

**Anatomy of a Terrorist Attack:**  
*An in-Depth Investigation Into the 1998  
Bombings of the U.S. Embassies in Kenya  
and Tanzania*

2005-17

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# Credits

## **Project Coordinators**

Kevin Bernarding  
Matthew Schuster

## **Lead Editor**

Becky Champagne

## **Co-Editors**

Wayne B. Cobb II  
Sascha Kaplan  
Don Morrison

## **Secondary Editors**

Zachary Beus  
William Strachan

## **Analysts**

Juliana Bahus, Tanzania Background  
Zachary Beus, Kenya Background  
Don Morrison, Kenya Background  
David Grimes, al Qaeda Background and GIS Specialist  
Bryan Mazzolini, Chronology, Events of August 7th, 1998, and Conclusions  
Kevin Bernarding, The Bomb Factory and Executive Summary  
Joseph Gealy, Embassy Security  
Sascha Kaplan, Immediate Aftermath  
Tom Fitzgerald, U.S. Military Response  
Kate Worley, U.S. Military Response and Conclusions  
Matthew Schuster, Financing the Attacks and Executive Summary  
Sarah EnDyke, Signals and Warning  
Josh Levin, Signals and Warning and Conclusions  
Kevin Byrne, Post-event Investigation  
Wayne B. Cobb II, Criminal Investigation  
Becky Champagne, International Law and Policy Failures  
William Strachan, Independent Research

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# Table of Contents

<b>Executive Summary .....</b>	<b>1</b>
Key Findings on al-Qaeda Operations.....	1
Key Findings on U.S. Policy Failures: .....	2
<b>Briefing.....</b>	<b>4</b>
August 7 <sup>th</sup> , 1998.....	5
Anatomy of the 1998 Embassy Bombings .....	6
The Al Qaeda Chronicle .....	6
U.S. Foreign Policy and Bureaucratic Failure .....	16
Signals and Warnings—U.S. Intelligence Failure .....	19
Emergency Response and the Immediate Aftermath.....	21
The Investigations.....	21
The United States Military Response .....	23
Conclusions and Lessons Learned.....	29
<b>Appendices.....</b>	<b>31</b>
U.S. Foreign Policy.....	31
Horn of Africa as a Region.....	35
Conditions in Kenya that helped to precipitate the U.S. Embassy bombings .....	37
Conditions in Tanzania that helped to precipitate the U.S. Embassy bombings .....	40
Al Qaeda Background.....	44
Orchestrating the Attack .....	52
Chronology of Events .....	63
Building A Bomb.....	68
Crime Scene Investigation.....	70
Financing and Costs of the 1998 United States Embassy Bombings in East Africa.....	71
The Investigation .....	75
Criminal Charges .....	78
Intelligence Failures at the U.S. Embassies.....	82
Ambassador Bushnell .....	83
Security and Readiness: .....	86
United States Policy Reaction .....	95
Operation Infinite Reach.....	96
Policy Failures and the Pathology of the State Department .....	106
International Law and the UN’s Role in the Global Condemnation of Terror.....	109
<b>Endnotes.....</b>	<b>114</b>

## Table of Figures

Figure 1: East Africa Map by David Grimes .....	4
Figure 2: Kenya Schema .....	5
Figure 3: Shifa Plant outlined by red box. ....	24
Figure 4: Training camps in Afghanistan .....	24
Figure 5: Positioning of American forces in Operation Infinite Reach .....	25
Figure 6: A Toyota Dyna similar to the vehicle used in the Nairobi, Kenya Bombing.....	68
Figure 7: A Nissan Atlas Refrigerator Truck similar to the vehicle used in the Dar es Salaam, Tanzania bombing .....	69

## Executive Summary

On August 7, 1998 al-Qaeda orchestrated nearly simultaneous suicide bombings on the United States embassies in Nairobi, Kenya and Dar es Saalam, Tanzania, killing 224 people and wounding over 5,000. Many aspects of these attacks are integral to understanding al-Qaeda's larger campaign against the United States. This document provides a comprehensive overview and analysis of the 1998 bombings.

East Africa was an area where Muslims were predominately repressed. Nevertheless, al-Qaeda operations were able to capitalize on the lax border security in the region and found that they were able to carry out their missions effectively. Al-Qaeda began surveillance of the two embassies in early 1993. The information they obtained enabled them to organize and establish the logistics necessary to conduct both attacks. By the mid 1990s al-Qaeda had established an East African cell and the operation was well underway. U.S. foreign policy helped to create conditions favorable to al-Qaeda; Washington largely ignored East Africa and was insensitive to local and regional factors. As a result, al-Qaeda was able to operate virtually unhindered and undetected.

Al-Qaeda built an extensive infrastructure of businesses and non-governmental organizations that worked to provide finances, documentation, and legitimate cover for its operations. By 1997, al-Qaeda planning cells were operating efficiently. These cells led the way for the attack unit to begin its systematic process for executing the dual bombings.

None of this should have come as a surprise to Washington. U.S. Ambassador to Kenya, Prudence Bushnell, sent cables in late 1997 and well into 1998 stressing the embassy's vulnerability to attack. Washington largely ignored her warnings, insisting that the embassies were only medium priority threats, and more importantly, failed to recognize al-Qaeda as a determined and effective terrorist organization.

There were numerous flaws in U.S. strategy, operations, and intelligence. Some of these were preventable and others were not, but understanding them and applying lessons learned to future counterterrorism operations is vital to ensure that history does not repeat itself.

### Key Findings on al-Qaeda Operations

- *Al-Qaeda operated as a coherent and well-planned organization founded on ideological principles.* The scale of al-Qaeda's operation, leadership, financial network, and adaptability all reveal a sophisticated adversary. By the time of the East Africa bombings, al-Qaeda had emerged as an international terrorist organization with worldwide connections.

- *Attacks perpetrated by terrorists were viewed by the United States as random acts of violence by unconnected, disorganized, and irrational groups of extremists; terrorism was viewed only under the paradigm of state-sponsorship.* The nature of the relationship between policy-makers and intelligence-gathers and their differing levels of understanding and interpreting threats interfered with the free exchange of information that is crucial to combating terrorism.
- *A repressed Muslim minority and imposing Christian majority, coupled with lax border and immigration controls in both Kenya and Tanzania, contributed to an environment conducive to terrorist operations.* Rivalry between Christians and Muslims dominated the political arena. Christians held the majority of government positions through which they advanced their political and economic interests. A chaotic system of law enforcement perpetuated a safe haven for terrorist activity in Kenya and Tanzania. Ineffective security structures and regulatory institutions enabled al-Qaeda to establish cells in the region.
- *Al-Qaeda's means of financing were expedient, effective, largely untraceable and easily replicable.* The organization used legitimate bank-to-bank transfers in a financial system in which security measures allow for the liquidity of money, but require legal intervention for governmental access. Furthermore, the volume of legitimate financial traffic makes pinpointing a specific transaction unlikely. Al-Qaeda also moved money through the "hawala" system, in which transactions are conducted exclusively in cash, leaving no paper trail.
- *Al-Qaeda used a basic explosive device, as well as a known tactic and was successful, while demonstrating a good fundamental understanding of explosive effects.* The design and components of the explosive device were elementary; the vehicular bomb used in Tanzania was constructed in less than two weeks. The device was so basic that the back up firing system in Nairobi involved throwing a grenade in the back of the truck to initiate the larger explosion. At the same time, al-Qaeda exhibited signs of sophistication by adding aluminum powder to increase the thermal effect of the explosion, therefore increasing the chances of secondary fires.

### **Key Findings on U.S. Policy Failures:**

- *Al-Qaeda exploited weaknesses in the U.S. foreign policy in East Africa and was able to manipulate local conditions.* Moreover, Washington failed to recognize al-Qaeda as a potent threat. In addition, the weakness of the Kenyan and Tanzanian governments contributed to the success of al-Qaeda's activities.

- ***The United States displayed indifference toward Africa and U.S. foreign policy and was insensitive to local/regional conditions.*** Africa had been viewed as a low priority region in American foreign policy. As such, funding projects often went to areas of higher concern. Lack of funding was a crucial factor in the State Department's inability both to anticipate and react to terrorist activity.
- ***At the time of the bombings, the United States had no effective strategy to deal with terrorism and was unable to perceive--much less assess and act on the threat.*** Washington continued to operate from a Cold War mindset. American forces were prepared to fight a protracted land war against Soviet tanks, but not a sophisticated terrorist entity. Due to the popular but incorrect notion that terrorist organizations require state-sponsorship, many of those responsible for monitoring terrorist activity were blind to al-Qaeda.
- ***The United States was unprepared to respond to the African bombings in its clean-up, support and recovery operations.*** African-based emergency response teams were on site quickly but lacked the ability to deal with an attack of this magnitude. American forces, due to extreme mechanical difficulties were not even on site until several days later. Acquiring enough rudimentary supplies like rubber gloves and goggles was a logistical nightmare.
- ***The U.S. military response was hasty and ineffective, even though it was sanctioned by the UN.*** On August 20, 1998 Operation Infinite Reach attempted to kill bin Laden, cripple his organization and destroy a chemical weapons factory. In actuality, U.S. forces missed bin Laden and blew up a pharmaceutical plant that was not involved in the design or manufacture of chemical or biological weapons of any kind. The U.S. response was based on faulty intelligence, and may have been politically motivated, in part, to diffuse negative publicity for a president facing impeachment proceedings.

The attacks in Kenya and Tanzania should have been a watershed for U.S. awareness. Instead, it took 9/11 to convey the realization that terrorism can be systematic, logical and effective, thus making it a threat to international security and American interests everywhere.

U.S. foreign policy needs to take a proactive role towards terrorism. Since terrorism of this scale can only be addressed in cooperation with other nations, the approach should incorporate collective/cooperative security and multilateralism. The events in Kenya and Tanzania shed considerable light on the al-Qaeda organization, and a better understanding of these events may help thwart future terrorist operations. That is the purpose of this report.

# Briefing



**Figure 1:** East Africa Map by David Grimes

## August 7<sup>th</sup>, 1998

On the morning of August 7<sup>th</sup>, 1998, two large vehicular bombs were driven within 35 feet of the American embassy perimeters in Nairobi, Kenya and Dar es Salaam, Tanzania (See Figure 2). While more than 400 miles apart, the two explosions were virtually simultaneous. In Kenya 224 people were killed, including 12 Americans, and injured were 4,000, mostly Kenyan civilians. In Tanzania, the explosion killed 11 people and injured 85 others, including many Americans.

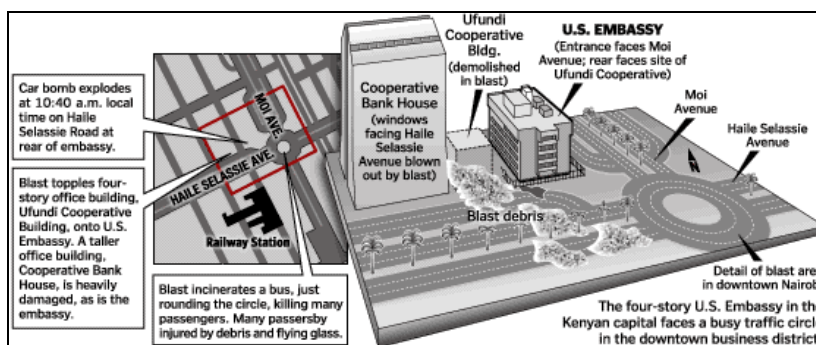


Figure 2: Kenya Schema

(Source: Washington Post, 1998 [www.washingtonpost.com/wpsrv/inatl/longterm/eafricabombing/maps/nairbimap.htm](http://www.washingtonpost.com/wpsrv/inatl/longterm/eafricabombing/maps/nairbimap.htm))

Between 1993 and 1994, members of al Qaeda began to re-locate to Eastern Africa, including Sudan and Kenya. Most were *Mujahideen*, who had fought against the Soviet Union after its invasion of Afghanistan in 1979. They were vehemently opposed to the West in general, and the United States in particular. In their worldwide war against Americans, East Africa was just one battlefield.

In Kenya, one of the attackers detonated a homemade flash grenade as part of the plan to access the embassy compound. The grenade blast had the unfortunate effect of bringing people in the nearby buildings to the windows moments before the detonation of the devastating vehicular bomb, a natural human curiosity that costs them their lives. In contrast, a parked water truck in Tanzania absorbed some of the shock from the blast. The Tanzanian blast inflicted major structural damage to the embassy as well as a number of other buildings in the area. The drivers of both trucks were killed, as well as five contract guards working security at the perimeters.

Upon news of the attacks, the State Department's Office of American Services and Crisis Management issued a travel advisory for all United States citizens abroad. American installations around the world instantly heightened

security as a response to the embassy bombings. Airports, embassies, and domestic federal installations and facilities were on full alert for terrorist activity.

Unfortunately, these precautions were too little and too late. The commitment to security that was so prevalent in the aftermath of the attacks had been glaringly lacking prior to the bombings. Al Qaeda operatives had four years to prepare for the attacks with minimal interference. The United States policy makers and leadership are culpable for their lack of attention to key elements within the State Department and East Africa.

## **Anatomy of the 1998 Embassy Bombings**

The following detailed report examines what conditions presaged the bombings in Kenya and Tanzania, as well as the effects of the attacks. Specifically, the topics addressed are:

- Detailed study of al Qaeda's organization, motivation, and financing
- Conditions in East Africa that facilitated al Qaeda operations
- American bureaucracy and U.S. foreign policy: elements behind the surprise of the attacks and al Qaeda's choice of targets
- Signals and Warnings—Intelligence and Action Failures
- United States military response
- The crime scene investigation and indictment of the accused
- Evaluation of the Emergency Response Teams
- Costs to the United States
- Conclusions and lessons learned

## **The Al Qaeda Chronicle**

The scale of al Qaeda's operation, leadership, financial network, and adaptability all reveal a sophisticated enemy. By 1998, al Qaeda was a well-developed organization. Its operations extended to resource acquisition, surveillance, tactical planning, logistics, procurement and strategies for the precise execution of an operation.



## Structure and Esprit de Corp

**Finding #1: al Qaeda operated as a coherent and well-planned organization based on knowledge and ideology**

*At the time of the embassy attacks, al Qaeda had grown into an international terrorist network. Using its connections with other Islamic groups throughout the world, al Qaeda assembled an elaborate structure directed by bin Laden and his subordinates.* All attacks were coordinated through bin Laden and members of his inner circle, who would task individuals to carry out very specific attacks. After receiving their orders, there was little or no contact between the operational cell and the leadership of al Qaeda.

Some key elements of al Qaeda's culture are:

- A support based on ideology, rather than violence. By establishing a broad ideological base centered on Islam, bin Laden created the first multi-ethnic, pan-Islamic organization.<sup>1</sup>
- The righteousness of martyrdom. Many attacks conducted by al Qaeda were suicide attacks. Contributing members had been spiritually prepared for their suicide mission and were revered after death.
- An organization that would be capable of supporting the efforts of al Qaeda's fellow Mujahideen throughout the world in a moment's notice.<sup>2</sup>
- Only trusted members carry out attacks. The recruitment and training processes is extremely extensive in testing mental and physical strength as well as ideological convictions.
- "Four distinct but interlinked entities"<sup>3</sup> with global connections. Al Qaeda is a pyramidal organization with bin Laden as the emir-general. Below bin Laden is the *shura majlis* (consultative council), which consisted of his closest allies and experienced members. Below the council are the four operational committees, which are responsible for the daily operations of the group. The committees are military, finance and business, fatwa and Islamic study, and media and publicity. There are leaders for each specific committee and it is common for subordinate members serve on more than one committee.

## Transnational Character

Before the embassy bombings, the United States did not maintain a significant military presence in Africa.<sup>4</sup> Military intervention in Africa, especially, was done reluctantly and employed mainly to resolve intra-state conflict

and civil war, as in the case of Rwanda and Somalia. Intervention was a result of intra-state conflict, civil war, insurgencies, and ethnic tension—not a transnational terrorist conspiracy.

**Finding #2: Attacks perpetrated by terrorists were seen as random acts of violence by unconnected, unorganised, and irrational groups of extremists; terrorism was viewed only under the paradigm of state-sponsorship.**

Without the lessons of September 11<sup>th</sup>, terrorism was neither understood in a global context nor conceived of in terms of massive loss of life.<sup>5</sup> The State Department's disinterest in the security significance of Africa was true except in terms of state-sponsored terrorism in the region. By 1993, state-sponsored terrorism became the greatest U.S. concern in the region, both in relation to states who could potentially harbor terrorist groups and those states susceptible to the spreading influence of Islamic extremism.<sup>6</sup>

From a development perspective, al Qaeda's maturation occurred in Sudan--though the organization was 'born' in Afghanistan. In 1991, bin Laden relocated his organization in Sudan, where he resided until 1996. *While in Sudan, bin Laden established links with roughly 20 groups engaged in guerilla warfare and terrorism—supporting them with funds, training, and weapons.* He also helped transport numerous Mujahideen to Sudan for training. The fighters would then return home to fight in conflicts or establish al Qaeda affiliated Islamist groups. Bin Laden also developed an “unprecedented communications network linking its regional offices in London, New York, Turkey, and other centers.”<sup>7</sup>

At the same time that bin Laden was in Sudan, he established approximately 30 business operations that sustained his terrorist organization. As result of the relationship bin Laden had with the Sudanese government, al Qaeda was able to use these companies as a front to import and export goods without inspection and free of taxation essentially providing al Qaeda protection and cover while operating in Sudan. In addition to his business ventures,

**Al-Qaeda's training, organization, mobility, and financing are not bounded within the borders of any one state.**

bin Laden established a string of training camps throughout the Sudan. Most of the camps were given to bin Laden by the Sudanese government because al Qaeda was helping train National Islamic Front (NIF) guerillas.

Operations in Afghanistan differed from the operations in Sudan. Osama bin Laden's operation in Afghanistan concentrated on establishing training camps and other bases. Bin Laden's relocation left al Qaeda landlocked and unable to exploit the shipping network established in East Africa. Despite logistic hindrances, al Qaeda's members were still able to use the Karachi Port to transfer fighters and guns.<sup>8</sup> Under

the rule of the Taliban, Afghanistan effectively isolated itself from the world, which enabled al Qaeda to operate carte blanche. The Taliban provided a safe haven, weapons, equipment, and training facilities.<sup>9</sup>

*Al Qaeda's activities in East Africa indicate that the embassy attacks in 1998 were neither spontaneous nor unpracticed.* While in Africa, al Qaeda established relations with a variety of African Islamic groups. Since 1992, al Qaeda perpetrated or was linked to violence in Yemen, Mogadishu, and Ethiopia. The Embassy attacks were the culmination of growing experience that reflected both bin Laden's commitment to destroying key American targets and confidence in the capacity and training of al Qaeda's members.

### **Al Qaeda's Movements Made Easier by Conditions in Kenya and Tanzania**

There were many conditions that existed in Kenya and Tanzania that affected al Qaeda's choice of targets. According to the American Ambassador to Kenya at the time, Prudence Bushnell, Kenya was an excellent climate for terrorist activity because of the following elements:<sup>10</sup>

- The anarchic rule of the corrupt local law enforcement
- Porous borders allowed unregulated movement of people and supplies
- Active local terrorist organizations, other than al Qaeda
- Political violence endemic to the region
- Ease of travel (to Somalia for early operations), given Kenya's international airport
- A large contingent of Americans in an embassy vulnerable to attack
- Destabilizing influence of neighbors embroiled in domestic conflict, given proximity of Somalia, Rwanda and Uganda

These are some of the factors that made it relatively easy for terrorists to operate in Kenya and Tanzania.

#### *Muslim-Christian Tensions Were Fertile Soil for al Qaeda*

Kenya had a highly marginalized cultural and religious landscape. Religious tensions dating from Kenya's colonial rule created fear and dissidence within the Muslim population.

**Finding #3: A repressed Muslim minority and imposing Christian majority, coupled with lax border immigration controls in both Kenya and Tanzania, facilitated an environment conducive to terrorist operations.**

Christians dominated the political arena for decades. They held a majority of government positions allowing a loud voice in their political and economic interests. As Christianity expanded to all regions in Kenya, a highly marginalized concentration of Muslims residing in Mombassa, and along the east coast, remained estranged and distant from Kenyan politics. Though the Islamic Party of Kenya (IPK), demonstrated against discrimination, much inequality in citizenship, property rights, economic share, education, religious freedom, and political representation still existed in the late 1990's.<sup>11</sup>

In Tanzania, Muslim-Christian relations were no better. The Tanzanian government's mild response to the abuse of Muslim citizens in the February 1998 Mmwembechi riots helped to to the Muslim population against a seemingly prejudiced government. Despite reforms and a surge in the number and activity of non-governmental organizations (NGOs) within Tanzania, economic power and access to key resources nonetheless remained in control of society's elites and foreign actors. This inequality translated into great dissatisfaction within the Muslim community, as many of society's elites were Christians or Muslims who largely disregarded the interests of the Muslim community.

Events like the Mmwembechi riots also increased the growing divide between secular and extremist Muslims in much of Tanzania—a situation that augmented the number of recruits and contacts available to al Qaeda. This is particularly important given the evidence that Tanzania was more of a 'last minute' operation. The combination of restlessness within the Tanzanian Muslim community and the Tanzanian government's lack of power and regulation were two of the facilitators of al Qaeda's operational success.

#### *The 'Personal' Politics of Kenya and Tanzanian Corruption*

*Al Qaeda operatives were able to operate effectively in Kenya and Tanzania because economic, political, ideological/religious, and military strife contributed to an anarchic rule of law in both nations.* Corruption levels allowed for the tolerance of high rates of criminality and reduced the ability of legal entities to track nefarious undertakings and exchanges. In 1995, the Corruption Perception Index rated Kenya 52 out of 54 countries surveyed and 74 out of 85 countries surveyed in 1998 (no data was available for 1996 and 1997). The Corruption Index Score

**Anarchic rule of law provided a safe haven for terrorist activity in Kenya and Tanzania**

for Kenya was 2.5 out of 10. Tanzania was ranked even lower in 1998, 81 out of 85 with a Corruption Index Score of 1.9 out of 10.<sup>12</sup> Against this criminal backdrop, al Qaeda was able to find fertile ground to sow the seeds of its

network and secure the information and connections to execute the bombing in Dar es Salaam.

The institutional weakness of the Kenyan and Tanzanian governments contributed to the success of al Qaeda's activities. Both Tanzania and Kenya possessed lax security structures and regulatory institutions that permitted al Qaeda to establish cells in the region. Poorly guarded borders facilitated easy and unmonitored entry into both countries. In a "Special Report on Terrorism in the Horn of Africa", the United States Institute of Peace reported that several individuals connected to the bombings took "advantage of lax immigration and security laws", enabling them to "gradually [recruit] local Kenyans, particularly from the coast".<sup>13</sup> Similarly, Dr. Janne Nolan, a member of the Accountability Review Board on the embassy bombings, noted that al Qaeda had plenty of cover to operate in Kenya. Dr. Nolan stated that only after increased pressure from the United States were operations in Kenya identified and slowly disrupted.<sup>14</sup> The inability of the Kenyan government to maintain consistent security forces allowed al Qaeda operatives the freedom needed to plan and execute the bombings. Thus, corruption and a weak government structure were two of the elements that influenced al Qaeda's ability to operate in the region.

#### *The "Infidel's" Presence*

Al Qaeda's list of grievances against Washington included American participation in the first Gulf War, military operation(s) in Somalia, and military involvement in Yemen. *Perhaps the most provocative circumstance for al Qaeda was the United States presence in Saudi Arabia—a state that is home to a number of the holiest sites in Islam.* Permanent U.S. military installations in the region represented a lack of Saudi Arabian control over its territory and were thought to threaten the Muslim sacred cities of Mecca and Medina.<sup>15</sup> Osama bin Laden believed that "the Americans were infidels and their garrisons propped up a corrupt, insufficiently Islamic Saudi elite."<sup>16</sup> As U.S. economic and political interests continued toward the Middle East, al Qaeda began targeting U.S. interests abroad.

Similarly, the U.S. operation in Somalia represented American imperialism, from bin Laden's perspective. On August 28<sup>th</sup> 1992, a contingent of 500 U.S. soldiers on four C-140 transport planes from their bases in Mombasa, Kenya, deployed to a variety of drop-off points in Somalia.<sup>17</sup> Al Qaeda viewed the presence of armed troops in Somalia as incipient colonization.<sup>18</sup> Kenya's strategic location, airports, and willingness to cooperate with the American government enabled the United States to conduct its operation in Somalia via Kenyan airspace. Part of this infrastructure allowed al Qaeda operatives the same strategic mobility.

*The 'Gold Plated' Embassy*<sup>19</sup>

The large contingent of American citizens at the U.S. embassies in Nairobi and Dar es Salaam made the embassies a target priority. ***From a security standpoint, both embassies were quite vulnerable to attack.*** The embassy in Kenya was the hardest to secure because of its proximity to a nearby busy intersection. Inman Report recommendations to relegate embassies beyond a 100 foot standoff zone from the street had not been implemented. The embassy had one radio frequency that was clogged with other radio traffic. The embassy itself was built before the Inman Report recommended closing embassies that did not meet structural integrity standards and build more secure ones. The Marine security guards (MSG) were not trained to detect and deter vehicle bombs or terrorism. The closed circuit televisions did not have a recording function to monitor long-term surveillance. The delta barriers and security gates were not working at the time of the attack. The local guard program by the United International Investigative Service failed to provide local security with training in the detection of vehicle bombs or parcel bombs.

In contrast, the embassy in Tanzania did not have the same problems as the embassy in Kenya. With the exception of the standoff zone rule and the malfunctioning delta barrier, the United States embassy in Tanzania was far more prepared. The RSO in Dar es Salaam, John DiCarlo, did institute vehicle screening outside of the embassy to ensure that no one could enter who might have explosives. The RSO and the MSGs did train in identifying and preventing attacks from parcel bombs, react drills, and fire drills in the event of an emergency situation. Because of these protections, the attack itself did not go according to al Qaeda's plan.<sup>20</sup>

**The Kenyan embassy  
was "...easy and  
tempting target for  
terrorists."<sup>1</sup>  
--General Anthony Zinni**

***Neither the Nairobi nor the Dar-es-Salaam embassies met Inman standards and had not been slated for modification in order to comply with them.*** General Anthony Zinni, commander of the United States Central Command, visited Nairobi in early 1998 and warned the State Department that the embassy was not well protected.<sup>21</sup> The August 7, 1998 bombing revealed, however that "the Department's system for determining terrorism levels, which in turn determine physical security standards and procedures, was seriously flawed."<sup>22</sup> Under Secretary of State for Political Affairs Thomas Pickering said, "we have a set of standards which we believe deals with most of the difficulties...that we expect to face, and it is clear that these two buildings did not meet our current standards."<sup>23</sup>

*Yet, because the risk of political violence and terrorism seemed low, these security vulnerabilities—glaringly apparent to embassy staff—were not prioritized in a way that would gain traction in Washington.* Ambassador to Kenya, Prudence Bushnell began raising alarms about the security of the Nairobi embassy soon after her arrival in 1996. In fact, Ambassador Bushnell sent numerous warnings regarding the vulnerability of her embassy to parties in Washington. Given her extensive background in crisis management, Ambassador Bushnell's immediate call for action should have been more effective.<sup>24</sup> Instead, she met with increasing resistance as she desperately attempted to prevent catastrophe. Evidence of Bushnell's diligence is reflected in the number of cables sent from the Embassy in 1997 and 1998 regarding security. According to one State Department official, Bushnell was viewed by some as a "nuisance who was overly obsessed with security."<sup>25</sup> To placate Bushnell, the State Department sent a security team to Nairobi that determined that the embassy met the Department's standards for a "medium threat." Ultimately, Secretary Albright and the State Department felt improving the security of the embassy prior to the attack was neither warranted nor financially viable.

### **Al Qaeda's Financial Network**

The entire suicide bombing operation on the U.S. embassies in Kenya and Tanzania cost al Qaeda between \$10,000<sup>26</sup> and \$50,000.<sup>27</sup> The attacks were inexpensive in relation to the devastation and destruction they caused. The financial path from an al Qaeda operation rarely leads directly to bin Laden. While bin Laden was the ultimate source of al Qaeda's funding, it is difficult to trace the streams of finance between the two.

*There are two reasons al Qaeda was able to move its finances fluidly, with minimal traceability. The first is through legitimate bank-to-bank transfers and the second is the Hawala system.* The international banking network has measures in place to help prevent use of the system for illegal purposes. In addition, the United States has many allies committed to routing out and disengaging terrorist accounts.

**Finding #4: al Qaeda's means of financing were expedient, effective, largely untraceable, and easily repeatable.**

Yet, al Qaeda managed to operate relatively unencumbered prior to 9/11. One reason for this trend is that the financial system's security measures allow for the liquidity of money, but require legal intervention for governmental access. For example,

“It only takes five minutes to deposit 1 million French francs in a Dutch account and another five minutes to transfer that to an account in Britain. For the judge investigating the origins and movement of that money, it will take six months to get a court warrant authorizing inspection of the account in the Netherlands, a year to get one in Britain, six months more for clearance in Switzerland—all to discover that the suspicious funds have been withdrawn and the account closed”.<sup>28</sup>

There is also the problem of monitoring such a large volume of financial traffic. “Financial experts say a large bank might receive as many as 125,000 wire transfers in a given day.”<sup>29</sup> Without knowing exactly which account to monitor, catching an illicit transaction is nearly impossible.

*On the other hand, uncovering financial exchanges through international banking channels is easier than tracking funds circulated via the hawala system.* Specifically, hawala is an ancient system of transferring money that is predominant in the Middle East and South East Asia. The transactions are made entirely between brokers who authorize the trade based on an honor system with their clients. No money actually changes hands at the point of transaction. One broker contacts another with a request to release money to a certain individual. It is understood that the original client will pay the amount requested to his broker and the money will make its way to the lender. All transactions are conducted exclusively in cash and receipts are rarely kept—leaving no paper trail.<sup>30</sup> The Financial Times confirmed, “When al Qaeda was planning the 1998 bombing of the U.S. embassies in Kenya and Tanzania...it used the hawala system.”<sup>31</sup>

## Al Qaeda Force Structure

*In order to maintain operational security, al Qaeda compartmentalized responsibilities by cell.* In the East Africa attacks, there were two types of cells. The first cell was responsible for preparation activities: renting houses, acquiring transportation, finances, building the explosive devises, and providing operational leadership and guidance. Once on site, al Qaeda operatives blended into the local environment. Many of the conspirators worked for NGO’s or started their own businesses. Once the preparation was complete, the attack cell arrived shortly before the planned operation, undergoing the final preparation and briefings needed to execute the attack. Communication channels were strictly regulated, there was limited interaction between the individuals in the planning cell and the

**The four operational phases of the bombings included surveillance, administration, planning and support, and attack.**

attack cell. The planning cell consisted of al Qaeda leadership and individuals with important technical knowledge. The members of the attack cell were less skilled and were chosen because of their loyalty to the mission and a willingness to achieve martyrdom.<sup>32</sup>



In both attacks, the leadership and operatives in the planning cell left the country shortly after the attack cell was in place, indicating a clear level of hierarchy. *Once the planning and preparation of the attack was complete, the support cell made final arrangements and withdrew from the region. Only after the leadership had left the country would the attack cell move into the area.* The attack on the U.S. Embassy in Nairobi was executed by two primary operatives. The other member of the attack cell in the Nairobi bombing led the attackers to the embassy and hired workers to clean the house after the bombing. The Tanzania attack had a similar phase structure, but evidence suggests that the Dar es Salaam bombing was achieved with less advanced planning. Al Qaeda members were recruiting participants for the operation as late as April 1998, suggesting the Dar-es-Salaam operation was organized on short notice.

### **The Bomb Factory—al Qaeda’s Vision comes to life**

The execution of these attacks required significant planning, preparation, and organization. *Al Qaeda’s membership process was selective and designed to rely on only the most capable jihadists for terrorist attacks.* In the case of these embassy attacks, Khalfan Khamis Mohamed, Julius Kisingo, Harun Fazhl, Mohamed Odeh, Hamdam Khalif Allah, Abdel Rahman, and Mohamed al-Owhali were the chosen operatives responsible for the physical implementation of bin Laden’s plan in Kenya and Tanzania.

**Finding #5: al Qaeda use a basic explosive device, as well as a known tactic and was successful, while demonstrating a fundamental understanding of explosive effects.**

In Tanzania, the bomb factory was a rented house located at 22 Kidizalo in the Ilala District in Dar es Salaam. This house, like the one in Nairobi, had a high privacy wall to help conceal the activities inside the dwelling and yard. Khalfan Khamis Mohamed rented the house and was the key individual for putting together the explosive device. Prior to assembly, a welder, Julius Kisingo, modified the Nissan Atlas by drilling holes in the back of the cab so wires could be run from the cab to the refrigeration section of the truck. He also welded frames in the back of the truck to hold 19 oxygen cylinders, and built a large battery frame. The oxygen cylinders were for added fragmentation, which would increase the lethality of the explosion. In the middle of these oxygen tanks were the explosives, contained in wooden boxes. On top of the explosive was the battery pack with wires leading up to the

cab of the truck. These wires led to a switch in the cab so that Hamdam Khalif Allah could detonate the explosive device. This explosive device was constructed in about ten days.

By June, there was communication between the Dar es Salaam and the Nairobi bomb factories, which indicates that there was preparation and coordination. In Nairobi, Harun Fazhl rented a house located at 43 Runda Estates, which was used as the bomb factory for the attack in Kenya. Just like in Tanzania, the house had a large wall to conceal its activities. The type of truck used in Nairobi was a Toyota Dyna. Though not a refrigeration truck, it still had the same body style as the Nissan Atlas.

Mohamed Odeh, with the help of Mohamed al-Owhali, constructed the vehicle-borne improvised explosive devices (VBIEDs).<sup>33</sup> According to the trial transcripts of East African al Qaeda suspects, the trucks for both sites were put together in a similar manner. The VBIEDs, included the vehicle carrying the explosive device, the explosive used, a power supply, detonators to initiate the explosive device, and a switch activated by the suicide bomber to start the explosive train<sup>34</sup>.

**Al-Qaeda operatives constructed simple, but elaborate, VBIEDs that would be detonated by suicide bombers.**

The VBIED had a net explosive weight in the range of 1,500 pounds, according to FBI investigators. On August 5<sup>th</sup>, Abdel Rahman arrived to make the final connection of the wiring between the bomb and the detonation device located in the passenger compartment.

## U.S. Foreign Policy and Bureaucratic Failure

By the mid 1990s, most Americans—including many government officials—did not yet understand that al Qaeda was more than a charitable organization and that its leader, Osama bin Laden, was not merely a terrorist financier. The 1998 embassy bombings were a clear signal that the United States did not understand the nature of the post-Cold War threat. Unable to grasp a security threat posed by a non-state actor, the U.S. showed that it did not fully understand the world that it had inherited as a super-power. The Clinton administration did not recognize the mobility of Osama bin Laden's organization and its ability to orchestrate operations across the Middle East, Africa, and parts of Asia without specific state-sponsorship. *The failure to recognize a growing transnational terrorist threat was just the beginning of a series of political and structural factors that facilitated the ease with which al Qaeda orchestrated the attacks in Kenya and Tanzania.*

**Finding #6: al Qaeda exploited weaknesses in the U.S. regional foreign policy and was able to manipulate local conditions.**

Several characteristics of the leadership and relevant bureaucratic ineffectiveness heightened the embassy's vulnerability to attack and the U.S. government's inept response. These factors include:

- The Clinton administration's limited foreign policy in Africa
- The State Department's risk assessment of the danger to its embassies in Africa, especially in Kenya and Tanzania
- Washington's failure to recognize the growing capabilities and dangers of transnational terrorism with its focus on state-sponsored terrorism
- The tendency of the State Department to reject intelligence warnings emanating from African sources
- The lack of funding to State Department programs, including embassy security

**Finding #7: The United States displayed indifference toward Africa and U.S. foreign policy was insensitive to local/regional conditions.**

### **The African 'Backwater'**

Although Kenya's social and political problems establish the context of the attacks, it is posited that the U.S. role in Kenya, and in the Middle East contributed to al Qaeda's decision to target the U.S. embassies in Kenya and Tanzania. Essentially, U.S. foreign policy towards Africa typically ignored African security and cultural issues.<sup>35</sup>

*U.S. foreign policy diminished the significance of places where transnational terrorism operated best. States in Africa, where weak institutions provided cover for terrorist operations, were entirely disregarded in the U.S. post Cold War foreign policy.*

When violence on the continent sparked international interest, President Clinton's policy in Africa concentrated on improving economic conditions and promoting democracy as a means to subdue conflict. In particular, President

Clinton appointed Anthony Lake as Director of the National Security Council. Lake was considered an expert on Africa, but his focus was foremost on U.S. relations with Russia and the newly independent republics of the former Soviet Union.<sup>36</sup> For President Clinton, whose constituency had elected him on a domestic platform, a foreign policy agenda in Africa was virtually non-existent.

