

Some questions about the hunt for Al Qaeda in Spain

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Spanish judge Baltasar Garzon is seeking the extradition to Spain of four detainees from the United States' prison camp at Guantanamo Bay.

Garzon has named the four who were captured in Afghanistan as Hamid Abd al-Rahman, Lahcen Ikassrien, Khamiel Abd al-Latif al-Banna and Umar Deghayes. Under Spain's anti-terrorism laws, they can be held for up to four years without trial while their case is investigated.

Garzon states, "The accused are being detained at Guantanamo Bay, but since there is evidence against them in Spain the Spanish government is legally required to seek their extradition without delay."

He claims Spanish courts have jurisdiction over the detainees—although only Abd al-Rahman is a Spanish citizen—because their alleged crimes were "at least partly" planned inside Spain. An additional reason why Spain should try the detainees, Garzon adds, is that Guantanamo Bay is controlled by the US and therefore subject to the 1971 US-Spain extradition treaty.

Garzon's request for extradition is the latest development in the hunt for suspects the Spanish government claims belonged to a Spanish Al Qaeda cell that helped plan the September 11, 2001 terror attack in New York. Mohammed Atta, who led the attack, is known to have visited Spain twice in the months leading up to it.

Spanish Prime Minister Jose Maria Aznar has been one of the most resolute supporters of the US administration's "war on terror" since September 11. Not only has his government taken part in the war on Iraq, but it also quickly arrested mostly Spanish citizens of Arab descent whom it maintains formed the Spanish Al Qaeda cell.

Like many governments around the world the Spanish government has used the "war on terror" to intimidate its own citizens and introduce anti-democratic laws. In return for its action against Al Qaeda the US government has backed the Spanish government's pursuit of the Basque separatist movement ETA (Euskadi ta Askatasuna—Basque Homeland and Freedom), freezing its assets and those of 21 individuals accused of links to the organisation. In December 2001, Garzon outlawed Gestoras pro Amnistia, an organisation that provided support to families of imprisoned ETA members and in August 2002 he banned the ETA-linked Batasuna political party. Last year its elected representatives were barred from office. Moderate Basque nationalist leaders now face imprisonment just for proposing a referendum on greater independence from Spain.

The arrest of the alleged Spanish Al Qaeda cell also raises questions about how much the Spanish government knew of its activities before the September 11 attack.

If, as the government insists, the cell helped plan the New York attack and they have the documents to prove it, why did they not act sooner? Evidence revealed in the case suggests the Spanish government closely monitored its Arab citizens—whom it now claims are Al Qaeda suspects—over a period of years.

Is it the case that many of those involved played a politically useful role in an earlier period—as did Osama bin Laden against the Soviet Army's occupation of Afghanistan—and then bit the hand that fed them?

Or is it that the Al Qaeda cell is a fabrication of the Spanish state? Those arrested and their lawyers suggest this is the case. Many of those arrested have since been released on bail through lack of evidence and no one yet has been brought to trial.

In calling for the extradition of the four Guantanamo Bay detainees, Garzon produced a 48-page indictment that detailed scores of phone calls and meetings as they allegedly set up Al Qaeda and its recruitment operation in Europe. He links the four to Imad al-Din Barakat (alias Abu Dahdah) who is assumed to be the leader of the Spanish cell.

Barakat is a Spanish citizen of Syrian birth with five Spanish-born children. He admits to being an Islamic fundamentalist, but not to being a member of Al Qaeda. Barakat is said to have had direct contacts with bin Laden's deputy, Mohammad Atef, who was killed in the Afghanistan bombing in 2001. Barakat is also the leader of the Islamic Alliance and the Soldiers for Allah associations—which have provided medical aid to Mujahadeen fighters wounded in Afghanistan, Chechnya and Bosnia—and is believed to be a leading member of the Syrian Muslim Brotherhood.

