

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

BENSAYAH BELKACEM, *et al.*, )  
 )  
 )  
 Petitioners, )  
 )  
 v. ) Civil Action No. 04-CV-1166 (RJL)  
 )  
 )  
 GEORGE W. BUSH, )  
 President of the United States, *et al.*, )  
 Respondents. )  
 )  
 )  
 \_\_\_\_\_ )

**DECLARATION OF JAMES R. CRISFIELD JR.**

Pursuant to 28 U.S.C. § 1746, I, Commander James R. Crisfield Jr., Judge Advocate General's Corps, United States Navy, hereby state that to the best of my knowledge, information and belief, the following is true, accurate and correct:

1. I am the Legal Advisor to the Combatant Status Review Tribunals. In that capacity I am the principal legal advisor to the Director, Combatant Status Review Tribunals, and provide advice to Tribunals on legal, evidentiary, procedural, and other matters. I also review the record of proceedings in each Tribunal for legal sufficiency in accordance with standards prescribed in the Combatant Status Review Tribunal establishment order and implementing directive.

2. I hereby certify that the documents attached hereto constitute a true and accurate copy of the portions of the record of proceedings before the Combatant Status Review Tribunal related to petitioner Bensayah Belkacem that are suitable for public release. The portions of the record that are classified or considered law enforcement sensitive are not attached hereto. I have redacted the names and addresses of the detainee's family and information that would personally

identify certain U.S. Government personnel in order to protect the personal security of those individuals. I have also redacted internee serial numbers because certain combinations of internee serial numbers with other information become classified under applicable classification guidance.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: 12 Oct 04

  
\_\_\_\_\_  
James R. Crisfield Jr.  
CDR, JAGC, USN



**Department of Defense  
Director, Combatant Status Review Tribunals**

OARDEC/Ser: 0206  
11 October 2004

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From: Director, Combatant Status Review Tribunal

Subj: **REVIEW OF COMBATANT STATUS REVIEW TRIBUNAL FOR  
DETAINEE ISN # [REDACTED]**

Ref: (a) Deputy Secretary of Defense Order of 7 July 2004  
(b) Secretary of the Navy Order of 29 July 2004

1. I concur in the decision of the Combatant Status Review Tribunal that Detainee ISN # [REDACTED] meets the criteria for designation as an Enemy Combatant, in accordance with references (a) and (b).
2. This case is now considered final, and the detainee will be scheduled for an Administrative Review Board.

A handwritten signature in black ink, appearing to read "J. M. McGARRAH".

J. M. McGARRAH  
RADM, CEC, USN

Distribution:  
NSC (Mr. John Bellinger)  
DoS (Ambassador Prosper)  
DASD-DA  
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SOUTHCOM (CoS)  
COMJTFGTMO  
OARDEC (Fwd)  
CITF Ft Belvoir

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4853

10 Oct 04

## MEMORANDUM

From: Legal Advisor

To: Director, Combatant Status Review Tribunal

Subj: LEGAL SUFFICIENCY REVIEW OF COMBATANT STATUS REVIEW TRIBUNAL  
FOR DETAINEE ISN # [REDACTED]Ref: (a) Deputy Secretary of Defense Order of 7 July 2004  
(b) Secretary of the Navy Implementation Directive of 29 July 2004Encl: (1) Appointing Order for Tribunal #6 of 13 September 2004  
(2) Record of Tribunal Proceedings

1. Legal sufficiency review has been completed on the subject Combatant Status Review Tribunal in accordance with references (a) and (b). After reviewing the record of the Tribunal, I find that:

- a. The detainee was properly notified of the Tribunal process and voluntarily elected not to participate in the Tribunal.
- b. The Tribunal was properly convened and constituted by enclosure (1).
- c. The Tribunal complied with the provisions of references (a) and (b). Note that some information in exhibit R-7 was redacted. The FBI properly certified in exhibit R-2 that the redacted information would not support a determination that the detainee is not an enemy combatant. Additionally, the Tribunal recessed and requested additional information from the Recorder. The Recorder obtained the information requested by the Tribunal and those documents were attached to the Tribunal Decision Report as exhibits R-14 through R-20.
- d. The detainee made no requests for witnesses or other evidence.
- e. The Tribunal's decision that detainee # [REDACTED] is properly classified as an enemy combatant was unanimous.
- f. The detainee's Personal Representative was given the opportunity to review the record of proceedings and declined to submit comments to the Tribunal.

2. The proceedings and decision of the Tribunal are legally sufficient and no corrective action is required.

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Subj: LEGAL SUFFICIENCY REVIEW OF COMBATANT STATUS REVIEW TRIBUNAL  
FOR DETAINEE ISN # [REDACTED]

3. I recommend that the decision of the Tribunal be approved and the case be considered final.

A handwritten signature in black ink, consisting of several large, overlapping loops and flourishes, positioned above the printed name.

James R. Crisfield Jr.  
CDR, JAGC, USN

UNCLASSIFIED



Department of Defense  
Director, Combatant Status Review Tribunals

13 Sep 04

From: Director, Combatant Status Review Tribunals

Subj: APPOINTMENT OF COMBATANT STATUS REVIEW TRIBUNAL #6

Ref: (a) Convening Authority Appointment Letter of 9 July 2004

By the authority given to me in reference (a), a Combatant Status Review Tribunal established by "Implementation of Combatant Status Review Tribunal Procedures for Enemy Combatants Detained at Guantanamo Bay Naval Base, Cuba" dated 29 July 2004 is hereby convened. It shall hear such cases as shall be brought before it without further action of referral or otherwise.

The following commissioned officers shall serve as members of the Tribunal:

MEMBERS:

[REDACTED] Colonel, U.S. Army; President

[REDACTED] Commander, JAGC, U.S. Navy; Member (JAG)

[REDACTED], Lieutenant Colonel, U.S. Marine Corps;  
Member

J. M. McGARRAH  
Rear Admiral  
Civil Engineer Corps  
United States Naval Reserve



HEADQUARTERS, OARDEC FORWARD  
GUANTANAMO BAY, CUBA  
APO AE 09360

6 October 2004


MEMORANDUM FOR DIRECTOR, CSRT

FROM: OARDEC FORWARD Commander

SUBJECT: CSRT Record of Proceedings ICO ISN# [REDACTED]

1. Pursuant to Enclosure (1), paragraph (I)(5) of the *Implementation of Combatant Status Review Tribunal Procedures for Enemy Combatants Detained at Guantanamo Bay Naval Base, Cuba* dated 29 July 2004, I am forwarding the Combatant Status Review Tribunal Decision Report for the above mentioned ISN for review and action.

2. If there are any questions regarding this package, point of contact on this matter is the undersigned at DSN 660-3088.

  
DAVID L. TAYLOR  
Colonel, USAF

**(U) Combatant Status Review Tribunal Decision Report Cover Sheet**

(U) This Document is UNCLASSIFIED Upon Removal of Enclosures (2) and (3).

(U) TRIBUNAL PANEL:     #6    

(U) ISN#:     [REDACTED]    

Ref: (a) (U) Convening Order for Tribunal #6 of 13 September 2004 (U)  
(b) (U) CSRT Implementation Directive of 29 July 2004 (U)  
(c) (U) DEPSECDEF Memo of 7 July 2004 (U)

Encl: (1) (U) Unclassified Summary of Basis For Tribunal Decision (U)  
(2) (U) Classified Summary of Basis for Tribunal Decision (S/NF)  
(3) (U) Copies of Documentary Evidence Presented (S/NF)  
(4) (U) Personal Representative's Record Review (U)

1. (U) This Tribunal was convened by references (a) and (b) to make a determination as to whether the detainee meets the criteria to be designated as an enemy combatant as defined in reference (c).
2. (U) On 1 October 2004, the Tribunal determined, by a preponderance of the evidence, that Detainee # [REDACTED] is properly designated as an enemy combatant as defined in reference (c).
3. (U) In particular, the Tribunal finds that this detainee is a member of, or affiliated with, Al Qaida forces, or associated forces that are engaged in hostilities against the United States or its coalition partners, as more fully discussed in the enclosures.
4. (U) Enclosure (1) provides an unclassified account of the basis for the Tribunal's decision. A detailed account of the evidence considered by the Tribunal and its findings of fact are contained in enclosures (1) and (2).

[REDACTED]

Colonel, U.S. Army  
Tribunal President



**UNCLASSIFIED SUMMARY OF BASIS FOR TRIBUNAL  
DECISION**

**(Enclosure (1) to Combatant Status Review Tribunal Decision Report)**

TRIBUNAL PANEL:           #6            
ISN #:           [REDACTED]          

**1. Introduction**

As the Combatant Status Review Tribunal (CSRT) Decision Report indicates, the Tribunal has determined that this detainee is properly classified as an enemy combatant and was part of or supporting Al Qaida forces, or associated forces that are engaged in hostilities against the United States or its coalition partners. In reaching its conclusions, the Tribunal considered both classified and unclassified information. The following is an account of the unclassified evidence considered by the Tribunal and other pertinent information. Classified evidence considered by the Tribunal is discussed in Enclosure (2) to the CSRT Decision Report.

**2. Synopsis of Proceedings**

The initial session of this Tribunal was held on 28 September 2004. The Recorder presented Exhibits R-1 through R-6 during the unclassified portion of the Tribunal. The Unclassified Summary of Evidence (Exhibit R-1) indicates, among other things, that: the detainee is an Al Qaida member and is linked to Usama Bin Laden's operational network; he had phone conversations with Abu Zubaydah, a senior Al Qaida aide to Usama Bin Laden pertaining to procuring passports; he was identified as the primary Al Qaida facilitator in Bosnia; in late September 2001 in Bosnia-Herzegovina, he planned to join Jihadist elements in Afghanistan in anticipation of the U.S./coalition invasion, and encouraged other Algerians to do the same; he was going to assist the mid-October 2001 arrival of unidentified travelers from Afghanistan [to Bosnia-Herzegovina]; and he planned to coordinate from Tehran, Iran, the late-October 2001 travel to Bosnia-Herzegovina of an additional 30-40 travelers from Afghanistan. The Recorder called no witnesses.

The detainee chose not to attend the Tribunal as reflected in the Detainee Election Form (Exhibit D-A), and the Personal Representative presented no evidence and called no witnesses.

During the classified session of the Tribunal, the Recorder presented Exhibits R-7 through R-13. The Personal Representative presented no classified evidence, and neither the Recorder nor the Personal Representative commented on the classified exhibits. After the Tribunal read all of the classified exhibits, the Tribunal requested additional information and recessed until the Recorder could obtain it.

The Tribunal reconvened on 1 October 2004. In response to the Tribunal's request, the Recorder offered into evidence additional classified Exhibits R-14 through R-20 after giving the Personal Representative an opportunity to review the documents. Neither the Recorder nor the Personal Representative had any comments on the additional documents. After considering the unclassified and the classified evidence, the Tribunal determined that the detainee is properly classified as an enemy combatant.

### **3. Evidence Considered by the Tribunal**

The Tribunal considered the following evidence in reaching its conclusions:

- a. Exhibits: R-1 through R-20 and D-A.
- b. Testimony of the following persons: None.
- c. Statement of the detainee: None.

### **4. Rulings by the Tribunal on Detainee Requests for Evidence or Witnesses**

The Detainee requested no witnesses.

The Detainee requested no additional evidence be produced.

