NAVAL POSTGRADUATE SCHOOL

MONTEREY, CALIFORNIA

THESIS

A NEW TYPOLOGY FOR STATE-SPONSORED INTERNATIONAL TERRORISM

by

Jeremy R. Reeves

December 2011

Thesis Advisor:	Maria Rasmussen
Second Reader:	Erik Dahl

Approved for public release; distribution is unlimited

THIS PAGE INTENTIONALLY LEFT BLANK

REPORT DOCUMENTATION PAGE			Form Approved OMB No. 0704-0188
Public reporting burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instruction, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Washington headquarters Services, Directorate for Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302, and to the Office of Management and Budget, Paperwork Reduction Project (0704-0188) Washington DC 20503.			
1. AGENCY USE ONLY ***(Leave blank)***	**2. REPORT DATE** December 2011	**3. REPORT TYPE AND DATES COVERED** Master's Thesis	
4. TITLE AND SUBTITLE A New Typology for State-Sponsored International Terrorism			**5. FUNDING NUMBERS**
6. AUTHOR(S) Jeremy R. Reeves			
7. PERFORMING ORGANIZATION NAME(S) AND ADDRESS(ES) Naval Postgraduate School Monterey, CA 93943-5000			**8. PERFORMING ORGANIZATION REPORT NUMBER**
9. SPONSORING /MONITORING AGENCY NAME(S) AND ADDRESS(ES) N/A			**10. SPONSORING/MONITORING AGENCY REPORT NUMBER**
11. SUPPLEMENTARY NOTES The views expressed in this thesis are those of the author and do not reflect the official policy or position of the Department of Defense or the U.S. Government. _____N/A_____			
12a. DISTRIBUTION / AVAILABILITY STATEMENT Approved for public release; distribution is unlimited			**12b. DISTRIBUTION CODE** A

13. ABSTRACT (maximum 200 words)

State sponsorship of terrorism, though not as prevalent as in previous decades, is still a complex phenomenon our government has yet to adequately address, despite the threat it continues to pose to our national security. Current U.S. policy toward state sponsors of terrorism is constrained by a number of laws, which mandate a host of economic and diplomatic sanctions be put in place when a state is designated as a sponsor of terrorism. As such, policymakers must careful consider all of the complex ramifications before labeling an offending state for fear of alienating necessary allies and harming the international economy.

This paper argues a more effective response to state-sponsored terrorism can be found through a deeper understanding of the phenomenon. To this end, a new typology for state-sponsored terrorism is presented, offering policymakers a nuanced approach to dealing with offending states. The primary benefit of such an approach is the inherent flexibility to tailor U.S. response to the precise relationship between the terrorist organization and its state sponsor. States currently on the State Department's list of state sponsors of terrorism and states that should be are examined, detailing the shortcomings of current U.S. policy and the advantages of the proposed typology.

14. SUBJECT TERMS state-sponsored terrorism, Iran, Hizballah, Syria, HAMAS, Libya, Palestinian Islamic Jihad, PIJ, Sudan, Abu Nidal Organization, ANO, Pakistan, Saudi Arabia, Cuba, Venezuela, U.S. State Department, NORAID, Provisional Irish Republican Army, PIRA, al Qaeda			**15. NUMBER OF PAGES** 103
			16. PRICE CODE
17. SECURITY CLASSIFICATION OF REPORT Unclassified	**18. SECURITY CLASSIFICATION OF THIS PAGE** Unclassified	**19. SECURITY CLASSIFICATION OF ABSTRACT** Unclassified	**20. LIMITATION OF ABSTRACT** UU

NSN 7540-01-280-5500

Standard Form 298 (Rev. 2-89)
Prescribed by ANSI Std. 239-18

THIS PAGE INTENTIONALLY LEFT BLANK

Approved for public release; distribution is unlimited

A NEW TYPOLOGY FOR STATE-SPONSORED INTERNATIONAL TERRORISM

Jeremy R. Reeves
Major, United States Air Force
B.S., Texas Tech University, 1999
M.B.A., Touro University International, 2007

Submitted in partial fulfillment of the
requirements for the degree of

MASTER OF ARTS IN SECURITY STUDIES
(HOMELAND SECURITY AND DEFENSE)

from the

NAVAL POSTGRADUATE SCHOOL
December 2011

Author: Major Jeremy R. Reeves

Approved by: Maria Rasmussen
Thesis Advisor

Erik Dahl
Second Reader

Daniel J. Moran
Chair, Department of National Security Affairs

THIS PAGE INTENTIONALLY LEFT BLANK

ABSTRACT

State sponsorship of terrorism, though not as prevalent as in previous decades, is still a complex phenomenon our government has yet to adequately address, despite the threat it continues to pose to our national security. Current U.S. policy toward state sponsors of terrorism is constrained by a number of laws, which mandate a host of economic and diplomatic sanctions be put in place when a state is designated as a sponsor of terrorism. As such, policymakers must careful consider all of the complex ramifications before labeling an offending state for fear of alienating necessary allies and harming the international economy.

This paper argues a more effective response to state-sponsored terrorism can be found through a deeper understanding of the phenomenon. To this end, a new typology for state-sponsored terrorism is presented, offering policymakers a nuanced approach to dealing with states that choose to employ terrorist organizations. The primary benefit of such an approach is the inherent flexibility to tailor U.S. response to the precise relationship between the terrorist organization and its state sponsor. States currently on the State Department's list of state sponsors of terrorism and states that should be are examined, detailing the shortcomings of current U.S. policy and the advantages of the proposed typology.

THIS PAGE INTENTIONALLY LEFT BLANK

TABLE OF CONTENTS

I. INTRODUCTION....1
- A. IMPORTANCE....1
- B. DEFINITIONS....2
- C. LITERATURE REVIEW....3
- D. TOWARDS A NEW TYPOLOGY: LEVELS OF INVOLVEMENT....8
  - 1. A Spectrum Rather than Distinct Categories....8
  - 2. Incapacity....9
  - 3. Toleration....10
  - 4. Support....11
  - 5. Sponsorship....12
  - 6. Direct Control....13
- E. TOWARDS A NEW TYPOLOGY: METHODS OF SPONSORSHIP....15
  - 1. Financial Support....16
  - 2. Government Services....16
  - 3. Logistics....17
  - 4. Safe Haven....17
- F. RELATIONSHIP BETWEEN MEANS OF SUPPORT AND THE LEVEL OF INVOLVEMENT....18
- G. THESIS OVERVIEW....19

II. CURRENT U.S. POLICY: THE STATE DEPARTMENT'S LIST OF STATE SPONSORS OF TERRORISM....21
- A. HISTORY AND LEGAL IMPLICATIONS OF THE STATE SPONSOR OF TERRORISM DESIGNATION....21
- B. MILITARY RESPONSES TO STATE SPONSORED TERRORISM....25
- C. WEAKNESSES OF THE CURRENT U.S. POLICY....26
- D. IRAN....29
  - 1. The New Typology: Iran and the Palestinian Islamic Jihad....30
- E. SYRIA....32
  - 1. The New Typology: Syria and HAMAS....35
- F. SUDAN....38
  - 1. The New Typology: Sudan and Al Qaeda....40
- G. CUBA AND THE COLOMBIAN NATIONAL LIBERATION ARMY....42
- H. CONCLUSION....44

III. COUNTRIES NOT ON THE STATE DEPARTMENT'S LIST OF STATE SPONSORS OF TERRORISM....47
- A. LIBYA....47
  - 1. The New Typology: Libya and ANO....50
- B. NORTH KOREA....52
  - 1. The New Typology: North Korea and Hizballah....54
- C. SAUDI ARABIA....55
  - 1. The New Typology: Saudi Arabia and AQ....56

D. VENEZUELA 58
1. The New Typology: Venezuela and ELN 60
E. PAKISTAN 60
1. The New Typology: Pakistan and AQ 61
F. CONCLUSION 64

IV. CONCLUSIONS 67
A. THE UNITED STATES 67
B. RECENT PROGRESS: "STATES NOT FULLY COOPERATING WITH UNITED STATES ANTI-TERRORISM EFFORTS" 71
C. BENEFITS OF THE PROPOSED TYPOLOGY 72
1. Comparing the State Department's List with the Proposed Typology 73
D. FUTURE AREAS OF STUDY 77

LIST OF REFERENCES 79

INITIAL DISTRIBUTION LIST 87

LIST OF FIGURES

Figure 1. Spectrum Depicting the Level of Involvement Between a State Sponsor and a Terrorist Organization 9
Figure 2. Complete Typology for State Sponsorship of Terrorism.....16
Figure 3. Comparison between State Department's List of State Sponsors of Terrorism and the Proposed Typology 74

THIS PAGE INTENTIONALLY LEFT BLANK

LIST OF ACRONYMS AND ABBREVIATIONS

AECA	Arms Export Control Act
AEDPA	Anti-terrorism and Effective Death Penalty Act
ANO	Abu Nidal Organization
AQ	al Qaeda
CRS	Congressional Research Service
EAA	Export Administration Act
ELN	National Liberation Army of Colombia
FAA	Foreign Assistance Act
FARC	Revolutionary Armed Forces of Colombia
FATA	Federally Administered Tribal Area
FSIA	Foreign Sovereign Immunities Act
IDF	Israeli Defense Force
IRGC	Islamic Revolutionary Guard Corps
ISI	Inter-Services Intelligence (Pakistan)
LT	Lashkar-e-Tayyiba
LTTE	Liberation Tigers of Tamil Eelam
NGO	Non-Government Organization
NIF	National Islamic Front
PIJ	Palestinian Islamic Jihad
PIRA	Provisional Irish Republican Army
WMD	Weapons of Mass Destruction

THIS PAGE INTENTIONALLY LEFT BLANK

ACKNOWLEDGMENTS

I would like to thank Professor Rasmussen, Professor Dahl, and the many other professors who provided the ideas and insights that made this project possible. I also sincerely thank my wife and kids who encouraged me every step of the way and tolerated the stacks of books with “scary people” on the covers.

THIS PAGE INTENTIONALLY LEFT BLANK

I. INTRODUCTION

State sponsorship of terrorism, though not as prevalent as in previous decades, is still a complex phenomenon our government has yet to adequately address, despite the threat it continues to pose to our national security. Historically, our country's response to state-sponsored terrorism has been essentially binary: the offending state is either on the State Department's list of state sponsors of terrorism, and therefore subject to a host of economic sanctions, or it is not. This approach has been largely ineffective. The same states have remained on the State Department's list for decades. A better solution to the problem of state sponsorship will only be reached with a deeper understanding of the issues. What are the principal forms of state sponsorship of terrorism? Does state sponsorship vary depending on the relationship between the sponsor state and the terrorist organization? This thesis will tackle these questions. The answers to these questions offer the means of creating a new typology for state sponsorship of international terrorism. A new typology is necessary because, as Grant Wardlaw explains it, "this can then be used as a basis for setting out possible strategic rationales for the employment of state-sponsored terrorism and, eventually, for determining the level of threat presented to vital national interests by various acts of terrorism."[1]

A. IMPORTANCE

The current unrest in the Middle East makes the issue of state sponsorship more urgent. Fledgling governments now taking root in Egypt, Tunisia, Libya, and elsewhere may view sponsorship as a relatively inexpensive means, both in economic and political terms, of establishing themselves in the world arena. Moreover, they may be unable or unwilling to prevent terrorist organizations from establishing a base of operations or training camps within their borders.

Established governments are prone to sponsorship as well. The recent killing of Osama bin Laden less than a mile from a Pakistani military academy also brings this

[1] Grant Wardlaw, "Terror as an Instrument of Foreign Policy," in *Inside Terrorist Organizations*, ed. David C. Rapoport (London: Frank Cass, 2001), 254–55.

issue to the forefront. Determining who, within the Pakistani government, knew of bin Laden's presence and for how long will undoubtedly demonstrate that gradations of state sponsorship still exist.

B. DEFINITIONS

The subject of state sponsorship of terrorism invariably begins by grappling with the issue of definitions. In 1984, Schmid and Jongman identified over 100 different definitions for terrorism, presenting an often-cited problem with attempting to develop counter terrorism strategy: the lack of a common lexicon.[2] In a more recent collaboration, the same authors cite 22 definitions, demonstrating progress, but a continued disparity among academics and policymakers.[3] Since the focus of this paper is on creating a practical typology for our country's policymakers, I will use the State Department's accepted definition listed in U.S. Code Title 22, Section 2656f, which states terrorism is "premeditated, politically motivated violence perpetrated against noncombatant targets by subnational groups or clandestine agents." It goes on to define international terrorism as "terrorism involving citizens or the territory of more than one country."[4]

The State Department describes state sponsors of terrorism as "countries determined by the Secretary of State to have repeatedly provided support for acts of international terrorism."[5] The law presupposes material support, even though it does not expressly describe it as such. However, the law is very explicit about one particular form of sponsorship. According to the U.S. Code, support includes, "the recurring use of any part of the territory of the country as a sanctuary for terrorists and terrorist

---

[2]Alex P. Schmid and A. J. Jongman, *Political Terrorism: A Research Guide to Concepts, Theories, Data Bases and Literature* (New Brunswick, NJ: Transaction Books, 1984), 119–58.

[3] Alex P. Schmid and A. J. Jongman, *Political Terrorism: A New Guide to Actors, Authors, Concepts, Data Bases, Theories, & Literature* (New Brunswick, NJ: Transaction Publishers, 2005), 32–37.

[4] U.S. State Department. Office of the Coordinator for Counterterrorism, "2008 Country Reports on Terrorism," (2009).

[5] U.S. State Department. Office of the Coordinator for Counterterrorism, "State Sponsors of Terrorism," http://www.state.gov/s/ct/c14151.htm (accessed August 5, 2011).

organizations," whether the government, "expressly consents to, or with knowledge, allows, tolerates, or disregards such use of its territory."[6]

It is important to clarify that state sponsorship of terrorism is distinct from the phenomenon often called state terrorism. The latter encompasses repressive acts employed by agents of the state to suppress its own citizens, such as the "dirty war" that took place in Argentina in the late 1970s.[7]

C. LITERATURE REVIEW

There is general agreement on when state sponsorship of terrorism came to the forefront of U.S. policy. Multiple authors cite the roots of state-sponsored terrorism in the Iranian Islamic revolution in 1979, the Soviet Union's liberal use of terrorist organizations as means of implementing foreign policy during the Cold War, and President Reagan's aggressive response during the 1980s.[8] However, beginning in the mid-1990s, some experts began commenting on a change in the nature of terrorist organizations and international terrorism. Specifically, they noted the employment of terrorism more as the end in itself rather than a means to achieve specific political goals.[9] This shift to what would come to be called "new terrorism" also included amateur "lone wolf" terrorists operating individually or in small cells with very little outside help as opposed to the hierarchical organizations that often relied on support from state governments.[10] While some experts argue the advent of "new terrorism" marginalized

---

[6] 50 U.S.C. § 2405.

[7] María José Moyano, *Argentina's Lost Patrol: Armed Struggle, 1969–1979* (New Haven, CT: Yale University Press, 1995), Chapters 5 and 6.

[8] Bruce Hoffman, *Inside Terrorism* (New York: Columbia University Press, 1998), 258; Daniel Byman, *Deadly Connections: States That Sponsor Terrorism* (New York, NY: Cambridge University Press, 2005), 1, 79; Wardlaw, "Terror as an Instrument of Foreign Policy," 237-41. For a detailed account of our country's counter terrorism efforts during the 1980s, see: David C. Martin and John Walcott, *Best Laid Plans: The inside Story of America's War against Terrorism* (New York: Simon and Schuster, 1988).

[9] Bruce Hoffman, "Terrorism Trends and Prospects," in *Countering the New Terrorism*, ed. Ian O. Lesser (Santa Monica, CA: RAND, 1999), 8-10, 12; Walter Laqueur, "Postmodern Terrorism," *Foreign Affairs* 75, no. 5 (1996): 25; Paul Wilkinson, *Terrorism Versus Democracy: The Liberal State Response* (London: Frank Cass Publishers, 2001), 50.

[10] Hoffman, "Terrorism Trends and Prospects," 20–24; Laqueur, "Postmodern Terrorism," 34; Marc Sageman, *Leaderless Jihad: Terror Networks in the Twenty-First Century* (Philadelphia: University of Pennsylvania Press, 2008), 109–12.

state sponsorship, several "new terrorism" advocates continued to assert the prominent role it plays.[11] While the debate surrounding "new terrorism" continues, more recent events, such as Afghanistan's support of al Qaeda and Osama bin Laden being located and killed in Pakistan; demonstrate that state sponsorship of terrorism persists today.[12]

Despite our country's preoccupation with state sponsorship of terrorism since the 1970s, academic literature on the subject is less than substantial. Indeed, the bulk of it focuses on specific cases of sponsorship without making broad generalizations. Those that have arrived at some form of typology have generally approached the task from one of three perspectives: the methods of state sponsorship, the level of involvement between the sponsor state and the terrorist organization, and the offending state's objectives or motivations for providing support. Interestingly, the most succinct typologies with practical application for policymakers come from the legal arena. However, the scope of the literature from this perspective tends to focus on the appropriate use of military force within the context of international law. Therefore, the typologies offered typically address state involvement but do not identify the specific methods of sponsorship that are also necessary to sufficiently categorize an offending state.

An excellent example is Air Force Lieutenant Colonel Richard Erickson's *Legitimate Use of Military Force against State-Sponsored International Terrorism.* Colonel Erickson identified and defined four levels of state involvement ranging from inaction, where the "state does not wish to ignore international terrorists within its borders but lacks the ability…to respond effectively," to sponsorship, "when a state directly uses international terrorism."[13] In between, under the category of state support, he lists forms of support as "training, arms, explosives, equipment, intelligence, safe

---

[11] Hoffman, "Terrorism Trends and Prospects," 14–15; Hoffman, *Inside Terrorism*, 258–67; Laqueur, "Postmodern Terrorism," 26–27.

[12] Counterarguments to the concept of "new terrorism" include: Martha Crenshaw, "'New' Vs. 'Old' Terrorism: A Critical Appraisal," in *Jihadi Terrorism and the Radicalisation Challenge in Europe*, ed. R. Coolsaet (Burlington, VT: Ashgate, 2008); David Tucker, "What Is New About the New Terrorism and How Dangerous Is It?," *Terrorism and Political Violence* 13, no. 3 (2001).

[13] Richard J. Erickson, *Legitimate Use of Military Force against State-Sponsored International Terrorism* (Air University Press, 1989), 26.

havens, communications, travel documents, financing, or other logistical support."[14] Later in the book, he addresses specific occasions when use of force is allowed by international law, but never addresses when other instruments of power may be warranted or more appropriate. While this typology is incomplete, it serves as the starting point of this thesis.

Some authors provide a more nuanced typology by further dividing the spectrum of state involvement. One example of this is in "The International Community's 'Legal' Response to Terrorism" by Antonio Cassese. In this article, Cassese proposes a spectrum similar to Erickson's, but divided into six parts, including one characterized by states that provide logistical support and one for states that provide financial aid or weapons.[15] However, he does not adequately define what constitutes logistical support or financial aid and, like his legal counterparts, does not describe the policy implications for instruments of power other than military force.

Literature in the academic arena offers a broader perspective but little advancement on the concept of a typology. Noted terrorism expert Brian Jenkins cites the multiple benefits of state sponsorship to the organization to include "money, sophisticated munitions, intelligence, and technical expertise."[16] Bruce Hoffman in his book, *Inside Terrorism*, asserts sponsorship offers terrorists organizations the "resources of an established nation state's entire diplomatic, military, and intelligence apparatus."[17] David Tucker also provides a careful analysis of state sponsorship in his book, *Skirmishes at the Edge of Empire*.[18] However, all three, like many academics researching the subject, recount individual cases of sponsorship and focus the majority of their analysis on the implications to the U.S., without codifying an overarching typology.

---

[14] Ibid.

[15] Antonio Cassese, "The International Community's "Legal" Response to Terrorism," *International and Comparative Law Quarterly* 38, no. 3 (1989): 598.

[16] Brian Michael Jenkins, "Defense against Terrorism," *Political Science Quarterly* 101, no. 5 (1986): 589.

[17] Hoffman, *Inside Terrorism*, 259.

[18] David Tucker, *Skirmishes at the Edge of Empire: The United States and International Terrorism* (Westport, CT: Praeger, 1997).

