

**Statement of Patrick J. Fitzgerald
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**Before the
National Commission on Terrorist Attacks
Upon the United States**

June 16, 2004

Several characteristics of the al Qaeda network made it particularly effective at carrying out devastating attacks on the United States between 1998 and 2001. Many of those characteristics can be illustrated by a review of the manner in which the bombings of the American embassies in East Africa were carried out in August 1998.

I note that I discuss al Qaeda as a network rather than as a formal organization, although al Qaeda is both. As a formal organization, al Qaeda was founded in Afghanistan in the summer of 1988. Al Qaeda members were generally required to make a formal pledge of allegiance (called a *bayat*) to the organization and to sign a written contract. Members pledged to follow the orders of the *emir* of the organization, Usama Bin Laden. Formal members received set salaries and benefits. However, at least one of al Qaeda's founders may have declined to pledge a full *bayat* and others who chose not to join al Qaeda formally were still entrusted with key roles in the organization or its terrorist operations. Moreover, several terrorist groups were affiliated with al Qaeda and worked very closely together, but had their own command structure. For a significant period of time, al Qaeda was closely aligned with Egyptian Islamic Jihad (led by Ayman al Zawahiri), and by now they have effectively merged. Thus, it is best to view al Qaeda as a network which is larger than the formal membership of its organization. When I refer to "al Qaeda members" in this statement, I refer to members of the larger network unless I specify otherwise.

First and foremost, al Qaeda is driven by its ideology which fundamentally opposes our way of life and our system of laws, with no room for negotiation or accommodation. The belief in martyrdom – a glorious death in violent *jihad* that qualifies one for paradise – pervades al Qaeda members' thinking. One example of al Qaeda's thinking makes the point. Mamdouh Salim, a/k/a "Abu Hajar al Iraqi," one of the intellectual leaders of the al Qaeda network, dealt with concerns by al Qaeda members about the bombings of public buildings (such as embassies) in which innocents might be killed with chilling "logic" sourced to an Islamic scholar (Ibn al Tamiyeh) from centuries ago. Salim explained that all infidels in a building such as an embassy deserved to die; that all Muslims collaborating with such infidels by working in the building were traitors and deserved to die even more; and that if an innocent Muslim child walking near the building were to be killed, the child would die a martyr. Because the martyred child would proceed to paradise, the parents of the child would be thankful to the bomber who killed the child. When legions of young men of fighting age are brainwashed into thinking that killing innocent children is noble, our security anywhere in the world is at grave risk. That

brainwashing is accomplished by the intensive indoctrination of training camp recruits in al Qaeda's warped interpretation of Islam. (Personnel files of trainees in Afghanistan reflect formal assessments of the strength of the candidate's religious views.) And indoctrination is also accomplished by wide dissemination of al Qaeda propaganda, through media outlets and the Internet. (Al Qaeda has a media committee.) In the end, indoctrination of fundamental hatred is the root cause of al Qaeda's terrorism. It is what caused men to fly planes into buildings in order to kill thousands of people – of varied religious backgrounds – whose only offense was to go about an American way of life.

Indeed, al Qaeda was formed for the purpose of using the experience and training the *mujahideen* gained in Afghanistan to wage a broader battle against its enemies: Western governments, secular Arab rulers and Israel. Over time, al Qaeda's wrath turned increasingly toward the United States in particular, as reflected by the 1993 attacks on American forces in Somalia carried out by Somalis trained by al Qaeda, the later 1998 embassy bombing attacks, the October 2000 attack on the *USS Cole* and, of course, the horror of September 11.

While al Qaeda does not respect our laws or our way of life, the network clearly recognized more than a decade ago that free societies by their nature afford both their citizens and their guests a presumption that they have come to America to seek a better life for themselves, not to bring about a horrible fate for others. And al Qaeda has exploited that recognition. From its earliest origins, al Qaeda focused on allowing its members to travel through other countries with minimum scrutiny. Al Qaeda sought to recruit – and did recruit – citizens of Western countries (particularly Americans) who could travel the world – including the United States – more freely and with a minimum of suspicion. Those who did not have American citizenship were provided with stolen passports, altered passports (often obtained from fighters who had since been killed) and passports obtained through bribery and fraud to travel to other countries. Al Qaeda, and particularly its allied terrorist group Egyptian Islamic Jihad, were expert forgers who could produce quality counterfeit visa stamps and other documents. And those who traveled were instructed to shave their beards, wear Western clothes, joke with immigration officials and even to carry cigarettes and pornography so as not to appear serious about religion.

