

TERRORISM FOCUS

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AUSTRALIAN CONVICTED OF COMPILING TERRORISM MANUAL UNDER ANTI-TERRORISM LEGISLATION

On September 10 Sydney resident and former Qantas Air baggage handler Belal Sadallah Khazaal became the second individual to be convicted under Australia's Terrorism Act, introduced in 2003. The conviction by the New South Wales Supreme Court on a charge of "knowingly making a document connected with assistance in a terrorist act" came as a result of Khazaal's publication of a 110 page Arabic-language terrorism manual, *Provisions on the Rules of Jihad - Short Judicial Rulings and Organizational Instructions for Fighters and Mujahidin Against Infidels*. Khazaal published the work in 2003 under the name Abu Mohamed Attawheedy and posted it to the *almaqdes.com* website. No verdict was reached on a second charge of urging others to commit a terrorist act.

The police investigation began with a series of interviews by the Australian Federal Police (AFP) and the Australian Security Intelligence Organization (ASIO) in April 2004, followed by a search of Khazaal's home in May and his arrest in June 2004. An AFP case officer testified that Khazaal attempted to take the publication down from the *almaqdes.com* website following the search of his house (News.com.au, August 25).

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Defense claims that the book was simply a collation of articles dealing with terrorism were damaged by the explicit lists of individuals and countries targeted for assassination or terrorist attacks. The latter list included Khazaal's home country of Australia. While the first half of the book focused on religious rulings concerning jihad, the second half described methods of assassination, kidnapping, sniping, setting booby-traps, poisoning, ambushing vehicles and shooting down planes (*The Australian*, September 11). Among several bizarre methods of assassination cited was a suggestion that "cake-throwing" could be made fatal by using adhesives instead of sweets, thus blinding and asphyxiating the victim. Another method called for sealing an abducted victim in a strong plastic bag, which would leave no marks on the body and could leave the impression it was suicide (*Melbourne Herald Sun*, August 15). The defense argued that the methods described were only "very, very general" (*Sydney Morning Herald*, August 21).

Khazaal's attorney, George Thomas, suggested Khazaal was not responsible for the content of the book as he had plagiarized all of it from other sources with the exception of three paragraphs. Prosecutors argued that Khazaal had given the content his personal endorsement by publishing it under his own name (*Sydney Morning Herald*, September 11; *The Australian*, September 11). The defense also suggested Khazaal was acting in a professional capacity as a journalist, producing an expired membership card for the New South Wales branch of the Australian Journalists Association (*News.com.au*, August 25). Another witness testified that Khazaal was the author of two Arabic-language books and involved in the publication of a Sydney magazine called Nida'ul Islam (The Call of Islam) (*Melbourne Herald Sun*, August 26).

A number of groups claiming to represent Australia's 280,000 Muslims have attacked the conviction and the Terrorism Act. A spokesman for the Forum on Australia's Islamic Relations suggested: "These terror laws have specifically made every Muslim a potential target for arrest by police" (Reuters, September 11).

A member of the Muslim Community Reference Group (a contact group created by the Australian government to improve relations with the Muslim community) was asked to spend two days examining Khazaal's library of 3,000 books, 2,600 audiotapes, 600 videos and 40,000 pages

of material downloaded from the internet. The material was described as being mostly "of a general nature on Islamic jurisprudence: on marriage, fasting, prayers, divorce" (*The Australian*, August 27).

Khazaal is facing a possible 15 years in prison on the conviction and may be retried on the second charge.

INDIAN MUJAHIDEEN EXPLOIT INTERNET SECURITY WEAKNESSES IN BOMBING ATTACKS

A lengthy email statement claiming responsibility for the September 13 bombings in New Delhi that killed over 30 people and wounded over 100 more was issued only minutes before the attack began.

The 13-page Indian Mujahiden (IM) email (which included video and graphics) was sent to various TV stations from al_arbi_delhi@yahoo.com (al-Arbi = "The Arab"), the same address used in the IM statement that accompanied the July 26 Ahmedabad bombings (see *Terrorism Focus*, August 5). IM is believed to be a front for the radical Students Islamic Movement of India (SIMI).