**President Clinton's foreign policy on Africa promoted democracy and economic growth to subdue conflict.**

## The State Department's Incomplete Assessment of Risk in Africa

In his second term, President Clinton appointed Madeleine Albright as Secretary of State. The Christian Science Monitor described Albright as an uncompromising no-nonsense advocate of America's stance against terrorism and human rights violations.<sup>37</sup> However, Albright's focus in Africa was at times misdirected because the State Department's African risk assessment of terrorist activity minimized key indicators that American holdings in Africa were in danger from transnational terrorism.

In support of the State Department, of the 264 attacks on U.S. diplomatic installations between 1987 and 1997, only seven attacks were in Africa.<sup>38</sup> In addition, of those 264 attacks, only six were car bombs and none of those

The State Department's Risk Assessment in Kenya and Tanzania made embassy security a low priority.

were in Africa. The annual number of attacks on United States diplomatic facilities was actually declining. From 1987 to 1997, the number of attacks declined from forty-three in 1991 to five in 1997.<sup>39</sup> Moreover, none of those attacks were of the same magnitude as Kenya or

Tanzania. This decline and the diminishing severity of attacks signaled to the State Department that the United States could spend less on diplomatic security and still provide acceptable protection to U.S. personnel abroad.

Given this concept of a low-risk in Africa, the State Department believed that certain embassies should reflect a distinctly open and non-militarized atmosphere. Some State Department officials argued that low security was actually an overt objective because it represented the best of the American ideal: *liberty, freedom, openness, and non-militarism*.<sup>40</sup> Consequently, the State Department's notion that violence would not occur at U.S. embassies explains its reluctance to elevate the risk associated with African sites.

## Misunderstanding Terrorism

**Finding #8: The U.S. had no effective strategy/foreign policy to deal with terrorism and was unable to perceive—much less assess and act on the threat.**

*The bureaucratic organizational structure of the intelligence community, which allowed it to operate so effectively against the Soviet Union, became a liability against the threat of a networked transnational terrorist*

*group.*<sup>41</sup> The nature of the relationship between policy-makers and intelligence-gatherers interfered with the free exchange of information virtually crucial to an effective intelligence system<sup>42</sup>.

The intelligence community's exclusion from the policymaking process impacted the American leadership's strategies on terrorism. Specifically, the bureaucracy's tendency to undervalue regional expertise reduced the ability of the State Department to respond to new information. Technological barriers to information-sharing also impeded genuine dialogue and exchange<sup>43</sup>.

*The apparent inability of leaders to conceive of alternative scenarios established a climate within the intelligence community and State Department that discouraged dissenting opinion and ignored conflicting information that signaled a new form of terrorist activity in the region.*

Bureaucratic pathologies of this kind significantly shaped the Clinton Administration's African policy because a veritable groupthink among bureaucratic decision-makers tainted their perception of collected intelligence.<sup>44</sup>

**State-sponsorship, not transnational terror, was the key paradigm guiding intelligence.**

*Lack of resources was a crucial factor in the State Department's inability to both anticipate and react to terrorist activity.* According to the Accountability Review Board on the Bombings in Nairobi and Dar es Salaam, an inadequate amount of resources and an institutional inertia in addressing diplomatic security weaknesses primarily affected the vulnerability of the embassies.<sup>45</sup> Government interest in analyzing terrorism was too sporadic to maintain sufficient funding.

## Signals and Warnings—U.S. Intelligence Failure

While there was never an indication of when or how the U.S. embassies in Nairobi, Kenya and Dar-es-Salaam, Tanzania would be attacked, there was mounting intelligence to suggest that the embassies were not adequately

**Key warnings of the attacks did not reach high-level officials or other departments within the bureaucracy.**

secure and potentially a target of terrorist plots. Considering Ambassador Bushnell's repeated reports that the building was insufficiently secure, these signals were not without context. Yet, pleas to remedy these vulnerabilities reached deaf ears in the State Department. Consequently, while certain threats were identified and intermittent intelligence was collected and largely disseminated to the intelligence community, they were often discounted before reaching high-level officials. In the end, sporadic exchange of

information brought about little recognition of the growing threat to both embassies. ***There were a number of warnings in the year prior to the August 7, 1998 attacks that groups were planning to bomb the Nairobi embassy:***

- In the summer of 1997, the Central Intelligence Agency (CIA) identified Wadih el Hage as a key figure in al Qaeda's leadership in Kenya. In August, 1997, the Kenyan police, CIA, and FBI raided el Hage's house in Nairobi<sup>46</sup>. In it, the CIA found el Hage's computer, downloaded its files, and confiscated a number of written correspondences. He was extensively questioned three times by the FBI, but the documents from his home were not translated because of the unavailability of Arab-speaking staff and the low priority given their contents<sup>47</sup>.
- Also that summer, an informant was turned over to the CIA who claimed that the Nairobi branch of the Islamic charity Al Haramain Foundation was plotting to blow up the American embassy in Kenya. The threat was taken seriously enough that the CIA sent a counterterrorism team to Kenya for further investigation. The team examined Al Haramain's files, but found no evidence of a bomb plot. Though nine Arabs connected with Al Haramain were arrested, no interviews with the detained suspects were taken and the CIA soon dropped its investigation. The agency concluded that the informant was not credible. The CIA stated that there was never any evidence linking Al Haramain to the embassy bombings, though there was evidence to connect the foundation to Osama bin Laden.
- By November 1997, an Egyptian named Mustafa Mahmoud Said Ahmed walked into the Nairobi embassy and told CIA officers that he knew about a group that was planning to detonate a truck bomb inside the diplomats' underground parking garage. The CIA stated that it received word from a foreign intelligence service that Ahmed was a fabricator of information and that his warning should be treated with skepticism. Ahmed was arrested in Tanzania after the bombing and is believed to be a key figure in the Dar-es-Salaam attack. In particular, the Accountability Review Board stated that the intelligence received regarding Ahmed's warning of a vehicular bomb attack was carefully vetted and was discredited by early 1998.
- Lastly, a United States informant in Kenya contacted Israel's Mossad intelligence service two weeks before August 7, 1998, warning the American government that the Nairobi embassy was to be targeted for a bombing. Upon advice from Israeli intelligence sources, however, the informant was discredited.

The CIA possessed intelligence on terrorist activity in Kenya and Tanzania and the targeting of both embassies.

## Emergency Response and the Immediate Aftermath

Given budgetary constraints, the security that existed at both sites prevented the type of destruction that al Qaeda envisioned. *However, the existing emergency action plans (EAP) were insufficient to protect against devastation caused by vehicular bombs. Had the EAPs included response scenarios for large-scale destruction, the effectiveness of the emergency response agencies would have improved.*

**Finding #9: The United States was unprepared to respond to the African bombings in its clean-up, support, and recovery operations.**

Since the EAP did not anticipate a vehicular bomb, the employees of the embassy were not trained to seek cover or avoid running toward the windows. If the employees had sought cover, the casualties would have been lighter. What is more, the Foreign Emergency Service Team (FEST)—a recovery team designed to have global capability—departed the United States six hours after the bombing, but was delayed when the airplane experienced mechanical difficulties. *The FEST arrived in Kenya about 40 hours after the bombing immediately recognizing that they did not have the necessary resources available—nor could they find them in gross from Kenyan suppliers<sup>48</sup>.* Likewise, in Tanzania, four Marines rushed to the scene immediately after the explosion. Although they had trained for various types of emergencies, the EAP in Tanzania did not anticipate a vehicular bomb. The Marines were not trained for a situation of that magnitude nor did they have the proper equipment readily available.

**Recovery from simultaneous attacks in remote locations was difficult to coordinate.**

The FEST was also severely debilitated by the responsibility of responding to two separate disasters simultaneously. The necessity of preparing for simultaneous attacks was not anticipated by the Foreign Emergency Support Teams (FEST). It took another 24 hours to acquire a second aircraft for Dar es Salaam because the primary FEST response aircraft flew to Nairobi.

## The Investigations

The embassy attacks led to a massive international investigation, characterized by frustration and unprecedented international cooperation. With hundreds dead and thousands wounded, the embassy attacks ranked as one of the largest non-military attacks ever committed against Americans. The chaos that gripped Tanzanians and Kenyans

brought about a worldwide effort to find the perpetrators. The large number of casualties, combined with the immense amount of rubble and the distant, East African locale made the investigation a complex undertaking for the investigating police agencies.

### **Picking up the Pieces and Putting Them Together**

While the Federal Bureau of Investigation (FBI) would provide logistical support and overall investigative expertise, the local police in Dar es Salaam and Nairobi handled the majority of the investigation. The investigation in Tanzania was marginally successful because local authorities were overwhelmed by the size and complexity of the task. In Kenya, the local authorities spearheaded a successful operation that identified the perpetrators and led to several arrests.

*Law enforcement agencies, including the FBI, responded to the attacks only after inordinate delay because logistical problems hindered the investigation from the start.* The investigation would have benefited from the presence of more FBI agents on the scene in the first hours after the attack. Given the conditions of the embassy, the surprise of the attack, and the resources available on the ground, the overall effectiveness of the FBI and especially the African law enforcement agencies responsible for the majority of the investigation was commendable.

Federal agents were able to gather pertinent information from the bombing sites even though there was tremendous damage. Deducing the specifics of the attack meant locating traces of explosives, parts of the vehicle, parts of the oxygen cylinders, and measuring the size of the crater<sup>49</sup> created by the explosion. Investigators also found a Beretta pistol slide, which was believed to be the one used by al-Owhali. The rear axle and Pitman Arm identified the make of the vehicle in the Nairobi bombing, which was located several hundred feet from the crater.

### **Criminal Charges and Indictments**

The United States government was able to apprehend individuals at different levels of the al Qaeda network before the bombings in Tanzania and Kenya and transcripts of their monitored phone conversations were used in the court cases. These individuals unknowingly provided the same information or corroborating information through the course of the investigation. The FBI was also able to take known information that had been corroborated in the past to fill in the blanks on al Qaeda and connect the dots to what happened in the Nairobi and Tanzania attacks.

*The criminal investigation ended with three hundred counts against the defendants.* These counts included the utilization of weapons of mass destruction (WMD) against American targets, conspiracy to kill officers and



employees of the U.S. government, conspiracy to murder U.S. nationals, and conspiracy to destroy U.S. buildings by the use of explosives. Defendants included:

- Wadih El Hage, the leader of the East African al Qaeda cell who arranged for the facilitation and delivery of false travel documents
- Mohammed Odeh, a technical advisor to the al Qaeda operatives responsible for carrying out the bombings
- Mohamed Al Owhali, an expert in explosives, hijacking and bombings who specifically asked bin Laden for an assignment to execute jihad and personally threw stun grenades in an effort to force the embassy guard to allow him entry into the parking garage
- Khalfan Khamis Mohammed, who purchased the white Suzuki used to transport the components of the bomb, rented the house in Tanzania which operated as bomb factory, and helped to put the bomb together and load the bomb into the truck.

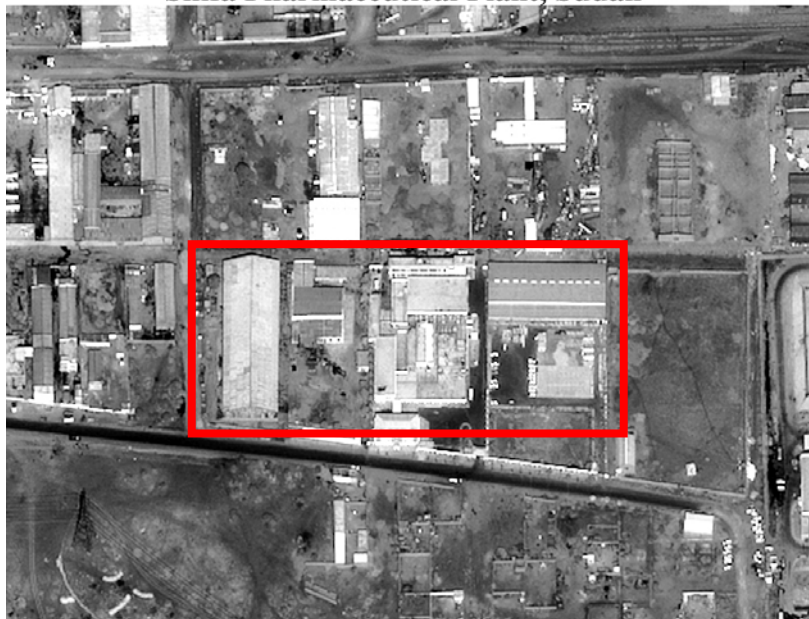
## The United States Military Response

The August 7<sup>th</sup>, 1998 simultaneous bombing of United States embassies in Tanzania and Kenya resulted in a diplomatic, economic, and military reaction by U.S. leadership. President Clinton's "no concession policy" stated that the U.S. government would "not pay ransoms, release prisoners, change its policies, or agree to other acts that might encourage additional terrorism."<sup>50</sup> Despite the changing nature of terrorism, this hallmark principle was the primary U.S. policy towards terrorist organizations and attacks.

To retaliate on an economic level, President Clinton signed Executive Order 13099 on August 20<sup>th</sup>, 1998 that prohibited transactions with terrorists who threatened to disrupt the Middle East peace process. Order 13099 (an annex to Executive Order 12947) alleged that bin Laden and the Islamic Army Organization were the perpetrators of the attacks on the African embassies in Kenya and Tanzania. The executive order attempted to freeze assets owned by bin Laden and al Qaeda and stipulated that U.S. citizens and firms could not do business with them.<sup>51</sup>

Military retaliatory measures were taken by the United States on August 20<sup>th</sup>, 1998 against targets in Afghanistan (See Figure 3) and Sudan (See Figure 4). This operation, called "Infinite Reach," marked a stark contrast from traditional policy. *Infinite Reach was designed to prove that the United States would not hesitate to retaliate against terrorists and those that supported them as well as prevent future terrorist targeting of American sites.*<sup>52</sup>

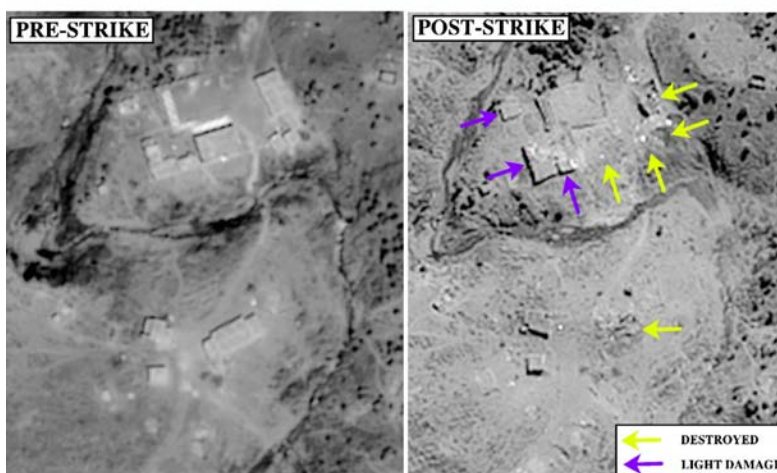
### Shifa Pharmaceutical Plant, Sudan



**Figure 3:** Shifa Plant outlined by red box.  
(Source: Dept. of Defense briefing, August 20, 1998)

Reactive policy, once a staple of U.S. defensive strategy transitioned to pre-emption against both state actors and non-state terrorist organizations. Though pre-emption had been used by the United States in the past in order to eliminate potential threats, the bombing of Afghanistan and Sudan elevated the technique by giving “primary and public prominence to the pre-emptive, not just retaliatory, nature and motive of a military strike.”<sup>53</sup>

### Zhawar Kili Al-Badr Terrorist Training Camp Main: Severe Damage



**Figure 4:** Training camps in Afghanistan  
(Source: Dept. of Defense briefing, August 20, 1998)

The decision to strike the Al Shifa pharmaceutical plant in Khartoum, Sudan and the al Qaeda training camps in Afghanistan was finalized on August 20th, 1998 at 2:00 a.m. It was reached in two weeks under immense secrecy and via limited collaboration of government, military, and intelligence officials. At 3:00 a.m., President Clinton gave the order to proceed with the military strikes against the Al Shifa pharmaceutical plant in Khartoum, Sudan and the al Qaeda training camps in Afghanistan. Two U.S. warships in the Red Sea and Arabian Sea (See Figure 5) fired 20 tomahawk cruise missiles at the plant at 1:30 p.m. (7:30 p.m. in the Sudan) that killed one person and injured ten. The missiles demolished three, one-story production facilities and struck Sweets and Sesame, a nearby candy factory.



**Figure 5:** Positioning of American forces in Operation Infinite Reach  
Map created by David Grimes

## The Controversy: Al Shifa

*The legitimacy of the attacks and the decision-making process was controversial.*<sup>54</sup> While the Central Intelligence Agency (CIA), National Security Agency (NSA), Defense Intelligence Agency (DIA), and the Federal Bureau of Investigation (FBI) were busy sifting through information regarding the embassy bombings in the weeks following the attacks, senior White House officials began plans for a retaliatory operation against bin Laden. The planning committee was entitled the “Small Group” (SG) and membership was secretive and limited to six top

officials: President Clinton, Secretary of State Madeline Albright, National Security Advisor Sandy Berger, Secretary of Defence William S. Cohen, The Chairman of the Joint Chiefs of Staff General Henry H. Shelton, and CIA Director George J. Tenet.<sup>55</sup> The SG was under intense pressure to produce valid targets that, if attacked, would severely impair bin Laden and future al Qaeda operations.

**Finding #10: The U.S. military response was hasty and ineffective, despite being sanctioned by the United Nations.**

President Clinton consulted the necessary congressional officials the night before the attack to legitimize the tactical strikes. Speaker of the House Newt Gingrich (R, Ga.) and Senate Majority Leader Trent Lott (R, La.) were presented with the evidence surrounding the Al Shifa facility and the Afghanistan camps. Congress was willing to use force against any terrorist target, and Senator Lott agreed that the strikes were “appropriate and just”<sup>56</sup>.

The United States legitimized its decision to bomb Afghanistan and Sudan through international law. In a letter dated August 20<sup>th</sup>, 1998, to the members of the Security Council, the United States claimed that its tactical strikes were orchestrated first as a response to the terrorist attacks in Nairobi and Dar-es-Salaam and second as a preventive measure against future terrorist activities.<sup>57</sup> *On this basis, the Clinton administration claimed that it did not require prior UN Security Council resolution in order to launch its operation.* The United States justified its policy under the auspices of Article 51 of the United Nations Charter<sup>58</sup>. This particular clause specifies under what

**The United States justified its response in terms of self-defense and preventive action against future attack.**

circumstances a state has the legal right to stage an armed attack. Such was the Western consensus against terrorism that this justification was accepted, supported, and promoted via intelligence sharing, collaboration, and further United Nations cooperation.

The choice of targets, the secrecy of the Administration’s deliberation, and the decision to pursue a military response in general all incited criticism and complaint. According to Seymour M. Hersh, in his article entitled ‘The Missiles of August,’ in the October 12<sup>th</sup> issue of The New Yorker, military officials stated after the strikes that targeting was poor and was a result of a Cold War decision-making mentality that preferred the targeting of remote sites to risking collateral damage and civilian casualties<sup>59</sup>. Within days of the attack, Western engineers who had visited or been associated with the plant, as well as Sudanese officials, doctors, lawyers and plant employees insisted that Al Shifa was a working pharmaceutical plant—rather than a terrorist

operational site. Days prior to the attack on the Al Shifa facility, an intelligence official claimed that there was no evidence of commercial products being sold out of the facility.<sup>60</sup>

In particular, the Clinton administration offered the following rational for choosing the Al Shifa plant – including that the plant was suspicious because it was:

- Heavily guarded
- Not producing commercial products and medications
- Directly financed by bin Laden
- Had ties to Iraq's chemical weapons programs.<sup>61</sup>

Evidence to the contrary, however, surfaced quickly after the U.S. operation. The Clinton administration learned that there was no connection between the plant and the Sudan Military Industrial Complex (SMIC), which had produced weapons for the Sudanese Army. The American government's claim that the SMIC was responsible for chemical weapons production in Sudan via this plant, was incorrect. The United States also tried to establish a direct link between the plant owner, Salah Idris, and the SMIC after the Al Shifa bombing. The connection could not be substantiated. Since there was seemingly no connection between the SMIC and Al Shifa management, the alleged 'direct' financial connection between bin Laden and the plant did not exist—a fact that reduced the legitimacy of the choice of Sudanese target.

*U.S. intelligence reports also based their accusations on a soil sample taken from the plant grounds in December of 1997 and later tested in the United States.* U.S. testing facilities claimed that this soil sample contained amounts of O-ethyl methylphosphonothioic acid, or EMPTA—a dual-use chemical that can be used to make VX nerve gas.<sup>62</sup> Since the United States withdrew its embassy personnel and intelligence officers from the Sudan in 1996, the CIA had to rely on questionable intelligence sources. It is possible, some argue, that the soil sample was not taken from Al Shifa or that the sample was compromised while it was in transit to the United States. The soil sample itself should not have been evidence enough to attack the facility.

## **Training Camps: Tactical Success, Strategic Failure**

The attacks on al Qaeda training camps in Afghanistan occurred in the Khost province, sixty miles south of Kabul. *In Afghanistan, the United States' choice of targets was designed to rout state-sponsored terror.* These facilities were a sprawling set of camps designed to train al Qaeda operatives. The camps were scattered over

Himalayan foothills and could not withstand the Tomahawk missiles. Considering its objectives, the attack in Afghanistan was successful in that it destroyed key physical targets. *However, the American response in both Afghanistan and Sudan was hastily organized under the auspices of questionable intelligence and a Cold War mentality.* In Sudan, the choice of target was controversial. In Afghanistan, the operation did not accomplish the destruction of bin Laden and his operatives. Moreover, there was not significant change in the al Qaeda network and leadership.

### **Al Qaeda's target: the American Purse**

In February 1998, bin Laden, along with other prominent Muslim figures, announced the now famous formation of the

**“Let our actions today send this message loud and clear—there are no expendable American targets.”  
--President Bill Clinton**

World Front for Jihad against Jews and Crusaders. At the end of that declaration was a fatwa that charged every Muslim to both kill Americans and “plunder their money.”<sup>63</sup> With the embassy bombings later that year, al Qaeda did just that. While an exact figure for the total amount of devastation caused by the attacks is not available, it is possible, based on what information is available to make an estimate.

The financial cost from an American perspective includes the following:

- The State Department was awarded a Fiscal Year 1999 supplemental appropriation of \$1.489 billion, which makes up the bulk of the U.S. costs.<sup>64</sup> Included in the amount is an allotment of \$200 million for the creation of temporary embassies in Kenya and Tanzania while designing and building replacements. Temporarily relocating, upgrading, or constructing new facilities at the highest priority locations cost \$185 million.
- Enhanced security packages at all posts took up the largest allocation of the money; \$650 million. An increase in security personnel cost \$261 million with \$186 million going to expanding local guard coverage and \$75 million for the hiring of personnel to provide security expertise. Urgently needed emergency radio communications upgrades cost \$123 million. Twenty million dollars was provided to boost anti- and counter-terrorist activities.
- \$50 million was set aside for humanitarian assistance in Kenya and Tanzania.
- Also, specific embassies had entire security overhauls performed. The U.S. embassy in Russia was completely remodeled, for example. The upgrade cost \$260 million. The State Department reportedly spent \$68 million<sup>65</sup> and \$40 million<sup>66</sup> on the new embassies in Nairobi and Dar es Salaam respectively which opened in March, 2003.

- The American reprisal in Afghanistan and Sudan required sophisticated military technology and weapons. In all, 76 BGM-109C/D Tomahawk Block III cruise missiles were launched<sup>67</sup>, at an estimated cost of \$750, 000 apiece<sup>68</sup>, for a total of \$57 million.
- Legal costs of defending the extremists totaled over \$7 million, including the cost of jury consultants, psychiatric experts, travel, transcripts, as well as Swahili and Arabic interpreters.

**“...[Obey] God’s order to  
kill the Americans and  
plunder their money.”  
–Osama bin Laden**

All these elements considered, the costs resulting from the embassy bombings put American expenditures in the range of \$1.921 billion. The embassy bombings cost \$50,000 (the maximum believed) and the American expenditure is \$1.921 billion; the United States spent \$38,420 for every one dollar spent by al Qaeda. If the attacks only cost \$10,000; the ratio goes up to \$192,100 :1. Given these figures, the overall economic success of bin Laden’s group versus the United States is stunning.

## Conclusions and Lessons Learned

The embassy bombings in Kenya and Tanzania offered tough lessons for the United States and an opportunity to learn. The bombings should have represented a “tipping point” for the way in which the United States government and intelligence community viewed the al-Qaeda organization. The political impact of the bombings was limited: Washington recognized that it was unable to foresee and respond to non-state sponsored terrorism, but was unable to change the culture. The inadequate response to the bombings left al-Qaeda virtually unscathed. Washington thus set the stage for a flawed U.S. strategy against al-Qaeda and international terrorism.

- ***US policy can induce or reduce the desire of extremists to target Americans and their assets.*** Al-Qaeda’s rationale for engaging in terrorism against U.S. interests is largely based on an American policy at odds with their beliefs. A better informed foreign policy, that takes account of a nation or region while balancing national interests could reduce the likelihood of terrorism.
- **Washington’s failure to identify the terrorist threat in Africa was part of a larger foreign policy failure to grasp the growing translational element of terrorism.** Due to the low priority given to this issue, weaknesses in the intelligence community and the cognitive dissonance of key leadership, the United States was both incapable of interpreting key warnings and unable to respond effectively to the attacks.

- ***U.S. foreign policy toward Africa was undeveloped and was a low priority for U.S. officials.*** A lack of interest in and understanding of Africa helped facilitate the conditions in which al-Qaeda was able to operate and execute the attacks. As a result, the United States was largely insensitive to the growing terrorist threat in Kenya and Tanzania.
- ***Terrorist organizations like al Qaeda are systematic, rational, global and tactical; yet they are not infallible.*** The attacks are likely to continue to occur until the United States develops tactics that can successfully disable decentralized adaptable networks
- ***Defeating terrorist networks requires a new security paradigm.*** Cold War military and intelligence strategies hinder the U.S. ability to understand, combat and defeat terrorist organizations. In order to counter the threat successfully, military, intelligence, and diplomatic institutions must adapt to the new security environment.
- ***An effective retaliatory response is vital in combating terrorism.*** A thorough investigation of potential terrorist targets must be conducted prior to the implementation of retaliatory policy. The 1998 U.S. retaliatory bombings of Al-Shifa and terrorist camps in Afghanistan were rushed and inadequately planned. An ineffective response is viewed by terrorists as weakness.
- ***The intelligence community's ability to assess potential warnings is severely flawed.*** U.S. intelligence does not have the ability to think like al-Qaeda. A set of conditions must be established to understand the nuances of the terrorist threat. The intelligence community must adapt to the post-Cold War environment in which the enemy is obscure and the warnings are far less certain.
- ***The magnitude of the East African bombings should have precipitated more substantial policy modifications with regard to terrorism.*** Despite al-Qaeda's ability to successfully conduct an attack against U.S. interests, the United States continued to carry out weak counterterrorism policies. It wasn't until al-Qaeda brought terrorism to the U.S. homeland that policymakers truly began to understand the scale of al-Qaeda's capabilities.



# Appendices

## U.S. Foreign Policy

U.S. foreign policy towards Africa has been described as a ‘backwater’ or that it typically ignores African issues.<sup>69</sup> During the Cold War, the Horn of Africa was largely a venue to combat the threat of Communism and support U.S. National Security. The end of the Cold War saw this motivation to intervene or be involved in Africa concurrently disappear. The search against those aligned with Communism and the U.S.S.R was over. Africa’s fate was uncertain, but some consequences were noticeable.

In March of 1998, President Clinton remarked that ‘Democracy is the essence of a new Africa.’<sup>70</sup> Aid flowing from the United States and Europe was the result of certain conditions being met: the observance of human rights, the promotion of democracy or ‘multi-partyism,’ disarmament or reduced military expenditure, and pursuing structural adjustment policies.<sup>71</sup> Thus, there was a focus on building democracy in Africa. This focus has been criticized for not being focused at all; there was no singular set of objectives towards Africa.<sup>72</sup>

During the Cold War, democracy took second place to national security concerns if both competed. After the Cold War, new concerns arose that despite the rhetoric of promoting democracy, anti-Communism had been replaced by anti-Islamism.

In sharp contrast to rising U.S. denunciations of authoritarianism in other regions of Africa, the policymaking establishment remained surprisingly silent when the Algerian army annulled the first multiparty elections in Algeria since independence and assumed control of the country in a military coup d’etat. The reason for U.S. silence was not a firm belief in the Algerian generals as guarantors of democracy, but rather was due to the fact that an Islamic fundamentalist party--the Islamic Salvation Front (FIS)--was on the verge of taking power through the ballot box.<sup>73</sup>

Thus, the end of the Cold War did not change the general pattern of *double-speak* from Washington. This double standard became noticeable in other ways as well.

Initially, the State Department sought to limit involvement in Somalia. Indeed, one of the loudest voices came from U.S. ambassador to Kenya, Smith Hempstone Jr.

"[Somalis] will mine the roads. They will lay ambushes. They will launch hit and run attacks. They will not be able to stop the convoys from getting through. But they will inflict--and take--casualties."<sup>74</sup>

Hempstone stated that he did not see Somalia as a vital interest. At the same time, there was a push to involve other governments, like Italy and Britain, and the UN which were supposedly more suited to resolve those problems. However, rising public and congressional pressure helped to alter this plan with Operation Restore Hope. Each of the main foreign policy bureaucracies was opposed to deploying troops in Somalia. Nonetheless, the U.S. military was deployed for the purposes of a brief humanitarian intervention that sought to quell the increasing famine. The Bush administration stated that it did not want to involve itself in Somalia politics.<sup>75</sup>

Presidential year elections are cited as one reason for the shift in policy regarding Somalia. Irrespective of the cause, 1993 witnessed more than *Black Hawk Down*<sup>76</sup>, President Clinton was inaugurated into the White House. The Clinton administration's approach to Africa didn't represent a departure from the backwater stigma already attached. Clinton's appointment of Anthony Lake in 1993 as National Security Council Director was significant because Lake had followed Africa as a scholar. However, Lake focused first and foremost on the U.S.' relationship with Russia and the newly independent republics.<sup>77</sup> He is credited for developing the policy that led to the resolution of the war in Bosnia.<sup>78</sup> Thus, the end of the Cold War did not fulfill the hopes for an integrated and comprehensive policy towards Africa.

In addition to the substance of U.S. foreign policy, the form of policy shifted amongst the main bureaucracies. The CIA, Department of Defense (DoD), and the U.S. State Department had been the drivers of African policies. A crisis seemed to be the only time when the White House would take charge. In previous administrations, the CIA and DoD had clear priority over the State Department. During the Clinton administration, there appeared to have been a changing of the guard.<sup>79</sup>

The crisis where the Clinton White House took charge was Somalia. Clark argues that Somalia helped lift the State Department above the CIA and the Pentagon as U.S. efforts began to focus on state building.<sup>80</sup> Somalia represented the lack of a political strategy towards Africa. In early 1994, the White House organized a two-day conference on Africa. The focus was on writing off African debt to the U.S. and to help pay for 'hallmark' elections in South Africa. The conference also helped to highlight a clear line against which the U.S. was reluctant to cross: Rwanda. During the conference, Clinton made only passing remarks on how those initiating genocide should be brought to justice. There are other examples to express the United States' pluralistic policies towards Africa, but of particular importance to the embassy bombings are Somalia and Sudan.

In 1996 Clinton began his second term and Madeleine Albright was appointed to the State Department. In September of 1997, Albright ordered U.S. diplomats back into Sudan after a 19 month long withdrawal due to security concerns. This represented the beginning of a move towards full diplomatic relations. This was also significant because Sudan was long considered a dangerous place for American diplomats. Moreover, U.S.-Sudan bi-lateral relations deteriorated markedly in 1993 as the Sudan was placed on the State Department's terrorism list. Irrespective of these occurrences, the United States continued to offer emergency assistance to the international relief effort in the Sudan.<sup>81</sup>

## National Security

In 1995, Pentagon officials noted that Africa had no strategic value, be it threats or interests. Nonetheless, the CIA was concerned about terrorism, narcotics flows, and CBRN weapons emanating from Africa. At this time, Sudan took the lion's share of the focus. In late 1995, approximately 300 military vehicles and other military grants were given to Eritrea, Ethiopia, and Uganda.<sup>82</sup> Other sources state that close to \$20 million was sent – in addition to training conducted by U.S. military units.<sup>83</sup> These steps were dedicated towards the overthrow of the National Islamic Front in the Sudan. Other steps included the support of the Sudanese People's Liberation Army (SPLA), who are noted to have reformed themselves during this time. The SPLA also received direct support from Ethiopia, Eritrea, and Uganda.<sup>84</sup>

CIA Director John Deutch visited Ethiopia in 1996 promoting a more activist policy including preemptive strikes against terrorists.<sup>85</sup> According to the Federation of American Scientists, several operational detachment units (Army A-teams) were operating in support of the SPLA. It is noteworthy that the 2004 *Strategic Survey* reports that U.S. Army counter-insurgency doctrine had atrophied again during the 1990's.<sup>86</sup> Counter-insurgency had long been seen as second-order and unappealing in the U.S. military. It's reasonable to speculate that the A-teams were tactically effective (after all they were Special Forces), but strategically, the CIA and/or U.S. Military strategy was not.

Despite the efforts of the intelligence community and U.S. Special Forces units, a word on how terrorism was seen by the main policy bureaucracies is needed. Overall, terrorism was viewed as being state-sponsored. Attacks perpetrated by terrorists were seen as random acts of violence by different groups who hate Americans. To a certain degree, it can be argued that the policy community didn't want to know anything different about terrorism. In a world prior to September 11<sup>th</sup> and the embassy bombings, terrorism wasn't taken seriously.<sup>87</sup> Ambassador Bushnell was concerned about the political violence and crime rampant in Nairobi. Despite other warnings as well as

receiving a bomb threat prior to August 7<sup>th</sup> (reported to have no connection to al Qaeda; it was from al-Haramein an NGO working with Somali refugees), Nairobi was designated as a medium threat.<sup>88</sup>

Furthermore, government interest in analysis of terrorism from outside entities like Rand was too sporadic to maintain sufficient funding. Since the end of the Cold War:

State Department planning has proven extremely difficult to maintain against the relentless day-to-day demands of foreign relations and crisis management. These became even more varied and complicated in the 1990s....The National Security Council is charged primarily with coordinating rather than formulating policy, and during the Clinton Administration, its 'strategic planning' unit was essentially a speechwriting office.<sup>89</sup>

Thus, while some of the factors discussed bear only indirect relevance to the 1998 Embassy bombings, they are important indicators of the framework within which strategy and policy was formulated.

