



10TH ANNIVERSARY OF THE ATTACK ON THE USS *COLE* IN YEMEN: A RETROSPECTIVE

By John Duke Anthony

October 12, 2010

Today marks the tenth anniversary of the attack by a band of Yemeni extremists on the USS *Cole*, which was refueling in the Gulf of Aden. In the decade since then, the American mainstream media has frequently focused on that event as a turning point in U.S.-Yemen relations. Certainly, seen through the rear view mirror, it is beyond doubt that the USS *Cole* incident sparked a greater American government interest than before in strengthening ties between the two countries.

Also undeniable is that the overwhelming emphasis of Washington officialdom's interest in Yemen since then has been on the dynamics of security and defense cooperation between the two countries. In contrast, for reasons U.S. and other foreign government representatives allege to be to the ability of Yemeni institutions to administer massive development funds effectively, far fewer American or other international resources have been able to address Yemen's economic and social needs. This is despite many of these needs, in addition to continuing grievances against Washington's foreign policies towards Arabs and Muslims, playing an ongoing causative role in enhancing the recruitment of anti-Yemen government and anti-American extremists in various parts of the country.



The following retrospective on Yemen, by National Council on U.S.-Arab Relations President and CEO Dr. John Duke Anthony, focuses on the nature and orientation of the Yemen-U.S. relationship at the time of the USS *Cole* attack. Dr. Anthony, a specialist on Yemen since the 1960s, is one of only two Americans to have served as an officially invited observer for all four of Yemen's presidential and parliamentary elections since 1993. Two of these elections have occurred since the *Cole* incident. All four elections, despite mainly minor and remedial flaws, have been judged by international observers as "open and transparent."

The retrospective, portions of which originally appeared on *GulfWire*, the predecessor to *SUSRIS*, is from Dr. Anthony's several appearances on CNN soon after the attack. Included are his descriptions and assessments of America's response to the attack, a discussion of the international importance of Yemen, commentary on differing American and Yemeni views on international law as it applied to the incident and the investigation that ensued, and an accounting of what Yemenis and other Arabs at the time shared with him regarding their views of U.S. policy towards Yemen and the broader Arab and Islamic worlds that have helped to fuel extremism.

In addition, the retrospective provides commentary, perspective, and analysis as to why Yemen, from the standpoint of U.S. as well as regional strategic, economic, political, commercial, defense, and other interests, really matters. The commentary appeared on CNN's "Burden of Proof Program" moderated by then CNN legal analysts Greta Van Susteren and Roger Cossack and a later segment on October 31 with then CNN Anchor Lou Dobbs.

THE ATTACK ON THE USS *COLE*: REGIONAL DYNAMICS AND PERSPECTIVES

By John Duke Anthony

(Riyadh: November 11, 2000 and Washington: October 12, 2010.) Following are analyses and insights related to progress in the investigation into the October 12 attack on the USS *Cole* refueling in Aden harbor that killed 17 and wounded many more Americans. They consist of transcriptions of two separate CNN Television interviews that were conducted with Dr. Anthony in the days and weeks immediately following the attack. The transcriptions represent a verbatim rendering of the taped interviews assisted by editing for purpose of clarity.

October 15, 2000 - CNN's "Burden of Proof" Program with Greta Van Susteren.

CNN: John, why is Aden of such importance that the U.S. Navy would want to use its facilities?

LOCATION, LOCATION, LOCATION

JDA: Its location is one reason. For nearly a century and a half, from 1839 up until its independence in 1967, Aden was one of Great Britain's most prominent strategic outposts of empire. To give you an idea of its significance, Britain considered Aden as the only territory in the entire Middle East that was so vital to its imperial interests as to justify making it a Crown Colony. [Britain's other crown colonies, the five of them collectively being viewed as the jewels in the imperial crown of Queen Victoria, under whose reign the territory of all five was acquired, were Gibraltar, Malta, Singapore, and Hong Kong].