The IM message informs the Indian government that the movement will "make you face the disastrous consequences of the injustice and oppression inflicted upon the Muslims all over the country... We will continue to punish you even before your earlier wounds have healed." The bombings are intended to "prove to you the ability and potential of [the] Indian Mujahideen to assault any city of India at any time." The Delhi bombings are described as "a tribute to all our brethren martyrs in Kashmir." The authors included a challenge to Indian police: "Do whatever you want and stop us if you can" (*Times of India*, September 14; *The Hindu*, September 14).

Within hours of the New Delhi attack Indian investigators arrived at the originating point of the email, the offices of Kamran Power Control Pvt Ltd, located in the Chembur suburb of Mumbai, where they began searching through the company's computers for evidence (*Times of India*, September 14; *The Hindu*, September 14). The 25-year-

old firm manufactures electronic control panels for industrial use. It was eventually determined that the email's author had hacked into the company's wireless network.

The Mumbai firm's wireless network was unsecured, making it a simple task for IM to hack into it. The Indian government has been slow to develop cyber-crime legislation and internet security provisions and software are widely ignored. A New Delhi-based internet security firm estimates that "Ninety-nine percent of people [in India] don't know how to secure their wireless connection, even big companies" (Economic Times [India], September 14).

This is the third time IM has hacked into a computer's wireless internet connection to make a claim of responsibility in a terrorist attack. The IM leadership is believed to include several IT experts, including its leader, former software engineer Abdul Subhan Qureshi, and a computer graphics designer from Gujarat named Qayamuddin. An email claim of responsibility for the July 26 blasts in Ahmedabad was traced to the Mumbai computer of an American national who was cleared of any role in the case after it was determined his WiFi connection had been hacked. The last three IM email messages have all come from Mumbai, thought to be Abdul Subhan's base (*Times of India*, September 14). Besides the Mumbai-based Subhan, a number of other leading members of SIMI are believed to operate from Gujarat and Madhya Pradesh states. IM emails are typically sent only five minutes before a bombing, allowing no time to take preventive measures. The IM bombs are usually planted in areas of dense activity, with shrapnel and ball-bearings included to insure maximum casualties.

Indian authorities believe that the authors of earlier IM email manifestoes, cleric Abdul Bashir Qasmi and Lucknow businessman Shahbaz Husain (a.k.a. Guru al-Hindi), are now under detention. Though the latest statement was co-signed by Abdul Subhan and Guru al-Hindi, the electronically reproduced signature of the latter differs from earlier examples (*The Hindu*, September 14).

Watching the Watchers: A Jihadi View of Terrorism Analysis Websites

Once in a while jihadi internet forums draw their members' attention to Western tracking of such websites by posting messages analyzing terrorism monitoring agencies, often with comments on some of the better-known terrorism analysts. A recent posting entitled "Know your enemy from monitoring and analysis websites" probes and categorizes some of these agencies (al-ekhlaas, September 5).

In this posting, a jihadi forum member, nicknamed Zamjari, lists some terrorism monitoring agencies in the West and describes their analytical methods. "I offer this humble effort to jihadi brothers and Islamic jihadi intelligence men as a simple collection effort on the activities of enemy intelligence websites in these crucial times. Dogs and spies scattered in the Islamic forums should know that the mujahideen's intelligence is tracking them before and after they collect any information on us," says Zamjari, who divides the monitoring websites into three categories:

1) Translation Websites:

These websites provide translations of jihadi media, including audio, video and periodicals. These websites also copy texts posted in English, especially those of Islamic media centers such as the Sahab Foundation for Islamic Media Publication and the Global Islamic Media Front. The purpose of translation services is to inform Western citizens of jihadi activities. Zamjari describes a few translation websites such as:

- WorldAnalysis.net

Translates jihadi literature and distributes both the translation and the original Arabic text.

- IntelCenter

This website alleges that it provides intelligence extracted from al-Qaeda publications, says Zamjari.

- LauraMansfield.com

Another translation website that accumulates jihadi material, translates and sell it through the

website. Zamjari says this Website is belligerent to Muslims depicting American Muslims and their Mosques as fronts for hostile activity against the U.S.