## **Motivation and Enabling Factors**

Militants are able to operate more effectively in areas where economic, political, ideological/religious, and/or military strife co-exist. Nearly every African state had or has at least one serious problem of ethnic or regional separatism.<sup>90</sup> Corruption levels have been high and sustained in Africa for many decades. Constitutions of many African governments were poorly written. The checks and balances were essentially non-existent in places like Kenya and Tanzania (see The Kenyan Government for more on this).

Nonetheless, Dr. Janne Nolan (a member of the Accountability Review Board on the bombings) noted that there was plenty of cover for al Qaeda to operate.<sup>91</sup> The simplest explanation can be reduced to the structure and order of al Qaeda. The lower-tier members of the al Qaeda network were simply ordered to be in Kenya and Tanzania. Testimony from Mohammed Sadeek Odeh reveals that he was instructed to continue Jihad in Africa.<sup>92</sup> Testimony from Odeh and Jamal al-Fadl (al-Owhali) reveals a consistent pattern of an affinity for Jihad that they discovered at an early age in their religious studies.<sup>93</sup> This affinity or predilection for the principles of Jihad is a requisite condition for membership in al Qaeda.

Having noted that al Qaeda African operatives were ordered and instructed on their missions and duties doesn't identify why they were ordered in the first place. In addition to the ease of cover that could be established in Kenya and Tanzania, there are other reasons. While it is impossible 'to think' like Osama bin Laden, it is possible to develop a set of conditions that would rationalize this decision (in addition to those already noted above).

On August 28<sup>th</sup> 1992, a contingent of 500 U.S. soldiers on four C-140 transport planes from their bases in Mombasa, Kenya, deployed to a variety of drop-off points in Somalia.<sup>94</sup> For al Qaeda, Kenya became a base of

operations as a result of wanting to move in and out of Somalia during 1993 and 1994.<sup>95</sup> Prior to this move, Abu Ubaidah al Banshiri had discussed the desire to move in to Somalia to engage in war and recruit Somali fighters against the United States. Al Qaeda viewed the presence of armed troops in Somalia as colonization; the unarmed civilians on the other hand were excluded from this definition.<sup>96</sup> Thus, they were not considered a target.

It's worth noting that Kenya was an effective point of entry not just for its strategic location to Somalia. Al Qaeda used it as a point of entry for another reason, simply put; it was easy because the illicit trafficking of the drug Khat provided a means already in place. Each day a half dozen Cessna planes flew from Nairobi to Mogadishu transporting this drug. It is reported that each trip resulted in \$12,000 profit.<sup>97</sup> Khat is a fresh produce that heightens the user's energy level. Khat must be consumed within two days of its harvest otherwise it dries up and loses its active ingredient to create the sought after effect<sup>1</sup>. The small window of freshness helps explain the effectiveness of the transportation routes. During the Osama bin Laden trial, Odeh testified that he was able to travel to Somalia via one of these planes. In addition to the Nairobi-Mogadishu route, there was another route from Nairobi to Mandera, Kenya, located at the upper border between Kenya and Somalia. There were also truck routes from Nairobi to Mombasa.<sup>98</sup>

Therefore, the ease with which operations could be conducted was both a motivating and an enabling factor. Beyond an affinity for Jihad, al-Fadl (al-Owhali) testified for other motivations to attack the Nairobi embassy. First, there was a large American presence at the U.S. Embassy in Nairobi. As already noted, this *was* a target priority. In addition, because the ambassador of the U.S. Embassy at the time was female it would provide increased publicity of a bombing. Also, there were embassy personnel in Nairobi who were responsible for work in the Sudan, as well as a number of Christian missionaries. Al-Fadl (al-Owhali) explained the strategic objectives:

“[By] hitting an embassy you would achieve, would be you hit the ambassador by hitting the embassy, also an objective would be the military attache, the press attache and most importantly, the intelligence officers at the embassy.”<sup>99</sup>

## Horn of Africa as a Region

The Horn of Africa embodies a diverse array of cultural, economic, religious and government institutions. Located on the eastern coast of Africa, the Horn incorporates the countries of Sudan, Eritrea, Ethiopia, Djibouti, Somalia, Uganda, Rwanda, Burundi, Madagascar, Kenya and Tanzania, with each country embracing its own independence and sovereignty. By the mid 1970's the majority of the countries had demolished colonial rule and were recognized by world leaders and other nations as self governing legitimate institutions. Throughout time, the

hardships of European colonization placed numerous economic, political and social strains on post colonial relations within the region. Weighed down by limited natural resources, border ambiguities, weak government structures and poor economic reformations, the Horn of Africa currently hosts a fragile climate receptive to all forms of terrorism.

## **US-Horn of Africa Relations**

Throughout the 1970s and 1980s, East Africa had been plagued by military coups which estranged U.S. relations until the 1990s. During the 70s and 80s “U.S. African policies in this period often derived from, or were influenced considerably by, evolving domestic U.S. political ideologies.”<sup>100</sup> This was true up until around 1993 when the U.S. State Department realized the potential threat of state sponsored terrorism in the region. The State Department added Sudan to the list of states that sponsor terrorism for harbouring the terrorist groups Hamas and Hezbollah. The greatest U.S. concern in the region was not that a state could potentially harbour terrorist groups, but the susceptibility of countries becoming hosts and inviting the spread of education on Islamic extremism.<sup>101</sup>

As a whole, the Horn of Africa did not favour U.S. interests and therefore was not fully engaged until after the U.S. was attacked. Before the Embassy bombings the US did not maintain a significant military presence in Africa.<sup>102</sup> According to the U.S. National Security Strategy, U.S. prime concerns in East Africa were the promotion of market democracies, respect for human rights, sustainable economic development, resolution of conflicts through negotiation, diplomacy, and when necessary emergency peacekeeping. As a result, the National Security Strategy of Engagement and Enlargement in 1996 asserted that “the responsibility of the fate of the nation (Africa) rests with its own people.” U.S. policy makers were not prepared to handle the conflict which brought Islamic extremists to the region because their policy towards Africa was retroactive rather than proactive.

The lack of social and political intelligence of Kenya and poor U.S. policy towards the Horn of Africa were not the only reasons why the U.S. failed in preventing the bombings. Al Qaeda’s mission to eliminate U.S. interests in the Middle East and the Horn of Africa was also a driving mechanism for the execution of the bombings. U.S. foreign policy in the Middle East should also be recognized as an important factors contributing to the targeting of US interests in Africa.

The U.S. foreign policy towards the Middle East should be evaluated in order to understand why al Qaeda operatives vehemently attacked the two embassies. The demise of U.S. interests abroad and in the region should be looked upon as an important goal for al Qaeda when implementing an attack of this magnitude.

## **U.S. Middle East Relations**

The first Gulf War in 1990-91 represented a fundamental change in the way terrorist organizations viewed the United States. Permanent U.S. military installations in the region represented a lack of Saudi Arabian control over its territory and were thought to threaten the Muslim sacred cities of Mecca and Medina.<sup>103</sup> Osama bin Laden believed that “the Americans were infidels and their garrisons propped up a corrupt, insufficiently Islamic Saudi elite.”<sup>104</sup> As U.S. economic and political interests continued to direct themselves toward the Middle East, terrorist groups like al Qaeda used these reasons when targeting U.S. interests abroad.

## **Conditions in Kenya that helped to precipitate the U.S. Embassy bombings**

### **The Kenyan Government**

During the Cold War, Kenya’s development strategy was geared towards joining the world capitalist system. Kenya was a center for transnational business operations in Eastern and Central Africa. It was also important to the United States because of its proximity to the Horn of Africa and the Middle East. Kenya’s President Daniel Arap Moi signed a secret military agreement with the United States providing a naval activity in Mombasa.<sup>105</sup> It is unclear how long the naval activity remained operational, but consider this quote in 1994 from Otieno Ocheing, the secretary-general of the Melbourne based Union for Democracy and Development:

“You can walk into Mombasa and it’s totally dominated by US soldiers. There is a part of Mombasa where no Kenyan is allowed to go, where the only people allowed are the US military. We have no idea what happens there.”<sup>106</sup>

The naval activity was a refueling station in the port city of Mombasa. While no official reports indicate how many service men and woman operated the facility, it is not likely to be too much more than one hundred.<sup>107</sup> Al-Fadl (al-Owhali) testified that during training, emphasis was placed on priorities of attacks. He did not indicate how they were prioritized, but military bases, U.S. missions or diplomatic posts, and kidnapping ambassadors were among the priorities.<sup>108</sup> After the collapse of the Soviet Union, the relationship between Kenya and the West turned for the worst. The rampant corruption in Kenya was a primary reason. In 1990, Moi’s foreign minister, Dr. Robert Ouko, was assassinated. Moi was implicated in the murder after a Scotland Yard investigation, but no conclusive findings or convictions resulted.<sup>109</sup> Nevertheless, in 1991, Western nations and the World Bank suspended most development aid as a protest to Kenyan corruption and resistance to democratic reforms.

According to Murungi, Moi used the constitution as a political weapon.<sup>110</sup> He interpreted, amended, and re-amended it as it suited his needs. Parliament was not the voice of the people; it was the voice of Moi – referred to as *nyayoism*,<sup>111</sup> which meant whatever Moi thought and said. Moi also controlled the District Focus for Rural Development, which gave him full management of national resources.<sup>112</sup> It seems reasonable to assume that Moi would have a certain pressure over businesses in Kenya as well. Money is all that mattered. In 1992, the same year al Qaeda began to establish operations in Kenya, the Kenya African National Union (KANU – the sole *legal* political party) had abandoned its political ideology and had no political agenda.<sup>113</sup> Murungi also described Moi's impact on civil society. Moi infiltrated and sought to control all the participatory institutions in Kenya. The Societies Act gave broad discretionary power to refuse or cancel the registration of any society or organization which appeared "prejudicial to peace, welfare, good order, or [deemed] otherwise undesirable."<sup>114</sup>

It is unclear the degree to which the above impacted al Qaeda's decision to establish operations in Kenya, if at all. Dr. Janne Nolan stated that only until increased pressure from the United States were operations in Kenya identified and slowly disrupted.<sup>115</sup> Thus, it seems likely that the level of corruption could have or did contribute to the availability of cover.

There were many conditions that existed in Kenya that helped to solidify the U.S. Embassy bombings. A highly marginalized cultural and religious landscape, lax border security and immigration laws, opaque business regulations and Kenya's involvement with Islamic nations as well as known terrorist groups were all essential contributors to the bombings.

The changing cultural, religious, political and economic landscape of Kenya during its colonial rule played a major role in igniting fear and dissidence within the Muslim population. During its colonization period by the British, Kenya had been introduced to Christianity as a new world religion. Populated by traditional African religions and the Muslim faith, the introduction of Christianity threatened Muslim livelihood by converting many African natives. The colonial period sparked rivalry between Christians and Muslims by becoming the dominating force driving politics and economics while eventually denying Muslims political, economic and commercial dominance along the east coast.<sup>116</sup>

After obtaining independence from British rule on December 12, 1963, it has become evident that the people of Kenya have yet to unify as a nation using ethnicity and religion as tools for discrimination. While making up 70 percent of the population, Christianity has continued to thrive in Kenya.<sup>117</sup> Due to its large population, Christians



assume the majority of government positions while voicing heavily their political and economic interests. As Christianity expanded to all regions of Kenya, a highly marginalized concentration of Muslims residing in Mombassa and along the east coast remain estranged and distant from Kenyan politics. Some Muslim scholars believe that a reason for the dissidence is “rooted in Christian colonial rule, which moved the center of government from the coast inland, and in independent Kenya, which, in their view, has humiliated the Muslim minority.”<sup>118</sup> Others believe a continuation from colonial Kenya where stagnant political misrepresentation and disjointedness in parliament by Christians continues to promote unequal Muslim representation. These imbalances can be contributed to Kenya’s one-party system, which was changed in December of 1992, when Parliament formally recognized the Islamic Party of Kenya (IPK).<sup>119</sup>

### **Importance of the Islamic Party of Kenya (IPK)**

The IPK became the first Muslim opposition party rivalling the Christian based Kenya African National Union (Kanu). The IPK was formed for many reasons. In addition to the reasons above, the IPK was the first Islamic party in Kenya where Muslims were able to voice their opinions within the government without the threat of imprisonment. The IPK also provided a way for Muslim’s to demonstrate against discrimination.<sup>120</sup> A common discriminatory practice in government is name based discrimination. “Every application for a government post signed with a Muslim name, such as Mohamed, Ali, Omar, or Hassan, is generally rejected or not answered at all, whereas Christian applicants receive priority.”<sup>121</sup> Citizenship is also an important topic for Muslims. Muslims believe that Christians receive citizenship by right of birth yet, it is difficult for Muslims to prove their citizenry or even obtain it, despite the fact they were born in Kenya.

Many Muslims contend that land ownership and administration by government officials also demonstrates a lack of equality. Muslims believe that government officials give fertile and commercial strips of land from Kenya’s productive east coast to Christians. For this reason, Muslims are denied or robbed of land titles they have held on to for hundreds of years. Some Muslim leaders believe that their land rights are being invaded upon by indigenous blacks, who are influential in the government sphere. At the same time, they are using their government influence to fulfil their economic ambitions investing in profitable businesses like tourism while simultaneously belittling the native coastal Muslims.

Although land ownership is an important topic when establishing a base from which prejudice grows and is disseminated, other aspects of Christian-Muslim discrimination do exist. Hence a stronger debate needs to be put in

place before creating a national party indicative to the IPK. Mohamed Bakari, a Muslim intellect stated that there is “a national phobia against Muslims”<sup>122</sup> in Kenya. The national phobia emanates from the majority of non Muslims and stretches to all aspects of Muslim life, including the media and education. For example, Muslims contend that “independent Kenya has continued the policy of colonial authorities, who put the educational system in the hands of Christian missionaries in order to check the dissemination of Islam.”<sup>123</sup> Constant surveillance of Islamic faith through educational and media outlets may also contribute to the heightened levels of prejudice between Muslim and Christian groups, solidifying hatred and estrangement between the two.

The IPK was created to construct the first stepping stones towards repairing Christian-Muslim relations. The establishment of the IPK was an important milestone to help combat some of the major social problems existing in Kenya. Controversy and political brinkmanship between the IPK and KANU continue over national citizenship, land ownership, media, discriminatory practices and education. Currently, the IPK is a strong working party in Kenyan politics but it still does not command the authority it desires. Because of the marginalized Muslim population and its history of discrimination, it is evident that Islamic extremist groups chose Kenya as a safe haven from where they would be able to plan and execute highly effective terrorist attacks. Although Kenya’s social and political problems may have partly contributed to the attacks, it is believed that the U.S. role in Kenya, its surrounding neighbors and the Middle East also gave al Qaeda the desire to implement the U.S. Embassy bombings in Kenya.

### **U.S.-Kenya Relationship**

Before the bombings, the United States and Kenya boasted a healthy relationship. More than 6,000 U.S. citizens lived in Kenya, and 35,000 Americans visited Kenya annually. The United States administered aid designed to achieve four major objectives: reduce population growth, increase agricultural productivity, increase role of private enterprise in the economy, and civic education to expand the knowledge of democratic institutions. U.S. businesses invested more than 285 million dollars in light commerce, light manufacturing, and the tourism industry.<sup>124 125</sup>

### **Conditions in Tanzania that helped to precipitate the U.S. Embassy bombings**

Al Qaeda’s activities were facilitated by a complex spectrum of circumstances manifested through the interplay of socioeconomic, religious, and political agents in the region. Restlessness within the Tanzanian Muslim

community and the Tanzanian government's lack of power and regulation are the most important facilitators of al Qaeda's operational success.

## **Historical Tensions**

Historically fragile Muslim-Christian relations are a result of a belief that the Muslim community is victimized by the Tanzanian government. The Tanzanian government's mild response to the abuse of Muslim citizens in the February 1998 Mmwembechi riots has helped to solidify this perspective. Events like the Mmwembechi riots have also increased the spreading divide between secular and extremist Muslims in much of Tanzania, augmenting the number of recruits or contacts for al Qaeda.

The entrenched sentiment of Muslim resentment towards the Christian-dominated government stems from the failure of a transitioning democracy in Tanzania to articulate its citizens' interests, especially those of the Muslim community. Though Tanzania had long been a nation in which Christians only slightly outnumbered Muslims<sup>126</sup>, Christians control important roles in government and civil service. The Western influenced economic liberalization and democratization of ruling structures in Tanzania throughout the 1990s took place smoothly and quickly but failed to embrace any semblance of cultural pluralism.

In his examination of democracy's efficacy in East Africa, Robert Pinkney illustrates the circumstances in Tanzania prior to the 1998 embassy bombings with his remark, "[Tanzania] has adapted remarkably well to Western demands for economic and political liberalization, but largely because it has been able to change the formal arrangements without changing radically the main sources of power and wealth."<sup>127</sup> His research also demonstrates the major role of community involvement through the medium of NGOs, but indicates that despite the recent surge in the number and activity of NGOs within Tanzania, resources nonetheless remained in control of society's elites and foreign NGOs. The reinforcement of this traditional structure translated into great dissatisfaction within the Muslim community, as many of society's elites were Christians or Muslims who poorly advocated for the interests of the Muslim community.

The weak behavior of important elitist national Muslim organizations tremendously stymied the influence of various Muslim grassroots movements. Muslim organizations such as the Baraza Kuu la Waislam wa Tanzania (Bakwata), translated as the Supreme Council of Muslims in Tanzania, were poor representatives of community interests because its leaders frequently supported the government in order to garner its good favor.

The weakness of Bakwata and its pro-government stance is connected to another historical issue, which provides insight into the restlessness within the Muslim community. The organization of Bakwata was sponsored by the Tanzanian government in power during 1968 to appease the Muslim community after a historical dispute over the national educational structure.<sup>128</sup>

The issue of education had long been a contentious issue to Muslims, originating during British rule when graduates of the Christian mission schools received a better quality of education. As early as the 1930s, stratification in Tanzanian society became more apparent and seemingly reflected its educational system in which certain societal groups were provided with more opportunity than others. Although there were various grassroots efforts to counter this trend with the establishment of private Muslim schools, both colonial and early post-independence governments rejected the legitimacy of their credentials. Embittered Muslims have pointed to historical disparities in the education system as unfair barriers leading to social inequality.<sup>129</sup>

The educational system actually contributed to the increasing restlessness in the Muslim community in several ways. Its unequal nature gradually instigated Muslim resentment towards Christians who benefited from greater opportunities. Disagreements over how to combat educational inequalities caused a minor religious dispute within the Muslim community during the 1960s that allowed the government to exploit the situation and create the Bakwata Muslim council to mediate the conflict. This pro-government body would be the dominant voice for the Muslim community and its weak efforts to represent many of its constituents' concerns steadily contributed to the dissatisfaction and restlessness within the Muslim population.

It is apparent that friction between Muslim activists and Bakwata leaders had risen to elevated levels prior to and during the time that al Qaeda established its presence within Tanzania. Hints of turmoil became apparent as early as 1982 when an education-oriented branch of Bakwata known as Warsha ya Waandishi wa Kiislam (Islamic Writers' Workshop) split from Bakwata over differences in attitudes towards government policies. Other anti-Bakwata organizations soon emerged, such as Baraza la Uendelezaji Koran Tanzania (the Tanzanian Council for Quran Reading) and the Dar es Salaam University Muslim Trusteeship.<sup>130</sup> The 1990s witnessed the formation of a large number of Muslim youth groups that organized around shared frustrations over Bakwata's inept leadership and representation of its community. Such high levels of opposing activity against Bakwata during the 1980s and 90s demonstrated the restlessness that facilitated the ability of al Qaeda to expand its network among various members of the frustrated Muslim community.

## **Mmwembechi Riots**

Al Qaeda would have found the Christian-Muslim relations in Tanzania as particularly exploitable during the year of the embassy bombings due to the occurrence in February 1998 of a contentious event that spawned race riots and accusations of discriminatory government behavior. In an event that came to be bitterly referred to by Muslim leaders as the ‘Mwembechai Killings’, local Tanzanian police arrested a well-liked Muslim activist for allegedly breaking a law that prohibited the instigation of activity against other citizens’ religions. Many Muslims believed his arrest to have occurred on the basis of illegitimate grounds and unsubstantiated evidence, motivated by the government’s fear of contentious Muslim leadership. Shortly after his arrest, mobs of protesting Muslims clashed with government paramilitary forces in the Mwembechi area of Dar es Salaam, which later erupted into widespread riots.<sup>131</sup>

The government’s mild response to the abuse of Muslim citizens in the Mmwembechi riots increased victimized feelings in the Muslim community, and eventually contributed to the growing division between secular and extremist Muslims. After the Mwembechai riots Bakwata supported a pro-government stance and contributed to the sense of frustration and lack of representation for the Muslim community, a major social group in the nation.

The U.S. Department of State’s *Annual Report on International Freedom for 1999* reported that,

The Government failed to respond to growing tensions between the Muslim and Christian communities. The Government appears to recognize that a problem exists, but it chose not to take action. The Government cancelled several meetings with Muslim and Christian leaders aimed at improving relations between the two communities. Even senior Muslim officials in the Government appear unwilling to address the problem, aside from general criticism of those who would foment religious conflict.<sup>132</sup>

## **Fuel for al Qaeda Operations**

Against the backdrop of tensions between Muslim activists and Bakwata and increased antagonism between the Muslim and Christian communities, al Qaeda was able to find fertile ground to sow the seeds of its network, thereby later securing the information and connections in the area that were necessary to successfully execute the bombing in Dar es Salaam.

## **Lack of Government Power and Regulation**

The Tanzanian government’s lack of power and regulation also largely contributed to the success of al Qaeda’s activities. Both Tanzania and Kenya possessed weak security structures and regulatory institutions that enabled al Qaeda cells to flourish in the region. Poorly guarded borders facilitated easy entry and exit of the countries. The

inability of the government to maintain consistent security forces allowed al Qaeda operatives the safety needed to prepare for and conduct the bombings. In a Special Report on Terrorism in the Horn of Africa, the United States Institute of Peace reported that several of those individuals connected to the bombings took “advantage of lax immigration and security laws”, enabling them to “gradually [recruit] local Kenyans, particularly from the coast”.<sup>133</sup>

High levels of corruption and non-existent measures establishing accountability in Kenyan and Tanzania prior to 2003 facilitated the ease with which fake NGOs could be established as safe havens for terrorists. In Tanzania, the interests of many societal groups were poorly represented, thereby fueling a large and diverse NGO presence in the country that sometimes enhanced the scope for outside influence. The rampant corruption in Tanzanian immigration regulation enabled foreign al Qaeda members to gain citizenship and later establish small businesses and NGOs.<sup>134</sup>

## **Al Qaeda Background**

### **Origin**

The terrorist group al Qaeda originated in the Afghan-Soviet War. This 10-year war was responsible for attracting thousands of Islamic fighters from across the globe to expel an atheist Communist force from a Muslim land. During this war two men, Osama bin Laden (Osama bin Laden) and Abdullah Azzam, established the Afghan Service Bureau (MAK) which conducted a variety of tasks from indoctrinating newly arrived fighters to financing the war effort. As the war progressed, the relationship between Osama bin Laden and Azzam deteriorated. By 1988, Osama bin Laden moved to Peshawar and set up guesthouses and training camps separate from the MAK. As Osama bin Laden moved further away from Azzam and the MAK, tensions increased. On November 1998, a remote bomb killed Azzam on his way to Friday prayers. At this point, Osama bin Laden was ‘free’ to pursue his own ideals under the banner of his own organization, al Qaeda.

### **Ideology**

Azzam’s ideas played a critical role in shaping Osama bin Laden and his al Qaeda organization. Azzam taught Osama bin Laden to establish a support base around an ideology, rather than on violence. By establishing a broad ideological base centered on Islam, Osama bin Laden created a pan-Islamic group that would be the first multi-ethnic Islamist group.<sup>135</sup> Azzam was also responsible for creating al Qaeda’s doctrine of jihad, which was centered

on expelling enemies from Muslim lands.<sup>136</sup> In addition, it was the goal of Azzam to establish an organization that would be capable of supporting the efforts of their fellow Mujahideen throughout the world in moments notice.<sup>137</sup>

The contentious issue between Osama bin Laden and Azzam was using terrorism as a tactic.<sup>138</sup> Azzam was adamantly opposed to killing innocents based on his interpretation of the Koran. However, prominent Egyptian Mujahideen in the MAK, most notably Ayman al-Zawahiri, were developing strong ideological relations with Osama bin Laden.

Osama bin Laden's relationship with al-Zawahiri became so strong that al-Zawahiri influenced Osama bin Laden to align himself with the Egyptians, who supported the idea of using the MAK to conduct international terrorism. In fact, many of the Egyptian Mujahideen were members of terrorist groups back home and wanted the support of the MAK in Egypt. Azzam was adamantly opposed to this idea because of Egypt's strong anti-terror policies. In the end, Osama bin Laden sided with al-Zawahiri and the Egyptians and this marked the downfall and eventual death of Azzam.

Osama bin Laden's anti-American rhetoric stems from the Afghan-Soviet War, despite the invaluable U.S. support for the Mujahideen. As early as 1987, Osama bin Laden "called for a boycott of American goods in support of the Palestinian intifada."<sup>139</sup> It was not until the U.S. withdrew from Afghanistan in 1989 that Osama bin Laden fully understood that the United States's objective was to defeat the Soviets. Osama bin Laden's anti-Americanism, was solidified during the Gulf War when U.S. soldiers were based in Saudi Arabia, the land of the two holy places. In fact, Osama bin Laden offered the Saudis to defend the country against Iraqi aggression with his band of Mujahideen. Realizing that the U.S. provided more security to the kingdom, the Saudi royalty rejected Osama bin Laden's proposal. Angered by their decision, Osama bin Laden began to harbor dissent against the government of his homeland.

Prior to the African embassy bombings in 1998, the beliefs of al Qaida were publicly transmitted through two major *fatwas* entitled "World Islamic Front for Jihad Against Jews and Crusaders" (August 1996) and "Declaration of War against the Americans Occupying the Land of the Two Holy Places" (February 1998). In both of these documents Osama bin Laden heavily employs Koranic scripture in order to generate mass appeal and to legitimize his ideas.

The lengthy *fatwa* issued in August of 1996 was Osama bin Laden's first public declaration of *jihad*. Throughout the twenty-some page document, Osama bin Laden calls upon all Muslims to take part in his jihad. The major themes are:

- 1.) Expelling the United States from Muslim lands, most notably Saudi Arabia
- 2.) Expelling Israel from Palestine
- 3.) Overthrowing apostate governments, such as Saudi Arabia who harbor and support the United States (and subsequently Israel).

The first few pages largely focus on the Saudi regime and their moral demise in the face of Allah. Osama bin Laden states the Saudi royalty lost its legitimacy by enacting man made law over Sharia law, allowing the U.S. to occupy the holiest of Muslim lands, failing to provide adequate social services, abusing human rights, and running a weak army, just to name a few.

Throughout the *fatwa* Osama bin Laden criticizes the Saudi regime. However, Osama bin Laden also calls attention to the necessity of *jihad* against America and Israel. In his statements, he urges all Muslims to pick up arms against the two states and to refrain from internal war. In addition to *jihad*, he also asks his fellow Muslims to cease their financial support of the United States through an economic boycott against all American goods.

In the February 1998 declaration, Osama bin Laden effectively merged five jihadist groups into al Qaeda. This *fatwa* was much shorter than his first, and was a bit more direct than the previous. The *fatwa* laid down three reasons why it is the duty of all Muslims to kill Americans and their allies:

- 1.) For over seven years the US has occupied the lands of Islam plundering its riches, dictating its rulers, humiliating its people, terrorizing its neighbors, and using its bases to fight neighboring Muslim states.
- 2.) The Americans are trying to repeat horrific massacres, as though they are not content with the protracted blockade imposed after the ferocious war or fragmentation and devastation;<sup>140</sup>
- 3.) America aims to serve the Jew's petty state and divert attention from its occupation of Jerusalem and murder of Muslims there.

The *fatwa* also stated that in order to be rewarded (by Allah) you must:

“Comply with Allah's order to kill the Americans and plunder their money wherever and whenever they find it. We also call on Muslim Ulama, leaders, youths, and soldiers to launch the raid on Satan's US troops and the devil's supporters allying with them, and to displace those who are behind them so that they may learn a lesson.”<sup>141</sup>



Lastly, yet extremely relevant to the African Embassy bombings, al Qaeda holds the act of martyrdom in the highest regard. Most attacks conducted by al Qaeda are suicide attacks and result in the martyrdom of members. In order to accomplish these attacks, al Qaeda invests an enormous amount of time and energy to ensure that the soon-to-be martyrs are mentally and spiritually prepared for their suicide attack.

## Organizational Structure

Under the guidance of al-Zawahiri, Osama bin Laden was able to construct a viable organization. As Gunaratna describes in his book, al-Zawahiri, “provided the crucial, practical, know how Osama lacked and helped him develop his organizational capability, turning his ideas into reality.”<sup>142</sup>

At the time of the embassy attacks, al Qaeda had achieved its goal of becoming an international terrorist network. Through its connections with other Islamic groups throughout the world, al Qaeda was able to amass an elaborate structure directed by Osama bin Laden and his commanding officers. All attacks were coordinated through Osama bin Laden and his inner circle. After receiving their orders, there was little to no contact between the operational cell and the leadership.

It was not until 1998 that al Qaeda re-organized itself into “four distinct but interlinked entities.”<sup>143</sup> The first of the four entities related to the internal organization of al Qaeda. Below Osama bin Laden is the *shura majlis* (consultative council) which consisted of his closest allies and experienced members. Below the council are the four operational committees which are responsible for the daily operations of the group. The committees are military, finance and business, fatwa and Islamic study, and media and publicity. There are leaders for each specific committee and it is common for subordinate members to be in more than one committee.

Only trusted members were selected to carry out attacks. In order to ensure that members were of quality stock, the recruitment and training processes were extremely extensive in testing mental and physical strength as well as ideological convictions. While Osama bin Laden and al Qaeda have promoted members based on merit, it is very common that promotions are based upon personal relationships and ties to the leaders. In many ways, al Qaeda operates like a corporate business in the western world.

## Locations

While al Qaeda was born in Afghanistan, the organization grew-up in Sudan. After the death of Azzam in late 1989, Osama bin Laden left Pakistan and Afghanistan and headed home to Saudi Arabia. Osama bin Laden spent

two years in Saudi Arabia before moving to Sudan in 1991. In 1996 Osama bin Laden left the Sudan and returned to Afghanistan where he resided before the US invasion of Afghanistan in late 2001.

In Saudi Arabia, Osama bin Laden returned to work at his family's business in Jeddah. In addition, Osama bin Laden aided Saudi intelligence in creating a *jihad* group in Yemen to oust the communist regime. The group was named Yemeni Islamic Jihad under the leadership of Tariq al-Fadli. This group carried out the Aden hotel bombing in 1992.

Soon after Osama bin Laden's arrival in Saudi Arabia, U.S. forces were stationed there to repel Saddam Hussein's aggression. This decision caused a stir among many civilians and preachers. Osama bin Laden was active in voicing his criticisms of the Saudi government and began to actively recruit men to send to his training camps in Afghanistan. As Osama bin Laden's anti-Saudi rhetoric was spreading, the Saudi government threatened to arrest Osama bin Laden. To escape persecution, Osama bin Laden left Saudi Arabia for Pakistan in April of 1991. While in Pakistan, it is believed that he sent former Mujahideen (now al Qaeda members) to Saudi Arabia to establish cells and to eventually carry out attacks against the kingdom.

By the end of 1991, Osama bin Laden had moved to the Sudan and brought with him a large cadre of Mujahideen. The Sudan was attracting Mujahideen since 1989 when a coup placed Hasan al-Turabi and the National Islamic Front (NIF) as the new governing regime.<sup>144</sup>

While in Sudan, Osama bin Laden developed al Qaeda into an international terrorist network with substantial assets. The relationship between Osama bin Laden and the Sudanese government was reciprocal. In exchange for allowing al Qaeda to operate without any restrictions, Osama bin Laden committed significant finances and human resources to support the Sudanese.<sup>145</sup> In 1996, under pressure from the United States, the Sudan was forced to ask Osama bin Laden to leave.<sup>146</sup> Since al Qaeda's base in Africa was gone, they used "Yemen as a launch-pad for future operations in East Africa."<sup>147</sup>

In May of 1996, Osama bin Laden made his return to Afghanistan. Within months of his return, the Taliban, under Mullah Omar, seized political control of Afghanistan and gave Osama bin Laden (and al Qaeda) their new headquarters. Similar to his exploits in the Sudan, Osama bin Laden established a reciprocal relationship with the ruling Taliban. Osama bin Laden provided financial and material assistance to the Taliban, supporting their campaign against the Northern Alliance. The Taliban provided safe haven, weapons, equipment, and training

facilities.<sup>148</sup> In addition to material support, Osama bin Laden and Mullah Omar shared the same religious ideology molding Afghanistan into an Islamic fundamentalist state.

## Infrastructure

While Osama bin Laden was in the Sudan, he established approximately thirty businesses sustaining his terrorist activities. The first business he established was Wadi al-Aqiq, a holding company that would form the umbrella over all the other businesses. Under Wadi al-Aqiq, Osama bin Laden set up Laden International (an import/export company) and Taba Investment (a moneychanger; run by Abu Hassan al-Sudani). Due to the relationship Osama bin Laden had with the Sudanese government, al Qaeda was able to use the companies as a front to import and export goods without inspection and free of taxation. It essentially provided al Qaeda protection and cover while operating in Sudan.

Osama bin Laden also established al-Hijra Construction<sup>149</sup>, which helped build the domestic infrastructure of Sudan. For instance, al-Hijra was responsible for constructing the road connecting Khartoum and Port Sudan. Osama bin Laden's business adventures included agriculture and manufacturing. These businesses were vertically integrated. For example, al Qaeda operated the Damazine Farm which used another company, al-Qudurat Transportation, to ship the products and then used al-Themar al-Mubaraka to sell and process the products. In addition, Osama bin Laden operated Blessed Fruits, a fruit and vegetable company.<sup>150</sup>

In addition to his business ventures, Osama bin Laden established a string of training camps throughout the Sudan. Most of the camps were given to Osama bin Laden by the Sudanese government since al Qaeda was helping train NIF guerillas. One camp in particular was located at the Damazine Farm. Despite Osama bin Laden's departure in 1996, the infrastructure remained.

Osama bin Laden's operation in Afghanistan concentrated on establishing training camps and other bases. Afghanistan effectively closed itself to the world, which allowed al Qaeda to operate carte blanche. Operations in Afghanistan differed from the Sudan, since al Qaeda had already established a variety of businesses and received funds from a variety of sources (Islamic charities and regional states). Al Qaeda's relocation left them landlocked, unable to exploit the shipping network established in East Africa. While al Qaeda's weapons smuggling was hindered, they were still able to use the Karachi Port to transfer fighters and guns.<sup>151</sup>

## **Associations**

While the idea to create a worldwide organization may have been taken from Azzam, Osama bin Laden and the leaders of al Qaeda turned this idea into a reality. In Sudan, Osama bin Laden established links with roughly 20 groups engaged in guerilla warfare and terrorism, supporting them with funds, training, and weapons. This is accredited to the fact that Osama bin Laden helped transport numerous Mujahideen to Sudan for training. The fighters would then return home to fight in conflicts or establish al Qaeda affiliated Islamist groups.

While in Africa, Osama bin Laden (and al Qaeda) established relations with a variety of African Islamic groups given the strategic and geopolitical importance of the Horn of Africa. In Eritrea, Osama bin Laden developed a close relationship with Sheikh Arafa, the leader of the political wing of the Eritrean Islamic Jihad Movement –EIJM (aka Jamal Jihad). Support for the EIJM was so strong that al Qaeda donated \$100,000.<sup>152</sup> In Somalia, al Qaeda was responsible for training members of al-Itihaad al-Islamiya (aka Islamic Unity) and established a network in Somalia by 1992 that included a link with Al-Barakaat, a Somali bank. In Ethiopia, al Qaeda supported Jama'at-ul I'tisam Bilkitaab Wassuna (aka Islamic Union of the Mujahideen of Ogaden).

