

ADL **TERRORISM**

Update

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SPECIAL ISSUE: ATTACK ON AMERICA: ONE YEAR LATER

This issue is dedicated to the memory of the over 3,000 men and women from 80 different countries who tragically and senselessly lost their lives one year ago in New York, Washington and Pennsylvania on September 11, 2001, in the worst act of terrorism on American soil and in the world.

Since September 11, the United States and the international community have launched a multi-front war on terrorism utilizing all the military, legal, economic and legislative tools available. This special issue examines what has been accomplished in the war on terrorism since the tragic events of last September.

Status of Al Qaeda

Following American-led military intervention in Afghanistan, the political infrastructure of the pro-Al Qaeda Taliban movement was virtually destroyed and a new government was established in Kabul. Al Qaeda's military infrastructure in Afghanistan was destroyed but U.S. officials believe the terrorist network has reconstituted itself in Pakistan, with more than 3,500 Al Qaeda fighters believed to be hiding throughout Pakistan's cities and border areas. In addition, the terror network has cells worldwide. U.S. officials also believe that a group of midlevel Al Qaeda operatives has assumed a more prominent role in the organization and is working alongside Middle Eastern extremists across the Islamic world.

It is believed that 12 of Al Qaeda's top 31 leaders have been killed or captured. Those killed in the American bombing campaign include Mohammed Atef, believed to be Al Qaeda's top military commander, Abdel Kader Es Sayed, reportedly in charge of Al Qaeda's Italian operations and Abu Jafar al-Jaziri, a suspected Al Qaeda logistics and operations chief.

In March 2002, Pakistani security forces, with assistance from the FBI and CIA, cap-



An American flag posted in the rubble of the World Trade Center following the September 11 terrorist attacks.

tured senior Al Qaeda leader Abu Zubaydah, 31, in central Pakistan. Abu Zubaydah was head of operations and a chief of recruitment and terror training for Al Qaeda, making him the highest-ranking Al Qaeda commander captured so far. As head of operations, Abu Zubaydah is believed to

have been involved in most, if not all, of Al Qaeda's major terrorist attacks worldwide. He is currently being held and interrogated by U.S. authorities in a secret location.

Two of Abu Zubaydah's deputies have also been apprehended. In December 2001, Pakistani forces captured and handed over to U.S. authorities Ibn Al-Shaykh al-Libi, who reportedly disclosed enough information to thwart an alleged Al Qaeda plot to attack the U.S. Embassy in Yemen. In June 2002, Moroccan authorities captured Abu Zubair Haili, whom the U.S. believes was a senior Al Qaeda lieutenant who worked under Abu Zubaydah, handling logistics in and out of Al Qaeda training camps.

At this writing, there are 434 suspected members of Al Qaeda and the Taliban being held in Camp Delta at Guantanamo Bay, Cuba.

Two American citizens suspected of aiding the Taliban were also captured in Afghanistan: John Walker Lindh and Yasser Hamdi. Lindh was charged in January 2002 with conspiring to kill Americans outside the U.S., providing material support and resources to foreign terrorist organizations, and providing goods and services to the Taliban. In July 2002, Lindh pleaded guilty to charges of aiding the Taliban and possessing explosives

and agreed to serve 20 years in prison. In exchange, the government dropped terrorism and conspiracy charges.

At this writing, Yasser Hamdi is being held without charges as an enemy combatant

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(AP Photo/Beth A. Kaiser)

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at a U.S. military facility.

Status of the September 11 Criminal Investigation

American investigators currently suspect that Kuwaiti-born senior Al Qaeda leader Khalid Shaikh Mohammed, 37, was the mastermind of the September 11 attacks. In 1996, Mohammed was indicted in the U.S. in connection with an alleged 1995 plot to bomb trans-Pacific airliners headed to the U.S. An uncle of convicted 1993 World Trade Center mastermind Ramzi Ahmed Yousef, Mohammed is one of the FBI's most-wanted terror suspects and the U.S. government has offered up to \$25 million for information leading to his capture. It is further believed that the operational details of the September 11 plot were planned by Mohammed Atta's Hamburg terror cell while the financing came from the United Arab Emirates.

At this writing, after nearly a year of exhaustive investigative work and 1,600 arrests in 95 countries, there has been only one indictment directly related to September 11. Alleged "20th hijacker" Zacarias Moussaoui, 34, was indicted in Alexandria, Virginia, in December 2001, on six criminal conspiracy charges, including conspiring with Osama bin Laden and Al Qaeda to kill thousands of people on September 11.

In court papers made public in June 2002, the Moroccan-born French citizen acknowledged that he was "indeed a Muslim fundamentalist openly hostile to the Jews and the United States of America." In July 2002, Moussaoui tried to enter a guilty plea saying, "... I have knowledge and I participated in Al Qaeda. I am a member of Al Qaeda. I pledge bayat [allegiance] to Osama bin Laden." Shortly afterwards he withdrew his plea. Also in July, prosecutors obtained a third indictment against Moussaoui listing aggravating factors that raise the crimes to a capital offense. Jury selection for his trial begins September 30, 2002.

Other countries have arrested and detained suspected Al Qaeda operatives with alleged ties to September 11. Germany is holding Mounir El Motassadeg, 27, an electrical engineering student in Hamburg, who admitted to casually knowing hijackers Mohammed Atta and Marwan Al Shehhi. Authorities believe he may have managed Al Shehhi's Hamburg bank account, which was used to cover costs related to his U.S. resident permit and flight training.