2) Investigative Websites

These websites monitor and translate every detail of information found in the jihadi sites. Zamjari believes these websites are two-edged sword; besides their negative aspects, they also offer service to non-Arabic speaking Muslims in the West by translating useful Islamic literature. In this category, Zamjari mentions mostly Israeli or Zionist Websites such as Sionisme.xooit.com; a Zionist forum based in France, internet-haganah.com; dedicated to monitoring certain jihadi members (especially those who post material on weapons of mass destruction) and Jihadica.com, deemed the most dangerous by Zamjari.

3) Research websites comprise experts and researchers specialized in thorough analysis.

- The first institute on Zamjari's list is the Jamestown Foundation; "Jamestown is a remarkable research center with a core of experienced and credible analysts. Visitors to the Jamestown website are mostly from the United States, Britain and Turkey," says Zamjari.

- Spirit of Truth is another research center. The main report of the center is entitled "What is Going to Happen Soon" that tries to predict the timing of an imminent al-Qaeda nuclear attack on the United States. (Zamjari makes an unusual selection here. Spirit of Truth is the website of abusive and foul-mouthed televangelist Don Vincent. Excerpts from his bizarre Los Angeles public-access television rants have become popular viewing on YouTube. Vincent's website features links to War on Terrorism-related articles, mostly of an apocalyptic "conspiracy-theory" type).

- Crusade Media - Another US monitoring and analysis center concerned mainly with al-Qaeda's nuclear activities.

- The Terrorism Index 2008 - A very important report prepared jointly by experts, researchers and journalists from Foreign Policy magazine and American Progress research center. Zamjari gives a summary of articles published in the report and posts a downloadable copy of the report.

Ekhlaas.net is comprised of fourteen forums, the major one of which is the "Events-Issues of the Islamic Umma" forum. Among the fourteen are three forums in English, French and Turkish. Directed at Muslim and non-Muslim Western audiences and calling on them to repent and join the jihadi movement, the English section of ekhlaas contains translated religious material, the latest al-Qaeda releases and jihad training manuals. Members of the English section are constantly tracking and re-posting foreign press and analytical reports pertinent to jihad and the mujahideen. "Brothers and sisters, in this thread we put together any information about those who claim they are monitoring and watching the jihad websites.... some of them claim they are intercepting videos and other jihadi media releases...the fact is that they copy and paste them from ekhlaas or other authentic forums, and then embed their logos into them to boast in front of the traditional media outlets that they captured and intercepted this and that release," says English section forum member "Motaman."

Most often, al-Qaeda affiliated websites contain sections in English and in other foreign languages posting translations of major al-Qaeda and jihadi statements; however ekhlaas.net is one of the very few jihadi websites that agitates against western journalists and relies on participants residing in Western countries to keep members informed about the latest Western reports on terrorism. Jihadis typically consider journalists and analysts specializing in terrorism to be infidels, calling on members to kill them at the first chance.

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Turkish Generals Deliver Critical Counterterrorism Messages

The last week of August has a special meaning for the Turkish Republic and its military. Since the inception of the Republic, August 30 has been the day for commemorating the Turkish army's victory against the occupation forces in Anatolia in 1922. This tradition has been kept alive by making the last week of August the time for making changes in the top echelons of the Turkish Armed Forces (Turk Silahlı Kuvvetleri – TSK). This year the last week of August had a special significance as the TSK Chief of Staff, General Yasar Buyukanit, was replaced by the former commander of the Turkish Land Forces, General Ilker Basbug. General Basbug was in turn replaced as Land Forces commander by the former commander of the Turkish Gendarmerie, General Isik Kosaner. The succession was carefully observed for its implications for Turkey's ongoing struggle against terrorism.

During their inauguration ceremonies, the Turkish generals put forward critical messages with respect to domestic and international threats to Turkish security and unanimously reiterated the Turkish military's commitment and ability to guard the Turkish Republic's unitary and secular nature (*Hurriyet*, August 27; *Milliyet*, August 28). Although their overarching message was rooted in the strong tradition of the Turkish military as the guardian of the Turkish Republic, it is important to analyze the specifics of their messages to have an idea about their priorities with respect to Turkish counterterrorism efforts in the near future.

