



U.S. Department of Justice

Criminal Division

Assistant Attorney General

Washington, D.C. 20530

August 4, 1994

MEMORANDUM FOR THE ATTORNEY GENERAL

THROUGH: THE DEPUTY ATTORNEY GENERAL

FROM: Jo Ann Harris
Assistant Attorney General

Frances M. Fragos *Frances M. Fragos*
Senior Special Assistant to the
Assistant Attorney General

SUBJECT: The Washington Post article regarding the bombing of
the La Belle nightclub*

Have we solved this? { The German request for assistance dated May 26, 1993 was transmitted to the United States Attorney's Office in the District of Columbia for action on September 10, 1993. The intervening four month period is the result of time taken in the translation and transmittal of the request between the State Department, DOJ and the US Attorney's Office.

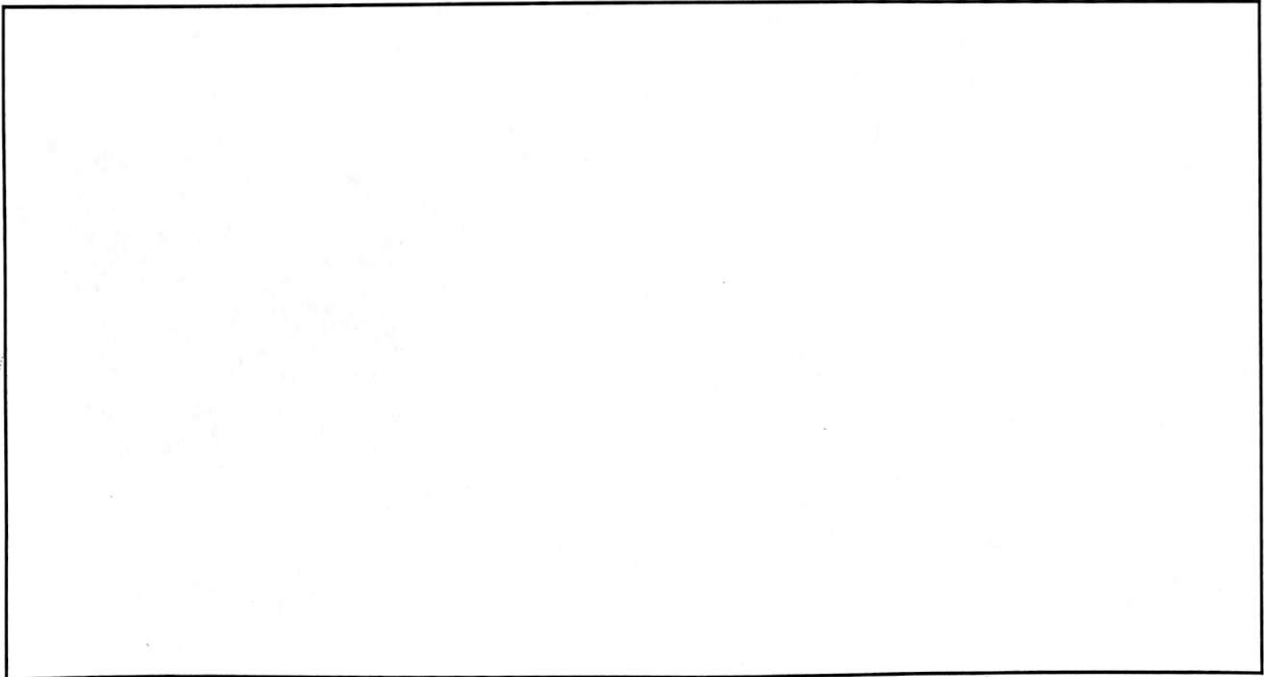
After receiving the German request the attorney assigned to handle the matter asked for clarification and documents from the German prosecutor regarding the specific information they required. Another month passed before the United States Attorney's Office obtained all the necessary information. The German authorities were interested in following up on information contained in Stasi (East German intelligence) files which indicated that United States intelligence agencies had an asset in Eastern Europe who had information in advance of the bombing of the La Belle nightclub.

The Department undertook to canvas all the potentially affected U. S. intelligence components operating in the area at or about the time of the bombing to determine if the United States was in possession of any information to assist the German authorities. Over the next two month period, the Department conducted a series of interviews of military and State Department personnel in addition to coordinating with the NSA, CIA, NIS, DIA, OSI and Army Intelligence. Ultimately, this review revealed

*The article is Attachment 1.

that the U.S. had had no specific information regarding advance warning of the bombing.

