

Britain: Case against Algerian sought by FBI collapses

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The first person to be accused by the FBI of involvement in the September 11 terror bombings to have gone before a judge looks set to walk free, following the collapse of the supposed case against him. The Algerian citizen, Lotfi Raissi, was released on bail by a London court on February 12 after five months in custody. British police arrested the 27-year old pilot last September, acting on an international warrant issued by the United States, which was seeking his extradition. The pilot has always protested his innocence.

Raissi was the first person to be accused of collaborating in the attacks on New York and the Pentagon. The FBI described him as a “key suspect” in their investigation and US authorities said that, if extradited, Raissi was likely to be charged with conspiracy to murder and could face the death penalty.

At his first appearance in London’s Bow Street magistrates court last year, a British lawyer acting on behalf of the Bush administration claimed that the US had “sufficient evidence” against Raissi “to show not just association with the pilots—it goes further than that. We have evidence of active conspiracy—proving correspondence and telecommunications with them as well as video footage of them together. We also have proof that they travelled together.”

The setting of bail effectively marks the collapse of US efforts to tie in Raissi with the terror attacks. Having beamed the pilot’s face across the world in numerous broadcasts, branding him a terrorist and a murderer, and demanding his immediate extradition to aid its “war against terror”, the US authorities have finally admitted that they have no case.

Representing the US in court, James Lewis, told the magistrate Timothy Workman, “The United States does not presently intend to seek the extradition of Mr Raissi on terrorist charges. One must assume that there will not be terrorist charges.” Despite this, the US authorities had opposed bail conditions, claiming that Raissi remained the subject of an ongoing terrorist investigation.

Bail was agreed at £10,000 and Raissi has had to surrender his passport and must appear before London’s Bow Street Magistrates Court in March. Defence lawyers immediately branded the pilot’s treatment as a “complete outrage”, whilst his relatives demanded an apology from the US and its admittance to having pursued a vendetta against an innocent

man. Raissi’s French wife, Sonia, said that her husband was the “victim of prejudice and is being made a scapegoat through his religion and nationality”. His brother, Mohamed, said, “Innocent people died in America, but innocent people are paying for crimes they didn’t commit. People think about Britain and think there’s democracy, civilisation, there’s human rights. But now, with all these detentions, it’s very scary. People should remember it’s not an offence to become a pilot.”

The magistrate’s decision to set bail followed months of concern about the case against Raissi, who had been pulled out of bed in an early morning raid on his Slough flat on September 21. Sonia and Mohamed were also arrested, but later released without charges. Both subsequently lost jobs at Heathrow airport due to the investigation.

Despite being imprisoned in Belmarsh high security prison, the charges on which Raissi was held only related to minor misdemeanours. The US administration claimed that Raissi had falsified his application for a pilot’s licence from the US Federal Aviation Authority, by failing to disclose that he had had knee surgery and that he had been to a health professional in the past three years.

The US prosecution made it clear that these were only “holding charges”, but according to the extradition treaty between the UK and the US, an extradited suspect can only be questioned about the charges brought at the original extradition hearing. Even if the US had won its case for Raissi’s extradition, therefore, it was necessary to produce evidence of his involvement in the terror attacks before a UK court. Defence lawyers had protested that the US was trying to “have its cake and eat it” by keeping Raissi imprisoned in the UK whilst it attempted to cobble together a case.

The US authorities initially made sweeping allegations against the pilot. At the first hearing lawyers acting for the US said that Raissi had trained several of the pilots involved in the September 11 terror attacks, including Hani Hanjour who allegedly crashed the plane into the Pentagon. The US would provide video, photographic and documentary evidence of Raissi’s links to the terrorists, the lawyers claimed.

In later court hearings, however, the FBI’s statements were made more conditional. Raissi was “an associate of Hanjour”

and both had undertaken flight simulator training at Sawyer Aviation in Arizona at the same time in 1998. The FBI affidavit admitted that it was not clear “whether it was coincidence that Mr Raissi and Hanjour happened to take training on these five days or whether they undertook this training in concert.”