Aden is situated at the southernmost reaches of the Red Sea and at the far northwest quadrant of the Indian Ocean. It's an ideal site for serving the needs of ships plying the world's west-east and east-west maritime routes. It has the added potential of being able to play a vital role if we have to mobilize and deploy our forces again to the Gulf or East Africa. Most of the heavy stuff – tanks, other large vehicles, and earth-moving equipment -- can't be flown in by air; it has to come by sea. As Aden occupies one of the most strategically positioned ports along the way, its use could come in handy.

MARITIME MATTERS

It's also helpful to recall that, until as recently as the 1950s, Aden annually ranked among the top three ports in the world in terms of ships calling and tonnage handled. During



that period it also hosted one of the world's largest oil refineries, which is why most of America's major oil companies had refueling stations there. And until late 1967, Aden was also the headquarters of all British Middle East forces.

CNN: Is there anything else that makes it special?

YEMEN'S DEMOCRATIC PROCESSES AND POLITICAL PLURALISM

JDA: Yes. An example is that, out of the world's nearly 140 developing nations, Yemen was asked by Secretary of State Albright and numerous other Western leaders and Japan a little over a year ago if it would host the first-ever "Emerging Democracies Forum." Yemen accepted. In addition to myself, as one of two non-government specialists selected to represent the United States, the participants in the proceedings included current and past presidents and prime ministers, speakers of parliaments, and the leaders of incumbent and opposition political parties from countries as disparate as Belize, Bolivia, El Salvador, Malawi, Mongolia, Mozambique, Nepal, Niger, Morocco, and quite a few others were there in full force.



So were some of the U.S. Department of State's highest officials, as well as their counterparts from Canada, Ireland, Japan, the UK, and other countries. There's been nothing like it anywhere else before or since. It was extraordinary.

Yemen has also been doing a lot on the media and human rights front. For example, it has a press that is as free and, at times, as raucous – some would say even as irresponsible -- as any you'll find anywhere in the world, including the much better known free-wheeling media in Israel, Lebanon, and Kuwait. And in a country where illiteracy rates for men and women alike remain staggering, it's significant that women were granted the suffrage the same time as men were, and that they were allowed, again, the same as men, to run for parliament – indeed, women and men alike were able to nail down these two rights from the very beginning.



Yemen has conducted multi-party national elections for parliament and the presidency four times since 1993. Women have enjoyed the right to vote and run for office from the beginning.

Having been the only American representing the United States as an official observer for both of Yemen's national parliamentary elections thus far [in 1993, 1997; 2003 and 2006], I am but one of many who agree that, although the elections may not have been completely "free and fair" – the standard by which almost all election officials [American election officials being no exception in this regard] hope people will judge the outcome of their elections -- they were

commendable for being "open and transparent," which, among many specialists, is regarded as the next best thing.

CIVIL SOCIETY DYNAMICS

Moreover, on the economic front, several of Yemen's achievements have been impressive. It's managed to meet one World Bank and IMF criterion after the other for the better part of a decade now, and it's gotten very good grades overall as a result. They're not there yet, by any means. But they've made extraordinary progress. They've been able to accommodate some of the most exacting economic reform standards laid down by the international community for any developing country. And they've managed to do this in spite of some of the most trying circumstances imaginable. It has not been easy.

EXAMINING EXTRADITION ISSUES

CNN- John, it's conceivable that, if the people responsible for the attack are apprehended and in the custody of the Yemeni authorities, we will press for their extradition to the United States. If so, how's that likely to play out? What legal arrangements are there for such a thing? Do we have a treaty of some kind that covers something like this? And what happens if one of our citizens commits a crime in one of these countries?

JDA: No, we haven't any such treaty. Neither do we have any other legal arrangement, as far as I know, that covers something like this. Yet it's not as though there is nothing to go on. There's an evolving body of international law, of legal norms, and de facto case law that one could probably draw upon for frames of reference.