In his book *Terrorism and U.S. Foreign Policy*, Paul Pillar takes the discussion of a typology further and offers a slightly different perspective. He identifies three very broad categories of state sponsorship based upon the relationship between the U.S. and other states. These three categories constitute a spectrum describing the "role of foreign countries in terrorism and counterterrorism."[19] On one end of the spectrum is the "state sponsor," identified by their designation on the State Department's list of state sponsors of terrorism. The next category is "enabler," which essentially applies to U.S. friends or allies that fail to cooperate fully with U.S. counter-terrorism efforts or do "some things that help enable [terrorism] to occur."[20] Finally, there are "cooperators," or those countries who willingly support U.S. counter terrorism efforts.[21]

However, Pillar places a large caveat on his categorization by stating the "tendency to think of sponsorship in distinct categories has hampered the making of effective counterterrorist policy."[22] He essentially believes a typology is only needed insofar as to have a productive conversation on the topic. A more in-depth examination, in his opinion, would only muddy the waters.

Daniel Byman, one of the most prolific writers on the subject, performs a comprehensive analysis of the topic in his book, *Deadly Connections*. Taking many of the principles he introduced in the RAND report "Trends in Outside Support for Insurgent Movements," Byman identifies six specific forms of support for state sponsorship in addition to describing the motivations behind state sponsorship, its effects on the terrorist organization, and potential policy alternatives for the victim state.[23] Byman's six categories of support are, "training and operations; money, arms, and logistics; diplomatic backing; organizational assistance; ideological direction;

---

[19] Paul R. Pillar, *Terrorism and U.S. Foreign Policy* (Brookings Institution Press, 2001), 157.

[20] Ibid., 179.

[21] Ibid., 186.

[22] Ibid., 157.

[23] Daniel Byman et al., *Trends in Outside Support for Insurgent Movements* (Santa Monica, CA: RAND, 2001), 84–95; Byman, *Deadly Connections*, 59.

and…sanctuary."[24] However, he does not describe how the existence of these six categories offers a means of discouraging their use.

Byman attempts to take this argument further in an analysis paper entitled "The Changing Nature of State Sponsorship of Terrorism." [25] In it, he describes "a spectrum of sponsorship" that ranges from "direct control to support through incapacity."[26] Furthermore, he distinguishes between active support as "deliberate state support" and passive as "support provided by non-state actors acting as a component of the state or without the state's opposition."[27] However, some of the definitions utilized in the paper are at odds with those used in the previous book. Furthermore, the vagueness of the proposed categories of sponsorship, and the fact they are not linked to specific methods of support, make this typology impractical for use by policymakers. Nonetheless, Byman's analysis is the most complete to date and serves as another crucial source for this thesis.

Very rarely in the literature is the level of state involvement with the terrorist organization characterized by the types of support it provides. In one case, Israeli author and counter-terrorism expert Boaz Ganor identifies six categories of support ranging from the lowest level of state involvement to the highest. In increasing order of importance, those categories are ideological, financial, military, operational, "initiating and directing terrorist attacks," and "perpetuating direct attacks by government agencies."[28] In addition, Ganor describes the spectrum of state involvement by distinguishing between the "terrorist state," the "state supporting terrorism," the "state

---

[24] Byman, *Deadly Connections*, 59.

[25] Daniel Byman, "The Changing Nature of State Sponsorship of Terrorism," Saban Center for Middle East Policy at the Brookings Institution, http://www.brookings.edu/~/media/Files/rc/papers/2008/05_terrorism_byman/05_terrorism_byman.pdf (accessed January 15, 2011).

[26] Ibid., 3.

[27] Ibid.

[28] Boaz Ganor, "Countering State-Sponsored Terrorism," International Policy Institute for Counter-Terrorism, http://www.ict.org.il/Articles/tabid/66/Articlsid/701/currentpage/34/Default.aspx (acccessed August 9, 2011).

operating terrorism," and the "state perpetuating terrorism."[29] While this typology is the closest to being complete, the confusing terms once again make it cumbersome to use.

D. TOWARDS A NEW TYPOLOGY: LEVELS OF INVOLVEMENT

An understanding of why states seek to sponsor terrorist organizations leads to the question: "What kind of relationship does a state foster with a terrorist organization?" Historically, U.S. policymakers have overlooked this question, arguing that any support for terrorism is unacceptable and therefore a zero tolerance policy on state sponsorship must be enforced. While this statement may be appealing to an extent, knowing the level of involvement between the state and terrorist organization offers policymakers the means to identify a precise response.

1. A Spectrum Rather than Distinct Categories

Rather than treating sponsorship as an "all-or-nothing" classification, it is more accurate to describe it as a spectrum. Similar to those described by Byman and Ganor, Figure 1 depicts the spectrum of involvement between the state and the terrorist organization. This spectrum is bounded by "Incapacity," meaning the state possesses no capability to assist or impede the terrorist organization that is operating within its borders, and "Direct Control," meaning the state exercises complete control over the organization, to include ideology and operations. The left side of the spectrum is generally characterized by the terrorist organization benefiting from the host state's inaction. Progressing to the right, the state becomes more involved with the terrorist organization by providing an increasing quantity and quality of tangible goods and services.

[29] Ibid.

Figure 1. Spectrum Depicting the Level of Involvement Between a State Sponsor and a Terrorist Organization

The step beyond complete incapacity is "Toleration." This occurs when the state is aware of terrorist activity within its borders and supports the terrorist agenda through willful inaction. The next level of involvement is "Support." Here the state is actively providing a tangible form of support to the organization, but exercises no control over the organization's actions. As the quantity and type of state support becomes increasingly valuable to the terrorist organization, the state begins to actively exercise a higher amount of control over the organization's activities and, in some cases, its ideology. This level is described as "Sponsorship."

2. Incapacity

A state may unwillingly support a terrorist organization simply because it does not completely control its territory. Such support is characterized as "Incapacity" on the spectrum of involvement. The classic example of this phenomenon is Lebanon in the 1970s. Rocked with civil war and constant meddling by Syria, Lebanon "was partitioned among warlords and generals, militias and armies, much like the turf of urban gangs."[30] As such, the government, to the extent it actually existed, was unable to prevent various Palestinian terrorist groups from establishing bases of operation within its territory. From these bases, terrorist groups would "stage guerilla raids and mortar attacks into northern Israel."[31] After several years of bearing these attacks with no assistance from the

[30] Walcott, *Best Laid Plans*, 86.

[31] Jeffrey D. Simon, *The Terrorist Trap: America's Experience with Terrorism* (Bloomington, IN: Indiana University Press, 1994), 172–73.

Lebanese government, Israel went on the offensive in 1982. In a rapid military action, the Israeli Defense Force (IDF) swept into southern Lebanon and occupied the country for several years.[32] This action occurred, again, with little assistance or hindrance from the Lebanese government, further demonstrating the state's incapacity to act within its own territory.

3. Toleration

"Incapacity" becomes "Toleration" when the state possesses the capability to inhibit the terrorist organization, but, for various reasons, chooses not to. A prime example of toleration is Canada and the Liberation Tigers of Tamil Eelam (LTTE). LTTE's purpose is "to establish an independent state including the ethnically Tamil regions of [Sri Lanka]."[33] However, there are sizable Tamil populations scattered all over the world. In particular, Canada has become home to approximately 200,000 Tamils, 90% of them living in Toronto.[34] Beginning in the 1990s, LTTE realized its efforts required international assistance and began sending operatives to other countries to organize the Tamil diaspora and send funds and weapons back to Sri Lanka. As of 2004, the Snow Tigers, the Canadian branch of LTTE, was one of the largest foreign bases of support raising as much as $1 million per month.[35] Snow Tiger fundraising activities in Canada included going door-to-door in Tamil neighborhoods, rallies held in Canadian cities, Tamil cultural events, and various "charitable" organizations.[36] In 2006, Conservatives banned the LTTE, yet the organization continues to wield considerable power within Canadian politics.[37] To date, political pressures and liberal courts have so

---

[32] Walcott, *Best Laid Plans*, 86–89.

[33] Audrey Kurth Cronin, "Foreign Terrorist Organizations," (Washington, D.C.: Congressional Research Service, 2004), 61.

[34] Sarah Wayland, "Ethnonationalist Networks and Transnational Opportunities: The Sri Lankan Tamil Diaspora," *Review of International Studies* 30, no. 03 (2004): 418.

[35] Stewart Bell, *Cold Terror: How Canada Nurtures and Exports Terrorism around the World* (Etobicoke, Ontario: John Wiley & Sons, 2004), 27.

[36] Ibid., 38–43.

[37] Jaideep Saikia and Ekaterina Stepanova, *Terrorism: Patterns of Internationalization* (Thousand Oaks, CA: SAGE, 2009), 62–64.

far stymied any efforts to prevent LTTE fundraising in Canada.[38] It appears democratic values are LTTE's greatest ally in the country.

4. Support

When a state takes action that benefits a terrorist organization and begins to offer tangible forms of assistance, "Toleration" becomes "Support." In the 1980s, Libya and its maniacal leader, Colonel Muamar Qaddafi, were the leading supporters of terrorism. One of the main benefactors of this support was the Provisional Irish Republican Army (PIRA). Stating, "We do not consider the IRA a terrorist organization," rather, "noble strugglers," Qaddafi provided massive amounts of weaponry to the PIRA.[39] According to multiple sources, during the mid-1980s the PIRA "took delivery of some five to ten tons of Semtex-H plastic explosive..., in addition to one hundred twenty tons of other arms and explosives, including twelve SAM-7 ground-to-air missiles, stocks of RPG-7 rocket propelled grenades, and anti-aircraft and anti-tank guns."[40]

The distinction between "Support" and the next higher level on the involvement spectrum, "Sponsorship," can be determined by three key characteristics: the form of support provided by the state, the quantity of support provided by the state, and the connection between the state and the terrorist organization. In the case of Libya, the weapons provided to the PIRA in four shipments between 1985 and 1986 were of military grade, of current vintage, and in large quantities. However, the only other arms shipment of this magnitude came in 1973, and British forces intercepted it. The Libyan government provided financial support to the PIRA on various occasions throughout the 1970s and 1980s. But the funds were modest compared to the estimated $40 million in weapons, "equivalent to five times the [P]IRA's total annual budget," the organization

---

[38] Bell, *Cold Terror*, 54–60.

[39] Brendan O'Brien, *The Long War: The I.R.A. And Sinn Fein, 1985 to Today* (New York: Syracuse University Press, 1993), 138.

[40] Hoffman, *Inside Terrorism*, 264; J. Bowyer Bell, *The Secret Army: The I.R.A.* (New Brunswick, N.J.: Transaction Publishers, 1997), 568–72; O'Brien, *The Long War: The I.R.A. And Sinn Fein, 1985 to Today*, 135–38.

was set to receive by the end of 1987.[41] Moreover, Libya had no ideological ties to the PIRA. The true motives behind Qaddafi's support were essentially to punish the U.S. and the U.K for its actions. The PIRA was merely a proxy through which Qaddafi could strike the U.K. These reasons place Libya and its involvement with the PIRA squarely in the "Support" category on the spectrum.[42]

5. Sponsorship

An excellent example of "Sponsorship" is the relationship between Pakistan and Lashkar-e-Tayyiba (LT). Formed in the early 1990s, LT's proclaimed purpose was "freeing Kashmir from Indian control and establishing an Islamic state there."[43] However, recent LT actions imply the group is seeking to extend the Islamic state over India as well.[44] Today LT is considered one of the most effective and "fearsome jihadi force" operating in the Kashmir.[45]

Pakistan supported LT through a myriad of means. Throughout the 1990s, Pakistan allowed LT to establish training centers in Lahore, Sialkot, and Islamabad.[46] "This haven allowed [LT] to train, plan, proselytize, and enjoy a respite from Indian counterinsurgency efforts."[47] Furthermore, it is common knowledge that the Pakistani Inter-Services Intelligence agency, known as ISI, provided "arms, ammunition, supplies for combat, financial aid, and training" to LT and other Kashmiri insurgent groups.[48] In

---

[41] Ed Moloney, *A Secret History of the I.R.A.* (New York: W.W. Norton, 2002), 20.

[42] On Qaddafi's relationship with the IRA, see: O'Brien, *The Long War: The I.R.A. And Sinn Fein, 1985 to Today*, 135–38; Moloney, *A Secret History of the I.R.A.*, 3–26; Bell, *The Secret Army: The I.R.A.*, 568–69.

[43] Cronin, "Foreign Terrorist Organizations," 56.

[44] Ibid.

[45] Stephen Tankel, "Lashkar-E-Taiba: From 9/11 to Mumbai," (London: International Centre for the Study of Radicalisation and Political Violence, 2009), 5.

[46] Rajeev Sharma, *Pak Proxy War: A Story of I.S.I., Bin Laden, and Kargil* (New Delhi: Kaveri Books, 1999), 151.

[47] Byman, *Deadly Connections*, 168.

[48] Byman, "The Changing Nature of State Sponsorship of Terrorism." 8.

addition to the *hawalas*, unlicensed moneychangers known to be rampant within Pakistan, state-sanctioned charities offered LT additional sources of revenue.[49]

What places Pakistan beyond "Support" and into the "Sponsorship" level on the spectrum of involvement is the amount of control it maintains over LT. In the terrorist group's formative years in the early-1990s, Pakistan exercised considerable power over the organization's operations. Since then, the organization, with the help of its state sponsor, significantly expanded and eventually assumed more control over its own actions. Pakistan's extensive support of LT continued and included Pakistani soldiers training recruits, massive financing operations within Pakistan, and critical bases that militants in Kashmir could call back, "to gain tactical guidance, acquire supplies, and execute plans."[50] It is this consistently high quality and continuous level of support that offers Pakistan the means to influence LT, distinguishing Pakistan and its relationship with LT from Libya and the PIRA.

6. Direct Control

The relationship between Iran and Hizballah provides the clearest example of "Direct Control." Hizballah traces its roots to Iran's "Islamic Revolution" in 1979. Shortly after seizing power, the Khomeini regime identified key states within the Middle East with sizable Shi'ite populations ripe for continuing the revolution. In 1982, the Islamic Revolutionary Guard Corps (IRGC) was dispatched to Lebanon to assist the Shi'ite population so they "might hoist the banner of the Iranian revolution."[51] Coordinating with Iranian intelligence and diplomatic service, the IGRC consolidated the various Shi'ite organizations and formed Hizballah.[52] Funds supplied to the organization were first devoted to re-establishing the religious school system. Then social institutions

---

[49] Ibid., 146; U.S. State Department. Office of the Coordinator for Counterterrorism, "2008 Country Reports on Terrorism."

[50] Byman, *Deadly Connections*, 169.

[51] Shaul Shay, *The Axis of Evil: Iran, Hizballah, and Palestinian Terror* (New Brunswick, NJ: Transaction Publishers, 2005), 58.

[52] Byman, *Deadly Connections*, 83.

such as hospitals were gradually included.[53] As the social system developed, local clerics, assisted by the IRGC, "established their Lebanese headquarters in Baalbek, and together they formed the first Hizballah military units in the Beqa'."[54] Being so intimately involved with the establishment of the organization solidified Iran's control of its ideology.

Material support from Iran has come in myriad forms. The State Department's *Country Reports on Terrorism* has consistently documented Iran as providing "funding, safe haven, training, and weapons" to Hizballah as well as other terrorist organizations.[55] The latest report notes "Iran has provided hundreds of millions of dollars in support to Hizballah in Lebanon and has trained thousands of Hizballah fighters at camps in Iran."[56] Bruce Hoffman, citing American intelligence sources, notes, "During 1996 at least three 747 jumbo cargo jets were landing in Damascus every month ferrying weapons sent by Tehran to its minions in Hezbollah."[57]

Evidence of Iran's power over the organization is also well documented. In the early years of the organization, Hussein al-Musawi, "one of the most radical spokesmen of Hizballah," publicly proclaimed, "We pledge our loyalty to the Imam Khomeini, politically, religiously and theologically. In accordance with Khomeini's teachings, we strive to fight...all the elements fighting against Muslims...East and West alike."[58] Similar public proclamations by the organizations leadership were made throughout the late-1980s.[59] Furthermore, Magnus Ranstorp notes the multitude of personal relationships linking the leadership of Hizballah, Iranian clerical leaders, and ranking

---

[53] Simon Shapira, "The Origins of Hizballah," *The Jerusalem Quarterly* 46(1988): 123.

[54] Ibid.

[55] U.S. State Department. Office of the Coordinator for Counterterrorism, "Patterns of Global Terrorism, 2002," (2003), 77.

[56] U.S. State Department. Office of the Coordinator for Counterterrorism, "2010 Country Reports on Terrorism," (2011), 150.

[57] Hoffman, *Inside Terrorism*, 265.

[58] Shapira, "The Origins of Hizballah," 125.

[59] Byman, *Deadly Connections*, 90.

members of the IRGC.[60] These relationships played an instrumental role in Hizballah's more spectacular operations, like the hijacking of TWA flight 847 in 1985.[61] The considerable control Iran has over Hizballah places the country in the "Direct Control" category.

E. TOWARDS A NEW TYPOLOGY: METHODS OF SPONSORSHIP

The second principal component to a complete typology of state-sponsored terrorism answers the question, "How do states support terrorist organizations?" The forms of support a state provides a terrorist organization can be generally classified into four categories: financing, government services, logistics, and safe havens. Additionally, each category of support can be described as a spectrum. For example, a government can financially support a terrorist organization by allowing the group to fundraise within its borders on the low end of the spectrum or transfer millions of dollars directly into the group's coffers on the high end. Furthermore, the type and extent of support the state provides the terrorist organization directly corresponds to the level of involvement between the two. For example, a state that allows a terrorist organization to operate within its borders because it refuses to employ counter-terrorism measures, but does not otherwise support the organization would fall within the "Toleration" category. Whereas a state that furnishes the terrorist organization with funds and weapons would fall into the "Support" category. The complete relationship is detailed in Figure 2.

---

[60] Magnus Ranstorp, *Hizb'allah in Lebanon: The Politics of the Western Hostage Crisis* (New York: St. Martin's Press, 1997), 36, 61.

[61] Ibid., 96, 99; Walcott, *Best Laid Plans*, 161–234; Shay, *The Axis of Evil: Iran, Hizballah, and Palestinian Terror*, 104–05.

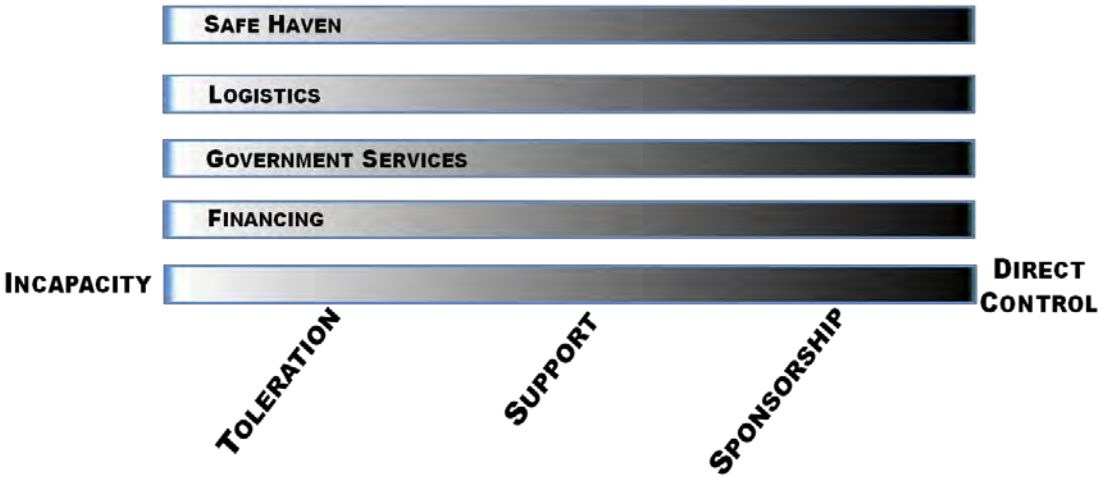

Figure 2. Complete Typology for State Sponsorship of Terrorism

1. Financial Support

The financing category encompasses any form of financial support provided by the state to the terrorist organization. As discussed earlier, an example from this category falling in the range of "Toleration" includes a state allowing a diaspora to fundraise on behalf of the terrorist organization, the Snow Tigers being a case in point. Obviously this implies the state is aware of the organization's fundraising efforts and the state government willfully disregards or consents to these operations. If the state is unaware of the terrorist organization's activities or is unable to curtail them, the relationship is better described as "Incapacity." "Toleration" becomes "Support" when the state begins devoting its own resources to the fundraising efforts. For example, the state establishes and operates a distinct entity for the express purpose of fundraising on behalf of the terrorist organization. "Sponsorship" occurs when the state transfers sizable amounts of money directly to the terrorist organization, whether through official banking channels or through third parties.

