

U.S. Court Ruling Links Iran to Al-Qaeda

Matthew Levitt | *The Iran Primer* | December 2011

On November 28, a U.S. District court issued a little-noticed ruling that effectively links Iran to al-Qaeda on terrorism. It specifically named both Iran and Sudan for an indirect supporting role in the 1998 twin bombings of the U.S. embassies in Kenya and Tanzania, acts long linked exclusively with al-Qaeda. Bin Laden and many of al-Qaeda's senior leadership called Sudan home for several years, so the link between Sudan and al-Qaeda was not a surprise. Iran, however, has repeatedly denied collaborating with al-Qaeda, but the court decision cites Iran for training al-Qaeda operatives in basic tactics later used for terrorist attacks. The court decision could mark a legal precedent in holding Iran accountable for complicity in a broader range of terrorism.

In a 45-page opinion, Judge John D. Bates ruled that Iran "provided material aid and support to al-Qaeda for the 1998 embassy bombings" in East Africa. The Washington court also found that "the Iranian defendants, through Hezbollah, provided explosives training to bin Laden and al-Qaeda and rendered direct assistance to al-Qaeda operatives." Hezbollah is the Lebanese party and militia long allied with Iran. The ruling offered insights into the mechanics of Iran's state sponsorship of terrorism at a time the Islamic Republic is again charged with plotting against the United States and its allies. The ruling followed a three-day trial held in October 2011 involving a civil action under the Foreign Sovereign Immunities Act ("FSIA"). The plaintiffs—victims of the bombings and their families—sought to assign liability for their injuries to the Republic of Sudan and its Interior Ministry and Iran and its Iranian Revolutionary Guards Corps and Ministry of Information and Security.

The East Africa bombing trial—U.S. v. Osama bin Laden et al.—revealed that bin Laden and al-Qaeda forged an alliance with the Iranian government in Sudan in the 1990s. Al-Qaeda, "put aside its differences with the Shiite Muslim terrorist organizations, including the government of Iran and its affiliated terrorist group, Hezbollah, to cooperate against the perceived common enemy, the United States and its allies," according to an FBI affidavit.

The East African attacks followed on August 7, 1998, when hundreds were killed in almost simultaneous car bombing at the American embassies in Dar es Salaam, Tanzania and Nairobi, Kenya. These attacks led the FBI to place bin Laden on its Most Wanted list. The court ruling now also cites Iran for training al-Qaeda operatives and thus enabling al-Qaeda to carry out the subsequent attacks.

The East Africa suicide truck bombs bore the hallmarks of previous Hezbollah attacks. According to the 9/11 Commission, bin Laden reportedly showed particular interest in the early 1990s in "learning how to use truck bombs such as the one that had killed 241 U.S. Marines in Lebanon in 1983." Al-Qaeda operatives, including top military committee members and operatives involved in the Kenya cell's plotting of the embassy bombings, developed the tactical expertise to execute this kind of attack when they attended Hezbollah terrorist training camps in Lebanon sometime in 1993, according to the 9/11 commission report.

Between 1992 and 1996, several al-Qaeda officials met with an Iranian religious official in Khartoum in order to arrange a "tripartite agreement between al-Qaeda, the National Islamic Front of Sudan, and elements of the Government of Iran,"

the FBI affidavit added. The relationship forged there led al-Qaeda emissaries to travel to Iran; Hezbollah's Imad Mughniyeh also agreed to train members of al-Qaeda and Egyptian Islamic Jihad in Lebanon in exchange for weapons, the FBI reported. Similar links were implied by the 9/11 Commission Report, which noted that "senior al-Qaeda operatives and trainers traveled to Iran to receive training in explosives" in other cases.

Senior al-Qaeda operatives graduated from these training courses in Iran, according to the testimony of al-Qaeda defector Jamal al-Fadl (at an earlier criminal trial of bin Laden for the East Africa Embassy bombings). The operatives took training manuals and video tapes back to Sudan from these courses. One tape in particular provided training on how to attack large buildings with explosives, according to al-Fadl.

Iranian ambassadors and other diplomats in

Nairobi and Dar es Salaam left their posts two weeks before the embassy bombings, according to press reports. One of the ambassadors, Ali Saghaian, was also reportedly tied to the 1994 bombing of the AMIA Jewish community center in Argentina, according to the Argentine indictment after the AMIA attack. Saghaian was reportedly a member of the Revolutionary Guard who spent time at the Iranian Embassy in Buenos Aires and "worked with those who decided to carry out the attack," the indictment said. In Argentina, as in East Africa, Iranian diplomats flew out of the country just before the attack.

The court decision does not conclude that Iran or Hezbollah was directly linked to the East Africa embassy bombings. But it effectively rules that both played critical roles in the years leading up to the embassy bombings by training al-Qaeda operatives on how to carry out just such an attack.

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