## **Prior Attempts and Attacks**

### ***Aden, Yemen***

On December 29, 1992, bombs exploded in two hotels in Aden, Yemen. The hotels were serving as a transit point for U.S. troops participating in Operation Restore Hope in Somalia. This is widely recognized as al Qaeda's first attack.

According to Simon Reeve, "Muhammad Atef...traveled to Somalia to investigate how al Qaeda operatives could attack U.S. and U.N. forces stationed in the country." Using their affiliate group in Yemen, Yemeni Islamic Jihad, al Qaeda was able to effectively carry out the hotel bombings. While the bombings occurred, the operation was unsuccessful for several reasons. The intended targets were American soldiers. However, the bombings occurred after the soldiers departed for Somalia and a group of terrorists were arrested while preparing rocket attacks on American planes. Overall, the attack failed to deliver casualties or losses to American interests.

### ***Mogadishu, Somalia***

Almost one year after al Qaeda attempted their first attack, on October 3<sup>rd</sup> and 4<sup>th</sup>, 1993, eighteen U.S. soldiers were killed in Mogadishu prompting the withdrawal of U.S. forces from Somalia and the cessation of Operation Restore Hope. At the time, the U.S. was unaware that al Qaeda had played a significant role in this tragic event. After the fact, the U.S. was able to obtain information on al Qaeda's role. An official statement of involvement by Osama bin Laden was not given until 1997. In his statement, Osama bin Laden proclaimed that they had achieved their goal of driving the U.S. and U.N. forces out of Somalia. This small victory provided Osama bin Laden and al Qaeda with a large rallying point. Jane Corbin cited one of Osama bin Laden's statements in her book, *Al-Qaeda*:

“We believe that the United States is a great deal weaker than Russia. We have learned from our brothers who fought in Somalia. They saw wonders about the weakness, feebleness, and cowardliness of the US soldier. Hardly eighteen of them were killed, when they fled in the dark of night, despite the uproar that was created worldwide about the New World Order.”<sup>153</sup>

Interestingly, a future member of the Kenyan al Qaeda, Mohamed Odeh, was sent to Somalia to provide training in weapons and explosives. Corbin notes that Odeh “could have been key to the downing of the U.S. helicopters.”<sup>154</sup> Osama bin Laden was indicted in June of 1998 by the U.S. Attorney General for his role in his attack, and the indictment remained sealed until one month after the Embassy bombings.

### ***World Trade Center (1993)***

Al Qaeda may not have been responsible for directing or carrying out the World Trade Center bombing in February 1993, but there are direct linkages between the mastermind, Ramzi Yousef and Osama bin Laden (and al Qaeda). After the attack, Yousef's involvement with international terrorism increased. Not only did he train militants of the Abu Sayyaf group in the Philippines, he also planned attacks to kill President Clinton, Pope John Paul II, and synchronize multiple airplane bombings over the Pacific Ocean (ie. Project Bojinka).

### ***Mubarak Assassination Attempt, Ethiopia***

In June 1995, al Qaeda attempted to assassinate Hosni Mubarak, the president of Egypt, while he was visiting Ethiopia. The attack was a combined effort by al Qaeda and the Egyptian Islamic Group in Sudan. According to Gunaratna, the attack was coordinated by Abu Ubaidiah al-Banshiri (al Qaeda) and Abu Yasir (EIG).<sup>155</sup>

Following this attempt, Sudan was subject to international pressures in the form of sanctions. The U.S. increased military aid to Sudan's unfriendly neighbors such as: Uganda, Eritrea, and Ethiopia. Subsequently, the Sudanese

government pressured al Qaeda to scale back its military operations. These events, along with three others, delayed the original plan to carry out the embassy attacks in 1996.<sup>156</sup>

### ***Khobar Towers***

It was initially believed that Osama bin Laden and al Qaeda were the perpetrators of the 1996 bombing of the Khobar Towers in Saudi Arabia. What led many to assume al Qaeda involvement was Osama bin Laden's statement commending those who carried out the attack. As investigations have shown, this attack was actually carried out by Hezbollah and Iranian trained operatives.

### ***Other Points***

- The CIA thwarted an al Qaeda attempt to bomb the U.S. embassy in Kampala, Uganda on September 18, 1998. Twelve suspects were arrested.<sup>157</sup>
- Bin Laden sent representatives to Hezbollah training camps in order to learn more about truck bombing (since they executed the 1983 bombing in Beirut which is the benchmark.)<sup>158</sup>
- In Sudan, al Qaeda began to specialize in forgery. Some recruits were trained to create false passports and alter documents.<sup>159</sup>
- Al Qaeda was involved with officers in the Sudanese army in trying to develop chemical weapons in an area of Khartoum called Hilat Koko.<sup>160</sup>
- Many Islamists saw the US intervention in Somalia as a stepping stone to invade/intervene in Sudan, and to prevent Arab/Muslim control over the Red Sea/Horn of Africa.<sup>161</sup>

## **Orchestrating the Attack**

To accomplish the complex Embassy attacks required precise coordination and considerable technical ability. The people involved in these bombings received assistance from an extensive network. However, several individuals were key in constructing and executing the explosive devices. These individuals, are grouped by area of responsibility as follows:

- Over all planning and execution group
  - Osama bin Laden

- Muhammed Atef (aka) Abu Hafs – al Qaeda Military Leader
- Wadih El Hage – Top al Qaeda East African Cell Leader
- Ayman al Zawahiri – Leader of the Egyptian Islamic Jihad (EIJ)
- Anas al Liby – Surveillance and Reconnaissance expert
- Abdel Rahman – Explosives specialist/instructor
- Nairobi, Kenya Team
  - Mhamed Odeh – Technical advisor
  - Mohamed al-Owhali – Suicide Bomber
  - Fazul Abdullah Mohammed (aka) Harun Fazhl – Planning / Orchestration / Purchaser
  - Jihad Ali Azzam – Suicide Bomber
- Dar es Salaam, Tanzania Team
  - Khalfan Khamis Mohamed – Planning/Orchestration/ Purchaser
  - Mustafa al-Fadhl – Operation Leader
  - Hamdan Khalif Allah – Suicide Bomber

## Operation Restore Hope and the Kenya Cell

In late 1992 or early 1993, Osama bin Laden sent Muhammed Atef, one of his military commanders, to Somalia in order to assess the situation and recommend the best approach for damaging the U.S. /U.N. mission. Shortly after this trip, Muhamed Suleiman al Nalfi<sup>162</sup> was instructed by Abu Ubaidah al Banshiri to send members of his Sudanese al Qaeda group to assist in the effort to expel U.S. and U.N. troops from the country. In early spring, the plan escalated and high ranking al Qaeda members were sent to Somalia to provide military training to the Somali tribes opposed to the intervention. This plan culminated in the attacks on U.S. forces in Mogadishu on October 3 and 4, 1993 that resulted in the deaths of 18 U.S. military personnel.<sup>163</sup>

In order to support what Osama bin Laden hoped would become a massive operation against U.S. and U.N. forces in Somalia, he dispatched al Qaeda members to Kenya to build support structures. In 1993, Khalid al Fawwaz arrived in Nairobi and established a business called Asma Limited and acquired some residences.<sup>164</sup> Seeking to escalate the conflict, Osama bin Laden bolstered his group's presence in Kenya. In 1994, Mohamed Sadeek Odeh moved to Mombasa, Kenya and set up a fishing business with Osama bin Laden's money, where he

had two al Qaeda members working for him. This business was used to support al Qaeda members in Kenya.<sup>165</sup> This fishing company also was used to transport al Qaeda resources and members moving between Kenya and Somalia.<sup>166</sup> In 1994, Wadih el Hage, bin Ladin's personal secretary, moved from al Qaeda's headquarters in Khartoum, Sudan to Nairobi, Kenya and established businesses and non-governmental organizations to aid al Qaeda members in East Africa.

## **Phase I: Surveillance**

In 1993, Osama bin Laden, sent Ali Mohamed to conduct surveillance on possible targets in Nairobi, Kenya. Ali Mohamed was al Qaeda's intelligence, surveillance, and operations expert, and he often taught camps on the subject of intelligence, security, and on the management of cells. During his life, Ali Mohamed served in both the Egyptian and American militaries. While acting as an al Qaeda trainer, Ali Mohamed was responsible for training two members of the East Africa cells directly involved in the attacks, Abu Jihad and Fazul Abdullah Mohammed.<sup>167</sup>

In late 1993, Ali Mohamed arrived in Nairobi, Kenya to conduct surveillance on possible U.S. and western targets. According to a key trial witness, L'Houssaine Khoumrou, in 1993 Ali Mohamed, Anas al Liby, and Hamza al Liby stayed at his apartment in Nairobi for a little over a week where they appeared to conduct surveillance in the Nairobi area. He testified in the 2001 trial, that the three men brought cameras and equipment and effectively created a dark room for the development of pictures by covering the windows with blankets and blinds. While in Nairobi, Khoumrou took Ali Mohamed to the French cultural center and the British consulate library, where it is presumed Ali Mohamed was doing surveillance. The surveillance was financed by Khalid al Fawwaz and the al Qaeda office in Nairobi.<sup>168</sup>

In 1994, Ali Mohamed and Anas al Liby reviewed files concerning possible terrorist attacks against: 1) The United States Embassy in Nairobi, Kenya; 2) The United States Agency for International Development building in Nairobi, Kenya; and 3) British, French, and Israeli targets in Nairobi, Kenya.<sup>169</sup> During Ali Mohamed, Anas al Liby, and Hamza al Liby's surveillance mission in Nairobi, they met with Muhammed Atef to review the surveillance files. Once they had completed the surveillance, they proceeded to send the files to headquarters in Khartoum for review by Osama bin Laden. Kherchtou's testimony detailed this part of the operation and how it was separate from the future parts of the operation. He based his testimony on the surveillance training he received from Ali Mohamed.



During the training, Mohammed explained us that this job is the first part of military part. I mean, you collect the information about this certain targets, and whenever you finish your work, our group, we just leave, we send our reports to our bosses and we leave.<sup>170</sup>

Kherchtou's testimony provided the first glimpse of al Qaeda counterintelligence and operational security strategy.

Many of these same principles occurred again throughout the preparation and execution of the Embassy bombing plot.

## **Phase II: Administration**

Once the surveillance information was complete, the report was sent back to Khartoum to be evaluated by Osama bin Laden and other al Qaeda leaders. According to Ali Mohamed, Osama bin Laden read the reports, the diagrams and examined the pictures. He even pointed out a spot in a picture of the American embassy in Nairobi where the suicide bomb truck could go.<sup>171</sup>

It is unclear at what point the leadership of al Qaeda began to seriously plan the operations in Kenya and Tanzania. However, what is clear is that throughout the early days of the Kenya cell, up through the execution of the attack, senior al Qaeda leadership travelled and even lived in Kenya.<sup>172</sup> Top level al Qaeda members were involved early in the Kenya operation because of their involvement in Somalia. Both Muhammed Atef and Abu Ubaida al Banshiri, senior members of al Qaeda's military committee, were involved in establishing the Somali operation.

Evidence suggests that both Muhammed Atef and Abu Ubaidah al Banshiri were integral in providing leadership for the East African Embassy bombings. They both had extensive contact with Wadi el Hage, al Qaeda's facilitator in Kenya from 1994-1997. Once the FBI began to investigate el Hage in 1997, it seems he was replaced by Abdullah Ahmed Abdullah. While it appears el Hage played an integral part in establishing al Qaeda's Kenya network, Abdullah Ahmed Abdullah seems to have been more important in providing leadership for the actual preparation and execution of the attacks on August 7, 1998.

Although the attacks on Nairobi and Dar es Salaam were simultaneous, the planning phases were very different. There is evidence that the Dar es Salaam attack was set up at a later time than the Nairobi bombing. Trial testimony mentions that Abdullah Ahmed Abdullah boasted about putting together the Dar es Salaam attack on such short notice.<sup>173</sup>

### **Phase III: The Planning and Support Cell**

The operational base for both the attack in Nairobi and the attack in Dar es Salaam was the Kenya cell. Since 1993, al Qaeda built an extensive infrastructure of sleeper cells, businesses, and NGOs that worked to provide finances, documentation, and legitimacy to the cell members. Although there was surveillance done on targets in Nairobi in 1994, the cell in Kenya continued to build its infrastructure and was not working toward a specific attack at this time. For example, L'Houssane Kherchtou testified that he was asked to perform surveillance in Senegal, in an attempt to gain intelligence on other potential targets. This trip was cancelled due to an FBI investigation involving Ali Mohamed, but it shows that al Qaeda was still exploring the different ways it could attack American interests.<sup>174</sup>

A key member of the Kenya cell was Wadih el Hage. El Hage moved to Nairobi in 1994 from Khartoum, Sudan where he served as Osama bin Laden's personal secretary. During this period of time, el Hage acted as a leader of the Kenya operation communicating with al Qaeda leadership via Muhammed Atef and Abu Ubaida al Banshiri. While in Khartoum el Hage established an NGO called Help Africa People. Help Africa People was an important part of the Kenya operation because it provided the opportunity for al Qaeda members to receive documentation and identification papers from the NGO. Help Africa People also provided al Qaeda members with legitimacy and the appearance of moralcy providing a service for needy people. To aid this cause Help Africa People did legitimate work, such as a malaria program in Kenya. Another NGO created by al Qaeda was the Mercy International Relief Agency or MIRA. MIRA was run by al Qaeda member named Tawhili and Kenya cell members Fazul Abdullah Mohammed and Abu Ubaidah al Banshiri were close to the organization.

Another al Qaeda member who trained the Somali tribes was Mustafa Mohamed Fadhil. He created an import/export business in Tanzania with Fahid Mohammed Ally Msalam.

In 1996, Abu Ubaida al Banshiri drowned in a ferry accident on Lake Victoria. In 1996, Wadih el Hage and Fazul Abdullah Mohammed went to Lake Victoria to investigate the drowning of Abu Ubaida al Banshiri. The two men wrote a report and sent it to Osama bin Laden, stating that his drowning appeared to be an accident.<sup>175</sup>

In January 1997, Wadih el Hage met with senior members of al Qaeda in Peshawar, Pakistan. According to a letter written by Fazul Abdullah Mohamed, el Hage met with Muhammad Atef in Pakistan. This is significant because Atef was then al Qaeda's military commander. In 1997, after his return to Africa, el Hage spoke with Mustafa Fadhl with instructions from Osama bin Laden to militarize the East African cell.<sup>176</sup>

***Planning and Support Cell: Nairobi (1997-August 7, 1998)***

Once the order to militarize the East African cell was issued, the hierarchy of the cell changed. After Wadih el Hage's meeting with Mustafa Fadhl, he proceeded to transfer funds from Sudan to Kenya, for use by the cell to prepare for an operation.<sup>177</sup> Shortly after this, in August 1997, while el Hage continued to travel, his house was searched by the Kenyan police and the FBI. The FBI confiscated a computer, computer disks, files and a detailed letter concerning the security situation of the cell. One month after this search, Wadih el Hage moved his family back to the United States. After this incident el Hage was removed from the cell's operational activities. It is unknown whether the FBI search of his house was the reason, or whether al Qaeda operational policy dictated that his affairs in Nairobi be given to someone else for operational security reasons.

At this time, Abdullah Ahmed Abdullah became the leader of the East Africa cell. It was testified in court that Saleh was the only member of the cell able to make overseas calls, and he was in constant communication with al Qaeda leadership in Afghanistan.<sup>178</sup> Trial testimony indicates Abdullah Ahmed Abdullah was the mastermind behind the Nairobi and the Dar es Salaam bombings.

It was the responsibility of the planning and support cell to acquire all of the necessary equipment, places, and transportation needed to execute the operation. According to court records, many members of the support cell did not know the full extent of the operation. Fazul Abdullah Mohammed explains this fact in a security report written in 1997 after the cell was given its order to militarize.

We, the East Africa cell members, do not want to know about the operations plans since we are just implementers. We trust our command and appreciate their work and know that they have a lot of problems.<sup>179</sup>

In June or July, 1998 Fahid Mohammed Ally Msalam and Sheikh Ahmed Salim Swedan while based in Dar es Salaam Tanzania, purchased a Toyota Dyna to be used in the Nairobi bombing.<sup>180</sup>

On August 1, Abdullah Ahmed Abdullah ordered all al Qaeda members in Kenya to leave by August 6, 1998. During the first week in August, Saleh spent time briefing the members of the attack cell who had begun to arrive in Nairobi.<sup>181</sup>

On August 4, Abdullah Ahmed Abdullah took two members of the attack cell, Jihad Mohammed Ali and Mohammed Rashed Daoud al-Owhali on a final reconnaissance mission to the U.S. embassy in Nairobi. He showed them the route and the location of where the truck should detonate. He instructed both Azzam and al-Owhali of their specific missions.<sup>182</sup>

On August 5th and 6th, Abdel Rahman made the final connections on the explosive device, completing preparations for the Nairobi attack. This event effectively ends the role of the preparation cell, and the members of that cell, left Kenya by August 7.<sup>183</sup>

***Planning and Support Cell: Dar es Salaam (1997 to August 7, 1998)***

In 1997, Khalfan Khamis Muhamed went to Mombassa to visit Fahid Mohammed Ally Msalam, an al Qaeda member involved in the Dar es Salaam plot. Fahid had been the one who recruited Khalfan to go to Afghanistan to train in al Qaeda camps. While in Mombassa, he met Mustafa Mohamed Fadhil, Sheik Ahmed Salim Swedan, and a man named Suliman, who may have been Odeh because he worked on a fishing boat that was also used for jihad.<sup>184</sup>

In early 1998, Khalfan Khamis Muhamed lived in a house in the Magomeni area of Dar es Salaam. In March or April of 1998, Mustafa moved in with him and spent most of his time moving back and forth between Mombassa and Dar es Salaam. During his time living in Magomeni, Fahad and Ahmed Khalfan brought TNT to the house and showed it to Mustafa. Around June 1998, Mustafa told Khalfan that the house in Magomeni would not serve the purpose of the mission, and instructed him to find a new house.<sup>185</sup>

In June, 1998 Khalfan Khamis and Fahad rented a house at 213 in the Ilala district of Dar es Salaam. In June, 1998 Khalfan Khamis Muhamed, Ahmed Khalfan Ghailani and Fahid Mohammed Ally Msalam began to acquire the equipment, space, and transportation needed to execute the Dar es Salaam attack. Also in June, 1998 Ahmed Khalfan and Fahid purchased a Suzuki Samurai in order to transport the materials for the bomb to the house. In July, the two men also bought a Nissan Atlas refrigerator truck to carry the bomb. In July, Sheik Swedan hired a welder to work on the truck. Sheik Swedan was also responsible for outfitting the truck with two batteries.<sup>186</sup>

Once the house, transportation, and bomb truck were in place, Ahmed Khalfan Ghailani and Fahad acquired the components for the bomb. Among the things purchased, were oxygen tanks to create more shrapnel in the explosion.

A little more than a week before the bombing, Abdel Rahman came to the house at 213 Ilala and constructed the explosive device used in the bombing of the U.S. embassy in Dar es Salaam, Tanzania. At about the same time, Ahmed the German, the suicide driver of the truck arrived in Dar es Salaam. In late July 1998, the members of the Dar es Salaam cell ground the TNT used in the explosive device built by Abdul Rahman. They created twenty wooden boxes of ground TNT and together with the two batteries, fertilizer, detonators, wiring, and oxygen tanks, Abdul Rahman created the bomb.<sup>187</sup>

Mustafa then explained to the cell that everyone not associated with the actual attack was to leave the area. At this time, Khalfan Khamis Muhamed volunteered to stay behind to assist Ahmed the German with translation on the day of the attack. Khalfan Khamis Muhamed was also responsible for cleaning the house of evidence. By the day of the bombing, the only al Qaeda members remaining in Dar es Salaam for the attack were Ahmed the German and Khalfan Khamis Muhomad.

#### **Phase IV: Attack Cell**

The last phase of the Embassy bombing operation was the attack phase. Once the planning and preparation of the attack was complete, the attack cell would move into the area, while the support cell would make final arrangements and withdraw from the region. Both the Nairobi and the Dar es Salaam bombings used this same strategy.

#### ***Kenya Attack Execution***

The attack on the U.S. Embassy in Nairobi, Kenya was carried out by two men; Jihad Muhammed Ali (hereafter referred to as Azzam) and Mohammed Rashed Daoud al-Owhali (hereafter referred to as al-Owhali). The only other member of the attack cell in the Nairobi bombing was Fazul Abdullah Mohammed, who led the attackers to the embassy and hired workers to clean the house after the bombing.

According to trial testimony, al-Owhali travelled to Afghanistan in 1996, to undergo military training and join al Qaeda's jihad. Shortly after his training, he had a personal audience with Osama bin Laden, where he requested a jihad mission. Osama bin Laden told him to be patient and that his jihad mission would come. After this meeting, he was sent to Afghanistan to fight with the Taliban against the Northern Alliance. While there he distinguished himself in battle and was approached by Azzam, also in Afghanistan, who recruited him for a potential jihad job. He accepted and was contacted in late 1997 or early 1998 and along with Azzam underwent special operations and cell management training near Kabul, Afghanistan. After the training, Azzam sent him to Yemen and Pakistan for preparatory visits. In Pakistan, a man named Khalid told al-Owhali that he will be participating in a martyrdom operation, although he did not give him any details. After the briefing, Khalid filmed martyrdom tapes of Azzam and al-Owhali. Azzam then travelled to Nairobi on June 19, 1998. Al-Owhali remained in Pakistan until he was told to go to Nairobi on August 1, 1998.<sup>188</sup>

On August 2, Owali arrived in Nairobi. He was one day late because he missed a connecting flight. Because of his delay, he missed his rendezvous with Azzam and the other cell members who were on their way to Mombassa. He went to the Ramada hotel and contacted Khalid in Pakistan who advised him that he should contact Saleh a.k.a. Abdullah Ahmed Abdullah, the leader of the cell. Saleh told al-Owahi to wait at the hotel, and he was picked up by Fazul Abdullah Mohammed aka Harun, who took him to the house at 43 New Runda Estates, where he remained until the bombing on the morning of August 7.<sup>189</sup>

On August 3, Saleh and Azzam arrived back at Harun's house at New Runda Estates, where he was introduced to al-Owahi. Saleh then briefed al-Owahi on the mission. This is where he is first informed that they were going to be bombing the U.S. embassy in Nairobi, Kenya. At this time, Saleh showed al-Owahi surveillance reports and pictures, showed him the bomb truck, and explained his specific mission.<sup>190</sup>

On August 4, 1998, Saleh, Azzam, and al-Owahi took a final reconnaissance trip to the American Embassy in Nairobi. Here Saleh showed the suicide bombers where to enter the embassy compound and where the truck should be detonated. After this trip with Saleh, the mastermind left the house and al-Owahi never saw him again.<sup>191</sup> He left his cell phone with Azzam, and instructed him to call if there were any problems.

On August 5 or 6, Abdul Rahman, arrived at the house on 43 New Runda Estates and made the final connection on the bomb. Abdul Rahman created the explosive devises used in Nairobi and Dar es Salaam. After connecting the bomb, Abdul Rahman left and joined the other members of the planning cell at the Hilltop hotel.<sup>192</sup>

On the morning of August 7, 1998 both Azzam and al-Owahi made what are believed to be their final phone calls to friends and loved ones. According to al Qaeda operational procedures, the only members of the cell left in Nairobi on the day of the bombing were those essential to the completion of the mission. The remaining members of the cell included Azzam and al Owahi, who would be driving the bomb truck, and Harun who was responsible for leading the bomb truck toward the embassy and then to clean the house of evidence.

At 9:45 on the morning of August 7, 1998, Harun led the bomb truck toward the embassy in his white pickup truck. Harun led them until a roundabout before the embassy and then turned around. Azzam continued to drive the bomb truck along Halle Selassie road toward the embassy. Al Owahi had in his possession a loaded pistol along with three stun grenades. He was instructed by Saleh to get out of the truck shortly before detonation and use the gun and grenades to scatter the crowd from the truck. However during the trip to the embassy, al Owahi took off his jacket, which still held the pistol.<sup>193</sup>

On route to the embassy, Azzam played a cassette tape of religious chanting that would prepare the two men for martyrdom and the afterlife.

Azzam pulled into the embassy parking lot and drove the truck toward the drop bar gate that led into the underground garage of the embassy compound. Before arriving at the drop bar gate, al Owali got out of the truck to scatter the crowd. Because he forgot the pistol in his jacket, he armed himself with a stun grenade and ordered a security guard to lower the drop bar. The guard moved too slowly causing al Owali to throw the grenade in his direction causing a loud explosion. At this point, Azzam pulled the truck parallel to the embassy building and began to fire the pistol at the compound. The grenade explosion and the pistol shots causing the crowd to scatter made al Owali believe his mission was complete and he ran away from the bomb truck.<sup>194</sup>

At approximately, 10:30 on the morning of August 7, 1998 Azzam detonated the bomb truck killing himself in the process. Al Owali was injured in the blast, but was able to continue moving away from the site.

The explosion at the American embassy in Nairobi killed 213 people, including 12 Americans and 32 Foreign Service national employees. An estimated 4,000 people were injured in the blast.<sup>195</sup>

### ***Dar es Salaam Attack Execution***

The attack cell that conducted the bombing of the U.S. Embassy in Dar es Salaam was composed of two men. One was a man named Hamden Khalif Allah Awad (usually referred to as Ahmed the German). Ahmed the German was the suicide bomber who drove the truck and detonated the bomb at the U.S. embassy. The other man who remained with the attack cell was Khalfan Khamis Muhammad. He rode in the bomb truck part of the way on the morning of the bombing, but got out of the truck and returned to the house to clean it for evidence.

The operation in Dar es Salaam was smaller and less detailed. Like the operation in Nairobi, the Dar es Salaam cell used the same operational principles. Sheik Ahmed Salim Swedan, the man responsible for purchasing and modifying the truck, left ten days before the bombing. Mustafa took his family to Mombassa five days before the bombing. Abdul Rahman and Ahmed Khalfan Ghailan left three days before the bombing. At this time Abdul Rahman went to Nairobi and made the final connection on the Kenya bomb. Fahad left Dar es Salaam approximately four days before the bombing. Mustafa left the cell phone in the possession of Ahmed the German with instructions to call if there were any problems with the mission.<sup>196</sup>

A couple of days before the bombing, Ahmed the German and Khalfan Khamis Muhamed experienced their only problem. The bomb truck had sunk in the sand due to the extra weight of the device. However, the two men were

able to pull the truck free of the sand without incident. Because the truck had gotten stuck, the “brothers” advised Ahmed to have a tow truck standing by on the day of the bombing just in case. Khalfan Khamis Muhamed also mailed a package to Egypt for Ahmed the German shortly before the attack.<sup>197</sup>

At approximately 10:00 am on the morning of August 7, 1998, Ahmed the German got into the driver seat of the bomb truck and Khalfan Khamis Muhamed got into the passenger seat of the truck. They pulled out of 213 Ilala without incident and went right until Uhuru Street. At Uhuru Street, Khalfan Khamis Muhamed got out of the truck and went back to the house at 213 Ilala. Ahmed the German then proceeded to drive the truck on Mandela Street toward the Embassy. A few minutes before the explosion at 10:39, the bomb truck drove up Laibon Road to one of the vehicle gates of the U.S. Embassy in Dar es Salaam. Unable to penetrate the embassy compound due to a water truck blocking the entrance, Ahmed the German detonated the bomb, killing himself and 11 innocent victims.<sup>198</sup>

The explosion outside the Embassy injured 85 people and killed 11 people, including an American.<sup>199</sup>

### **Withdrawal of al Qaeda leadership**

Saleh, the mastermind of both bombings, ordered all al Qaeda personnel to leave East Africa by August 6th, 1998. Testimony of Mohammed Sadeek Odeh, detailed the withdrawal of the major leadership and technical elements of the Kenyan al Qaeda cell.

According to Odeh, during the week before the blasts, the leadership of the Kenya cell gathered at the Hilltop Hotel in Nairobi Kenya. From there it appears most of the leadership booked flights out of Nairobi to Karachi, Pakistan.

This tactic is a fundamental element of al Qaeda’s strategy. Only Odeh, was arrested from the group who stayed at the Hilltop Hotel, and this was because he was provided with incorrect travel documents. Evidence suggests Odeh was not an integral part of the cell. Odeh’s interrogations with the FBI, show that during the final week before the bombings, he stayed at the hotel the whole week while other members of the cell completed last minute parts of the operation.<sup>200</sup> Thus, the U.S. has been unable to find and catch any members of al Qaeda who operated a leadership position.



## **Conclusion**

The chronology of the attacks against the U.S. embassies in Nairobi and Dar es Salaam, reveal many fundamental strategies and tactics of al Qaeda. The phasing of the operation, the firewalls between the different aspects of the network and cells, and the ability to extract the leadership of the operation before the event takes place all describe an enemy that will be very difficult to counter. In order to have success against al Qaeda, you must successfully attack their group structure. The U.S. must develop tactics that can successfully attack a decentralized network, and not a hierarchy.

## **Chronology of Events**

- 1992- Osama bin Laden and members of the fatwah committee of al Qaeda disseminated fatwahs that the U.S. forces stationed on the Saudi Arabian peninsula should be attacked.
- 1992 - Osama bin Laden dispatches Muhammed Atef to Somalia in order to assess the situation and recommend the best approach for damaging the U.S. /U.N. mission.
- 1992/1993 - Osama bin Laden and members of the fatwah committee of al Qaeda disseminated fatwahs that the U.S. forces stationed in Somalia should be attacked.
- 1992/1993 - Al Qaeda establishes training camps in Somalia to train Somali tribesman to fight U.S. and U.N. forces.
- 1993- Khalid al Fawwaz and other al Qaeda members establish the Kenya base of Operations to support al Qaeda's efforts in Somalia.
- 1993 - Ali Mohamed and Anas al Liby conduct visual and photographic surveillance on the United States Embassy in Nairobi, Kenya in retaliation for

U.S. involvement in Operation Restore Hope.

- 3-Oct-93 - Militants trained by al Qaeda participated in an attack on United States military personnel in Mogadishu, Somalia killing 18 U.S. Army personnel.
- 1994 - Mohamed Sadeek Odeh moves to Mombasa, Kenya and establishes a fishing business with al Qaeda money to support al Qaeda in Kenya.
- 25-Mar-94 - U.S. troops withdraw from Somalia
- 1994 - Wadih el Hage, Osama bin Laden personal secretary, moves from Khartoum to Nairobi and establishes business and NGOs.
- May-96 - Wadih el Hage and Fazul Abdullah Mohammed investigate the drowning of Abu Ubaidah al Banshiri, al Qaeda's military commander.
- Aug-96 - al Qaeda releases the "Declaration of Jihad Against the Americans Occupying the Land of the Two Holy Mosques; Expel the Heretics from the Arabian Peninsula."
- Late 1996 - Wadih el Hage meets with al Qaeda leadership in Peshawar, Pakistan.
- Late 1996 - Wadih el Hage and Fazul Abdullah Mohamed transport \$7,000 received from Osama bin Laden to Mombasa, Kenya

- Mar-97 - Wadih el Hage meets with Mustafa Fadhl with orders from Osama bin Laden to militarize the East Africa cell of al Qaeda.
- 23-Jun-97 - Wadih el Hage requests and receives \$10,000 wired from an account in Sudan to his account in Kenya.
- Aug-97 - FBI searches Wadih el Hage's house in Nairobi, Kenya and confiscates computer equipment and documents.
- Aug-97 - Fazul Abdullah Mohamed prepared a security report on the status of the al Qaeda East Africa cell.
- Feb-98 - al Qaeda issues a fatwah ordering Muslims to kill Americans everywhere.
- Mar-98 - Khalfan Khamis Mohamed meets with Mustafa Mohamed Fadhil and agrees to do a jihad job in Africa.
- May-98 - Osama bin Laden holds a press conference in Khost, Afghanistan where he again pledges his desire to kill Americans.
- May-98 - Fazul Abdullah Mohamed rents a house at 43 New Runda Estates in Nairobi, Kenya where the Nairobi bomb is built.
- Jun-98 - Mohamed Rashed Saoud al-'Owhali and Azzam filmed a videotape to celebrate their anticipated martyrdom in an bombing operation against the U.S.

in East Africa.

- 19-Jun-98 - Nairobi suicide bomber Azzam arrives in Nairobi.
- Jun-98 - Khalfan Khamis Mohamed and Fahid Mohammed Ally Msalam purchase a white Suzuki Samurai in Dar es Salaam, Tanzania.
- Jun-98 - Mustafa Mohamed Fadhil and Khalfan Khamis Mohamed rent a house at 213 Ilala District in Dar es Salaam, Tanzania where the Dar es Salaam bomb is built.
- June/July 1998 - Fahid Mohammed Ally Msalam and Sheik Ahmed Salim Swedan purchase the Toyota Dyna truck used in the Nairobi attack.
- Jul-98 - Ahmed Khalfan Ghailani and Sheik Ahmed Salim Swedan purchase the 1987 Nissan Atlas truck used in Dar es Salaam attack.
- Jul-98 - The Dar es Salaam cell arrange for mechanical and welding work to be done of the bomb truck, and purchase truck batteries and oxygen tanks to be used in the bomb. In late July, the cell members grind the TNT used in the explosive device.
- Aug-98 - Abdullah Ahmed Abdullah orders all al Qaeda members out of Kenya by August 6, 1998.
- 8/2/98 - Nairobi suicide bomber Rasheed Daoud al-'Owhali arrives in Nairobi.
- 3-Aug-98 - Abdullah Ahmed Abdullah briefs suicide bomber al-Owhali of his mission.

- 4-Aug-98 - Abdullah Ahmed Abdullah takes the suicide bombers, Azzam and al-Owhali on a final reconnaissance trip to in Nairobi indicating where the truck should detonate.
- 4-Aug-98 - Abdul Rahman makes the final connection on the Dar es Salaam explosive device.
- August 5 or 6, 1998 - Abdul Rahman arrives at the house at 43 New Runda Estates and makes the final connection on the Nairobi bomb.
- 7-Aug-98 (0945) - Azzam and al-Owhali drive the bomb truck toward the U.S. Embassy in Nairobi.
- 7-Aug-98 - The truck arrives at the U.S. embassy and attempts to get into the underground parking garage.
- 7-Aug-98 - al-Owhali gets out of the bomb truck and throws a stun grenade at a local guard in an attempt to get the drop gate blocking the garage open.
- 7-Aug-98 (10:00) - Suicide bomber Ahmed the German leaves the house at 213 Ilala District in Dar es Salaam and drives toward the U.S. embassy.
- 7-Aug-98 (10:30) - Unable to get inside the garage, Azzam detonates the explosive device inside the U.S. embassy compound in Nairobi
- 7-Aug-98 - Ahmed the German attempts to drive the bomb truck into the Dar es Salaam embassy. A water truck blocked the gate forces him to detonate the

bomb outside of the embassy. Suicide bomber, Ahmed the German detonate the bomb at the U.S. Embassy in Dar es Salaam, Tanzania

## Building A Bomb

Al Qaeda operatives exploded two vehicle-borne improvised explosive devices (VBIED's)<sup>201</sup>, better known as car bombs, on August 7<sup>th</sup> 1998 at the American embassies in Nairobi, Kenya and Dar es Salaam, Tanzania, killing 224 people and wounding more than 5,000 others. Twelve Americans were killed in the Nairobi blast.

## The Components of the Explosive device

There are several primary components to making a VBIED; those components included the vehicle carrying the explosive device, the explosive used, a power supply, detonators to initiate the explosive device, and a switch activated by the suicide bomber to start the explosive train<sup>202</sup>.