### **5. Discussion of Unclassified Evidence**

a. The recorder offered Exhibits R-1 through R-6 into evidence during the unclassified portion of the proceeding. Exhibit R-1 is the Unclassified Summary of Evidence. While this summary is helpful in that it provides a broad outline of what the Tribunal can expect to see, it is not persuasive in that it provides conclusory statements without supporting unclassified evidence. Exhibit R-2, the FBI redaction certification, provided no usable evidence. Accordingly, the Tribunal had to look to other exhibits for support of the Unclassified Summary of Evidence.

b. Exhibit R-3 is an affidavit of [REDACTED], the detainee's wife, dated 10 August 2004. The affidavit explains how the detainee came to be detained in Guantanamo Bay, Cuba. The affidavit has been filed in the United States District Court for the District of Columbia in support of a habeas petition on behalf of the detainee.

c. Exhibit R-4, as it was originally offered, was page 10 of a 12-page article on terrorism, marked as "Original Exhibit R-4." The focus of the article on page 10 is the detainee's case. Because the Tribunal could not tell the source of the article, the Tribunal requested that the Recorder produce the entire article for the Tribunal's consideration. The full article was submitted by the Recorder and is marked "Supplemental Exhibit R-4." The article provides information on the detainee, including links the detainee has to Abu Zubaydah, a senior Usama Bin Laden aide. Although the Tribunal found the article

informative, the Tribunal placed greater weight on the classified evidence than on this news article.

d. Exhibit R-5 is a request from the government of Bosnia and Herzegovina for information from Interpol. The exhibit did not provide any useful information.

e. Exhibit R-6 contains an undated news article concerning the detainee. No author or title to the document could be found by the Recorder after the Tribunal asked that the additional information be produced. The Tribunal did not rely upon this document in formulating its conclusions.

The Tribunal did rely upon certain classified evidence in reaching its decision. A discussion of the classified evidence is found in Enclosure (2) to the Combatant Status Review Tribunal Decision Report.

#### **6. Consultations with the CSRT Legal Advisor**

No issues arose during the course of this hearing that required consultation with the CSRT Legal Advisor.

#### **7. Conclusions of the Tribunal**

Upon careful review of all the evidence presented in this matter, the Tribunal makes the following determinations:

a. The detainee chose not to participate in the Tribunal proceeding. No evidence was produced that caused the Tribunal to question whether the detainee was mentally and physically capable of participating in the proceeding, had he wanted to do so. Accordingly, no medical or mental health evaluation was requested or deemed necessary.

b. The Personal Representative informed the Tribunal that the detainee understood the Tribunal process, but chose not to participate, as indicated in Exhibit D-A.

c. The detainee is properly classified as an enemy combatant because he was part of or supporting Al Qaida forces, or associated forces that are engaged in hostilities against the United States or its coalition partners.

**8. Dissenting Tribunal Member's report**

None. The Tribunal reached a unanimous decision.

Respectfully submitted,

A large black rectangular redaction box covering the signature of the Tribunal President.

Colonel, U.S. Army  
Tribunal President



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**Combatant Status Review Board**

TO: Personal Representative

FROM: OIC, CSRT (24 September 2004)

Subject: Summary of Evidence for Combatant Status Review Tribunal BELKACEM, Bensayah

1. Under the provisions of the Secretary of the Navy Memorandum, dated 29 July 2004, *Implementation of Combatant Status Review Tribunal Procedures for Enemy Combatants Detained at Guantanamo Bay Naval Base Cuba*, a Tribunal has been appointed to review the detainee's designation as an enemy combatant.
2. An enemy combatant has been defined as "an individual who was part of or supporting the Taliban or al Qaida forces, or associated forces that are engaged in hostilities against the United States or its coalition partners. This includes any person who committed a belligerent act or has directly supported hostilities in aid of enemy armed forces."
3. The United States Government has previously determined that the detainee is an enemy combatant. This determination is based on information possessed by the United States that indicates that he is an al-Qaida member.

The detainee is an al Qaida member:

1. The detainee traveled from Yemen to Bosnia-Herzegovina during November 1995.
2. Detainee is linked to Usama Bin Laden's operational network.
3. The detainee was in possession of Abu Zubaydah cell phone number in Afghanistan.
4. The detainee had phone conversations with Abu Zubaydah, a senior al Qaida aide to Usama Bin Laden pertaining to procuring passports.
5. The detainee made 70 phone calls to Afghanistan between September 11, 2001 and the time he was arrested.
6. The detainee was being investigated under the criminal acts for international terrorism in Bosnia.
7. The detainee was identified as the primary al Qaida facilitator in Bosnia.
8. In late September 2001 the detainee in Bosnia Herzegovina planned to join jihadist elements in Afghanistan in anticipation of the United States/coalition invasion and encouraged other Algerians to do the same.

Page 1 of 2

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EXHIBIT 7864

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9. On 1 October 2001, the detainee applied for a visa in Sarajevo, Bosnia - Herzegovina for onward travel to Afghanistan.
  10. The detainee, prior to planned departure to Iran/Afghanistan, was to assist the mid-October 2001 arrival of unidentified travelers from Afghanistan.
  11. The detainee planned to coordinate from Tehran, Iran the late October 2001 travel to Bosnia-Herzegovina of an additional 30-40 travelers from Afghanistan.
4. The detainee has the opportunity to contest his designation as an enemy combatant. The Tribunal will endeavor to arrange for the presence of any reasonably available witnesses or evidence that the detainee desires to call or introduce to prove that he is not an enemy combatant. The Tribunal President will determine the reasonable availability of evidence or witnesses.

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# Memorandum



To : Department of Defense Date 09/16/2004  
Office of Administrative Review  
for Detained Enemy Combatants,  
Col. David Taylor, OIC, CSRT

From : FBI GTMO  
Counterterrorism Division,  
Office of General Counsel,  
[REDACTED]

Subject REQUEST FOR REDACTION OF  
NATIONAL SECURITY INFORMATION  
ISN [REDACTED]

Pursuant to the Secretary of the Navy Order of 29 July 2004, Implementation of Combatant Review Tribunal Procedures for Enemy Combatants Detained at Guantanamo Bay Naval Base, Cuba, Section D, paragraph 2, the FBI requests redaction of the information herein marked<sup>1</sup>. The FBI makes this request on the basis that said information relates to the national security of the United States<sup>2</sup>. Inappropriate dissemination of said information could damage the national security of the United States and compromise ongoing FBI investigations.

CERTIFICATION THAT REDACTED INFORMATION DOES NOT SUPPORT A DETERMINATION THAT THE DETAINEE IS NOT AN ENEMY COMBATANT

The FBI certifies the aforementioned redaction contains no information that would support a determination that the detainee is not an enemy combatant.

The following documents relative to ISN [REDACTED] have been redacted by the FBI and provided to the OARDEC, GTMO:

FD-302 dated 02/20/2002

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<sup>1</sup>Redactions are blackened out on the OARDEC provided FBI document.

<sup>2</sup>See Executive Order 12958



Memorandum from [REDACTED] to Col. David Taylor  
Re: REQUEST FOR REDACTION, 09/16/2004

If you need additional assistance, please contact Assistant  
[REDACTED] of Intelligence Analyst [REDACTED]

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

LAKHDAR BOUMEDIENE, et al.

*Petitioners,*

vs.

04-1166 (RJL)

GEORGE WALKER BUSH, President  
of the United States of America;  
DONALD RUMSFELD, Secretary of  
Defense; GENERAL JAY HOOD,  
Commander, Joint Task Force;  
COLONEL NELSON J. CANNON,  
Commander, Camp Delta; *in their  
individual and official capacities,*

*Respondents.*

AFFIDAVIT OF [REDACTED]

I, [REDACTED], of [REDACTED], Bosnia and Herzegovina (BiH), being  
duly sworn, depose and state as follows.

1. I was born on January 31, 1975, in Zenica BiH. I am a citizen of BiH. I have been married to Belkacem Bensayah since March 14, 1997. We have two daughters: [REDACTED] born in 1997, and [REDACTED] born in 1999; both are citizens of BiH.
2. My husband Belkacem Bensayah was born on September 10, 1962, in Algeria. He is a citizen of Algeria. In Algeria, he lived with his mother. My husband's father died when he was young. He graduated from secondary school, and later undertook administrative work in a municipality office in Algeria.
3. Before I married Belkacem, I lived with my parents and younger sister and brother in Zenica, where I graduated from secondary school.
4. My husband was granted BiH citizenship on January 4, 1995. I met him in October 1996. We lived from the support from our respective families.
5. On October 8, 2001 at 11:30 am, two plain-clothes policemen came to our apartment; they remained in front of our apartment, prohibiting any entrance or exit from the house. At 1:30 pm approximately 40 policemen, including the International Police Task Forces (IPTF), besieged our house and showed us a search warrant; I was not allowed to leave the house with my daughters. The warrant stated, that the search was ordered for

gathering necessary information related to commission of the criminal act of falsifying documents. The same day, my husband was arrested on suspicion of residing in BiH under false names and was held in pre-trial detention in the Municipal Prison in Zenica according to orders given by the Municipal Court in Zenica.

6. In October, criminal proceedings were initiated in Sarajevo against my husband in connection with suspected terrorism activity and on October 25, 2001 the Supreme Court in Sarajevo ordered my husband's detention for the period of one month to run from the day of the termination of his detention in Zenica. On January 16, 2002, the Municipal Court in Zenica ended my husband's detention. Therefore, on January 16, 2002, my husband was transferred to the central prison in Sarajevo. The next day, the Bosnian Supreme Court ordered my husband's release because there were no further reasons upon which pre-trial detention could be ordered. Disregarding this decision, the Federation Police transferred my husband to United States custody at 6:00 a.m. on January 18, 2002.
7. On November 16, 2001, my husband's BiH citizenship was revoked based only on the fact that criminal charges had been brought against him. The criminal proceedings in BiH against him are still suspended. On January 10, 2002, the Federal Ministry of Interior issued a decision to refuse entry to my husband, and ordered him to leave the territory of BiH. This decision was delivered to my husband only on January 18, 2002, so he had no opportunity to appeal the Ministry's decision ordering his expulsion.
8. After his expulsion, my husband's lawyer lodged an application on his behalf with the Human Rights Chamber for BiH ("Chamber"). In its decision of April 4, 2003, the Chamber stated that the respondent parties, BiH and the Federation of Bosnia and Herzegovina, failed to act in accordance with the law, among other things, because the respondent parties did not follow the proper procedure for expulsion and did not seek any assurances that the death penalty would not be imposed upon my husband by the United States. The Chamber ordered the respondent parties to take all necessary action to protect my husband's rights while in United States custody and to compensate him for non-pecuniary damages.
9. Since my husband was taken into custody, I have worked very hard on his behalf. My activities for my husband's release include regular contacts with BiH government and international organizations, especially human rights organizations.
10. Presently, my husband is held in the custody of the United States military at Guantanamo Bay, Cuba. After his deportation, I received some letters from my husband, but now it has been more than twenty months since I have received any correspondence from him. In the last letter that I received from him, in September 2002, he wrote that the investigations have been completed, and that there is no evidence against him. I am very worried because I have not heard from him since then - nearly two years ago. The International Committee of the Red Cross told me that my husband does not want to receive my letters and pictures of our children. I cannot believe this, because he always loved his daughters and is an affectionate and caring father who took care of them. However, if it is true, it only shows me to what extent my husband is distressed and has lost all hope.