2. Government Services

The government services category entails the state providing goods or services to the terrorist organization that are unique to a state government. This can be a wide variety of the things to include passports and other diplomatic services, training in

military-grade weaponry or intelligence collection, or political support in the public arena. A form of "Toleration" in this category would be state bureaucrats allowing their employees to distribute passports and visas to terrorist organizations attempting to travel. Again, this presumes senior leadership is aware of this practice and chooses to ignore or condone it. An example of "Support," which entails a higher-level of involvement from the government, might include a state deliberately allowing a terrorist cell unfettered transit through its territory. Finally, "Sponsorship" occurs when a state directly provides terrorist organizations with elements critical for operations such as key intelligence or training required for an attack.

3. Logistics

As the name implies, the "Logistics" category includes all forms of logistical support for the terrorist organization. The most obvious and historically rampant example is weaponry. However, other instances might include facilitating the transport of people via bus or plane to terrorist training camps. At the "Toleration" end of the spectrum, a state might knowingly allow the black market to thrive within its territory, allowing terrorist organizations to equip themselves. Progressing to "Support," the state may provide surplus or out-dated military-grade weaponry to the terrorist organization. States providing large quantities of advanced weaponry or possibly weapons of mass destruction would then fall in "Sponsorship" end of the spectrum.

4. Safe Haven

Arguably, the most important form of support a state can offer is a safe haven. A state allowing terrorists to freely exist within its borders offers the organization the ability to focus its efforts on activities beyond mere survival, ultimately making the organization more lethal. A form of "Toleration" in this category might be a state simply not formulating and implementing a counter-terrorism strategy thereby allowing a terrorist organization to organize itself within the state's territory. Because of the state's inaction, the organization is allowed to establish itself. "Support" then manifests as the state begins to take actions that protect the terrorist element within its borders, such as refusing to arrest and extradite accused terrorists to another state for prosecution. Finally,

"Sponsorship" entails the state facilitating the terrorist organization's plans to establish an extensive base of operations or training camps within the country's borders.

F. RELATIONSHIP BETWEEN MEANS OF SUPPORT AND THE LEVEL OF INVOLVEMENT

The cases of state sponsorship discussed earlier demonstrate the relationship between the means of support provided by the state and the level of involvement between the state and the terrorist organization. States unwilling to deepen their relationship with the terrorist organization because of differing ideologies or divergent motivations will limit the types of support they provide the terrorists. Similarly, terrorist organizations with motivations and ideologies closely aligned with the state are likely to receive a higher-level of support in terms of type and quantity of resources. For example, involvement between Libya and the PIRA would likely not progress from "Support" to "Sponsorship" due to differing ideologies. Qaddafi aided IRA terrorists not because he sympathized with their cause but because he wished to harm Britain. It is important to note that around the same time, the dictator was providing substantially more assistance to other terrorist organizations more closely aligned to his ideology, like the Abu Nidal Organization (ANO).

This point demonstrates the practicality of the proposed typology as opposed to current U.S. policy. The principal problem with U.S. policy is that it fails to acknowledge the gradations that exist in state-sponsored terrorism. As such, our current policy has effectively become a club with which we threaten other states who may support the terrorist organizations that plot against our country. Wardlaw cogently states, "The assertion that this or that state is a sponsor of international terrorism increasingly is being wielded as a propaganda weapon and as a foreign policy tool itself."[62] The examples presented in this paper demonstrate the fact that a wide range of involvement between the state sponsor and the terrorist organization exists. Common sense would seem to dictate graduated responses, employing all forms of state power, for

[62] Wardlaw, "Terror as an Instrument of Foreign Policy," 237.

commensurate levels of involvement would be more effective than an "all-or-nothing" approach.

The proposed typology suits the fluid nature of international relations. A state that possesses the capacity to form and implement an effective counter terrorism strategy will not fall within the spectrum. States that are characterized by "Incapacity" would be eligible for economic and diplomatic aid, as opposed to sanctions, in order to assist with their governance issues. States falling in the "Toleration" category, including allies, will have to answer for their ambivalence or suffer low-level diplomatic or economic sanctions along with the stigma of being a country that tolerates terror. "Support" and "Sponsorship" of terrorism necessitate an increasingly higher order of diplomatic and economic sanctions along with the possibility of military action. "Direct Control" of a terrorist organization implies the organization is acting as an agent of the state, and as such, any action taken by the terrorist organization can be considered an act of war.

Obviously, the complexity of international relations will require policymakers to make refinements to the employment of the typology. A state might be involved with more than one organization, each at a different level of support. For example, Libya "Supported" the PIRA while it "Sponsored" ANO. Moreover, the forms of support from the state to a single terrorist organization might equate to different levels of involvement. One such example is discussed in Chapter II. Syria offers a significant safe haven to HAMAS, but provides little in the way of financing or logistics. Both examples present a challenge to the policymakers who must determine which label presents the most accurate description of the state-terrorist organization relationship. However, the primary advantage of the proposed typology over current U.S. policy is its flexibility. As such, graduated levels of response provide policymakers options to tailor the response to the offending state. Logically, the highest level of support would be applied to the offending state, but U.S. response might be tempered based on mitigating circumstances.

G. THESIS OVERVIEW

The next chapter begins with an analysis of the laws that direct U.S. policy on state-sponsored terrorism. This analysis describes the ramifications of placement on the

State Department's list of state sponsors of terrorism and provides evidence of the inflexibility of the current policy. Then the current list of state sponsors is surveyed, tracing when and why each state was added to the State Department's list and the results of its inclusion. Following the discussion of each state on the list, a specific state-terrorist organization relationship is examined within the framework of the proposed typology. This exercise shows differences between the proposed typology and current U.S. policy, demonstrating the efficacy of a more nuanced approach. For example, examining the relationship between Syria and HAMAS demonstrates that even though the state is an active sponsor of the terrorist organization, the forms of support provided require a different response than that of Iran and the Palestinian Islamic Jihad.

Chapter III applies the proposed typology to states that are currently not on the State Department's list of state sponsors. First, Libya and North Korea, two recently removed countries that were on the list for decades, are examined, demonstrating the convoluted way states are removed from the State Department's list. Then, the typology is applied to Venezuela, Saudi Arabia, and Pakistan. These three states have never been on the list of state sponsors but have sponsored terrorist organizations in the past and may continue to do so. The purpose of this exercise is to demonstrate that a graduated approach to state sponsorship of terrorism is applicable to every state, making it more relevant than the current approach.

The final chapter first presents the United States' own problems with state-sponsored terrorism in the 1970s and 1980s. A new law offering a distinction between states that sponsor terrorism and those that tolerate its existence is reviewed, specifically examining its strengths and weaknesses. A summary of the benefits to policymakers of the proposed typology is followed by a figure comparing the State Department's list of State Sponsors of terrorism and the proposed typology. Finally, future areas of research are discussed.

II. CURRENT U.S. POLICY: THE STATE DEPARTMENT'S LIST OF STATE SPONSORS OF TERRORISM

One of the most enduring examples of U.S. counter-terrorism efforts is the State Department's list of state sponsors of terrorism. The list serves the important function of formally identifying states with a proven record of supporting international terrorist organizations. However, in the three decades since the list was created, Congress has attached a host of economic and diplomatic sanctions that are automatically triggered by inclusion on the list. These sanctions are meant to make the cost of supporting terrorism as a means of foreign policy too high for the potential state sponsor. Instead, they have made U.S. foreign policy inflexible and ineffective.

This chapter briefly reviews the history of the State Department's list of state sponsors of terrorism. Examining the gradual escalation of economic sanctions over the past three decades, it argues that the state sponsor list has severe shortcomings as an instrument of foreign policy. U.S. military options and their failures are also briefly reviewed. The chapter then surveys each of the countries currently named on the State Department's list of state sponsors. Examining each of these countries in detail involves addressing two questions. First, how does the State Department identify states for inclusion on the list? Understanding the decision calculus behind the inclusion of a particular state provides a glimpse into the intent of policymakers and their foreign policy agenda. Second, how has the offending state acted after its inclusion to the list? Answering this question provides evidence of the ineffectiveness of current U.S. foreign policy towards state sponsors of terrorism. After examining this relationship between policymaker intent and the results of the offending state's inclusion to the list, the proposed typology is applied to the same state and terrorist organization to demonstrate its efficacy over current U.S. policy.

A. HISTORY AND LEGAL IMPLICATIONS OF THE STATE SPONSOR OF TERRORISM DESIGNATION

Following World War II, the U.S. sought economic solutions such as sanctions and trade restrictions as a means of coercing certain behaviors from other states. In 1949,

Congress provided "the president the power to regulate all foreign commerce as a tool of foreign policy through the Export Administration Act of 1949 (EAA)."[63] Seeking avenues to curb the growing trend in terrorism when the EAA was up for renewal in the 1970s, Congress enacted new provisions to the EAA to deal with the advent of state sponsorship. Specifically, Section 6(j) of the Export Administration Act of 1979 (EAA) requires the Secretary of State to identify countries that "have repeatedly provided support for acts of international terrorism."[64] Offending states are recorded in the Federal Register. Companies dealing in "the export of military relevant goods or technology" that wish to trade with designated countries must obtain a license from the State Department, with the approval of Congress.[65] The bureaucratic hurdles for obtaining a license for such "dual use" technology make trade with the designated country highly unlikely.

The EAA also provides a means for countries to be removed from the list. The President must submit a report to Congress to initiate the process. The report must certify that "a fundamental change in leadership and policies" has occurred within the offending state and it no longer supports terrorism or the state "has not provided any support for international terrorism during the preceding 6-month period."[66] In either case, the government concerned must provide "assurances that it will not support acts of international terrorism in the future."[67] In the 22 years the EAA has been in effect, the above provisions have been utilized five times to remove a country from the list. One state, Iraq, was returned to the list less than a decade later. By comparison, four states have been added to the list in the same amount of time.[68]

---

[63] Matthew J. Peed, "Blacklisting as Foreign Policy: The Politics and Law of Listing Terror States," *Duke Law Journal.* 54, no. 5 (2005): 1324.

[64] 50 U.S.C. § 2405.

[65] Peed, "Blacklisting as Foreign Policy," 1325.

[66] 50 U.S.C. § 2405.

[67] Ibid.

[68] See Figure 3 for a complete description of states added and removed since the list's inception.

Along with the EAA, the Foreign Assistance Act (FAA) attaches additional penalties for inclusion on the State Sponsors of Terrorism list. Provisions under the FAA prohibit financial assistance provided under the Agricultural Trade Development and Assistance Act,[69] the Peace Corps Act,[70] and the Export-Import Bank Act[71] to any country designated as a state sponsor by the Secretary of State as described in the EAA.

In 1990, a third element was added to the array of sanctions against state sponsors of terrorism with the passage of amendments to the Arms Export Control Act (AECA).[72] The act expressly prohibits the export of items on the U.S. Munitions List. The intended purpose of the act was to prevent "the international proliferation of nuclear devices to individuals or groups,"[73] reflecting the growing concerns at the end of the Cold War of weapons of mass destruction (WMD) falling into the hands of terrorists.

Together, the three statutes described above serve as the United States' primary mechanism for containing state sponsors of terrorism. Interestingly, they presuppose a designation process, but do not detail how such a process should be structured, do not "require the creation of an official list of state sponsors of terrorism, nor define either sponsorship or terrorism."[74] While the State Department maintained a list of designated state sponsors of terrorism since 1979 per EAA, in 1987 Congress mandated that the Secretary of State annually report on the status of the list. The law required, among other things, "assessments with respect to each foreign country…about which the Congress was notified during the preceding five years pursuant to [EAA Section 6(j)]."[75] The State Department had already been producing an annual report called *Patterns of Global Terrorism* since 1983 that essentially fulfilled this function. The 1987 law simply made

---

[69] 22 U.S.C. § 1691

[70] 22 U.S.C. § 2501

[71] 12 U.S.C. § 635

[72] 22 U.S.C. § 2780

[73] Petra Minnerop, "Legal Status of State Sponsors of Terrorism in United States Law," in *Terrorism as a Challenge for National and International Law: Security Versus Liberty?*, ed. Christian Walter, et al. (Berlin: Springer, 2004), 759.

[74] Peed, "Blacklisting as Foreign Policy."

[75] 22 U.S.C. § 2656

the report an annual requirement for the State Department.[76] In 2004, the title of the report was changed to *Country Reports on Terrorism*.

Following the first World Trade Center attack in 1993, Congress sought to strengthen anti-terrorism measures and further curtail their potential state sponsors. In 1996, the Anti-terrorism and Effective Death Penalty Act (AEDPA) was passed, adding a host of measures and counter-terrorism amendments to existing laws. Specifically targeting state sponsors, the act "makes it a crime for individuals to engage in financial transactions with countries on the [State Sponsors of Terrorism] list," and "requires the U.S. to withhold FAA assistance even from countries that give foreign aid, loans, or subsidies to countries on the list."[77] Furthermore, U.S. representatives to international financial institutions, such as the International Monetary Fund and the World Bank, are legally bound to oppose any financial assistance to designated state sponsors.[78]

The AEDPA also amends the Foreign Sovereign Immunities Act (FSIA) of 1976. Specifically, AEDPA vacates immunity for countries designated as state sponsors of terrorism in cases "in which money damages are sought...for personal injury or death that was caused by an act of torture, extra-judicial killing, aircraft sabotage, hostage taking, or the provision of material support of resources for such an act."[79] The change allows victims of terrorism to sue a state sponsor in U.S. federal court. Before the statute was passed, sovereign states enjoyed immunity from lawsuits arising from public actions.

After 9/11, Congress acted quickly to combat terrorism on U.S. soil. The Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT Act) not only provided considerably more powers to law enforcement agencies, but also targeted citizens from designated state sponsors of terror. Specifically, the statute "makes it a crime for any 'restricted person'

---

[76] In addition, the statute formally defines terrorism and international terrorism, as described in Chapter I.

[77] Peed, "Blacklisting as Foreign Policy," 1327.

[78] Ibid.

[79] 28 U.S.C § 1605

to transport or receive any biological toxin."[80] The attempt to restrict access to biological agents may be well founded, but how the attempt was implemented is questionable. "The statutory definition of 'restricted persons' includes only persons convicted for serious crimes, fugitives of justice,..., and aliens from countries on the terrorism list."[81] The act effectively equates all citizens of countries designated as sponsors of terrorism to criminals. Even more consequential, the Enhanced Border Security and Visa Entry Act of 2002 "imposes controls on issuance of visas to non-immigrants from countries that are designated as state sponsors of terrorism."[82] Waivers for these controls can only be lifted if the Secretary of State, "in consultation with the Attorney General, makes a specific finding that the alien does not pose a threat to national security."[83] These two statutes represent a fundamental change in how Congress sought to deter sponsors of terrorism. Before 9/11, state governments were the target of the legislation, with the idea being that economic sanctions could make the costs of sponsoring terrorism too high. After 9/11, Congress began a trend of directly punishing the citizens of countries on the state sponsors of terrorism list in the name of protecting U.S. borders.

B. MILITARY RESPONSES TO STATE SPONSORED TERRORISM

While economic sanctions were frequently used to curtail state sponsors of terrorism, they were not the only available option. Presidents occasionally opted for military strikes against state sponsors, not only as a punitive measure, but as a message to other potential sponsors as well. These instances were always in response to specific attacks. For example, Operation El Dorado Canyon in 1986 was President Reagan's response to Libyan ties to a bombing at a Berlin nightclub frequented by American servicemen.[84] A decade later, President Clinton responded to the U.S. embassy

---

[80] Peed, "Blacklisting as Foreign Policy," 1321.

[81] Ibid., 1321.

[82] Minnerop, "Legal Status of State Sponsors of Terrorism in United States Law," 764.

[83] Peed, "Blacklisting as Foreign Policy," 1328.

[84] Walcott, *Best Laid Plans*, Chapter 10.

bombings in Tanzania and Kenya with Operation Infinite Reach, resulting in dozens of cruise missiles being launched against targets in Sudan and Afghanistan.[85]

Unilateral military action by the U.S. has had mixed results at best. In the case of the Libyan raid, there was tremendous criticism from the international community. Indeed Spain, Italy, and France denied the use of their airspace for the attack. After the raid, the United Nations General Assembly condemned the action.[86] Moreover, the raid itself did little to stem Libya's sponsorship activities. Two years later, Libya would play a leading role in the bombing of Pan Am Flight 103, which resulted in 271 deaths. Similarly, in the case of Infinite Reach, cruise missiles destroyed a pharmaceutical plant in Sudan that was allegedly preparing WMD for use by al Qaeda. Multiple terrorist training camps in Afghanistan were also targeted. However, when the intelligence justifying the attacks came under scrutiny, serious doubts were raised as to its validity. Indeed, there was a public outcry by human rights advocates in the U.S. Not only was one person killed and ten others were injured in the attack on the pharmaceutical plant, but it was in fact one of the largest pharmaceutical manufacturers in the country, producing treatments for malaria, tuberculosis, and various other ailments common in the region.[87] Condemnation also came from several allies.[88] Moreover, there is strong evidence that the missile strikes actually improved the strained relations between Mullah Omar and Osama bin Laden.[89]

C. WEAKNESSES OF THE CURRENT U.S. POLICY

The laws governing the State Sponsors of Terrorism list mandate a strict set of economic sanctions and hold state governments liable for damages stemming from

---

[85] Daniel Benjamin and Steven Simon, *The Age of Sacred Terror* (New York: Random House, 2003), Chapter 7.

[86] Jonathan B. Schwartz, "Dealing with a "Rogue State": The Libya Precedent," *The American Journal of International Law* 101, no. 3 (2007): 556.

[87] Benjamin and Simon, *The Age of Sacred Terror*, 351-64; Michael Barletta, "Chemical Weapons in the Sudan: Allegations and Evidence," *The Nonproliferation Review* 6, no. 1 (1998): 118.

[88] Benjamin and Simon, *The Age of Sacred Terror*, 315.

[89] Byman, *Deadly Connections*, 210–15; Jason Burke, *Al-Qaeda: The True Story of Radical Islam* (New York: I.B. Tauris, 2004), 186–87.

sponsorship. It is important to note that the laws were incrementally put in place in response to escalating events over the previous two decades. Today, the hands of U.S. foreign policymakers are effectively tied. Formal designation as a sponsor of terrorism results in *all* of the sanctions being levied against the offending country. There is no room for tailoring specific sanctions to a state sponsor based on the level or type of support it provides to terrorists. The country that offers only financial support to the terrorist organization is treated the same as the one that supplies high-tech weapons. Moreover, the state that gives tacit support, such as allowing the organization to fundraise within its borders, must be treated the same as the one that actively finances operations. U.S. foreign policy is inflexible and policymakers are forced to carefully consider all of the ramifications before designating a state as a sponsor of terrorism.

The problems with the current U.S. laws against state-sponsored terrorism go beyond inflexibility. Primarily, there exists an issue regarding the separation of powers. As described earlier, FSIA was first enacted to remove the executive branch from the determination of jurisdiction within federal courts. However, AEDPA effectively injects the Executive back into the process. Now, it is the State Department's designation that determines "who may be sued in federal courts, not by the attesting of diplomatic facts that define a country's legally recognized status, but by the parsing of countries for political reasons otherwise unrelated to their standing before a court of law."[90]

Following from the first problem, the second issue is one of inconsistency. From the state's perspective, designation on the State Department's list of state sponsors opens the country to extensive liability. While the states should be held accountable for their actions, a significant temptation exists for victims and their lawyers "to search for any conceivable connection to one of the designated states."[91] This temptation is encouraged by the possibility of judgments in the million-dollar range and "the fact that virtually all

[90] Peed, "Blacklisting as Foreign Policy," 1342.

[91] Ibid., 1336.

of these states fail to offer defenses."[92] The result is incredulous claims that only need "satisfactory" evidence to obtain a default judgment.[93]

At the same time, victims of attacks that can be traced back to a state sponsor also face uneven treatment. Unless the state perpetrating the attack is on the State Department's list, that country continues to enjoy immunity. Therefore, a state may actively support terrorist organizations that kill Americans, but not be on the list for diplomatic reasons, and thus not subject to the AEDPA waiver of immunity. For example, victims of 9/11 cannot sue the Taliban in federal court because Afghanistan was never added to the list of state sponsors. The Clinton administration took this decision deliberately during the late 1990s to avoid acknowledging the Taliban as a ruling power over a sovereign state.[94] Similarly, depending on when the state was added to the list, "the FSIA exception can also discriminate among victims of the same terrorist state."[95] For example, Iraq, which was one of the first states listed by the State Department in 1979, was removed in 1982, and then placed back on the list in 1990. Victims of Iraqi-sponsored terror during the interim period would not have standing in federal court, whereas victims before and after have standing and have employed it in multi-million dollar judgments.[96]

Finally, as the above example regarding Iraq suggests, there is an ever-present problem of inclusion to the list being tied to political considerations that have little relevance to a state's sponsorship practices. In the case of Iraq, for example, there is no evidence Saddam Hussein had ceased supporting terrorist organizations from 1982 to 1990. Rather, Iraq's removal from the list coincides with the height of the Iran-Iraq War. When the Shah was removed from power and the Khomeini regime demonstrated anti-Western tendencies, the U.S. found a new Middle Eastern ally in Iraq. Removal from the

---

[92] Ibid.