During the ceremony accompanying his takeover of the Turkish Land Forces, General Kosaner voiced his concerns over legal reforms made in the process of harmonizing Turkish laws with those of the European Union (EU), a precondition for EU membership. Kosaner claimed that some changes in Turkish laws made the job of the security forces more difficult in terms of their counterterrorism efforts, noting "It is a fact that the laws that are formulated as if there is no terrorism in our country are hampering the ability of security forces' timely and effective counterterrorism efforts." The General pointed to the importance of having the legal amendments needed to facilitate the security forces' counterterrorism duties. Security forces need "to expect and feel that the

laws are on their side while they are performing their duties" (*Aksam Gazatesi*, August 27). For example, he stated that as a result of EU harmonization policies, legal amendments pertinent to the Gendarmerie's area of duty [responsibility for security in rural Turkey] would actually ease the ability of terrorists to maneuver. As a consequence of these changes, General Kosaner stated that "the separatist terrorist organization [a euphemism for the PKK] and its legal branches were taking advantage of these legal amendments" (*Aksam Gazatesi*, August 27).

As a solution to these legal loopholes, General Kosaner underlined the need for new legal amendments, taking into consideration Turkey's security realities, such as the recent rise in terrorist activity; "If terrorism is threatening human rights, there is a need to reconsider the balance between rights and freedoms, and the precautions needed to be taken" (*Aksam Gazatesi*, August 27). General Kosaner, as the new Commander of the Turkish Land Forces (the second largest army in NATO), is likely to become a more important voice in Turkish counterterrorism efforts. The Turkish military's concerns are likely to be taken into account by the Turkish government in light of public pressure on the government to do more to combat terrorism and constant critiques from opposition parties putting the blame for an increasing number of terrorist attacks flatly on the Justice and Development Party (*Adalet ve Kalkınma Partisi* - AKP) government. In addition to his concerns over the legal loopholes that hamper security forces' counterterrorism efforts on the domestic front, General Kosaner underlined the need for Turkey "to undertake and conclude this struggle [counterterrorism] on its own, along with the initiatives to take precautions in northern Iraq" (*Hurriyet*, August 27). However, this statement should not be interpreted as advocating a unilateralist counterterrorism strategy. Instead, General Kosaner emphasizes the Turkish military's ability to act alone, if necessary, and by using the word "initiatives" he keeps the door open for international cooperation. This balanced approach is likely to be at the core of Turkish counterterrorism strategy in the near future.

For General Kosaner, "counterterrorism is undertaken by the state in a comprehensive and coordinated fashion, including security, economic, educational, health, and psychological operations... The reason why terrorism has not been completely eliminated so far is the fact that these measures have not been undertaken in concert"

(*Hurriyet*, August 27). Yet, General Kosaner also makes it clear that abandoning counterterrorist operations by Turkey's security forces in favor of other approaches is exactly what the terrorists want (*Hurriyet*, August 27). Therefore, while General Kosaner recognizes that eliminating terror is not possible by military means alone, it is important to note that he underlines the critical nature of military operations as well.

Turkey's new Chief of Staff, General Ilker Basbug, kept his messages broad. This can be attributed to his cautious and diplomatic character, as well as the need for him to act with the weight of his new position as Chief Commander of the Turkish Military in mind. First of all, General Basbug emphasized that the Turkish Military is dedicated "to protecting the Turkish Republic" (*Milliyet*, August 28). In this respect, General Basbug highlighted the unitary and secular characteristics of the Republic in particular, adding "the fact that intellectual debates can be conducted within the state does not mean that the elements that are keeping the Turkish state intact can be open to discussion" (*Milliyet*, August 28). For instance, he made it clear that "the nation-state is not a structure that can be opened for debate" (*Milliyet*, August 28). General Basbug added that "the situation in northern Iraq ought not to endanger Iraqi territorial integrity" (*Milliyet*, August 28). These messages can be taken as warnings voicing the military's concerns with the recent attempts of the Erdogan government to prepare a new constitution, which for many, is likely to weaken the nation-state and secular characteristics of Turkish Republic.

With respect to counterterrorism cooperation with Iraq, General Basbug justifies his concerns over the conduct of Iraqi military operations by noting: "Many circles are advising us to work on arrangements with the Iraqi central government. However, the fact that Iraqi security forces of the central government do not have the authority to cross into [Kurdish] northern Iraq, while the security forces of the north have the authority to cross all over the country is the underlying reason for instability" (*Hurriyet*, August 27).

