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## NATIONAL COMMISSION ON TERRORIST ATTACKS UPON THE UNITED STATES

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### **Third public hearing of the National Commission on Terrorist Attacks Upon the United States**

### **Statement of Judith S. Yaphe to the National Commission on Terrorist Attacks Upon the United States July 9, 2003**

### **Saddam's Iraq and Support for Terrorism**

My testimony focuses on the role and actions of Iraq as a state sponsor of terrorism under the control of Saddam Husayn. Iraq under Saddam was a major state sponsor of international terrorism:

- ***Baghdad actively sponsored terrorist groups***, providing safe haven, training, arms, and logistical support, requiring in exchange that the groups carry out operations ordered by Baghdad for Saddam's objectives. Terrorist groups

### **Current News**

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The Commission has released its final report. [\[more\]](#)

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*Vice Chair*

were not permitted to have offices, recruitment, or training facilities or freely use territory under the regime's direct control without explicit permission from Saddam.

- ***Saddam used foreign terrorist groups as an instrument of foreign policy.***

Groups hosted by Saddam were denied protection if he wanted to improve relations with a neighboring country and encouraged to attack those Saddam wanted to pressure. If they refused Saddam's "requests," they were exiled from Iraq

Conventional wisdom casts Saddam Husayn as a terrorist, a primary consumer of terrorist tactics and methods, and an enemy of the United States. That is true. Conventional wisdom describes Iraq under Saddam Husayn as a primary state sponsor of international terrorism—and that is true. If the mathematics is correct, then the conventional conclusion must be that Saddam and Iraq were responsible for acts of terrorism against the United States, including the 1993 Trade Towers attack and the events of September 11, 2001. Furthermore, Saddam and *al-Qaida* leader Usama bin Ladin cooperated in planning and conducting attacks on these U.S. targets. These assessments are incorrect in my personal view and in my professional judgment as a scholar and intelligence analyst on Iraq, the Middle East and the Persian Gulf region for more than 20 years. Simply put, Saddam Husayn supported extremist groups that would respond to his orders and work against his enemy. This, unfortunately, does **not** make him the primary suspect or *emince grise* for *al-Qaida's* attacks on the United States.

### **Some Undeniable Truths**

Saddam's regime first and foremost was a skilled user of terrorism to intimidate Iraqis and eliminate any opponents, real and imaginary. Saddam's multiple security services succeeded

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in its internal goals and in eliminating its critics, defectors, and enemies abroad. The *mukhabarat* (secret police) state that was Iraq under Saddam was able to reach out to Iraqis in the Middle East, Europe, and the United States whom it wanted to silence. Some were murdered with thallium poison, others shot for the sin of opposing the regime or, equally risky, cheating the family in business deals. In January 1998, four Iraqi and four Egyptian businessmen were murdered in Amman probably by Iraqi *mukhabarat* agents. The Iraqis were believed to have been acting as agents for Saddam's oldest son Uday; the Egyptians may have been innocent visitors. That same year, an Iraqi businessman in McLean, his wife and son were murdered in their home by a visitor apparently known to the family. According to press accounts, the businessman had bragged about an important new contact, Uday.

The issue today, however, is not Baghdad's use of terrorism against its domestic opponents or business deals gone bad. It is about Saddam Husayn's use of and support for international terrorism. One of Saddam's first acts was to use the threat of international terrorism against Iraq to rally support to his regime. The Ba`thist regime began its long and cruel rule with the hanging of 12 Jews from the lampposts in Liberation Square, claiming that the Jews were plotting with the international Zionists and Israel against the new government. This focused the attention of many Iraqis on an external threat and away from what would be a long and bloody period of repression and terror as Saddam consolidated his power.