[93] Ibid., 1337.

[94] Byman, *Deadly Connections*, 269.

[95] Peed, "Blacklisting as Foreign Policy," 1335.

[96] See discussion of *Daliberti v. Republic of Iraq* in: Keith Sealing, "'State Sponsors of Terrorism' Is a Question, Not an Answer: The Terrorism Amendment to the Fsia Makes Less Sense Now Than It Did before 9/11," *Texas International Law Journal* 38, no. 1 (2003): 128–30.

list facilitated easier transactions of dual-use technology and, more importantly, advanced weapons. Once this marriage of convenience had ended, Iraq was placed back on the list and military support ceased.

The above examination of the law governing the state sponsors of terrorism list exposes its fundamental flaws. Reviewing the current list of state sponsors identifies further weakness within U.S. law and its negative effects on foreign policy. At the same time, a survey of the list provides insights into the decision calculus of the policymakers as well as an opportunity to evaluate the effectiveness of U.S. policy towards state sponsors of terrorism.

D. IRAN

Iran was added to the State Department's list of state sponsors of terrorism in January 1984 because of its ties to Hizballah and the attack on the Marine barracks in Beirut the previous year. The addition of Iran to the list essentially amounted to a formality for the Reagan administration after all other punitive options were considered unfeasible. Indeed, the attack on the barracks was immediately followed by a flurry of U.S. military contingency plans to strike terrorist facilities in Lebanon and Syria. However, concerns over potential losses incurred during the strike and endless debates on the appropriate target precluded any retaliatory strike from taking place.[97] In the end, the only definitive action taken by President Reagan was to add Iran to the state sponsors of terrorism list. "It was a meaningless action: Jimmy Carter had instituted an arms embargo against Iran in 1979 which had never been lifted."[98]

There is little doubt Iran belongs on the State Department's list. Since the country's Islamic Revolution in 1979, the extensive links between Iran and multiple notorious terrorist organizations, such as Hizballah and HAMAS, have been consistently proven. In fact, the 2009 *Country Reports on Terrorism* names Iran as the "most active

[97] Walcott, *Best Laid Plans*, 132–55.

[98] Ibid., 155.

state sponsor of terrorism."[99] Indeed, of the 37 designated Foreign Terrorist Organizations documented in a 2004 CRS report, Iran provided some form of support to seven of them.[100]

However, U.S. policy toward Iran is plagued by inconsistency. The 241 victims of the 1983 Marine barracks bombing and their families have no standing in federal court. At the time of the attack, Iran was not on the State Department's list and therefore not subject to exemption from immunity. In contrast, victims of suicide bombers after 1984 who were trained by Hizballah and most likely financed by Iran are able to file suit and have done so, garnering multi-million dollar judgments.[101]

Another problem with Iran's placement on the list is that it seems to have had little effect on the country's support for terrorism. Indeed, placing Iran on the list has done little to curtail Iran's or its proxy's actions. Less than a year after Iran was added to the list, Hizballah detonated a truck bomb at the recently re-opened U.S. embassy in Beirut. Two U.S. military officers and 12 Lebanese were killed. Satellite imagery would later reveal a mock-up of the Embassy's barricade system at a military facility controlled by Hizballah and the IRGC.[102] The violence would continue through the coming decades and continues to pose multiple problems for U.S. policymakers. Not only have attacks on U.S. personnel and facilities continued, Iranian support of terrorism has proven detrimental to the Arab-Israeli Peace Process.

1. The New Typology: Iran and the Palestinian Islamic Jihad

Iran's support for terrorism is not limited to Hizballah. Nor are its benefactors solely of Shi'a persuasion. The Palestinian Islamic Jihad (PIJ) provides the eminent example. Founded in the 1970s, PIJ was unique among the other Palestinian nationalist groups. Despite its Sunni roots, the group "drew inspiration from the success of the

---

[99] U.S. State Department. Office of the Coordinator for Counterterrorism, "2008 Country Reports on Terrorism," 192.

[100] Cronin, "Foreign Terrorist Organizations."

[101] See discussion of *Flatow*, *Cicippio*, and *Anderson* in: Sealing, ""State Sponsors of Terrorism" Is a Question, Not an Answer," 126–28.

[102] Walcott, *Best Laid Plans*, 158–60.

Islamic revolution in Iran, and regarded it as a model for emulation."[103] After the Iran-Iraq war ended in stalemate in 1988, Iran took up the Palestinian cause as a means of solidifying its role as a champion of the Arab people.[104] Backing Palestinian Islamic entities such as PIJ and HAMAS provided Iran with the means to demonstrate its resolve to the Arab World. Adopting the Iranian "perception of Jihad as established by Khomeini and the suicide attacks as one of the prominent symbols of Shiite activism," PIJ quickly developed close ties with the Islamic regime and became one of Iran's leading beneficiaries.[105]

Applying the proposed typology to the relationship between Iran and PIJ yields predictable results. The forms of sponsorship Iran provides to the terrorist organization readily fall into three of the four categories of the proposed typology: logistics, financing, and government services. In an interview with the *New York Times* in 1993, PIJ's leader noted that the organization had been receiving financial backing and military equipment from Iran for years.[106] His assertion is supported by an intelligence report released by the Israeli Ministry of Foreign Affairs. The report documents the transfer of millions of dollars to Palestinian terrorist organizations through Syrian banks. It goes on to explain how critical the money transfers are to the operational capabilities of the PIJ because, "contrary to the HAMAS or Fatah, [PIJ] does not have deep roots among the Palestinian population."[107] Furthermore, the report traces multiple weapons shipments from Iran through Syria on its way to Hizballah training camps in Lebanon. In turn, Hizballah provided the weapons and necessary training to Palestinian radicals from multiple organizations, to include PIJ. The weapons training and complementary ideological instruction received at these camps fall into the government services category of the proposed typology.

---

[103] Shay, *The Axis of Evil: Iran, Hizballah, and Palestinian Terror*, 76.

[104] Ibid.

[105] Ibid.

[106] Ibid., 77.

[107] Israel Ministry of Foreign Affairs, "Iran and Syria as Strategic Support for Palestinian Terrorism," http://www.mfa.gov.il/MFA/MFAArchive/2000_2009/2002/9/Iran%20and%20Syria%20as%20Strategic%20Support%20for%20Palestinia (accessed August 26, 2011).

The considerable support provided by Iran to PIJ along with the close ties between the two entities categorizes the relationship as "Sponsorship" within the typology presented in Chapter I. Some might assert that the significant material support Iran provides the Palestinian Islamic organizations offers Iran considerable power over their actions. However, in the case of the PIJ, the Sunni/Shi'a divide prevents Iran from asserting too much control. Despite nearly identical motivations, the differing religious ideologies would likely cause the group to reject direct orders from Iranian officials or splinter if some of the PIJ leadership accepted absolute Iranian control. Evidence of this notion comes from a Washington think tank report that detailed an agreement between Iran and PIJ "whereby PIJ would receive a bonus payment for each terrorist attack launched against Israel."[108] If Iran had the capability of simply ordering further attacks by the PIJ, it would not be necessary to pay for them.

Since Iran's support for terrorism is extensive, the mechanisms required to curb this support must be equally extensive. In addition, Iran's sponsorship of terrorism will require the cooperation of other countries if it is to succeed. The proposed typology offers U.S. policymakers an avenue to qualitatively depict Iran's support for terrorist organizations and their violent results. Furthermore, by establishing a graduated response that employs *all* forms of U.S. power, policymakers will be better equipped to target the specific forms of support Iran provides to each of the terrorist organizations.

E. SYRIA

Syria's ties to terrorism also go back decades. After coming into power in the mid-1960s, the Ba'ath party actively began supporting the Palestinian insurgency in Israel.[109] One of the tenets of Ba'athist ideology is that Israel is not only "an imperialist creation but also is an expansionist state seeking to dominate the region."[110] After

---

[108] Eytan Fisch, "A Chronology of Middle East Support for Terrorism, 1997: A Supplement to the State Department's *Patterns of Global Terrorism*," (Washington D.C.: The Washington Institute for Near East Policy, 1998), 3.

[109] Robert G. Rabil, *Syria, the United States, and the War on Terror in the Middle East* (Westport, Conn.: Praeger Security International, 2006), 44.

[110] Ibid., 25.

ascending to the presidency in 1971, Hafiz al-Asad eliminated many of the extremist elements of the party in order to solidify his power. At the same time, al-Asad was a pragmatist who saw an opportunity to improve Syria's position in the Arab world by exploiting the Palestinian cause.[111] Indeed, he frequently used the Palestinian cause to bolster his position as a champion for Arab nationalism. As such, support for the militant Palestinian organizations continued.[112] The relationship between Syria and Fatah would become so close, the organization announced, "The Pan Arab and national character of the Syrian regime...ensures preservation of close ties between Syria and the Palestinian Resistance. Syria is the chief active partner in the Arab struggle against the Zionist enemy."[113]

The Nixon and Carter administrations, seeing Syria as a key component in the Arab-Israeli peace process, actively worked with al-Asad to stabilize the Middle East.[114] However, relations between the U.S and Syria rapidly cooled once Syria was added to the state sponsors of terrorism list in 1979 and the mandated economic sanctions took effect. From the U.S. perspective, Syrian support for Palestinian terror was so extensive; inclusion on the list was essentially automatic. The economic gains Syria enjoyed in the 1970s vanished during the 1980s and the country soon found itself in dire straits.[115] In spite of this turn of events, support for the militant Palestinian organizations continued. Al-Asad determined the state's need to maintain its identity as the champion for Arab nationalism outweighed economic concerns.

While U.S. sanctions continued to weaken Syria's economy, Egypt, historically Syria's strongest supporter was becoming more moderate. Al-Asad realized a new partner would be necessary to reinforce his country's position in the Middle East.

---

[111] Ibid., 29–30; David W. Lesch, *The New Lion of Damascus : Bashar Al-Asad and Modern Syria* (New Haven Conn.: Yale University Press, 2005).

[112] Byman, *Deadly Connections*, 122–24.

[113] Moshe Ma`oz, *Syria and Israel: From War to Peacemaking* (Oxford: Oxford University Press, 1995), 123.

[114] Rabil, *Syria, the United States, and the War on Terror in the Middle East*, 49–64.

[115] Lesch, *The New Lion of Damascus : Bashar Al-Asad and Modern Syria*, 43.

Following the Israeli invasion of Lebanon in 1982, Hafiz found this new partner in Iran. Ayatollah Khomeini rapidly provided economic support and military equipment to the Palestinians in Lebanon with the assistance of Syria.[116] In effect, Syria's inclusion to the list, along with the military actions of Israel, drove Syria to deepen its relationship with Palestinian terrorist organizations and into the arms of the U.S.'s principal opponent in the Middle East.

The weakness of current U.S. policy as dictated by law is the disparity between how Syria is treated as opposed to Iran. Syria has provided support to multiple terrorist organizations over the years, but has primarily benefited Palestinian terrorist groups, including HAMAS, the Popular Front for the Liberation of Palestine (PFLP), the Popular Front for the Liberation of Palestine – General Command (PFLP-GC), and PIJ. Despite the well-documented ties to terrorism, diplomatic relations between the U.S. and Syria were extensive throughout the 1980s and 1990s. In fact, a CRS report from 2002 notes that "despite its position on the terrorism list, the United States maintains relatively normal relations with Syria. The two countries exchange ambassadors and most forms of U.S. non-military trade with and U.S. investment in Syria are permitted."[117] In contrast, the U.S. government broke diplomatic ties with Iran in 1980 and today Iranian affairs in the U.S. "are represented by the Embassy of Pakistan."[118] Law and presidential action prohibit nearly all forms of trade with the country.[119]

Ostensibly, the difference between the two states is the shared border between Syria, Lebanon, and Israel. Indeed, every president from Nixon on saw Syria as an important actor in the Arab-Israel Peace process. Furthermore, Syria's assistance during the hijacking and hostage crisis of TWA Flight 847 in 1985 demonstrated the country could be an important ally in spite of its ties to Palestinian terrorist organizations.[120]

---

[116] Ma`oz, *Syria and Israel: From War to Peacemaking*, 177–80.

[117] Kenneth Katzman, "Terrorism: Near Eastern Groups and State Sponsors, 2002," (Washington D.C.: Congressional Research Service, 2002), 32.

[118] U.S. State Department. Bureau of Near Eastern Affairs, "Background Note: Iran," http://www.state.gov/r/pa/ei/bgn/5314.htm (accessed September 1, 2011).

[119] Ibid.

[120] Walcott, *Best Laid Plans*, Chapter 7; Simon, *The Terrorist Trap*, 187–93.

Therefore, from a diplomatic standpoint it is necessary to make a distinction between Iran and Syria. However, current U.S. law is not flexible enough to allow for such a distinction in regards to state sponsors of terrorism. When policymakers attempt to do so, U.S. foreign policy appears hypocritical.

1. The New Typology: Syria and HAMAS

HAMAS, which is "both an acronym for *Harakat al-Muqawama al-Islamiya* (Islamic Resistance Movement) and an Arabic word meaning 'zeal,'" is an extremist Palestinian nationalist organization.[121] Its founders split from the Islamic Brotherhood in 1987, taking a significantly more militant role than its parent organization in the Gaza Strip. While the leadership seeks a separate Palestinian state like most Palestinian nationalist groups, HAMAS believes this can only be obtained through the demise of Israel.[122] The organization continues to enjoy support from the Palestinian people, not only because of its ongoing attacks on Israel, but also through its extensive public education and social welfare programs.[123] Indeed, the deep popular support for HAMAS was recently demonstrated in the 2006 elections for the Palestinian Legislative Council where the organization took 76 of 132 seats.[124]

The reasons behind the relationship between Syria and HAMAS are two-fold. First, public backing of Palestinian nationalist organizations, such as HAMAS, offers Syria a sense of legitimacy amongst Arab states. As described earlier, from the start of the Hafiz al-Asad regime, Pan-Arab nationalism was touted as a cornerstone of the establishment. This policy continues under Bashar al-Asad, who took power in 2000. Second, by maintaining close ties to HAMAS, Syria ensures it will not be left out of any

---

[121] Matthew Levitt, *Hamas: Politics, Charity, and Terrorism in the Service of Jihad* (New Haven: Yale University Press, 2006), 8.

[122] Jim Zanotti, "Hamas: Background and Issues for Congress," (Washington D.C.: Congressional Research Service, 2010), 13.

[123] Ibid., 17–18.

[124] Steven Erlanger, "Hamas Routs Ruling Faction, Casting Pall on Peace Process " *New York Times*, January 27, 2006, http://www.nytimes.com/2006/01/27/international/middleeast/27mideast.html (accessed 1 November 2011).

settlement between Palestine and Israel.[125] Since Syria shares borders with Israel and Lebanon, the country has a vested interest in how the Arab-Israeli conflict plays out.

The primary form of sponsorship provided by Syria to HAMAS is a safe haven. The State Department's *Patterns of Terrorism* report from 2000 notes HAMAS had opened a main office in Damascus in 1999.[126] The Bashar al-Asad regime claimed this office is "solely used for press purposes and play[s] no leadership or operational role in the conduct of terrorist attacks."[127] The U.S. government, while acknowledging that the Syrian government prohibits attacks originating from its territory, maintains there is clear evidence that the Syrian safe haven is expressly used for operational purposes. Specifically, "from Damascus, Hamas's leadership-in-exile can direct the group's operations through financial transactions and unrestrained access to travel and communications."[128] Moreover, the Syrian government allows weapons shipments from Iran to terrorist organizations to transit through its ports. One example occurred in March of this year, when Israel intercepted a container ship transporting "50 tons of Iranian smuggled weaponry on its way to HAMAS" that originated in the Syrian port city of Latakia.[129] Israeli intelligence reports note that due to the weak Syrian economy, Palestinian organizations receive very little direct financial assistance from the Syrian government.[130] However, all of the groups operating "media offices" within Damascus are allowed to actively fundraise from these offices as well as "use Damascus and the Syrian national banking system for money transfers to the [Palestinian Authority] areas."[131]

---

[125] Byman, *Deadly Connections*, 126, 30.

[126] U.S. State Department. Office of the Coordinator for Counterterrorism, "Patterns of Global Terrorism, 1999," http://www.state.gov/s/ct/rls/crt/2000/ (accessed August 25, 2011).

[127] Senate Committee on Foreign Relations, *Syria: U.S. Policy Directions*, 108th Cong., 1st sess., 2003, 9.

[128] Zanotti, "Hamas: Background and Issues for Congress," 22; U.S. State Department. Office of the Coordinator for Counterterrorism, "2008 Country Reports on Terrorism," 194–95.

[129] Jeremy M. Sharp, "Syria: Issues for the 112th Congress and Background on U.S. Sanctions," (Washington D.C.: Congressional Research Service, 2011), 12.

[130] Israel Ministry of Foreign Affairs, "Iran and Syria as Strategic Support for Palestinian Terrorism."

[131] Ibid.

Even though Syria readily admits its support for HAMAS, which it considers one of the "legitimate resistance movements against Israeli occupation," the forms of support it provides and the relationship between the state and its terrorist beneficiaries is somewhat unique.[132] The assistance provided by the state is essentially indirect in nature. HAMAS and the other organizations are allowed to fundraise and utilize the national banking system to receive large amounts of money from Iran, but Syria provides little direct funding to the terrorist groups. Weapons from Iran are permitted to transit Syrian territory, but the government does not appear to be the main source of these arms. The Syrian government maintains some control of the organization, demonstrated by the moratorium on strikes originating from within Syrian territory. At the same time, Syria does not appear to order or assist in specific operations.

Yet, current State Department policy for state sponsors of terrorism mandates that Syria be treated the same as Iran. In this context, the economic sanctions prescribed by law, must be enforced equally against both states. However, enforcement is problematic given the diplomatic requirements of dealing with Syria in the Israeli Peace Process. Policymakers lack the flexibility to use economic levers during negotiations. A distinction needs to be made between Syria and Iran and the way they go about supporting international terrorism. This distinction is possible with the proposed typology.

As noted in the 2009 *Country Reports on Terrorism*, the country is clearly a safe haven for the leadership of some of the most violent Palestinian terrorist organizations. Furthermore, government services in the form of unrestricted travel across and within its borders as well as sanctioning the sizable arms shipments transiting its territory allow terrorist organizations within Palestine, Iraq, and Lebanon to thrive. Therefore, according to the proposed typology, the Syria-HAMAS relationship falls within the "Sponsorship" category like Iran and PIJ, but to a lesser extent along the spectrum of involvement. This nuance can translate to less extensive economic sanctions, offering

[132] Katzman, "Terrorism: Near Eastern Groups and State Sponsors, 2002," 31.

policymakers greater flexibility in how to address the state while maintaining the notion that Syria continues to sponsor terrorism.

F. SUDAN

Sudan's ties to terrorism date back to the military coup of 1989 led by General Umar al-Bashir that brought the National Islamic Front (NIF) to power. The party's leader, Hassan al-Turabi, sought to establish an Islamist state in Sudan and offered sanctuary for Islamic extremist groups from around the world in the early 1990s. The Islamist groups, such as the ANO, Gama'a al-Islamiyya, HAMAS, and most significantly al Qaeda (AQ), rapidly established sizable operations within the country to include extensive training networks.

However, in the mid- to late-1990s, Sudan began to suffer for its relationship with these organizations. Actions taken by the terrorist groups severely tarnished the country's image overseas. Attempting to take a harder stance on Sudan than previous administrations, President Clinton ordered that Sudan be added to the state sponsors of terrorism list in August of 1993.[133] The explanation of the State Department's update to the list stated that despite warnings, "the Sudanese Government continued to harbor international terrorist groups" and "maintained a disturbing relationship with a wide range of Islamic extremists."[134] Sudan quickly felt the economic impact of inclusion on the list as "the big Western oil firms who, it was hoped, would pour money into the country's infrastructure" reconsidered investing in Sudan.[135]

Attempting to repair its international image, Sudan began taking measures to curb its support for international terrorism. In 1994, the notorious international terrorist

---

[133] Meghan L. O'Sullivan, *Shrewd Sanctions: Statecraft and State Sponsors of Terrorism* (Washington, D.C.: Brookings Institution Press, 2003), 240; Committee on Foreign Relations, *Sudan and Terrorism*, 105th Cong., 1st sess., 1997, 17.

