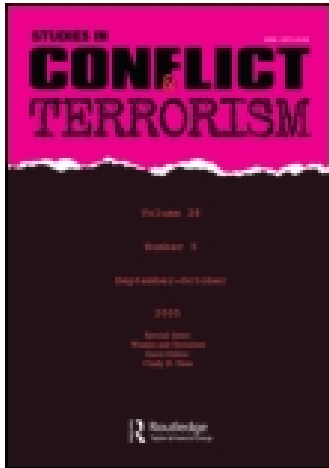


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Peter Bergen

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The Bin Laden Trial: What Did We Learn?

PETER BERGEN

Author, *Holy War, Inc.: Inside the Secret
World of Osama bin Laden*
Free Press

The Manhattan trial of four men linked to Osama bin Laden was the result of the largest overseas investigation ever mounted by the U.S. government. The trial generated thousands of pages of documents and the testimony of dozens of witnesses with some knowledge of bin Laden's group. What was learned from the trial is that bin Laden's organization experienced severe cash flow problems in the mid-1990s; that the U.S. government has had some real successes in finding informants within bin Laden's organization; that bin Laden has taken steps to acquire weapons of mass destruction; that the training of bin Laden's followers in his camps in Afghanistan is quite rigorous, featuring tuition on a wide range of weapons and explosives and terrorism techniques; and that bin Laden's group operates transnationally, its membership drawn from four continents. Finally, the trial underlines the strengths and limits of the law enforcement approach to bin Laden.

On 29 May 2001 four men linked to alleged terrorist mastermind Osama bin Laden were convicted of three hundred and two counts ranging from murder to perjury for their roles in the bombings of the American embassies in Kenya and Tanzania in August 1998. The investigation of those bombings is the most comprehensive overseas criminal inquiry the United States government has ever conducted. The subsequent trial generated tens of thousands of pages of documents and the jury heard over three months of testimony from dozens of witnesses with knowledge of some facet of bin Laden's *al Qaeda* organization. The trial is therefore likely to remain the most comprehensive source of information about the activities of bin Laden and his *al Qaeda* group, which means "the base" in Arabic.

So what did we learn? Most surprisingly, perhaps, bin Laden and *al Qaeda* appear to be broke, or at least to have experienced severe money problems in recent years. One of bin Laden's principal fascinations in the West has been the estimated \$250 million fortune he inherited from his family's giant Saudi-based construction business. But testimony at the trial showed that bin Laden encountered cash flow problems from the mid-90s onward while he was living in Sudan. A telling example of bin Laden's money woes comes from the testimony of a former *al Qaeda* member who said at the end of 1994 there was a "crisis . . . bin Laden saying there is no money and he lost all his money."¹ In 1996 bin Laden's personal pilot approached the Saudi exile for money to renew his pilot's license and was turned down by bin Laden, who told him: "Just forget about it."² The pilot was also told that *al Qaeda* could not spare \$500 to help his wife

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Address correspondence to Peter Bergen. E-mail: Bergenpeter@aol.com

with a complicated pregnancy. In a similar vein a letter, entered into evidence and written by a key member of *al Qaeda's* Kenya cell in 1997, complains he would like to visit his ill mother, but "Keep in mind we only have \$500."³

The reasons for these money woes are twofold. The Saudis revoked bin Laden's citizenship in 1994 and subsequently froze his considerable assets in the Kingdom. And while living in Sudan, from 1991 onward, bin Laden sunk vast sums into road construction, an Islamic bank, and a variety of agricultural projects. In 1996, under U.S. and Saudi pressure, Sudan expelled bin Laden, who made his way to Afghanistan. One estimate, by a Saudi dissident familiar with bin Laden's group, suggests he lost as much as \$150 million when he was forced to leave Sudan.

Bin Laden's millions have always been of great interest to the media, but a further lesson of the trial is that lack of money was no impediment to *al Qaeda's* almost simultaneous bombings of the American embassies in Kenya and Tanzania on 7 August 1998, attacks that killed more than two-hundred people. The men who carried out those bombings lived in modest neighborhoods, barely getting by in occupations such as making furniture or fishing. Terrorism is by definition "asymmetrical warfare" that does not require large sums of money. For instance, the 1993 World Trade Center bombing, which killed six and caused half a billion dollars of damage, is estimated to have cost \$3,000. The men who flock to bin Laden's standard are highly motivated volunteers, not mercenaries, some of whom are prepared to martyr themselves as happened in the case of the embassy bombings.