All in all, the messages from the newly appointed generals at the top echelons of the TSK complement each other not only in terms of content, but also in terms of approach. The messages indicate Turkey is considering the concerns of its allies and neighbors and recognizes the

multifaceted nature of counterterrorism, but the nation may not be as patient as it used to be if its measured approach is not reciprocated by its allies and neighbors.

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Transatlantic Airline Bombing Case Collapses in the United Kingdom

The stunning collapse of the case against a group of British citizens charged with plotting to blow up a number of passenger planes out of the sky has sent shock waves through counterterrorism and security services in both the UK and the United States. After a two-year trial and a £2 million investigation, British prosecutors must now seek a retrial.

In August 2006, British police announced they had foiled a major plot to detonate an unspecified number of bombs on airlines travelling from the UK to the United States. The plot, codenamed Operation Overt by the police, finally came to trial earlier this year with eight defendants being brought before the court on dual charges of conspiring "with other persons to murder other persons" and "committing acts of terrorism" in which they aimed to "smuggle the component parts of improvised explosive devices onto aircraft and assemble and detonate them on board" (Crown Prosecution Service, cps.gov.uk, 21 August, 2006).

The eight men charged in this trial were Abdullah Ahmed Ali, a.k.a. Ahmed Ali Khan, 27, of Walthamstow; Assad Sarwar, 24, of High Wycombe; Tanvir Hussain, 27, of no fixed address; Mohammed Gulzar, 26, of Barking; Ibrahim Savant, 27, of Walthamstow; Arafat Waheed Khan, 26, of Walthamstow; Waheed Zaman, 23, of Walthamstow; and Umar Islam, a.k.a. Brian Young, 29, of High Wycombe (BBC, September 8). The men were part of a larger group of some 15 people who were charged in connection with Overt (BBC, November 1, 2006). Most of the seven others remain detained to face trial at a later time. The composition of the group is depressingly similar to the many other plots that have been foiled in the United

Kingdom - young (17-30) Muslim men and women of South Asian descent with British passports (though the group also has at least three converts in it).

The trial got under way at Woolwich Crown Court in London in early April 2008, with the jury being warned to expect a “long and high profile” case (BBC, April 2). During the course of the trial, the world finally learned the details of the plot, in which the group was alleged to be planning to fashion explosives out of soft drink bottles filled with hydrogen peroxide. These would later be set off by a detonator fashioned out of explosives hidden in a battery with a disposal flash camera acting as the spark. Six of the men had recorded martyrdom videos which were shown in court, in which they said their intention was to “punish and humiliate the kuffar [infidels]” with “floods of martyr operations.” As leader Abdullah Ahmed Ali put it, “Sheikh Osama warned you many times to leave our lands or you will be destroyed and now the time has come for you to be destroyed” (BBC, April 4).

The alleged conspiracy appeared to have ties with earlier terrorist attacks in the UK, including the July 7, 2005 (7/7) bombings that killed 52 commuters and wounded 700, and the botched July 21, 2005 (21/7) bombing attempts. It was later revealed that airline plot ringleader Ali had been in telephone contact with 21/7 “Emir” Muktar Said Ibrahim, and was also in Pakistan at around the same time as both Ibrahim and two of the 7/7 plotters - ringleader Mohammed Siddique Khan and his number two, Shehzad Tanweer (*Independent*, September 9). In the wake of this visit, all four men returned to carry out plots in the UK based around bombs made from hydrogen peroxide, devices never seen before in Britain. It was also revealed that Ali and Sarwar had worked at the same charity shop in East London as Mohammed Hamid, aka “Osama bin London,” who was convicted earlier this year of being a top terror recruiter (BBC, March 7).

However, in the face of what seemed like overwhelming evidence in the public domain, the jury in the case was unable to reach a definitive conclusion on the suspects’ guilt. In the end, they chose to convict Ali, Sarwar and Hussain on the first charge of planning to murder persons unknown, cleared Mohammed Gulzar of any charges relating to the plot, but were unable to reach any verdict on the other four defendants. All of the men aside from Gulzar had previously pled guilty to conspiring to commit

a public nuisance, as part of a plot in which they claimed to be carrying out some fake explosions to protest the war in Iraq. The defense claimed the martyrdom videos were part of a fake documentary they planned to release online at the same time. The Crown Prosecution Service has since decided to attempt to re-try seven of the men on both charges, while Gulzar remains detained on unrelated charges (cps.gov.uk, September 10).