[134] U.S. State Department. Office of the Coordinator for Counterterrorism, "Patterns of Global Terrorism, 1993," (Washington, D.C.1994), 25.

[135] Burke, *Al-Qaeda*, 156.

known as Carlos (Illich Ramirez Sanchez) was surrendered to France.[136] His extradition allowed Sudan to offer proof of its claim that it did not support terror.[137] At the same time, since Carlos was not identified with Islamic terror, the Sudanese government would not offend the Islamist organizations that were beneficial to the country's interests. However, international pressure to end *all* of Sudan's ties to terrorism reached a zenith in 1995. An assassination attempt on Egyptian president Hosni Mubarak while he was attending a conference in Ethiopia was tied to organizations based out of Sudan. Investigations confirmed, "that the assassins apparently had arrived in Ethiopia from Sudan, and some had fled back there after the assassination attempt."[138] Under increasing pressure from Egypt, Saudi Arabia, and the Western powers, Sudanese intelligence officials requested the country's extremist guests, to include al Qaeda, to leave the country.[139] It is important to note that the expulsion occurred not because of U.S. sanctions, but was the result of multi-lateral pressure that included one of Sudan's neighbors.

However, support for some terrorist organizations, primarily those of Palestinian nationalist origin like HAMAS and PIJ, continued through the second half of the decade. It was not until President Bashir overcame al-Turabi in an extended power struggle that effectively ended in 2001 that significant strides were made to curtail the terrorist groups within the country. Indeed, a CRS report notes that since then U.S. counter-terrorism teams have visited the country and continue to monitor Sudan's actions. Furthermore, the 2003 *Country Reports on Terrorism* notes Sudan "deepened its cooperation with the U.S. Government to investigate and apprehend extremists suspected of involvement in terrorist activities."[140]

---

[136] Shaul Shay, *The Red Sea Terror Triangle: Sudan, Somalia, Yemen, and Islamic Terror* (New Brunswick, N.J.: Transaction Publishers, 2005), 45–46.

[137] Ibid.

[138] Ibid., 18.

[139] Burke, *Al-Qaeda*, 156.

[140] U.S. State Department. Office of the Coordinator for Counterterrorism, "Patterns of Global Terrorism, 2002," 92.

Nonetheless, Sudan's international troubles continue, not because of terrorism, but rather due to the crisis in Darfur and other internal struggles. Recent Obama administration statements have effectively tied the country's removal from the State Department's list of state sponsors to the resolution of these domestic issues.[141] Indeed, the 2009 *Country Reports on Terrorism* notes continued cooperation in anti-terrorism operations, but then dedicates a lengthy paragraph to discussing operations in the country's civil war.[142] Linking inclusion on the list of state sponsors to extraneous political issues calls the true purpose of the list into question. Continuing to label a state as a sponsor of terrorism in order to coerce actions unrelated to terrorism confuses the international community on U.S. policy and further complicates the issue of state sponsorship of international terrorism.

1. The New Typology: Sudan and Al Qaeda

Al-Turabi sought out Usama bin Laden and invited him to Sudan's capital, Khartoum, in 1990.[143] Bin Laden, who at the time was under a form of house arrest in Jeddah, accepted al-Turabi's invitation and fled to Sudan in an act of subterfuge. After arriving, bin Laden invested large amounts of money in Khartoum infrastructure as well as putting "up the funds for the twenty-three new training camps for militants and government militia that [al-Turabi] wanted to build."[144] In addition, bin Laden fostered ties to the myriad other groups that had established operations within the country, including the Islamic Jihad group led by Ayman al-Zawahiri.[145]

---

[141] Ted Dagne, "Sudan: The Crisis in Darfur and Status of the North-South Peace Agreement," (Washington D.C.: Congressional Research Service, 2011), 11; John Pendergast and Philip Roessler, "Can a Leopard Change Its Spots? Sudan's Evolving Relationship with Terrorism," in *Terrorism in the Horn of Africa* (Washington D.C.: United States Institute of Peace, 2004).

[142] U.S. State Department. Office of the Coordinator for Counterterrorism, "2008 Country Reports on Terrorism," 193–94.

[143] Shay, *The Red Sea Terror Triangle*, 10.

[144] Burke, *Al-Qaeda*, 145.

[145] Ibid., 150.

Differing ideologies and the growing costs of hosting AQ and the other terrorist organizations eventually made Sudan's guests too much of a liability.[146] Indeed, the Sudanese government went as far as to make informal approaches regarding its terrorist guests to the U.S. State Department. However, the U.S. demanded "access to training camps and the provision of details about various individuals," but there was "no explicit demand that bin Laden be handed over."[147] Ostensibly, this is because he had not yet been formally indicted and as such, "there [were] no grounds to hold him in the USA."[148] Bin Laden and the bulk of his organization moved to Afghanistan in 1996.

The 2009 *Country Reports*, explaining Sudan's continued presence on the list of state sponsors, notes that elements of AQ, as well as PIJ and HAMAS, still exist within the country. However, the rest of the report on Sudan implies the country continues to make inroads against AQ.[149] In contrast, the report notes that the Sudanese government considers HAMAS "freedom fighters" and has welcomed its members as representatives of the Palestinian Authority, allowing the organization to fundraise from its office in Khartoum.

Examining the Sudan/AQ relationship from the perspective of the proposed typology, the country is not a sponsor of the terrorist organization. Indeed, Sudan does not assist AQ and does not tolerate it operating within the country's borders.[150] Obviously, U.S. policymakers must also consider the Sudanese government's relationship with HAMAS. By offering the Palestinian organization political support and a safe haven from which to fundraise likely places Sudan in the "Toleration" category.

The State Department's designation of Sudan raises two problems. First, the Sudanese government has made significant attempts at restitution for its ties to terrorism, attempts that Syria and Iran have never made. Yet, the country continues to be punished

---

[146] Ibid., 156.

[147] Ibid.

[148] Ibid.

[149] U.S. State Department. Office of the Coordinator for Counterterrorism, "2008 Country Reports on Terrorism," 193.

[150] Ibid., 193.

to the same extent as the two most active sponsors of terrorism. Second, the U.S. State Department and the President have made it clear Sudan's designation as a state sponsor of terrorism will be removed once it expels the Palestinian terrorist organizations *and* assists in efforts to resolve the situation in Darfur and South Sudan.[151] The designation as a state sponsor is being utilized as a diplomatic "carrot and stick" rather than a tool to identify states that employ terrorist organizations. The new typology prevents this from happening by being very specific about the level of involvement and prescribing graduated levels of response based on that level. In the case of Sudan, its relationship with al Qaeda no longer warrants designation as a state sponsor. However, policymakers would have to examine the country's relationship with other terrorist organizations as well.

G. CUBA AND THE COLOMBIAN NATIONAL LIBERATION ARMY

The links between Cuba and international terrorism today are tenuous at best. Cuba first appeared on the state sponsors of terrorism list in 1982. When the Reagan administration ordered its addition, no clear explanation of why was immediately offered. However, in his State of the Union Address in January of that year, the president stated, "Toward those who would export terrorism and subversion in the Caribbean and elsewhere, especially Cuba and Libya, we will act with firmness."[152] In the subsequent issue of the State Department's *Patterns of Global Terrorism*, it was noted, "the Soviet Union and Cuba appear to be pursuing a long-term coordinated campaign to establish sympathetic Latin American regimes. Part of their strategy involves nurturing organizations and groups that use terrorism in support of their efforts to undermine existing regimes."[153] Indeed, during the 1980s there was a very real fear of a Soviet influence in the Western hemisphere, perpetuated by Castro's Cuba. However, since the

---

[151] Dagne, "Sudan: The Crisis in Darfur and Status of the North-South Peace Agreement," 11; Pendergast and Roessler, "Can a Leopard Change Its Spots? Sudan's Evolving Relationship with Terrorism."

[152] Ronald Reagan, "Address before a Joint Session of the Congress Reporting on the State of the Union " http://www.presidency.ucsb.edu/ws/index.php?pid=42687#axzz1W4Sdvbhg (accessed August 25, 2011).

[153] U.S. State Department. Office of the Coordinator for Counterterrorism, "Patterns of Global Terrorism: 1983," (Washington, D.C.1984).

country was already subject to economic sanctions dating back to the 1960s, the country's inclusion on the list had no significant effect on U.S. policy or Cuban response.

More recently, a CRS report from January of 2010 notes, "in 1992, Fidel Castro said that his country's support for insurgents abroad was a thing of the past."[154] His assertion is supported by the State Department's 2009 *Country Reports on Terrorism*, which states, "Cuba no longer supports armed struggle in Latin America and other parts of the world."[155] The report goes on to say in spite of this fact, the country remains on the list because "the Government of Cuba continued to provide physical safe haven and ideological support to members of three terrorist organizations that are designated as Foreign Terrorist Organizations by the United States."[156]

One of the organizations noted by the State Department is the National Liberation Army of Colombia (ELN). Inspired by communist intellectuals such as Che Guerva in the 1960s, Marxist-Leninist revolutionaries in rural Colombia formed ELN.[157] Support from Cuba to ELN, as well as other Colombian leftist organizations, was primarily political and ideological with occasional logistical and financial assistance.[158] Following the collapse of the Soviet Union, the assistance provided to the revolutionaries all but ceased, due in large part to Cuba's growing economic problems.[159] The State Department's chief complaint levied against Cuba in the *Country Reports* for the last five years is the safe haven of ELN members. However, the 2002 and 2003 *Country Reports* noted that Colombia "acquiesced to this arrangement and that Colombia publicly said that

---

[154] Mark P. Sullivan, "Cuba: Issues for the 112th Congress," (Washington, D.C.: Congressional Research Service, 2011), 31.

[155] U.S. State U.S. State Department. Office of the Coordinator for Counterterrorism, "2008 Country Reports on Terrorism," 191.

[156] Ibid., 192.

[157] Cronin, "Foreign Terrorist Organizations," 69.

[158] Roger W. Fontaine, *Terrorism: The Cuban Connection*, The International Book Series on Terrorism (New York: Crane Russak, 1988), 95–102.

[159] Sullivan, "Cuba: Issues for the 112th Congress," 31.

it wanted Cuba's continued mediation with ELN in Cuba."[160] In fact, the State Department has praised Cuba's role in the ongoing peace negotiations.[161]

Examining the Cuba-ELN relationship through the proposed typology makes the case for a very different assessment than that of the State Department. While Cuba's support for insurgencies during the 1980s throughout the Caribbean and Latin America was extensive, by the State Department's own words Cuba's involvement today is limited to the safe haven of a few members. At the same time, the State Department has acknowledged Cuba's role in the Colombian peace process and Bogota's consent for ELN members to stay in Cuba. The U.S. attempts to bolster its argument for including Cuba on the list by noting that the country continues to harbor several fugitives, including convicted hijackers. However, these hijackers are no longer threats to the U.S. As such, Cuba does not honestly fall in the spectrum of involvement. Even if one considers the members of the other terrorist organizations harbored by Cuba, then the state might fall along the spectrum at the weakest sense of "Toleration," but even that is debatable.

Cuba is the strongest example of the need for a more nuanced approach to the US policy of state-sponsored terrorism. The evidence for keeping the country on the list is exceptionally weak. Cuba is economically unable to rise to the same level of sponsorship as Syria or Iran. It simply does not have the means now or in the near future. Furthermore, removing countries such as Libya and North Korea from the list only adds fuel to critics of US policy and its hypocrisy.

H. CONCLUSION

Current U.S. policy toward state-sponsored terrorism finds its roots in U.S. law, which is a strength as well as a weakness. Formally identifying countries that allow terrorism to thrive is an important step toward curtailing its use. However, current U.S. law codifies a wide-range of specific actions to deal with state sponsors. Mandating a list of sanctions is convenient, but comes at the cost limiting options for policymakers.

---

[160] Mark P. Sullivan, "Cuba and State Sponsors of Terrorism List," (Washington, D.C.: Congressional Research Service, 2006), 6.

[161] Ibid.

Today policymakers must carefully consider all of the ramifications before including a state on the list or risk alienating an essential ally. Evidence of the inflexibility of U.S. policy can be found by examining the current list of state sponsors. Cuba remains on the State Department's list of state sponsors despite foregoing sponsorship almost two decades ago. At the same time, Pakistan, a frequently cited ally in the war on terror, is actually a well-known sponsor of terrorist groups operating in Kashmir. But designating the country as such would likely mean critical support for our operations in Afghanistan coming to an end. Applying the typology presented in Chapter I to states currently on the list presents the potential benefits of a more nuanced approach that recognizes the fact that there are gradations of state support.

THIS PAGE INTENTIONALLY LEFT BLANK

III. COUNTRIES NOT ON THE STATE DEPARTMENT'S LIST OF STATE SPONSORS OF TERRORISM

The previous chapter surveyed the State Department's current list of state sponsors and specifically identified the faults within current policy. However, the shortcomings of U.S. foreign policy extend to countries that are not on the list of state sponsors. This chapter begins by examining two countries that were removed from the list in the last decade, Libya and North Korea. Specifically, the chapter examines the process leading to their removal. Presenting these cases demonstrates the problems with current U.S. policy in the context of a state that has demonstrated it has "graduated" from the designation as a state sponsor of terrorism. In addition, three other countries that have never been on the list will be examined. Recently, members of Congress have called for Saudi Arabia, Venezuela and Pakistan to be added to the list of state sponsors. This chapter will examine the reasoning behind these requests and discuss how the typology presented in Chapter I offers those wishing to label these countries as state sponsors an opportunity to do so without completely alienating the offending state.

A. LIBYA

Like Syria, Libya's extensive involvement with terrorism made the country's inclusion automatic when the State Department's list of state sponsors of terrorism was created in 1979. As noted in Chapter I, Libya was involved with several infamous terrorist organizations throughout the 1970s, 1980s, and 1990s, to include PIRA, ANO, PIJ, and the Popular Front for the Liberation of Palestine - General Command. Indeed, Qaddafi's foreign policy became intimately linked to international terrorism as soon as he came to power in 1969.[162] Having overthrown a monarchy, Qaddafi brought with him a revolutionary ideology steeped in Arab nationalism. This Pan-Arab ideology drove many of his early actions, such as the termination of military base agreements with the U.S. and U.K. and his broad support for a variety of Palestinian groups, both violent and non-

[162] Brian L. Davis, *Qaddafi, Terrorism, and the Origins of the U.S. Attack on Libya* (New York: Praeger, 1990), 10.

violent.[163] By 1979, U.S.-Libya relations had deteriorated beyond repair, leading to the trashing of the U.S. embassy in Libya and its subsequent closure the following year.[164]

Seeking a stronger stance on terrorism than previous administrations, President Reagan took a hard line towards the Libyan leader. Evidence suggests that Reagan saw the Libyan regime as a target for demonstrating U.S. resolve against the Soviet Union and its proxies.[165] For his part, Qaddafi obliged Reagan by nationalizing American oil interests within the country and overtly sponsoring not only Palestinian terrorist organizations, but also groups that targeted U.S. interests. However, "the overwhelming majority of the European partners…refused to support a confrontational approach to Libya."[166] While most of our European allies saw Qaddafi as nuisance, they doubted he was a proxy for the Soviet Union.[167] Moreover, Qaddafi's nationalist aspirations were generally "greeted with widespread disbelief and disinterest throughout the Arab and African worlds," which "effectively confined him to the Libyan playhouse."[168]

Tensions between the U.S. and Libya continued to heat up throughout the 1980s, reaching a zenith in 1986. The administration had been plagued by international terrorist attacks up to that point and President Reagan sought to make an example of the next perpetrator. It was at that point that the LaBelle discotheque was bombed.[169] "General Communications Headquarters (GCHQ), Britain's counterpart to the National Security Agency, had intercepted a message to Tripoli from the People's Bureau in East Berlin predicting 'a joyous event'" before the bombing and another message reporting the operation was a success immediately after.[170] Based on these intercepted messages,

---

[163] Ronald Bruce St. John, *Libya and the United States: Two Centuries of Strife* (Philadelphia: University of Pennsylvania Press, 2002), 3–5.

[164] Ibid., 5.

[165] Yahia H. Zoubir, "Libya in U.S. Foreign Policy: From Rogue State to Good Fellow?," *Third World Quarterly* 23, no. 1 (2002): 32–33; Walcott, *Best Laid Plans*, Chapter 4.

[166] St. John, *Libya and the United States*, 6.

[167] Zoubir, "Libya in U.S. Foreign Policy," 32–33.

[168] St. John, *Libya and the United States*, 6.

[169] For a detailed discussion on the La Belle bombing and its aftermath see: Davis, *Qaddafi, Terrorism, and the Origins of the U.S. Attack on Libya*, Chapter 4.

[170] Walcott, *Best Laid Plans*, 285–86.

which were equated to a "smoking gun," Reagan ordered Operation El Dorado Canyon, as discussed in Chapter II.[171] However, the raid had the opposite of its desired effect in that "Qaddafi emerged as the victim of American bullying and hegemonic power."[172] Furthermore, when intelligence later appeared which indicated Syrian government involvement, but no retaliation against Syria was forthcoming, the U.S. once again appeared to be applying a double standard.[173]

The George H. W. Bush and Clinton administrations would continue the hard line toward Libya and its leader. However, the Clinton administration would have the opportunity to employ a multi-lateral approach in an effort to coerce Qaddafi. Libya's connection to the Lockerbie bombing would serve as the catalyst for United Nations (U.N.) sponsored sanctions against the country. Up to this point, the U.S. had employed the unilateral sanctions mandated by Libya's inclusion on the State Department's list of state sponsors. Other countries, including U.S. allies, had little interest in employing similar actions against Libya. However, in 1993 a resolution passed by the U.N. Security Council made a multilateral solution possible. The resolution directed a series of economic sanctions against the Libyan regime for not surrendering two suspects in the Pan Am 103 bombing to the U.S. or U.K. for trial. Even though the sanctions directed by the resolution were not as extensive as the U.S. had desired, they "hit Qaddafi where it hurt."[174] Recognizing the warning signs, Qaddafi directed his associates to attempt to re-establish communications with the U.S in 1992. At that point, however, the U.S. was not interested in negotiations with the rogue regime.[175]

Six years later, Libyan officials would once again attempt to reopen communications with the U.S. This time, the U.N. member states were beginning to

---

[171] Ibid., 286.

[172] Zoubir, "Libya in U.S. Foreign Policy," 33.

[173] Davis, *Qaddafi, Terrorism, and the Origins of the U.S. Attack on Libya*, 116–18.

[174] Zoubir, "Libya in U.S. Foreign Policy," 35.

[175] Ronald Bruce St. John, "'Libya Is Not Iraq': Preemptive Strikes, Wmd and Diplomacy," *Middle East Journal* 58, no. 3 (2004): 388–89.

experience "sanction fatigue."[176] The U.S., fearing U.N. support for multilateral sanctions was beginning to wane, offered Libya a third country option for the trial of the two suspects of the Pan Am bombing. Qaddafi agreed to this approach in 1999. Later that same year, in a hearing before Congress, Deputy Assistant Secretary of State Ronald E. Neumann noted Libya had taken "important steps against terrorism: expulsion of Abu Nidal, closing of Abu Nidal's training camps, visa restrictions to prevent entry of terrorists to Libya, opposition to Islamist extremists, and switching to Yasser Arafat against Palestinian rejections."[177] It appeared Libya had reached a turning point.

Yet, Libya would remain on the list of state sponsors of terrorism until 2006. Indeed, Libya's removal from the list would be the very last step taken by the U.S. to normalize relations between the two countries. The *Patterns of Global Terrorism* from 1999 until 2005 noted Libya's continued progression in terminating its relationships with terrorist organizations and its compliance with U.S. demands. However, the George W. Bush administration linked Libya's removal from the list to demands unrelated to terrorism, specifically the country's WMD and ballistic missile programs and human rights issues within the country.[178] Once again, U.S. foreign policy conflated disparate issues, making the U.S. appear hypocritical in the eyes of the international community, particularly given international views on Guantanamo and other human rights aspects of the war on terror.

1. The New Typology: Libya and ANO

Examining the relationship between Libya and one of its principal beneficiaries through the proposed typology provides evidence of its efficacy over current U.S. policy. The Abu Nidal Organization, named after the *nom de guerre* of its leader, was one of several splinter groups of the Palestinian Liberation Organization. However, what began as an activist Palestinian nationalist group became one of the most feared terrorist

---

[176] For an interesting discussion on how sanctions lost their popularity during the 1990s, see: Kimberly Ann Elliott and Gary Clyde Hufbauer, "Same Song, Same Refrain? Economic Sanctions in the 1990's," *The American Economic Review* 89, no. 2 (1999).