The Department began drafting a response to the German request in December, 1993. The United States response to the German request was cleared by each of the intelligence agencies. However, it must be noted that the CIA requested a number of changes which resulted in several rounds of approval by the other agencies. The final approval of the language of our response was not obtained until June, 1994.



Attachments

FOIA(b)(3) - 50 USC 3024(i)(1) - Intelligence Sources and Methods



Germans continue to pursue bombers of Berlin club frequented by GIs.

U.S. Delays Underlined As Disco Bombing Suspect Is Freed in Lebanon

By Rick Atkinson
Washington Post Foreign Service

BERLIN, Aug. 2—The U.S. government has taken more than a year to respond to repeated German requests for information considered crucial to the extradition and prosecution of the prime suspect in the 1986 bombing of a Berlin nightclub packed with American soldiers, according to U.S. and German officials familiar with the case.

The initial German query for intelligence data on the La Belle discotheque attack was drafted in May 1993, with subsequent appeals—marked “urgent”—sent to Washington on Dec. 13, 1993, and Feb. 16 and April 22, 1994, officials said.

In each case, German investigators sought evidence that would further implicate a Libyan-financed Palestinian terrorist who until recently was in jail in Lebanon and is accused of having masterminded the Berlin bombing that killed three people, including two U.S. soldiers and a Turkish woman, and injured 230.

The U.S. Justice Department finally sent a reply to Bonn on June 29, according to one U.S. official, but German investigators said they have yet to receive either that message or a related response reportedly drafted by the CIA. The German Justice Ministry disclosed today that Lebanese authorities have released

a German official called “extremely negative” and that could jeopardize extradition efforts.

U.S. sources familiar with the case blamed the delay on rigid compartmentalization among law enforcement and intelligence agencies—including the CIA and the National Security Agency—as well as reluctance in Washington to honor a German request to have a U.S. official testify. A U.S. official also said Washington may not have the incriminating evidence.

“We’re not hiding the ball on them,” the U.S. official said of the Germans. “There’s always a chance that I’m getting stiffed by my own intelligence services, but I don’t think so. . . . It’s not unusual that these things take an inordinate amount of time. There’s plenty of blame to go around. It moves from bureaucrat to bureaucrat, sitting on somebody’s desk who places no particular importance on it.”

The La Belle bombing on April 5, 1986, remains one of the unsolved mysteries in the annals of the war on terrorism. The U.S. government exacted vengeance but never justice for the attack, launching punitive airstrikes against Libya for sponsoring the terrorism, yet failing to catch the culprits who actually planted the bomb. The swift American retribution marked a watershed in the fight against terrorism. Still, many officials

Haitians Clear Cutoff of Flights Leaves 515 Stranded

By William Booth
Washington Post Staff Writer

PORT-AU-PRINCE, Haiti, Aug. 2—Over and over again for months, the intense young pastor—never sleeping in the same house, always on the run—went on the radio to denounce by name Haiti’s most powerful military leaders.

But now he is trapped.

After months of interviews with U.S. immigration authorities, the 34-year-old was awarded political asylum in the United States in June. But with the halt of commercial flights in and out of Haiti this week, filling a last gap in the U.N.-imposed blockade of Haiti, the pastor now is stranded.

The pastor, his wife and their four children are among 515 Haitians cleared to travel to the United States but awaiting a plane that may never come.

Another 937 have been approved for refugee status but await final clearance to leave, meaning they must still pass medical tests and gather paperwork for their families proving kinship.

But U.S. officials—constrained by the same blockade they fostered as a means of driving out the military who seized power here—now have no way to get the refugees to the United States, or any other country. Nor do they have any way to protect them in Haiti.

“It’s of serious, urgent concern to us,” U.S. Embassy spokesman Stan Schragger said today.

U.S. officials, through intermediaries at the International Organization for Migration, are trying to get permission from Haiti’s military-dominated government to land charter flights to rescue the refugees.

“But it’s dicey,” Schragger said. “We’re having difficulty getting approval from the de facto regime. . . . We’ve picked up the signals they’re reluctant to cooperate and grant approval at this time.”

The difficulties only increased with de facto President Emile Jonassaint’s decree early Monday of a state of siege and transfer of civilian powers to the military.

The situation, say Haitians, is particularly critical because the Clinton administration refuses to allow those who flee to apply for asylum in the United States once they have left Haiti. Only those who dare attend interviews at well-known processing centers here are eligible to go the United States—and then, only after lengthy interrogations, medical exams and paperwork.

“The protection they’re being offered is meaningless,” said Cheryl Little, an attorney who helps Haitian asylum-seekers at Florida Rural Services in Miami.