The trial underlined another somewhat surprising fact: that the United States has had some real success in recruiting informants about *al Qaeda's* inner workings. This goes counter to the conventional wisdom among counterterrorism officials that it is harder to develop "humint" (human intelligence) about today's Islamist terrorist groups than it was to gather information about the more secular Middle Eastern terrorist groups of the 1970s and 1980s. However, as early as 1996, two years before the embassy bombings, the FBI recruited a Sudanese member of *al Qaeda*, Jamal al Fadl,⁴ who was able to supply a wealth of information about the group's business activities in Sudan, its operations against U.S. troops posted to Somalia in 1992 for "Operation Restore Hope," and its paramilitary training in the Sudanese countryside. (Al Fadl became a U.S. government informant after it was discovered that he had embezzled \$110,000 from *al Qaeda*.)

Al Fadl's testimony also definitively established that the AlKhifa Refugee Center in Brooklyn, which operated between 1987 and 1992, nominally to help Afghan refugees fleeing the Soviet invasion of their country, was in fact the American outpost of bin Laden's Services Office based in Peshawar, Pakistan. The Services Office was funded by bin Laden to raise arms and men for the Afghan holy war against the Soviets. Al Fadl himself worked at the AlKhifa Center before he went to fight in Afghanistan for bin Laden's group in 1988, joining *al Qaeda* around the time of its inception in 1989. *Al Qaeda* emerged out of bin Laden's Services Office operation, while the Brooklyn AlKhifa Center was frequented by a group of men who were convicted in plots to blow up the World Trade Center and other New York City landmarks. This is perhaps the strongest link that has been made between bin Laden and the Islamist terrorists who operated in the New York area in the early and mid-1990s. Buttressing the connection between bin Laden and the AlKhifa Center is the grand jury testimony of Lebanese-American Wadih el Hage, who worked as bin Laden's secretary during the early 1990s. El Hage refers to the AlKhifa Center as "The Service Office" and says he made several visits there between 1987 and 1990 where he met with three of the men later convicted in the New York terror plots.⁵

Another informant who testified at the trial was Essam al Ridi, an Egyptian-born pilot who trained in the United States. Al Ridi's testimony established that *al Qaeda* aggressively acquired exotic weaponry such as night vision equipment and .50 caliber rifles—weapons that can hit targets up to a mile away and penetrate armored vehicles.⁶ In 1993 al Ridi was asked to acquire an airplane for *al Qaeda* that he subsequently purchased in Tucson, Arizona for \$210,000 and then flew to Sudan's capital, Khartoum. This plane was supposed to ship American Stinger anti-aircraft missiles from Pakistan to Sudan, although this shipment never took place.⁷ This testimony shows that *al Qaeda* was able to acquire Stinger missiles, generally regarded as the most effective handheld anti-aircraft weapon in the world. It has long been a nightmare of American policymakers that Stinger missiles would fall into the hands of a terrorist group and, in this case, it seems to have happened.

This is part of a larger pattern of *al Qaeda* pushing to acquire ever more deadly weapons. Al Fadl's testimony shows that *al Qaeda* made serious inquiries into the purchase of uranium and the manufacture of chemical weapons while the group was in Sudan. A top *al Qaeda* official, Mamdouh Mahmud Salim—whose case has been severed from the other embassy bombing defendants because he stabbed a prison guard while awaiting trial in New York—is also alleged to have sought nuclear weapons components. Bin Laden himself has made it perfectly clear in his public statements that Muslims have an obligation to acquire weapons of mass destruction, calling for a Muslim "nuclear force."

In addition to three *al Qaeda* members who testified at the trial, Ali Mohamed, an Egyptian-American who worked both as a military adviser to bin Laden and as a U.S. army sergeant posted to Fort Bragg, North Carolina, entered a plea agreement two months before the beginning of the trial. This agreement was notable for providing the most direct evidence yet linking bin Laden to the Kenya embassy attack. As part of the agreement, Mohamed said he traveled to Nairobi in late 1993 to "conduct surveillance of American British, French and Israeli targets" including the American Embassy. Mohamed then went to Sudan, where bin Laden examined his surveillance files and photographs and he "looked at the picture of the American embassy and pointed to where a truck bomb could go as a suicide bomber."⁸

The trial also provided the fullest accounting of the recruiting methods, structure, and weapons training of *al Qaeda*. Jamal al Fadl testified that he fought with bin Laden's group on the Afghan frontlines against the Soviets in 1989. While in Afghanistan al Fadl was trained how to shoot down helicopters with rocket-propelled grenades and attended courses on the use of explosives. In 1989 he was approached to become part of *al Qaeda*, which planned to continue holy wars beyond the Afghan conflict. He agreed and performed *bayat*, an oath of fealty, to the group's jihad agenda and signed papers indicating his allegiance to the *emir*, or prince, of the group, bin Laden.⁹ Also at the trial Fadl outlined the operational structure of *al Qaeda*. Below bin Laden is a *shura* council, which makes executive decisions. Below that there are several other committees—for military affairs; for the business interests of the group; a *fatwah* committee that issues rulings on Islamic law; and a media group, which published a weekly, "The Newscast."¹⁰