[177] Zoubir, "Libya in U.S. Foreign Policy," 44; St. John, "'Libya Is Not Iraq': Preemptive Strikes, Wmd and Diplomacy."

[178] St. John, "'Libya Is Not Iraq': Preemptive Strikes, Wmd and Diplomacy," 396.

organizations during the 1980s. ANO was renowned not only for its ruthlessness but also for its rapidly changing loyalty. Between 1974 and 1999, ANO would exploit and be expelled from three state sponsors: Iraq, Syria, and Libya.

After expulsion from Syria in 1986, ANO established a new base of operations in Libya. One author notes the relationship between Qaddafi and Abu Nidal, though strained at times, would eventually flourish because of a common "neurotic suspicion, [and] inferiority complex."[179] While in Libya, ANO worked to eliminate Libyan expatriate dissidents in Europe for Qaddafi while also assassinating enemies of Abu Nidal. Most notably, it was during this time ANO assassinated Abu al-Hol and Abu 'Yad, Fatah's chiefs of security and intelligence respectively. The close relationship between Qaddafi and Abu Nidal and the resources provided by Libya place the country in the "Sponsor" category of the proposed typology.

In 1994, however, Libya's support to ANO abruptly ended. Qaddafi actively sought to establish communications with the West, primarily the United States. Associations with organizations such as ANO had to be terminated before a dialogue could even begin. After being expelled once again, Abu Nidal would return to Iraq, only to die there of gunshot wounds in 2002.[180] Whether his death was a suicide or an assassination is still a matter of debate.

By cutting Libya's ties to ANO, Qaddafi demonstrated a willingness to end support for terrorist organizations, essentially meeting the first condition of being removed from the State Department's list of state sponsors of terrorism. However, after Qaddafi had expelled Abu Nidal, U.S. policymakers, primarily the president, changed the conditions upon which Libya would be removed from the list, eventually requiring changes in Libyan policies unrelated to terrorism. The result was Libya finally being removed from the list years after the state had actually cut ties to terrorism as a form of foreign policy.

---

[179] Patrick Seale, *Abu Nidal: A Gun for Hire* (New York: Random House, 1992), 136.

[180] Christine Spolar, "Terrorist Abu Nidal Reported Dead," *Chicago Tribune*, August 23, 2002, http://articles.chicagotribune.com/2002-08-20/news/0208200195_1_terrorist-abu-nidal-fatah-revolutionary-council-al-banna (accessed November 15, 2011).

The proposed typology offers a better alternative for dealing with dictators like Qaddafi. By taking the initial step of expelling ANO, the State Department had the flexibility to downgrade Libya's status from "Sponsor" to "Supporter." Offering countries the ability to change their status on the list of state sponsors through meaningful demonstrations of policy changes can be a powerful incentive for some regimes. Indeed, Qaddafi actively sought out removal from the State Department's list.[181] The dictator's insistence on intervening in African regional affairs was an example of his desire to maintain a "self-image as a charismatic political leader of the developing world."[182] By remaining on the list alongside Syria, Iran, and North Korea, Libya remained a pariah state rather than one engaged in the international community. Indications were Qaddafi would have quickly complied with terrorism-related demands in order to remove Libya from the list of state sponsors. Rather than a employing systematic approach specifically tied to state-sponsored terrorism, the Bush administration linked removal from the list to other foreign policy objectives. This linkage significantly prolonged the normalization process.

B. NORTH KOREA

North Korea was added to the state sponsors of terrorism list following the bombing of Korean Airlines Flight 858 in November 1987. Two North Korean operatives planted a bomb in the passenger cabin during one of the plane's stopovers. The plane exploded over the Andaman Sea killing all 115 passengers and crew on board. As authorities closed in on the two operatives in Bahrain, the male committed suicide, but the female was stopped before completing the act. During her interrogation, the female operative confessed to the bombing. She also described the details of the bomb plot, to include Kim Jong-Il's role in signing the order for the attack.[183] The purpose of the plot was to destabilize the South Korean government as it prepared for the 1988 Olympic

[181] Dafna Hochman, "Rehabilitating a Rogue: Libya's Wmd Reversal and Lessons for U.S. Policy," *Parameters* 36, no. 1 (2006): 69.

[182] Ibid., 69.

[183] Jasper Becker, *Rogue Regime: Kim Jong Il and the Looming Threat of North Korea* (Oxford: Oxford University Press, 2005), 155.

Games and "deter visitors from attending by showing a dangerous and volatile peninsula."[184]

North Korea would remain on the list for another two decades despite no other evidence of involvement in terrorist attacks. Indeed, the 1996 *Patterns of Global Terrorism* quotes a North Korean spokesperson as stating the Democratic People's Republic of Korea (DPRK) is opposed to "all kinds of terrorism" and "any assistance to it," a claim repeated following the attacks of 9/11.[185] The sanctions mandated by inclusion on the list, however, had little impact. North Korea had been a pariah state since the end of the Korean War and, therefore, trade with the U.S. was virtually non-existent.

In 2000, the Clinton Administration, seeking to renew negotiations with North Korea over its ballistic missile program, invited DPRK officials to Washington, D.C. North Korea responded with a list of preconditions to be met before talks could begin, one of which was removal from the State Department's list of state sponsors of terrorism. The Clinton Administration answered by citing four stipulations for North Korea's removal: "issue a written guarantee that it no longer is engaged in terrorism, provide evidence that it has not engaged in any terrorist act in the past six months, join international anti-terrorism agreements, and address issues of past support of terrorism."[186] Eventually, North Korea conceded on the issue of coming off the list and talks began in October 2000 with the country still designated as a state sponsor.

The issue of removal came up again in 2003, when the George W. Bush Administration sought to start a new round of U.S.-North Korea diplomacy. During six-party talks, North Korea demanded removal from the State Department's list as one of several U.S. concessions. In return, North Korea offered a significant scale-back in its nuclear development program.[187] At first, the Bush administration flatly refused to

---

[184] Ibid., 159.

[185] U.S. State Department. Office of the Coordinator for Counterterrorism, "Patterns of Global Terrorism, 1996," (Washington, D.C.1997).

[186] Mark E. Manyin, "North Korea: Back on the Terrorism List," (Washington, D.C.: Congressional Research Service, 2010), 7.

[187] Ibid., 6–7.

discuss any issue regarding U.S.-North Korea relations until "North Korea agreed to and took concrete steps to dismantle its nuclear program."[188] However, as pressure mounted over the next few years, the U.S. posture during the negotiations changed and matters such as Japanese hostages being held in North Korea and the country's place on the sponsors of terrorism list became bargaining chips. By 2007, North Korea's removal from the State Department's list was linked to one specific issue of the six-party talks, the disablement of the Yongbyon plutonium nuclear facility.[189] Despite lingering issues on North Korea's verification and reporting procedures, the country was removed from the list of state sponsors in 2008, another example of the state sponsor label being removed for reasons other than the country's counter-terrorism efforts.

1. The New Typology: North Korea and Hizballah

Application of the typology proposed in Chapter I, would have allowed for North Korea's removal from the list almost a decade earlier. Had the North Korean officials offered evidence with their 1995 claim disavowing terrorism, North Korea could have gone from a "Direct Control" label to completely off the list. Of course, the willingness of the DPRK to provide such evidence is dubious. Nonetheless, the flexibility of the list allows for such action.

At the same time, the new typology is also flexible enough to allow for rapidly placing states on the list, or back on the list in the case of North Korea, once a relationship between the state and a terrorist organization has been confirmed. In March 2010, a South Korean naval vessel sank "in waters disputed by the two Koreas."[190] A subsequent investigation implicated a torpedo launched from a North Korean submarine as the cause. Calls by U.S. and South Korean policymakers to place North Korean back on the list of state sponsors soon followed. A few months later, Israel announced a shipment of weapons manufactured by North Korea had been seized in Thailand in December 2009. Israeli intelligence sources confirmed the shipment was intended for

[188] Ibid., 8.

[189] Ibid., 11.

[190] Ibid., 1.

Hizballah via Iran.[191] Furthermore, there is mounting evidence of the North Korea military training Hizballah field commanders and assisting in the building of complex underground systems of bunkers in Lebanon.[192] However, to date, the State Department has not indicated a willingness to place North Korea back on the list. It seems the U.S. has lost the threat of state sponsor label as a negotiating lever when dealing with North Korea.[193] This is a consequence of linking inclusion on the State Department's list with matters unrelated to terrorism.

C. SAUDI ARABIA

Immediately after the identities of the 9/11 hijackers were released, commentators were quick to point out that 15 of the 19 hijackers were from Saudi Arabia. Moreover, Usama bin Laden was also a Saudi national.[194] U.S. critics of Saudi Arabia cited these facts and demanded foreign policymakers reconsider the longtime bonds with the country. They claimed Saudi Arabia was a hotbed for extremism and a nexus for the financing of terrorist organizations. A sizable portion of Congress would agree. In 2003, "191 members of the House of Representatives supported a bill to add Saudi Arabia to the official U.S. list of state sponsors of terrorism."[195] The next year, the 9/11 Commission's Final Report would document al Qaeda financing and demonstrate that a sizable portion came from Saudi charities and non-governmental organizations (NGOs). However, the report would also note that there was "no evidence that the Saudi government as an institution or senior Saudi official individually funded the organization."[196]

---

[191] Ibid., 2.

[192] Ibid., 22; Jr. Bruce E. Bechtol, "North Korea and Support to Terrorism: An Evolving History," *Journal of Strategic Security* 3, no. 2 (2010): 49–50.

[193] Manyin, "North Korea: Back on the Terrorism List," 31–32.

[194] Saudi Arabia had revoked his citizenship in 1994, but this information would not be common knowledge for quite some time.

[195] Byman, *Deadly Connections*, 224.

[196] "The 9/11 Commission Report: Final Report of the National Commission on Terrorist Attacks Upon the United States," ed. National Commission on Terrorist Attacks Upon the United States (New York: W.W. Norton, 2004), 171.

Despite tensions between U.S. and Saudi government officials and the general populace of both countries, Saudi Arabia continued to be major buyer for U.S. military equipment in the years following 9/11. Between 2001 and 2004, Saudi Arabia signed $3.8 billion in new arms-transfer agreements from the U.S.[197] More importantly, the country continued to be the second largest exporter of oil to the U.S.[198] As such, designating Saudi Arabia as a state sponsor of terrorism makes little economic sense. The sanctions accompanying the list would have severe effects on the U.S. economy. Policymakers wanting to coerce the Saudi government into tightening controls on charities and NGOs would have to find another way. The proposed typology offers exactly that, a way to label Saudi Arabia without the heavy-handed sanctions required by law.

1. The New Typology: Saudi Arabia and AQ

Evidence of the country's indirect relationship with AQ, as well as several other extremist groups, is extensive. Saudi funding of *jihadi* operations goes back to the Soviet occupation of Afghanistan in the 1980s. During that time, Saudi intelligence services actively financed *mujahideen* fighters and equipment to battle the Soviets.[199] Not only were government funds used to support the insurgency, but private donations made to charities such as "the Muslim World League, and its subsidiaries the International Islamic Relief Organisation (IIRO) and the Islamic Relief Agency" were used to support the jihad.[200] These charities and NGOs would, in fact, support humanitarian needs. However, some of the funds would be diverted as necessary for mujahideen equipment and supplies. Usama bin Laden, as well as several other Saudi nationals, helped facilitate the flow of funds.[201] This experience would help the future leader of AQ to build contacts and establish similar organizations that would fund his future operations.

---

[197] Anthony H. Cordesman, "Saudi Arabia: Friend or Foe in the War on Terror?," *Middle East Policy* 8, no. 1 (2006): 32.

[198] "How Dependent Are We on Foreign Oil?," U.S. Energy Information Administration, http://205.254.135.24/energy_in_brief/foreign_oil_dependence.cfm (accessed October 12, 2011).

[199] Burke, *Al-Qaeda*, 60.

[200] Ibid.

[201] Ibid.

In fact, he would have to utilize these skills shortly after arriving in Afghanistan in 1996. According to the 9/11 Commission, when bin Laden was expelled from Sudan, the Sudanese government appropriated the businesses he left behind.[202] The Saudi government had frozen all of bin Laden's assets connected to his portion of the family business two years earlier.[203] He returned to Afghanistan completely dependent on his Taliban hosts. However, bin Laden quickly reinvigorated "the Golden Chain," an informal financial network of prominent Saudi and Gulf individuals originally established to support the anti-Soviet Afghan resistance movement.[204] Much of Saudi Arabia adheres to a strict sect of Wahhabism, which extols the virtues of jihad and encourages its members to liberally donate to the cause. "Some individual donors knew, and others did not, the ultimate destination of their donations."[205] In either case, bin Laden clearly benefitted. By 1998, multiple terrorist training camps were operating in Afghanistan and AQ was able to fund the bombings of the U.S. embassies in Kenya and Tanzania.

After the embassy attacks, U.S. agencies began to trace bin Laden's funding. Up until that point, "the intelligence community largely accepted the notion that bin Laden financed terror out of his own pocket."[206] Months of investigations would eventually reveal that "streams of money were circulating out of the Gulf States by way of regional banking centers...and then being transferred electronically or carried by hand to Pakistan and Afghanistan. Some Islamic NGOs were acting as conduits to channel money to al-Qaeda operatives."[207] While the Saudi government did not directly fund bin Laden and AQ, the complete lack of regulation and oversight of the charities and NGOs involved allowed these transactions to take place. The complacency of the Saudi Arabian government places the country squarely in the "Toleration" category of the typology described in Chapter I.

---

[202] "The 9/11 Commission Report," 170.

[203] Ibid., 57.

[204] Alfred B. Prados and Christopher M. Blanchard, "Saudi Arabia: Terrorist Financing Issues," (Washington, D.C.: Congressional Research Service, 2004), 2.

[205] "The 9/11 Commission Report," 170.

[206] Benjamin and Simon, *The Age of Sacred Terror*, 269.

[207] Ibid.

After 9/11, it appeared this complacency would continue. A year after the attacks, the Saudi Interior Minister publicly announced "that al Qaeda could not possibly have planned an operation of such magnitude," essentially sending the message the secret police under his control would not be tracking down al Qaeda operatives.[208] However, the Saudi government would eventually comply with a U.N. resolution calling for the freezing of assets belonging to known terrorists. It was not until Saudi Arabia itself was attacked in 2003 that the government began to take direct action to stop the financing of terrorism. Most notably, in September of that year members of the Financial Action Task Force and the Gulf Cooperation Council visited Saudi Arabia to provide guidance and establish practices to curtail the flow of funds to terrorist organizations.[209] Saudi Arabia continues to make progress on the financing front. However, a 2009 Government Accountability Office report notes that the Saudi government is less committed to curtailing money bound for organizations outside its borders.[210] Efforts are being made, but these efforts did not begin until the attacks in 2003.

Designation as a state that "tolerates" terrorist financing could have sped up the Saudi response in two ways. First, Saudi leaders would arguably have acted quickly to remove the stigma of the label, even if the economic and diplomatic sanctions were not detrimental to the country. The Saudi government seeks to be the mouthpiece for Arab states in the Middle East, something hindered by a tarnished image in the international community. Secondly, by labeling the country and specifically citing the evidence of Saudi complacency, the U.S. would likely garner multilateral support from the international community.

D. VENEZUELA

In the mid-2000s, some policymakers began advocating for Venezuela to be added to the list of state sponsors of terrorism. Arguments for including Venezuela primarily centered on two concerns: the state's support for Colombian terrorist groups,

---

[208] Michael Scott Doran, "The Saudi Paradox," *Foreign Affairs* 83, no. 1 (2004): 39.

[209] Prados and Blanchard, "Saudi Arabia: Terrorist Financing Issues," 20–21.

[210] Ibid., 11.

primarily ELN and the Revolutionary Armed Forces of Colombia (FARC), and a deepening relationship between Venezuela and Iran. While listing Venezuela has growing support in Congress, current U.S. policy is not flexible enough to accommodate this movement.

Critics of Venezuela frequently cite Colombian accusations that the Venezuelan government allows ELN and FARC to use its territory to "rest and regroup, engage in narcotics trafficking, extort protection money, and kidnap Colombians to finance their operations."[211] At the same time, a recent report by the Congressional Research Service notes steadily improving relations between Venezuela and Colombia in the areas of terrorism and security matters.[212] Indeed, as recently as last year, Venezuela extradited ELN and FARC members to Colombia for prosecution.[213] Current U.S. policy requires the Secretary of State to assess a country's "continued support for terrorism" before it is listed. Venezuela's current actions make the assertion that it consistently sponsors terrorist organizations weak at best.

Those wanting to list Venezuela as a state sponsor because of its association with Iran miss the point of the list. While a deepening relationship with one of our bitter rivals raises security concerns, it is not equivalent to supporting a terrorist organization. To date, Iran and Venezuela have signed "a variety of agreements in agriculture, petrochemicals, oil exploration..., and the manufacturing of automobiles, bicycles, and tractors."[214] However, the commander of U.S. Southern Command "maintains that the focus of Iran in the region has been diplomatic and commercial," not military.[215] Listing Venezuela based solely on a political and economic relationship with a designated state sponsor of terrorism smacks of hegemonic bullying. Indeed, it is blatantly hypocritical

---

[211] U.S. State Department. Office of the Coordinator for Counterterrorism, "2010 Country Reports on Terrorism," 163.

[212] Mark P. Sullivan, "Venezuela: Issues for Congress," (Washington, D.C.: Congressional Research Service, 2011), 39.

[213] Ibid.

[214] Ibid., 40.

[215] Ibid., 42.

for the U.S. to maintain ties with Syria while punishing another country for doing the same with another rogue nation.

1. The New Typology: Venezuela and ELN

The proposed typology, in contrast, offers the flexibility policymakers seek in cases like Venezuela. Based on the State Department's assessment of ELN's activities within Venezuelan borders, the country falls into the "Toleration" category. The U.S. can designate the country as such and apply low-level diplomatic and economic sanctions rather than the full weight of the currently mandated sanctions. If evidence of Venezuelan logistical support becomes known, policymakers have the option to change the designation to "Support" and apply stiffer penalties, but still not equate the country to Iran or Syria. The proposed typology allows for the employment of a wider variety of measures to encourage Venezuela to stop its support for terrorist organizations. This flexibility may make the difference between coercing a desired change from the country rather than isolating it to the point Venezuela's ties with Iran are its only option.

E. PAKISTAN

As discussed in Chapter I, Pakistan has been an active state sponsor of terrorism for decades. However, this fact seems to have been ignored by the State Department, since Pakistan has never been on the list of state sponsors. The reasons behind not listing Pakistan ostensibly have to do with the on-again, off-again relationship with the country. During the 1980s, Pakistani Inter-Services Intelligence (ISI) served as the primary conduit for delivering U.S. weapons to insurgent forces fighting the Soviet invasion in Afghanistan. Following the Soviet withdrawal and the subsequent collapse of the Soviet Union, the relationship between the U.S. and Pakistan soured, mostly due to Pakistan's attempt to develop a nuclear capability. After 9/11, U.S. interest in Pakistan once again peaked, this time because the country is a critical actor in the United States' war on terror. As recently as June of this year, President Obama clearly articulated the importance of Pakistan and its government's efforts in fighting terrorism, particularly

against al Qaeda.[216] However, Pakistan's commitment to such efforts is dubious at best, a fact readily apparent when applying the proposed typology.

1. The New Typology: Pakistan and AQ

Since Operation Desert Storm, the U.S. has demonstrated a penchant for leaning on airpower when applying military force, particularly in the early stages of combat. As such, a quick look at a map reveals the quickest way into Afghanistan from the myriad of bases established around the Persian Gulf during Desert Storm requires flying over Pakistan. This simple fact necessitates ongoing relations with the Pakistani government to ensure a steady supply of resources for NATO troops in Afghanistan.

What is often missing from this conversation is Pakistan's direct and indirect role in establishing AQ in Afghanistan in the first place. After the U.S. had lost interest in Afghanistan following the Soviet Union's defeat, ISI continued supporting the Taliban. At that point, the Taliban was one of several groups vying for control of Afghanistan. What garnered the interest of the Pakistani government was the group's Pashtun identity and the momentum it was gaining during the late 1990s.[217] With the help of ISI and other Pashtun networks within Pakistan, Mullah Omar and the Taliban were able to secure almost all of Afghanistan.[218] When bin Laden returned to Afghanistan in 1996, he had ample space to establish his training camps and begin planning attacks on U.S. interests.