In several neighboring and nearby countries, we have what are known as Defense Cooperation Agreements -- we have them with Kuwait, Bahrain, Qatar, and Oman. A key provision of these agreements is the joint obligation for the signatories to consult with one another continuously on any and all matters that relate to regional peace and stability. Were something like this to have occurred in one of those countries, the Defense Cooperation Agreement in place could conceivably provide a sufficient framework to work out something to the satisfaction of both sides. But we have no such arrangement with Yemen. As to what would happen in cases where an American soldier breaks the law in one of these countries, the situation often differs from one country to the next. In some countries, the United States has, or has had, a Status of Forces Agreement, known by the words' acronyms as SOFA. We had them in Iran and Libya.



View of the damaged USS Cole.

In essence, in countries where we have a SOFA, or something similar, if an American serviceman breaks the law and is taken into custody, according to the agreement, he or she would not be tried in accordance with the local law. Rather, they would be tried under the U.S. military's own system of criminal justice. That's regarding U.S. military personnel. U.S. civilians that are not government officials are subject to the local laws and systems of justice just like anyone else. That is, unless they are diplomats, in which case they are ordinarily covered by diplomatic immunity, which is reciprocal worldwide.

CNN: I see ...

CONSTITUTIONAL AND LEGAL ISSUES

JDA: In Yemen, however, even though we have neither a defense cooperation agreement nor a SOFA, the government is more than equipped to deal with a matter of this nature from a constitutional and legal point of view. Its courts, and probably also the cabinet and parliament, too, would almost certainly consider an offense of this nature as a capital crime, as a crime against the state or something of similar gravity, and act accordingly. That is, it is likely that the guilty parties would be prosecuted to the fullest extent of the law.

Note: In a sequel, CNN's producers contacted Dr. Anthony in Riyadh on October 31 to ask if he would appear again on the same program to discuss what they said were new developments in the investigation. They said they wanted to explore the demands by President Clinton, Secretary Albright, and FBI Director Louis Freeh in the previous few days for "more cooperation" by the Yemeni authorities. Having been out of the loop for several days, Dr. Anthony asked if they would fax him whatever material they were referring to. They sent a very good article by John Burns, written from Aden, for the *New York Times*.

[As with the first interview, the anchor and Dr. Anthony spoke at some length about aspects of the issue that, to Dr. Anthony's knowledge at the time, appeared to have been ignored or little reported by the media. Before the interviewer began, the producers gave a heads-up that the program might be scooped at the last minute by a competing one about the latest in the Singapore airlines crash and/or their inability to solve a technical challenge of wiring *NYT* reporter John Burns in Aden, former CIA Director James Woolsey, a different former FBI counter-terrorism specialist than the one that was on the earlier show, and Dr. Anthony, all but one of whom was some distance away from the studio.

Five minutes prior to going on the air, the studio was unable to get all of the interviewees wired in. Accordingly, they asked Woolsey if he would incorporate some of Dr. Anthony's points into his remarks, as the anchor said, "He largely agrees with you." Dr. Anthony said fine, and the anchor said that Woolsey agreed to do so.]

In their edited and/or summarized form, here are the questions asked and responses given in the run-up to the second program.

November 1, 2000 CNN Program

THE WHEREABOUTS OF AN INCRIMINATING TAPE

CNN: Dr. Anthony, the FBI and President Clinton said yesterday that they wanted "more cooperation" from the Yemen government in the investigation still underway in Aden. They say they want to identify additional suspects and to apprehend those responsible for the attack. There are several things that appear to have brought this about. The most recent is a surveillance tape of Aden harbor that Yemeni authorities turned over to the U.S. Have you seen the tape?

JDA: No, I haven't.

CNN: The tape apparently shows the ship after the explosion but not the explosion itself. This has caused some to suspect that this portion of the tape may have been deleted. If so, at issue is whether this might have been intentional or accidental. If the former, the question is whether it was to cover up information that may have implicated negatively or in some other way been embarrassing to the Yemen government. Do you have any comment?

JDA: It's a valid question as to whether there is any logical explanation. I haven't any idea what happened in this regard.

CNN: But what do you think could have happened?

JDA: I really don't know. One could assume, I suppose, that all kinds of things could have been possible.

CNN: Like, for example...