In June 2002, it was reported that Syrian authorities are holding Syrian-born German

citizen Mohamed Heidar Zammar, 41, a suspected Al Qaeda leader whom U.S. officials believe was involved in the recruitment of suspected September 11 mastermind Mohamed Atta. Syria is reportedly detaining him on a warrant stemming from a charge that he participated in a plan for a bombing attack in Syria. According to newspaper reports, Zammar told Syrian interrogators that he helped establish the Hamburg Al Qaeda cell and that he recruited Mohamed Atta and other Hamburg-based hijackers into Al Qaeda.

Significant Al Qaeda arrests have occurred in Spain and Italy. In November 2001, Spanish police arrested an Al Qaeda cell that included Imad Eddin Barakat Yarkas, bin Laden's alleged representative in Spain. In April 2002, Spanish police arrested Muhammad Galeb



An artist's sketch of Zacarias Moussaoui, the only person charged as a September 11 conspirator, at the Alexandria Federal Courthouse in Alexandria, Va., on June 13, 2002.

Kalaje Zouaydi, suspected chief financier of Al Qaeda's Spanish operations who is believed to have channeled large sums of money from Madrid to Al Qaeda operatives worldwide, including the German cell that allegedly orchestrated the September 11 attacks. He was charged in Madrid with crimes of terrorism linked to the September 11 attacks. In July 2002, Spanish authorities arrested three Syrian-born suspected Al Qaeda operatives, including Ghasoub al-Abrash Ghalyoun, aka Abu Musab, who had five-year-old videotapes with hours of surveillance images of the World Trade Center and other U.S. sites. At this writing, 13 people are being held in Spain accused of financing and recruiting members for Al Qaeda and possibly helping plan the September 11 attacks.

Italy has arrested many suspected Al Qaeda members but more significantly, Italy is home

to the first Al Qaeda convictions in Europe. In February 2002, an Italian court convicted four Tunisians, including suspected senior Al Qaeda operative Essid Sami Ben Khemais, of several terrorism-related charges including falsifying documents that allowed Al Qaeda operatives to travel and stay in Europe and in May 2002, Egyptian Samir Khisk was convicted of forging identification papers and providing logistical support for militants seeking Al Qaeda training in Afghanistan.

In the United States, there have been several cases of individuals who were arrested in connection with September 11 but were ultimately convicted on nonterrorism charges due to lack of evidence or a plea deal that would reportedly yield information on terrorism for federal authorities.

In April 2002, Somali businessman Mohamed Hussein, 33, arrested in a post-September 11 crackdown on money transfer businesses, was convicted of illegally transmitting money abroad. Along with his brother, Liban Hussein, 31, he ran the Al Qaeda-linked Barakaat North America out of Boston. Abdirahman Sheikh-Ali Isse, who operated the Alexandria, Virginia, branch of Al Barakaat, pleaded guilty in federal court in June 2002 to a money laundering-related charge after his office allegedly wired more than \$6 million to the United Arab Emirates in recent years.

Also in June 2002, Mohammed Jaweed Azmath, 37, pleaded guilty to one count of conspiracy to commit credit card fraud. Along with Syed Gul Mohammed Shah, he was arrested on September 12 during a search of an Amtrak train in Texas and was found to be carrying several thousand dollars in cash and box cutters. In July 2002, Yemeni student Hussein al-Attas pleaded guilty to lying to authorities about his connection to Zacarias Moussaoui, with whom he shared an apartment in Oklahoma. Also in July, former Boston taxi driver Nabil Almarabh, 35, who was arrested in September 2001 for alleged Al Qaeda connections admitted to conspiring to enter the U.S. illegally and is expected to be deported to Syria. In August 2002, former Muslim cleric, Semi Osman, 32, from Tacoma, Washington, who was arrested in connection with an alleged Al Qaeda plot to train U.S. recruits in Oregon, pleaded guilty to a weapons violation.

Terrorist Attacks With Suspected Links to Al-Qaeda

January 23, 2002: American newspaper reporter Daniel Pearl was abducted and later murdered by Islamic militants. In July 2002, British-born Islamic extremist Ahmed Omar Saeed Sheikh, 28, was one of four men convicted of murder, kidnapping and terrorism

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Ahmed Omar Saeed Sheikh, convicted of the kidnapping and murder of Wall Street Journal reporter Daniel Pearl in July 2002, arriving at the provincial high court in Karachi, Pakistan in an armored personnel carrier. Sheikh was sentenced to death.

and the only one sentenced to death. The other defendants, Salman Saqib, Fahad Naseem and Shaikh Adil, were sentenced to life in prison. Adil reportedly made 12 telephone calls to the Al-Rashid Trust, an Islamic charity listed by the Bush administration as a source of funding for Al Qaeda. Daniel Pearl's remains were reportedly found on property owned by Al-Rashid.

March 17, 2002: A man hurling hand grenades burst into a Protestant church in Islamabad, Pakistan, killing four people, including two Americans. Pakistani officials are investigating a possible connection to Al-Qaeda-linked Islamic militants.

April 11, 2002: A Tunisian suicide bomber drove a propane-laden truck into a Tunisian synagogue killing 19 people, including 14 German tourists. Newspapers reported responsibility claims from a group calling itself the Islamic Army for the Liberation of Holy Sites, the same group that claimed the 1998 US embassies bombings in East Africa. German police are investigating the involvement of Germany-based Islamic extremists with links to Al Qaeda and they have arrested one man suspected of involvement in the explosion. In June 2002, Al Qaeda

spokesman Sulaiman Abu Ghaith claimed in an audio recording that an Al Qaeda member perpetrated the synagogue attack.