The vehicles used in the attacks were very similar in style. In Nairobi, the vehicle was a Toyota Dyna (see Figure 1-1), and in Dar es Salaam, the vehicle was a Nissan Atlas refrigerator truck (see Figure 1-2). The same individual, Sheik Ahmed Salim Swedan, purchased both vehicles. Swedan then gave the Nissan Atlas to Khalfan Khamis Mohamed for Dar es Salaam and the Toyota Dyna in Nairobi to Harun. Harun had a cover built for the back of the truck to hide the explosives. The Nissan Atlas was purchased somewhere between July 24<sup>th</sup> and July 30<sup>th</sup>, less than three weeks before the bombing.



**Figure 6:** A Toyota Dyna similar to the vehicle used in the Nairobi, Kenya Bombing



**Figure 7:** A Nissan Atlas Refrigerator Truck similar to the vehicle used in the Dar es Salaam, Tanzania bombing

According to The Federal Bureau of Investigation (FBI) lab results, the main explosive used in both attacks was trinitrotoluene (TNT)<sup>203</sup>. Traces of aluminum powder were found at the bomb factories in Dar es Salaam, signifying that al Qaeda attempted to increase the thermal effect<sup>204</sup>. An aluminum powder/TNT mixture forms an explosive known as tritonal<sup>205</sup>. This explosive is used as a substitute for TNT because of its exceptional blast effect, thermal effect, and increased sensitivity. This mixture created an additional 78 feet of blast area<sup>206</sup> and over 130 additional feet of fragmentation area, over TNT alone.

The FBI has no open source information regarding the acquisition of the explosives however, the TNT and detonators<sup>207</sup> were believed to be obtained as far back as 1996 in Tanzania. The TNT used in the bombings was stored in rice bags at the bomb factories. The TNT was then grounded down at these bomb factories, at which time aluminum powder was added.

The power source for initiating the electrical VBIED consisted of batteries located in the firing pack stored on top of the explosives in the back of the trucks. The switch to detonate the VBIED was located in the cab of the truck. The type of switch used was not determined; however, the switch was most likely some type of “push button” or “toggle” switch.

### **The Bomb Factory / “Putting the Components Together”**

Both trucks were put together in a very similar manner, according to the trial transcripts of East African al Qaeda suspects. In Tanzania the bomb factory was a rented house located at 22 Kidizalo in the Ilala District in Dar es Salaam. This house, like the house in Nairobi, had a high wall to help conceal the activities. Khalfan Khamis

Mohamed rented the house and was the key individual for putting together the explosive device. The house also had grinders, which were used to grind the TNT so that it could be mixed with the aluminum powder. Khalfan learned about explosives in Afghanistan, at the Sadeek Camp, where he attended a basic and advanced explosives course.

Prior to assembly a welder, Julius Kisingo, modified the Nissan Atlas by drilling holes in the back of the cab so wires could be run from the cab to the refrigeration section of the truck. The refrigeration component had been removed from the truck prior to his arrival. He also welded frames in the back of the truck to hold 19 oxygen cylinders, and built a large battery frame. The oxygen cylinders were for added fragmentation, which would increase the lethality of the explosion. In the middle of these oxygen tanks were the explosives, contained in wooden boxes. On top of the explosive was the battery pack with wires leading up to the cab of the truck. These wires led to a switch in the cab where Hamdam Khalif Allah could detonate the explosive device. This explosive device was constructed in about ten days; however, there was communication between the Dar es Salaam and the Nairobi bomb factories by June, which indicates that there was preparation and coordination.

Mohamed Odeh, who has been a member of al Qaeda since 1992, received explosives training in Afghanistan under the instruction of Abdel Rahman, who is considered a bomb technician. Mohamed Odeh, with the help of Mohamed al-Owhali, constructed the VBIED. Grinders were used to produce the same TNT/Aluminum powder explosive mixture.

The VBIED they constructed had a net explosive weight in the range of 1,500 pounds, according to FBI investigators. The wiring of the explosive device was connected to batteries in the back of the truck, and the explosives were contained in wooden boxes. The wires ran through a hole in the back of the truck leading up to the cab where Jihad Ali Azzam could detonate the explosive device.

On August 5<sup>th</sup>, Abdel Rahman showed up to make the final connection of the wiring between the bomb and the detonation device located in the passenger compartment.

## **Crime Scene Investigation**

Federal agents were able to gather pertinent information from the bombing sites even though there was tremendous damage. The damage was not only from the debris but, in Nairobi, from a ruptured water pipe. This information included locating traces of explosives, parts of the vehicle, parts of the oxygen cylinders, and measuring the size of the crater<sup>208</sup> created by the explosion. Investigators also found a Beretta pistol slide, which was believed



to be the one used by al-Owhali. The rear axle and Pitman Arm identified the make of the vehicle in the Nairobi bombing, which was located several hundred feet from the crater. In Nairobi, investigators were unable to determine the actual amount of explosives used because of the debris from the Ufundai building and water pipe rupture.

At both bombing sites, investigators were able to take traces of explosives from various items and analyze them. Once analyzed, it was determined that there were traces of TNT and Pentaerythrite Tetranitrate (PETN)<sup>209</sup>. This evidence matched traces later discovered in the bomb factories.

Kathleen Lundee, a metallurgist who conducted the metallurgy analysis at the bombing site, was able to determine that there were at least 19 different cylinders used in the back of the truck bomb at the U.S. Embassy in Tanzania. The evidence investigators used to identify the vehicle used in Nairobi corroborated with the evidence obtained from the vehicle at the bomb site in Dar es Salaam. The right front chassis, which had the number 4H0, identified it as a part from the Nissan Atlas, according to investigators and car manufactures.

It is still unclear where and how the terrorists were able to obtain the commercial explosives, especially in such quantity, as there is little accountability for commercial explosives. Through detailed coordination and proper training, the terrorists were able to effectively receive the components necessary to construct a VBIED. They had the technical knowledge through training at various camps to increase the explosive power of a common explosive. They were able to modify the trucks to accommodate and conceal the bombs very quickly.

“Bombings are clearly the method of choice by most terrorists. For example, improvised explosive devices were used for the 1993 and 2001 bombings of the World Trade Center, the 1995 attack on the Murrah Federal Building in Oklahoma, the 200 attack on the USS Cole, the 2003 Earth Liberation Front Bombings in California, and about 13,510 other incidents from 1993-1997.”<sup>210</sup>

These types of attacks will continue to occur unless the United States is able to deter, detect and prevent this type of coordination and execution.

## **Financing and Costs of the 1998 United States Embassy Bombings in East Africa**

Since its emergence on the world stage in 1996 with the "Declaration of War against the Americans Occupying the Land of the Two Holy Places.", al Qaeda has killed thousands of people, and wounded countless others. That said, believing that casualties and an ever growing body count are the main goals of al Qaeda operations would not be entirely accurate. To gain a better understanding of al Qaeda's objectives, return to the last time an Islamic insurgency defeated a superpower, Afghanistan.

In the mind of Osama bin Laden, it was not body count that forced the Soviet retreat in 1989, it was the economy. As smugly explained in his November, 2004 speech, he and his fighters have “experience in using guerrilla warfare and the war of attrition to fight tyrannical superpowers, as we, alongside the mujahidin, bled Russia for 10 years, until it went bankrupt and was forced to withdraw in defeat.”<sup>211</sup> It is this plan that UBL wishes to impose on the United States. “So we are continuing this policy in bleeding America to the point of bankruptcy. Allah willing, and nothing is too great for Allah.”<sup>212</sup> To accentuate his point, UBL continued,

“Al-Qaeda spent \$500,000 on the event [9/11 attacks], while America, in the incident and its aftermath, lost – according to the lowest estimate – more than \$500 billion. Meaning that every dollar of al-Qaeda defeated a million dollars by the permission of Allah, besides the loss of a huge number of jobs.”<sup>213</sup>

While the disparity in cost between al Qaeda and the United States is staggering with regard to the September 11<sup>th</sup> attacks, the gulf associated with the 1998 embassy bombings is nearly as shocking.

Al Shamal Islamic Bank of Khartoum, Sudan was founded in 1984 and began banking operations in 1990. When Osama bin Laden moved his operations to the area in 1991 he invested \$50 million in Al Shamal<sup>214</sup>, giving him effective control over banking operations. Even with legitimate business, Osama bin Laden was careful. “Osama bin Laden contacted us as a businessman, and opened a foreign currency account in the name of the al-Hijra company [a Osama bin Laden owned construction company that made roads for the Sudanese government]” claimed Ismail Mohamed Osman, the acting general manager of Al Shamal. “He never came himself to the bank. The foreign account was replenished from outside Sudan, mainly from Gulf states and from America, through bank transfers.”<sup>215</sup> Al Shamal was officially tied to the attacks when Senator Carl Levin, a Democrat from Michigan, presented evidence that the bank was utilized by Osama bin Laden, “to distribute funds used in the 1998 terrorist bombings of the U.S. embassies in Kenya and Tanzania.”<sup>216</sup>

In February 1998, UBL, along with other prominent Muslim figures announced the now famous formation of the World Front for Jihad against Jews and Crusaders. At the end of that declaration was a fatwa which charged that every Muslim obey “God’s order to kill the Americans and plunder their money.”<sup>217</sup> With the embassy bombings later that year, al Qaeda did just that.

While an exact figure for the total amount of devastation caused by the attacks is not available, it is possible to get an estimate within the right ballpark. Since the calculations are meant to determine the total cost to the United States, the impact of the blasts on the Kenya and Tanzania are not included in the overall total.

The State Department was awarded a Fiscal Year 1999 supplemental appropriation of \$1.489 billion, which makes up the bulk of the U.S. costs.<sup>218</sup> Included in the amount is an allotment of \$200 million for the creation of temporary embassies in Kenya and Tanzania while designing and building replacements. Temporarily relocating, upgrading, or constructing new facilities at the highest priority locations cost \$185 million. Enhanced security packages at all posts took up the largest chunk of the money; \$650 million. An increase in security personnel cost \$261 million with \$186 million going to expanding local guard coverage and \$75 million for the hiring of personnel to provide security expertise. Urgently needed emergency radio communications upgrades were tagged at \$123 million. Twenty million dollars was provided to boost anti- and counter-terrorist activities. Finally \$50 million was set aside for humanitarian assistance in Kenya and Tanzania.

The \$50 million dollars of aid was broken down into smaller pieces for specific purposes.<sup>219</sup> Aid to small businesses damaged by the blast in Kenya totaled \$28 million dollars. Another \$4.9 million was set aside to pay for psychiatric care, surgery and rehabilitation for victims. Nine million dollars was given to Tanzania for their relief effort. Some money also went to upgrade Kenya's emergency response facilities, including blood collection plants. The remainder of the money went to Kenya to pay for school fees for children whose parents were lost or seriously injured in the attack.

Additionally, certain embassies had entire security overhauls performed. The U.S. embassy in Moscow was completely redone from a security perspective. As James Collins, the U.S. ambassador to Russia announced at the embassy's unveiling; the embassy is now "built to all of the latest security standards including those that were put into place after the bombings in Africa."<sup>220</sup> The upgrade cost a mere \$260 million. The State Department reportedly spent \$68 million<sup>221</sup> and \$40 million<sup>222</sup> on the new embassies in Nairobi and Dar es Salaam respectively which opened for business in March, 2003.

As well as the above mentioned costs, the cost of American military reprisal is part of the overall calculation. On August 20, 1998 the United States launched a missile strike on the al-Shifa chemical factory in Sudan, and al Qaeda training camps in Afghanistan. In all, 76 BGM-109C/D Tomahawk Block III cruise were launched<sup>223</sup>, at an estimated cost of \$750, 000 a piece<sup>224</sup>, for a grand total of \$57 million.

## **Nairobi, Kenya**

At 10:30 a.m. on August 7th, 1998, a large vehicular bomb exploded in the rear parking area of the embassy. The explosion killed 213 people, 12 of whom were Americans, and injured 4,000 more, mostly Kenyan civilians.

As part of the effort to access the compound, one of the terrorists exploded a homemade flash grenade which had the unfortunate effect of bringing people in the nearby buildings to the windows moments before the devastating blast. The EAP did not anticipate a vehicular bomb and thus the employees of the embassy were not trained to seek cover. Had they sought cover, the casualties would certainly have been lighter. Furthermore, the Marine Security Guard (MSG) practiced emergency drills without the local contract guards, whose training levels were sub par.

The embassy personnel responded to the emergency and transferred their operations to the USAID building nearby. The Foreign Emergency Service Team (FEST) departed the United States about six hours after the bombing, but it experienced mechanical difficulties and put down in Spain. The FEST ultimately arrived about 40 hours after the bombing. The U.S. Air Force sent a medevac aircraft from Germany the next day. This operation too experienced problems. It was unable to accommodate all the medical supplies prepared in Germany. When it did arrive in Nairobi, it did not return immediately with the most wounded Americans because the flight only had one crew which was required to rest. It did however make two evacuations flights, 40 and 70 hours after the bombing. The Marines also experience airplane difficulties as a unit of Fleet Antiterrorism Security Team (FAST) Marines dispatched from Bahrain was delayed.

The emergency operations were complicated by the magnitude of the destruction, the great number of casualties, and the many agencies participating in the response. The FEST was not prepared to handle a crisis with such complex coordination needs.

## **Dar Es Salaam, Tanzania**

The truck bomb exploded at 10:39 a.m. on August 7, 1998, approximately 35 feet from the outer chancery wall of the embassy. A water truck not only prevented the suicide bomber from getting any closer, but it also absorbed some of the shock from the blast. The blast inflicted major structural damage to the embassy as well a number of other buildings in the area. Many buildings as well as vehicles were destroyed.

The explosion killed 11 people, all non-Americans, and injured 85 others including Americans. The driver of the truck was killed, but his assistant escaped. All five contract guards working security at the scene were killed by the explosion.

Immediately after the explosion, four Marines rushed to the scene. Although they had trained for various types of emergencies, the EAP did not anticipate a vehicular bomb. Thus the marines had no training for a situation of that magnitude nor did they have the proper equipment readily available.

Simultaneous attacks had not been anticipated by the Foreign Emergency Support Teams (FEST). As the primary FEST response aircraft responded to the bombing in Nairobi, a second aircraft was needed for Dar Es Salaam. Finding and preparing a suitable plane took 24 hours.

## **The Investigation**

While the United States Federal Bureau of Investigation would provide logistical support and overall investigative expertise, the local police in Dar es Salaam and Nairobi handled the majority of the investigation. The investigation in Tanzania was only marginally successful because the local authorities were overwhelmed by the size and complexity of the task. In Kenya, the local authorities spearheaded a largely successful operation that identified the perpetrators and led to several arrests.

International agencies, including the FBI, were criticized for failing to respond quickly to the attack. The criticism was well founded since there was an inordinate delay. The difficulty in reaching such a distant site proved to be problematic. Almost every initial flight into the area was delayed. Logistical problems put the investigation behind almost immediately and lost valuable time for the Americans in their efforts to mount an effective investigation into the tragedy. It is clear that the aircraft involved in this endeavor were woefully lacking in reliability. These problems were mentioned in the report by the Accountability Board, which was chaired by Admiral William J. Crow.

While the arrival of the American investigators and medical personnel, even though delayed, provided welcome relief to those on the ground in Dar es Salaam and Nairobi, the trail of the perpetrators was already growing cold by the time they arrived. Under normal circumstances, if suspects are not identified in the first few hours after a crime is committed, the probability that they will ever be detained drops exponentially. If a few days pass with no break in the case, then the chances of successfully apprehending the perpetrators approaches zero. Therefore, the question must be asked: if the Americans and their allies had arrived on the scene in a more timely manner, would they have been more successful in apprehending some of the people involved in the attack? In this case, this is a difficult question to answer. There is evidence that most members of the groups involved in the bombings were instructed by August 6<sup>th</sup> to leave Kenya and Tanzania and go to Afghanistan, one day before the blasts even occurred. However, it

is certain that the investigation would have benefited by the presence of more FBI agents on the scene in the first hours after the attack.

After the arrival of the American contingent, a decision was made that the local authorities would take the lead in the investigation. In fact, the majority of the on the ground investigation was conducted by local authorities both in Kenya and Tanzania. While they lacked the training and resources to effectively conduct a sustained investigation of the magnitude needed to respond to the attack, the local authorities handled the initial investigation very competently according to all observers. In terms of the search for the bombers, the United States was fortunate that both Kenya and Tanzania were more advanced than some other African countries when it comes to their law enforcement/investigative capabilities.

An interview with Prudence Bushnell made it clear that there were several hurdles that investigators had to overcome in their attempt to unravel the plot. Anti-American sentiment ran high after the bombings. There were reports, false in her opinion, of heavy handedness by the American contingent in their dealings with the local populace. However, the parties usually dealt with these issues in informal meetings or through official channels, and they were able to preserve a good working relationship between the Americans and their African colleagues. Ultimately, the various law enforcement agencies appeared to have had a good working relationship.

It is important to note at this point that many investigations involving multiple groups with differing agendas and opinions break down, and there is no consensus on how to proceed. Furthermore, at the end of the investigation, which often results in no arrests, convictions, etc., there often is a good deal of acrimony and finger pointing. This does not seem to be the case here. There appeared to be general agreement that while there were some obstacles, for the most part the investigation was first rate. The plotters who could be apprehended were arrested. The other co-conspirators have been named and their whereabouts accounted for. Most of them are in Afghanistan, where their actual apprehension will continue to be difficult for the foreseeable future. However, this does little to diminish the overall effectiveness of the FBI, and especially the African law enforcement agencies responsible for the majority of the investigation.

The first major break in the investigation came when Mohammed Rashed Daoud Al-Owhali arrived at a local hospital for treatment shortly after the blast. Al-Owhali exhibited behavior that made the medical staff nervous. They summoned the police and Al-Owhali was detained, questioned, and taken into custody. His arrest started a domino effect which ultimately led to the unmasking of the perpetrators of the attack. The next conspirator to be

taken into custody was Mohammed Sadiq Odeh, who was a key figure in the plot. He was apprehended attempting to enter Pakistan with a fake Yemeni passport on the day of the attack. His arrest and confession were crucial in solving the case and identifying the attackers.

Odeh, a Palestinian, was born in Saudi Arabia and educated in the Philippines. In 1990, at the age of 25, he moved to Pakistan. From there he went on to Afghanistan where he stayed for the better part of two and one-half years to take part in the nascent Jihad. During this period he acquired expertise in the use of explosives. He also began an association with Osama bin Laden. He left Afghanistan and after a short stay in Somalia, he made his way to Kenya, where in 1994 he joined a terrorist group led by an Egyptian named Ali Saleh, who was also working with Bin Laden. Odeh told his interrogators that Saleh masterminded the plan to bomb the American Embassies sometime in 1997.

The ability of the Kenyans and Pakistanis to identify Odeh as a potential terrorist and detain him was a critical turning point in the case. If Odeh had been able to successfully enter and pass through Pakistan into Afghanistan, the escape route of choice for the plotters, the United States and its allies would probably still be trying to piece together what happened. The information gained from Odeh allowed the United States' authorities to piece together the story of what happened on that fateful day in August and identify the plotters.

Through Odeh, it was learned that the group acquired their explosives from Luanda, Angola. He took responsibility for the actual preparation of the explosives to be used at the embassy bombing in Dar es Salaam. He told authorities that the attack was carried out primarily by local Kenyans and Tanzanians. He informed investigators that it was Saleh who ordered almost all other al-Qaeda members to exit Africa for Afghanistan via Pakistan.

Perhaps the most important piece of information to be gleaned from Odeh during this initial interview was his identification of Osama bin Laden and his group "al-Qaeda," or "the base," who were working with the Egyptian Islamic Jihad and were the root source of the bombings. It is with this bombing and this arrest that the name of Osama bin Laden would begin to become the household name it is today.

The importance of the arrest of Odeh cannot be overstated. Without his critical information, the rest of the picture would have been much more difficult to put together. He is the key through which the rest of the story fell into place.

The FBI now knows that sometime in 1993 to early 1994, members of al-Qaeda began to re-locate to Eastern Africa, and specifically Kenya. Most of these individuals were mujahedin, who had fought against the Soviet Union

after its invasion of Afghanistan in 1979. These individuals were vehemently opposed to the West in general, and the United States in particular. Their list of grievances against Washington included American participation in the first Gulf War, military operation(s) against Somalia, and military involvement in Yemen. Perhaps the most unforgivable sin in their eyes was the United States' involvement with Saudi Arabia, which is the site of a number of the holiest sites in Islam. U.S. troops stationed in Saudi Arabia were seen as infidels, occupiers, and patrons of a corrupt Saudi regime. In addition, American persecution and imprisonment of a number of al-Qaeda members, including the perpetrators of the 1993 World Trade Center bombing, was seen as persecution of holy warriors. The Jihadists believed that they were in a world-wide war against the Americans. East Africa was just one battlefield.

The investigation of the attack led to the arrest of a number of suspects and the identification of a pervasive strategy of terrorist groups, which makes it difficult to identify terrorists. This strategy involves the operatives blending into the local environment. This "blending in" is a hallmark of al-Qaeda operatives. They spend years planning the "operations" and live and work in the country that they have picked to attack. In this case, most of the plotters either worked for NGO's or started their own businesses. Many worked to help the local population. The FBI has since stated that most of this early group wound up appearing in every way to be leading normal law abiding lives.

## **Criminal Charges**

The United States criminal investigation combined the surveillance and investigation collected on al Qaeda since its formation. The legal investigation ended with 300 counts against the defendants. The four counts against the defendants included:

- WMD against American targets
- Conspiracy to kill officers and employees of the U.S. government.
- Conspiracy to murder U.S. Nationals
- Conspiracy to destroy U.S. buildings by the use of explosives.

## **Wadih El Hage**

Wadih el Hage worked for al Qaeda in 1992 and 1993. He was in charge of payroll and transferred Stinger missiles. In 1994, El Hage moved to Nairobi, Kenya and became the leader of the East African cell of al Qaeda. The



East African cell carried out the bombings of the embassies. The evidence that has been accumulated by the FBI identifies that El Hage arranged for the facilitation and the delivery of false travel documents. In February of 1997 and in August of 1997, El Hage visited Osama Bin Laden and Abu Hafs in Afghanistan. After returning from Afghanistan in February, El Hage brought the new policy to militarize the East African Cell which took took 16- 18 months. Wadih was apprehended by the U.S. officials and testified in 1998 in front of a grand jury where he denied knowledge concerning Al Qaeda. Wadih refused to cooperate with United States authorities in a manner that could have helped avert the embassy bombings.

### **Mohammed Odeh**

Odeh has been a sworn member of al Qaeda since 1992 and a paid member through 1998. He received training in firearms and advanced firearms where he was taught the type and amount of explosives to use. Odeh was a technical advisor to the people who carried out the bombings. He left Nairobi, Kenya the night before the bombing headed for Karachi, Pakistan. Odeh was apprehended in Karachi, Pakistan headed for Afghanistan.

### **Mohamed Al Owali**

Al Owali received training at al Qaeda in Afghanistan learning explosives, hijacking and bombings. Mohamed al Owali specifically asked Bin Laden for an assignment to execute jihad. In the Kenyan bombing, Owali threw stun grenades in an effort to get close to the target and force the guard to open the bar. Owahli ran away when he was supposed to die and was later apprehended by Kenyan authorities.

### **Khalfan Khamis Mohammed**

Mohammed was trained in Afghanistan. On March 3, 1998 Mohammed accepted the Jihad mission. Khalfan purchased the white Suzuki used to transport the components of the bomb. Khalfan rented the house in Tanzania which operated as bomb factory. Mohammed helped to put the bomb together and load the bomb into the truck.

The United States government was able to apprehend individuals at different levels of the al Qaeda network before the bombings in Tanzania and Kenya. These individuals unknowingly provided the same information or corroborating information through the course of the investigation. The FBI was also able to take known information that was used in the past to fill in the blanks on al Qaeda and connect the dots to what happened in the Nairobi and Tanzania attacks.

Before the bombing the United States was tapping the satellite phones of specific individuals in the al Qaeda network. The transcripts of the phone conversations were used in the court cases.

### **Attacks on Other United States Diplomatic Facilities**

In a number of ways, the diplomatic corps is similar to the military. There are three year rotations and diplomatic personnel are put into situations where they are in harms way. The annual number of attacks on United States diplomatic facilities was actually declining. In between 1987 and 1997, the number of attacks declined from forty three in 1991 to five in 1997.<sup>225</sup> Moreover, none of those attacks were of the same magnitude as Kenya or Tanzania. The decline and declining severity of attacks meant the U.S. could spend less on diplomatic security and still provide acceptable security for United States personnel abroad. For the majority of current United States history, no diplomatic facility suffered as much damage and as many casualties as the embassies in Kenya and Tanzania.

In 1979, there were two major attacks on United States embassies by Islamic extremists. The first attack was the United States embassy in Tehran, Iran, and the second in Islamabad, Pakistan. These attacks were not coordinated and did not have the similar casualty numbers as Kenya or Tanzania.<sup>226</sup>

### **Problems in Embassy Security**

The security at both embassies had problems. The severity of the problems at each embassy differed. The problem was not with the personnel employed by the embassies. In the Report of Accountability Review Board for the Embassy Attacks, the high level report that followed the attacks in Kenya and Tanzania, at no point was there a dereliction of duty in the performance of the ambassadors, United States security personnel or indigenous security in either Kenya or Tanzania. In a number of cases, the security at both embassies exceeded that of posts with low or medium threat levels. The Report primarily cited an inadequate amount of resources provided to defend against a potential terrorist attack and an institutional lack of interest in addressing our diplomatic security weaknesses. The weaknesses included the unwillingness to spend the money on more secure embassies.

At the time, this was an accurate picture of most United States embassies around the world. Several ambassadors wished to upgrade their facilities. However, the budget did not exist. The lack of structural integrity meant that a terrorist attack could succeed even if the attack occurred outside the compound. One recommendation

made in the Inman report suggested upgrading security at United States embassies, building new embassies and close those embassies that were in dangerous locations.<sup>227</sup>

### **Procedures Taken by Security after the Attacks**

In Tanzania, the marines headed from their barrack to the embassy to secure the embassy and facilitate rescue efforts. Teams from the FBI, FEST, and FAST (Marine Special Forces) arrived forty hours later to secure the embassy in Kenya. While proper security measures were taken by the local security in both Kenya and Tanzania following the attack, the likelihood of another attack was slim. In both cases the security forces on the scene acted professionally and prevented mobs from entering the embassy area.<sup>228</sup>

### **Successes and Failures of Attacks**

The al Qaeda organization was able to pull off a coordinated strike against two United States embassies. Both attacks damaged the United States reputation for being able to protect our embassies abroad. The ability to carry out two simultaneous attacks meant that a simultaneous attack could happen again. Both attacks had high numbers of fatalities and casualties.

On the other hand, the security at both embassies did prevent further loss of life and prevented the plan from completely succeeding. The security at both embassies was able to keep both truck bombs from detonating at their intended targets. The bomb in Nairobi did not reach the underground parking garage. In Dar es Salaam, the bomb exploded outside of the embassy perimeter. However, this was partially due to an embassy water truck that blocked the entrance. The attacks killed far more Kenyans and Tanzanians than Americans. One of the goals of the operation was to kill as many Americans as possible. In both attacks only twelve United States citizens were killed.<sup>229</sup>

### **Conclusion**

To answer the first question, security protocols were followed at the embassies in Nairobi, Kenya and Dar es Salaam, Tanzania. At no point were the embassy staff, the MSGs and local security derelict in their duties to protect the embassies and staff. The embassies security staff had implemented most of the necessary precautions to protect the embassies and the staff. The only exceptions were the lack of an emergency action plan that addressed the potential for vehicle bombs and the hundred foot standoff/ setback zone

The second question is a little more uncertain. The security at both embassies stopped the trucks before reaching their intended targets. The hundred foot standoff/ setback zone might have prevented entrance to the embassy in Kenya. However, the bombs could have gone off in the streets and caused an equal number of casualties.

From an institutional standpoint, the United States was unable to stop the attacks. The State Department should have granted the request of Ambassador Bushnell to Kenya's request to move the embassies to a more secure location. The potential of a vehicle bomb was never addressed and not considered to be a threat.

## **Intelligence Failures at the U.S. Embassies**

### **Introduction**

While there was never an indication of when or how the U.S. embassies in Nairobi, Kenya and Dar-es-Salaam, Tanzania would be attacked, there was mounting evidence to suggest that the embassy was not adequately secure and potentially a target of terrorist plots. There were at least three warnings in the year prior to the August 7, 1998 attack that groups were planning to bomb the Nairobi embassy, including one serious enough for the CIA to send a counterterrorism team to investigate. In addition there were simultaneous reports of insufficient security at the embassy by the ambassador and head of U.S. Central Command. In the midst of these indicators was the identification of terrorists hostile to American interests that were active in both Kenya and Tanzania. According to the Accountability Review Board, most of these problems and threats were reported and largely disseminated to the intelligence community, but they were largely discounted due to questionable sources and/or nonspecific and imprecise reporting. The almost simultaneous bombing at the U.S. embassy in Dar-es-Salaam, Tanzania, perplexed the intelligence fields. Though there had been many signals that should have warranted protection at the U.S. embassy in Kenya, few, if any, advanced warning signs existed that foretold of a terrorist attack on the embassy in Tanzania. If the warnings in Kenya had been heeded more closely however, it is very likely that Tanzania could have prepared itself for an attack. In the end, little action was taken to identify the growing threat against the embassy leading up to the bombing.

Until 1996, few United States government officials recognized Osama bin Laden as anything more than a terrorist financier. That changed in May 1996 when Jamal Ahmed al Fadl, a Sudanese militant and Osama bin Laden associate, became disillusioned with the organization, walked into a U.S. embassy in Africa and provided

information on “...the creation, character, direction, and intention of both Osama bin Laden and al Qaeda.”<sup>230</sup> That same year, the CIA set up its Bin Laden Unit and began compiling information and intelligence against him. It would be another two years before a grand jury indictment was issued against Osama bin Laden in June 1998. Within a year of its establishment, members of the Bin Laden Unit learned that al Qaeda had a military committee planning operations against United States interests worldwide.<sup>231</sup> United States intelligence knew as early as April 1996 that al Qaeda had established a presence in Kenya. Beginning in August of 1996 five Nairobi telephone lines used by alleged Osama bin Laden associates were continuously monitored by United States intelligence agents.<sup>232</sup> This contributed in large part to the ability of United States authorities to identify and link certain suspects to the bombings. By August 1998, the information that the Bin Laden Unit had been developing since 1996 had not been synthesized and widely distributed throughout the government. Each intelligence agency pursued its own efforts against Osama bin Laden and al Qaeda. The State Department in particular was more concerned at the time with the growing tensions between India and Pakistan than it was with Osama bin Laden and al Qaeda.<sup>233</sup> The department did, however, issue a general worldwide alert drawing attention to Osama bin Laden’s threat against America’s military and civilians.<sup>234</sup> A federal interagency study of the more general threat of terrorism, both domestic and international, was commissioned by Attorney General Janet Reno in response to the Oklahoma City bombings. The commission found “widespread deficiencies in the federal government’s ability to combat terrorism,” and cited intelligence sharing as one of the primary areas in need of improvement.<sup>235</sup>

## **Ambassador Bushnell:**

In the Spring of 1998, the U.S. Ambassador to Kenya, Prudence Bushnell, sent an impassioned letter to Secretary of State Madeline Albright pleading for more security at the embassy in Nairobi. The letter came after months of requests in the face of perceived terrorist threats and a warning to Bushnell herself that she was the target of an assassination plot. According to one State Department official she was viewed by some as a “...nuisance who was overly obsessed with security.”<sup>236</sup> At the same time the CIA repeatedly told State Department officials that there was an active terrorist cell in Kenya that was connected to Osama bin Laden. Prior to the bombings, Secretary Albright and the State Department did nothing to improve the security of the embassy prior to the attack, repeatedly citing a lack of money and priority.

Ambassador Bushnell began raising concerns about the security of the Nairobi embassy soon after her arrival in 1996. The CIA said that it briefed Bushnell in early 1997 about an al Qaeda presence in Kenya, but told her that they were unable to cite a specific terrorist threat.<sup>237</sup> On December 15, 1997 Bushnell warned the State Department that the embassy's location made it "extremely vulnerable to a terrorist attack,"<sup>238</sup> and requested that it be replaced with a more secure building. She also asked for a comprehensive security review of the embassy citing its location in a congested, downtown location as a cause for serious concern. In a cable sent on December 24, 1997 she pointed to specific CIA reports regarding terrorist threats aimed at the embassy, and the constant threats of crime and political violence in the surrounding area. Her request for a new embassy was not seriously considered when State Department officials met in January 1998 to set embassy construction budgets for the upcoming year. Bushnell was told via cable that other embassy projects had priority and the State Department's list of embassies it eventually wanted to replace did not include Nairobi. Only Berlin and Beijing were scheduled to have new embassies constructed in 1998.

To placate Bushnell, the State Department sent a security team to Nairobi which determined that the embassy met the Department's standards for a "medium threat." In April and May of 1998, Bushnell sent additional cables restating her concern regarding the embassy's vulnerability and requested that Secretary Albright seek more funding for security. Bushnell received a cable in June from the Under Secretary of State for Management Bonnie Cohen who maintained that because of the embassy's designation as a "medium threat" and the general soundness of the building, Nairobi was viewed as an unlikely terrorist target and its replacement was considered a low priority. At the same time Ambassador Bushnell lobbied every senior American official and Congressman that visited Kenya. Most senior State Department officials were not swayed, believing instead that the threats and dangers were either nonexistent or already remedied.

The CIA and FBI stated that they kept Ambassador Bushnell and her staff fully informed about intelligence warnings against the embassy, but some embassy officials dispute this claim, saying they were not kept in the loop.<sup>239</sup> State Department officials insist they were sympathetic to Bushnell's concerns and that even if her requests for a new embassy were granted, it would have been impossible to have one in place by the time of the bombing.<sup>240</sup> The department further stated that the threats it received by the CIA regarding the Nairobi embassy had either proved to be unfounded or had been dealt with by Kenyan officials.

## **Tanzania: An Easy Target**

Many in the intelligence field believe that even if there had been evidence or hints of a possible terrorist incident in Tanzania, no actions or preparations would have been undertaken. The United States had made it a matter of their foreign policy to only intercede within their “sphere of interest,” such places involved (1) the Middle East where genocide, war and the supply of oil fuelled national interest, (2) Asia where the markets were rising and (3) Europe, where new democratic states were emerging. Africa was low on the United States’ list of priorities.

Terrorist activity had never presented a problem in Tanzania. Most of the crime that did occur happened within and around the embassy as street crimes. Robberies, theft, and muggings were the primary concern of most embassy employees. This thought permeated to the upper echelons who deemed that Dar-es-Salaam had a “low” political violence threat. In March 1994, a Compliance Follow-up Review stated that “while some Middle Eastern governments and organization with ties to terrorism are present in Dar-es-Salaam, they have not been active in targeting American interests in Tanzania. Since the low (threat) rating appears reasonable”,<sup>241</sup> few steps were taken to prepare the embassy for any terrorist attacks.

## **General Anthony Zinni**

### **The Nairobi embassy was an “...easy and tempting target for terrorists.”**

General Anthony Zinni, commander of the United States Central Command, visited Nairobi in early 1998. After witnessing the security conditions at the embassy he sent the State Department a warning that the embassy was an “...easy and tempting target for terrorists.”<sup>242</sup> He further offered to send several of his own specialists from Central Command to conduct a joint security assessment of the post with the State Department. The State Department declined, opting instead to send their own security team.

In March 1998 a team from the Office of Diplomatic Security and the Foreign Building Office arrived in Nairobi to conduct the security review. They found that the Nairobi embassy was in compliance with the security standards that the State Department had established for an embassy designated as a “medium threat.”<sup>243</sup> There had been a previous security assessment in 1994, and the team found that the recommendations issued at that time had been carried out. No report was ever filed by this security team.<sup>244</sup>

Cables taken from the embassy after the security teams' assessment, as well as an interview with an engineer from the team showed that the State Department was willing to support all the suggestions for upgrades even beyond those required for a "medium threat" post.<sup>245</sup> The upgrades focused on reducing the danger from crime and political violence. The security team proposed about \$500,000 worth of new security measures. Funds were allocated for a new perimeter fence and a special roll down door for the underground parking garage (which had been broken and remained open during the day) plus a similar door for the front entrance. At the time of the attack, only the garage door had been installed. None of the security team's proposed improvements would have made a difference in preventing or lessening the impact of the blast on August 7, 1998.