There were signs during the jury’s deliberations that things were not going to be as clear-cut as might be expected. In late August, Justice David Calvert-Smith indicated to the jurors that a majority verdict would be acceptable, something that is usually indicative of an undecided jury (BBC, August 26). Subsequently, it was also been revealed that there were a number of issues impeding the jury, which in the end deliberated for a total of 11 days over a five week period. A two-week holiday was granted in the middle of deliberations and at various points, jurors demanded time off to go to hospital, doctors’ appointments, and training courses (*The Times*, September 10).

Questions have also been asked about the prosecution’s case. While airplanes were the alleged targets, no tickets had been purchased and two of the men convicted did not even have their passports yet. The only tangible evidence pointing to aircraft was a series of airline timetables which Ali had downloaded off the internet and stored on a memory stick in his possession. Wiretaps and bugs in the bomb factory seemed to pick up conversations relating to targeting aircraft, but this evidence is not admissible in British courts. A spokesman for the Crown Prosecution Service attempted to put the result in a better light; “The jury found there was a conspiracy to murder involving at least three men but failed to reach a verdict on whether the ambit of the conspiracy to murder included the allegation that they intended to detonate IEDs [improvised explosive devices] on transatlantic airliners in relation to seven of the men. It is therefore incorrect to say that the jury rejected the airline bomb plot” (*The Times*, September 9).

Some have blamed the prosecutions’ apparently thin case on the fact that police were obliged to roll up the cell earlier than they had wanted to – something that occurred as a result of events in Pakistan, where police arrested the alleged mastermind of the plot, Rachid Rauf, a Briton of Pakistani descent. In his recent book *The Way of the*

World, American investigative journalist Ron Suskind appears to place the blame for the premature arrests on the Bush administration, who instructed Pakistan's Inter-Services Intelligence (ISI) to arrest Rauf (who has since escaped from custody), since they were eager for the plot to be brought to conclusion rapidly for political reasons. [1] Other commentators have highlighted the fact that, while the British police prefer to watch plotters until the absolute last minute, the preference of American forces is to disrupt plots earlier (BBC, September 9). British authorities have refused to be drawn into this debate.

Whatever the cause, the fact remains that the jury was unable to reach a definitive conclusion based on the prosecution's case. The current workload of British courts is such that it is now unlikely that the four other related cases will be heard before early next year. On September 10, British director of public prosecution, Sir Ken Macdonald, announced: "I have today concluded that the prosecution should apply to retry each of these [seven] defendants on every count that the recently discharged jury failed to agree upon" (Guardian, September 10).

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Notes:

1. Ron Suskind, *The Way of the World*, Harper, New York, 2008.

Iraqi Military Operation in Diyala Province Risks Renewal of Kurdish-Arab Conflict

As tensions rise between Iraqi Kurds, Arab Sunnis, and Arab Shiites in ethnically mixed Diyala Province during a massive and ongoing military operation by the Iraqi Army, a bombing in the disputed city of Khanaqin threatens to launch the region into new convulsions of violence. On September 13 a powerful improvised explosive device killed nine members of the Kurdish peshmerga militia responsible for security in the city. The dead included

Colonel Zulfikar, the local commander of peshmerga forces (AFP, September 13; *Awsat al-Iraq*, September 14).

In recent remarks, the exiting commander of the Multinational Forces in Iraq, General David Petraeus, noted the security progress that has begun to stabilize Iraq was "not irreversible" (BBC, September 11). The U.S. general's remarks came after last month's unexpected confrontation between the Iraq Army and Kurdish peshmerga forces in Khanaqin. Though Iraq's security and economy have radically improved since the implementation of the U.S. "surge" strategy, developments in Diyala highlight the danger of a sudden reversion to ethnic and religious bloodshed.