JDA: I don't know... It could've been that the tape wasn't on when the explosion occurred... Maybe the blast triggered it to come on. Or maybe it was on but not properly focused, and only when the explosion occurred did somebody made sure it was focused. If so, that's probably when a lot of other people on the shore, and on the ship as well, got out their cameras and turned theirs on, too.

CNN: It's been said by some that maybe whoever handled the tape was inexperienced and didn't process it effectively ...

JDA: Maybe. I just don't know. Not having been there, I haven't a clue. But perhaps there's something to say for the fact that, as I understand it, the Yemeni authorities themselves were the ones who reported the existence of the tape.

The reports I have seen seem to indicate that they announced the tape's existence and turned it over to the U.S. without being asked. This might suggest the possibility that whoever was responsible for the tape may not have done anything wrong. But with little else to go on at this point, who's to say?

CNN: Has anything like this happened before?

PRECEDENTS

JDA: Well, there was the Watergate episode when President Nixon was under investigation. There was the infamous eighteen minutes missing from some remarks that Nixon had made that had been taped by his secretary -- Rosemary Woods Lincoln, if I remember correctly.

CNN: Yes ...

JDA: At the time, that was thought to be a very big thing. People offered all kinds of speculation as to why and how something like that might have happened. I was one of those who thought there was something strange about it. Many jumped to the conclusion that the missing segment (of the tape) had to be incriminating, that it was probably the equivalent of a 'smoking gun,' so to speak.

But, looking back, neither Ms. Woods, or whatever may or may not have been on the missing section of the tape, seems to have been all that central to the fact that, in the end, Nixon resigned. There might be something like that at play here. In other words, the reason why a potentially crucial part of the Aden harbor's surveillance tape is missing could be probably be explained in any number of ways that show that no one is to blame, or it could be just the opposite. Without having the benefit of being in Aden and knowing what actually happened, it's impossible for me or anyone else who has not had that benefit to speak definitively on the matter.

RECIPROCITY REQUIREMENTS

CNN: Also at issue is that the FBI has requested that the Yemeni authorities allow the Bureau's agents to interrogate any and all suspects, that it be present during any interrogation by the Yemenis themselves, and that they [the FBI agents] be allowed to question the suspects. Do you have any thoughts on this?

JDA: Yes, I do. Reciprocity applies here. The Yemeni authorities are doing nothing more or less than what the U.S. would do if the tables were reversed. That is, if a Yemeni naval vessel or a ship from some other country was blown up in Boston harbor, Hampton Roads, San Francisco Bay, or some other U.S. port, the U.S. would do exactly what Yemen is doing.

Indeed, as the people making a big issue out of this on the American side know, it would be against

very specific U.S. rules and regulations for the U.S. to allow another country's criminal investigators to do what it appears we are demanding that the Yemenis do. In other words, if the situation was the other way around, we would do exactly as the Yemenis are doing -- there is no way that we would accede to such a demand.

The simple fact of the matter is that the FBI could not reciprocate. The FBI agents and other U.S. officials who are demanding or urging that the Yemenis do what we ourselves can't do know this. By law, we are prohibited from allowing a foreign country's officials to interrogate any suspects in our custody, regardless of the nationality of the suspect and regardless of the nature of the crime committed. For us to complain that Yemen refuses to do what we would refuse to do were the situation reversed is to insult our and their intelligence, with perhaps a dose of arrogance thrown in for good measure.

CNN: I see.

OTHER EXAMPLES

JDA: It remains to be seen how this will play out. But from what has happened thus far, the Yemeni authorities, in my view, appear to have been exceptionally cooperative. They've done exactly what we would have done -- maybe more, certainly not less. Just as important, and to their credit, they have not done what we would not do.

CNN: But Kenya and Tanzania cooperated and let us interrogate suspects ...

JDA: Yes, they did, but that proves my point. What they chose to do was an aberration, the extreme exception. They chose to deviate from the norm. The norm is what the Yemenis are insisting on, which is no different from what we would insist on -- what we would demand that others abide by with regard to our own situation.

A POSSIBLE COVER-UP?

CNN: But what if the Yemenis do have something to cover up, and that's the reason why they are not willing to cooperate?