May 8, 2002: A suicide bomber blew up a bus outside the Sheraton hotel in Karachi, Pakistan, killing 11 French engineers and two Pakistanis. It was the deadliest attack against foreigners in Pakistan. Pakistani officials suspect Al Qaeda involvement in the attack.

June 14, 2002: A car bomb exploded outside the U.S. Consulate in Karachi killing 12 Pakistanis and injuring 50 others, including a U.S. Marine security guard. A previously unknown group called al-Qanoon claimed responsibility for the bombing but American officials said they believed Al Qaeda was responsible. In August 2002, three Islamic extremists from the Al Qaeda-linked Harkat-ul-Mujahedeen al-Almi (a splinter group of Harkat-ul-Mujahedeen) were charged in Karachi with the consulate bombing and with plotting to kill Pakistani President Pervez Musharraf in April 2002.

August 4, 2002: Suspected Islamic militants with ties to Al Qaeda raided a Christian school east of Karachi, Pakistan, shooting to death six Pakistanis.

August 9, 2002: Suspected Islamic militants with ties to Al Qaeda hurled grenades at worshippers leaving a church on hospital grounds in northern Pakistan, killing four Pakistani women

Updates on Foiled Al-Qaeda-Linked Plots

Strasbourg Market: Five Algerians allegedly linked to Al Qaeda — Lamine Maroni, 31, Aeuobui Beandali, 26, Fouhad Sabour,

37, Salim Boukari, 30, Samir Karimou, 33 — are currently on trial in Frankfurt accused of plotting to bomb a central marketplace in Strasbourg, France, in December 2000. According to the indictment, all five men had trained at Al Qaeda terrorist camps in Afghanistan, dealt drugs to finance their operations and used false credit cards to buy bomb-making chemicals from pharmacies across Germany. In written testimony read in court by his lawyers in late April 2002, Beandali

acknowledged training in Afghanistan and admitted to plotting to blow up a French synagogue. In May 2002, a British judge ruled that the Strasbourg cell's alleged Al Qaeda leader, Abu Doha, aka Amar Makhulif, 37, should be extradited to the U.S. to face charges in connection with the millennium plot to blow up Los Angeles International Airport.

Richard Reid: In January 2002, a federal grand jury in Boston indicted British citizen Richard C. Reid, 28, on nine counts, including attempted murder for his alleged attempt to light explosives on a December 2001 American Airlines flight enroute from Paris to Miami. The indictment also alleges that Reid received training at Al Qaeda terrorist camps in Afghanistan. In May 2002, federal prosecutors filed court documents saying forensic evidence taken from Reid's shoes showed at least one other person assisted him in the alleged plot. In an e-mail message excerpted by prosecutors, Reid reportedly told his mother that "what I am doing is part of the ongoing war between Islam and disbelief." In June 2002, French police arrested two Pakistanis and three North Africans who allegedly provided logistical support for Reid in Paris before he boarded the flight.

U.S. Embassy in Singapore: In December 2001, Singapore arrested 13 alleged Al Qaeda members — 12 Singaporeans and one Malaysian — for plotting to bomb the U.S. Embassy in Singapore and other American targets. The suspects continue to be detained without trial under internal security laws. Another bomb plot suspect, Canadian citizen

"Al Qaeda will organize more attacks inside American territory and outside, at the moment we choose, at the place we choose and with the objectives that we want... We are coming back, God willing, from where you cannot expect us... Has our battle with America ended? It never ended and will never end because it is not a personal battle but rather a battle between right and wrong... it is a struggle between good and evil. America is the head of evil..."

(Statement of Al Qaeda chief spokesman Sulaiman Abu Ghaith in an audio recording aired by an Islamic Web site, as cited by AP, 7/10/02)

Mohamed Mansur Jabarah, escaped to Oman. He was captured, returned to Canada and then sent to the U.S. In July 2002, American law enforcement officials said that Jabarah was cooperating and providing authorities with details of the Singapore plot as well as other aspects of Al Qaeda's operations.

Radioactive Bomb in Washington: In May 2002, U.S. authorities arrested Jose Padilla,

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aka Abdullah al Muhajir, 31, for his alleged role in an Al Qaeda plot to detonate a conventional bomb combined with radioactive material in the United States. Federal officials allege that Padilla met with senior Al Qaeda leader Abu Zubaydah on two occasions and that he was charged with scouting out possible targets for the bomb. At this writing, he is being held by the military and no charges have been filed. South Florida Muslim leader Adham Hassoun, 40, has also been arrested in connection with the case. Authorities allege that Padilla was on his way to a meeting with Hassoun before he was apprehended. Hassoun was the head of the Florida chapter of the Benevolence International Foundation, a Muslim charity under investigation for its links with Al Qaeda. In June 2002, Pakistani authorities detained an alleged associate of Padilla's, Benjamin Ahmed Mohammed.

U.S. Embassy in Paris: In October 2001, Djamel Beghal was extradited to France from Dubai after he confessed involvement in an Al Qaeda plot to bomb the U.S. Embassy in Paris. His confession led to a number of arrests including that of the suspected designated suicide bomber Nizar Trabelsi, 32, who is currently in custody in Belgium. In July 2002, Canada extradited to the Netherlands Algerian Adel Tobbichi, 34, aka Amine Mezbar, who allegedly altered passports and other documents to allow members of the embassy conspiracy cell to travel throughout Europe. Tobbichi lived in Rotterdam with two other suspects now in Dutch custody: Frenchman Jerome Courtailler, 27, and Algerian Abdelghani Rabia; a search of their residence in Rotterdam produced false passports and Osama bin Laden videos. The Dutch are also holding Eritrean Saad Ibrahim and Algerian Rachid Ahmed Zouaoui.

