods for sanctioned Iranian airlines. Treasury Secretary Steven Munchin said, "The facilitators designated by the Treasury today have been procuring parts and providing services for the fleets of sanctioned Iranian airlines, including Mahan Air, Caspian Air, Meraj Air, and Pouya Air. In so doing, they extend a lifeline to the IRGC-QF and enable the Iranian Regime to transport weapons, fighters, and money to its proxies, including Hizballah, and to prop up the brutal Assad regime...Countries and companies around the world should take note of the risks associated with granting landing rights and providing aviation services to the airlines used by Iran to export terrorism throughout the region. The deceptive practices these airlines employ to illegally obtain services and U.S. goods is yet another example of the duplicitous ways in which the Iranian Regime has operated."
- In August 2017, Congressional leaders were provided [photographic evidence](#) of an Iran Air passenger plane with the company's logo visible on the headrest being used to transport militants affiliated with the Fatemiyoun Brigade, an Afghan Shia mercenary militia trained and funded by the IRGC, to Syria. The photographs depicting Iran Air engaged in sanctionable activity were [reportedly](#) taken during 2016 and 2017, well after the lifting of sanctions against it.

The revelation of these photographs prompted four Republican lawmakers, Reps. Peter Rosakam (R-IL), Lee Zeldin (R-NY), Andy Barr (R-KY), and David Reichert (R-WA) to write a [letter](#) to Treasury Secretary Steven Mnuchin calling for an investigation into the photos and the re-designation of Iran Air if found to have engaged in illicit military transports. In the letter, the Congressmen wrote, "These photos offer strong evidence of Iran Air's noncommercial and illicit use of commercial aircraft to materially support the IRGC and the Assad Regime."

- Following the January 2016 implementation of the JCPOA, Iran Air ceased operating the Iran-Syria route for a time. However, in June 2016, Emanuele Ottolenghi, an expert on Iran's history of sanctions evasion, observed three flights using publicly available flight data indicating the resumption of the well-known weapons resupply route. On June 9, an Iran Air plane spent an hour in Abadan, Iran, the [logistical hub of the IRGC's airlifts](#) to Assad and Hezbollah before continuing on to Damascus. On [June 8 and 15](#), Iran Air operated flights from Tehran to Damascus utilizing a Najaf-Tehran flight number in an effort to disguise their true destination.

Iran Air's flights to Syria continued to multiply. Between Implementation Day of the JCPOA in January 2016 and August 2017, [over 1000 flights](#), including 134 such flights by Iran Air,

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departed from points in Iran and landed in Syria, indicating an ongoing complex logistical operation to resupply the Assad regime. In one two-month period alone during 2017, Iranian and Syrian airlines delivered an estimated [21,000 passengers and 5,000 tons of supplies](#) from Tehran and Abadan to Damascus. In sum, Iran operated 11 commercial flights per week to Syria during this period, with two flights per week operated by Iran Air. Lending credence to the nefarious nature of these Iran Air flights, the flights occur at irregular intervals and Iran Air's [website](#) does not have tickets to Damascus available to the general public on its website. Nor is Damascus even listed as a possible destination.

- Any civilian airliners purchased by Iran Air are at risk of being resold or transferred to Mahan Air. Mahan Air was designated by the Treasury Department in October 2011 for "providing travel services to IRGC-QF personnel flown to and from Iran and Syria for military training." Furthermore, the designation alleged that "Mahan Air has transported personnel, weapons and goods on behalf of Hizballah and omitted from Mahan Air cargo manifests secret weapons shipments bound for Hizballah."

Mahan Air remains sanctioned to this day. In the months after the JCPOA was reached, Mahan Air [intensified](#) its service between Iran and Syria, conducting nearly daily flights between Tehran and Damascus and Latakia, an Assad regime stronghold.

- In January 2017, Ukrainian authorities [announced](#) the seizure of a shipment of Russian-made anti-tank guided missile components bound for Iran, a violation of Annex B of United Nations Security Council Resolution 2231 forbidding the supply, sale and transfer of missiles or missile systems to Iran without the council's prior approval. The illicit shipment was found onboard aircraft operated by Ukrainian-Mediterranean (UM) Airlines, which has officially partnered with Mahan Air on daily flights from Ukraine to Iran since the JCPOA took effect. UM was [designated](#) by the Treasury Department in 2013 for leasing aircraft to Mahan Air. Rep. Roskam responded to the seizure, saying, "This is yet another example of the Islamic Republic using commercial aircraft for military purposes. Airbus and Boeing cannot claim ignorance on this—the Regime's behavior is on full display before the world."
- In November 2016, Israel's Ambassador to the United Nations sent an [urgent letter](#) to the Security Council alleging, based on Israeli intelligence, that "The Iranian Al-Quds Force packs weapons, ammunition and missile technology to Hezbollah in suitcases and puts them on Mahan Air flights. ... These planes fly directly to the airport in Lebanon or Damascus and from there the weapons are transferred on the ground to Hezbollah."
- Another risk of delivering civilian airliners to Iran is Iran's history of repurposing commercial aircraft for use in its air force. At least [six Boeing airliners](#) sold to Iran Air during the 1970s were subsequently [transferred](#) to Iran's air force.
- In October 2012, the Treasury Department [designated 117 aircraft operated by Iran Air, Mahan Air, and Yas Air](#) as blocked property. Treasury found that, "In the summer of 2012, Iran used Iran Air and Mahan Air flights between Tehran and Damascus to send military

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and crowd control equipment to the Syrian Regime. This activity was coordinated with Hizballah.”

- A [2011 report by a U.N. expert panel on North Korea](#) found that, “Prohibited ballistic missile-related items are suspected to have been transferred between the Democratic People's Republic of Korea and the Islamic Republic of Iran on regular scheduled flights of Air Koryo and Iran Air, with trans-shipment through a neighboring third country.”
- In 2011, the U.S. Treasury Department [designated](#) Iran Air, finding that the commercial airline was “used by the IRGC and Iran’s Ministry of Defense and Armed Forces Logistics (MODAFL) to transport military related equipment.” The designation further alleged that, “Iran Air has shipped military-related equipment on behalf of the IRGC since 2006. ... Additionally, commercial Iran Air flights have also been used to transport missile or rocket components to Syria.”