JDA: I don't know ... but I'm reminded just now of our own Lt. Calley in Viet Nam. As you may remember, at My Lai he killed -- many say he massacred -- a lot of innocent people. Many of them were children and the elderly. Most were unarmed and unable to defend themselves.

As terrible as the atrocities that he committed were, I don't recall our offering to extradite him, or in any other way turn him over, to the local authorities so that he could be prosecuted by the local legal or judicial system. If my memory is correct, we wouldn't let the Vietnamese authorities get anywhere near Calley.



President Ali Abdallah Salih (center), of the Republic of Yemen, meets with Secretary of Defense Donald H. Rumsfeld and his staff at the Pentagon in June 2004.

Even if it turns out that in this instance one or more Yemenis were involved in some way, there's something else to consider. Give me one reason one why the Yemeni authorities would hesitate to acknowledge who the suspects are, if they know who they are, and would hesitate to charge them with the crime and bring them to trial.

Think about it. What could the Yemeni government gain by acting otherwise? On the altar of what would its leaders try to evade responsibility for applying justice if the evidence were to implicate any of its citizens?

Evasion, in this instance, would simply not be a credible option, at least as I see it ...To do so would immediately place at certain risk, if not put an

immediate end to, the prospects for further strengthening what, for years now, has been a steadily improving Yemen-U.S. relationship...

Most people are not aware of it, but Yemen has met one U.S., World Bank, and IMF reformist standard after the other over the past decade. That it has done so is regarded by nearly everyone as evidence of how badly the government has wanted to put behind it the strains that prevailed in the aftermath of Iraq's invasion of Kuwait. Prior to the tragedy involving the USS *Cole*, Yemen was well along the road to placing its relationship with the United States on the most positive and mutually beneficial basis possible.

CNN: Yes ...

YEMEN'S EMERGING DEMOCRACIES FORUM

JDA: Look at what happened a year ago. Secretary Albright was joined by her counterparts in numerous other countries in asking Yemen to be the host for the first-ever "Emerging Democracies Forum." Any one of a couple of dozen other countries could have been selected, but she and the others chose Yemen – and with good reason.

Half a dozen Western leaders plus the heads of state, prime ministers, and other high-ranking governmental and political party leaders of 16 developing countries from all over the world participated in that event. Without exception, everyone there, and I was one of them, noted how far Yemen had gone to encourage political pluralism, a free press, advances in women's and other human rights, and internationally monitored elections.

In this context, it would seem to me to be incomprehensible that Yemen's leadership would do anything to jeopardize all that it has achieved in improving its relations with the United States.

INTRUSIVENESS RUN AMOK

CNN: Still, President Clinton, Secretary Albright, and FBI Director Louis Freeh are all saying that they need more cooperation than what Yemen is providing ...

JDA: Look. Let me be frank. The U.S. itself is hardly bereft of blemish in this matter. Surely no one believes that we are beyond criticism for the way in which we have handled our side of the investigation. One need only cite the hordes of FBI agents – I mean, more than a hundred agents; I saw one report that said they numbered more than 150 ...and investigators from several other agencies, too – that felt they had to come to Aden and get involved. Add to that the nervous young Marines in their jeeps descending upon Aden's beaches and taking up positions with their machine guns aimed at the local populace.



The USS Cole is towed away from the port city of Aden, Yemen.

The initial number of investigators was far in excess of what our diplomats and security personnel on the ground recommended as necessary – it was as if every investigator and their aunt and uncle seemed to feel they had to get in on the act. The manner in which U.S. personnel came ashore in such force, and the way that some of them behaved, was roughshod. In too many cases, it was the epitome of cultural insensitivity; it has alienated a lot of people.

POLITICAL TIMING AND PROVOCATION

Moreover, the timing of such behavior, and the timing of the demands of U.S. officials that Yemeni authorities be "more cooperative," could hardly have been less favorable. That is, it didn't help that the U.S. Congress passed a resolution, with a vote of 360 to 30, praising Israel and implicating only the Palestinians for the ongoing violence in the Israeli-occupied territories.