11. Both our daughters are suffering a lot due to their father's absence. Our oldest girl became very introverted after the disappearance of her father, asking again and again why her father left. Our youngest girl has problems with her heart, and a physician told me that her illness is psychosomatic. Our physician has recommended psychiatric treatment for both girls. Our older daughter will be enrolled in elementary school in September; I already informed the teacher of our situation because I don't want my daughters to hear rumors from other people or feel ashamed of their father.
12. We now live in a rented apartment in Zenica, in the vicinity of my parents' apartment. I am unemployed and we receive financial support from my parents.
13. It is my belief, based on the messages my family received, and from everything I know about my husband, that he is seeking my assistance and support and would want me to take appropriate legal action on his behalf as his next friend. In this capacity, I have retained and hereby request Wilmer Cutler Pickering Hale and Dorr LLP, and any person authorized by that Firm, to act on my own and Belkacem Bensayah's behalf and to take whatever legal steps they consider to be in our best interests, in connection with my husband's detention at Guantanamo.

I know the facts deposed herein to be true to the best of my knowledge.

Sworn to by the deponent on this tenth day of August, 2004.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Witness: \_\_\_\_\_

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

LAKHDAR BOUMEDIENE, et al.

*Petitioners,*

vs.

04-1166 (RJL)

GEORGE WALKER BUSH, President  
of the United States of America;  
DONALD RUMSFELD, Secretary of  
Defense; GENERAL JAY HOOD,  
Commander, Joint Task Force;  
COLONEL NELSON J. CANNON,  
Commander, Camp Delta; *in their  
individual and official capacities,*

*Respondents.*

AFFIDAVIT OF [REDACTED] AUTHORIZING REPRESENTATION

I, [REDACTED] hereby depose and say:

1. I am [REDACTED] of [REDACTED] Bosnia and Herzegovina.
2. I am acting as the next friend of my husband Belkacem Bensayah, who is in the custody of the United States at Guantanamo Bay Naval Base, Cuba.
3. I hereby authorize Wilmer Cutler Pickering Hale and Dorr LLP, and any person authorized by that Firm, to represent me in all proceedings relating to my husband's detention by the United States, and any and all proceedings related to my husband's status under custody of the United States.

Signed: [REDACTED]

Date:

10. August, 2004

Witnessed: [REDACTED]

Date:

10. August, 2004

the promise of a borderless world and then perverted globalization to such an evil end.

## YOUNG AND RUTHLESS

AFTER SEVEN WEEKS OF INVESTIGATIONS THERE IS NO HARD evidence that links the Hamburg cell to any other. There are fragments of a puzzle—Atta made a 10-day trip to Spain from Miami in July that continues to bother investigators, while French sources still think that Moussaoui may be connected to the Hamburg cell—but many pieces are missing.

For example: Was Mohammed Bensakhria, an Algerian arrested in June by Spanish police, bin Laden's key European lieutenant? If so, is there an American equivalent—and has he been picked up in the dragnet after the attacks? Did al-Qaeda's reputed training-camp chief Abu Zubaydah leave Afghanistan before Sept. 11, as European officials believe, and if so, where is he and what is he doing?

On one matter, however, European investigators are clear: there is something truly ruthless about the suspected terrorists they are finding. After six Algerians were picked up in Spain in September, police found videotapes in the apartment of one of the men. One tape showed four Algerian soldiers, with their throats cut, dying in a burning jeep.

For experts in terrorism, such incidents are suggestive. In Egypt in the 1960s, the Islamic ideology Takfir wal Hijra began to win adherents among extremist groups. One of them, the Society of Muslims, was led by Shukri Mustafa, an agricultural engineer. Mustafa denounced other Muslims as unbelievers and preached a "withdrawal" into a purity of the kind practiced by the Prophet Muhammad when he withdrew from Mecca to Medina. The ideology is particularly dangerous because it provides a religious justification for slaughtering not just unbelievers but also those who think of themselves as Muslim. Intensely undemocratic—for to accept the authority of anyone but God would be a blasphemy—Takfir wal Hijra is a sort of Islamic fascism.

European analysts now believe that Takfir thinking has won converts among terrorist groups. Beghal is Takfiri, and Daoudi is thought to be. Roland Jacquard, one of the world's leading scholars on Islamic terrorism, says flatly, "Atta was Takfiri." It is not just soldiers of al-Qaeda who may be following the Takfir line. Mustafa was executed in 1978, but his ideas lived on; the beliefs of al-Zawahiri's Al Jihad were dominated by Takfiri themes. Azzam Tamimi, director of the Institute of Islamic Political Thought in London, says of Zawahiri, "He is their ideologue now... His ideas negate the existence of common ground with others."

Bin Laden and al-Qaeda may have learned, by violent experience, to preempt and harness the new fanaticism. In late 1995, bin Laden's compound in Khartoum was attacked by gunmen believed to be Takfiri. A Sudanese

## The Suspects: a Bosnian Subplot

The conversation was in code, but to trained ears it was easily understood. Picked up by U.S. listening devices on Oct. 16 in Sarajevo, it ranged in topics from the bombing in Afghanistan to "what the response should be here," a senior Bosnian official told TIME. U.S. and British targets in Bosnia were mentioned. But it was the sign-off that got listeners' attention: "Tomorrow we will start." Both countries shut down their embassies and branch offices overnight. Using mobile-phone-card registration numbers, Bosnian police tracked down and arrested both callers—Algerian nationals with Bosnian citizenship. Within 72 hours three others, also Algerian born, were in custody in a Sarajevo prison, bringing the number of terror suspects apprehended in Bosnia in the past month to at least 10. In the process, NATO uncovered a separate plot to attack Eagle Base, the airfield used by some 3,000 U.S. peacekeepers in the country. "We are confirming the presence of the al-Qaeda network in Bosnia," said a spokesman for NATO-led peacekeepers. The arrests, he added, had "disrupted" the network, but "it has not been destroyed. Investigations are continuing."

## Belkacem made 70 calls to Afghanistan between the day of the U.S. attacks and his arrest

Direct links to bin Laden focus on just one man, the apparent leader of the Algerian cell, Bensayah Belkacem, 41, alias Mejd, lived with his Bosnian wife and two children in the central town of Zenica until his arrest last month. Combing through his dingy ground-floor apartment, investigators found two sets of identity papers (Algerian and Yemeni), blank passports and on a small piece of paper the number of a senior bin Laden aide, Abu Zubaydah, himself a veteran of the Bosnian war. Investigators say he is now in charge of screening recruits for al-Qaeda training camps in Afghanistan. According to phone transcripts, Zubaydah and Belkacem discussed procuring passports. There was more. Belkacem made 70 calls to Afghanistan between Sept. 11 and his arrest. U.S. officials are particularly interested in the fact that he repeatedly sought a visa to leave Bosnia for Germany just before the terrorist attacks, according to a source close to the investigation.

The other suspects are mostly foreign-born nationals and belong to a community of about 200 ex-*mujahedin* who came to Bosnia to fight alongside fellow Muslims during the war and later settled in the interior, often marrying Bosnian women and working at humanitarian agencies. Saber Lahmar, the Algerian who allegedly placed the incriminating phone call on Oct. 16, served time in Bosnia for auto theft before being pardoned in 2000. He worked at the Saudi High Commission for Relief, an agency that has given \$500 million to Bosnia. Others, according to local reports, worked at the Red Crescent society, Taibah International—a Saudi group—and Human Appeal. Bosnian authorities say that they are stepping up surveillance of aid agencies and their staffs.

After the latest arrests, the U.S. reopened its embassy, released a statement saying that the specific threat "appears to have passed," and thanked Bosnian authorities for their swift action. But officials tell TIME that there are five more alleged terrorists whom police and peacekeepers are seeking in the rugged hills of central Bosnia. And so, as elsewhere in the world, the hunt continues.

—By Andrew Purvis/Sarajevo

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# HATE CLUB

## An in-depth look at al-Qaeda, the sprawling terror network through which Osama bin Laden exploits the borderless globe with a secret army driven by a ruthless new brand of extremism

By MICHAEL ELLIOTT

*"You know that al-Qaeda exists from Algeria to the Philippines... it's everywhere."*

—from a conversation secretly taped by the Italian police on March 22; the speaker was Essid Sami ben Khemais, a Tunisian arrested the next month for alleged terrorist offenses

It was the worst crime in American history, and it has triggered the greatest dragnet ever known. The investigation into the atrocities of Sept. 11 has involved police forces across the U.S. and around the world. From Michigan to Malaysia, from San Diego to Ciudad del Este, Paraguay, law-enforcement agencies have been trying to figure out how the terrorists carried out their attacks, who helped them—and what they might do next. Along the way, the American public has been introduced to a confusing mass of names and faces and has learned of more links between them than any but the most nimble fingered could ever untangle. After nearly two months, there is much that we know about the global terrorist network that goes by the name of al-Qaeda—but an awful lot that is still hunch. Still, an international investigation by TIME into al-Qaeda's structure reveals that it is more global in its range, and more ruthless in its ideology, than all but its most dedicated students could have ever imagined.

The essential story of Sept. 11 is straightforward. A group of 19 men spent months in the U.S. preparing for the hijackings. The cell had earlier been headquartered in Hamburg, Germany, where its alleged ringleader, an Egyptian named Mohamed Atta, 33, had lived off and on for eight years. Atta is thought to have piloted Flight 11, the first to make impact; two of the other suspected pilots,

Marwan Al-Shehhi and Ziad Samir Jarrah, were also residents of the Hamburg region. The Hamburg cell, in turn, is thought to have been an operating unit of a worldwide network of terrorists called al-Qaeda, the name of whose reclusive leader is now known all over the world: Osama bin Laden.

Al-Qaeda had its origins in the long war against the Soviet occupation of Afghanistan. After Soviet troops invaded the country in 1979, Muslims flocked to join the local *mujahedin* in fighting them. In Peshawar, Pakistan, which acted as the effective headquarters of the resistance, a group whose spiritual leader was a Palestinian academic called Abdallah Azzam established a service organization to provide logistics and religious instruction to the fighters. The operation came to be known as al-Qaeda al-Sulbah—the "solid base." Much of its financing came from bin Laden, an acolyte of Azzam's who was one of the many heirs to a huge Saudi fortune derived from a family construction business. Also in Peshawar was Ayman Al-Zawahiri, an Egyptian doctor who had been a constant figure on the bewildering mosaic of radical Islamic groups since the late 1970s. Al-Zawahiri, who acted primarily as a physician in Peshawar, led a group usually called Al Jihad; by 1998, his organization was effectively merged into al-Qaeda.

In 1989, while on his way with his two sons to Friday prayers in Peshawar, Azzam was killed by a massive explosion. His killers have never been identified; Azzam had many enemies. But by the time of his death, the group around al-Qaeda were debating what to do with the skills and resources that they had acquired. The decision was taken to keep the organization intact and use it

# WORLDWIDE WEB

## COUNTRIES WITH KNOWN OR SUSPECTED AL-QAEDA CELLS IN LIGHT GRAY

### ACTIVITIES WITH POSSIBLE ISLAMIC TERRORIST LINKS:

- 1 ARRESTS/DETENTIONS
- 2 TERRORIST ATTACK
- 3 FAILED TERRORIST ATTACK
- 4 FINANCIAL BACKING

#### UNITED STATES

Of a total 1,247 arrests, fewer than 10 may be of people with information about the hijackers or the Sept. 11 attacks.

World Trade Center in 1993 and 2001; Pentagon and Pennsylvania in 2001.