There is considerable evidence that by 2000 the relationship between Mullah Omar and bin Laden was tenuous at best.[219] One way bin Laden was able to remain within his host's good graces was to ensure Pakistan's continued support. To this end, bin Laden began a multi-pronged campaign in Pakistan to maintain good relations

---

[216] "National Strategy for Counterterrorism," (Washington, D.C.: Office of the President of the United States, 2011), 12–13.

[217] Burke, *Al-Qaeda*, 123-27. For a discussion on the importance of the Taliban's Pashtun identity, see: Michael Scheuer, *Imperial Hubris: Why the West Is Losing the War on Terror* (Washington, D.C.: Brassey's, 2004), 54.

[218] For a description of support Pakistan provided the Taliban, see Burke, *Al-Qaeda*, 127.

[219] Ibid., 182-87; Lawrence Wright, *The Looming Tower: Al-Qaeda and the Road to 9/11* (New York: Vintage Books, 2006), 280–81, 98–99, 325–27.

between the country and his Taliban hosts.[220] Bin Laden's efforts were extremely successful in enhancing popular support within Pakistan by currying favor with the military and the media. [221]

After 9/11, Pakistan's importance to Operation Enduring Freedom became clear, but Pakistan's assistance in fighting AQ and the Taliban was frequently half-hearted or completely lacking. While NATO aircraft were allowed to fly through Pakistani airspace, when their land forces were needed most, they were not there. In 2002, during the battle of Tora Bora, U.S. forces had a sizable contingent of Taliban and AQ forces pinned down in a complex of mountain passes, caves and underground bunkers. Intelligence placed Osama bin Laden and several key lieutenants among this group of mujahideen fighters.[222] Whether there were enough U.S. troops on the ground to move-in and capture or kill AQ's leader is a subject of continued debate.[223] However, after days of fierce bombings and cave-to-cave searches, U.S. forces captured little more than some low-level fighters. The Pakistani military forces who were supposed to be guarding the Afghanistan-Pakistan border were essentially non-existent. Key leaders of the Taliban and AQ, along with hundreds of fighters, we allowed to move across the border and seek refuge in Pakistan, primarily in the Federally Administrated Tribal Areas (FATA) in the northwest part of the country.[224] Indeed, Michael Scheuer, former head of the the CIA's bin Laden unit notes, "al Qaeda moved fighters to safety in Pakistan and beyond by using an informal but extraordinarily broad and effective support system, most of which had been operating for decades or, in the case of the tribes, for centuries."[225]

Years after Operation Enduring Freedom, questions of Pakistan's commitment to fight terrorism persist. A recent CRS report notes "recently uncovered evidence suggests

---

[220] Michael Scheuer, *Through Our Enemies' Eyes: Osama Bin Laden, Radical Islam, and the Future of America* (Washington, D.C.: Potomac Books, Inc., 2006), 174–78.

[221] Ibid., 174–75.

[222] Peter L. Bergen, *The Longest War: The Enduring Conflict between America and Al-Qaeda* (New York: Free Press, 2011), 73.

[223] Ibid.

[224] For an interesting perspective on the battle of Tora Bora and some of the actors involved, see: ibid., Chapter 5.

[225] Scheuer, *Imperial Hubris*, 65.

that the 9/11 hijackers were themselves based in western Pakistan in early 2001."[226] Moreover, evidence indicates a strong relationship between AQ and LT, one of Pakistan's primary benefactors, existed before 9/11.[227] The dynamics of this relationship and AQ's role in recent LT operations such as the 2006 Mumbai train bombings and the 2008 Mumbai attacks are lingering questions.[228] Finally, Pakistan has yet to fully account for bin Laden's residence being less than a mile from a military academy. Indeed, the Obama administration purposely did not tell members of the Pakistani government of the impending raid to capture or kill bin Laden for fear he would be warned.

At the same time, Pakistan has provided instrumental help in locating and capturing some of AQ's most important members. Abu Zubaydah, Ramzi bin al-Shibh, and Khalid Sheik Mohammad were all captured within Pakistan with close cooperation between U.S. and Pakistani intelligence agencies.[229] However, this cooperation does not absolve Pakistan of the assistance knowingly given to AQ and other terrorist organizations. Indeed, while some AQ operatives may have been captured, many others survived and continue to operate within Pakistan. Furthermore, there is evidence that support not only comes from within the country, but from Pakistani diaspora throughout the world.[230]

Recognizing Pakistan's critical role in the war on terrorism, U.S. policymakers understand they cannot officially add the country to the list of state sponsors of terrorism. Indeed, "any attempt to crack down on Pakistan will exacerbate distrust, resulting in increased Pakistani support for jihadists; coercive threats will undermine confidence without producing better results."[231] In contrast, the proposed typology offers the ability

---

[226] John Rollins, "Al Qaeda and Affiliates: Historical Perspective, Global Presence, and Implications for U.S. Policy," (Washington, D.C.: Congressional Research Service, 2011), 13.

[227] Bruce Riedel, "Al Qaeda Strikes Back," *Foreign Affairs* 86, no. 3 (2007): 29.

[228] Syed Saleem Shahzad, *Inside Al-Qaeda and the Taliban: Beyond Bin Laden and 9/11* (London: Pluto Press, 2011), 92–98.

[229] Daniel Markey, "A False Choice in Pakistan," *Foreign Affairs* 86, no. 4 (2007): 89.

[230] Riedel, "Al Qaeda Strikes Back," 30.

[231] Markey, "A False Choice in Pakistan," 86.

to label a state as a sponsor of terrorism without the heavy-handed sanctions legally linked to current policy. In the case of AQ, Pakistan has taken steps to cooperate with the U.S. to eliminate the organization. However, this cooperation is incomplete. As such, Pakistan would at least fall into the "Toleration" category on the spectrum of involvement. However, questions linger on who within the Pakistani government was aware of bin Laden's presence in Abbottabad and what kind of support was provided to AQ's leader. Indeed, there is evidence of links between bin Laden and the ISI, a relationship that could have led to his protection following 9/11 and one that would likely put Pakistan in the "Support" category.[232] However, rather than punishing Pakistan with substantial sanctions that would effectively end U.S. relations with the country, aid can be linked to the "Toleration" and "Support" categories. By offering sponsoring states such as Pakistan assistance in curtailing support for terrorist organizations from elements within the government and the populace, the U.S can fight terrorism more effectively and at the same time bolster its image in the international community.

F. CONCLUSION

Not only is U.S. policy towards designating a state sponsor of terrorism flawed, but also the process for removing the designation is convoluted. In the case of Libya, the country made clear overtures that it had forsaken terrorism, but remained on the list until the U.S. had extracted unrelated concessions from the government. North Korea, on the other hand, never made such declarations, but came off the list as a part of negotiations on the country's nuclear weapon capability. In both cases, a graduated system of labels based on evidence of the country's compliance would have allowed for clear guidance on how the country comes off the list and rewards the sponsoring state for taking the appropriate actions.

The proposed typology also offers policymakers an avenue for identifying state sponsors of terrorism without the oppressive sanctions that would likely end relationships the U.S. needs. There are certain states the U.S. must effectively deal with to further our

[232]Simon Reeve, *The New Jackals: Ramzi Yousef, Osama Bin Laden and the Future of Terrorism* (Boston: Northeastern University Press, 1999), 187–89.

national interests. Saudi Arabia, Venezuela, and Pakistan are three such countries with some bearing on U.S. national security. Current U.S. policy towards state sponsors of terrorism would effectively end relationships that the U.S. values to some extent. In contrast, the proposed typology offers a means of identifying these states as sponsors of terrorism, but only in the context that they "Tolerate" organizations within their borders. Rather than sanctions, that can damage the global economy, the typology might offer these states assistance in defeating these groups thereby building international ties while making the world safer.

THIS PAGE INTENTIONALLY LEFT BLANK

IV. CONCLUSIONS

As demonstrated by the cases in the previous two chapters, current U.S. policy towards state-sponsored terrorism is problematic. This thesis has argued that the end result of the State Department's list of state sponsors of terrorism is inadequate. Furthermore, when we resort to that list, we are guilty of a double standard. The most prominent example of this double standard is the U.S. and its own history of state sponsored terrorism. This chapter begins by examining the U.S. government's relationship with the IRA through an American NGO. Then, a recent policy initiative that attempts to distinguish between levels of support is examined, identifying its strengths and weaknesses. Finally, the advantages of the proposed typology are summarized and areas for further study are discussed.

A. THE UNITED STATES

The problems with the current list stem primarily from its inflexibility. U.S. law currently mandates a host of sanctions be put in place when a state is designated as a sponsor of terrorism. As such, policymakers must carefully consider the ramifications of designating a state as a sponsor. The severe sanctions imposed could not only alienate a necessary ally, but could also have disastrous second-order effects on the economy. States that are not on the State Department's list but are consistent supporters of terrorism serve as a convenient reference for critics of the U.S. government's double standard. The list itself, however, is not the only case of U.S. hypocrisy towards state-sponsored terrorism. During the 1970s and 1980s, multiple U.S. government agencies and political officials tacitly supported the PIRA. Large sums of money were raised in cities all over the U.S. and then delivered by American citizens to the terrorist organization in Northern Ireland. It would take over a decade before the U.S. would make a concerted effort to create and enforce laws to curtail the NGOs responsible for this fundraising.

As the civil rights movement in Northern Ireland began to turn violent in 1969, Michael Flannery and two other IRA members exiled to the U.S. saw a worthwhile cause. Together they formed the Irish Northern Aid Committee, popularly known as NORAID.

The expressed purpose of the organization was to educate the Irish-American population and gather their support for the Catholics of Northern Ireland, particularly in the form of cash. Purportedly this money was to provide humanitarian services, particularly to children. "Since traditionally the IRA has supported the families of jailed IRA men, this would put a great financial strain on the organization. Irish-American money would help alleviate that strain."[233] However, it was not long before "most people in Britain and many Americans firmly believe[d] that the United States [was] primarily responsible for funding the IRA," through various NGOs, NORAID in particular.[234]

A year and a half after Flannery established the first NORAID office in the Bronx, NORAID chapters were formed in "Manhattan, Queens, Staten Island,...Long Island, Connecticut, New Jersey, Washington, D.C., Baltimore, Philadelphia, Boston, Buffalo, Chicago, St. Louis, and Detroit."[235] In the early days of NORAID, money was primarily raised through collection jars in bars and restaurants. As the organization grew, the fundraising became increasingly spectacular. In 1972, a fundraising concert was held in Carnegie Hall and a car was raffled off.[236] Beginning in 1973, an annual charity dinner was held in the lavish Astorian Manor. Notable attendees included the head of the powerful longshoremen union, the president of the Teamsters, and a variety of Congressmen and other politicians. Similar dinners were held in major cities all over the country, each expected to bring in $20,000 to $30,000.[237]

While it was popularly believed that U.S. dollars constituted the bulk of the IRA's income, the reality was different. By some estimates, in the early 1970s, "NORAID managed to supply more than 50% of the cash needed by the IRA."[238] However, as the IRA grew and British intelligence on the organization improved, the number of

---

[233] Jack Holland, *The American Connection: U.S. Guns, Money, and Influence in Nothern Ireland* (New York: Viking, 1987), 31.

[234] James Adams, *The Financing of Terror: How the Groups That Are Terrorizing the World Get the Money to Do It* (New York: Simon and Schuster, 1986), 136.

[235] Holland, *The American Connection*, 34.

[236] Ibid., 36.

[237] Ibid; Adams, *The Financing of Terror*, 137.

[238] Adams, *The Financing of Terror*, 136.

volunteers ending up in prison increased as well. On average, NORAID was providing over $100,000 to the IRA annually. British intelligence estimated the expenditures required to support the families of those imprisoned, ostensibly the purpose of NORAID's funds, at over $260,000.[239] While NORAID's assistance did not cover the full amount, every U.S. dollar spent to assist these families freed up IRA funds for weapons.

Support for NORAID within the U.S. became politically fashionable and rampant throughout the 1970s. Eventually four prominent Irish-American politicians, Senators Edward Kennedy and Daniel Patrick Moynihan, Representative Thomas "Tip" O'Neill, and New York City Mayor Hugh Carey, issued a statement condemning all support for the PIRA. Yet, NORAID continued to bring in sizable sums of money.[240] The few FBI attempts to investigate and disrupt the flow of funds were only minimally successful, even though officials recognized that NORAID's support, "has become a serious problem and a source of embarrassment for the United States."[241]

NORAID's success would continue until the PIRA assassination of Lord Mountbatten in 1979. Justice Department reports attributed a slow, but steady decline in the funds coming from the U.S. during the late-1970s to the growing atrocities of the PIRA.[242] The Mountbatten assassination would serve as the critical blow to the PIRA's popularity in the U.S. due to the tremendous publicity of the event. In the wake of the horrific deaths of the popular royal and several of his family members, Irish-American support rapidly diminished. Moreover, "the FBI and other [U.S.] law enforcement agencies bowed to pressure from the British government to move against [PIRA] supporters in America, and particularly NORAID."[243] The hunger strikes implemented by PIRA prisoners in 1981 revitalized support in the U.S. as well as in Northern Ireland,

---

[239] Holland, *The American Connection*, 61.

[240] Adams, *The Financing of Terror*, 138.

[241] Holland, *The American Connection*, 39.

[242] Ibid., 44.

[243] Adams, *The Financing of Terror*, 140.

but it would prove to be "only a passing rallying cause that briefly united the Irish-Americans behind the [PIRA]."[244]

In 1981, a "district court judge ruled that NORAID was 'an agent of the [PIRA] providing money and services for other than relief purposes'."[245] Two years later, FBI efforts to stem the flow of money and weapons to Ireland began to show significant progress. NORAID was forced to create a new fund to finance the defense of U.S. sympathizers caught in FBI sting operations.[246] U.S. dollars that were originally going to Northern Ireland were being re-directed to defense lawyers. Finally, in 1986, "President Reagan helped push the Supplementary Treaty through the Senate."[247] The treaty specifically "excluded violent acts from being treated as political offenses."[248] No longer would PIRA members be able to claim political asylum within the U.S.

The above case offers two important lessons for U.S. policymakers. First, democracy in general, and specifically the U.S., is not immune from state sponsorship of terrorism. A sizeable segment of the U.S. population funded a portion of the PIRA's operations while government agencies turned a blind eye. The proposed typology would classify this as "Toleration." The second lesson is that policymakers must recognize there are degrees of state sponsorship and a laundry list of sanctions does not constitute a fix for all types. The simple fact is some form of sponsorship can occur within all types of government. Furthermore, it can take years to address the problem. Even after the Mountbatten assassination, it took several years before U.S. government actions began to see results.

---

[244] Ibid., 142; Holland, *The American Connection*, 48–51.

[245] Adrian Guelke, "The United States, Irish Americans, and the Northern Ireland Peace Process," *International Affairs* 72, no. 3 (1996): 524.

[246] Adams, *The Financing of Terror*, 152.

[247] Byman, *Deadly Connections*, 251.

[248] Ibid.

B. RECENT PROGRESS: "STATES NOT FULLY COOPERATING WITH UNITED STATES ANTI-TERRORISM EFFORTS"

In 2002, the U.S. government codified a law that created a distinct category for states that do not openly support international terrorist organizations but do not take positive action to curtail them either. Title 22, section 2781 states "No defense article or defense service may be sold or licensed for export...to a foreign country that the President determines and certifies to Congress...is not cooperating fully with United States antiterrorism efforts."[249] States designated as "Not Fully Cooperating" by the President are identified in the Federal Register and the State Department reports on their status in the annual *Country Reports*. This law represents a step in the right direction. It recognizes that a distinction exists between state sponsors of terrorism and those states that simply tolerate a terrorist organization's existence. However, implementation of this law has been problematic.

First, the only consequence of being labeled a state that does "Not Fully Cooperate" is a total ban on defense weapons and services. On the surface, this seems prudent. However, in some cases the state may not be employing an effective counter-terrorism strategy because the terrorists outgun it. Like the State Department's list of state sponsors, the law applied to states "Not Fully Cooperating" allows for no flexibility and offers little incentive for states to come off the list. Second, and more importantly, the label is based solely on the President's discretion. The law offers no criteria for how states should be designated. Therefore, like the State Department's list of state sponsors, the tendency will be to utilize this designation as a tool for political extortion. Proof of such use is found simply by looking at the current list of states "Not Fully Cooperating."

Today, the list includes Iran, Syria, Cuba, North Korea, Venezuela, and Eritrea. Three states on the list are also listed as state sponsors of terrorism and, therefore, are already under economic sanctions and weapons embargoes. Similarly, North Korea, despite being removed from the list of state sponsors, is still under weapons embargoes dating back to the Korean War. Therefore, the only two countries on the list that could

[249] 22 U.S.C § 2781

possibly be affected by such restrictions are Venezuela and Eritrea. In both cases, the label is sensible, based on the State Department's assessment in the 2010 *Country Reports*.[250] Neither country has adequately addressed terrorist organizations operating within its borders to the satisfaction of the United States or the international community. However, whether or not a complete ban on defense exports alone is sufficient to coerce a change in policy remains to be seen.

C. BENEFITS OF THE PROPOSED TYPOLOGY

The advantages of the proposed typology over current U.S. policy primarily stem from its flexibility. By recognizing that there is a spectrum of involvement between a state government and a terrorist organization and that sponsorship comes in multiple forms, policymakers allow for a tailored response to state-sponsored terrorism. The heavy-handed sanctions mandated by current U.S. law amount to a one-size-fits-all approach that is completely ineffective. In contrast, the proposed typology offers the opportunity to address a specific level of involvement between the offending state and the terrorist organization. Different instruments of power are employed to counter the particular form of support provided by the state. The level of involvement determines how that instrument of power is employed. This is not to say states will only be punished for their involvement with a terrorist organization. To the contrary, a complete response would include incentives for offending states to change their policies. Indeed, downgrading a state on the spectrum of involvement, from "Support" to "Toleration" for example, could itself serve as an incentive.

Another advantage of the new typology is that it offers a common lexicon to describe how states sponsor a terrorist organization and the nature of the relationship between the state and the organization. U.S. policymakers would be better able to articulate an offending state's relationship with terrorism, the forms of support it provided to the organization, and how the U.S. response will affect that involvement.

[250] U.S. State Department. Office of the Coordinator for Counterterrorism, "2010 Country Reports on Terrorism," 17, 147–48.

Such an explanation not only clarifies U.S. intentions and fosters improved cooperation, but it also perpetuates U.S. credibility within the international community.

Finally, the proposed typology offers the means to counter claims of U.S. hypocrisy in the war on terror. Tailored responses that provide incentives as well as punitive measures offer a means of confronting important allies that sponsor terrorist organizations. The complex world of international politics occasionally requires relationships with states that do not fully agree with the U.S. views of terrorism. By consistently applying the designations described in the proposed typology to allies as well as adversaries, the U.S. bolsters its credibility within the international community and solidifies its role as a leader in the war on terrorism. A necessary step, however, is for policymakers to acknowledge that the U.S. itself would have been labeled a sponsor of terrorism not too long ago and that an effective counter-terrorism strategy starts from within a state's borders.

1. Comparing the State Department's List with the Proposed Typology

Figure 3 offers a summary of how the current State Department List of state sponsors of terrorism has been employed and how it compares with the proposed typology.

		1980s										1990s										2000s											
	1979	0	1	2	3	4	5	6	7	8	9	0	1	2	3	4	5	6	7	8	9	0	1	2	3	4	5	6	7	8	9	2010	2011
Iran																																	
New Typology	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
Syria																																	
New Typology	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
Sudan																																	
New Typology													S	S	S	S	S	S	Sp	Sp	Sp	Sp	Sp	Sp	T	T	T	T	T	T	T	T	T
Cuba																																	
New Typology				S	S	S	S	S	S	S	S	S	S	S																			
Libya																																	
New Typology	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	Sp	Sp	Sp	Sp	Sp	Sp	Sp	Sp	Sp	Sp	Sp	Sp						
North Korea																																	
New Typology		DC	DC	DC	DC	DC	DC	DC	DC	DC	DC	DC	DC	DC	DC	DC	DC	Sp	Sp	Sp	Sp	Sp	Sp	Sp	Sp	Sp	Sp	Sp	Sp	Sp	Sp	Sp	Sp
Iraq																																	
New Typology	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S								
Saudi Arabia												T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T
Venezuela																											T	T	T	T	T	T	T
Pakistan	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
United States	T	T	T	T	T	T	T	T	T																								

	Designated as State Sponsor
DC	"Direct Control"
S	"Sponsor"
Sp	"Supporter"
T	"Tolerate"

Figure 3. Comparison between State Department's List of State Sponsors of Terrorism and the Proposed Typology

Today, Iran and Syria are overt sponsors of multiple terrorist organizations. However, as discussed in Chapter II, a distinction must be made between the two since Syria is seen as an essential element in the Arab-Israeli Peace Process. In the case of the new typology, the "Sponsor" designation would be applied to both states. The distinction would manifest itself in differing types of economic and diplomatic sanctions that specifically address the forms of support each state provides.