As many here have pointed out, Congress did this without the benefit of holding hearings and without the benefit of even conducting a debate on the matter. One person asked me, "In light of American interests in the region, how could the Congress do this? Where's its responsibility, its accountability? Responsibility and accountability are two values the U.S. seldom misses an opportunity to lecture about to people here and elsewhere in the region."

CNN: So it seems that here's another case where we've shot ourselves in the foot ...

JDA: Yes, and in the eyes of some, demonstrated a remarkable ability to re-load faster than anybody else ...

[Note. This discussion took place in the run-up to the program. It was cut off here. However, the producer's representative and Dr. Anthony continued to chat about the topic itself for a while longer. Following are excerpts.]

ACCELERATED AGGRAVATION

JDA: Madeleine Albright's statement on the Jim Lehrer Show last night didn't help either -- she, too, heaped blame on the Palestinians without any mention of what all here believe to be a disproportionate response by the Israeli military.

CNN: I see ...

JDA: I doubt many Americans are aware that Qatar's *Al-Jazeera TV* and other regional TV news channels continue to beam pictures of the violence in the Occupied Territories throughout the Arab and

Islamic world practically around the clock. It's not been without effect.

Indeed, the extent to which officials in Washington are seen by people here as being insensitive to the suffering of the Palestinians is greater than anything anyone has seen for quite a long time. Several longtime residents say it is the worst they have seen since the previous Intifada that began in December 1987. And one American, who has served in the region for nearly two decades, says it is the worst he has ever seen.

One GCC-region official spoke pointedly about a sentiment that is similar to what others have expressed in different ways. "What is happening," he said, "is seen as an American betrayal. It's a betrayal not only of the victims -- many of whom are practically helpless when one considers what they are up against in terms of the armed force that's occupying their land. That's bad enough. But many also see it as a betrayal of American values regarding human rights."

In short, Washington officials' recent statements in support of Israel, and in admonition of the Palestinians -- statements that are viewed here almost unanimously as intemperate and one-sided -- have not been without consequence. The official added, "They've harmed, and people are warning that if they're not stopped, they will continue to harm, U.S. interests throughout the region and beyond."

(Dr. Anthony added that he had "yet to speak with an American or Arab here who implied other than that statements from U.S. officials since the latest Intifada broke out have had their own role in fanning the fires of anti-U.S. sentiment in the region to a level that has not been seen in years").

IMPLICATION OF ANTI-AMERICAN SENTIMENTS

The official continued, "No Arab and Muslim head of state, Yemen's included, can afford not to take into consideration these anti-American feelings that their people are expressing. I just returned from Cairo, where I saw how mobs had smashed in the windows of McDonald's. It was awful. At the same time it was sad."

He concluded, "In many people's eyes, the U.S. is seen as behaving like any other imperial power against those who are weak, although it continues to insist that it is not. With the end of the Cold War, we thought we had gotten rid of such attitudes and behavior. No leader, in Yemen or anywhere else, wants to give people reason to accuse them of being a puppet at the end of a Western string, or portrayed as pawns in a game where Washington would have them do this or that, or not do this or that, without regard to the consequences for their country's domestic stability."

NATIONAL SOVEREIGNTY ISSUES

Further Update: A few days later, various news agencies reported that U.S. officials that had come to Aden to investigate the attack on the USS *Cole* had become irate for a different reason. Yemeni authorities, the officials reportedly complained, were threatening to direct hostile fire at incoming U.S. navy helicopters and other airborne craft unless the pilots or commanding officers gave notice and obtained permission to enter into and exit Yemeni airspace in advance.



Aden, Yemen.

The matter at issue surfaced when a high-ranking U.S. Navy officer reportedly demanded that he and his fellow service personnel aboard ships anchored offshore Aden be allowed to fly helicopters into and out of Aden at will. Yemeni authorities refused to grant such permission. In doing so, Yemeni authorities did not say that they envisioned having a reason to deny any U.S. aircraft entrance and exit rights. What they said was that there was a system in place that, for reasons of basic safety and security, had to be followed by one and all, including the country's president.