Plans to blow up various bridges and tunnels around New York City and L.A. airport on New Year's Eve 2000.

#### CANADA

As many as 20 people have been taken into custody in possible connection with the Sept. 11 attacks, and one faces extradition to the U.S.

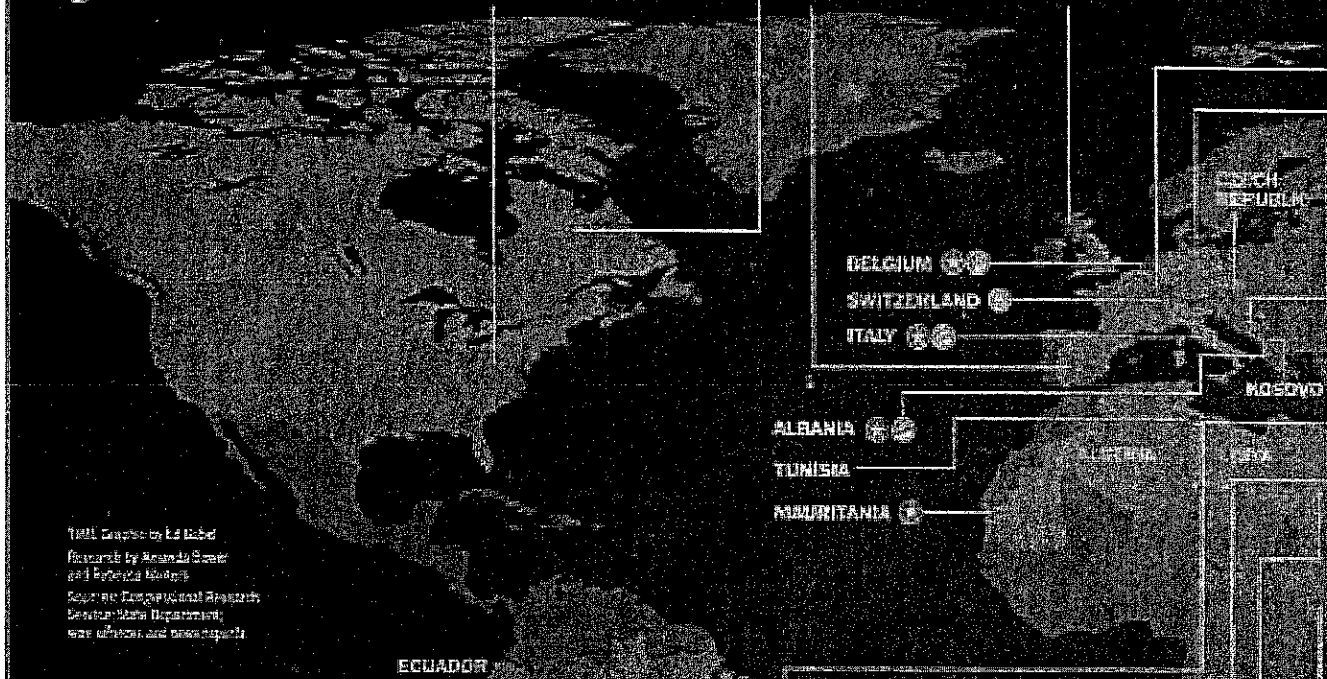
#### SPAIN

Six members of an alleged sleeper cell picked up across the country since Sept. 11.

#### BRITAIN

London in particular is seen by many as a terrorist recruiting zone.

Key arrests include Latif Razaqi, who allegedly helped teach the hijackers how to fly; Mansur Qasbi, a computer whiz suspected in the Paris plot; and Yasser al-Siri, who was charged last week in connection with the assassination of Afghan rebel leader Ahmad Shah Massoud.



TM: Maps by Ed Heald  
 Research by Amanda Green  
 and Patricia Walker  
 Source: Congressional Research  
 Service; State Department;  
 wire offices; and news reports.

#### ARGENTINA, BRAZIL, PARAGUAY

The area where all three countries meet is thought to be a terrorist financing center; banks are investigating dozens of accounts for links.

Nineteen people in this "contraband capital" have been arrested, mostly on false-documentation charges, and Paraguay has charged officials in 11 of its consulates with selling illegal passports and documents.

Last November a Palestinian allegedly plotted to bomb the U.S. and Israeli embassies in Asunción.

#### URUGUAY

Ab-Said Hassan Mokbel, an Egyptian wanted for his alleged role in a 1997 attack on tourists in Luxor, Egypt, was arrested leaving Urug through Uruguay in 1999. He is said to have trained in an al-Qaeda camp in Afghanistan.

Last April U.S. embassies in Uruguay, Paraguay and Ecuador shut down for three days after receiving "credible threats" of attacks.

#### ISRAEL

Israel says it has arrested two groups of suspected al-Qaeda operatives in Gaza and the West Bank.

#### SAUDI ARABIA

At least half of the 18 hijackers are thought to have been Saudis.

Saudi security services have carried out a small number of arrests of suspected supporters of the Saudi-born bin Laden.

#### EGYPT

Authorities plan to put on trial 253 alleged members of three Islamist groups linked to al-Qaeda. All were arrested before Sept. 11.

#### SUDAN

Khartoum was bin Laden's base from 1992 to '96. The U.S. responded to the 1998 embassy bombings with a missile assault on a suspected chemical-weapons plant in the capital.

The government has rounded up 30 "foreign extremists" since Sept. 11.



# Osama bin Laden's network of influence reaches across five continents, creating a complex tangle of men, money and murder

## FRANCE

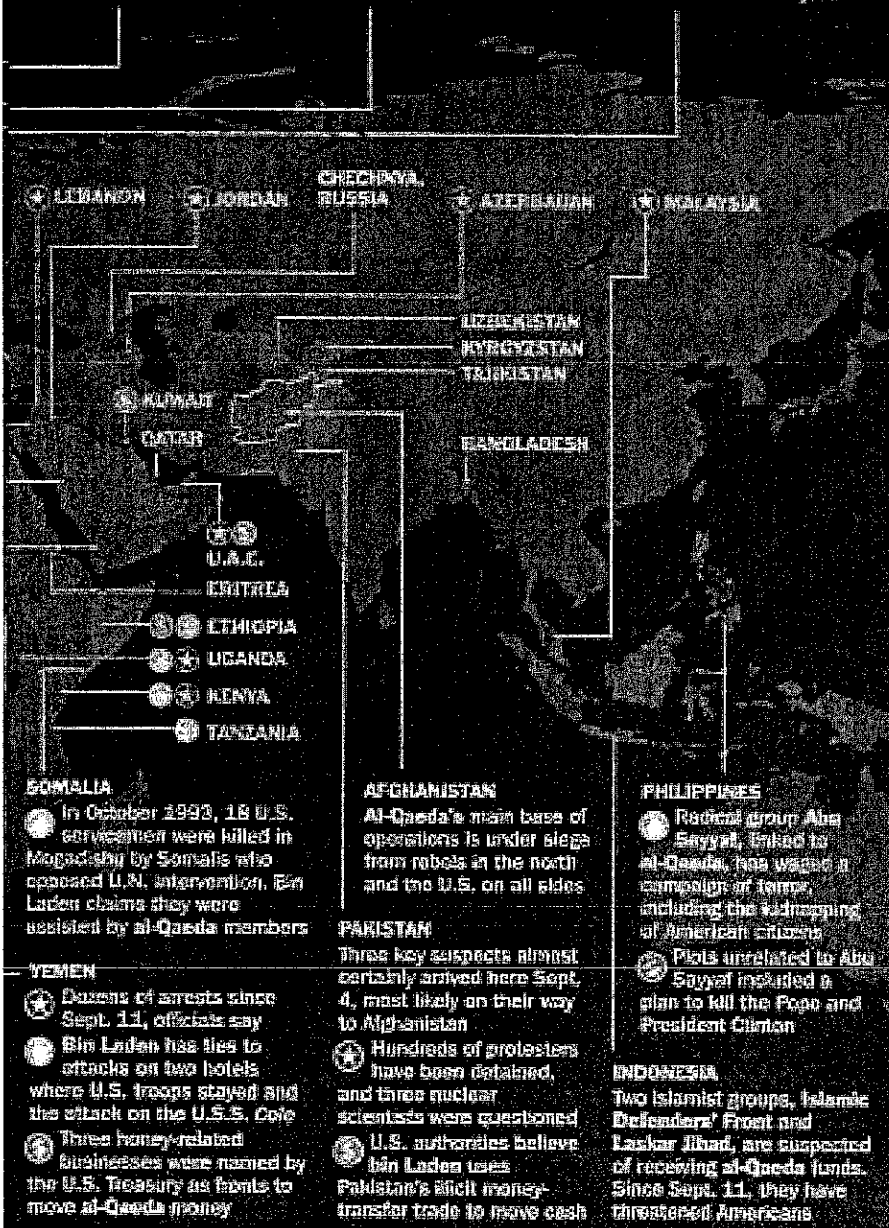
- Eight people are still in custody as part of the so-called Beghal network. Djamel Beghal, first picked up in Dubai, has said he received his orders from bin Laden lieutenant Abu Zubaydah.
- Beghal described a plan to blow up the U.S. embassy in Paris. An earlier plot, uncovered last December, targeted Strasbourg cathedral.

## GERMANY

- Alleged terrorist cells have been busted in Munich, Hamburg and Frankfurt. Officials are most interested in the Hamburg operation, which included hijackers Mohamed Atta and Marwan al-Shehhi. Three others thought to have helped in the planning of the Sept. 11 attacks are the subject of international arrest warrants.

## BOSNIA

- NATO says it has disrupted a terror cell. The alleged ringleader is linked to al-Qaeda, investigators say.
- The arrests uncovered a comprehensive plot to attack Eagle Base, used by some 3,000 U.S. peacekeepers, as well as the U.S. and U.K. embassies in Sarajevo.



TIME GRAPHIC BY ED GABEL

RESEARCH BY AMANDA BOWER AND REBECCA WINTERS

SOURCES: CONGRESSIONAL RESEARCH SERVICE; STATE DEPARTMENT; WIRE SERVICES AND NEWS REPORTS

## Who's Who in the Enemy Alliance

The top brass of al-Qaeda has wide-ranging ties to the shadowy world of international terror. A look at Osama bin Laden's lieutenants, their friends and alleged associates

### AYMAN AL-ZAWAHIRI EGYPTIAN

A physician whose group, al-Jihad, has effectively merged with al-Qaeda, al-Zawahiri, 50, is said to be the transforming mentor to bin Laden as well as his No. 2 man. Charged in connection with the 1981 assassination of President Anwar Sadat, he was convicted only of weapons possession.