Testimony about Mohamed Rashed al-'Owhali,¹¹ who was supposed to commit suicide in the Kenya embassy attack, revealed more about *al Qaeda*'s training regime. 'Owhali attended one of *al Qaeda*'s camps in Afghanistan, where he was told that he should adopt an alias like all the other recruits to the group. 'Owhali was trained first in the black arts of hijacking buses and planes, how to mount kidnappings, and how to seize buildings. He also learned how to organize security and gather intelligence and

was instructed how to do a site survey of a target using stills and video.¹² He then moved on to a month-long course on “the operation and management of the cell.” The cell, he was taught, was divided into sections—for gathering intelligence, for administering the cell, for planning the attack on the target, and finally, for the execution of the mission.

Moroccan L’Houssaine Kherchtou might seem an unlikely *al Qaeda* recruit given the fact that he is a graduate of a French catering school, but his testimony further underlined the rigorous training program of *al Qaeda*. In 1991 Kherchtou traveled to a training camp in eastern Afghanistan. On his first night at the camp he was awakened at one in the morning by bursts of gunfire. This was to keep the new recruits on their toes. He was told: “Don’t think you are going to sleep in this camp.” Kherchtou was trained on an extraordinary variety of weaponry: the American M-16 rifle, the Russian AK-47, the Israeli Uzi submachine gun, and anti-aircraft guns. He also took classes about grenades and was taught about the use of explosives such as C3, C4, and dynamite. Finally, he was trained in the use of various mines: antipersonnel mines, antitruck mines, and butterfly. During his two-month training period Kherchtou lost forty or fifty pounds. After his training he went to Peshawar, Pakistan where he was inducted into *al Qaeda* at its *Bait al Salaam* guesthouse which—in a nice Orwellian touch—means “house of peace” in Arabic.¹³

The trial also elicited information that shows the global scope of *al Qaeda*. Members traveled to Lebanon to train with Hezbollah and bin Laden met with Imad Mughniyeh,¹⁴ the secretive Iran-based head of Hezbollah’s security service.¹⁵ Iran subsequently shipped explosives to *al Qaeda*, designed to look like rocks.¹⁶ The group also made contacts with militant groups in Yemen and Azerbaijan; sent fighters to Chechnya, Bosnia, and Tajikistan;¹⁷ delivered \$100,000 to an affiliate in Jordan, and smuggled weapons into Egypt to the Jihad group.¹⁸ *Al Qaeda* did business in Croatia, Slovakia, Indonesia, Malaysia, and Korea¹⁹ and maintained bank accounts in Vienna,²⁰ Malaysia, Hong Kong, London, and Dubai.²¹ Testimony at the trial showed that members of *al Qaeda* are a rainbow coalition of Egyptians, Saudis,²² Sudanese,²³ Syrians,²⁴ Moroccans,²⁵ Libyans,²⁶ Algerians,²⁷ Nigerians,²⁸ Tanzanians,²⁹ Arab-Americans,³⁰ and even African-Americans.³¹

The story of Mohamed Odeh, who played a supporting role in the Kenya embassy attack, shows how *al Qaeda* is a genuinely transnational organization. Odeh, a Jordanian citizen of Palestinian descent, was a student of engineering in the Philippines in the late 1980s. After watching a video about the Afghan war, he traveled to Afghanistan in 1990, where he was trained by bin Laden’s men on a wide variety of weapons including AK-47s, machine guns, antitank and anti-aircraft missiles, and the use of explosives.³² Then in the mid-1990s he moved from Pakistan to Kenya, where he set himself up in the fishing business and subsequently made trips to Somalia and back to Pakistan.³³

Finally, although the trial has given the world an unprecedented look at the workings of *al Qaeda*, the four men convicted of the embassy bombings are, at best, only lower or mid-level members of the group. Mohamed Odeh was a member of *al Qaeda*’s Kenya cell, but was deemed sufficiently unimportant that he was given a poorly forged Yemeni passport when he skipped town and was easily apprehended the day of the embassy bombings by Pakistani immigration police. Mohamed Rashed al-’Owhali was supposed to be one of two suicide bombers in the Kenya bombing, but bailed out of his ticket to Paradise at the last moment. Wadih el Hage, who freely admitted to being bin Laden’s personal secretary in Sudan, had been living in Texas for a year at the time the embassies were attacked. K. K. Mohammed, charged for his role in the attack on the Tanzanian embassy, told an FBI agent that he had never met bin Laden himself. Mohammed’s

tasks, fairly low on the totem pole, were to arrange transportation of bomb components, find housing where the bomb would be constructed, and ground up TNT for the bomb.

