

Britain's anti-terror squad arrest Abu Hamza al-Masri

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Sheikh Abu Hamza al-Masri, the Muslim cleric from Finsbury Park Mosque, London, whose son is currently on trial in Yemen, was arrested in a dawn raid in London on Monday, March 15. Two other men were also arrested, including Yasir al-Sirri, an Egyptian asylum-seeker who runs the London-based Islamic Observer Centre, a registered charity for the defence of human rights.

The three were arrested by members of Scotland Yard's Anti-Terrorism squad and held at Central London Police Headquarters. They were detained under the Prevention of Terrorism Act, Section 14, which refers to "the commission, preparation or instigation of acts of terrorism." They were released last Thursday at 21.00 hours on police bail, after being questioned for four days. None of them have been charged with any offence, but under the terms of the bail they have to report to the police some time in May. All three men insist they are innocent of any offence.

Searches were carried out at a number of addresses. No firearms or explosives were found, but documents were taken away by the police. Scotland Yard said the raids had been planned for some time and were part of "an on-going investigation". Akhtar Raja, lawyer for Mr Al-Sirri, has described the affair as a "fishing expedition".

Egyptian born Abu Hamza al-Masri has lived in London for 29 years and holds a UK passport. He runs the Supporters of Shariah, an organisation that he describes as a pressure group for oppressed Muslims. The Yemeni authorities have accused him of involvement in a conspiracy to bomb western targets in Yemen. Although the Yemen government has called for the extradition of Abu Hamza al-Masri, the British Foreign Office denies that any official extradition request has been received.

The Egyptian government claims that Yaser al-Sirri is a member of the banned Jihad group and that he was involved in the attempted assassination of the Egyptian prime minister in 1994. He denies this and the British authorities have admitted that Cairo has not produced any evidence that would be admissible in a British court.

The British government claims to have had Abu Hamza al-Masri under surveillance for some time. It seems likely that rather than agree to his extradition to Yemen, they will attempt to prosecute him under Criminal Justice (Terrorism and Conspiracy) Act 1998, which was rushed through Parliament last year after the Omagh bombing in Northern Ireland. It amended the Prevention of Terrorism Act, overturning basic judicial norms and introducing a new offence of "Conspiracy to commit offences outside the United Kingdom".

The arrest of al-Masri took place the day before the British Parliament voted to renew the Prevention of Terrorism Act. Under the act, the Home Secretary can "proscribe" any organisation, making membership, the soliciting of members or addressing a meeting of more than three people organised by the proscribed organisation an offence. The opinion of a senior police officer is admissible in court as proof of membership and the courts are empowered to draw inferences from refusal of the accused to answer questions about their membership. The Real IRA, the Continuity IRA and 10 other organisations are at present proscribed.

This legislation is an unprecedented attack on civil and political liberties in Britain. Even the government's own adviser John Rowe QC, in a report to Parliament, has pointed out that the membership provisions of the act are incompatible with Article 6 of the European Conventions on Human Rights, which provides the right to a fair trial.

It is significant that Abu Hamza al-Masri was arrested on the day before the anti-terror laws were renewed. In his speech to the House of Commons, Home Office Minister Jack Straw referred to the threat from "Middle Eastern terrorism". The Prevention of Terrorism Act was first passed at the time of the Birmingham pub bombing by the IRA and has been renewed every year since as temporary legislation. From 1984 to 1995 Labour MPs voted against renewal. Now the Labour government has announced its intention to make the laws permanent.

Up to now no one has been convicted in connection with the new provisions. It may be that the government believes that al-Masri and the Supporters of Shariah may provide it with all the right ingredients for a successful conviction, thus creating a legal precedent in extending the powers of the PTA. The trial of the eight Britons in Yemen for conspiracy to commit acts of terrorism may be a factor in the calculations of the government. Though the accused are not receiving a fair trial, their conviction could nevertheless provide an excuse to prosecute Abu Hanza al-Masri.



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