### ABU ZUBAYDAH SAUDI PALESTINIAN

The only Palestinian in bin Laden's inner circle, the man reportedly nicknamed "the Mailman" coordinates international operations and helps select recruits for training in al-Qaeda camps

### TOHIR YULDASHEV UZBEK

Condemned to death in absentia by the government of Uzbekistan, Yuldashev helps lead the Islamic Movement of Uzbekistan. The movement's armed wing, which trains in Afghan camps, has an estimated 6,000 fighters. The I.M.U. was part of an assassination attempt on Uzbek President Islam Karimov in February 1999, which left at least 15 dead and 100 wounded

### AMIR KHATTAB SAUDI

Khattab, who commands rebels in Chechnya, trained in Afghanistan and was reportedly sent by bin Laden to support the breakaway movement. Khattab is said to receive millions every month to finance camps that spend three months training (and, critics say, brainwashing) volunteers from all over the Muslim world

**KHADAFFY JANJALANI  
FILIPINO**

Janjalani is believed to have taken over as head of Abu Sayyaf, a radical separatist group terrorizing the southern Philippines in its quest to establish an independent Islamic state. Officials say the group was partly funded by bin Laden, and many of its members are trained in the Middle East. It is currently holding two Americans and at least 16 Filipinos hostage

**MOHAMMED ATEF  
EGYPTIAN**

Atef is bin Laden's military chief, and helped set up al-Qaeda networks in East Africa. He was indicted by the U.S. for the 1998 embassy bombings in Tanzania and Kenya

**HASSAN HATTAB  
ALGERIAN**

Head of the Salafist Preaching and Combat Group, a three-year-old offshoot of Algeria's Armed Islamic Group. Many experts say the Salafists have been absorbed by al-Qaeda. Religious experts believe the document found in hijacker Mohamed Atta's luggage bears signs of a Salafist tract

**DJAMEL BEGHAL  
FRENCH ALGERIAN**

Arrested in Dubai in July for traveling on a false passport, Beghal later confessed to playing a prominent role in al-Qaeda's European operations, acting on orders from Abu Zubaydah. On the basis of Beghal's information, some of which he later retracted, authorities uncovered a plot to bomb the U.S. embassy in Paris

**SAID BAHAJI  
MOROCCAN GERMAN**

Germany has issued an arrest warrant for Bahaji and fellow alleged Hamburg operatives Zakariya Essabar and Ramzi Bin alshibh, who almost certainly traveled back to Afghanistan, through Pakistan, before Sept. 11. All three are suspected of playing a significant role in planning the U.S. attacks

**ZACARIAS MOUSSAOUI  
FRENCH MOROCCAN**

Moussaoui is a tantalizing suspect for U.S. authorities, but he isn't talking. Arrested in August on immigration violations, Moussaoui drew attention at a flight school because of his apparent lack of enthusiasm in learning how to take off or land. French authorities have long suspected him of involvement in terrorist activities. What does he know about Sept. 11?

to fight for a purer form of Islam. The initial target was not the U.S. but the governments of Saudi Arabia and Egypt, which al-Qaeda claimed were corrupt and too beholden to the U.S. It was only after the Gulf War, by which time bin Laden had moved his operations to Sudan (he would later be forced to shift back to Afghanistan), that he started to target Americans. To all but insiders, he first became notorious in 1998, when al-Qaeda operatives exploded truck bombs at the American embassies in Kenya and Tanzania, killing 12 Americans and hundreds of locals. Since then there has been a steady drumbeat of

attacks linked to al-Qaeda—some successful, some not—on American targets and those of U.S. allies around the world.

Al-Qaeda has its headquarters in training camps in Afghanistan. In addition to directing its own attacks, it acts as an umbrella group, financing and subcontracting operations to local networks like Algeria's Armed Islamic Group (GIA), a terrorist organization active throughout Europe. The camps in Afghanistan play a vital role. Whatever network they may originally have been aligned with, visitors to the camps meet men from other groups, forge relationships and acquire the stature of soldiers in a holy war. The high command of the group includes bin Laden, al-Zawahiri and Abu Zubaydah, a Saudi-born Palestinian who was identified in an American court case in July as the organizer of the camps and who investigators believe may be al-Qaeda's director of international operations.

Some of the best leads on al-Qaeda's directorate now seem to be coming from Djamel Beghal, a French-Algerian who is suspected of being an al-Qaeda ringleader and who was arrested in Dubai in July on his way from Pakistan to Europe. After being convinced by Islamic scholars in Dubai of the evils of terrorism, Beghal started talking. (He is now back in France and has attempted to retract his confession.) Beghal has said that while in Afghanistan in March, he received instructions from Abu Zubaydah on a bombing campaign against American interests in Europe, including the Paris embassy. "He's talking about very important figures in the al-Qaeda structure, right up to bin Laden's inner circle," a European official told TIME. "He's mentioned names, responsibilities and functions—people we weren't even aware of before. This is important stuff."

Though al-Qaeda has its roots in Afghanistan, investigators now think that the "Afghan" nature of the group is subtly changing. The war against the Soviets ended in 1991. Increasingly, al-Qaeda's captains in the field are too young ever to have fought in Afghanistan, though some may have joined Islamic brigades in Chechnya—or in Bosnia, as Abu Zubaydah did. Many of the new fighters were born and raised not in the Arab lands but in the Muslim communities of Europe, around which they travel with ease. And there is a growing sense that a number of them are "Takfiris," followers of an extremist Islamic ideology called Takfir wal Hijra (Anathema and Exile). That's bad news: by blending into host communities, Takfiris attempt to avoid suspicion. A French official says they come across as "regular, fun-loving guys—but they'd slit your throat or bomb your building in a second."

In addition to the ruthless nature of al-Qaeda's soldiers, investigators now also appreciate just how extensive are its tentacles. In mid-October, for example, NATO forces in Bosnia foiled a plot to attack U.S. and British targets there. Bensayah Belkacem, an Algerian thought to be at the center of a Bosnia-based terror group, had the number of Abu Zubaydah on a chit of paper in his apartment.

## When Terror Hides Online

Did you hear the one about Osama bin Laden hiding messages in porn websites? It sounds like one of those crazy Sept. 11 rumors, but it's actually a law-enforcement theory about how the al-Qaeda network disseminates instructions to operatives in the field.

It's no secret that bin Laden's terrorist army is Internet savvy. Hijacking ringleader Mohamed Atta made his reservations on Americanairlines.com. Some of his confederates seem to have communicated through Yahoo e-mail. And cell members went online to research the chemical-dispersing powers of crop dusters.

### How Secrets Are Concealed

#### DEVIL IN DETAIL

Hypothetically, a photo of a site to be attacked can be embedded in an innocuous image that is then posted on an existing website for terrorists to access for instructions

But secret Internet messages, known as steganography, may be the most insidious way bin Laden has taken his terrorist movement on line. Steganography, Greek for "hidden writing," allows messages to be slipped into innocuous picture and music files. The trick is that the insertions are so small they're impossible to detect with the naked eye, but easily retrieved through special software tools.

A terrorist mastermind could insert plans for blowing up a nuclear reactor in, say, the nose of a puppy on a pet-adoption website. Operatives in the field, told which nose to look at, could then check for their marching orders. Steganography is a fast, cheap, safe way of delivering murderous instructions. "It avoids the

operational security issues that exist anytime conspirators have a physical meeting," says Matthew Devost of the Terrorism Research Center. Terrorist watchers suspect al-Qaeda may be hiding its plans on online porn sites because there are so many of them, and they're the last place fundamentalist Muslims would be expected to go.

Even for netheads, steganography is a bit obscure. But bin Laden's followers may have learned about it when it burst on the pop-culture scene in recent movies like *Along Came a Spider*. The FBI has been close-mouthed on whether it has found any steganographic images from al-Qaeda. But a former government official in France has said that suspects who were arrested in September for an alleged plan to blow up the U.S. embassy in Paris were waiting to get their orders through an online photo.

Law enforcement is increasingly targeting terrorists' technology. After the Sept. 11 attacks, the FBI reportedly installed additional Carnivores, devices it has been using to surreptitiously read e-mail, on Internet service providers. The National Security Agency uses Echelon, a top-secret wiretapping device, to monitor e-mail, cell phones and faxes worldwide. And the antiterrorism law passed last month broadened law enforcement's powers to grab Internet communications.

Steganographic images can be detected through "steg analysis," a process of hunting for small deviations in expected patterns in a file. The hard part is knowing where to look in the vast expanse of the online world. Toughest of all to catch: so-called low-tech steganography, in which the message is conveyed overtly. A photo on a website with arms crossed could mean attack an East Coast nuclear power plant; a blue bandanna could mean West Coast bridges. "Sometimes," says Ben Venzke, a terrorism specialist at the security analyst firm IntelCenter, "the best technologies are the simplest ones."

—By Adam Cohen

On Oct. 28, Abu Sayyaf, a terrorist group in the Philippines that authorities believe has been supported in the past by al-Qaeda, bombed a food market, killing six people. And the Ugandan government announced that it had detained eight men on suspicion of belonging to al-Qaeda. How did one organization with an extremist ideology manage to acquire a reach that trembles governments from Bosnia to the Philippines to Uganda?

### THE BORDERLESS WORLD

"GLOBLIZATION MEANS INTERDEPENDENCE," SAYS Edmund Hull, U.S. ambassador to Yemen and former State Department counterterrorism chief. "We have previously seen the benefits of this interdependence. Now we are seeing its risks." That goes to the heart of any attempt to understand al-Qaeda. For the past decade, globalization

## Is He Osama's Best Friend?

How dangerous can an Afro comb and a plastic bottle of hot sauce be? When Officer Louis Pepe came by cell No. 6 at the Metropolitan Correctional Center in lower Manhattan on Nov. 1, 2000, he was distracted by a squirt in the face from the bottle before the sharpened comb was plunged like a bayonet through his eye and 2½ in. into his brain. The man in the cell, Mamdouh Mahmud Salim, then allegedly took the keys from the paralyzed Pepe and began to wander down the hall. Guards stopped Salim, and he didn't get away. Or did he?

Arrested and extradited from Germany in December 1998, Salim was a prize prisoner for the U.S. government, which originally planned to put him on trial with four others charged with the Aug. 7, 1998, bombing of the U.S. embassies in Africa. Salim had complained that he should not be tried with the others in the trial scheduled for February 2000 because he had not been charged with directly carrying out the bombings. The judge had refused to sever the charges, but the assault on Pepe gave the court no choice but to postpone his conspiracy trial. Salim, 43, will first be tried for the attempted murder of Pepe. Three weeks ago, on Oct. 18, all defendants in the embassy-bombing trial were found guilty and sentenced to prison for the rest of their lives.

Salim has made himself out to be small fry in the search for bin Laden associates. But could he be something bigger? The portrait painted of Salim in the embassy-bombing trial is of a powerful and malignant personality. Prosecutors described Salim (whose alias was Abu Hajar al Iraqi) not only

as one of Osama bin Laden's council of advisers, the Shura, but also as a key member of the fatwa committee, which helped formulate the theological justification for al-Qaeda's actions. Salim derived his prestige from being a religious scholar who has memorized the Koran, and he would alternate with bin Laden in delivering regular sermons to the al-Qaeda faithful. The government's star witness, a former top al-Qaeda operative, described Salim as bin Laden's "best friend." It was Salim, the prosecutors said, who provided al-Qaeda with a rationale for "collateral damage," citing an ancient fatwa calling for all-out war against pagan invaders, one that was likely to bring about the death of Muslim traders and civilians in the cross fire. If the civilian dead were indeed innocent, the argument went, they would be headed for heaven anyway.

The prosecutors provided evidence in the recent trial that Salim contributed more than theology. He was on the committee that helped al-Qaeda decide to relocate to Sudan in 1990 after the Afghan war. While Salim had told the Germans he handled finances for bin Laden's agriculture business, Themar al Mubaraka, the prosecution's witness claimed that a significant part of one large farm owned by the company was used for training courses in explosives. The witness also said that Salim, who allegedly received a monthly salary of \$1,500, helped run bin Laden's Al Hijra Construction company, which ostensibly built roads and bridges but also had a permit to import explosives for construction use. The same witness said that Salim took him on a trip to a chemical-warfare-training facility in Sudan and was a critical link in the negotiations for an attempted \$1.5 million purchase of South African uranium in 1993.