U.S. and British Ships in Gibraltar Strait: In June 2002, Moroccan authorities charged three Saudis with plotting to use explosive-packed boats to attack American and British ships in the Strait of Gibraltar, off the northern coast of Morocco. According to Moroccan authorities, suspect Zuher al-Tbaiti recruited Moroccans for Al Qaeda in the late 1990's before going to Afghanistan for training at an Al Qaeda camp. Al-Tbaiti and the

two other Saudis, Abdullah al-Ghamdi and Hilal al-Assiri, reportedly confessed to the plot and acknowledged that they were Al Qaeda members acting on instructions from a senior Al Qaeda planner, Abu Bilal.

Vital Sites in Saudi Arabia: Marking the first time since September 11 that Saudi Arabia has announced the arrest of anyone linked to Al Qaeda, the Kingdom announced the arrest in June 2002 of 13 suspected Al Qaeda members accused of plotting attacks against Saudi government and defense targets, U.S. military facilities and other Saudi, U.S. and western targets. The Saudi Interior Ministry announced that it had detained one group of



A jet airliner about to crash into one of the World Trade Center towers in New York on September 11, 2001

(AP Photo/Carmen Taylor)

six Saudis with a Sudanese ringleader and a second group of five Saudis with an Iraqi ringleader who "were planning to undertake terrorist attacks targeting some vital places in the kingdom, using explosives and two SA-7 surface-to-air missiles that were smuggled into the kingdom and hidden in remote places. According to U.S. officials, the Sudanese suspect acknowledged that he fired a missile at a U.S. military aircraft from the Prince Sultan air base in Saudi Arabia.

The Financial Front: Terrorist Groups and Their Assets

As U.S. Deputy Secretary of the Treasury

Kenneth W. Dam recently explained, the first phase of the financial assault on terrorism was dominated by public designations of terrorists and terrorist supporters and attempts to freeze their accounts.

In the weeks and months following September 11, President Bush instructed U.S. banks, financial institutions and branches of foreign banks operating on American soil to freeze the assets of 210 groups and individuals linked to terrorism. At this writing, 167 countries have blocking orders in place and over \$112 billion in worldwide assets have been frozen, roughly half connected to bin Laden and Al Qaeda.

The U.S. State Department has designated 34 groups as foreign terrorist organizations (FTOs), seven of which were not on the list a year ago: The Palestinian Al-Aqsa Martyrs Brigade, Asbat al-Ansar of Lebanon, Jaish-e-Mohammed of Pakistan, Real IRA of Northern Ireland, Revolutionary Nuclei of Greece, Salafist Group for Call and Combat of Algeria, the United Self-Defense Forces of Colombia and the Communist Party of the Philippines/New People's Army.

In December 2001, the European Union designated 42 European-based terrorist entities and organizations whose assets were to be frozen. Under EU rules, the 15 EU governments are required to freeze the assets of those on the list and are obligated to assist each other in investigating the activities of those accused of terrorism. In May 2002, the EU added 18 names to its assets-blocking list, marking the first time the EU froze the assets of non-European terrorist groups, including Al Qaeda, the Taliban, Palestinian Islamic Jihad and Hamas' Izz al-Din al-Qassam Brigades.

Also in May 2002, the U.S., in an effort to enhance cooperation with the EU, added to its frozen assets list one organization and seven individuals linked to the Basque separatist group ETA. Nevertheless, the U.S. and the EU disagree over who constitutes a terrorist, with the EU distinguishing between the military and political wings of various terrorist organizations. In this vein, the EU lists several Hezbollah terrorists but has not listed Hezbollah itself, and while it has designated the military wing of Hamas, it has omitted Hamas itself. Also glaringly absent is the Palestinian Popular Front for the Liberation of Palestine (PFLP).

Similarly, in July 2002, Canada issued its

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first list of terrorist groups comprising Al Qaeda, and six groups from Algeria, Egypt and Somalia. Hamas, Hezbollah, Islamic Jihad and others were noticeably absent.

In September 2001, the United Nations Security Council passed Resolution 1373, requiring all 189 member nations to freeze the financial assets of persons and entities who commit or attempt to commit terrorist acts and to prohibit their nationals from making any funds available to terrorists and their supporters. The resolution also created a committee charged with monitoring compliance with the resolution.

In April 2002, the G-8 countries took the first multilateral joint action by designating nine terrorists and terrorist financiers and one

entity that support Al Qaeda.

Efforts to shut down Al Qaeda's flow of terrorist funds have been hindered by several factors including the lack of blocking orders in various countries, Al Qaeda's transfer of its money from banks into untraceable commodities like gold, diamonds and other precious stones, and U.S. bureaucratic infighting.

The second phase of the financial war on terrorism has focused on means of financing outside of the mainstream financial system, such as terrorist use of the Hawala system and of charities. The U.S. has been working with foreign governments in preventing terrorists from using Hawalas — which are efficient, inexpensive, trust-based methods of transferring money that do not leave a paper trail — to move money around the world.