The situation is becoming tense, with the government threatening to arrest any Haitians collaborating with “foreign interventionists.” Six armed men, two in police uniforms, attacked a group of refugee applicants Monday morning as they gathered before dawn at the old Rex Theater downtown.

Early each morning, as many as 250 people gather there in angry lines, fearing crossed identifica-

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get these status no new reg.

Suspect Freed in '86 Berlin Disco Bombing

BERLIN, From A19

bloodier Libyan response in the destruction of Pan Am Flight 103 over Lockerbie, Scotland, in December 1988.

Now, eight years after the La Belle bombing, the case remains emblematic not only of the difficulty in bringing terrorists to account, but also of the challenges in coordinating the investigative efforts of various agencies in two governments.

"This is an important case. We wouldn't ask the Americans for this kind of help if it were minor," said a German official who spoke on condition of anonymity. "Without the American information, it will be much more difficult to press the extradition case, and it will make a trial more difficult."

Within hours after La Belle disintegrated in a caldron of flame and smoke, U.S. intelligence appeared to have unusually precise evidence implicating Libya. In announcing the retaliatory airstrikes against Tripoli and Benghazi on April 14, 1986, President Ronald Reagan revealed three "intercepts," or coded radio messages, between Libya and the Libyan People's Bureau—its embassy—in East Berlin that indicated both prior knowledge and subsequent approval of the attack by Col. Moammar Gadhafi's government.

But as the months passed, efforts to identify specific perpetrators came up empty. The case heated up again after the political collapse of East Germany, when, beginning in 1990, East Germany's Stasi secret police files were transferred into West German hands. The files showed that the La Belle attack had been orchestrated by Libyan secret agents who were provided a base of operations in East Germany under the guise of diplomats, according to U.S. and German officials; they also documented links between Palestinian henchmen and the Libyan People's Bureau.

By sifting through tens of thousands of pages of documents and interrogating various witnesses—including a Stasi agent who had

penetrated the La Belle planning cell—investigators began to build their case. German officials say they are convinced that the attack's mastermind was Yasser Chraidi, who is now free in Lebanon. Chraidi, 34, is a Palestinian from a refugee camp on the outskirts of Sidon, Lebanon.

Identified in Stasi documents by the code name "Nuri," Chraidi admitted to a Lebanese court earlier this year that he began working in 1984 as a driver in the East Berlin Libyan People's Bureau, which provided him with a Libyan passport under the false name "Yussef Salam." German officials believe he has ties to the terrorist kingpin Sabri Banna, known as Abu Nidal, and the radical Popular Front for the Liberation of Palestine.

The Stasi files, supported by a former Stasi informant named Ali Chanaa—who is now a German citizen living in Berlin—show that a planning meeting was held with a small group of plotters on the evening of March 26, 1986, in an apartment on Vienna Street in the Kreuzberg section of West Berlin. At that session, according to investigative sources, Chraidi decided to launch a violent attack against either a nightclub frequented by Americans, a U.S. Army barracks in southern Berlin or "another installation such as a movie theater or a gas station."

Within hours of the Vienna Street meeting, the U.S. government took action to thwart a terrorist attack. Stasi files indicate—and U.S. officials confirm—that on March 27 a blunt communique was issued to the East German envoy in Washington, to the government in East Berlin and to Soviet officials in West Berlin. In essence, the State Department warned that Libyan agents were planning a mission against U.S. targets in Western Europe, possibly in West Berlin. Both the Soviets and East Germans were urged to rein in their Libyan proxies.

It is the timing of this warning, only one day after the planning cell met, that has convinced German officials that U.S. intelligence also had an

agent close to Chraidi, an agent who could confirm and perhaps enhance the considerable evidence already amassed in the case.

"There was this meeting in Berlin and the next morning all those political things happened," one German official said. "It might have been coincidence, but it would have been a strange one."

Stasi documents indicate that the East Germans in late March attempted to finesse the situation by warning a People's Bureau official that the Americans intended to take "offensive preventive measures" against the Libyans and that they should therefore restrain their agents from venturing into West Berlin. The effort was ineffectual; shortly after midnight on April 5, La Belle was blown up by a bomb constructed, according to Stasi files, of several pounds of plastic explosive smuggled into West Berlin.

Chraidi returned to Lebanon after the Berlin Wall fell in late 1989. He was arrested there in 1991 in connection with a string of murders, attempted murders and burglaries. This spring, he was tried in Sidon on a German warrant charging him with the 1984 execution-style killing of a Libyan dissident in West Berlin. The case against him fell apart when the chief witness recanted his earlier testimony.