*(continued on next page)*

has been understood as an economic process, rooted in the trade of goods and services. But the defining characteristic of our new world is not the movement of products or money but of people. Cheap air transport, the effects of decolonization and a population explosion in the poorer parts of the world have combined to create an unprecedented movement of humanity from one nation to another. Travel and emigration have broadened the mind and brought unparalleled opportunities to countless families. But they have also helped create havens for those seduced by the romance of terrorism.

French investigators believe Kamel Daoudi is one such recruit; his tale illuminates both the nature of modern terrorist cells and their global reach. Daoudi was the kind of child that immigrant parents dream of having. The son of Algerians who had immigrated to France, he took the tough post-high school exams a year early and started to study computer sciences at a university in Paris. But he

found the courses difficult, and according to reports, a family row exploded in 1999 when Daoudi's father found evidence of his son's appointments with psychiatrists. Daoudi left for Britain, his pockets bulging with the \$11,000 his family had saved for his education.

On Sept. 21, he made the same trip; this time, running not from his family but from the law. Daoudi slipped away from his apartment on the Boulevard John F. Kennedy after police across Europe started to round up the network that Beghal had assembled for his operations. (French investigators think Daoudi was the computer-and-communications whiz kid of the group.) Daoudi knew Britain well. He and Beghal had hung out there with Jerome Courtailler, one of two French brothers who had converted to Islam. For a while, Courtailler lived in south London with Zacarias Moussaoui, another French child of disappointed immigrant parents. Moussaoui grew up in the southern French town of Narbonne

*(continued from previous page)*

Salim admitted to German interrogators that he worked for bin Laden's business enterprises in Sudan, including Themar. But according to a transcript of his interrogation, he insisted that "my relationship with [bin Laden] was as an employee with a contract and monthly pay." When recruited to run the businesses, Salim said, he told bin Laden that "I was an electrical engineer, not a finance specialist. He said that was not important because he knew me to be an honest man and that I would manage."

Allan Haber, Salim's lawyer in the conspiracy case, says the prosecution's portrayal of Salim as a key bin Laden operative all comes down to the credibility of the government witness Jamal Ahmed al-Fadl and "whether or not you can believe a man who says he is a devout Muslim but steals money from his boss and tries to sell information to the government of Israel." (Al-Fadl sought protection with U.S. investigators after he embezzled \$100,000 from bin Laden.) The government says al-Fadl's testimony is accurate and can be corroborated.

When Salim was arrested in Munich, he said he had arrived in Germany for the first time in 1995, to buy electronics to set up an Arabic-language radio station in Sudan. The U.S. says the real goal was to get radio equipment that could be used by al-Qaeda to communicate with its operatives. The following year, however, found al-Qaeda in confusion: Sudan expelled bin Laden, and the group's members were scattered until their high command returned to Afghanistan. Salim was living in Dubai and by 1998 had made four more visits to Germany, ostensibly to look for a new wife and a car. "My wife had three operations on her uterus," he told interrogators. "I talked with my wife about this, and she agreed I should look for a second wife." (German police note that Salim's airfare from Dubai cost more than the car he hoped to purchase, a used Mercedes-Benz 230 station wagon.)

More important, Salim acknowledged to his German interrogators that he had opened an account at Deutsche Bank and that he gave signature power over the account to Mamoun Darkazanli, a Syrian businessman

who had settled in Hamburg in the 1980s and who has told reporters that he knew some of the Sept. 11 hijackers. Darkazanli attended the wedding of Said Bahaji, an alleged member of the cell that included suspects Mohamed Atta and Marwan Al-Shehhi. Bahaji's wedding album includes pictures of Atta and Al-Shehhi. Darkazanli's name is now on a list of 39 terrorists and organizations whose assets have been blocked by the U.S. Treasury Department. He remains, however, free to roam about Hamburg.

If Salim had been on trial for conspiracy in the embassy bombings, the U.S. would potentially have been able to establish his intimacy with the highest levels of al-Qaeda. In that case, the Darkazanli connection might be more than a tantalizing possibility: a clear link between a "best friend" of bin Laden's and someone in contact with the Sept. 11 hijackers.

In the past five years, al-Qaeda officials have shown deep concern over the secrets held by its high-ranking members. When their finance chief was nabbed by the Saudis in 1997, there were discussions about assassinating him before he could turn information over to Riyadh and the U.S. When the head of the military committee drowned in a ferry accident in Lake Victoria in Kenya in the spring of 1996, al-Qaeda agents were sent to verify that he was indeed dead and that no secrets had filtered out. But if Salim is a big shot who knows too much, al-Qaeda doesn't have to worry about him for a while. His trial for the attempted murder of Pepe was scheduled to begin the week of Sept. 17 and has been put off until early next year because of the logistical and bureaucratic chaos in lower Manhattan, where the court system is located. His conspiracy trial has not even been scheduled. The planes that devastated lower Manhattan have made sure that whatever secrets he holds will take their time coming to light.

*—By Howard Chua-Eoan  
With reporting by Charles P. Wallace/Berlin*

but left for Britain in 1992 and took a degree at London's South Bank University. Earlier this year, he enrolled in an Oklahoma flight school that had been visited by two of the Sept. 11 hijackers, and German authorities say he had called the house in Hamburg used by Atta. In August, after suspicious behavior at another flight school in Minnesota, Moussaoui was arrested on immigration charges. Today he is incarcerated in the Metropolitan Correctional Center in Manhattan, refusing to speak to investigators.

Daoudi, who was picked up in the British town of Leicester, sits silent in a French jail. "He isn't giving an inch," says a French official. His lawyer denies that Daoudi has ever been involved in plotting terrorist attacks.

Children of immigrants, Muslims in Europe, highly skilled, Daoudi and Moussaoui epitomize the kind of person investigators now think provides some of al-Qaeda's key recruits. Above all, both men were true global citizens; Moussaoui, a child of the warm south, ended up in

# TERRORIST HITS AND MISSES

## A CHRONOLOGY OF MAYHEM

### ATTACK

#### DEC. 29, 1992 ADEN, YEMEN

One hundred U.S. servicemen had just left the Gold Mohur Hotel, on their way to duty in Somalia, when the bomb hit. It killed two people in the hotel and seriously wounded four tourists. Two suspects reportedly had 23 bombs, two antitank mines, dynamite and machine guns.

### ATTACK

#### FEB. 26, 1993 WORLD TRADE CENTER, NEW YORK CITY

The first attempt to bring down the Twin Towers resulted in six deaths and more than 1,000 injuries. The al-Qaeda organization was never mentioned at the trial of convicted mastermind Ramzi Yousef, but he was later convicted of other foiled plots that authorities suspect had al-Qaeda links.

### ATTACK

#### OCT. 3, 1993 MOGADISHU, SOMALIA

Bin Laden claims he supplied weapons and fighters to Somalis involved in a fierce battle that left 18 U.S. servicemen dead.

### FOILED

#### LATE 1994, EARLY 1995 MANILA, PHILIPPINES

Then-fugitive Ramzi Yousef had already slipped out of the U.S. and the Philippines when officials investigated an explosion in a Manila apartment occupied by two people linked to him. Investigators discovered plots to assassinate the Pope and President Clinton during visits to the Philippines and to explode a dozen commercial jets over the Pacific.

### FOILED

#### JUNE 26, 1995 ADDIS ABABA, ETHIOPIA

An assassination attempt on the motorcade of Egyptian President Hosni Mubarak was unsuccessful.

### ATTACK

#### NOV. 13, 1995 RIYADH, SAUDI ARABIA

A car bomb at a U.S.-run training facility for the Saudi National Guard killed five Americans and two Indians. Four Saudis confessed on national television (they were later beheaded) and said they were "inspired" by bin Laden.

### ATTACK

#### JUNE 25, 1996 DHAHRAN, SAUDI ARABIA

A massive truck bomb at the Khobar Towers apartment compound, where hundreds of U.S. Air Force personnel were stationed, killed 19 U.S. airmen and wounded hundreds more.

### ATTACK

#### AUG. 7, 1998 DAR-ES-SALAAM, TANZANIA & NAIROBI, KENYA

Truck bombs hit U.S. embassies in both cities, killing 224, including 12 Americans. Bin Laden and 20 others were later indicted; four received life sentences.

### FOILED

#### DEC. 14, 1999 PORT ANGELES, WASH.

Alert U.S. Customs agents noticed that Ahmed Ressam was sweating—in winter—while waiting to cross from Canada into the U.S. In his trunk, they found explosives. Ressam later confessed to a plot to blow up LAX airport.

### FOILED

#### DECEMBER 1999 AMMAN, JORDAN

A tip to local intelligence officials revealed a plot to kill U.S. and Israeli millennium revelers by bombing a fully booked hotel and prominent Christian sites.

### ATTACK

#### OCT. 12, 2000 ADEN, YEMEN

A boat laden with explosives rammed the U.S.S. *Colé*, killing 17 sailors and wounding more than 30. Bin Laden, at his son's wedding, wrote an ode to his supporters who carried out the attack: "The pieces of the bodies of the infidels were flying like dust particles."

### FOILED

#### DEC. 25-26, 2000 STRASBOURG, FRANCE

German investigators picked up four men across the Rhine River in Frankfurt on the eve of what they said was a planned bomb assault on Strasbourg's cathedral and market.

### ATTACK

#### SEPT. 11, 2001 NEW YORK CITY, WASHINGTON, PENNSYLVANIA

Four hijacked passenger airliners crashed into New York City's two tallest buildings, the Pentagon and a field in rural Pennsylvania. Thousands were killed.

### FOILED

#### SEPT. 13, 2001 PARIS AND BRUSSELS

Evidence of plots to bomb the U.S. embassy in Paris, and possibly also NATO headquarters in Brussels, was uncovered after the earlier confession of Djamel Beghal. The information, despite being partially retracted, led to arrests.

### FOILED

#### OCT. 8, 2001 SARAJEVO, BOSNIA

NATO officials say they disrupted an al-Qaeda cell that was planning to attack the U.S. embassy and Eagle Base airfield, used by some 3,000 U.S. peacekeepers.

—By Amanda Bower

the state where ice fishing is a favorite sport. As they dig deeper, law-enforcement agencies are beginning to understand just how effectively globalization has spread terrorism around the planet.

Consider two countries half a world apart and far from the Islamic heartlands: the Philippines and Britain. It was in Manila, that most Catholic of cities, that Mohammed Sadeek Odeh found his vocation. Sentenced to life imprisonment on Oct. 18 for his part in the 1998 bombings of the American embassies in Kenya and Tanzania, Odeh seemed to have lived the predictable life of an al-Qaeda operative—he was born to exiled Palestinians in Saudi Arabia and grew up in Jordan. Yet he turned to radical Islam while studying engineering in the Philippines. It was there that Odeh first saw and heard videos and taped messages from Abdallah Azzam. In 1990 Odeh moved to Pakistan, and from there to the camps in Afghanistan and a new life as a soldier in al-Qaeda.