The pattern that emerges in the embassy bombing attacks is that the suicide bombers and lower-level members of the cell were left to fend for themselves in the final stages of the bombing plots, while the key operatives in both the Kenya and Tanzania bombings have now simply vanished. The leader of the Kenya cell, the Egyptian bomb maker who constructed both of the embassy devices, and several other higher-ranking members of *al Qaeda*'s Tanzania and Kenya cells are all fugitives. Moreover, the entire top tier of *al Qaeda*—bin Laden himself, his closest adviser, Ayman al Zawahiri, and his military commander, Mohamed Atef—remain in Afghanistan under the protection of the Taliban. *Al Qaeda*'s leaders seem quite secure about their position in Afghanistan. They gathered very publicly in February in Kandahar, the Taliban seat of power, to celebrate the wedding of bin Laden's son. In front of his guests bin Laden read out a seemingly self-composed poem that rejoiced in the October bombing of the USS Cole in Yemen, an attack that killed seventeen American sailors and inflicted a quarter billion dollars of damage on one of the Navy's most advanced destroyers. The event was covered by a television station and broadcast all over the Middle East.

The leaders of *al Qaeda* are also fairly savvy about anticipating the likely moves of the U.S. government. A FBI agent, who testified at the trial, says that an *al Qaeda* member in Kenya told him that on 6 August 1998, a day before the bombings of the embassies in Africa, news came from Afghanistan that "all the people have been evacuated (because) . . . we're expecting retaliation from the US Navy." That is exactly what happened two weeks later when the Navy, in response to the embassy attacks, launched cruise missile attacks on a complex of Afghan training camps used by *al Qaeda*. Bin Laden and his lieutenants were somewhere else in Afghanistan at the time of the cruise missile launches.

The embassy bombings trial, then, shows both the strengths and limits of the law enforcement approach to terrorism. While a lot more is now known about bin Laden's organization and the families of the victims of the bombings have the satisfaction of knowing that some of those responsible have been brought to justice, other strategies, either diplomatic or military, are the only way to ensure that bin Laden and the other top leaders of *al Qaeda* ever have to answer for their crimes.

Notes

1. L'Houssaine Kherchtou, 22 February 2001 testimony, USA v. Usamah bin Laden et al.
2. Kherchtou, 22 and 26 February 2001 testimony, USA v. Usamah bin Laden et al.
3. Letter from Haroun Fazil, original in the al Fawwaz filings.
4. All information about al Fadl comes from his testimony during the USA v. Usamah bin Laden et al. trial on 6–7 February 2001.
5. Wadhi el Hage, grand jury testimony entered into the trial record, USA v. Usamah bin Laden et al. on 20 February 2001.
6. *CNN & Time*, 24 October 1999, "Weapons of War," Linda Pattillo and Henry Schuster.
7. Testimony of Essam al Ridi, US v. Usamah bin Laden et al., 14 February 2001.
8. Ali Mohamed plea agreement.
9. All information in this paragraph is from Jama al Fadl testimony 6 February 2001, USA v. Usamah bin Laden et al.
10. *Ibid.*
11. From complaint, USA v. al Owahali, 25 August 1998.
12. Testimony of FBI agent Steve Gaudin, USA v. Usamah bin Laden et al.

13. Kherchtou, testimony, 21 February 2001, USA v. Usamah bin Laden et al.
14. Ali Mohamed, plea agreement, court transcript in the *New York Times*, 21 October 2000.
15. Description of Mughniyeh from Hala Jaber, *Hezbollah: Born with a Vengeance* (New York: Columbia University Press, 1997), pp. 115–120.
16. Ali Mohamed, plea agreement, USA v. Usamah bin Laden et al.
17. Bosnia and Tajikistan from Kherchtou testimony, USA v. Usamah bin Laden et al.
18. Al Fadl, testimony, 6 February 20001, USA v. Usamah bin Laden et al.
19. Slovakia, Indonesia, Malaysia, and Korea from el Hage grand jury testimony entered into the record 20 February 2001, USA v. Usamah bin Laden et al.
20. el Hage grand jury testimony.
21. Al Fadl, 6 February 2001 testimony, USA v. Usamah bin Laden et al.
22. bin Laden is Saudi.
23. Al Fadl himself is Sudanese.
24. Al Fadl, 6 February 2001 testimony, USA v. Usamah bin Laden et al.
25. For example, L'Houssaine Kherchtou, prosecution witness, 21 February 2001, USA v. Usamah bin Laden et al.
26. Kherchtou testimony.
27. Jamal al Fadl testimony, 6 February 2001, USA v. Usamah bin Laden et al.
28. For example, K. K. Mohamed.
29. For example, Wadih el Hage and Ali Mohamed.
30. Kherchtou testimony, USA v. Usamah bin Laden et al.
31. Testimony of John Anticev, Special Agent, FBI on 27 February 2001, USA v. Usamah bin Laden et al.
32. Testimony of FBI agent Anticev.