Recently, Diyala has been the focal point of unusual security moves by the government of Prime Minister Nuri Kamal al-Maliki. In mid-August, under the supposed direction of al-Maliki, special counterterrorism forces – known as Emergency Response Units (ERUs) – raided the office of Diyala Governor Raad Rashid al-Mullah, shot and killed his cousin, and commenced a gunfight with local police (*Awsat al-Iraq*, August 19). The raid's aim was the arrest of popular Sunni political figure Dr. Hussein al-Zubaidi, who heads Diyala's security committee. Al-Zubaidi was beaten before being carried away. A Diyala politician responded to his colleague's detention, saying, "This has sent a bad message to the people of Diyala, that the government in Baghdad is not really going after the outlaws, it's going after their elected officials" (Fox News, September 6).

But according to an Interior Ministry spokesman, al-Maliki had not authorized the raid, leading the U.S. military to assume it was a "rogue operation." Sunni politicians in Baghdad question al-Maliki's ostensible lack of participation. Salim Abdullah al-Juboori, a member of the Iraqi Islamic Party (IIP), believes "such a raid could not have taken place unless Mr. Maliki had at least prior knowledge of it." With their leadership and attributes strictly classified, the ERUs operate under the control of the Prime Minister's office. According to a Defense Ministry official, the ERUs normally operate in Baghdad, but shifted operations towards Diyala beginning in July (McClatchy Newspapers, August 22).

The Iraq Army began Operation Bashaer al-Kheir (Promise of Good) on July 29 in cooperation with American forces. The operation is a major offensive consisting of 50,000 soldiers and police aimed at rooting out al-Qaeda and Shiite militias in Diyala province (Awsat al-Iraq, September 5). Local Awakening Council (Sahwa) members complain that the operation is being waged against them – purposely undermining their prospects for a future political role. Government efforts to marginalize the province’s mostly Sunni Sahwa fighters have increased considerably since the operation commenced. Leaders have been arrested or evicted from their posts in an effort to hasten their disbandment.

But the central and potentially explosive issue resulting from the government’s military operation in Diyala was the confrontation at Khanaqin between Kurdish militias and Iraqi forces. An oil-rich city along the Iranian border of the Diyala governorate, Khanaqin is considered one of the “disputed territories” cited in Article 140 of the Iraq Constitution. Article 140 outlines a legal process intended to reverse the “Arabization” campaigns of the former Baathist regime and settle the territorial disputes between the Kurdistan Regional Government (KRG) in Arbil and the federal government in Baghdad. Driven by force from Khanaqin, Iraqi Kurds have been returning to the city since 2003 and now form the majority of the population. The local council has proposed integrating the city with the Kurdistan region, but like the similar cases of Kirkuk and Mosul, a reluctant Shiite-dominated government in Baghdad has delayed finalizing Khanaqin’s status.

In 2005, overwhelming violence in Diyala province led Baghdad to invite Kurdish forces to enter Khanaqin to help stabilize the area and protect its Kurdish inhabitants (Awsat al-Iraq, September 5). Last month, however, under al-Maliki’s authority, the Iraqi Army ordered Kurdish forces to withdraw from Khanaqin within 24 hours (Alsumaria, September 6). Citing direct orders from the KRG, the peshmerga refused and Iraqi troops entered Khanaqin under the pretense of carrying out their province-wide military operation.

To defuse the escalating rhetoric of both sides, the KRG and the federal government came to a temporary agreement calling for a reversion to the status quo, the preference of local authorities. As part of the accord, Kurdish peshmerga forces withdrew from the Khanaqin

affiliated districts of Qurat Taba and Jalawlaa (Awsat al-Iraq, September 5). Though ongoing negotiations have yet to settle Khanaqin’s status, Kurdish trust of the Shiite government has suffered considerable and risky damage – arguably reaching the lowest point since 2003.

Kurdish officials expressed suspicion of the government’s reasoning behind sending the army into Khanaqin, since they believe the town had already been pacified under peshmerga supervision. Salar Mahmud, an organizer of the Khanaqin demonstrations, professed: “We think the military crackdown in Diyala province is politically aimed against the will of the Kurdish area residents... These military forces should be deployed to control areas affected by terrorism, not to show their power in front of the Kurdish people” (*Kurdish Globe*, August 24). However, Iraqi Defense Minister Abdel Qadir al-Ubaidi downplayed the Khanaqin incident, claiming “it was not a crisis but lack of coordination” between Arbil and Baghdad (Awsat al-Iraq, September 10).