This, they said, was but in keeping with what U.S. and other Western government officials, and the representatives of international aviation organizations, had for many years insisted upon in communications with the Yemen government. The communications, in

turn, were conveyed to Yemeni air control tower personnel and ground as well as air defense forces.

Yemeni authorities reminded the U.S. officials that, for the reasons stated, several key pieces of information would have to be provided in advance in order for permission to enter and exit the country's airspace to be given. These include the exact time that the pilots or officer-in-charge of individual aircraft wished to enter its air space; the exact nature and model of aircraft that would be flying, including its markings; and the coordinates within which the pilot proposed to fly the aircraft.

Air control tower personnel and ground as well as air defense forces have to know such basic data in advance, the Yemenis said, so as to avoid any chance of mistaken identity. Were this to happen, they emphasized, Yemen's defense forces were trained and instructed to fire upon such aircraft as a means of self-defense. It was also, Yemeni officials remarked, to ensure that all arriving and departing aircraft adhered to such basic principles of air traffic regulations and international aviation practices as are recognized and implemented practically everywhere, including the United States.

WHAT GOES AROUND COMES AROUND

The same day, elsewhere in the region, U.S. officials sharply criticized the governments of several countries for allowing their aircraft to enter Iraqi airspace without announcing their intention to do so, and without obtaining authorization, in advance.

The U.S. officials did not say that they had reason to envision denying entry to such aircraft, (which, in this case, were transporting either business leaders or food and medicines to distribute to Iraqis suffering from the sanctions). What the U.S. said it was keen to make clear was that, for reasons of basic safety and security, it was against such planes proceeding to enter Iraqi airspace and land without their having received permission to do so from the U.S. in advance.

The U.S. officials said they had to know ahead of time the kind of aircraft that would be coming and going, including their markings; the coordinates within which the planes proposed to be allowed to fly; and the exact time that they wished for their aircraft to be able to enter and/or depart Iraqi airspace. This was so, the U.S. officials emphasized, in order to avoid any chance of mistaken identity that might result in U.S. missiles being launched at such aircraft as a means of self-defense, as U.S. military personnel have been trained to do. It was also, U.S. officials remarked, to ensure that such aircraft adhered to such basic principles of air traffic regulations and international aviation practices as are recognized and implemented practically everywhere, including Iraq.

Further efforts to understand what actually occurred in the run-up to the attack, and in its aftermath until the present, continue to face the challenge of being able to sort fact from fiction in matters pertaining to the investigation. What follows are informational updates, commentary, and perspectives from here.

Three days ago, CNN carried a two-sentence report saying that, "Senior officials say Yemeni officials have nothing to do with the terrorist attack (on the USS *Cole*). Published reports say that Yemeni officials 'helped' the terrorists, but the Yemen Government says that is not true."

POSSIBLE FOREIGN INVOLVEMENT?

Two days ago, the 10th, CNN said, "Yemeni authorities holding two suspects say the suspects have provided explicit details of how the attack was planned thirteen months ago, and that an Iraqi and another, perhaps (sic) a Saudi (sic), got help from low-level Yemeni officials in forging documents and getting auto licenses."

Yesterday, a report prepared by Deutsch Presse Agence and carried in Arab News, citing the original account in the previous day's edition of the Paris-based Al-Watan Al-Arabi, and claiming to be based on "reports filtering in from Western intelligence agencies," provided a perspective and details not hitherto seen.

The report claimed that the material and expertise for assembling the explosives used in the attack "were of a type available only to Russia and the former East Germany" and had "been smuggled to Iraq on one of the early Russian flights that had broken the UN air embargo on Baghdad."

The report added, "The explosives were then transported to Yemen aboard a Yemeni plane by an Iraqi team that received training on how to use them. They were taken directly by truck from Sanaa to Aden in an operation that smacked of collusion (sic) by some senior Yemeni officials, thus the Yemeni attempt to mislead (sic) rather than help U.S. investigators."

Authoritative sources here are of the view that President Ali Abdalla Saleh's original claim that the explosion was an accident attributable to something that happened on the USS *Cole* itself was almost certainly born of innocence and wishful thinking on his part. This writer and others who know the President and Yemen from long first-hand experience believe that something else may be at play.