Other Muslims who had studied in the Philippines maintained links there. It was from Manila that Ramzi Yousef, the convicted mastermind behind the first World Trade Center bombing, hatched a plan to blow up 12 American airliners as they flew over the Pacific. In the mid-1990s, Mohammed Jamal Khalifa, married to one of bin Laden's sisters, allegedly funded Islamic schools in the south of the country, where Muslim insurgents have been fighting for years. The Filipino government has long claimed that Abu Sayyaf, the most bloodthirsty of the groups—its specialty is beheadings—has been supported by al-Qaeda. Abdurajak Janjalani, the group's late founder, fought in Afghanistan, reportedly with bin Laden and Yousef. The links may be a thing of the past; these days Abu Sayyaf's style runs more to kidnapping and ransom than to jihad. Still, Philippine President Gloria Macapagal Arroyo recently said Khalifa had offered to secure the release by Abu Sayyaf of 18 hostages, including an American missionary couple.

About the only thing that Manila has in common with London is damp—that and a reputation for giving succor to terrorist supporters. Britain has always had a habit of providing safe haven to political refugees; that's why Karl Marx is buried in Highgate cemetery. But in the past 20 years, says Neil Patrick, a Middle East analyst at the Royal United Services Institute, London has become "the capital of the Arab world." As they used to say in Britain: Whoever lost the Lebanese civil war, London won it. With Beirut in ruins, banks relocated from Lebanon; they were followed by Arabs from Saudi Arabia and the gulf who summered in Kensington Gardens, journalists, members of opposition groups—and radical Islamic clerics.

One such preacher, Abu Hamza al-Masri, arrived in 1981, having left one eye and both hands in Afghanistan. He was granted British citizenship in 1985, and his mosque in Finsbury Park, tucked among Victorian row houses one tube stop from Arsenal's soccer stadium, has become famous worldwide for preaching jihad. Mous-

saoui, the Courtailler brothers and Beghal all attended prayers there. Beghal is said also to be a follower of Abu Qatada, a radical who preached jihad from a community center on Baker Street and whose bank account, allegedly with \$270,000 in it, was frozen by the Bank of England in mid-October.

London's dirty secret is that it has long been a recruiting ground for terrorists. French authorities moan with frustration at the lack of British cooperation. For years the French were unable to get London to extradite suspected members of the Algeria-based GIA, responsible for a wave of bombings in Paris in the mid-1990s. The U.S. hasn't always had better luck; Americans have been trying to get their hands on Khalid al-Fawwaz, a London-based Saudi alleged to have set up an office for bin Laden in 1994 and now wanted for trial in relation to the African embassy bombings. (Al-Fawwaz's legal maneuverings have just reached Britain's highest court.)

The gears of British justice are starting to grind more quickly. London has detained and questioned a number of Sept. 11 suspects, including Lotfi Raissi, an Algerian alleged to have helped train the suicide pilots in the attacks. And last week Yasser al-Siri, whose bookstore and website are well known in London, was charged with conspiracy to murder Ahmed Shah Massoud, the leader of the anti-Taliban Afghan Northern Alliance. Massoud died after assassins bombed his headquarters on Sept. 9.

But al-Siri's case demonstrates the oddities of the international legal system. He is in Britain on asylum from Egypt, where he was sentenced to death for the attempted murder of the Prime Minister in 1993, a charge he denies. "That was a military court," he told *TIME* before his arrest. "I'm a civilian." Governments across Western Europe, their feet held to the fire by strong civil-liberties groups, have been protective of the rights of refugees and asylum seekers. And while the European Union has demolished barriers to the movement of goods and people, its 15 nations have been slow to develop common institutions of criminal justice and investigation. For Atta and his cell of alleged conspirators in Hamburg, the characteristics of modern European life were a godsend. In addition to the hijackers known to have lived there, other men alleged to be part of the Hamburg cell have had arrest warrants issued for them: Said Bahaji, Zakariya Essabar and Ramzi Binalshibh. German officials believe that last spring both Essabar and Binalshibh tried to get to the U.S. to take flying lessons. The three almost certainly arrived in Pakistan from Germany on Sept. 4 and have since gone to ground—possibly in Afghanistan.

Hamburg was an ideal long-term base; 1 in 7 of the city's population is foreign, as is 1 in 5 of the students at Atta's college. (Foreign students pay no tuition in Germany.) Atta and his friends could have stayed as long as they liked—Germany invented the perpetual student—since they had legal residence, could travel freely around the E.U. or leave it for a period, without arousing suspicion. It is hard to think of a way of life that so epitomized

the promise of a borderless world and then perverted globalization to such an evil end.

## YOUNG AND RUTHLESS

AFTER SEVEN WEEKS OF INVESTIGATIONS THERE IS NO HARD evidence that links the Hamburg cell to any other. There are fragments of a puzzle—Atta made a 10-day trip to Spain from Miami in July that continues to bother investigators, while French sources still think that Moussaoui may be connected to the Hamburg cell—but many pieces are missing.

For example: Was Mohammed Bensakhria, an Algerian arrested in June by Spanish police, bin Laden's key European lieutenant? If so, is there an American equivalent—and has he been picked up in the dragnet after the attacks? Did al-Qaeda's reputed training-camp chief Abu Zubaydah leave Afghanistan before Sept. 11, as European officials believe, and if so, where is he and what is he doing?

On one matter, however, European investigators are clear: there is something truly ruthless about the suspected terrorists they are finding. After six Algerians were picked up in Spain in September, police found videotapes in the apartment of one of the men. One tape showed four Algerian soldiers, with their throats cut, dying in a burning jeep.

For experts in terrorism, such incidents are suggestive. In Egypt in the 1960s, the Islamic ideology Takfir wal Hijra began to win adherents among extremist groups. One of them, the Society of Muslims, was led by Shukri Mustafa, an agricultural engineer. Mustafa denounced other Muslims as unbelievers and preached a "withdrawal" into a purity of the kind practiced by the Prophet Muhammad when he withdrew from Mecca to Medina. The ideology is particularly dangerous because it provides a religious justification for slaughtering not just unbelievers but also those who think of themselves as Muslim. Intensely undemocratic—for to accept the authority of anyone but God would be a blasphemy—Takfir wal Hijra is a sort of Islamic fascism.

European analysts now believe that Takfir thinking has won converts among terrorist groups. Beghal is Takfiri, and Daoudi is thought to be. Roland Jacquard, one of the world's leading scholars on Islamic terrorism, says flatly, "Atta was Takfiri." It is not just soldiers of al-Qaeda who may be following the Takfir line. Mustafa was executed in 1978, but his ideas lived on; the beliefs of al-Zawahiri's Al Jihad were dominated by Takfiri themes. Azzam Tamimi, director of the Institute of Islamic Political Thought in London, says of Zawahiri, "He is their ideologue now... His ideas negate the existence of common ground with others."

Bin Laden and al-Qaeda may have learned, by violent experience, to preempt and harness the new fanaticism. In late 1995, bin Laden's compound in Khartoum was attacked by gunmen believed to be Takfiri. A Sudanese

## The Suspects: a Bosnian Subplot

The conversation was in code, but to trained ears it was easily understood. Picked up by U.S. listening devices on Oct. 16 in Sarajevo, it ranged in topics from the bombing in Afghanistan to "what the response should be here," a senior Bosnian official told TIME. U.S. and British targets in Bosnia were mentioned. But it was the sign-off that got listeners' attention: "Tomorrow we will start." Both countries shut down their embassies and branch offices overnight. Using mobile-phone-card registration numbers, Bosnian police tracked down and arrested both callers—Algerian nationals with Bosnian citizenship. Within 72 hours three others, also Algerian born, were in custody in a Sarajevo prison, bringing the number of terror suspects apprehended in Bosnia in the past month to at least 10. In the process, NATO uncovered a separate plot to attack Eagle Base, the airfield used by some 3,000 U.S. peacekeepers in the country. "We are confirming the presence of the al-Qaeda network in Bosnia," said a spokesman for NATO-led peacekeepers. The arrests, he added, had "disrupted" the network, but "it has not been destroyed. Investigations are continuing."

### Belkacem made 70 calls to Afghanistan between the day of the U.S. attacks and his arrest

Direct links to bin Laden focus on just one man, the apparent leader of the Algerian cell, Bensayah Belkacem, 41, alias Mejd, lived with his Bosnian wife and two children in the central town of Zenica until his arrest last month. Combing through his dingy ground-floor apartment, investigators found two sets of identity papers (Algerian and Yemeni), blank passports and on a small piece of paper the number of a senior bin Laden aide, Abu Zubaydah, himself a veteran of the Bosnian war. Investigators say he is now in charge of screening recruits for al-Qaeda training camps in Afghanistan. According to phone transcripts, Zubaydah and Belkacem discussed procuring passports. There was more. Belkacem made 70 calls to Afghanistan between Sept. 11 and his arrest. U.S. officials are particularly interested in the fact that he repeatedly sought a visa to leave Bosnia for Germany just before the terrorist attacks, according to a source close to the investigation.

The other suspects are mostly foreign-born nationals and belong to a community of about 200 ex-mujahedin who came to Bosnia to fight alongside fellow Muslims during the war and later settled in the interior, often marrying Bosnian women and working at humanitarian agencies. Saber Lahmar, the Algerian who allegedly placed the incriminating phone call on Oct. 16, served time in Bosnia for auto theft before being pardoned in 2000. He worked at the Saudi High Commission for Relief, an agency that has given \$500 million to Bosnia. Others, according to local reports, worked at the Red Crescent society, Taibah International—a Saudi group—and Human Appeal. Bosnian authorities say that they are stepping up surveillance of aid agencies and their staffs.

After the latest arrests, the U.S. reopened its embassy, released a statement saying that the specific threat "appears to have passed," and thanked Bosnian authorities for their swift action. But officials tell TIME that there are five more alleged terrorists whom police and peacekeepers are seeking in the rugged hills of central Bosnia. And so, as elsewhere in the world, the hunt continues.

—By Andrew Purvis/Sarajevo



friend of bin Laden's who questioned the surviving attacker said, "He was like a maniac, more or less like the students in the U.S.A. who shoot other students. They don't have very clear objectives." By the time al-Qaeda had resettled in Afghanistan, ideological training was an integral part of the curriculum, according to a former recruit who went on to bomb the U.S. embassy in Nairobi. Students were asked to learn all about demolition, artillery and light-weapon use, but they were also expected to be familiar with the fatwas of al-Qaeda, including those that called for violence against Muslim rulers who contradicted Islam—a basic Takfiri tenet. French terrorism expert Jacquard describes Takfiri indoctrination this way: "Takfir is like a sect: once you're in, you never get out. The Takfir rely on brainwashing and an extreme regime of discipline to weed out the weak links and ensure loyalty and obedience from those taken as members."

The results of the boot camps are diehard but undetectable soldiers of the movement. "The Takfir," says Jacquard, "are the hard core of the hard core: they are the ones who will be called upon to organize and execute the really big attacks." French officials think that Takfiri beliefs have bred a distinct form of terrorism. "The goal of Takfir," says one, "is to blend into corrupt societies in order to plot attacks against them better. Members live together, will drink alcohol, eat during Ramadan, become smart dressers and ladies' men to show just how integrated they are."

For law-enforcement officials, the Takfiri connection is terrible news. By assimilating into host societies—some won't even worship with other Muslims—it's easy for Takfiris to escape detection. Those stories of the Sept. 11

## What Makes Youths Volunteer?

To British lawyer Anjem Choudary, 40, a British passport means very little. For a true Muslim, he says, "a British passport is no more than a travel document." Abu Yahya, 26, a Londoner and veteran of military training camps in Kashmir and Afghanistan, agrees: "Our allegiance is solely to Allah and his messenger, not to the Queen and country. Nationality means nothing."