Kurdish skeptics point to Baghdad’s inconsistencies. For example, Khanaqin Mayor Muhammad Mullah Hassan claimed, “there is no Al Qaeda in our city” as the local backlash of demonstrations reinforced the public’s unfavorable view of the government’s actions (*Kurdish Globe*, August 28). Moreover, Kurdish peshmerga constitute an effective and capable armed force – leading many to challenge why Khanaqin was ever part of the wider Bashaer al-Kheir operation. As KRG President Massoud Barzani noted, “Khanaqin is a safe area and it’s a wonder that the Iraqi Army entered it under the pretext of combating terrorism” (Awsat al-Iraq, August 28).

One explanation for the army’s entry into Khanaqin was provided by acting KRG Peshmerga Minister Anwar Hajji Osman, who observed that the operation reflected the government’s aim of controlling Kurdish inhabited areas and disrupting the KRG’s political and military positions (*Kurdish Globe*, August 28). Such tactics may be directed at weakening the KRG’s influence in Diyala, hoping to marginalize its prospects in the disputed territories before the provincial elections scheduled later this year. This is suggested by the actions witnessed in the Qurat Taba area of Khanaqin, where the Iraq Army raided the headquarters belonging to the Patriotic Union of Kurdistan (PUK), the Kurdistan Democratic Party (KDP), and the Kurdistan Communist Party, as well as taking down the KRG flag (Awsat al-Iraq, August 24). Another accusation was set

forth by Sami al-Atroushi, a member of the Kurdistan Islamic Union, who accused the central government of engaging in “political blackmailing” to force the KRG to “give up article 140 of the Iraqi constitution” (*Awsat al-Iraq*, September 10).

According to a secret report produced by a Kurdish political party, “Al-Maliki has started to undermine the influence of those in the Iraqi military and security commanders who are classified as protégés of the Americans...The freezing of the powers of the Iraqi Army’s chief of staff, Babakir Zebari, is the first indication of this trend” (*Gulf News*, September 12). Massoud Barzani claimed that the Diyala operation was implemented “behind the back” of General Zebari, a Kurd, who “was not consulted” and whose presence “has become nominal” (*Al-Sharq al-Awsat*, September 1).

The level of rhetoric surrounding the issue has reached a new and dangerous high. Barzani claimed the new Iraqi Army had “acted exactly like the former army...including the crimes that were committed during Operation Al-Anfal [a reference to Saddam Hussein’s 1986-89 campaign against the Kurds]” (*Al-Sharq al-Awsat*, September 1). More critically, KRG representative Mullah Bakhtiyar announced: “Kurdish negotiators in Baghdad have opened 99 gates for dialogue and one gate for war,” claiming that if the Iraq government picked “the gate to war, they have been told that if war happens in Khanaqin it will happen in Kirkuk, Mosul, and the other disputed areas” (*Kurdish Globe*, September 11).

More fallout from the Khanaqin crisis appeared when Kurdish authorities questioned the government’s interest in purchasing 36 F-16 fighter jets from the United States. The motives behind the military buildup had created in Kurds “a justified fear,” linking past atrocities and recent developments in Diyala. When describing the Khanaqin crisis, the KRG’s parliamentary speaker Adnan al-Mufti observed: “If the situation plays out in this way and there is a government or head of the government in the future who thinks of a military solution to impose their will... and if they have F-16s, they may use them” (*Reuters*, September 10).

Unlike past political disputes, the Khanaqin crisis provides the first incident in which the new Iraq has adopted a formalized military response towards the

Kurds. This provocation reinforces Kurdish fears of past attitudes, reactivating the anti-State narrative as Barzani points to a “chauvinist Baathist approach” practiced by some in Baghdad (*Al-Sharq al-Awsat*, September 1). The rapid deterioration in trust resulting from developments in Diyala increases the risk that the unfolding security dilemma could lead to open conflict and decrease the prospect of disputes being resolved at the political level. As provincial elections approach and pressures to implement Article 140 intensify, the concurrent shift of American forces to secondary responsibilities and the deteriorating situation in Khanaqin may leave Iraq in a vulnerable security position.

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