The USS Cole after the October 12, 2000 attack.

Far more likely is that the country's intelligence services could not bring themselves to tell the President the truth. If so, it could have been out of a natural and universalistic human fear for the possible consequences of appearing to have been derelict in their duty. If so, this is neither the first nor the last time that one is likely to see such a phenomena in operation.

CONGRESS AND YEMENI NEEDS

A second report yesterday, aired on CNN, stated that "another attack against a U.S. ship, the USS

Sullivan, had been planned for last January, but failed. A boat carrying the explosives sank before it could attack."

Last week, the U.S. Congress passed a foreign economic assistance bill appropriating \$8 million for Yemen in the coming year. This represents a doubling of this year's \$4 million in aid, the first provided since the nadir in the relationship between the United States and Yemen dating from what the United States regarded as Yemen's less than stellar role, as a key member of the United Nations Security Council, in the 1990-91 Kuwait crisis.

Former Secretary of the Navy and Ranking Member of the Senate Armed Services Committee John Warner (Republican-Virginia) was instrumental in enabling the Bill's passage. Warner made a persuasive case that, far from punishing Yemen, as some of his colleagues seemed inclined to favor, the U.S. should be trying to help Yemen.

YEMEN'S NAVAL NEEDS

In so doing, Senator Warner reasoned, the United States would be helping itself and enhancing efforts in support of peace and stability in the Red Sea and East Africa regions. He stated that a portion of the aid would be used to enable Yemen to strengthen and expand its almost non-existent maritime capacities for coastal deterrence and defense.

Most specialists and visitors to Yemen are aware that the resource-poor country has one of the world's smallest navies. Helping it to patrol one of the world's longest national coastlines -- more than 1,300 miles -- is an even smaller and vastly under-budgeted, under-manned, and under-equipped coast guard.

Yemen's lengthy Red Sea and Indian Ocean coastlines are laced with countless easy entry points for anyone seeking to enter without proper documents. The overwhelming majority of those who find their way ashore in this way are refugees fleeing economic misery, and broken dreams and hearts, in East Africa.

An indeterminate but likely minuscule number of individuals who make their way into Yemen in this manner come for an entirely different reason. Their objectives are enshrouded in malice and connivance aforethought, as of the kind that was wrought when at least two people succeeded in using powerful explosives to rip a gaping hole in the side of the USS *Cole* that killed 17 U.S. navy personnel and wounded many more.

Dr. John Duke Anthony is President and CEO of the National Council on U.S.-Arab Relations.

About the National Council on U.S.-Arab Relations

Founded in 1983, the National Council on U.S.-Arab Relations is an American non-profit, non-governmental, educational organization dedicated to improving American knowledge and understanding of the Arab world. The Council has been granted public charity status in accordance with Section 501 (c) (3) of the Internal Revenue Code. All contributions are tax-deductible to the fullest extent allowed by law. The National Council does not employ or retain a lobbyist.

Vision

The National Council's vision is a relationship between the United States and its Arab partners, friends, and allies that rests on as solid and enduring a foundation as possible. Such a foundation, viewed from both ends of the spectrum, is one that would be characterized by strengthened and expanded strategic, economic, political, commercial, and defense cooperation ties; increased joint ventures; a mutuality of benefit; reciprocal respect for each other's heritage and values; and overall acceptance of each other's legitimate needs, concerns, interests, and objectives.

Mission

The National Council's mission is educational. It seeks to enhance American awareness, knowledge, and understanding of the Arab countries, the Mideast, and the Islamic world. Its means for doing so encompass but are not limited to programs for leadership development, people-to-people exchanges, lectures, publications, an annual Arab-U.S. Policymakers Conference, and the participation of American students and faculty in Arab world study experiences. As a public service, the Council also serves as an information clearinghouse and participant in national, state, and local grassroots outreach to media, think tanks, and select community, civic, educational, religious, business, and professional associations. In these ways the Council helps strengthen and expand the overall Arab-U.S. relationship.

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