***Iraq under Saddam supported international terrorist organizations to bolster Iraq's revolutionary credentials, ensure his own role as Great Arab leader, and intimidate rival governments.*** In examining the history, methods, and patterns of behavior of Saddam Husayn in supporting international terrorism, some "truths" stand out. Beginning in the early

1970s, Saddam provided safe haven, training, arms, and other forms of assistance to Palestinian and Arab extremists. Baghdad hosted the Abu Nidal Organization (ANO), the Popular Front for the Liberation of Palestine (PFLP), the Democratic Front for the Liberation of Palestine (DFLP), and the Hawari faction of the PLO. In addition, Baghdad created the Arab Liberation Front (ALF) as its personal surrogate in the wars against Israel. Although the ALF conducted no terrorist operations, Saddam used it in the 1970s and resurrected it again in the current Palestinian *intifada* as a means to recruit Palestinians and, in 2001, to win praise for offering \$25,000 to the family of each Palestinian "martyred" in an Israeli attack. Some examples of Iraqi support include:

- **Abu Nidal.** While enjoying safe haven in Iraq, the ANO conducted a number of terrorist attacks on Jewish and Israel targets in the 1970s and 1980s, including murders at synagogues and attacks on El Al airline passengers in Turkey, Austria, Belgium, and Italy, and the hijacking of a Pan Am airliner (Pan Am 73) in Karachi, in which 22 people (2 Americans) were murdered. ANO also attacked PLO representatives in Europe, murdered Jordanian diplomats, and attempted to assassinate Israel's ambassador in London. (This attack became the cause celebre for Israel's invasion of Lebanon in 1982.) When ANO leader Sabri al-Banna refused to conduct operations against the Syrian regime ordered by Iraq, he was cast out of the country, only to later be allowed back. He died in August 2002 in Baghdad from 4 gunshot wounds to the head, a suicide according to Iraqi security officials. I assume Saddam had decided to remove evidence of his links to one of the most notorious of international terrorists at a time when the United States was increasing pressure on him to reveal his WMD programs and was

- accusing him of sponsoring *al-Qaida*.
- **Abu Abbas.** Palestinian terrorist Mahmud Abbas, known as Abu Abbas, and his organization, the Palestine Liberation Front (PLF), enjoyed safe haven and support in Saddam's Iraq. Abu Abbas was responsible for the October 1985 hijacking of the Italian cruise ship Achille Lauro and the murder of Leon Klinghoffer, an elderly American confined to a wheelchair. In October 2000, following the outbreak of Israeli-Palestinian fighting, Abu Abbas announced from Baghdad that the PLF would resume attacks on Israel.
  - **Others:** In the 1970s Saddam aided Palestinian radical factions that conducted terrorist operations on Israeli, Jewish, Western, and moderate Arab targets. In the 1980s, he sheltered the Kurdish anti-Turkish terrorist group, the Kurdish Workers Party (PKK) at the same time he allowed Ankara hot pursuit of PKK terrorists across its border. In the 1990s, he provided safe haven and supported attacks by the leftist anti-Iranian Mujahideen-e Khalq on targets inside Iran, including rocket attacks on government office buildings in Tehran.

Finally, Saddam's *mukhabarat* state may have been extremely effective in cowing Iraqis and terrifying regime opponents, real and imagined. And it may have been quite effective in operations abroad against defectors and those who cheated the family of Saddam. Iraq's security services and surrogates showed little success, however, in planning or ordering operations against foreign targets. Baghdad ordered its Palestinian dependents to launch terrorist operations against the United States and its coalition partners in the fall and winter of 1990; they refused to comply. Iraq made an apparently singular effort to send terrorist teams abroad prior to the initiation of hostilities with the U.S.-led coalition in 1991; it failed. One

of the Intelligence Community's reported successes in the period of Operation Desert Shield/Desert Storm was the arrest of the teams on landing outside Iraq. They were caught by their fake passports, all of which were in consecutive sequence. The attempt to assassinate former President George H.W. Bush in Kuwait in April 1993 was a botched job, using apparently ill-trained operatives in an ill-planned operation.

### **Could there have been an al-Qaida connection?**

***Did Iraq need Usama and al-Qaida?*** Saddam sought to destroy any international groups—be they religious or ethnic based—that he perceived would attack him because of their linkages to domestic Iraqi factions. Iraq ruthlessly suppressed elements of its Shia community, nearly 60 percent of the population, who were known or suspected of belonging to, harboring members, or merely sympathetic with the aims groups such as the Iraqi Islamic Amal, the Islamic Dawa Party, and the Iranian-based Supreme Council for the Islamic Republic in Iraq (SCIRI). As noted above, Saddam was willing to aid the Syrian-based Sunni Islamic Muslim Brotherhood organization as a tool to attack Hafiz al-Asad, but he would not permit an Iraqi chapter of the Muslim Brotherhood to thrive. Saddam may have posed as a devout Muslim to win the support of Iraq's Shia but he was at heart a secular Arab nationalist whose only loyalty was to himself and the state.