Citing a "lack of convincing evidence," the court acquitted Chraidi on June 21, but he remained behind bars for several weeks after the trial. However, German Justice Ministry spokesman Frank Thiel said today that Interpol had informed German authorities of Chraidi's release. Thiel said the chances of bringing Chraidi to trial for the La Belle killings have been greatly reduced.

German investigators interviewed Chraidi in Lebanon in the spring of 1993, when he proclaimed his innocence in the La Belle case. Last summer the German government asked Lebanon to extradite him, although no formal extradition treaty exists between the two countries. The Leba-

nese government gave no response, despite several nudges.

German officials estimate they have solved 90 percent of the La Belle case, although the identity of the person who actually carried the bomb into the disco is still unknown. They say, however, that American assistance is vital in further pressing the Lebanese government, in building a case against Chraidi for prosecution either in Lebanon or Germany, and in completing a damning portrait of Libyan complicity.

Precisely what the U.S. government knows about Chraidi is uncertain. One official indicated that after protracted discussions with the intelligence agencies, he concluded that, contrary to German suspicions, "there was no human source" and that all information about a Libyan connection came from "technical means," presumably eavesdropping by the National Security Agency.

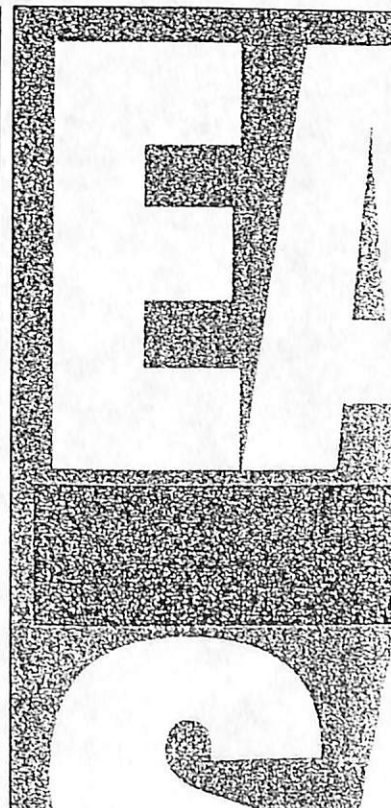
"So the task was to get the word to the Germans: Don't look for a source. None exists," the official added.

Yet earlier this summer the CIA "came up with the existence of a human source" in the La Belle case, whose identity was supposedly passed to German intelligence, a U.S. official said. A German official close to the case said he is not aware of such information.

"My sense has always been that the Germans are not going to get this guy," a U.S. official said. "I don't think it was ever in the cards that he was going to be extradited."

We Helped

Jerry Welch
Sales Director
CPS Systems
Sport & Health Member





U.S. Department of Justice

United States Attorney

District of Columbia

Judiciary Center
555 Fourth St. N.W.
Washington, D.C. 20001

June 24, 1994

Ernestine B. Gilpin
Trial Attorney
Office of International Affairs
Department of Justice
Washington, D.C. 20038

Re: Request from Germany for Assistance in the
Investigation of the Bombing of the LaBelle Discotheque

Dear Ms. Gilpin:

In response to the above-captioned request from Germany, we have fully investigated the questions posed by the German prosecutor. Our answers to these questions follow:

QUESTION 1

Who informed the authorities of the United States regarding the preparations for an assault [on La Belle]?

ANSWER

The United States did not have any prior specific information concerning an attack against the La Belle Discotheque. There were indications from various sources in March and April, 1986 that Libyan terrorist operations were being planned against United States interests in Berlin or elsewhere in Western Europe.

QUESTION 2

To whom was this information passed on?

ANSWER

The information available prior to the attack regarding potential terrorist operations against United States interests was provided to officials of the Governments of the United States and the Federal Republic of Germany.

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QUESTION 3

Are the personal data as well as the present abode of these informers and receivers of the information known and is it possible to let this court know these data?

ANSWER

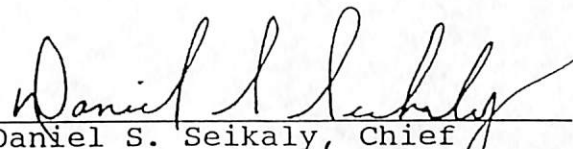
The information available regarding the attack on the La Belle Discotheque has been provided to the government of the Federal Republic of Germany through approved channels. We assume that the identity of the receivers of this information is available through competent authorities in the Federal Republic of Germany.

I hope that these answers are satisfactory. If there are any further questions, or if I may be of assistance in any other way, please do not hesitate to contact me.

Sincerely,

ERIC H. HOLDER, JR.
UNITED STATES ATTORNEY

By:


Daniel S. Seikaly, Chief
Transnational/Major Crimes
Section