Al Qaeda also recognized the ironic utility in establishing charities and other non-government organizations (“NGOs”) engaged in “humanitarian” work to allow for the freer movement of funds and personnel between countries to support terrorism. This was a method refined in the war against the former Soviet Union in Afghanistan in the late 1980's where NGOs were commonly used to provide cover (and visas) for those going to Afghanistan to fight. *Mujahideen* traveled to Peshawar, Pakistan, as “relief workers,” obtained visas and salaries in that status and then crossed the border into Afghanistan to fight. If they survived, they could return home as a relief worker, not a *mujahid*. Documents recovered from a charity office show that some of the NGOs were used to purchase and distribute rockets, grenades, dynamite and all manner of weapons. Ambulances were known to ferry weapons to the fighters. And money could be sent to organizations with names trumpeting a humanitarian orientation with a minimum of scrutiny.

That practice was emulated by the al Qaeda network in the Sudan, Bosnia, Chechnya and elsewhere. One al Qaeda defector recalled first hand a conversation in which Bin Laden described how he used charities to support operations in various countries. That support is often lethal. In 1998, the American embassies in Nairobi, Kenya, and Dar es Salaam, Tanzania, were bombed as a result of the efforts of an al Qaeda cell in Nairobi led by convicted United States citizen Wadiah el Hage, who operated the charity "Help Africa People." What made the use of NGOs particularly effective is that the al Qaeda members actually believe in the causes of the front organizations and thus will carry out significant genuine humanitarian work which masks the illicit activities. Moreover, the charities often purport to help civilians in war-torn areas, the perfect cover to explain the movement of personnel and funds to different offices in regions where fighting is being conducted and supported. And they operated in areas where transactions were conducted in cash and virtually untraceable. And, finally, the ostensible charities made it politically uncomfortable for many countries to engage in close scrutiny of the organizations.

The al Qaeda network also had many of the capabilities of a sophisticated intelligence organization. Many of its members were highly educated. Bin Laden's current deputy is Ayman al Zawahiri, a medical doctor who formerly practiced as a surgeon. Many other leaders of the al Qaeda network have advanced degrees and education: doctors, lawyers, and engineers. And the membership were trained in sophisticated intelligence techniques ranging from surveillance to report writing to the use of codes and ciphers. When carrying out terrorist operations, al Qaeda explicitly followed a cell structure: the intelligence cell gathered the information on potential targets and conducted surveillance; the headquarters cell reviewed the intelligence and approved and organized operations; the logistics cell facilitated appropriate travel and operational support; and the execution cell carried out the mission. The 1998 embassy bombings were a telling case study: surveillance of the embassy in Nairobi (and other Western targets) was first conducted by an American citizen in December 1993: shelf planning five (5) years before the actual attack. The photographs and sketches were reviewed at al Qaeda headquarters (then in Khartoum, Sudan) by Usama Bin Laden and his military commanders. The logistics cell – operating under the front of a charity and some local businesses (including a gemstone business and a fishing business) – helped coordinate travel and arranged for the procurement of explosives and the trucks to deliver them and for the travel of bomb experts who wired the explosives. And the execution cell included highly trained fighters dispatched to Nairobi and Dar es Salaam from Afghanistan shortly before they were to carry out the suicide bombings.

The al Qaeda network is also effective because it has great patience. Al Qaeda will wait years to act and decades to succeed, inspired in part by their victory against the Soviet Union in Afghanistan. Al Qaeda also cites to its involvement in Somalia as a victory. Bin Laden often exhorts al Qaeda members that the attacks on the soldiers in Somalia show that the American public is not willing to accept casualties, particularly when there is graphic television footage. The al Qaeda network will suffer arrests and deaths, but accept them as the cost that must be borne, and wait for the right opportunity to strike again. And al Qaeda members have

the patience to blend into a region long before an operation will take place. One of the more chilling examples of al Qaeda's espionage was Ali Mohamed. Mohamed did not pledge *bayat* to al Qaeda but he trained most of al Qaeda's top leadership – including Bin Laden and Zawahiri – and most of al Qaeda's top trainers. Mohamed taught surveillance, countersurveillance, assassinations, kidnaping, codes, ciphers and other intelligence techniques. Mohamed surveilled the American embassy in Nairobi in 1993. And he was well trained to do it: Mohamed spent 17 years in the Egyptian military (with commando training and experience in embassy security). He left the Egyptian army to join the United States Army and was stationed at the Special Warfare School at Fort Bragg from 1986 to 1989, when he became an United States citizen. He gave some training to persons who would later carry out the 1993 World Trade Center bombing, he arranged Bin Laden's security in the Sudan in 1994 after an attempt on Bin Laden's life, and he visited the al Qaeda cell in Kenya. From 1994 until his arrest in 1998, he lived as an American citizen in California, applying for jobs as an FBI translator and working as a security guard for a defense contractor. When he was interviewed as a potential witness in a terrorism trial in December 1994, telephone records showed that he called to the Kenyan al Qaeda cell to let people know – and we now know he was told by al Qaeda not to come back. He had otherwise been scheduled at the time to conduct surveillance of American and others targets in West Africa. Mohamed is proof that al Qaeda members often hide in plain sight.