The U.S. and its allies continue to freeze the flow of funds through charities that have been utilized by terrorists, and have been

TERRORISM IN ISRAEL

In the last few months, Palestinian terrorism in Israel has intensified, with a dramatic increase in suicide bombings and shooting attacks in restaurants, shopping malls and passenger buses. In July 2002, Hamas detonated a bomb at Hebrew University in Jerusalem, killing nine people, including five Americans. Ongoing Palestinian violence has been examined in past issues of *Terrorism Update* and will be subject to further inquiry in future issues.

working together to institute multilateral regulations to ensure the accountability of charitable organizations. Although there is much more to be done on the Saudi-Arabian front,

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COUNTERTERRORISM AT HOME...

Efforts to Curb International Terrorism

● U.S. Attorney General John Ashcroft indicted the Colombian rebel group FARC in the 1999 terrorist murder of three Americans. A FARC spokesman claimed responsibility for the murders of the three Americans, who were in Colombia to improve the environmental and educational conditions of an Indian tribe. (Reuters, 4/30/02)

● A federal appeals court for the District of Columbia ruled that U.S. courts have jurisdiction over **foreign nations** accused of terrorist acts against Americans on foreign soil. The ruling established for the first time that foreign nations may not invoke the Fifth Amendment's due process clause to protect themselves from lawsuits filed by U.S. citizens. (*The Washington Post*, 6/29/02)

● The Bush Administration has imposed trade sanctions on nine Chinese companies and an Indian businessman that it says sold goods or technology to **Iran**, where they were put to use by that country's chemical and conventional weapons programs. (*The New York Times*, 7/20/02)

● A federal grand jury in Washington indicted five leaders of the Filipino terrorist group Abu Sayyaf, including its spiritual leader Khadafi Abubakar Janjalani, in connection with the kidnapping and murder of three hostages in the Philippines, including Americans Martin Burnham and Guillermo Sobero. None of the men is in custody and all remain the subjects of a \$5 million reward. (*The New York Times*, 7/24/02)

● Congress sent President Bush a \$28.9 billion **counterterrorism package**. The bill includes funds for defense and intelligence,

aviation safety, the FBI and other domestic security programs, foreign aid and U.S. diplomatic programs. (AP, 7/24/02)

● A federal judge ruled that the **Holy Land Foundation** (HLF), a U.S.-based Islamic charity that is accused of funding the terrorist group Hamas, couldn't legally challenge the government's freezing of its assets. HLF has sued the Bush administration after the group's office in Richardson, Texas, were raided and its assets frozen in December 2001. (AP, 8/8/02)

● The U.S. State Department added the **Communist Party of the Philippines/New People's Army** to its list of foreign terrorist organizations and the Treasury Department added it to its list of terrorist groups whose U.S. assets are to be blocked. Also added to the Treasury list was the group's founder, Jose Maria Sison. The organization was founded in 1969 with the aim of overthrowing the Philippine government. Its military wing, the New People's Army, opposes any U.S. presence in the Philippines and has killed U.S. citizens. (Reuters 8/12/02)

Arrests/Indictments

● Federal prosecutors indicted prominent New York lawyer Lynne F. Stewart, 62, and three others on charges of supporting terrorism by helping convicted Egyptian **Sheikh Omar Abdel Rahman** continue to direct terrorist operations from his prison cell in Minnesota. Also charged were Yassir Sirri, 38, arrested in Britain on an extradition warrant from the U.S. but recently released for lack of evidence; a paralegal and U.S. postal worker who worked for Rahman's team, Ahmed Abdel Sattar, 42; and a translator, Mohammed Yousry, 46. (*The New York Times*,

4/10/02, *The Washington Post*, 4/13/02, *The Wall Street Journal*, 7/31/02)

● Federal authorities in Chicago arrested Enaam Arnaout, 39, executive director of the **Benevolence International Foundation**, on suspicion of his having ties to Osama bin Laden and using the group's funds to support terrorist activity. Arnaout and Benevolence were later charged with lying when they said in a sworn statement that they did not provide support to people or organizations engaged in terrorist activities. (Reuters, 4/30/02, AP, 5/28/02)

● College student Luke Helder, 21, confessed to planting pipe bombs in rural mailboxes in five Midwestern states, injuring six people, four of them mail carriers. He faces a range of criminal charges in several states. He will go on trial in Iowa in November 2002 on charges of using a pipe bomb to damage a mailbox and using a bomb in a crime of violence. Federal prosecutors say Helder planted 18 pipe bombs and anti-government letters in Iowa and five other states in a three-day spree in May 2002. (*The Washington Post*, 5/9/02, AP, 7/16/02)

Convictions

● Two Lebanese brothers, Mohamad Hammoud, 28, and Chawki Hammoud, 37, were convicted in federal court in Charlotte, North Carolina, of helping run a cigarette-smuggling ring that funneled profits to Hezbollah. Mohamad was convicted of 16 counts that included providing material support to Hezbollah. The conviction was the first utilizing the material support charge since September 11. (*The New York Times*, 6/24/02)

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the U.S.-Saudi joint designation of two regional Al Haramain offices in March 2002 was a positive development. Also in March 2002, Benevolence International Foundation, with offices in Bosnia, Illinois and Florida, became the first charitable organization in the U.S. to be charged criminally in the war on terrorism.

The third phase of the financial assault is the international coalition's efforts to improve the regulatory climate within financial institutions worldwide so that there will be fewer places where terrorists can hide their money. This is being accomplished through anti-money laundering laws and regulations, currency-reporting requirements, pursuit of offshore tax evaders and the sharing of information about financial crimes.