## **Security and Readiness:**

**"It is clear that these two buildings did not meet our current standards."**

After the 1983 bombing of the U.S. Marine barracks and the 1984 bombing of the U.S. embassy in Beirut, Lebanon, a panel led by Admiral Bobby Inman was formed to address the issue of embassy security. The goal of the panel was to create embassy standards that would prevent attacks like the one in Beirut, where more than 250 people were killed. The panel issued the official Inman report recommending both physical modifications to embassies, and bureaucratic restructuring within the State Department. The State Department was never able to fully adopt the report's recommendations due largely to a lack of funding by the White House and Congress. Instead, the government sought to improve only a handful of embassies that it believed to be at the greatest risk.

## **Dar-es-Salaam: A Plethora of Weaknesses**

The Dar-es-Salaam embassy was an easy target for terrorists. The embassy was known to have a plethora of weaknesses. The Dar-es-Salaam embassy was deemed to have a lower terrorist threat level than the Nairobi embassy.

The United States had moved into the former Israeli embassy compound in May of 1980. It was located at 36 Laibon Road and consisted of a three-story Chancery and a four-story Annex.<sup>246</sup> The windows of the embassy were constructed of the most minimal material designed to prevent small bomb explosions. The embassy was surrounded



by a perimeter wall that set the embassy approximately 25 feet from the street. According to the Inman Standards, this was the absolute minimum set back zone. The embassy did have the required nine foot wall, and pedestrian and vehicle screening was conducted at the perimeter, primarily at the Laibon Road entryway.

There were no armed police provided by the Tanzanian government to secure the grounds of the embassy. The embassy used local contract guards, provided by a corporation called “Ultimate Security” and relied on these guards for protection. All of the “Ultimate Security” guards were unarmed and in many cases untrained to deal with terrorists. The guards were extensively trained in detecting vehicular bombs. The United States did station a few Marines within the Embassy whose duties were primarily to monitor local guard actions via Closed Circuit Television (CCTV) from the MSG booth.

The Chancery and Annex’s perimeter wall was constructed of concrete block. The wall was reinforced with tubular metal picket fencing alternated with concrete pilasters. At each entryway was a hardened guard booth and a manually operated double-swing gate constructed out of the same tubular steel framework. There were “delta barriers” present; however, they were inoperative at the time of the bombings.

All visitors and approved-for-access vehicles were screened outside the gates by the local guards with Diplomatic Security (DS)-provided inspection mirrors. These devices consisted of mirrors on the ends of metal poles that allowed the guards to search the inside as well as the underside of vehicles. From the MSG booth, the actions of the local guards were monitored with CCTV, however, the CCTV had no recording capability. When Regional Security Officer (RSO) John DiCarlo made his security inspection of the Embassy on July 22, 1998, he noted that while there were weekly “Selectone” alarm drills to identify contingencies, such as package bombs, there were no drills specifically designed to deal with vehicular bombs. It was also noted that the setback zone of from 25 to 75 feet was deemed adequate, given that the terrorist threat level was considered low.

### **Wadiah El-Hage: A “counterterrorism disruption”**

In 1996, CIA and State Department officials secretly met with a Sudanese government agent in Washington D.C. and requested a list with the names of 200 Osama bin Laden associates in Sudan.<sup>247</sup> Through these efforts, United States investigators attempted to locate and interview as many associates as possible. While the CIA was investigating Osama bin Laden’s finances, one trail led the agency to Kenya, where some al Qaeda operatives were living. In the summer of 1997, the CIA decided to look more closely into Osama bin Laden’s activities in Kenya

and identified Wadih El Hage, who was believed to have close ties to the al Qaeda's leadership, including Osama bin Laden himself.

El Hage is a naturalized American citizen who was born in Lebanon. He has admitted to being Osama bin Laden's personal secretary in Sudan and is known to have kept the company of some individuals that helped orchestrate the 1993 World Trade Center bombing.<sup>248</sup> At the time of the embassy bombings he was living in Arlington, Texas with his wife and children. He is believed to be a key organizer of the Nairobi cell and an aide to Osama bin Laden, setting up front companies for the al Qaeda leader. El Hage admits that he worked for Osama bin Laden as a secretary, but claims that the two only engaged in legitimate business ventures and they had not seen each other since 1994.

In August, 1997, under the pretext of searching for stolen goods, the Kenyan police accompanied by the CIA and the FBI raided El Hage's house in Nairobi. They found his computer, downloaded its files, and confiscated a number of written correspondences. Upon his return from Afghanistan two days later he was questioned by the Kenyan police. According to El Hage's mother-in-law, the FBI repeatedly told both El Hage and his wife to leave the country and insinuated that they might be in danger if they stayed.<sup>249</sup> El Hage took them seriously enough that he moved back to the United States in September, 1997. He was extensively questioned three times by the FBI upon his return stateside and each time he professed to know little about Osama bin Laden or his activities in Kenya.

A disturbing letter seized from El Hage's hard drive was believed to be written by Fazul Abdullah Mohammed, aka Harun Fazul, who was later discovered to be one of the masterminds behind the Nairobi bombing. The letter described the existence of a clandestine East African cell in Nairobi operating under the instructions of "the Haj,"<sup>250</sup> meaning Osama bin Laden and clearly states the cell members' knowledge of Osama bin Laden's Fatwa to kill Americans. Some of the letter's content indicates a coming attack: "The fact of these matters and others leave us no choice but to ask ourselves are we ready for that big clandestine battle? Did we take the necessary measures to avoid having one of us fall in the trap?"<sup>251</sup> Further statements insinuate that instructions and directions for attacks did not originate from the "implementers" in Nairobi, but rather from the "command," presumably the al Qaeda leadership.

Most alarming, however, was a reference in the letter in which the author describes, "...files we do not need here and which might pose a threat against us and [I have] placed them in another location."<sup>252</sup> This set investigators off to find the missing files on what one law enforcement official said was "a somewhat frantic, concerted effort...The

concern was high enough about something being out there to go right away.”<sup>253</sup> A second search was conducted at another location in Kenya, but nothing was found. It is unclear whether investigators knew about Harun Fazul at this time, or recognized that he may have been the author of the letter. Nonetheless, Fazul escaped their attention, continued his activities in Nairobi, and drove the lead truck that led the bomb to the Nairobi embassy.

Documents seized from El Hage’s house refer on multiple occasions to fears of surveillance in Kenya. In a written record, El Hage raises concern about “American-Kenyan-Egyptian intelligence activity in Nairobi aiming to identify the names and residences of the members who are associated with [Osama bin Laden].”<sup>254</sup> It further urges efforts to “hunt down the spies who are coming from the governments of Ethiopia, Kenya, and others.”<sup>255</sup> Fears of this surveillance led El Hage and others in the Nairobi cell to communicate in code. For example a cell member would write “O’Sam” when referring to Osama bin Laden, or the “Food and Beverage Industry” when referring to the F.B.I.<sup>256</sup>

At the time of the raid on El Hage’s house, the CIA believed they had uncovered a potentially dangerous terrorist group with direct connections to Osama bin Laden. Intelligence sources believed that the Nairobi raid was a “counterterrorism disruption” and forcing El Hage out of the country was “...part of a strategy to fracture these cells as soon as they are found.”<sup>257</sup> There is some dispute over how much the State Department was aware of an al Qaeda presence in Kenya. According to one intelligence official, the State Department was briefed about the presence of Osama bin Laden’s operatives in Kenya both before and after the raid on El Hage’s house.<sup>258</sup> Over the next year the CIA sent the State Department multiple reports detailing the activities of El Hage and others in Kenya with connections to Osama bin Laden. State Department officials say they were given only a “fragmentary” understanding of the reason behind the raid and the CIA was assisting in a criminal investigation by the New York FBI. “If we had known there was a significant Osama bin Laden presence in Kenya, we would have gotten our people the hell out of the building,” a senior State Department official said.<sup>259</sup>

### **Al Haramain: Kenya’s First Warning**

The intelligence service of an unidentified country turned over an informant to the CIA in the summer of 1997. The informant claimed that the Nairobi branch of the Islamic charity Al Haramain Foundation was plotting to blow up the American embassy in Kenya. The threat was taken seriously enough that the CIA sent a counterterrorism team to Kenya for further investigation.

The CIA station chief relayed the threat to Ambassador Bushnell and other embassy officials. Embassy diplomats wanted Kenyan authorities to arrest the group's members immediately, but the CIA cautioned against acting too hastily. The CIA station chief preferred keeping an eye on group members, citing concern about the informant's credibility.<sup>260</sup> Despite this, nine Arabs connected with Al Haramain were arrested on October 31 and the group's files were seized by Kenya.

The embassy responded to the threat by increasing the number of roving guards around the perimeter, more closely monitoring the visa lines, and increasing the number of vehicular and perimeter searches. Embassy personnel were advised by the Regional Security Officer (RSO) about security precautions and told the importance of reporting suspicious incidents. The RSO also conducted additional emergency reaction drills with the Marine Security Guards and asked the Kenyan government for additional security around the embassy, particularly for counter-surveillance.<sup>261</sup>

The CIA counterterrorism team examined Al Haramain's files, but found no evidence of a bomb plot. Members of the team wanted to question the nine suspects that had been arrested, but the CIA station chief balked. He felt that he had pushed the Kenyans far enough and did not want to strain his relations with them.<sup>262</sup> Since the seized files showed no evidence of any terrorist activity or plan to blow up the embassy, no interviews with the detained suspects were done and the CIA soon dropped its investigation. The agency concluded that the informant was not credible. Eventually the nine Al Haramain suspects who were arrested were deported.

Some members on the counterterrorism team felt their investigation had been inadequate and cut short. Without interviewing the suspects, they believed that a thorough investigation could not be conducted in order to assess the validity of the threat.<sup>263</sup> While embassy officials, including Ambassador Bushnell, were told of the investigation, the CIA did not circulate any intelligence reports to the rest of the United States government regarding the case. The CIA stated that there was never any evidence linking Al Haramain to the embassy bombings, but they do admit that there was evidence to connect the foundation to Osama bin Laden.<sup>264</sup> The Accountability Review Board stated that the actions taken by law enforcement and intelligence agencies against Al Haramain were believed to have dissipated the threats.<sup>265</sup>

## **The Last Minute Warning?**

Two weeks before August 7, 1998 a United States informant in Kenya who was in contact with Israel's Mossad intelligence service, warned the American government that the Nairobi embassy was to be targeted for a bombing.<sup>266</sup> United States officials who contacted Mossad regarding the informant were told to treat the source with skepticism. Thus no additional security measures were taken in response to the informant's warning. There is little evidence to support the nature or validity of this warning nor to further investigate the informant's credibility. The Accountability Review Board stated that "there were no intelligence reports immediately before the bombing to have warned the embassy of the August 7 blast."<sup>267</sup>

## **Mustafa Mahmoud Ahmed: The Kenya-Tanzania Connection**

In November 1997 an Egyptian named Mustafa Mahmoud Said Ahmed walked into the Nairobi embassy and told CIA officers that he knew about a group that was planning to detonate a truck bomb inside the diplomats' underground parking garage. The description was remarkably similar to the way in which the actual bombing unfolded. During an interrogation by Kenyan security officials, Ahmed revealed his own involvement in the plot when he told them he had taken surveillance photos of the embassy in preparation for the attack. The CIA quickly relayed Ahmed's warning to the State Department. This prompted the State Department to tighten the embassy's security for several weeks, but the alert was eventually lifted when no attack materialized and no additional steps were taken to improve the building's security. Ambassador Bushnell alerted Washington of the embassy's extreme vulnerability in response to this threat.

At the time, CIA analysts were unable to link Ahmed to any terrorist group, but as a precaution they sent two reports about his statements to various government agencies, including the State Department. The reports indicated that while they could not rule out the possibility of Ahmed's claim, it should be treated with some skepticism. The CIA stated that it received word from a foreign intelligence service that Ahmed was a fabricator of information. Therefore, it was speculated that Ahmed's warning could have been a sophisticated ploy by the terrorists in order to monitor and counter the defenses that the embassy would take against a possible attack.<sup>268</sup> The Accountability Review Board stated that the intelligence received regarding Ahmed's warning of a vehicular bomb attack was carefully vetted and was discredited by early 1998.<sup>269</sup>

While it is unclear what motivated Ahmed to alert the authorities about the bombing, he told the Kenyans that he had provided authorities, including Western officials, with information about Islamic radicals in the past. He stated

that he wanted to “see them arrested and rehabilitated rather than caught committing a crime for which they would be executed.”<sup>270</sup>

Little of Mustafa Ahmed’s life can be confirmed; however some details of his biography have come to light. He is believed to be an Egyptian who grew up in Zaire and attended the University of Cairo. Still, his Tanzanian friends believed him to be from Iraq, and at the time of his arrest he was holding passports from Egypt, Yemen, and Zaire as well as a thick packet of more than 200 passport photos of himself and others in various guises. In the years leading up to the Persian Gulf War worked for the Kuwait Ministry of Defense and later arrived in Kenya around 1994 as a gem dealer. Ahmed asserted that he had met Osama bin Laden in the mid-1980’s. During his time in Sudan, Osama bin Laden handled some of Ahmed’s business dealings through a company called Taba International. While in Kenya, Ahmed worked as a gem dealer for Taba, a company he set up.<sup>271</sup>

After Ahmed issued his warning, embassy officials alerted the Kenyans, who questioned and deported him. Ahmed then made his way to Tanzania. A worker there said that he believed Ahmed’s associates included Mohammed Saddiq Odeh, one of the men charged in the Nairobi bombing.<sup>272</sup> Odeh said that he was invited to Kenya at the behest of “Mustafa,” who also planned the Dar-es-Salaam bombing. Pakistani interrogators stated that Odeh identified “Mustafa” as an “Egyptian Leader,” a reference that a Senior Tanzanian law enforcement official believed to be Ahmed.<sup>273</sup>

Ahmed was arrested in Tanzania after the bombing and is believed to be a key figure in the Dar-es-Salaam attack. He claims to have been 300 miles away from Dar-es-Salaam in the city of Arusha, Tanzania on August 7, 1998. The following day he returned to Dar-es-Salaam and contacted the British embassy to relay information. Tanzanian authorities have not allowed him to be interviewed. Ahmed has professed his innocence and his lawyer stated that the information about the bombings stemmed from a conversation he overheard at a Nairobi hotel.<sup>274</sup>

## **Intelligence Failures**

Aside from the security failings and shortcomings of the embassy, there was also evidence of failures on behalf of the intelligence community. As stated previously, the Tanzania bombing could have been prevented, or the effects mitigated, had appropriate security measures been taken and intelligence warnings heeded in conjunction with the Nairobi bombing.

**Sudan's Offer: "I am not currently in a position to accept your kind invitation."**

During mid-1996, the Sudanese President, Omar Hassan Ahmed Bashir made contact with Mansoor Ijaz, a member of the Council on Foreign Relations. Mansoor Ijaz had negotiated as a private citizen the Sudan's offer to share intelligence data on al Qaeda, Osama bin Laden, and other terrorist groups with the Clinton administration until April 1997. President Bashir had expressed a willingness to divulge vital intelligence information to Mansoor Ijaz regarding "terror talks" that were held for two weeks in Sudan in the return for the lifting of United States terrorism sanctions imposed on Sudan. These "terror talks" consisted of many Middle Eastern oppositional powers against the United States including Egypt's Islamic Jihad, Iran's Hezbollah and the Palestinian Hamas, among others. It was also noted that the Sudan intelligence had intercepted a memo stating should the Nairobi embassy be bombed, the Dar-es-Salaam embassy would have to be bombed simultaneously.

Mr. Ijaz contends that the United States had on several occasions turned away the opportunity to analyze the detailed intelligence compiled by the Sudanese government and neglected to take advantage of Sudan's offer to arrest Bin Laden. Mr. Ijaz recounts several episodes when he was turned away from United States authorities. According to the National Review Online, in which Mr. Ijaz is a contributory writer, these incidents included:

March 8, 1996: Sudan offers to increase surveillance and hand over intelligence on Osama bin Laden and his associates. This offer did not sit well with Washington's hard line with Sudan. Sudan offered to hand Osama bin Laden over to United States authorities if the United States could show cause through an indictment that Osama bin Laden was complicit in or guilty of committing terrorist acts against the United States

October 27, 1996: Sudan offered data about the members who had been attending the Popular Arab and Islamic Conference meetings convened by Hassan Turabi. Those attending the conferences included the terrorist groups of Hamas, Hezbollah, Egyptian Islamic Jihad, and Jamaah Islamiya among others. Sudan offered files that contained the names, biographical data, passport copies and recent travel itineraries of many of the members. National Security Advisor to Clinton, Sandy Berger, stated that he would evaluate the data after the election. No action was ever taken.

April 5, 1997: President Bashir delivers to Mr. Ijaz a political offer to invite FBI and CIA officials to go to Khartoum and evaluate Sudanese intelligence data on terrorist that had lived in or passed through Sudan. The offer goes unnoticed.

April 19, 1997: President Bashir made an unconditional offer to share Sudan's intelligence data with the FBI and CIA. This report contained the biographical information of three of the suspects who were later involved in the bombings in Kenya and Tanzania. The United States ignored the offer.

September 28, 1997: United States pressured Sudan to cease harbouring Arab terrorists and to encourage peace in Sudan's infrastructure, but did not mention the continuance of Sudan intelligence gathering.

February 5, 1998: Sudan's intelligence chief, al-Mahdi attempted to reach out to United States intelligence officials to turn over intelligence of terrorist operations and their planning against United States targets. The ambassador to Sudan, Mahdi Ibrahim, had met with FBI officials previously on September 12, and December 5 in 1997 to discuss the Sudan's offer to cooperate and share intelligence independent of the administration. On February 5, al-Mahdi officially wrote to David Williams, Special Agent in charge of the FBI's Middle East and North Africa Department, "I would like to express my sincere desire to start contact with cooperation between our service and the FBI." Around the same time, a key Bin Laden aide traveled to Baghdad to consult with Saddam Hussein's Intelligence Chief.

June 24, 1998: David Williams sent a memo back to al-Mahdi saying, "I am not currently in a position to accept your kind invitation. I am hopeful that future circumstances might allow me to visit with you." The National Security Council and the State Department were adamant against allowing FBI delegations to visit Khartoum.<sup>275</sup>

August 7, 1998: US Embassies at Tanzania and Kenya bombed.

## **Reason for Failure**

The presence of group think among the upper echelons of the decision makers was a prevailing factor in the failure of effectively utilizing the gathered intelligence. Irving Janis defines group think as "a mode of thinking that people engage in when they are deeply involved in a cohesive in-group, when the members' strivings for unanimity override their motivation to realistically appraise alternative courses of action."

Reports by the Sudanese government of various "conventions" taking place within the Sudan border were dismissed as unreliable evidence due to the hard-line stance that the United States was taking towards Sudan. Any information offered up by Sudan was viewed by the United States as nothing more than a "bargaining chip" to obtain political concessions, such as the reversal of the "terrorist status" placed on the government of Sudan. The Sudanese political environment was also too unstable and unreliable for United States comfort. The credibility of the Sudanese government as viewed by United States officials was dubious. The United States showed little interest in taking the necessary steps to investigate the possibilities that their analysis of Sudan was wrong.



The United State's dubious relationship with Sudan complicated Sudan's efforts to effectively disseminate gathered intelligence findings about terrorist operations against the United States. Although there were at least three specific warnings about plots to bomb the Nairobi embassy, they were each discredited due in part to source credibility. A set of standards must be either established or redefined in order to better assess the validity of a source's claim. The fact that none of the Al Haramain suspects were interviewed represents an extraordinary lack of investigative technique. Three warnings espousing a similar story received within a year should have instigated a formal investigation on the part of the State Department, with the assistance of the CIA, to reassess the embassy's threat level. Had these steps been taken it is difficult to say whether or not the bombings could have been prevented, but it certainly would have proactively engaged all available resources in order to afford the Nairobi embassy the protection it deserved as a United States institution abroad.

## **United States Policy Reaction**

The August 7, 1998 simultaneous bombing of United States embassies in Tanzania and Kenya resulted in immediate U.S. policy reactions. On August 20, 1998 military retaliatory measures taken by the United States towards Afghanistan and Sudan in an operation called "Infinite Reach" marked a stark contrast from traditional policy. President Clinton reacted quickly to the embassy bombings in Kenya and Tanzania. The pivotal policy reaction to the embassy bombings was the August 20, 1998 retaliatory strike on Afghanistan terrorist camps and a Sudan pharmaceutical plant. However, there were various other policies that President Clinton upheld from past administrations. One of the key policies that have guided the United States government has been a "no concession policy."

## **Defensive Response**

The U.S. State Department issued a travel advisory for all United States citizens abroad in response to the attack. The Office of American Services and Crisis Management issued the travel advisory in order to inform citizens abroad of safety and security concerns. The United States automatically heightened security throughout the world in response to the embassy bombings. Airports, embassies, and domestic federal installations and facilities heightened their security.

## **Economic Pressure**

On August 20, 1998 President Clinton signed Executive Order 13099, which prohibited transactions with terrorist who threaten to disrupt the Middle East peace process. This annex to Executive Order 12947 indicated Osama bin Laden as the perpetrator of the attacks on the African embassies in Kenya and Tanzania. This executive order ultimately froze any assets owned by Osama bin Laden and al Qaeda and stipulated that U.S. citizens and firms could not do business with them.<sup>276</sup>

## **Operation Infinite Reach**

The U.S. cruise missile attack on August 20, 1998 [a.k.a. Operation Infinite Reach] was a retaliatory strike on two targets for the bombing of the United States embassies in Kenya and Tanzania. The targets were the Al Shifa chemical factory in Sudan, and al Qaeda training camps in Afghanistan. Seventy-six BGM-109C/D Tomahawk Block III cruise missiles were launched from Red Sea and Arabian Sea by six warships and one submarine which used approximately 20% of the Navy's inventory of Tomahawk missiles.<sup>277</sup>

In order for a successful attack, U.S. officials informed Pakistan of the attack but did not ask for the use of Pakistani airspace.<sup>278</sup> On August 29, 1998, Pakistan reported that two of the Tomahawk missiles were discovered in the South West part of their country. The British Broadcasting Company (BBC) reported that a warhead and parts of unexploded missiles were found in Pakistan some 300km from the site and alleged that the missiles went astray during the attack.<sup>279</sup>

At 3:00 a.m., President William J. Clinton gave the order to proceed with the military strikes against the Al Shifa Pharmaceutical Plant in Khartoum, Sudan and the al Qaeda training camps in Afghanistan. Two U.S. warships in the Red Sea fired 20 Tomahawk cruise missiles at the plant at 1:30 p.m. (7:30 p.m. in the Sudan), which killed one person and injured ten. Clinton addressed the nation that day stating that they had struck a chemical weapons manufacturing facility in Sudan and that the target was a terrorist base of operation and infrastructure.

Within days of the attack, Western engineers who had visited or been associated with the plant, as well as Sudanese officials, doctors, lawyers and plant employees insisted that Al Shifa was a working pharmaceutical plant. Aside from the government's claim that the plant was not producing commercial drugs, amongst the rubble of the plant were vials of medication and blue and white Al Shifa cartons available at Khartoum pharmacies.<sup>280</sup> Yet, days

prior to the attack on the Al Shifa facility, an intelligence official claimed that there was no evidence of commercial products being sold out of the facility.<sup>281</sup>

### **Operation Infinite Reach – The Planning Process**

The decision to strike the Al Shifa Pharmaceutical Plant in Khartoum, Sudan and the al Qaeda training camps in Afghanistan was finalized on August 20, 1998 at 2:00 a.m. President Clinton, while vacationing on Martha's Vineyard, gave the final authorization for the strikes via telephone to National Security Advisor Sandy Berger. The decision was reached in two weeks under immense secrecy and with minimal collaboration from government, military, and intelligence officials. The goal of Operation Infinite Reach was to prove that the United States would retaliate against terrorists and those that supported them.<sup>282</sup> However, the validity of the attacks and the process in which the decision was made has been called into question.<sup>283</sup>

While the Central Intelligence Agency (CIA), National Security Agency (NSA), Defense Intelligence Agency (DIA), and the Federal Bureau of Investigation (FBI) were busy sifting through information regarding the embassy bombings in the weeks following the attacks, senior White House officials took it upon themselves to plan a retaliatory operation against Osama bin Laden.

The planning committee was entitled the "Small Group" (SG) and membership was secretive and limited to six top officials: President Bill Clinton, Secretary of State Madeline Albright, National Security Advisor Sandy Berger, Secretary of Defense William S. Cohen, The Chairman of the Joint Chiefs of Staff General Henry H. Shelton, and CIA Director George J. Tenet.<sup>284</sup> On August 10, 1998 the SG began deciphering between twenty possible targets in Sudan, Afghanistan, and another nation that still remains classified. The sites were based on reports produced by officials and the Counterterrorism Center at the CIA.<sup>285</sup> The SG was under intense pressure to produce valid targets that, if attacked, would severely impair Osama bin Laden and future al Qaeda operations.

Eighteen of the possible targets were eliminated due to insufficient evidence linking the targets to Osama bin Laden or the possibility of severe collateral damage. The SG decided that the counterattack should utilize Tomahawk cruise missiles without the use of ground troops or manned aircraft. On August 14, General Shelton and William Cohen briefed the President and national security officials on the possible targets. Two days later, CIA Director Tenet briefed the SG on the intelligence that the CIA had surrounding the possible targets. Tenet affirmed that Osama bin Laden was currently planning another attack on U.S. interests using truck-bombing tactics and that on August 20<sup>th</sup> there was going to be a meeting of top al Qaeda associates in Afghanistan.<sup>286</sup>

At the August 14 meeting, it was decided that it was essential to attack the al Qaeda network in more than one location. Clinton gave his authorization to carry out military strikes and for military officials to begin the necessary planning. The military planning consisted of orchestrating the launches. On August 19, the final recommendations were made as to which targets should be retaliated against. There were three targets chosen: the al Qaeda training camps and facilities in Afghanistan, Al Shifa Pharmaceutical plant in Sudan, and a tannery in Khartoum, Sudan that had some possible links to Osama bin Laden. The tannery was eventually removed from the target list by the SG because it had no suspected involvement in chemical weapons production and there was a high risk of civilian casualties.

President Clinton consulted the necessary congressional officials in order to legitimize the strikes. The night before the attack, Speaker of the House Newt Gingrich and Senate Majority Leader Trent Lott were presented with the evidence surrounding the Al Shifa facility and the Afghanistan camps. The Congress reacted with overwhelming support for the President's decision; however, the plan was met with some scepticism from Senate Republicans Dan Coats and Arlen Specter who believed that the President was attempting to divert public attention from his situation with Monica Lewinsky. Senior Administration officials immediately briefed the Congress on the intelligence surrounding the strikes, and the sceptical members rethought their position. Congress was willing to use force against any terrorist target, and Lott agreed that the strikes were "appropriate and just"<sup>287</sup>. Gingrich even went as far as to contact media outlets to forewarn them not to put any initial negative spin on the situation.

## **Questions Raised**

Despite the sound attempt from the Administration to cover all of its Congressional bases regarding the strikes, the immense secrecy surrounding the attacks posed problems for the SG. The lack of consultation with key counterterrorism officials in the FBI and DOD produced animosity within the intelligence community. The President later addressed the matter by stating that Military Service Chiefs are not in the chain of command and therefore did not need to be consulted prior to Presidential military action. The Defense Intelligence Agency and military officials were reluctant to agree with the decisions surrounding the bombings. According to Seymour M. Hersh's in his article in the October 12 New Yorker entitled 'The Missiles of August' explained that:

"the four men who [knew] more about the use of force than anyone in the White House – the three generals and one admiral on the Joint Chiefs of Staff, who [ran] the nation's armed forces, were not briefed about the use of Tomahawk missiles until the day before."<sup>288</sup>

Hersh's article also points out that military officials stated that after the strikes, the targeting was poor and was a result of a Cold War decision-making mentality. Military officials maintain that when targeting al Qaeda facilities in Afghanistan, the small payload in a Tomahawk warhead was not sufficient to attack Osama bin Laden's cave dwellings due to the accuracy of the missiles and risk of civilian casualties.

The target in Sudan was brought into question before the strikes, as well. Some officials were sceptical because Sudan had been on the Pentagon's list of potential targets for some time. There was also the possibility of repercussions if the United States attacked a second country. After the President made the decision, then the Administration consulted the top terrorism officials. The experts believed that the intelligence surrounding the plant was too thin and the attack should be reconsidered. However, the SG had already decided to strike the Al Shifa plant and the camps in Afghanistan in order to hinder the chances of Osama bin Laden carrying out another attack. The decision-making process was quick, and some officials claim, was an ad hoc policy targeting terrorism. President Clinton, embroiled in the Monica Lewinsky scandal, was facing a decline in domestic political support. He did not have time to initiate a thorough investigation because it would have required him to have the presidential strength to postpone retaliation for the embassy bombings.

### **U.S. Policy toward Afghanistan prior to August 1998**

Before 1998, United States policy toward Afghanistan was based, in part, on the Soviet invasion of the country on December 27, 1979, near the end of the Cold War. Due to Cold War policies of containment, the United States backed the "mujahedin" who were Islamic fighters opposed to communist control over their traditional society. The Soviets maintained control over most of the urban areas, but the surrounding areas were controlled mostly by the mujahedin. The United States, through the CIA, assisted the mujahedin by providing weapons and training. Weapons were stored in a network of tunnels in Afghanistan.

Despite the eventual withdrawal of the Soviet Union and the rise of the Taliban, who were formerly part of the mujahedin, the United States began to reduce their support. The Taliban maintained a strict adherence to Islam with the harsh treatment and punishment of its citizens. Human rights issues plagued the society with increased suppression to maintain control over the country. The Taliban's ideology resulted in increasing support of al Qaeda, and its ambition to eliminate outside influence on Islamic countries. As a result, United States support to Afghanistan waned throughout the 1990's.

## **Afghanistan al Qaeda Terrorist Camps**

The attacks on al Qaeda training camps in Afghanistan occurred in Khost, sixty miles south of Kabul. These facilities were a sprawling set of camps designed to train al Qaeda operatives. Little political discourse resulted in the attacks of the Afghanistan al Qaeda terrorist camps due to the fact that they were unquestionably linked to al Qaeda. The camps were scattered over the Himalayan foothills and could not withstand the Tomahawk missiles. The attack on al Qaeda training camps was an intentional policy to disrupt the terrorist activity that existed within Afghanistan.

The strikes were orchestrated to kill Osama bin Laden. There was intelligence that al Qaeda leaders, including Osama bin Laden, were going to be meeting at the camps prior to the attacks.<sup>289</sup> Unfortunately, by informing the Pakistanis of the attack, the terrorist camps were evacuated into the tunnels in the Himalayans. It is believed that Pakistani sympathizers leaked knowledge of the attacks. The U.S. informed the Pakistani's because the Tomahawk missiles were going to be flown through their airspace.

The attack on Afghanistan was successful in two primary ways. It destroyed many of the training facilities for terrorist organizations, and it sent a clear message that the United States would not accept terrorism and would go to great lengths to seek out and destroy their organizations.

However, the strikes failed because they did not accomplish their purpose of killing Osama bin Laden and his operatives. Osama bin Laden declared that there would be retaliation against the United States for those actions. Additionally, the result of the bombing of the terrorist camps was an immediate unity of the al Qaeda sympathizers. After the attack, anti-American protests expanded across Afghanistan. What is particularly troublesome is that it was reported that “the Taliban were on the verge of expelling Osama bin Laden from Afghanistan.”<sup>290</sup>

The bombings of the al Qaeda terrorist camps proved to be insufficient. Ultimately, the strike on Afghanistan did little more than damage training camp infrastructure despite the estimated 700 million dollars in tomahawk missiles used. There were no terrorist losses in the attacks. Osama bin Laden survived and there was no significant change in the al Qaeda network and leadership.

## **U.S. Policy toward Sudan Prior to August 1998**

The relationship between the United States and Sudan started to decline in the early 1990's when an Islamic government took power in Northern Sudan and waged war against the Southern Sudan regions. In 1991, in an

attempt to express Islamic solidarity, the Sudanese government allowed all Arab Muslim travellers to cross into its borders without a visa or identification. This allowed Osama bin Laden to use Sudan as his safe haven for planning and training al Qaeda terrorists after his exile from Saudi Arabia. In 1995, the United States closed their CIA station in the Sudan due to terrorist threats. That same year, the CIA reported that Osama bin Laden had received approval from the Sudanese government to develop chemical weapons for use against the United States military in Saudi Arabia.<sup>291</sup> However, with the lack of CIA operatives in Sudan, intelligence on terrorist activities in Sudan was limited.

In February of 1996, the United States Embassy was closed in Khartoum, Sudan. Key personnel from the Sudan embassy moved to neighbouring Kenya due to intelligence that terrorists were issuing death threats against U.S. personnel.<sup>292</sup> The year 1996 also marked the beginning of production at the Al Shifa pharmaceutical plant in Khartoum, Sudan. The U.S. suspected that the plant was connected to Sudan's Military Industrial Corporation and chemical weapons experts in Iraq.<sup>293</sup> As a result, the United States began monitoring the pharmaceutical facilities. In 1997, an informant reported that Al Shifa and two other sites in Khartoum were possibly involved in chemical weapons production.<sup>294</sup>

Intelligence reporting that Osama bin Laden was making strident efforts to use chemical or biological weapons in an attack against the United States prompted the CIA to increase surveillance of the Al Shifa facility. Informants argued that the plant appeared suspicious due to its high fences and heavy security. However, later CIA intelligence reports highlighted that the security around Al Shifa did not appear to be under stringent security but there was still a possibility that Osama bin Laden was connected to the plant.<sup>295</sup> The alleged connection was a link between the Osama bin Laden's financing of the Sudanese Military Industrial Complex (SMIC) and the Al Shifa plant. Saudi officials told the CIA that there was a link between Osama bin Laden and Osman Sulayman, the general manager of the Al Shifa plant.<sup>296</sup> The CIA informants were tasked to retrieve a soil sample from the Al Shifa grounds because of the 'suspicious activities' in and around the plant and its connections to Osama bin Laden. In December 1997, a CIA asset in Sudan collected a soil sample, which American officials claim came from an area 60 feet from the plant and across an access road from the main entrance.

By 1995, Sudan stopped letting Arab Muslims into the country without visas. In early 1996, the United States and Saudi Arabia began pressuring the Sudanese government to force Osama bin Laden and al Qaeda officials to leave. By March 1996, the United States requested that Sudan cooperate with the U.S.-Saudi counterterrorism efforts. By May 1996, Sudanese officials claimed that they exiled Osama bin Laden and more than 100 al Qaeda

operatives to Afghanistan. Despite the Sudanese cooperation regarding Osama bin Laden, the Sudan – U.S. relationship began to deteriorate. In 1997, Sudan offered the CIA counterterrorism personnel free reign in the country to help eliminate terrorism.<sup>297</sup> The CIA and FBI declined the opportunity to move back into the Sudan; this led to the lack of intelligence regarding the targeted facility in 1998.