The Syrian Muslim Brotherhood began a campaign of assassinations, killing several hundred Syrian officials, after the ruling Ba'athist Party outlawed the organisation in 1963. In 1982 the Syrian government suppressed an uprising in the city of Hama led by the Brotherhood, flattening the city and leaving between 10,000 and 25,000 people dead. Thousands fled and applied for asylum in Europe, Barakat amongst them. Many have been held incommunicado in Syria ever since, according to Amnesty International.

To what extent the Western powers backed the insurgents is not known, but it should be remembered this was the era of the US government's support to Afghani Mujaheddin. Even today Syria is still vilified by the Western powers and is defined as part of the Bush administration's "axis of evil".

In any event, it is inconceivable that someone associated with such mutinous activities in Syria would not have been under surveillance from the time he set foot in Spain. That this was the case is surely shown by Barakat's arrest along with 10 others in the Spanish cities of Madrid and Granada in November 2001—only a few weeks after the attack on the Twin Towers. All but one of the detained men were Spanish citizens born in Syria, Tunisia or Algeria. They were accused of recruiting people to train in a terrorist camp in Indonesia, which the Spanish police had reported to the CIA and of issuing the recruits with false passports. Garzon said the men "were directly related with the preparation and development of the attacks perpetrated by the suicide pilots on September 11" and were part of the Al Qaeda network.

It emerged during the hearings that Garzon had been investigating Al Qaeda activity for six years and that Spain's High Court had authorised phone wiretaps in early 2000. The first Al-Qaeda suspect, Mohammed Bensakhria, had also been arrested in June 2001 and extradited to France.

By the end of 2001 there were 14 suspected Al Qaeda members in Spanish jails awaiting trial on terrorism charges and stories proliferated in

the media that they were at the heart of a terror network across Europe.

In September 2002 an extraordinarily detailed report in the *Valencia Life* showed how much the Spanish and international authorities had monitored the alleged Al Qaeda network in Europe:

“Ramzi [Binalshibih] arrived in Reus Airport in Barcelona on July 9, coming from Germany, whilst Atta arrived in Madrid from Miami. What now seems certain is that a mini summit took place in Taragona, as it was relatively close to the French frontier at La Junquera. Ramzi and Atta had, however, left their hotel in Cambrils for a very secret meeting with Abu Khaled [an alleged leader of Al Qaeda in Turkey], which took place close to the frontier. As their mini-summit ended, the participants decided that the keys to the operation would be undertaken with coded emails.

“Whilst Atta left almost immediately for the United States, Ramzi remained in Spain until July 16, when he left for Germany (both Ramzi and Atta had residents permits for Germany, and as part of the Schengen Accords, could travel freely in the EU). On August 1, Ramzi took a train that went from Hamburg to Dusseldorf, where he sent from Dusseldorf train station almost half of the \$15,000 that had been sent to him by Al Qaeda. He sent the money to an account held in Oklahoma in the name of Zacharias Moussawi, the only man on trial for the events of 9/11.”

In January 2003, Spanish police arrested 16 suspected Al Qaeda members in the Catalonia region of Spain during the scare over the finding of materials involved in the production of the deadly poison ricin in Britain.

Aznar claimed the police had “broken up a major terrorist network ... linked in this case to the Algerian Salafist group, a splinter of the Armed Islamic Group, which has clear connections with the criminal organisation of bin Laden.”

Interior Minister Angel Acebes said, “the network that has been dismantled had connections to the Islamic terrorists detained recently in France and the United Kingdom.” He said the network consisted of two groups, one in Barcelona led by an Algerian called Mohamad Tahraqui, and the other in Banolas in the Gerona region directed by another Algerian, Bard Eddin Ferdji.

On September 17, 2003, Garzon charged 35 people including bin Laden in a 700-page indictment. The indictment said: “From the available facts, and above all, from the concurrent circumstances, one gathers that both terrorists, Ramzi Binalshibih (now in US custody) and Mohamed Atta, met in Taragona to determine the exact date of the attacks and to finalise the operating method for the material authors and for the group members who would provide support and cover from Europe.”