In October 2001, the Financial Action Task Force Against Money Laundering (FATF), an intergovernmental body estab-

lished by the then-G-7 in 1989 to combat money laundering, expanded its mission to include combating terrorist financing. Among other initiatives, the FATF established eight Special Recommendations including ratification and implementation of UN instruments, criminalizing the financing of terrorism and associated money laundering, freezing and confiscating terrorist assets and reporting suspicious transactions related to terrorism. Members are required to engage in a self-assessment and to take steps to bring their systems up to the standards.

U.S. Government Antiterrorism Initiatives

Since September 11, both the President and Congress have moved with great speed to approve new antiterrorism legislation and promulgate new administrative regulations and Executive Orders.

On the legislative side, the primary Congressional response to September 11 has been the comprehensive USA PATRIOT Act of 2001, P.L. 107-56. In addition, Congress has held hearings on a number of resolutions

and other legislative proposals, including oversight of national security preparedness and a comprehensive overhaul of the federal agencies involved in Homeland Security.

These initiatives, necessarily, have affected the rights of immigrants, foreign students, enemy combatants, and military detainees. In some cases, civil rights organizations have challenged the constitutionality of these new laws or regulations — and courts have made several initial rulings in these suits.

Legislative Initiatives

- Public Law 107-173: The Enhanced Border Security and Visa Entry Reform Act: To enhance the border security of the United States, and for other purposes (5/14/02).

- Public Law 107-188: Bioterrorism Response Act of 2001: To improve the ability of the United States to prevent, prepare for, and respond to bioterrorism and other public health emergencies (6/12/02).

Regulatory Initiatives/Executive Orders

- Declaration of National Emergency by
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COUNTERTERRORISM ABROAD...

Arrests/Indictments

- Philippine police charged two suspected **Abu Sayyaf** extremists with illegal possession of explosives and firearms in connection with the April 2002 bomb blasts in the southern Philippines that killed 15 people. A month later, police arrested the suspected mastermind of the bomb blasts, Nor Mohammad Umog. (Reuters, 4/23/02, 5/23/02)

- Dutch authorities charged **animal-rights** campaigner Volkert van der Graaf, 32, in the May 2002 assassination of Dutch right-wing politician Pim Fortuyn. (*The New York Times*, 5/9/02)

- Israeli authorities indicted three Jews on charges of attempted murder and illegal possession of weapons. They are accused of plotting to bomb a Palestinian girls' school in **East Jerusalem**. (*The New York Times*, 5/30/02)

- Police in **Peru** arrested three suspected leftist rebels for a car bombing that killed 10 people outside the U.S. Embassy in Lima in March 2002. (*The New York Times*, 6/13/02)

- French police arrested Maxime Brunerie, 25, for allegedly attempting to assassinate French President **Jacques Chirac** at the annual Bastille Day parade in Paris. (*The Washington Post*, 7/16/02)

- Following a bungled terrorist attack at Greece's largest port, Piraeus, Greek police arrested 15 alleged members of the **November 17** terrorist group, including its suspected co-founders Nikos Papanastasiou, 50 and Alexandros Yiotopoulos, 58, and second-in-command Pavlos Serifis, 46. Responsible for

23 murders, including the killings of four American officials and most recently, the 2000 shooting death of British military attaché Stephen Saunders, the group had eluded arrest for 27 years. (*The Washington Post*, 7/27/02, AP, 8/1/02)

- Afghan authorities arrested two men in a car filled with explosives in **Kabul**. Officials believe the men had planned to assassinate senior officials in the Afghan government or international peacekeepers based in the capital. (*The Washington Post*, 7/31/02)

Convictions

- In **Spain**, Basque separatist Jose Javier Arizkuren Ruiz was convicted and sentenced to 13 years in jail for conspiring to assassinate Spanish King Juan Carlos in a 1995 plot. (AP, 4/9/02)

- In the Philippines, Indonesian Fathur Rohman Al-Ghozi, 31, pleaded guilty to explosives possession and to fraudulently obtaining Philippine passports. A self-confessed member of the Al Qaeda-linked Southeast Asian Islamic extremist group **Jemaah Islamiyah**, Al-Ghozi had told police he helped plan a series of bombings in Manila in 2000 that killed 22 people. He was sentenced to 12 years in prison. Another suspected member of Jemaah Islamiya, Agus Dwikarna, was convicted of illegal possession of explosives and sentenced to 10-17 years in prison. (AP, 4/19/02, Reuters, 5/17/02, Kyodo, 7/12/02)

- A London kitchen worker, Celil Surmelek, 36, who sparked an **anthrax** alert a month

after September 11 by leaving an envelope packed with white sugar powder on a restaurant doormat, was found guilty of intentionally causing alarm or distress and sentenced to 100 hours of community service. (AP, 5/14/02)

- A Yemeni court convicted Samir Yahya Awadh, 25, of endangering public security and illegal weapons possession for having thrown a grenade into the grounds of the **U.S. Embassy in Yemen** in March 2002. He was sentenced to 10 years imprisonment. (AP, 5/18/02)

Anti-Terror Initiatives

- In freezing the assets of the Aid of the Ulema, a group with links to the former Taliban regime, and those of nine individuals who are known to have engaged in terrorist activities, **Japan** has to date frozen the assets of 303 individuals and organizations. (Kyodo, 4/19/02)

- **Hong Kong's** legislature approved a law combating terrorism and terrorist financing. (Kyodo, 7/12/02)

- A Spanish judge ordered a freeze on the bank accounts of the radical Basque nationalist party Batasuna, the political wing of the armed separatist group **ETA**, and on assets of social clubs and bars associated with the group. (Reuters, 7/13/02)