### **The Al Shifa Pharmaceutical Plant: Khartoum, Sudan**

The construction of the Al Shifa Pharmaceutical Factory began in 1992 and was completed in 1996. The factory, stated Sudanese officials, was partially financed by the Eastern and Southern African Preferential Trade Association, local banks, and a local development agency. Hassan Bashir, a Sudanese engineer that assisted in the development of the factory, claimed that there was no known connection to Osama bin Laden, other terrorist organizations, or the Sudanese Military Industrial Complex. In March 1998, Bashir and Salem Baboud (of Baboud Marine and Trade Corporation in Saudi Arabia) sold the plant to Salaheldin Idris, a Saudi businessman for \$32 million.<sup>298</sup> Idris was an advisor at the largest bank in Saudi Arabia. U.S. intelligence reports provided little background on the plant even though it was publicly mortgaged.<sup>299</sup>

Al Shifa was contracted in 1998 by the United Nations Sanctions Committee to provide Iraq with medication under the Oil for Food Program. The contract stated that Iraq was to buy 100,000 litres of veterinary pharmaceuticals from Al Shifa for \$199,000. The order was extended in July 1998 and never completed. The Al Shifa plant played an extremely important role in the Sudanese economy; it ‘raised the country’s self-sufficiency in producing medicine from about 3 percent to over 50 percent.’<sup>300</sup> In addition, the plant produced 60 – 90 percent of the drugs used in the Sudan to treat malaria, tuberculosis, and meningitis, which is a leading cause of death in the country.<sup>301</sup> The plant was also responsible for the production of all of the veterinary medicine that treated the numerous herds of sheep and cattle that are vital to Sudan’s economy and domestic food supply.<sup>302</sup>

### **Why Al Shifa?**

The United States targeted a facility in the Sudan that was never a major concern until the embassy bombings. After the ‘Small Group’ evaluated all possible targets, Al Shifa was chosen due to continued Sudanese support of terrorism. The decision to bomb the plant was swift. President Clinton, who had recently admitted to an affair with Monica Lewinsky, knew he had to make an effective presidential decision in a short amount of time. This may have



played a role in his quick decision-making that led to Operation Infinite Reach. There were major gaps in the intelligence on the Al Shifa facility. On August 26, 1998 and again on September 1, 1998, ABC news reported that Al Shifa was added to the list literally hours before the attack, despite the government's claims that it was a possible target months before the embassy bombings.<sup>303</sup>

The Administration offered the following rational for choosing the Al Shifa plant – the plant was suspicious because it was (1) heavily guarded; (2) the plant was not producing commercial products and medications; (3) it was directly financed by Osama bin Laden; and (4) the plant had ties to Iraq's chemical weapons programs.<sup>304</sup> Soon after the bombing, the Administration slowly started to shy away from their initial claims. Administration officials not directly involved in the decision-making process doubted the accuracy of the decision to strike the plant and believed that it was based solely on inference, not evidence. The same skeptics said the decision was another example of U.S. policy toward Sudan based on questionable intelligence.<sup>305</sup> Thus, the United States seemed to be trapped in a Cold War mentality, lacking the necessary military and intelligence assets that are necessary to fight effectively against terrorist organizations.

Shortly thereafter, the Administration learned that there was no connection between the plant and the Sudan Military Industrial Complex, which produces weapons for the Sudanese Army. The initial claim was that the SMIC was responsible for chemical weapons production in Sudan and that it was receiving funding from Osama bin Laden. The United States also tried to establish a direct link between the plant owner, Salah Idris, and the SMIC after the bombing of the plant occurred. The United States immediately froze Idris's bank accounts and put him on surveillance. Kroll Associates, a private investigation firm hired by Idris's lawyers to review the Al Shifa situation, reported that the link between Idris and the SMIC was through Idris's other business connections, not Al Shifa.<sup>306</sup> Also, Idris's lawyers told U.S. officials that his Muslim ideals were connected to the Khatmiyya religious sect, which is strongly opposed to the Sudanese Government. Since there was no connection between the SMIC and Al Shifa management, the alleged 'direct' financial connection between Osama bin Laden and the plant did not exist.

U.S. intelligence correctly assessed that the plant was linked to Iraqi programs, but not chemical weapons programs. The plant planned to export to Iraq, under U.N. approval, antibiotics used to treat diseases. The plant was not a secret, heavily guarded facility like U.S. intelligence reports suggested. Rather, school children and international officials toured the plant routinely. Tom Carniffin, a British engineer that was employed by the Al Shifa facility, stated that 'it was a very open institution. Many people from different countries visited the factory.'<sup>307</sup> Bobby May, a U.S. businessman and an acquaintance of President Clinton, toured the plant a few days prior to the

attack. He recalled that he was able to walk around the plant unsupervised. He added that it was not a heavily guarded facility but rather a ‘showplace’ for the Sudanese people.<sup>308</sup> The factory was comprised of four main buildings, employed over 300 workers, and was an asset to the Sudanese economy.

United States officials never publicly charged the Sudanese plant with being a potential chemical weapons factory. However, U.S. intelligence reports made accusations based on a soil sample taken in December of 1997 from the plant grounds that was later tested in the United States. United States testing facilities claimed the sample contained amounts of O-ethyl methylphosphonothioic acid, or EMPTA. According to CIA Director George Tenet, the sample contained ‘2.5 times that necessary to be considered a ‘trace’ presence of EMPTA.’<sup>309</sup> EMPTA is a chemical that is used to make VX nerve gas, and Iraq is the only country that has produced VX using EMPTA as a precursor. The United States also claimed that EMPTA was not a dual-use chemical, and it had no commercial application. Additionally, the U.S. claimed that the Chemical Weapons Convention (CWC) did not permit EMPTA. This was a completely false statement. EMPTA is included on Schedule 2B of the CWC, which means that it is a category of chemicals which may have industrial applications.<sup>310</sup>

## Possibilities Surrounding the Soil Sample

As pointed out in Michael Barletta’s article *Chemical Weapons in the Sudan: Allegations and Evidence*, there are possibilities other than chemical weapons production for the soil sample taken from Al Shifa to test positive for EMPTA. Since the United States withdrew its embassy personnel and intelligence officers from the Sudan in 1996, the CIA had to rely on questionable intelligence sources. It is possible, then, that the soil sample was not taken from Al Shifa or that the sample was tampered with while it was in transport back to the United States in order to mislead U.S. officials. There was also much debate over what facility in Sudan should be targeted. In this case, the precursor for VX nerve gas may have been stored in the Al Shifa facility or transported near it rather than being produced in the plant. Also, the United States may have not attacked the production facility if it had been located in a more residential area due to the fact that the Administration wanted to minimize civilian casualties.<sup>311</sup>

Also, the EMPTA could have resulted from a breakdown of common pesticides,<sup>312</sup> which would have produced a false positive for the plant. Since the method in which the sample was taken from Sudan and transported to U.S. testing facilities is questionable, the soil sample itself is not enough evidence to attack the facility. According to the Organization for the Prohibition of Chemical Weapons, EMPTA is difficult to isolate when it is in soil and, in order

to make a solid conviction based on soil samples, at least two results out of three needed to test positive at different, independent laboratories.<sup>313</sup> Dr. Jan Medema, a toxic substances manager, offered the rational that it is:

“highly unlikely that a plant’s ventilation system or underground waste-disposal system would allow all EMPTA to get into surface soil outside the plant.” She added that there was a possibility that someone wanted to “get rid of some already made EMPTA and poured directly into the soil, and somebody saw that and took a sample.”<sup>314</sup>

According to *Chemical and Engineering News*, EMPTA can be used in the production of fungicides, pesticides, and anti-microbial agents.<sup>315</sup> The Organization for the Prohibition of Chemical Weapons (OPCW) states that EMPTA is used to make plastics flexible and is used in solvents. U.S. claims surrounding the EMPTA sample were not accurate however; if the sample did contain sufficient levels of EMPTA, the chemical had no justifiable application at the Al Shifa plant. Nonetheless, there was only one known sample that may have possibly come from an area near the facility. This one sample does not necessarily validate the conclusion that the Al Shifa facility or any facility in the area was producing EMPTA for VX purposes. Only after this questioning did the CIA make public the soil sample that was taken from Al Shifa grounds.

## Legal Issues surrounding the Al Shifa Attack

The Clinton administration claimed that the attack on Al Shifa was justified because the plant produced CW’s and posed a direct threat the United States national security. Since the attack, the allegations surrounding this proposition have proved to be untrue. International human rights groups claim that, even if the evidence proved that the plant was a chemical weapons facility, it would have been in violation of the 1977 protocol addendum to Article 54 of the Geneva Conventions, which states that it is a violation of the UN charter to launch an attack on a sovereign nation.<sup>316</sup>

In response to the challenge regarding the legality of the U.S. strikes, the United States stated that it was exercising self-defense. The President had the right to order the attack and followed through with the necessary congressional consultations. The United States justified the retaliatory attacks by stating that the targets posed a direct threat to U.S. national security. The U.S. would typically wait to act as a result of a lack in agreement at the United Nations. The U.N. would not disagree with the United States decision to attack facilities operated by terrorists who had previously attacked United States interests. However, the intelligence and evidence that the United States had surrounding Al Shifa, may not have been enough to persuade U.N. backing.

Former U.S. Attorney General Ramsey Clark travelled to the wreckage to examine the destruction and allegations over the Al Shifa facility. He reported that the lives and the health of the Sudanese people were greatly

affected by the loss of the plant.<sup>317</sup> In response to the legality of the attack based on U.S. claims of chemical weapons Clark stated, “that it is illegal to attack an inherently dangerous facility—nuclear, chemical, or biological...There are four million people in Khartoum – it would be making an attack on them with nerve gas.”<sup>318</sup> With the lack of technology and accurate intelligence in 1998, the United States had to rely on computer models of the facility and the reaction of the suspected chemicals, the climate, and the prevailing winds at the time of an attack. The United States risked the possibility of their assessment being incorrect.

## **Conclusions**

There is a strong case supporting the notion of politicized intelligence. The Administration knew that they had to produce some type of evidence prior to carrying out the attacks and therefore approached analysts with the layout of their plan. The intelligence had to justify the strikes in that the targets were connected to Osama bin Laden. The carrying out of this plan of attack directly correlates with the intelligence leading up to the U.S. invasion of Iraq. Coupled with the Monica Lewinsky scandal, the administration needed justification through intelligence before they could carry out the mission.

Months after the attack, the same U.S. officials that connected the plant to terrorism and chemical weapons production stated that they were wrong about the Osama bin Laden – Al Shifa connection. Due to the fact that the Clinton administration had to make a quick retaliatory decision after the embassy bombings, there was no time to do a thorough investigation of the plant and the surrounding facilities. The single soil sample taken months prior to the embassy bombings was the only physical evidence they had regarding chemical weapons production. This, coupled with speculation that the plant was connected to Osama bin Laden, produced the policy decision to strike the plant. Ultimately, a thorough investigation of potential terrorist targets must be conducted prior to the implementation of retaliatory policy. The U.S. must have appropriate military and intelligence assets in place, in order to effectively transform Cold War mentality and conventional methods of warfare to counter terrorists.

## **Policy Failures and the Pathology of the State Department**

Al Qaeda is not the only transnational terrorist organization, but today it is one of the most recognized. In the mid 1990s, much of the United States—including many government officials—did not understand that al Qaeda was more than a charitable organization and that its leader, Osama bin Laden, was not just a terrorist financier. The

Clinton administration did not appear to recognize the mobility of Osama bin Laden's organization and its ability to orchestrate operations across the Middle East, Africa, and parts of Asia. This misunderstanding of the growing terrorist threat was just the beginning of a series of political factors that facilitated the ease with which the terrorists orchestrated their attacks. In particular, the leadership failure resulted from:

- The Clinton administration's limited foreign policy on Africa
- The State Department's Risk Assessment of the danger to its embassies in Africa, especially in Kenya and Tanzania
- Washington's failure to recognize the growing capabilities and dangers of transnational terrorism
- The pathology of the State Department to reject intelligence warnings
- The lack of funding to State Department programs, including embassy security

### **Clinton Policy on Africa**

Issue-setting is a critical responsibility for every American president because it establishes the policy priorities of the next four years. For President Bill Clinton, whose constituency had elected him on the basis of his domestic platform, a foreign policy agenda in Africa was virtually non-existent. As a national security interest, Africa was not significant enough to warrant intense focus.

When violence on the continent sparked international interest, President Clinton's policy in Africa concentrated on improving economic conditions as a means to subdue conflict. Military involvement by the United States was used to resolve civil war, as in the case of Rwanda. African conflict was understood mainly in terms of intra-state conflict, civil war, insurgencies, and ethnic tension—not transnational terror.

U.S. Ambassador to Kenya, Prudence Bushnell, was mandated by the President to further certain U.S. policy initiatives, including economic expansion dialogue. Such issue-setting detailing American priority limited the Ambassador's ability to increase the embassy's security as the location's vulnerabilities became more apparent. Policy-makers narrowly tended to aspects of African affairs that were identified by the President as particularly relevant<sup>319</sup>.

### **State Department Risk Assessment of Africa**

The State Department's African risk assessment encouraged officials to ignore the warnings Ambassador Bushnell sent to numerous parties in Washington. Given her extensive background in crisis management,

Ambassador Bushnell's recognition of the vulnerability of the Kenyan embassy and immediate call for action should have been heeded.<sup>320</sup> Instead, her persistence met with increasing resistance as she desperately attempted to prevent catastrophe

## **Prioritizing Trans-national Terrorism**

The Clinton administration's failure to identify the terrorist threat in Africa was primarily an effect of a general lack of attention to the issue.<sup>321</sup>

Because of the low priority given to this issue, the State Department was ill-prepared to interpret key warning signs. For example, after a raid of a known al Qaeda operative's home—and the seizure of his computer and personal documents—valuable information was lost for years awaiting translation. Specifically, data verifying the presence of an al Qaeda cell in Nairobi was collected, but never interpreted because the priority of Arabic-speaking civil servants were so low that there was only one person capable of translating the documents. Understandably, he was too busy to commit his time to a project that was not considered important. As a result, important data languished in the dark.

## **Pathology of State Department**

A conventional vision of security, dominated decision-making and issue-setting in the State Department. However, this Realist paradigm of state-sponsored terror, was not the sole reason critical warning signs were dismissed. The nature of the relationship between policy-makers and intelligence-gatherers interfered with the free exchange of information that was crucial to effective systems. Specifically, the bureaucratic tendency to ignore intelligence and downplay regional expertise reduced the efficacy of warnings from the embassy<sup>322</sup>. This disrespect of the intelligence community's contribution to the decision-making process is critical in understanding why so many signals were not given adequate import. This pathology, combined with the intelligence community's tendency to covet important data, stifled the signals that might have led to action.

The debate over increasing embassy security grew controversial because the State Department believed that embassies should reflect a distinctly open and non-militarized atmosphere. Some State Department officials argued that low security was actually an overt objective because it represented to the host country the best of the American

ideals: liberty, freedom, openness, and non-militarism<sup>323</sup>. The State Department's notion that violence would not occur at embassies, explains the reduced willingness to commit funds to their fortification.

### **Funding in the State Department**

Funding was often systematically denied because of the priorities of the Congressional Budgeting process. For example, Senator Jesse Helms was so categorically opposed to the role of the State Department that he routinely slashed funding to features like embassy security<sup>324</sup>. The ability of the State Department to significantly rebuild its embassy structures in order to improve safety was decidedly impaired.

### **International Law and the UN's Role in the Global Condemnation of Terror**

American President Bill Clinton's unilateral retaliation for the embassy attacks did not eliminate the role of the international community. The bombing of tactical sites in Sudan and Afghanistan is only one facet of the world-wide reaction to the terrorist attacks. Individual contributions and support from members of the international community facilitated the United States and host countries' ability to recover. The terrorists operated on a transnational level and were unbounded by the territorial sovereignty of nation-states, therefore international regimes and coalitions of states were pivotal in uncovering and indicting the guilty. From a legal perspective, the global context of this case involves:

- The legal foundation for the U.S. retaliation in Afghanistan and Sudan
- The role of the United Nations in the aftermath of the embassy bombings as a tool for American legitimacy and a global forum for debate

### **The U.S. Legitimacy Argument**

The United Nations established legislation on the use of force, terrorism, and state responsibility. In the aftermath of the bombings, the UN definitions served as the basis for the U.S. retaliation, discovery and prosecution of the terrorists responsible for the bombings in Nairobi and Dar-es-Salaam. Though the United States did not seek prior approval from the United Nations, a legal basis for the American military's tactical-strike response was determined and substantiated using existing United Nations' resolutions on terrorism and collective security. In the aftermath of the bombings, the United Nations and its member states quickly reacted to the attacks by reinforcing the legal and legitimate foundations of the United States' anti-terrorist operations with a number of critical decisions

and declarations. The urgency and desire to act was prompted by a desire to act on behalf of those Tanzanian and Kenyan citizens, as well as United Nations staff members, who were killed or injured in the bombings. The United Nations performed a key function in the aftermath of the embassy bombings by legitimating what actions were needed for reaction and recovery.

The United States justified its policy under the auspices of Article 51 of the United Nations Charter<sup>325</sup>. This particular clause specifies the circumstances under which a state has the legal right to stage an armed attack and has been repeatedly employed, including in the aftermath of 9/11, when the United States deemed it necessary to wage war against an alleged aggressor<sup>326</sup>. The United States specifically argued that it had, “exercised its right to self defense in responding to a series of armed attacks against United States embassies and United States nationals.”<sup>327</sup> On this basis, the Clinton administration did not delay its military strikes in Afghanistan and Sudan until after the United Nations Security Council legitimized armed retaliation.

From a United Nations perspective, the large-scale violence associated with terrorism was an alarming trend and increasingly a cause for concern, even prior to the highly publicized embassy bombings. In fact, the topic had been addressed in several conferences and resolutions. The General Assembly’s *International Convention on the Suppression of Terrorist Bombings*, for example, sought to criminalize the actions of any person who,

“...unlawfully and intentionally delivers, places, discharges, or detonates an explosive or other lethal device in, into, or against a place of public use, a State or government facility, a public transportation system or an infrastructure facility: (a) with the intent to cause death or serious bodily injury; or (b) with the intent to cause extensive destruction of such a place, facility or system, where such destruction results in or is likely to result in major economic loss.”<sup>328</sup>

Under the auspices of this recommendation, as well as the Charter of the United Nations, the global pursuit and indictment of terrorism was launched.

In the wake of the terrorist attacks at the embassies, the United Nations Security Council presided over several meetings and resolutions related to the bombings in Nairobi, Kenya and Dar es Salaam, Tanzania. These procedures condemned the terrorist acts and promised restitution to the victims in the legitimization of the American commitment to justice. At the 3915<sup>th</sup> Meeting of the Security Council, on August 13, 1998, for example, the presiding members adopted an agenda on “threats to peace and security caused by international terrorist acts” and heard testimony from representatives of Kenya and United Republic of Tanzania.<sup>329</sup> The combined testimony of these representatives and the U.N. Ambassador from the United States encouraged the adoption of a resolution in response to the embassy attacks. The dialogue, specifically emphasized the destruction of the two bombings, the



surprise of the attack itself, and the danger inherent in ignoring the global implications of similar terrorist attacks.

According to Mrs. Odera of Kenya,

“My delegation welcomes the opportunity to express its outrage and condemnation of the criminal and unjustified terrorists bombings which occurred almost simultaneously in Nairobi and Dar-es-Salaam on 7 August 1998. Terrorist acts are by design ruthlessly indiscriminate, and the bomb blast in Nairobi, which occurred at one of the busiest locations in terms of human traffic and commercial activities, was no exception...The bombings in Nairobi and Dar-es-Salaam brought mayhem and terror to an untold magnitude to two countries that had hitherto considered themselves secure and far removed from threats and dangers posed by acts of terrorism...The extension of these activities to our otherwise peaceful countries exemplifies the expanding reach and growing menace of the perpetrators of terrorist acts.”<sup>330</sup>

Similarly the Tanzanian representative, Mr. Manongi, expressed his shock at the magnitude of the destruction and stressed the importance of the U.N.’s unanimous decision to condemn the bombing and apprehend those responsible. He argued, “The incidents of 7 August underscore that terrorists know no boundaries and that the suppression of international terrorism and the arrest, conviction and punishment of its perpetrators are essential to the maintenance of international peace and security.”<sup>331</sup> Through this testimony, the members of the Security Council were made aware of the damage caused by the attacks, as well as the implications of unchecked terrorism on global security.

The UN Resolution passed at this Security Council meeting was adopted unanimously by the sitting fifteen members of the Council: Bahrain, Brazil, China, Costa Rica, France, Gabon, Gambia, Japan, Kenya, Portugal, the Russian Federation, Slovenia, Sweden, the United Kingdom of Great Britain and Northern Ireland, and the United States. In particular, Resolution 1189 (1998) condemned the terrorist attacks in Nairobi Kenya and Dar-es-Salaam and called upon, “all states and international institutions to cooperate with and provide support and assistance to the ongoing investigations in Kenya, Tanzania, and the United States to apprehend the perpetrators of these cowardly criminal acts and to bring them swiftly to justice.”<sup>332</sup> These condemnations are significant; they lend legitimate authority to those states engaged in the discovery, pursuit, and judgment of the terrorists involved. With the indictment of the United Nations as encouragement, member states were charged with the responsibility of aiding the United States, Kenya, and Tanzania in their criminal investigations as well as their reconstructions.

The Security Council’s position on the pursuit of specific terrorists was equally decisive. Since the Taliban was not recognized as the legitimate government of Afghanistan, the United Nations was able to avoid controversy while supporting the United States in its search for the terrorists associated with the embassy bombings. In particular, the United Nations’ Security Council ordered the Taliban to turn over Osama bin Laden and demanded, “that the Taliban stop providing sanctuary and training for international terrorists and their organizations, and that all Afghan factions cooperate with efforts to bring indicted terrorists to justice.”<sup>333</sup> In this way, the United Nations was an

integral element in the response against the terrorist attacks such that the United States' indictment of Osama bin Laden carried with it the authority and scope of the United Nations Security Council.

### **The Legitimacy Debate Moderated in the UN**

The American position in the international community, the mandate of the United Nations, and the violence of the attacks against the embassies prompted many states across the globe to offer support and condolences to the United States. In a letter dated August 20, 1998, to the members of the Security Council, the United States claimed that its tactical strikes were orchestrated first as a response to the terrorist attacks in Nairobi and Dar-es-Salaam and second as a preventative measure against future terrorist activities.<sup>334</sup> Such was the Western consensus against terrorism that this justification was accepted, supported, and promoted via intelligence sharing, collaboration, and further United Nations' cooperation. Those states aware of the risk of terrorism offered virtually unconditional support for the U.S. In general, these states were American allies, including: the United Kingdom, Germany, France, Japan, Spain, Australia, and to some extent Russia and China. Particularly, Pakistan and Israel played key roles in the intelligence-gathering and military response of the United States on targets in Sudan and Afghanistan. Israel delivered military personnel to the bomb sites before American investigators arrived at the scene and contributed intelligence. Likewise, Pakistan's support enabled U.S. forces to fire on Afghanistan from Pakistani airspace.<sup>335</sup> As a result, President Clinton's seemingly unilateral policies were undertaken with the contributions of the international community's intelligence, support, and aid.

In contrast, a great percentage of the world's community—represented by the Arab League<sup>336</sup>, Movement of Non-Aligned Countries<sup>337</sup>, Group of African States<sup>338</sup>, and Group of Islamic States—criticized the choice of targets and the connection made between Osama bin Laden and sites in Afghanistan and Sudan.<sup>339</sup> Sudan, especially, was exceedingly vocal in its criticism of the United States' decision to target factories allegedly owned by Osama bin Laden. In a campaign that began on August 21, 1998, Sudan attempted to discredit the United States' operation and convince the United Nations Security Council to launch an investigation into the legality of the attack. According to Sudan's Minister of Foreign Affairs,

“[Sudan] was subjected to aerial aggression by the United States of America...the allegations made in statements by the United States to the effect that the factory was owned by Osama bin Laden, and that it produced chemical weapons and poisonous gases used for terrorist purposes, are totally devoid of truth, and the Government of the United States of America has no evidence to support such allegations...the conduct of the United States in making accusations and uttering denunciations and then imposing sanctions on sovereign countries, without recourse to the institutions of the

international community, is a dangerous form of behaviour and a blatant infringement of the principles of the United Nations and its Charter...”<sup>340</sup>

In the months that followed, the Security Council was inundated with a myriad of accusations against the American retaliatory decision, including from Kuwait, Qatar, Yugoslavia, the Islamic Group, and the Arab League. According to the Arab League, for example,

“The Secretariat considers this unjustified act a blatant violation of the sovereignty of a State member of the League of Arab States, and of its territorial integrity, as well as against all international laws and tradition, above all the Charter of the United Nations.”<sup>341</sup>

Meanwhile, Sudan requested nearly every day that various newspaper and journal articles be admitted as documents of the Security Council and disseminated to all fifteen sitting members. As a result, United Nations’ Documents S/1998/880, S/1998/801, S/1998/885, S/1998/888, S/1998/911, A/C.6/53/5, and S/1998/937 are essentially documents citing the *Wall Street Journal*, *The Observer*, *the Chicago Tribune*, *the New York Times*, as well as Arab news sources. Unfortunately for Sudan, however, the United Nations did not censure the United States for its choice of targets. Instead, the months-long campaign by these organizations did little to affect American decision-making.

## International Law Conclusions

While the United State’s military strikes in Afghanistan and Sudan were orchestrated unilaterally, the retaliation had international repercussions. Arab, African, and Islamic states were especially critical of the American operation and voiced their concerns under the auspices of the Security Council forum. The American indictment of Osama bin Laden and others responsible for the embassy bombings was legitimized in the international community by the authority and support of the United Nations and America’s allies. Consequently, the United States’ decision to bomb tactical sites in Sudan and Afghanistan was only one facet of the effect of the embassy bombings on the world.

# Endnotes

- 1 Osama bin Laden and Zawahiri are adherents to the Salafist strand of Islam, which welcomes all peoples.
- 2 Rohan Gunaratna refers to this as a rapid reaction force. (Inside Al Qaeda, pg. 21)
- 3 Ibid, pg. 57, The four entities were 1)a pyramidal structure to facilitate strategic and tactical direction 2) a global terrorist network 3) a base force for guerilla warfare inside Afghanistan 4) a loose coalition of transnational terrorist and guerilla groups.
- 4 DOD Strategy for sub-Saharan Africa, 1996 Issue 6, Defense 95.
- 5 Dr. Janne Nolan, Personal Interview. Tuesday, March 22, 2005. 3:30pm.. GSPIA, University of Pittsburgh
- 6 Ibid p. 109
- 7 Gunaratna, Rohan, Inside Al Qaeda, pg. 35 (New York: Columbia University Press, 2002)
- 8 Gunaratna, Rohan, Inside Al Qaeda, pg 158 (New York: Columbia University Press, 2002)
- 9 Gunaratna, Rohan, Inside Al Qaeda, pg. 40 (New York: Columbia University Press, 2002)
- 10 Bushnell Interview, GSPIA
- 11 Ibid p.137
- 12 1995-1998. Corruption Perception Index. Transparency International. [www.transparency.org](http://www.transparency.org) (downloaded February 7th, 2005).
- 13 United States Institute of Peace. Special Report 113: Terrorism in the Horn of Africa. Release Date: January 2004. P.2.
- 14 Dr. Janne Nolan, Personal Interview. Tuesday, March 22, 2005. 3:30pm.. GSPIA, University of Pittsburgh
- 15 "Osama bin Laden" Wikipedia, last modified 10 November 2004. [http://en.wikipedia.org/wiki/Osama\\_bin\\_Laden](http://en.wikipedia.org/wiki/Osama_bin_Laden)
- 16 Minitier, Richard. Losing Bin Laden, 2003 p.163
- 17 Schraeder.
- 18 Osama bin Laden Trial, odeh.
- 19 Senator Richard Lugar accused the state dept. of trying to 'gold plate' its embassies after the Inman report and during calls for improved security.
- 20 Report of Accountability Review Board, January 1999 [http://www.state.gov/www/regions/africa/board\\_daressalaam.html](http://www.state.gov/www/regions/africa/board_daressalaam.html)
- 21 James Risen and Benjamin Weiser, "Unheeded Warnings," The New York Times. 9 January 1999.
- 22 James Risen and Benjamin Weiser, "Unheeded Warnings," The New York Times. 9 January 1999.
- 23 James Risen and Benjamin Weiser, "Unheeded Warnings," The New York Times. 9 January 1999.
- 24 Personal Interview with Ambassador Bushnell. Tuesday, March 15, 2005. 3:30pm, via teleconference. GSPIA, University of Pittsburgh.
- 25 James Risen and Benjamin Weiser, "Unheeded Warnings," The New York Times. 9 January 1999.
- 26 9/11 Commission Report, notes to Chapter 5; page 498, note #127
- 27 "1998 Embassy Bombs 'Cost \$4m'; Africa News 9/1/2004
- 28 Ibid. – quoting from a French parliamentary report on terrorist funding
- 29 "Osama bin Laden portrayed as part CEO, part godfather" – USA Today 10/16/2001
- 30 For additional information on the Hawala system please see <http://www.answers.com/topic/hawala>.
- 31 "Trail of Terrorist Dollars that Spans the World" – Financial Times; 11/29/2001
- 32 United States of America v. Osama bin Ladin, et al., Southern District Court of New York, February 28, 2001, p 1687.
- 33 Vehicle borne IED's are explosive devices that use a vehicle as the package or container of the explosive device. Larger vehicles enable larger amounts of explosive to be used, resulting in a greater effect. The explosive charge in VBIED's has ranged anywhere from 20 to well over 2000 lbs. of explosives.
- 34 Explosive trains incorporate the process in which a chemical explosion occurs. Typical explosive trains are: Low explosive – squib or primer – igniter – main charge; High explosive – detonator or primer – booster – main charge.
- 35 Clark, John F. 1998. The Clinton Administration and Africa: White House Involvement and the Foreign Affairs Bureaucracies Issue: A Journal of Opinion 26(2): 8-13. U.S. Ambassador Prudence Bushnell. 2005. Personal Interview. Schraeder, Peter J. 1993. U.S. intervention in the Horn of Africa amidst the end of the Cold War Africa Today 40(2): 7-27.
- 36 Clark, John F. 1998. The Clinton Administration and Africa: White House Involvement and the Foreign Affairs Bureaucracies Issue: A Journal of Opinion 26(2): 8-13.
- 37 Ljaz, Mansoor. 1997. Renewed ties with Sudan – a shrewd move by Albright. Christian Science Monitor 89(215).
- 38 Report of Accountability Review Boards January, 1999 [http://www.state.gov/www/regions/africa/board\\_attacks.html](http://www.state.gov/www/regions/africa/board_attacks.html)
- 39 Report of Accountability Review Boards January, 1999 [http://www.state.gov/www/regions/africa/board\\_attacks.html](http://www.state.gov/www/regions/africa/board_attacks.html)
- 40 Dr. Janne Nolan, Personal Interview. Tuesday, March 22, 2005. 3:30pm.. GSPIA, University of Pittsburgh
- 41 Michael Scheuer, Personal Interview. Tuesday, April 6, 2005. 4:00pm GSPIA, University of Pittsburgh
- 42 Michael Scheuer, Personal Interview. Tuesday, April 6, 2005. 4:00pm GSPIA, University of Pittsburgh
- 43 Michael Scheuer, Personal Interview. Tuesday, April 6, 2005. 4:00pm GSPIA, University of Pittsburgh
- 44 Author Irving Janis defines group think as "a mode of thinking that people engage in when they are deeply involved in a cohesive in-group, when the members' strivings for unanimity override their motivation to realistically appraise alternative courses of action." For this reason, a cognitive dissonance developed that "holds that the human mind tends

- to adopt thoughts or beliefs so as to minimize the amount of dissonance (conflict) between cognitions [i.e. attitudes, emotion, belief, or value]." Janis, Irving Lester. *Groupthink: psychological studies of policy decisions and fiascoes*. Boston: Houghton Mifflin, c 1982.
- 45 Report of Accountability Review Boards January, 1999 [http://www.state.gov/www/regions/africa/board\\_attacks.html](http://www.state.gov/www/regions/africa/board_attacks.html)
- 46 Oriana Zill, "A Portrait of Wadhi el Hage, Accused Terrorist," PBS Frontline, <http://www.pbs.org/wgbh/pages/frontline/shows/binladen/upclose/elhage.html>.
- 47 Dr. Janne Nolan, Personal Interview. Tuesday, March 22, 2005. 3:30pm. GSPLA, University of Pittsburgh
- 48 Presentation from SA Donald Sachtleben, FBI Explosives Unit at the International Association of Bomb Technicians & International Conference.
- 49 A crater is the center of the explosion. This is where earth is displaced and the negative pressure phase of the explosion pulls key components back to their origin. Measuring the diameter and depth of a crater can usually tell you how much explosive was used.
- 50 Perl, Raphael, "95112: Terrorism, the Future, and U.S. Foreign Policy," CRS Issue Brief, Foreign Affairs and National Defense Division, Updated December 9, 1996.
- 51 Executive Order 12947 and Executive Order 13099
- 53 Perl, Raphael, "Terrorism: U.S. Response to Bombings in Kenya and Tanzania: A New Policy Direction," CRS Reprint for Congress, September 1, 1998.
- 1 "Most JCS Members Not Consulted Before Afghanistan, Sudan Bombings," Associated Press, October 6, 1998
- 56 Hendrickson, Ryan C. "The Clinton Administration's Strikes on Osama Osama bin Laden: Limits to Power." From *Contemporary Cases in U.S. Foreign Policy*. CQ Press 2002. [www.cqpress.com/context/articles/contemp8.html](http://www.cqpress.com/context/articles/contemp8.html)
- 57 United Nations Security Council Document, S/1998/780. "Letter Dated 20. August, 1998 from the Permanent Representative of the United States of America to the United Nations Addressed to the President of the Security Council." Accessed Online: <http://documents.un.org/simple.asp>
- 58 Article 51, United Nations Charter: "Nothing in the present Charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security. Measures taken by Members in the exercise of this right to self-defense shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security."
- 59 Hersh, Seymour. "The Missiles of August," *The New Yorker*, (From the Archive) *Annals of National Security*, Issue of 1998-10-12. Posted 2002-01-12.
- 60 Becker, Richard and Sarah Flounders and John Parker. "Sudan Diversionary Bombing." [www.covertaction.org](http://www.covertaction.org). Also in *New York Times* August 29, 1998 pp. A1
- 61 See Hersh, Seymour M. "Annals of National Security..."
- 62 Becker, Richard and Sarah Flounders and John Parker. "Sudan Diversionary Bombing." [www.covertaction.org](http://www.covertaction.org). Also in *New York Times* August 29, 1998 pp. A1
- 63 "The Spider in the Web" – *The Economist*; 9/20/2001
- 64 U.S. Department of State Fact Sheet: Funding for Embassy Security – provided by Africa News; 8/5/1999
- 65 "New U.S. Embassy Opens in Kenya" – *CBSNews.com*; 3/3/2003
- 66 "An American Presence Extended: Reflections on Design – Build in Dar es Salaam—the Haven of Peace" – McKinnie, Robert D.; official website of the U.S. Embassy - Tanzania
- 67 Dorr, Robert, "Battles Domestic and Military Heat Up," *Washington Watch*, Copyright 1998 American Institute of Aeronautics and Astronautics, Inc., Page 8, October, 1998
- 68 Hersh, Seymour M., "The Missiles of August" *The New Yorker*, 10/12/1998
- 69 Clark, John F. 1998. *The Clinton Administration and Africa: White House Involvement and the Foreign Affairs Bureaucracies Issue: A Journal of Opinion* 26(2): p 8.
- U.S. Ambassador Prudence Bushnell March 15, 2005. Personal Interview.
- Schraeder, Peter J. 1993. U.S. intervention in the Horn of Africa amidst the end of the Cold War *Africa Today* 40(2): p 7.
- 70 2005. "Clinton Urges Americans to Put Africa on Map". Foreign Broadcast Information Service. [www.fbis.gov](http://www.fbis.gov). (downloaded February 8th, 2005).
- 71 Kwarteng, Charles O. 1996. Africa and the Changing Global Arena. *TransAfrica Forum*, 10(1): p 26.
- 72 Op. cit. Clark: p 8. op. cit. Schraeder
- 73 Op. cit. Schraeder: p.13
- 74 Ibid. p 12.
- 75 Ibid. p.12
- 76 Bowden, Mark. 2000. *Black Hawk Down: A Story of Modern War*. New York: Penguin Group.
- 77 Op. Cit. Clark p 8.
- 78 Lake, Anthony. 2005. Wikipedia Online Encyclopedia [www.wikipedia.com](http://www.wikipedia.com) (downloaded February 28th, 2005).
- 79 Op. cit. Clark p 8.
- 80 Ibid. p 8.
- 81 Brynn, Edward. 1995. U.S. Department of State Dispatch April 17th. 6(16).
- 82 Op. cit. Clark p10.
- 83 2005. Sudan People's Liberation Army (SPLA). Federation of American Scientists. [www.fas.org](http://www.fas.org) (downloaded February 20th, 2005).
- 84 Matloff, Judith. 1997. Suddenly, Africa's conflicts aren't so local. *Christian Science Monitor* 89(51).
- 85 Op. cit. SPLA [www.fas.org](http://www.fas.org)
- 86 2004. Strategic Survey. London: International Institute for Strategic Studies.
- 87 Nolan, Janne. 2005. Personal interview.