Similarly, those who sought to assassinate Egyptian President Hosni Mubarak in Addis Ababa in June 1995 had established front businesses two years earlier so as to establish a presence along the route of Mubarak's motorcade.

And al Qaeda gathers intelligence from media accounts, the Internet, Congressional hearings and court proceedings. A search of Ali Mohamed's California home turned up a sensitive sealed document from the trial of Sheik Omar Abdel Rahman with notations indicating that it was sent by him to the head of the Kenyan al Qaeda cell for delivery to Bin Laden. I shudder to think of the people who may read this statement and where it may be found some day. And it also means that al Qaeda takes careful note of sensitive information about anti-terrorism efforts that finds its way into the press.

The al Qaeda network also depends upon flexibility. Members' roles and tasks often change over time. Khalid al Fawwaz, a press spokesperson for a dissident organization that fronted for Bin Laden in London, was indicted in 1998 in connection with the East African embassy bombings and arrested in London where extradition proceedings are not yet resolved. Prior to his public relations role in London, Fawwaz was the cell leader in Kenya, operating a front business with al Qaeda's military commander who was then living in Kenya. Before that time, Fawwaz was the *emir* (leader) of an al Qaeda military training camp in Afghanistan. Another member of the al Qaeda cell in Kenya, Mohamed Odeh, had been a medic as well as a bomb expert in Afghanistan, a military trainer in Somalia and a fisherman in coastal Kenya before participating in the embassy bombing in Nairobi. Saif ul Islam, an Egyptian lawyer who went to fight as a *mujahid* in Afghanistan, became a weapons expert, a top trainer to the forces that attacked Americans in Somalia, and a fighter in Chechnya. Saif ul Islam was a deputy military commander in al Qaeda. His last known position – in 2000 – was as the head of the

Chechnya branch of a since closed American based charity.

Al Qaeda had command and control over its members. There was a ruling *shura* (consultation) council and several committees which addressed matters ranging from Islamic law to military matters to financial affairs to media issues. At times, the discipline over sworn members of the al Qaeda organization was considered too great by others in the network. Mohamed Rashed Daoud al 'Owhali trained with al Qaeda and fought alongside the Taliban but refused an invitation to join al Qaeda formally so that he could insist upon a direct operational role in violence and avoid being assigned to provide logistical support. Al 'Owhali was a passenger in the truck that delivered the bomb to the American embassy in Nairobi.

And al Qaeda through the years had access to training in various countries. The training camps in Afghanistan produced thousands of trained fighters but training – and fighting experience – was gained in the Sudan, Somalia, Bosnia, Chechnya, the Philippines and elsewhere. And in the middle of the 1990's, al Qaeda members received sophisticated explosives training from *Hezbollah*, despite the deep religious differences between the Sunni members of al Qaeda and the Shiite members of *Hezbollah*.

From about 1992 to 1996, al Qaeda was headquartered in the Sudan where al Qaeda worked closely with the ruling party (the National Islamic Front), the Sudanese intelligence service and a militia (the *defaa al shabi*) which fought against Christians and others in the Sudan. Al Qaeda operated a very significant number of commercial business in the Sudan and helped obtain weapons and run training camps with Sudanese officials. When al Qaeda relocated back to Afghanistan in 1996 due to heavy external pressure on the Sudan, al Qaeda quickly struck up a working alliance with the Taliban.

And, of course, al Qaeda had strong financing. While Usama Bin Laden himself had great wealth, it was even more important that Bin Laden inspired many other wealthy figures to contribute to his *jihad*. That money opened many doors: allowing al Qaeda at different times to cement relations with the Sudanese, the Taliban and the Egyptian Islamic Jihad and many others by underwriting significant infrastructure and operating costs.

And al Qaeda understands the strategic importance of commerce. Bin Laden talked about boycotting American products and industries more than a decade ago. And he has spent the last decade working to attack our people and our commerce at home and abroad. Thus, to the extent that al Qaeda can target – and market – its attacks to undermine key industries (tourism, aviation, and the oil industry), it will do so.

Conclusion

Members of the al Qaeda network are highly educated and highly trained and imbued with an abiding hatred for our way of life. They are patient to await the right opportunity to strike and willing, often eager, to die. They are organized in a cell structure and

have a proven ability to blend into free societies in manners designed not to arouse suspicion. That ability can be particularly dangerous because we live in a society that usually demands concrete evidence of criminal activity before it will allow an investigation – and al Qaeda’s cell structure may often provide that the first evidence of a criminal intent may be the terrorist attack itself. And al Qaeda has shown an ability to adapt its approaches to the perceived weaknesses of its enemies and to changes in circumstances.