- German authorities shut down the Palestinian charity Al-Aqsa for its alleged links to **Hamas**. (AP, 8/5/02)

- Anti-terrorist police in **Greece** found a small quantity of explosives buried near a landmark stadium that is scheduled to be used in the 2004 Olympic Games. (AP, 8/4/02)

FOCUS ATTACK ON AMERICA

(Continued from previous page)

Reason of Certain Terrorist Attacks (9/14/01). <http://www.whitehouse.gov/news/releases/2001/09/20010914-4.html>

- Additions to Executive Order 13224: Blocking property and prohibiting transactions with persons who commit, threaten to commit, or support terrorism. Also adding to the list of designated foreign terrorist organizations (9/24/01). <http://www.ustras.gov/offices/enforcement/ofacs/sanctions/terrorism.html>

- Attorney General John Ashcroft directs all 94 U.S. Attorneys' offices and 56 FBI field offices to implement the USA Patriot Act, which requires law enforcement to make use of new powers in intelligence gathering, criminal procedure and immigration violations while protecting Constitutional civil liberties (10/26/01). http://www.usdoj.gov/opal/pr/2001/October/01_ag_558.html

- Limitations imposed on the attorney-client privilege for suspected terrorists: The Justice Department has permitted wiretapping of attorney-client conversations and interception of mail for all detainees who are suspected terrorists. This allows the D.O.J. to start listening in on the conversations of lawyers with clients in federal custody, including witnesses and detainees, whenever that is deemed necessary to prevent future acts of violence or terrorism (10/31/01). <http://www.washingtonpost.com/ac2/wp-dyn?pagename=article&node=&contentId=A64096-2001Nov8¬Found=true>

- Department of Defense establishment of Military Commissions: Outlines procedures for trials by Military Commissions of Certain Non-United States Citizens in the War Against Terrorism (3/21/02). www.whitehouse.gov/news/releases/2002/04/print/20020412-4.html

- Executive Order amending the Manual for Courts-Martial, United States (4/11/02). www.whitehouse.gov/news/releases/2002/04/print/20020412-4.html

- Interviews of 5,000 Muslim men for informational purposes, without individualized suspicion of criminal wrongdoing. (John Ashcroft, November 9, 2001, Memo to Federal Prosecutors).

- Operation TIPS: A national system for citizen reporting of suspicious and potentially terrorist-related activity. <http://www.citizencorps.gov/tips.html>

Government Restructuring

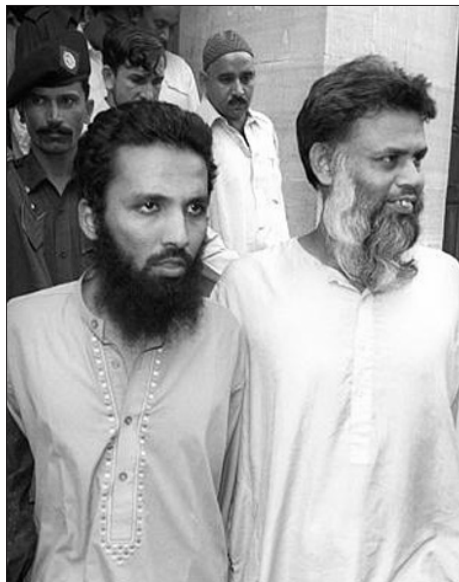
- Reorganizing the FBI: Director Robert Mueller has described proposed changes, including new priorities topped by counterterrorism, counterintelligence, and cyber-

security (5/29/02). <http://www.fbi.gov/page2/reorg529temp.html>

- Creation of the Office of Homeland Security: President Bush proposed the creation of this new department, subject to Congressional approval (7/16/02). <http://www.whitehouse.gov/news/releases/2002/07/20020716-2.html>

Screening and Detention of Non-Citizens

- The detention of aliens residing in the country for extended periods under material witness statutes in an effort to "interrupt terrorist activities in United States" (10/21/01). <http://www.query.nytimes.com/search/abstract?res=F30F14FA3F590C7A8EDDA80994D9404482>



Islamic militants Mohammad Imran, right, and Mohammad Hanif, left, seen in the high court in southern Karachi, Pakistan, on July 12, 2002. Along with a third suspect, they are accused of the June 14, 2002 U.S. Consulate bombing in Karachi that killed 12 Pakistanis. They have been charged with conspiracy, attempted murder, murder, use of explosives and terrorism.

- The detention of enemy combatants at American facilities in Guantanamo Bay, Cuba (1/27/02). http://www.defenselink.mil/news/Jan2002/n01272002_200201271.html

- Under the direction of the Department of Justice, the INS and the FBI have begun integrating fingerprint databases. ("IDENT" and "IAFIS") In December 2001, INS worked with the FBI to include FBI fingerprints of foreign nationals wanted by law enforcement. (3/19/02). <http://www.ins.usdoj.gov/graphics/aboutins/congress/testimonies/2002/zigttestimony.pdf>

- Absconder Apprehension Initiative: Prioritizing efforts to track foreign nationals who have ignored previous deportation orders — starting with Arab and Muslim

COUNTERTERRORISM: INTERNATIONAL COOPERATION...