In my judgment, Saddam assessed Usama bin Ladin and al-Qaida as a threat rather than a potential partner to be exploited to attack the United States. Bin Ladin wanted to attack Iraq after it occupied Kuwait in 1990 rather than have the Saudi government depend on foreign military forces. Several captured al-Qaida operatives have said Usama refused to consider working for or with Saddam, according to press accounts. Saddam would have understood that after Usama had realized his ambition to remove

U.S. forces from Arabia and eliminate the Al Sa`ud and other ruling families in the Gulf, that he would have been the next target. The threat would have appeared particularly risky to Saddam, given the modest indicators of a revival in personal piety and Islamist dress among Iraqi Sunnis in the last decade. He certainly suspected Saudi Arabia of encouraging Wahhabi pietism and practices among Iraq's Sunni Arabs and Bin Ladin's loyalists would have been suspect of similar anti-regime activities.

***Did Usama and al-Qaida need Iraq?*** The theory that terrorist groups do not need state sponsors seems valid. It is, in my view, evident from the information unveiled in the international investigations into *al-Qaida's* networks and support structures. The groups were-and are-global in scope and compartmented in design, membership, organizational infrastructure, and operational planning. Many of the leaders are well-educated and trained in Western universities. The need-to-know principle is not one restricted to the Intelligence Community. It was certainly the hallmark of Soviet-sponsored clandestine groups and of the Muslim Brotherhood when it first emerged in Egypt in 1928. The MB, by the way, had no state sponsor yet was able to conduct some highly effective operations inside Egypt, including the assassination of a Prime Minister.

### **Some Questionable Assumptions**

I find troubling the use of circumstantial evidence and the corresponding lack of credible evidence to jump to extraordinary conclusions on Iraqi support for al-Qaida. By credible, I mean reporting from sources with some record of credibility, from open sources or intelligence community clandestine sources; evidence of the signature of an attack to a known group, something tangible linking doer to deed to sponsor. I worked in CIA's Counter Terrorist Center for 3 years and am all too painfully aware that information on terrorism does not

come from librarians or patriots or other untarnished sources. It comes from people who do it themselves, who have an agenda or a grudge, or who enjoy watching fires put out. I am also only too painfully aware of the risk we run in having intelligence collectors-the agencies that comprise the Intelligence Community-working against each other rather than with each other. Moreover, guilt by circumstance should trouble anyone in a society based on the rule of law, even if the perpetrators operate on a different set of ideological assumptions or none at all. Finally, just because a person or an agency or a government does not agree with one's assumptions, does not necessarily mean they are mistaken, stupid, or deliberately obstructive.

So, what is so credible and/or circumstantial in the evidence alleging Saddam Husayn supported, coordinated, or controlled Usama bin Ladin, *al-Qaida*, and the terrorists who attacked the United States on September 11?

- ***Ramzi Yousef, the Trade Towers and alleged control by Baghdad.*** Yousef was convicted for his involvement in the 1993 Trade Towers attack. The story of false identities and tampered documents belonging to a Pakistani and filched from occupied Kuwait is intriguing and rivals anything John Le Carre has written. Should we make the assumption that only Iraqi intelligence could have tampered with the files and planned far in advance to create a "legend" for an operative? Granted, Iraqi intelligence officers and operatives were trained by East German, Czech, and Soviet counterparts. To repeat a point made earlier, except for assassination hits against their own dissidents and defectors abroad, Iraq's intelligence services did not show exceptional talent or success in long-range, long-time operational planning.
- ***Muslim extremists are not capable of***



***carrying out complicated plots or producing material that could be used in a biological or chemical attack or act of sabotage.*** This argument claims the anthrax attacks could only have been carried out by *al-Qaida* operatives who received the materiel, targeting information, and directions from a state sponsor, Iraq. I disagree. Many of *al-Qaida's* affiliate groups, as in other extremist groups in the Middle East, are led by men with advanced degrees from Western schools in science and technology.

