

18. Finding: Between 1996 and September 2001, the counterterrorism strategy adopted by the U. S. Government did not succeed in eliminating Afghanistan as a sanctuary and training ground for Usama Bin Ladin's terrorist network. A range of instruments was used to counter al-Qa'ida, with law enforcement often emerging [pge 126] as a leading tool because other means were deemed not to be feasible or failed to produce results. Although numerous successful prosecutions were generated, law enforcement efforts were not adequate by themselves to target or eliminate Bin Ladin's sanctuary. While the United States persisted in observing the rule of law and accepted norms of international behavior, Bin Ladin and al-Qa'ida recognized no rules and thrived in the safehaven provided by Afghanistan.

Discussion: Between 1996 and September 2001, the United States worked with dozens of cooperating foreign governments to disrupt al-Qa'ida activities, arrest and interrogate operatives, and otherwise prevent terrorist attacks. Throughout that period of time, however, Afghanistan was largely a terrorist "safe haven." In its Afghan sanctuary, al-Qa'ida built a network for planning attacks, training and vetting recruits, indoctrinating potential radicals, and creating a terrorist army with little interference from the United States.

Some CIA analysts and operators have told the Joint Inquiry that they recognized as early as 1997 or 1998 that, as long as the Taliban continued to grant Bin Ladin's terrorist organization sanctuary in Afghanistan, it would continue to train a large cadre of Islamic extremists and generate numerous terrorist operations. In 1999, senior officials at the CIA and the State Department began to focus on the Taliban as an integral part of the terrorist problem. In 1999 and 2000, the State Department worked with the United Nations Security Council to obtain resolutions rebuking the Taliban for harboring Bin Ladin and allowing terrorist training. The Defense Department began to focus on this issue in late 2000, after the *USS Cole* bombing. A State Department demarche to Taliban representatives in Pakistan, on June 26, 2001, specifically noted the threats to Americans emanating from Afghanistan and stated that the United States would hold the Taliban regime directly responsible for any actions taken by terrorists harbored by the Taliban.

Former National Security Advisor Berger noted in a statement to the Joint Inquiry that "In fact, there was a concerted military, economic, and diplomatic pressure on the Afghanistan and the Taliban...." Mr. Berger also explained that Saudi Arabia and