Included in the indictment were three of the Guantanamo Bay detainees and Tayssir Alouni, a Spanish citizen of Syrian origin who was arrested two weeks earlier at his home in Granada. Garzon accused Alouni of “acts of support, finance, supervision and coordination, characteristic of a qualified militant in that criminal organisation [Al Qaeda].”

Garzon says Alouni passed \$4,000 to Barakat from an alleged courier between the top Al Qaeda leadership and operatives in Spain and England, Mohamed Bahaiah (Abu Khaled). Alouni claims the money was for charitable purposes and says, “The accusations I was helping finance Al Qaeda are ridiculous. Mr bin Laden is a multimillionaire, why would he need these small sums?”

Even the conservative daily *El Mundo* criticised Alouni’s arrest saying, “The quest for celebrity has induced Garzon to cross the line, this time.”

Alouni claims he has been singled out by the US government for his connections with the Arabic-language TV network Al Jazeera and on three occasions has been present when US troops have fired on buildings occupied by journalists.

US Defence Secretary Paul Wolfowitz last July claimed Al Jazeera was “falsely reporting” the war in Iraq and “endangering the lives of American troops.” The Al Jazeera office in the Afghanistan capital Kabul was the only one to be hit in the Afghanistan invasion. Alouni, as bureau

chief in Kabul for Al Jazeera, was one of a handful of journalists in Kabul when bombing of the city started on October 7, 2001, and provided exclusive reports. He became a target of the Bush administration when he carried out the first interview with bin Laden after September 11.

Alouni’s claims are given credit by Eric Margolis, a defence analyst and author of a book on the Soviet Union’s occupation of Afghanistan, *War on Top of the World*. Margolis told CNN, “The allegations that have come against him personally strike me as really rather very odd and not very substantial.... [H]e’s accused by the publicity-seeking Spanish judge, Judge Garzon, of being linked to Al Qaeda suspects who were arrested in Spain in 2001 and who were never charged with anything and never brought to trial.... But there is a more disturbing element here. This suggests that the US government is pursuing a very aggressive and hostile policy towards the Al Jazeera network, which has often been called the CNN of the Middle East. It is the only network that gives really free news across the Arab world. And it is intensely watched. This journalist was one of its leading men.... The US Air Force bombed the Al Jazeera office in Basra, Iraq and in Baghdad, and it bombed the Al Jazeera office in Kabul, Afghanistan, and nearly killed Mr. Alouni. So this may suggest that there is a much more of a menacing situation here than meets the eye.”

Alouni has furthered angered the American and Spanish governments by appearing at the inquest last month into the death of Spanish cameraman, Jose Couso.

Couso was killed along with Ukrainian co-worker, Taras Protsyuk, in April 2003, when US tanks fired on the Palestine Hotel in Baghdad. Alouni told the court when asked if there were Iraqis firing on American troops from the hotel as the US government claimed, “I am one of the only journalists to have gone right round the hotel and there was no resistance.”

Alouni moved to the hotel—the centre in Baghdad for the international media—after the US military bombed the Al Jazeera TV station offices. He explained, “I was afraid they would continue firing on the hotel. It was one of the worst days of my life. It was a message from the Americans to the international press.”

Couso’s family are seeking damages from the US Army and want to put three American soldiers on trial for the journalist’s death. According to their lawyer, Pilar Hermoso, “It’s the first time that something like this has happened in Spain. No judge has ever agreed to investigate a war crimes case against soldiers before.”

Aznar’s Popular Party has refused to condemn the killings and rejected calls for a public inquiry.

Alouni was released after 48 days in prison and is waiting for a court decision on whether he will be tried, but it emerged during the hearing that Alouni’s phones have been tapped since 1995.



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