Choudary and Yahya belong to the extremist Islamic group al-Muhajiroun, and though they speak for only a tiny fraction of Britain's 2 million Muslims, their views received grim publicity last week with the news that three British-born Muslims had been killed in Kabul—allegedly in a U.S. bombing raid on a Taliban compound—after volunteering for the jihad.

The deaths of the three young men shocked their families. In Crawley, an industrial town 33 miles south of London, the mother of Yasir Khan, 28, insisted her son had gone to Pakistan for humanitarian work. In Luton, 34 miles north of London, the parents of computer-engineering student Afzal Munir and taxi driver Aftab Manzoor, both 25, weren't aware the two had joined up. Both lived with their parents in modest suburban houses in this quiet town that is home to 22,000 Muslims.

Many Muslims in Britain, however, are loudly anti-American and highly critical of the bombing in Afghanistan. Al-Muhajiroun is capitalizing on this anger. The group had been saying for weeks that Britons were flocking to the bin Laden cause, much as Jewish youths went to Tel Aviv in 1967 to fight in the Arab-Israeli war. In Lahore, Pakistan, last week a spokesman—British university graduate Abu Ibrahim—put the numbers at between 600 and 700. British authorities, however, speculated that volunteers probably amounted to a few dozen. Conservative peer Norman Tebbit suggested that it would be treason for British citizens to take up arms against Anglo-American forces. Defense Secretary Geoff Hoon warned that those who did fight for the Taliban might face prosecution should they return.

The jihad volunteers are mostly from first-generation British families and feel oppressed by the stresses of biculturalism, suggests Mounir Daymi, executive director of Britain's Muslim Students Society. This alienation is felt most deeply in the poorer communities. That's where you will find "some people who want the clash of civilizations to happen," Daymi says. Adam Armstrong, 35, a Luton teacher who converted to Islam in 1989 because he felt "something was missing" in his life, endorses that view. The volunteers, however few, are "devout Muslims, often university students," he says, the sort of idealists who used to go to Chechnya and now go to Afghanistan. Asked why mostly Britons seem to have volunteered so far, he said that Muslims are better organized in Britain, often have families in Pakistan or Kashmir and enjoy greater freedom of movement. There are no national identity cards, giving authorities less knowledge of their whereabouts.

Most British Muslims reject al-Muhajiroun's militant campaigning; fellow Muslims in Luton have been giving the hard-liners a rough time. Al-Muhajiroun leaflets have been banned from Luton's Central Mosque, and last week the local al-Muhajiroun leader, known simply as Shahed, was attacked in the street after he staged a noisy demonstration in support of the Taliban. Although Daymi of the Muslim Students Society rejects al-Muhajiroun's message, he does believe that now is the time for jihad—but not the kind others are pursuing. "In these days of war, our jihad is to show the peaceful face of Islam," he says. "Retaliation and revenge will just lead to more retaliation and revenge. You can defend your religion peacefully." That may be the kind of jihad worth joining.

—By Helen Gibson. With reporting by Jeff Chu/Birmingham and Ghulam Hasnain/Karachi

hijackers drinking in bars and carousing in Las Vegas may now have an explanation. Jarrah's cousin Salim, who lives in the German town of Greifswald, claims that they "used to go to church more than to the mosque." Jarrah, says Salim, loved discos—"We didn't need veiled woman and all that"—and sneaked shots of whiskey during a family wedding. He makes Jarrah sound like a normal guy, and normal guys aren't easy to catch.

## BOLTING THE DOOR

THOSE CHARGED WITH CATCHING TERRORISTS WON'T STOP trying. And governments are reassessing their policies on immigration, asylum and open borders. New legislation is promised in Canada, Britain and Germany; the talks this year when Mexican and American officials seriously considered not tightening, but liberalizing, their immigration policies now bear the sad echo of a lost world.

The American refugee program, which had been responsible for bringing about 80,000 people into the U.S., is barely alive; President Bush hasn't signed its annual authorization. Last week Bush announced further measures to bolt the nation's door, including the formation of a Foreign Terrorist Tracking Task Force to coordinate federal efforts to keep terrorists out and hunt them down if they slip in. Authorities will now check to see that those who enter the U.S. on student visas actually attend school. But there is an air of desperation to the proposals. "This was not an immigration failure; it was an intelligence failure," says Charles Keely, professor of international migration at Georgetown University.

In Washington, the Immigration and Naturalization Service is regarded as a mess; even its spokesman, Russ Bergeron, says it has "languished for decades." In 1996 Congress told the INS to set up a computer system to track those who come into the U.S. on student visas; but with some 600,000 such people in a country with more than 22,000 educational institutions, the system is not yet up

and running. Only one of the 19 hijackers entered on a student visa. Can screenings in foreign countries be tightened? Maybe, but all 19 were run through a computerized "watch list" of suspected terrorists when they applied for visas (at least six were interviewed personally). Nothing turned up. In any event, as Kathleen Newland, co-director of the Migration Policy Institute in Washington, says, "The facts remain the same." Globalization will continue to spin people around the world. The U.S. will continue to have two enormous land borders with peaceful neighbors; we're never going to see watch towers along the 49th parallel. Each year, says Newland, there are 489 million border crossings into the U.S., involving 127 million passenger vehicles; each year, 820,000 planes and 250,000 ships enter U.S. airspace or waters. However terrorism is beaten, it won't be by American border controls.

Will it be by war? In the immediate aftermath of Sept. 11, there was a hope that police work might be able to rid the world of al-Qaeda and its associates. But the more we know of bin Laden's group, the less that seems likely, and not just because its operatives are ruthlessly fanatic.

Perhaps the single most important truth learned in seven weeks is the existence of a creepy camaraderie, an international bond among terrorists. Those ties are forged in Afghanistan. "The one thing that absolutely everyone involved in terrorist groups has in common," says a European official, "is passage through the al-Qaeda camps. When leaders are sent from Afghanistan to start organizing people, there are no questions asked: the camp experience allows everyone to recognize the bona fides or jihad." The B-52s pounding away from 40,000 ft. may not look like sleuths and cops. But if al-Qaeda's sinister appeal and global reach are ever to be broken, the bombers too must play their part.

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—Reported by Bruce Crumley/Paris, Helen Gibson and James L. Graff/London, Scott MacLeod/Cairo and Viveca Novak/Washington, with other bureaus

**Personal Representative Review of the Record of Proceedings**

I acknowledge that on 2 October 2004, I was provided the opportunity to review the record of proceedings for the Combatant Status Review Tribunal involving ISN # [REDACTED]

I have no comments.

My comments are attached.

[REDACTED]

Name

2 Oct 2004

Date

[REDACTED]

Signature

ISN # [REDACTED]  
Enclosure (4)

**Personal Representative Review of the Record of Proceedings**

I acknowledge that on 2 October 2004 I was provided the opportunity to review the record of proceedings for the Combatant Status Review Tribunal involving ISN # [REDACTED]

I have no comments.

My comments are attached.

[REDACTED]  
Name

2 Oct 2004  
Date

[REDACTED]  
Signature

ISN # [REDACTED]  
Enclosure (5)

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

BENSAYAH BELKACEM, *et al.* )  
 )  
 )  
 Petitioners, )  
 )  
 v. ) Civil Action No. 04-CV-1166 (RJL)  
 )  
 )  
 GEORGE W. BUSH, )  
 )  
 President of the United States, *et al.*, )  
 )  
 Respondents. )  
 \_\_\_\_\_ )

**DECLARATION OF JAMES R. CRISFIELD JR.**

Pursuant to 28 U.S.C. § 1746, I, Commander James R. Crisfield Jr., Judge Advocate General's Corps, United States Navy, hereby state that to the best of my knowledge, information and belief, the following is true, accurate and correct:

1. I am the Legal Advisor to the Combatant Status Review Tribunals. In that capacity I am the principal legal advisor to the Director, Combatant Status Review Tribunals, and provide advice to Tribunals on legal, evidentiary, procedural, and other matters. I also review the record of proceedings in each Tribunal for legal sufficiency in accordance with standards prescribed in the Combatant Status Review Tribunal establishment order and implementing directive.

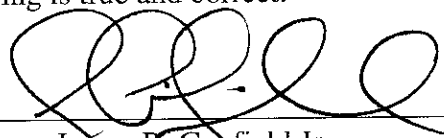
2. I hereby certify that the documents attached hereto constitute a true and accurate copy of the portions of the record of post-tribunal proceedings before the Combatant Status Review Tribunal related to petitioner Bensayah Belkacem that are suitable for public release. These post-tribunal proceedings were conducted by the Tribunal President pursuant to my request because a document was discovered during a search of a Government agency's files that related to the Petitioner. In my opinion, the document could have potentially indicated that the Petitioner was not

an enemy combatant. I forwarded the document to the Tribunal with instructions to examine the document and reconsider their prior enemy combatant status determination. Upon reconsideration, the newly discovered evidence did not cause any member of the Tribunal to change their prior determination.

3. The portions of the record that are classified or considered law enforcement sensitive are not attached hereto. I have redacted information that would personally identify certain U.S. Government personnel in order to protect the personal security of those individuals. I have also redacted internee serial numbers because certain combinations of internee serial numbers with other information become classified under applicable classification guidance.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: 2 Dec 04

  
James R. Crisfield Jr.  
CDR, JAGC, USN



Department of Defense  
Director, Combatant Status Review Tribunals

OARDEC/Ser: 415

80 NOV 2004

**FOR OFFICIAL USE ONLY**

From: Director, Combatant Status Review Tribunal

Subj: SUPPLEMENTARY REVIEW OF COMBATANT STATUS REVIEW TRIBUNAL  
FOR DETAINEE ISN # [REDACTED]

Ref: (a) My ltr Ser 0206 of 11 Oct 04

1. I approve the finding of the supplementary proceedings of the Combatant Status Review Tribunal regarding Detainee ISN # [REDACTED]
2. My prior approval of the Combatant Status Review Tribunal result contained in reference (a) remains unchanged.

A handwritten signature in black ink, appearing to read "J. M. McGARRAH".

J. M. McGARRAH  
RADM, CEC, USN

Distribution:

NSC (Mr. John Bellinger)  
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CITF Ft Belvoir

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4889

22 Nov 04

MEMORANDUM

From: Legal Advisor

To: Director, Combatant Status Review Tribunal

Subj: ADDENDUM LEGAL SUFFICIENCY REVIEW OF COMBATANT STATUS REVIEW  
TRIBUNAL FOR DETAINEE ISN # [REDACTED]

Ref: (a) Deputy Secretary of Defense Order of 7 July 2004

(b) Secretary of the Navy Implementation Directive of 29 July 2004

Encl: (1) DA WASHINGTON DC 050016Z Mar 02

(2) My E-mail ltr of 15 Oct 04

(3) Col. [REDACTED] memo of 11 Nov 04

1. During a search of the files of another government agency, Combatant Status Review Tribunal personnel discovered new information related to the detention of Detainee ISN [REDACTED]. See enclosure (1). This information was forwarded to the Tribunal, which was reconvened to review the information. See enclosure (2). The Tribunal reconvened, reviewed the information, and found it unpersuasive. Therefore, their prior finding remained unchanged. See enclosure (3).
2. In my opinion the supplementary proceedings of the Tribunal are legally sufficient and no corrective action is required.
3. I recommend that the supplementary proceedings of the Tribunal be approved.

  
JAMES R. CRISFIELD JR.  
CDR, JAGC, USN