In 1996, Sudan took a monumental step in eliminating its support for terrorism, which would have resulted in the downgrade from "Sponsor" to "Supporter." By 2003, the State Department noted significant progress in the country's counter-terrorism efforts. At the same time, Sudan continues to allow elements of HAMAS and Hizballah to exist within its borders, necessitating a "Toleration" designation.

Cuba renounced its involvement with terrorism in 1992. While the State Department continues to cite ELN and FARC members residing within the country, evidence of support for the organizations themselves is nonexistent. Therefore, Cuba should come off the list.

In the case of Libya, by expelling ANO in 1994, Qaddafi demonstrated a dramatic shift in foreign policy. The overtures made toward normalizing U.S.-Libyan relations in 1999 would have potentially prompted a further downgrade on the spectrum of involvement. However, the State Department noted residual connections through 2005, including questions surrounding the country's involvement in the attempted assassination of Saudi Crown Prince Abdullah.[251] As such, Libya would have maintained a "Supporter" designation until the state could adequately prove its ties with terrorism were completely severed. *Country Reports* after 2006 noted such changes, allowing the state to come off the list of state sponsors.

In addition to the bombing of KAL 858, North Korea actively used agents of the state throughout the 1980s to kidnap Japanese citizens and commit other acts of sedition

[251] U.S. State Department. Office of the Coordinator for Counterterrorism, "2004 Country Reports on Terrorism," (2005), 89.

meant to destabilize the South Korean government. Despite claims to the contrary in 1995, recent evidence indicates the North Korean government continued to support multiple terrorist organizations by selling them arms and assisting with the construction of tunnels and bunkers. While this form of support is slightly different from the other examples since there are no ideological ties, it still constitutes "Support" for terrorism.

As discussed briefly in Chapter II, Iraq was one of the original members of the State Department's list of state sponsors of terrorism. The country was removed during the 1980s to facilitate U.S. military assistance during the Iran-Iraq war. However, no evidence was produced to demonstrate the state had actually dissolved its ties with terrorist organizations such as ANO. Therefore, according to the new typology, Iraq would maintain the label of a "Sponsor" of terrorism until the overthrow of Saddam Hussein's regime in 2003.

In the case of Saudi Arabia, evidence indicates the flow of funds for the insurgency in Afghanistan continued after the Soviets were expelled. Moreover, it is clear that bin Laden took full advantage of this support during the 1990s. Until 2003, Saudi Arabia has overtly "Tolerated" fundraising for terrorist organizations. After multiple attacks within the kingdom itself, strong measures were taken to curtail the flow of funds. However, the State Department argues the Saudi government must do more. Therefore, the designation remains.

As discussed in Chapter III, recent evidence indicates that some form of relationship exists between Venezuela, ELN, and FARC. At the same time, the Venezuelan government has taken clear steps towards a counterterrorism strategy in conjunction with Colombia and other Latin America states. Therefore, designation as a state that "Tolerates" terrorism is likely the strongest measure that can be taken.

Pakistan's haphazard approach to combating terrorism is simply not enough. While several key AQ members were captured or killed with Pakistani assistance, the bin Laden question remains. Furthermore, efforts to stop the Kashmiri terrorist organizations, such as LT, have been minimal at best. As such, Pakistan continues to be designated as a "Sponsor."

Finally, the U.S. government made little effort to stop NORAID even though the true purpose of the organization was common knowledge. Indeed, the organization became so popular, it attracted politicians and other high-ranking members of society to fundraising events. FBI efforts to curtail the organization, coupled with excessive PIRA violence, effectively marginalized NORAID's fundraising in the late 1980s.

D. FUTURE AREAS OF STUDY

The proposed typology offered by this paper is only the first step in establishing an improved U.S. policy towards state-sponsored terrorism. Additional research is required to make the new typology a practical option for policymakers. First, while Chapter I describes the forms sponsorship can take and the spectrum of involvement between the state and the terrorist organization, more can be done to codify and establish criteria for each category. Second, this thesis addresses only a handful of states that need to be examined and possibly labeled. A host of other states support terrorism to varying degrees. A comprehensive and consistent policy must consider all of them. Finally, identifying specific responses for each level of involvement that employs the most appropriate instrument of power is a critical step towards making the typology an effective policy tool.

THIS PAGE INTENTIONALLY LEFT BLANK

LIST OF REFERENCES

"The 9/11 Commission Report: Final Report of the National Commission on Terrorist Attacks Upon the United States." edited by National Commission on Terrorist Attacks Upon the United States. New York: W.W. Norton, 2004.

Adams, James. *The Financing of Terror: How the Groups That Are Terrorizing the World Get the Money to Do It*. New York: Simon and Schuster, 1986.

Barletta, Michael. "Chemical Weapons in the Sudan: Allegations and Evidence." *The Nonproliferation Review* 6, no. 1 (1998).

Becker, Jasper. *Rogue Regime: Kim Jong Il and the Looming Threat of North Korea*. Oxford: Oxford University Press, 2005.

Bell, J. Bowyer. *The Secret Army: The I.R.A.* New Brunswick, N.J.: Transaction Publishers, 1997.

Bell, Stewart. *Cold Terror: How Canada Nurtures and Exports Terrorism around the World*. Etobicoke, Ontario: John Wiley & Sons, 2004.

Benjamin, Daniel, and Steven Simon. *The Age of Sacred Terror*. New York: Random House, 2003.

Bergen, Peter L. *The Longest War: The Enduring Conflict between America and Al-Qaeda*. New York: Free Press, 2011.

Bruce E. Bechtol, Jr. "North Korea and Support to Terrorism: An Evolving History." *Journal of Strategic Security* 3, no. 2 (2010).

Burke, Jason. *Al-Qaeda: The True Story of Radical Islam*. New York: I.B. Tauris, 2004.

Byman, Daniel. "The Changing Nature of State Sponsorship of Terrorism." Saban Center for Middle East Policy at the Brookings Institution, http://www.brookings.edu/~/media/Files/rc/papers/2008/05_terrorism_byman/05_terrorism_byman.pdf (accessed January 15, 2011).

Byman, Daniel. *Deadly Connections: States That Sponsor Terrorism*. New York, NY: Cambridge University Press, 2005.

Byman, Daniel, Peter Chalk, Bruce Hoffman, William Rosenau, and David Brannan. *Trends in Outside Support for Insurgent Movements*. Santa Monica, CA: RAND, 2001.

Cassese, Antonio. "The International Community's "Legal" Response to Terrorism." *International and Comparative Law Quarterly* 38, no. 3 (1989): 589–608.

Cordesman, Anthony H. "Saudi Arabia: Friend or Foe in the War on Terror?" *Middle East Policy* 8, no. 1 (2006).

Crenshaw, Martha. "'New' Vs. 'Old' Terrorism: A Critical Appraisal." In *Jihadi Terrorism and the Radicalisation Challenge in Europe*, edited by R. Coolsaet. Burlington, VT: Ashgate, 2008.

Cronin, Audrey Kurth. "Foreign Terrorist Organizations." Washington, D.C.: Congressional Research Service, 2004.

Dagne, Ted. "Sudan: The Crisis in Darfur and Status of the North-South Peace Agreement." Washington D.C.: Congressional Research Service, 2011.

Davis, Brian L. *Qaddafi, Terrorism, and the Origins of the U.S. Attack on Libya*. New York: Praeger, 1990.

Doran, Michael Scott. "The Saudi Paradox." *Foreign Affairs* 83, no. 1 (2004).

Elliott, Kimberly Ann, and Gary Clyde Hufbauer. "Same Song, Same Refrain? Economic Sanctions in the 1990's." *The American Economic Review* 89, no. 2 (1999).

Erickson, Richard J. *Legitimate Use of Military Force against State-Sponsored International Terrorism*: Air University Press, 1989.

Erlanger, Steven. "Hamas Routs Ruling Faction, Casting Pall on Peace Process " *New York Times*, January 27, 2006, http://www.nytimes.com/2006/01/27/international/middleeast/27mideast.html (accessed 1 November 2011).

Fisch, Eytan. "A Chronology of Middle East Support for Terrorism, 1997: A Supplement to the State Department's *Patterns of Global Terrorism*." Washington D.C.: The Washington Institute for Near East Policy, 1998.

Fontaine, Roger W. *Terrorism: The Cuban Connection*, The International Book Series on Terrorism. New York: Crane Russak, 1988.

Ganor, Boaz. "Countering State-Sponsored Terrorism." International Policy Institute for Counter-Terrorism, http://www.ict.org.il/Articles/tabid/66/Articlsid/701/currentpage/34/Default.aspx (acccessed August 9, 2011).

Guelke, Adrian. "The United States, Irish Americans, and the Northern Ireland Peace Process." *International Affairs* 72, no. 3 (1996).

Hochman, Dafna. "Rehabilitating a Rogue: Libya's Wmd Reversal and Lessons for U.S. Policy." *Parameters* 36, no. 1 (2006).

Hoffman, Bruce. *Inside Terrorism*. New York: Columbia University Press, 1998.

Hoffman, Bruce. "Terrorism Trends and Prospects." In *Countering the New Terrorism*, edited by Ian O. Lesser, 7–38. Santa Monica, CA: RAND, 1999.

Holland, Jack. *The American Connection: U.S. Guns, Money, and Influence in Nothern Ireland*. New York: Viking, 1987.

"How Dependent Are We on Foreign Oil?". U.S. Energy Information Administration, http://205.254.135.24/energy_in_brief/foreign_oil_dependence.cfm (accessed October 12, 2011).

Israel Ministry of Foreign Affairs. "Iran and Syria as Strategic Support for Palestinian Terrorism." http://www.mfa.gov.il/MFA/MFAArchive/2000_2009/2002/9/Iran%20and%20Syria%20as%20Strategic%20Support%20for%20Palestinia (accessed August 26, 2011).

Jenkins, Brian Michael. "Defense against Terrorism." *Political Science Quarterly* 101, no. 5 (1986): 773–86.

Katzman, Kenneth. "Terrorism: Near Eastern Groups and State Sponsors, 2002." Washington D.C.: Congressional Research Service, 2002.

Laqueur, Walter. "Postmodern Terrorism." *Foreign Affairs* 75, no. 5 (1996): 24–36.

Lesch, David W. *The New Lion of Damascus : Bashar Al-Asad and Modern Syria*. New Haven Conn.: Yale University Press, 2005.

Levitt, Matthew. *Hamas: Politics, Charity, and Terrorism in the Service of Jihad*. New Haven: Yale University Press, 2006.

Ma`oz, Moshe. *Syria and Israel: From War to Peacemaking*. Oxford: Oxford University Press, 1995.

Manyin, Mark E. "North Korea: Back on the Terrorism List." Washington, D.C.: Congressional Research Service, 2010.

Markey, Daniel. "A False Choice in Pakistan." *Foreign Affairs* 86, no. 4 (2007).

Minnerop, Petra. "Legal Status of State Sponsors of Terrorism in United States Law." In *Terrorism as a Challenge for National and International Law: Security Versus Liberty?*, edited by Christian Walter, Silja Vöneky, Volker Röben and Frank Schorkopf. Berlin: Springer, 2004.

Moloney, Ed. *A Secret History of the I.R.A.* New York: W.W. Norton, 2002.

Moyano, María José. *Argentina's Lost Patrol: Armed Struggle, 1969–1979*. New Haven, CT: Yale University Press, 1995.

"National Strategy for Counterterrorism." Washington, D.C.: Office of the President of the United States, 2011.

O'Brien, Brendan. *The Long War: The I.R.A. And Sinn Fein, 1985 to Today*. New York: Syracuse University Press, 1993.

O'Sullivan, Meghan L. *Shrewd Sanctions: Statecraft and State Sponsors of Terrorism*. Washington, D.C.: Brookings Institution Press, 2003.

Peed, Matthew J. "Blacklisting as Foreign Policy: The Politics and Law of Listing Terror States." *Duke Law Journal*. 54, no. 5 (2005): 1321.

Pendergast, John, and Philip Roessler. "Can a Leopard Change Its Spots? Sudan's Evolving Relationship with Terrorism." In *Terrorism in the Horn of Africa*. Washington D.C.: United States Institute of Peace, 2004.

Pillar, Paul R. *Terrorism and U.S. Foreign Policy*: Brookings Institution Press, 2001.

Prados, Alfred B., and Christopher M. Blanchard. "Saudi Arabia: Terrorist Financing Issues." Washington, D.C.: Congressional Research Service, 2004.

Rabil, Robert G. *Syria, the United States, and the War on Terror in the Middle East*. Westport, Conn.: Praeger Security International, 2006.

Ranstorp, Magnus. *Hizb'allah in Lebanon: The Politics of the Western Hostage Crisis*. New York: St. Martin's Press, 1997.

Reagan, Ronald. "Address before a Joint Session of the Congress Reporting on the State of the Union " http://www.presidency.ucsb.edu/ws/index.php?pid=42687#axzz1W4Sdvbhg (accessed August 25, 2011).

Reeve, Simon. *The New Jackals: Ramzi Yousef, Osama Bin Laden and the Future of Terrorism*. Boston: Northeastern University Press, 1999.

Riedel, Bruce. "Al Qaeda Strikes Back." *Foreign Affairs* 86, no. 3 (2007).

Rollins, John. "Al Qaeda and Affiliates: Historical Perspective, Global Presence, and Implications for U.S. Policy." Washington, D.C.: Congressional Research Service, 2011.

Sageman, Marc. *Leaderless Jihad: Terror Networks in the Twenty-First Century*. Philadelphia: University of Pennsylvania Press, 2008.

Saikia, Jaideep, and Ekaterina Stepanova. *Terrorism: Patterns of Internationalization*. Thousand Oaks, CA: SAGE, 2009.

Scheuer, Michael. *Imperial Hubris: Why the West Is Losing the War on Terror*. Washington, D.C.: Brassey's, 2004.

Scheuer, Michael. *Through Our Enemies' Eyes: Osama Bin Laden, Radical Islam, and the Future of America*. Washington, D.C.: Potomac Books, Inc., 2006.

Schmid, Alex P., and A. J. Jongman. *Political Terrorism: A New Guide to Actors, Authors, Concepts, Data Bases, Theories, & Literature*. New Brunswick, NJ: Transaction Publishers, 2005.

Schmid, Alex P., and A. J. Jongman. *Political Terrorism: A Research Guide to Concepts, Theories, Data Bases and Literature*. New Brunswick, NJ: Transaction Books, 1984.

Schwartz, Jonathan B. "Dealing with a "Rogue State": The Libya Precedent." *The American Journal of International Law* 101, no. 3 (2007).

Seale, Patrick. *Abu Nidal: A Gun for Hire*. New York: Random House, 1992.

Sealing, Keith. "'State Sponsors of Terrorism' Is a Question, Not an Answer: The Terrorism Amendment to the Fsia Makes Less Sense Now Than It Did before 9/11." *Texas International Law Journal* 38, no. 1 (2003).

Shahzad, Syed Saleem. *Inside Al-Qaeda and the Taliban: Beyond Bin Laden and 9/11*. London: Pluto Press, 2011.

Shapira, Simon. "The Origins of Hizballah." *The Jerusalem Quarterly* 46 (1988): 115-30.

Sharma, Rajeev. *Pak Proxy War: A Story of I.S.I., Bin Laden, and Kargil*. New Delhi: Kaveri Books, 1999.

Sharp, Jeremy M. "Syria: Issues for the 112th Congress and Background on U.S. Sanctions." Washington D.C.: Congressional Research Service, 2011.

Shay, Shaul. *The Axis of Evil: Iran, Hizballah, and Palestinian Terror*. New Brunswick, NJ: Transaction Publishers, 2005.

Shay, Shaul. *The Red Sea Terror Triangle: Sudan, Somalia, Yemen, and Islamic Terror*. New Brunswick, N.J.: Transaction Publishers, 2005.

Simon, Jeffrey D. *The Terrorist Trap: America's Experience with Terrorism*. Bloomington, IN: Indiana University Press, 1994.

Spolar, Christine. "Terrorist Abu Nidal Reported Dead." *Chicago Tribune*, August 23, 2002, http://articles.chicagotribune.com/2002-08-20/news/0208200195_1_terrorist-abu-nidal-fatah-revolutionary-council-al-banna (accessed November 15, 2011).

St. John, Ronald Bruce. *Libya and the United States: Two Centuries of Strife*. Philadelphia: University of Pennsylvania Press, 2002.

St. John, Ronald Bruce. "'Libya Is Not Iraq': Preemptive Strikes, Wmd and Diplomacy." *Middle East Journal* 58, no. 3 (2004).

Committee on Foreign Relations. *Sudan and Terrorism*, 105th Cong., 1st sess., 1997.

Sullivan, Mark P. "Cuba and State Sponsors of Terrorism List." Washington, D.C.: Congressional Research Service, 2006.

Sullivan, Mark P. "Cuba: Issues for the 112th Congress." Washington, D.C.: Congressional Research Service, 2011.

Sullivan, Mark P. "Venezuela: Issues for Congress." Washington, D.C.: Congressional Research Service, 2011.

Senate Committee on Foreign Relations. *Syria: U.S. Policy Directions*, 108th Cong., 1st sess., 2003.

Tankel, Stephen. "Lashkar-E-Taiba: From 9/11 to Mumbai." London: International Centre for the Study of Radicalisation and Political Violence, 2009.

Tucker, David. *Skirmishes at the Edge of Empire: The United States and International Terrorism*. Westport, CT: Praeger, 1997.

Tucker, David. "What Is New About the New Terrorism and How Dangerous Is It?" *Terrorism and Political Violence* 13, no. 3 (2001): 1–14.

U.S. State Department. Bureau of Near Eastern Affairs. "Background Note: Iran." http://www.state.gov/r/pa/ei/bgn/5314.htm (accessed September 1, 2011).

U.S. State Department. Office of the Coordinator for Counterterrorism. "2004 Country Reports on Terrorism." 2005.

U.S. State Department. Office of the Coordinator for Counterterrorism. "2008 Country Reports on Terrorism." 2009.

U.S. State Department. Office of the Coordinator for Counterterrorism. "2010 Country Reports on Terrorism." 2011.

U.S. State Department. Office of the Coordinator for Counterterrorism. "Patterns of Global Terrorism, 1993." Washington, D.C., 1994.

U.S. State Department. Office of the Coordinator for Counterterrorism. "Patterns of Global Terrorism, 1996." Washington, D.C., 1997.

U.S. State Department. Office of the Coordinator for Counterterrorism. "Patterns of Global Terrorism, 1999." http://www.state.gov/s/ct/rls/crt/2000/ (accessed August 25, 2011).

U.S. State Department. Office of the Coordinator for Counterterrorism. "Patterns of Global Terrorism, 2002." 2003.

U.S. State Department. Office of the Coordinator for Counterterrorism. "Patterns of Global Terrorism: 1983." Washington, D.C., 1984.

U.S. State Department. Office of the Coordinator for Counterterrorism. "State Sponsors of Terrorism." http://www.state.gov/s/ct/c14151.htm (accessed August 5, 2011).

Walcott, David C. Martin and John. *Best Laid Plans: The inside Story of America's War against Terrorism*. New York: Simon and Schuster, 1988.

Wardlaw, Grant. "Terror as an Instrument of Foreign Policy." In *Inside Terrorist Organizations*, edited by David C. Rapoport, 237–59. London: Frank Cass, 2001.

Wayland, Sarah. "Ethnonationalist Networks and Transnational Opportunities: The Sri Lankan Tamil Diaspora." *Review of International Studies* 30, no. 03 (2004): 405-26.

Wilkinson, Paul. *Terrorism Versus Democracy: The Liberal State Response*. London: Frank Cass Publishers, 2001.

Wright, Lawrence. *The Looming Tower: Al-Qaeda and the Road to 9/11*. New York: Vintage Books, 2006.

Zanotti, Jim. "Hamas: Background and Issues for Congress." Washington D.C.: Congressional Research Service, 2010.

Zoubir, Yahia H. "Libya in U.S. Foreign Policy: From Rogue State to Good Fellow?" *Third World Quarterly* 23, no. 1 (2002).

THIS PAGE INTENTIONALLY LEFT BLANK

INITIAL DISTRIBUTION LIST

1. Defense Technical Information Center
   Ft. Belvoir, Virginia

2. Dudley Knox Library
   Naval Postgraduate School
   Monterey, California

3. Air University Research Information Management System (AURIMS)
   Air Force Research Institute
   Maxwell AFB, Alabama