- The U.N. ratified the **International Convention for the Suppression of the Financing of Terrorism**, making it a crime to provide or collect funds with the intention or knowledge that the money will be used to carry out a terrorist attack. (AP, 4/9/02)

- A **British court** cleared the way for the extradition to **France** of suspected Algerian Islamic extremist Mustafa Labsi, 32, wanted by France for conspiring to bomb the Lille police station prior to the 1996 G-7 summit held there. Labsi is believed to have been a former roommate of convicted millennium terrorist Ahmed Ressam; the two allegedly trained together in Afghan terror camps. (Reuters, 4/12/02)

- Brazilian federal police arrested suspected Egyptian Islamic extremist Mohamed Al Aboul-Ezz Al-Mahdi Ibrahim Soliman in the southern Brazilian state of Parana, near the border with Argentina and Paraguay. Wanted by Cairo, Soliman is a suspected member of the Egyptian terrorist group **Al Gama'a Islamiya**. (Kyodo, 4/16/02)

- Marking the twelfth arrest of an **ETA** suspect in France this year, French police arrested alleged ETA explosives expert Zaldúa Corta, 53, wanted in Spain for 16 years in connection with up to 16 murders. (Reuters, 4/19/02)

- At the Organization of American States (OAS) General Assembly in Barbados, the **Inter-American Convention Against Terrorism** was adopted, improving regional cooperation in the fight against terrorism. (State Department Fact Sheet, 6/3/02)

- The **ASEAN Regional Forum**, comprising 10 Southeast Asian nations and 13 other partners including the U.S., European Union, China, Russia and Japan, issued a statement pledging to choke off funding to terrorist networks, agreeing to share information, set up financial intelligence units and coordinate against money laundering. (Reuters, 7/31/02)

- Setting aside their contentious past, **Malaysia** and **Australia** signed a pact pledging to jointly combat terrorism. (Kyodo, 8/2/02)

men (3/19/02).

<http://www.ins.usdoj.gov/graphics/aboutins/congress/testimonies/2002/zigttestimony.pdf>

Court Challenges

Actions taken under some of these initiatives have, as mentioned above, been challenged in court. Federal courts have already disagreed over the propriety of using the federal material-witness statute to detain indi-

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viduals thought to have knowledge of terrorist activity.

In a case involving an alleged enemy combatant with American citizenship taken prisoner by U.S. forces in Afghanistan, a federal district court ruled that the government had to allow the prisoner, Yasser Esam Hamdi, unmonitored access to an attorney. The U.S. government appealed this ruling to the Fourth Circuit Court of Appeals. The appellate court reversed, holding that the lower court had failed to consider the ramifications of the military's claim that Hamdi was an enemy combatant, and what effect Hamdi's unmonitored access to an attorney might have on the military's ongoing gathering of intelligence. The Fourth Circuit sent the case back to the district court, directing that it "adequately consider the implications of its actions . . . and allowing the United States to respond" (2002 WL 1483908, (4th Cir.(Va.)).

In addition, a New Jersey federal district court held that the closure of removal hearings to the press violates the First Amendment. (North Jersey Media Group v. Ashcroft, D.N.J. No. 02-967, 5/29/02).

Civil Liberties Challenges

While, overall, many of the government's legislative and regulatory measures have

effectively balanced personal liberty and national security considerations, four major concerns have been raised by civil libertarians from across the political map: Availability of habeas corpus relief for detainees; ensuring access to effective counsel for detainees; Congressional exercise of its oversight responsibilities of Administration initiatives; and effectiveness of the protection of defendants'

rights. In particular, questions have been raised about the Administration's seeming reluctance to share information with Congress. Many commentators have suggested that this unwillingness to share information with Congress can exacerbate the risks of abuse of power inherent in the government's recalibrated new prevention, investigative and prosecutorial powers.

RESOURCES ON TERRORISM

- Rand/*After 9/11: Stress and Coping Across America* (June 2002) [<http://www.rand.org/publications/CT/CT198/>]
- Alan Krueger and Jitka Maleckova-*The New Republic/Does Poverty Cause Terrorism?* (6/24/02)
- Boaz Ganor-ICT/*Terrorism as a Strategy of Psychological Warfare* (7/15/02) [www.ict.org.il]
- Testimonies of Deputy Secretary of the Treasury Kenneth W. Dam and Washington Institute for Near East Policy Senior Fellow Matthew A. Levitt before the Senate Committee on Banking, Housing and Urban Affairs Subcommittee on International Trade and Finance/*The Role of Charities and NGOs in the Financing of Terrorist Activities* (8/1/02) [http://www.senate.gov/%7Ebanking/02_08hr/080102/index.html]
- Matthew A. Levitt-*The Middle East Quarterly/War on Terrorism Scorecard: How will we know we've won?* (Vol.9, #3, Summer 2002)
- Michael E. O'Hanlon- *The Brookings Review/ Protecting the American Homeland: Governor Ridge's Unfinished Work* (Summer 2002) [<http://www.brookings.org/press/REVIEW/summer2002/ohanlon.htm>]
- Charles C. Mann-*The Atlantic Monthly/ Homeland Insecurity* (September 2002) [www.theatlantic.com/issues/2002/09mann.htm]

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SENDING THE WRONG MESSAGE...

● **Russia** outlined plans to build five more nuclear power reactors in Iran over the next decade, signifying an expansion of cooperation with Teheran in the face of American pressure on Moscow to abandon support for Iran's nuclear program. (*The Washington Post*, 7/27/02)

● A judge in Jarkarta, **Indonesia**, delayed the trial of suspected Islamic militant Jafar Thalib, head of the paramilitary group Laskar Jihad and charged with inciting violence against Christians, saying the defendant "looked pale," despite the fact that neither the defense nor the prosecution asked for the postponement and neither side offered evidence that Thalib was sick. In addition, a week before the trial, Thalib, who had been arrested in May 2002, was released from detention. (AP, 8/1/02)

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