- ***Only a devoutly religious Muslim would work for or with an Islamist terrorist group like al-Qaida.*** I don't know if Ramzi Youssef was an Islamic fundamentalist or not. It doesn't matter if he was willing to work for *al-Qaida* or, at least, take their shilling. I believe we know from press accounts tracing the last days of the 9/11 operatives that they were told to go to bars, womanize, drink, and do what was necessary to maintain their cover—they would still be received in Paradise.
- ***Saddam and Usama could not possibly have worked together because of the differences in religious sect or the secular versus religious nature of their beliefs.*** They could have. Terrorist groups and state sponsors have cooperated tactically even though they have sectarian or doctrinal differences. After the Iranian Revolution of 1979, Iran's Islamist extremists sought to export their revolution by legitimate and illegitimate means. They tried to appeal to Sunni extremist factions, for example offshoots of the Muslim Brotherhood in Egypt, while encouraging Hizballah groups among the Shias of Lebanon, Saudi Arabia, and the smaller Arab states of the Persian Gulf. Iran's clerical extremists based their appeal on similarities and ignored differences in

faith and practices. In this sense, Sunni extremists and Shia militants both shared a vision of living in an Islamic state under shariah (religious law); they would have removed their illegitimate and unrepentant Muslim rulers and the foreigners—read the U.S.—who kept them in power. In a similar vein, Saddam was willing to back Sunni extremists against his rival for Arab and Ba`thist leadership—Hafiz al-Asad. What made Saddam's cooperation with Usama bin Ladin unlikely, in my mind, was Saddam's certain knowledge that he would be a target of Usama's once the Al Sa`ud were removed and Usama's deep hostility to Saddam.

- ***Saddam and Bin Ladin worked together and Iraqi intelligence "ran" the al-Qaida networks.*** Evidence includes meetings between Iraqi intelligence agents and *al-Qaida* operatives in Sudan, the Czech Republic, and Afghanistan. In the 1980s and 1990s every international terrorist group and state sponsor was represented in Sudan. Iraq, Iran, and most Islamist organizations were welcomed by Hassan al-Turabi, the Islamist leader of the military-dominated regime. How could they not meet in Khartoum, a small city offering many opportunities for terrorist tête-à-têtes. Czech and American intelligence officials say they are unable to confirm any meeting between *al-Qaida* operative Mohammed Atta and an Iraqi intelligence officer, identified as Ahmed Khalil Ibrahim Samir al-Ani. I would be disappointed if an Iraqi intelligence officer did not meet with *al-Qaida* operatives. He would have been derelict in his duty if he did not at least try to arrange a meeting. His purpose would have been to assess intent, operational capability, and recruitment potential. It would not have been sufficient for both simply to hate the

U.S. Saddam always demanded total loyalty from and control over any group he supported. The evidence is fairly clear, at least in my mind, that *al-Qaida* would not be subordinated to any government, even if Usama had admired Saddam, which he did not. Finally, it is claimed that a senior Iraqi intelligence operative, Farouk Hijazi, who served as head of the Iraqi intelligence service as well as ambassador to Turkey, Jordan, and Tunisia, met with Usama in Afghanistan.

If these alleged facts are true, we should be able to confirm them—we have al-Ani and Hijazi in custody. If a terrorist calls Iraq, does that prove state complicity? If a terrorist meets with an Iraqi intelligence officer, does that make him a tool of the Iraqis? If a terrorist receives money from the UAE, does that make the UAE complicit? I think not on all counts.

## Recommendations

Given the examination of the role of intelligence in supporting Administration actions or intent to act, a few recommendations come to mind:

- ***Recognize the limits as well as the strengths of intelligence.*** It is more art than science, despite the state-of-the-art technology, the ability to hear and see what no one has heard or seen before. In terrorism, as in other intelligence issues, HUMINT is needed to flesh out methods and intent. Fancy technical means of collection are not as reliable as one might think—they, too, need to pass the test of reliability and intent used to validate HUMINT.
- ***Always check reliability statements and do not blindly accept what is not vetted or what seems implausible.*** Learn how to read an intelligence report, be it a report directly from a clandestine source, one filtered by the CIA, or

produced by the collected wisdom of the Intelligence Community (known as estimates). These are, in my experience, the most difficult to write, the most complicated to coordinate, and probably the least satisfactory to read in their tendency to go for the lowest common denominator. That is an analyst's profession and sometimes they get it right.