- 88 U.S. Ambassador Bushnell. March 15, 2005 Personal Interview
- 89 Simon, Steven and Stevenson, Johnathan.. Winter 2004/2005. "Thinking Outside the Tank," The National Interest. 78: p 91.
- 90 Agbese, Pita Ogaba. 1996. Ethnic Conflicts and hometown associations: An analysis of the experience of the Agila Development Association. Africa Today 43(2) p 139.
- 91 Nolan Interview 2005. Personal interview.
- 92 Anticev, John. 2001. Direct Examination Osama bin Laden Trial, February 21st 2001. Provided by FindLaw. [www.findlaw.com](http://www.findlaw.com)
- 93 Anticev. al-Fadl (al-Owhali), Jamal. 2001. Direct Examination Osama bin Laden Trial, February 6th, 2001. Provided by FindLaw. [www.findlaw.com](http://www.findlaw.com)
- 94 Op. cit. Schraeder p 11.
- 95 Ibid p 11.
- 96 Ibid p 11.
- 97 Wallace, Bruce. 1992. "Land of Terror" Macleans 105(36): 26.
- 98 VI Africa. Annual Report. The World Geopolitics of Drugs 1998/1999. April 2000.
- 99 Op. Cit. al-Fadl.
- 100 Magyar, Karl P. US Interests and Policies in Africa: Transition to a New Era, New York, St. Martin's Press 2000 p. 108
- 101 Ibid p. 109
- 102 DOD Strategy for sub-Saharan Africa, 1996 Issue 6, Defense 95.
- 103 "Osama bin Laden" Wikipedia, last modified 10 November 2004. [http://en.wikipedia.org/wiki/Osama\\_bin\\_Laden](http://en.wikipedia.org/wiki/Osama_bin_Laden)
- 104 Minitier, Richard. Losing Bin Laden, Washington DC, Regnery Publication 2003 p.163
- 105 Maina, Kaniaruwa. 1992. The Future of Democracy in Kenya. Africa Today. vol. 39, issue 1/2. p. 122
- 106 2005. Green Left Weekly. [www.greenleft.org.au](http://www.greenleft.org.au) last accessed February 28th, 2005.
- 107 Little, Jason US Navy. March 13, 2005. Personal Interview
- 108 Op. Cit. al-Fadl.
- 109 2005. Kenya. U.S. Citizenship and Immigration Services. [www.uscis.gov](http://www.uscis.gov). last accessed February 28th, 2005.
- 110 Murungi, Kiraitu. 1992. President Moi and the decline of democracy in Kenya. TransAfricaForum. 8(4).
- 112 Op. Cit. Murungi p 4.
- 113 Ibid p 5.
- 114 Ibid p 9.
- 115 Op. Cit. Nolan Interview
- 116 Oded, Arye "Islam and Politics in Kenya," Boulder, CO Lynne Rienner Publishers 2000, p. 136.
- 117 US Department of State Background Notes: Republic of Kenya, March 1998, p 6.
- 118 Zafar Kahn, "Muslims Lagging Behind in Education," Sunday Nation, 21 November 1976, Nairobi, Kenya.
- 119 Op. Cit. Oded p136.
- 120 Op. Cit. Oded p 137.
- 121 Op. Cit. Oded p 142.
- 122 Jewish Policy Research: News Analysis and Reports, 30 June 1993, p. 6 [www.jpr.org.uk](http://www.jpr.org.uk) last accessed March 11, 2005.
- 123 Quraishi, Mohamed A. History of Islamic Religious Education in Kenya, Nurul Islam, May 1980.
- 124 Op. Cit. US State Department p 6.
- 125 Op. Cit. US State Department p 6.
- 126 Reflecting typical numbers as those reported in other studies over previous years on the statistical breakdown of religion in Tanzania, the U.S. Department of State's Annual Report on International Freedom for 1999 reported that roughly 45% of Tanzania's population of nearly 30 million was Christian (Roman Catholic, Pentecostal, Protestant, Mormon, Jehovah's Witnesses). Approximately 40% were reported as Muslim. The remaining 15% was comprised of atheists, Hindus, Buddhists, and adherents of traditional indigenous religions. (September 9, 1999/ Section I).
- 127 Robert Pinkney. The International Politics of East Africa. Manchester: Manchester University Press, 2001. P.139.
- 128 Abdin N. Chande. Islam, Ulamaa and Community Development in Tanzania: A Case Study of Religious Currents in East Africa. San Francisco: Austin & Winfield, 1998. p. 254.
- 129 The trend in unequal education was still painfully apparent through the years leading right up to the embassy bombings. In a 1998 case study of religious currents in East Africa, Abdin N. Chande noted the following: "Despite the efforts of the Tanzanian government to make primary education accessible to all groups, wide differences still exist between Christians and Muslims in higher education." (Chande, Islam. Ibid. p.254
- 130 David Westerlund. "Reaction and Action: Accounting for the Rise of Islamism." African Islam and Islam in Africa: Encounters between Sufis and Islamists. Ed. David Westerlund and Eva Evers Rosander. Athens: Ohio University Press, 1997. p. 319.
- 131 A vivid account of the riots by the U.S. Department of State's Annual Report on International Freedom for 1999 reported the following: "Police opened fire on the protesters, killing three persons and wounding several others. Approximately 200 Muslims were arrested. There are reports that police tortured and sexually humiliated a group of Muslim women arrested during the riots and forced them to sing Christian songs while in custody. Riots broke out again in March 1998 after police cancelled a scheduled demonstration

protesting the treatment of these women. Authorities used tear gas, water cannons, and clubs to quell the rioters; at least a dozen people were injured and at least 50 Muslims were arrested. (September 9, 1999/ Section II).

132 U.S. Department of State. Annual Report on International Religious Freedom for 1999: Tanzania. Released by the Bureau for Democracy, Human Rights, and Labor. Washington DC, September, 9, 1999. Section II.

133 United States Institute of Peace. Special Report 113: Terrorism in the Horn of Africa. Washington DC, January 2004. p.2.

134 Ibid, P.2.

135 Osama bin Laden and Zawahiri are adherents to the Salafist strand of Islam, which welcomes all peoples. Gunaratna, Rohan, "Inside al-Qaeda, Columbia University Press, New York, 2002, pg. 27.

136 Azzam's Join the Caravan also stated that it was a Muslim's lifetime duty to participate in Jihad (in one capacity or another) and that Jihad must be directed by a leader. Op cit. pages 87-89.

137 Rohan Gunaratna refers to this as a rapid reaction force. (Inside Al Qaeda, pg. 21)

138 Azzam was strictly opposed to the idea of killing innocents. Ibid p. 22.

139 Gunaratna, Rohan, Inside Al Qaeda, pg. 90 (New York: Columbia University Press, 2002)

140 Bin Laden is referring to the sanctions placed on Iraq after the Gulf War

141 World Islamic Front, "Declaration of War against the Americans Occupying the Land of the Two Holy Places" [www.fas.org/irp/world/para/docs/980223-fatwa.htm](http://www.fas.org/irp/world/para/docs/980223-fatwa.htm) (March 10, 2005).

142 Gunaratna, Rohan, Inside Al Qaeda, pg 26 (New York, Columbia University Press, 2002).

143 Ibid, pg. 57, The four entities were 1) a pyramidal structure to facilitate strategic and tactical direction 2) a global terrorist network 3) a base force for guerilla warfare inside Afghanistan 4) a loose coalition of transnational terrorist and guerilla groups.

144 Actually, Omar Hassan Ahmad al-Beshir was the president of Sudan after the coup. However, Al-Turabi, who served as al-Beshir's advisor, is viewed as the man who really ruled the Sudan after the coup. Many believe that Turabi was the puppet-master of al-Beshir.

145 Support ranged from training NIF guerillas to fight against the SPLA in southern Sudan to building roads and financing banks.

146 Gunaratna notes in Inside Al Qaeda (pg. 160) that Osama bin Laden believed that al-Beshir was planning to arrest and extradite him to the US and this suspicion also led to his departure in May, 1996.

147 Gunaratna, Rohan, Inside Al Qaeda, pg. 160 (New York: Columbia University Press, 2002)

148 Gunaratna, Rohan, Inside Al Qaeda, pg. 40 (New York: Columbia University Press, 2002)

149 This company was eventually run by Abu Hammam al-Saudi; Mamdouh Salim (aka Abu Hajer al-Iraqi); Abu Hassan al-Sudani; Abu Rida al-Suri. (Ibid. p 32.)

150 Osama bin Laden employed many local Sudanese to help run his 'companies' and most of them were unaware of the fact that they were supporting an international terrorist network. (Ibid. p 32-34.)

151 Ibid. p 158.

152 Ibid, p 152.

153 Corbin, Jane, Al-Qaeda, pg. 44 (New York: Thunder's Mouth Press, 2002)

154 Ibid, pg 43

155 Gunaratna, Rohan, Inside Al Qaeda, pg. 38 (New York: Columbia University Press, 2002)

156 Gunaratna (Inside Al Qaeda, pg. 160) states that the other two causes of the operational delay were the death of Abu Ubaidah al-Banshiri and the diminishing influence of al-Turabi in Sudan.

157 Ibid, pg. 159

158 Corbin, Jane, Al Qaeda, pg. 39 (New York: Thunder's Mouth Press, 2002)

159 Ibid, pg 40

160 Ibid, pg 58

161 Bodansky, Jossef, Bin Laden: The Man Who Declared War on America, pg. 68 (New York: Random House, 1999)

162 In or about 1989, Abu Ubaidah al-Banshiri advised Suleiman al-Nalfi to form a Sudanese jihad group that would be based on the principles of al-Qaeda and would be used to recruit Sudanese nationals. Al-Nalfi formed this group and acted as its leader. (United States of America v. Osama bin Laden, et al. Indictment S(10) 98 Cr. 1023 (LBS). 2001. p 12-13.)

163 United States of America v. Osama bin Laden, et al. Indictment S(10) 98 Cr. 1023 (LBS). 2001.

164 Ibid. P 18.

165 Ibid.

166 Shultz, Richard H. and Ruth Margolies Beitler. "Tactical Deception and Strategic Surprise in Al-Qai'da's Operations. Middle East Review of International Affairs. Vol. 8, No. 2, June 2004.

167 Guilty plea of Ali Mohamed. United States v Ali Mohammed. October 20, 2000.

168 United States of America v. Osama bin Laden, et al., Southern District Court of New York, February 21, 2001, p 1188

169 United States of America v. Osama bin Laden, et al. Indictment S(10) 98 Cr. 1023 (LBS). 2001.

170 Ibid. p 1146-47.

171 Stefan Leader and Aaron Danis. "Tactical Insights From the Trial." [www.totse.com](http://www.totse.com). Last accessed February 17, 2005.

172 United States of America v. Osama bin Laden, et al. Indictment S(10) 98 Cr. 1023 (LBS). 2001.

- 173 Ibid.
- 174 United States of America v. Osama bin Ladin, et al., Southern District Court of New York, February 21, 2001.
- 175 United States of America v. Osama bin Laden, et al. Indictment S(10) 98 Cr. 1023 (LBS). 2001.
- 176 United States of America v. Osama bin Laden, et al. Indictment S(10) 98 Cr. 1023 (LBS). 2001.
- 177 Ibid.
- 178 United States of America v. Osama bin Ladin, et al., Southern District Court of New York, February 28, 2001, p 1676.
- 179 PBS Frontline. "The Letter from El Hage's Computer." [www.pbs.org/wgbh/pages/frontline/shows/binladen/upclose/computer.html](http://www.pbs.org/wgbh/pages/frontline/shows/binladen/upclose/computer.html). Last accessed February 3, 2005.
- 180 Ibid.
- 181 Ibid
- 182 Ibid.
- 183 Ibid.
- 184 Ibid.
- 185 Ibid.
- 186 Ibid.
- 187 Ibid.
- 188 United States of America v. Osama bin Ladin, et al., Southern District Court of New York, March 7, 2001.
- 189 Ibid.
- 190 Ibid.
- 191 Ibid.
- 192 Ibid.
- 193 Ibid.
- 194 Ibid
- 195 U.S. State Department Report of the Accountability Review Boards. "Bombings of the US Embassies in Nairobi, Kenya and Dar es Salaam, Tanzania on August 7, 1998.
- 196 United States of America v. Osama bin Ladin, et al., Southern District Court of New York, March 19, 2001.
- 197 Ibid.
- 198 Ibid.
- 199 Report of the Accountability Review Boards. "Bombings of the US Embassies in Nairobi, Kenya and Dar es Salaam, Tanzania on August 7, 1998.
- 200 Op Cit. Trial March 19, 2001
- 201 Vehicle borne IED's are explosive devices that use a vehicle as the package or container of the explosive device. Larger vehicles enable larger amounts of explosive to be used, resulting in a greater effect. The explosive charge in VBIED's has ranged anywhere from 20 to well over 2000 lbs. of explosives. Explosive Ordnance Disposal Technician. Bernarding, Kevin Naval School for Explosive Ordnance Disposal.
- 202 Explosive trains incorporate the process in which a chemical explosion occurs. Typical explosive trains are: Low explosive – squib or primer – igniter – main charge; High explosive – detonator or primer – booster – main charge. Cook, James R. "The Chemistry and Characteristics of Explosive Materials" New York, NY Vantage Press, 2001. p 8.
- 203 TNT is a high explosive that is used as the main charge filler in binary explosives. A nitration process, with Toluene and mixed Nitric and Sulfuric Acids as the raw materials, manufactures it. Ibid. 31
- 204 Thermal Effect can vary greatly from one explosive to another. In general, low explosives will produce longer incendiary thermal effects than will high explosives. A high explosive will produce higher temperatures but for a shorter time. The effect is seen usually as a bright flash or fireball at the moment of detonation. Op. Cit. Bernarding
- 205 Tritonal is binary explosive consisting of 80% TNT and 20% Flaked Aluminum. It is a silvery solid and has exceptional blast effects. One pound of Tritonal 80/20 is equal to 1.07lbs of TNT. Op. Cit. Cook p 48.
- 206 The blast area is the area in which the gaseous products of detonation expand suddenly and compress the layer of surrounding air, so that it is under high velocity. The front of the blast is where the pressure rises abruptly followed by a condition of reduced pressure. There is a positive and negative phase to the blast. Op. Cit. Bernarding
- 207 Modern high explosives require a shock to explode. The detonator provides this shock. The tube contains two explosives, one layer upon the other. The bottom layer is called the base charge and is usually an insensitive high explosive. The top layer is the initiating charge and is a sensitive explosive.
- 208 A crater is the center of the explosion. This is where earth is displaced and the negative pressure phase of the explosion pulls key components back to their origin. Measuring the diameter and depth of a crater can usually tell you how much explosive was used.
- 209 PETN is a white high explosive comprised of the nitration of pentaerythritol. It has been used extensively in a mixture with TNT for loading small caliber projectiles and grenades and has been used to some extent in detonation fuses, boosters, detonators, and priming compositions. Op. Cit. Cook 35.
- 210 Slotnick, Jeff, Explosive Forces of Improvised Explosive Devices, Terrorism, Trends, & Forecasts 11th Annual Symposium. <http://www.securitydriver.com/aic/stories/article-114.html> last accessed: March
- 211 Transcript of UBL Speech, November 1, 2004. [http://256.com/gray/blog/2004/11/09\\_1.html](http://256.com/gray/blog/2004/11/09_1.html)
- 212 Transcript of UBL Speech, November 1, 2004. [http://256.com/gray/blog/2004/11/09\\_1.html](http://256.com/gray/blog/2004/11/09_1.html)
- 213 Transcript of UBL Speech, November 1, 2004. [http://256.com/gray/blog/2004/11/09\\_1.html](http://256.com/gray/blog/2004/11/09_1.html)
- 214 "Trail of Terrorist Dollars that Spans the World" – Financial Times; 11/29/2001; <http://specials.ft.com/attackonterrorism/FT3RNR3XMUC.html>
- 215 "Trail of Terrorist Dollars that Spans the World" – Financial Times; 11/29/2001; <http://specials.ft.com/attackonterrorism/FT3RNR3XMUC.html>



- 216 "Freeze! How the U.S. plans to attack terror by shutting down its financial supply lines" - Time Magazine 10/1/2001 - posted on CNN.com; <http://www.cnn.com/ALLPOLITICS/time/2001/10/08/money.html>
- 217 "The Spider in the Web" - The Economist; 9/20/2001  
[http://www.economist.com/world/na/displayStory.cfm?Story\\_ID=788472](http://www.economist.com/world/na/displayStory.cfm?Story_ID=788472)
- 218 U.S. Department of State Fact Sheet: Funding for Embassy Security - FY 1999 Security Supplemental  
[http://usinfo.state.gov/is/Archive\\_Index/Funding\\_for\\_Embassy\\_Security.html](http://usinfo.state.gov/is/Archive_Index/Funding_for_Embassy_Security.html)
- 219 "U.S. Pledges \$38 million in Aid for Bombing Victims" - The Associated Press; 4/14/1999
- 220 "US Modified new Moscow Embassy in Wake of Deadly Africa Bombings" - Agence France Presse - English; 7/6/2000
- 221 "New U.S. Embassy Opens in Kenya" - CBSNews.com; 3/3/2003  
<http://www.cbsnews.com/stories/2003/03/03/world/main542556.shtml>
- 222 "An American Presence Extended: Reflections on Design - Build in Dar es Salaam—the Haven of Peace" - Mckinnie, Robert D.; official website of the U.S. Embassy - Tanzania <http://tanzania.usembassy.gov/wwwhembnews1.html>
- 223 Dorr, Robert, "Battles Domestic and Military Heat Up," Washington Watch, Copyright 1998 American Institute of Aeronautics and Astronautics, Inc., Page 8, October, 1998
- 224 Hersh, Seymour M., "The Missiles of August" - The New Yorker, 10/12/1998  
[http://www.newyorker.com/archive/content/articles/020114fr\\_archive02](http://www.newyorker.com/archive/content/articles/020114fr_archive02)
- 225 Report of Accountability Review Boards January, 1999 [http://www.state.gov/www/regions/africa/board\\_attacks.html](http://www.state.gov/www/regions/africa/board_attacks.html) last accessed March 3, 2005
- 226 Coll, Steve Ghost War. Secret History of the CIA, Afghanistan, and Bin Laden, From the Soviet Invasion to September 10, 2001, New York: Penguin Press, 2004 pg 26.
- 227 Inman Report 1985 <http://www.fas.org/irp/threat/inman/part02.htm>
- 228 Ambassador Bushnell, Interview, March 15, 2005
- 229 Report of Accountability Review Boards, January 1999 [http://www.state.gov/www/regions/africa/board\\_daressalaam.html](http://www.state.gov/www/regions/africa/board_daressalaam.html) March 5, 2005
- 230 Kean, Thomas, Hamilton, Lee, eds. The 9/11 Commission Report, (New York: W.W. Norton & Co., 2004), 109
- 231 Ibid
- 232 Kevin J. Kelley, "Us Knew About Kenya Embassy Bombers in '96," The East African, 4 January 2001
- 233 Kean, Thomas, Hamilton, Lee, eds. The 9/11 Commission Report, (New York: W.W. Norton & Co., 2004), 110
- 234 The Accountability Review Boards, Report on the Embassy Bombings in Nairobi and Dar-es-Salaam on August 7, 1998, January 1999
- 235 Matthew V. Storrin, "While America Slept: Coverage of Terrorism from 1993 to September 11, 2001," The Joan Shoreinstein Center, Harvard University (2002).
- 236 James Risen and Benjamin Weiser, "Unheeded Warnings," The New York Times, 9 January 1999
- 237 James Risen and Benjamin Weiser, "Unheeded Warnings," The New York Times, 9 January 1999
- 238 Ibid
- 239 Ibid
- 240 Ibid
- 241 Ibid
- 242 James Risen and Benjamin Weiser, "Unheeded Warnings," The New York Times, 9 January 1999
- 243 Ibid
- 244 The Accountability Review Boards, Report on the Embassy Bombings in Nairobi and Dar-es-Salaam on August 7, 1998, January 1999
- 245 Ibid
- 246 Ibid
- 247 Oriana Zill, "A Portrait of Wadih El Hage, Accused Terrorist," PBS Frontline, <http://www.pbs.org/wgbh/pages/frontline/shows/binladen/upclose/elhage.html>
- 248 Ibid
- 249 "Warnings to the FBI: Could the bombings have been prevented?," PBS Frontline, <http://www.pbs.org/wgbh/pages/frontline/shows/binladen/bombings/warnings.html>
- 250 "Warnings to the FBI: Could the bombings have been prevented?," PBS Frontline, <http://www.pbs.org/wgbh/pages/frontline/shows/binladen/bombings/warnings.html>
- 251 "Letter from El-Hage's Computer," PBS Frontline, <http://www.pbs.org/wgbh/pages/frontline/shows/binladen/upclose/computer.html>
- 252 Ibid
- 253 James Risen and Benjamin Weiser, "Unheeded Warnings," The New York Times, 9 January 1999
- 254 Kevin J. Kelley, "New Clues emerge Over Embassy Bombings," The New York Times, 16 February 2000
- 255 Ibid
- 256 Ibid
- 257 Oriana Zill, "A Portrait of Wadih El Hage, Accused Terrorist," PBS Frontline, <http://www.pbs.org/wgbh/pages/frontline/shows/binladen/upclose/elhage.html> .
- 258 James Risen and Benjamin Weiser, "Unheeded Warnings," The New York Times, 9 January 1999
- 259 James Risen and Benjamin Weiser, "Unheeded Warnings," The New York Times, 9 January 1999
- 260 Ibid
- 261 The Accountability Review Boards, Report on the Embassy Bombings in Nairobi and Dar-es-Salaam on August 7, 1998, January 1999
- 262 Ibid
- 263 James Risen and Benjamin Weiser, "Unheeded Warnings," The New York Times, 9 January 1999
- 264 James Risen and Benjamin Weiser, "Unheeded Warnings," The New York Times, 9 January 1999

- 265 The Accountability Review Boards, Report on the Embassy Bombings in Nairobi and Dar-es-Salaam on August 7, 1998, January 1999
- 266 Martin McLaughlin, "Questions Mount in Kenya, Tanzania Bombings," World Socialist Forum, 13 August 1998
- 267 The Accountability Review Boards, Report on the Embassy Bombings in Nairobi and Dar-es-Salaam on August 7, 1998, January 1999
- 268 Raymond Bonner with James Risen, "Nairobi Embassy Received Warning of Coming Attack," The New York Times, 23 October 1998
- 269 The Accountability Review Boards, Report on the Embassy Bombings in Nairobi and Dar-es-Salaam on August 7, 1998, January 1999
- 270 Raymond Bonner with James Risen, "Nairobi Embassy Received Warning of Coming Attack," The New York Times, 23 October 1998
- 271 Ibid
- 272 Ibid
- 273 Ibid
- 274 Raymond Bonner with James Risen, "Nairobi Embassy Received Warning of Coming Attack," The New York Times, 23 October 1998
- 275 Ijaz, Mansoor. The Clinton Intel Record. National Review Online, April 28, 2003. [http://www.nationalreview.com/nr\\_comment/nr\\_comment042903.asp](http://www.nationalreview.com/nr_comment/nr_comment042903.asp) Last accessed: March 2, 2005
- 276 Executive Order 12947 and Executive Order 13099
- 277 Dorr, Robert, "Battles Domestic and Military Heat Up," Washington Watch, Copyright 1998 American Institute of Aeronautics and Astronautics, Inc., Page 8, October, 1998
- 278 Newman, Richard J. et. al., "America Fights Back: Clinton Raises the Stakes in the War Against Terrorism, U.S. News and World Report Volume 125, Issue 8, Page 38, August 31, 1998
- 279 BBC, "World: South Asia, Second missile found in Pakistan," British Broadcasting Company News," August 29, 1998.
- 280 Shadid, Anthony. "Questions Remain, but some Sudanese Claims on Factory Prove True." The Associated Press, August 24, 1998.
- 281 Becker, Richard and Sarah Flounders and John Parker. "Sudan Diversionary Bombing." [www.covertaction.org](http://www.covertaction.org) . Also in New York Times August 29, 1998 pp. A1
- 282 "Most JCS Members Not Consulted Before Afghanistan, Sudan Bombings," Associated Press, October 6, 1998
- 283 Risen, James. "To Bomb Sudan Plant, or Not: A Year Later, Debates Rankle." New York Times on the Web. October 27, 1999.
- 284 "Most JCS Members Not Consulted Before Afghanistan, Sudan Bombings," Associated Press, October 6, 1998
- 285 Risen, James. "To Bomb Sudan Plant, or Not: A Year Later, Debates Rankle." New York Times on the Web. October 27, 1999.
- 286 See, Newma, Richard J., "America Fights Back"
- 287 Hendrickson, Ryan C. "The Clinton Administration's Strikes on Osama Osama bin Laden: Limits to Power." From Contemporary Cases in U.S. Foreign Policy. CQ Press 2002.
- 288 Hersh, Seymour M. "Annals of National Security: The Missiles of August." The New Yorker. 1998-10-12. [www.newyorker.com](http://www.newyorker.com) Accessed January 31, 2005 (the intelligence that was received, which included terrorist threats against diplomats, agents, and their families were later proved to be fabricated information. The reports were withdrawn, but there was still the fear of a future attack. The National Security Advisor, Anthony Lake, had received death threats from terrorists in Sudan. This too prompted the decision to close the embassy.)
- 289 PBS, "Who is Osama bin Laden?" <http://www.pbs.org/wgbh/pages/frontline/shows/binladen/who/interview.html> August 20, 2005
- 290 Bovard, James, "Déjà vu Five Years before Iraq." Washington Times, August 31, 2003 [www.washingtontimes.com](http://www.washingtontimes.com) as of February 2, 2005
- 291 Risen, James. "Question of Evidence: To Bomb Sudan Plant, or Not: A Year Later, Debates Rankle." The New York Times. October 27, 1999.
- 292 Hersh, Seymour M. "Annals of National Security: The Missiles of August." The New Yorker. 1998-10-12. [www.newyorker.com](http://www.newyorker.com) Accessed January 31, 2005 (the intelligence that was received, which included terrorist threats against diplomats, agents, and their families were later proved to be fabricated information. The reports were withdrawn, but there was still the fear of a future attack. The National Security Advisor, Anthony Lake, had received death threats from terrorists in Sudan. This too prompted the decision to close the embassy.)
- 293 Hayes, Stephan F. "The Clinton View of Iraq-al Qaeda Ties." From the December 29, 2003/January 5, 2004 issue: Connecting the dots in 1998, but not in 2003. Volume 009, Issue 16. [www.weeklystandard.com/Article=357R=C3C72](http://www.weeklystandard.com/Article=357R=C3C72) Accessed January 19, 2005
- 294 See Risen, James. "Questions of Evidence..."
- 295 See Risen, James. "Questions of Evidence..."
- 296 Weiner, Tim and James Risen. "Decision to Strike Factory in Sudan Based on Surmise and Inferred From Evidence." The New York Times. Section A pg.1 column 6, September 21, 1998.
- 297 See Weiner, "Decision to Strike..."
- 298 Barletta, Michael. "Chemical Weapons in the Sudan: Allegations and Evidence." Monterey Institute of International Studies. The Nonproliferation Review/Fall 1998, p.117 [cns.miis.edu/pubs/npr/vol06/61/barlet61.pdf](http://cns.miis.edu/pubs/npr/vol06/61/barlet61.pdf) As of April 2005
- 299 ESPAC. "The Clinton Administration and Sudan: A Systematic Intelligence Failure." Media Monitors Network: European-Sudanese Public Affairs Council: 2001. [www.mediamonitors.net/espac1.html](http://www.mediamonitors.net/espac1.html) As of January 2005
- 300 Muhammad, Eric Ture. 'Sudan Suffers in Wake of U.S. Missile 'Mistake'.' New York Amsterdam News May 13, 1999 Vol. 90 Issue 20 p2
- 301 See Muhammad, Eric Ture. 'Sudan Suffers...'
- 302 See Muhammad, "Sudan Suffers..."
- 303 ABC News Broadcast. Starr. "More Questions than Answers." August 26, 1998 & September 1, 1998
- 304 See Hersh, Seymour M. "Annals of National Security..."
- 305 See Weiner, "Decision to Strike..."

- 306 Risen, James and David Johnston. "Experts Find No Arms Chemicals at Bombed Sudan Plant." *The New York Times*, section A pg. 3 column 1, February 9, 1999.
- 307 Atlas, Terry and Ray Moseley. "Clinton Administration Contends it Has Evidence to Justify Sudan Attack." *Chicago Tribune* August 27, 1998
- 308 See Hersh, Seymour M. "Annals of National Security..."
- 309 See Barletta, Michael. "Chemical Weapons..." pg. 123
- 310 See Barletta, "Chemical Weapons..." pg. 123
- 311 See Barletta, "Chemical Weapons..." pg. 124
- 312 See Barletta, "Chemical Weapons..." pg. 124
- 313 Pearl, Daniel. "More Doubts Rise over Claims for U.S. Attack." *Wall Street Journal*. August 28, 1998. pg.1
- 314 Pearl, Daniel. Quote by Dr. Jan Medema a toxic substances manager of Holland's TNO Prins Maurits Laboratory
- 315 Ember, Lois. "Soil Sample Key to U.S. Missile Strike in Sudan." *Chemical and Engineering News*, August 31, 1998. p.6-7
- 316 See Muhammad, "Sudan Suffers..."
- 317 See Muhammad, "Sudan Suffers..."
- 318 See Muhammad, "Sudan Suffers..." Since September 11th, the United States has developed sophisticated high-powered microwave (HPM) weapons to peacefully disarm potential weapons facilities. Also, the United States now utilizes unmanned vehicles with special sensors with the ability to detect chemical emissions that survey a site prior to an attack. Arkin, William M. "New Tech Weapons Could Violate Wartime Codes of Conduct." *Los Angeles Times*. December 8, 2002. Accessed February 19, 2005
- 319 Ambassador Bushnell, Personal Interview. Tuesday, March 15, 2005. 3:30pm. GSPIA, University of Pittsburgh.
- 320 Specifically, Ambassador Bushnell argued that several factors in Kenya reflected the vulnerability of the site. These dangers included: 1.) the building's construction, location, and security, 2.) the increasing crime in the surrounding area—especially related to transborder drug trafficking and harboring of war criminals from Rwanda and Somalia, 3.) the political violence and rampant corruption within the Kenyan government, and 4.) the terrorist threat from organizations other than al Qaeda. Personal Interview with Ambassador Bushnell. Tuesday, March 15, 2005. 3:30pm, via teleconference. GSPIA, University of Pittsburgh.
- 321 Michael Scheuer, Personal Interview. Tuesday, April 6, 2005. 4:00pm GSPIA, University of Pittsburgh
- 322 Ambassador Bushnell, Personal Interview. Tuesday, March 15, 2005. 3:30pm. GSPIA, University of Pittsburgh.
- 323 Dr. Janne Nolan, Personal Interview. Tuesday, March 22, 2005. 3:30pm.. GSPIA, University of Pittsburgh
- 324 Dr. Janne Nolan, Personal Interview. Tuesday, March 22, 2005. 3:30pm.. GSPIA, University of Pittsburgh
- 325 Article 51, United Nations Charter: "Nothing in the present Charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security. Measures taken by Members in the exercise of this right to self-defense shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security."
- 326 United Nations Security Council Document, S/1998/780. "Letter Dated 20. August, 1998 from the Permanent Representative of the United States of America to the United Nations Addressed to the President of the Security Council." Accessed Online: <http://documents.un.org/simple.asp>
- 327 United Nations Security Council Document, S/1998/780. "Letter Dated 20. August, 1998 from the Permanent Representative of the United States of America to the United Nations Addressed to the President of the Security Council." Accessed Online: <http://documents.un.org/simple.asp>
- 328 United Nations General Assembly Document, A/RES/52/164 (1998). Accessed Online: <http://documents.un.org/simple.asp>
- 329 United Nations Security Council Document, S/PV.3915. "Security Council, 53rd Year: 3915th Meeting, Thursday, 13 August, 1998, New York." Accessed Online: <http://documents.un.org/simple.asp>
- 330 United Nations Security Council Document, S/PV.3915. Security Council, 53rd Year: 3915th Meeting, Thursday, 13 August, 1998, New York." Accessed Online: <http://documents.un.org/simple.asp>
- 331 United Nations Security Council Document S/PV.3915. Security Council, 53rd Year: 3915th Meeting, Thursday, 13 August, 1998, New York." Accessed Online: <http://documents.un.org/simple.asp>
- 332 United Nations Security Council Document, S/RES/1189 (1998). "Security Council Resolution 1189 (1998) [Concerning the Terrorist Bomb Attacks of 7, August 1998 in Kenya and Tanzania]." Accessed Online: <http://documents.un.org/simple.asp>
- 333 United Nations Security Council Document, S/RES/1214 (1998). Security Council Resolution 1214 (1998) [On the Situation in Afghanistan]." Accessed Online: <http://documents.un.org/simple.asp>
- 334 United Nations Security Council Document, S/1998/780. "Letter Dated 20. August, 1998 from the Permanent Representative of the United States of America to the United Nations Addressed to the President of the Security Council." Accessed Online: <http://documents.un.org/simple.asp>
- 335 "The Clinton Administration's Strikes on Osama bin Laden: Limits to Power." Hendrickson, Ryan. *Contemporary Cases in US Foreign Policy*. Washington DC: CQ Press, 2002, 196-216.
- 336 United Nations Security Council Document, S/1998/791. "Letter Dated 21, August 1998 from the Charge d'Affaires A.I. of the Permanent Mission of Kuwait to the United Nations Addressed to the President of the Security Council." Accessed Online: <http://documents.un.org/simple.asp>
- 337 United Nations Security Council Document, S/1998/879. "Letter Dated 21, August, 1998 from the Permanent Representative of the Sudan to the United Nations Addressed to the President of the Security Council." Accessed Online: <http://documents.un.org/simple.asp>
- 338 United Nations Security Council Document, S/1998/802. "Letter Dated 25, August, 1998 from the Permanent Representative of Namibia to the United Nations Addressed to the President of the Security Council." Accessed Online: <http://documents.un.org/simple.asp>

339 "Contemporary Practice of the United States Relating to International Law: Legal Regulation of Use of Force." Murphy, Sean D., ed.. The American Journal of International Law, vol. 93 no. 1. (Jan 1999), 161-194.

340 United Nations Security Council Document, S/1998/786. "Letter Dated 21 August 1998 from the Charge d'Affaires A.I. of the Permanent Mission of Kuwait to the United Nations Address to the President of the Security Council. Accessed Online: <http://documents.un.org/simple.asp>

341 United Nations Security Council Document, S/1998/789. 21 August 1998. "Letter Dated 21 August 1998 from the Charge d'Affaires A.I. of the Permanent Mission of Kuwait to the United Nations Address to the President of the Security Council. Accessed Online: <http://documents.un.org/simple.asp>