- ***Intelligence does not make policy and policy should not shape intelligence.***

### **A Short and Selective Chronology of Reports and Events**

#### **Regarding Saddam, al-Qaida, and U.S. Targeting**

***First efforts:*** Iraq's efforts to encourage Palestinian terrorist factions and to send Iraqi terrorist teams abroad to attack American targets fail. The Palestinians refuse to act, and the Iraqi agents are arrested on landing. In April 1993, an Iraqi attempt to assassinate former President George H.W. Bush in Kuwait fails. Both efforts reflect sloppy tradecraft by the Iraqis.

***The Prague Connection.*** Much of the evidence of Iraqi links to al-Qaida is based on meetings alleged to have occurred in Khartoum, Prague and Kandahar between Iraqi intelligence agents and al-Qaida operatives. Czech President Vaclav Havel denied there was any evidence to confirm reports that Mohammed Atta, a leader of the 9/11 attacks, had met with an Iraqi intelligence officer, Ahmed Khalil Ibrahim Samir al-Ani, in Prague in April, 2001, five months before the attacks. American records indicate Atta was in Virginia Beach in early April 2001, and DCI George Tenet told Congress in testimony after 9/11 that the CIA could find no evidence to confirm that the Prague meeting took place. (James Risen, "Prague Discounts an Iraqi

Meeting," *The New York Times*, 21 October 2002). Al-Ani was subsequently ordered to leave the Czech Republic after he was caught taking photos of the Radio Free Europe Building in Prague. Iraq recalled its Ambassador to Turkey, Farouk Yahya al-Hijazi on 30 November 2001 following allegations he had been in contact with Mohammed Atta and other members of al-Qaida. According to press reports, Usama bin Ladin was "believed to have met repeatedly with officers of Iraq's Special Security Organization . . . and seems to have ties to Iraq's Mukhabarat." Hijazi allegedly traveled to Afghanistan in December 1998 and, according to a 1999 report in the *Guardian* (UK) Saddam was "thought to have offered bin Laden asylum in Iraq." (Richard Minter, "The Visible Hand: The Iraq Connection President Bush must win the war his father started," *The Wall Street Journal Online*, 24 September 2001.) An Israeli specialist on terrorism cites an Italian press article that Hijazi met bin Ladin in Sudan as early as 1994. European security officials claimed in March 2001, however, that Saddam personally decided against allowing Usama bin Ladin and al-Qaida to use Iraq as a base because he feared they might destabilize his regime. See David Ignatius, "Dubious Iraqi Link," *The Washington Post*, 15 March 2001, p. A23.

**Training Camps.** Two defectors, one of whom claimed to be a senior *mukhabarat* officer, alleged they had worked at an Iraqi camp south of Baghdad called Salman Pak, where Islamist terrorists had been trained since 1995. The training included, in particular, hijacking techniques useful in seizing aircraft like the American-made Boeing model in use there. How did the defectors know these were Islamists? The defectors said the men prayed and had beards, obviously marking them as Islamists in Saddam's secular Iraq. The information on the Islamists was provided by the Iraqi National Congress (INC) and was not confirmed by other sources. The existence of a terrorist training

camp at Salman Pak has been long known, but the aircraft used for training was an old Soviet Antonov and not a Boeing 707, as the INC sources claimed. See Chris Hedges, "Defectors Cite Iraqi Training for Terrorism," *The New York Times*, 8 November 2001.

***Saddam, al-Qaida, and Ansar al-Islam:*** An American diplomat in Jordan, Lawrence Foley, is murdered in front of his house in Amman on 28 October 2002. Al-Qaida leader Abu Mussab al-Zarqawi, who directed the murder, is a Jordanian of Palestinian origin who allegedly was in Baghdad in spring 2002 recovering from wounds received in the fighting in Afghanistan. According to press citing government sources, no evidence links Iraq to Foley's killing or Zarqawi. Zarqawi may have been linked to Ansar al-Islam, a small group of approximately 150 Arabs trained in al-Qaida camps in Afghanistan and living in an area of Iraq controlled by the Kurds, and not Baghdad. Ansar al-Islam members had fled Afghanistan after the U.S. military campaign and taken refuge in northern Iraq. According to press sources, the CIA believes that the last anti-American operation planned by Iraq was the April 1993 Bush assassination attempt in Kuwait. See Dana Priest, "U.S. Not Claiming Iraqi Link to Terror," *The New York Times*, 10 September 2001, p. A1; James Risen and David Johnston, "Split at C. I.A. and F.B.I. on Iraqi Ties to Al Qaeda," *The New York Times*, 2 February 2003.

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