The defence blew the FBI case apart. An Algerian Muslim, Raissi is hardly an Islamic fundamentalist. He is married to a French Catholic and former cabaret dancer. His uncle Karim was chief officer of the anti-terrorism branch in Algiers and his mother Raeba runs a business centre in the country. His father was a chief steward with Algerie airline and a keen pilot, who passed his enthusiasm on to his son.

In November 1996 Raissi moved to Phoenix, Arizona on a student visa to train as a pilot and later as a flight instructor. He left the US when his visa expired, moving to the UK in October 2000 to begin a course to transfer his American qualifications to a European standard. In the magistrates’ court, Raeba Raissi provided copies of bank transactions and wire transfers proving that she had helped finance her son’s flight training in the US.

The FBI had claimed to have video footage of Raissi and Hanjour together in Arizona. It dropped this claim quickly after Raissi’s lawyer, Richard Egan, told the court in an earlier hearing that the evidence was in fact a poor-quality webcam image of Raissi with his cousin filmed in his UK flat.

Similarly FBI claims to have proof of frequent telephone contact between Raissi and Hanjour was not produced. The US authorities had even alleged that Raissi had made telephone calls to an Al Qaeda leader using the name Shakur. This claim was also dropped when it was proven that on one of the dates that Raissi was meant to have made the call, he was being held in Paddington Green police station.

FBI allegations that Raissi and Hanjour flew in the same training aircraft on March 8, 1999, were also undermined when it was shown that logbooks had been incorrectly completed. Another flight instructor, Amro Hassan, has said that he took Hanjour out for 1.5 hours on the date in question.

Finally, the US case had asserted that whilst living in Phoenix, Raissi had shared a flat with one Redouane Dahmani, whose telephone number was found in a flat allegedly used by Abu Doha, an Algerian currently in Belmarsh prison accused of terrorist activity. UK anti-terrorist authorities, however, informed Raissi’s lawyers that the telephone diary uncovered did not belong to Doha and that its owner had no connection to terrorism.

In January, magistrate Timothy Workman had insisted that the US provide evidence of Raissi’s involvement in terrorist activity by February 12, or he would be released on bail. The case against Raissi was “tenuous”, the judge had said. Raissi’s lawyers had also threatened to sue under Article Five of the Human Rights Act for detaining their client unnecessarily.

At the February 12 hearing, the magistrate rejected US calls for Raissi’s continued detention, stating that the charges did not warrant his continued imprisonment. Even if Raissi were

found guilty of falsifying information on his pilot application, he would serve less time in jail than he had been detained for so far, magistrate Workman said. The US has said it will still seek Raissi’s extradition on the misdemeanour charges.

In contrast to initial coverage of Raissi’s arrest and imprisonment, the magistrate’s decision attracted little comment because of the political embarrassment it has meant for the government and authorities.

The pilot’s detention led to lurid allegations that Britain was a hive of terrorist plotters. Government ministers claimed that extraordinary measures were now necessary to protect public safety. On a wave of media-driven hysteria, the Blair government declared a national state of emergency, enabling it to abrogate civil liberties and ram through the draconian Anti-terrorism, Crime and Security Act. The legislation provided the basis for the arrest and detention of more than 130 “suspect terrorists” across the country, many on even more flimsy grounds than that presented against Raissi. Most have subsequently been released.

There is also concern that Raissi’s bail reinforces criticisms that the Blair government has been too quick to kow-tow to US demands. The continued detention of British citizens under illegal conditions at the US camp in Guantanamo Bay, Cuba had already caused a storm of protest amongst sections of the establishment and the media that America was effectively demanding its allies surrender national sovereignty over their own citizens. The FBI’s demands for Raissi’s extradition were similarly regarded. In December, US attorney general, John Ashcroft had decried the fact that some European courts, including Britain’s, were being used to block the extradition of terrorist suspects to America because they could face the death penalty. Such objections were an obstacle to the US-led war against terrorism, Ashcroft had claimed.

Subsequently UK defence lawyers charged the US authorities with using Raissi’s case as a means of subverting extradition treaties. The *Guardian* newspaper, for example, had alleged that an FBI official had admitted to the *Washington Post*, that it did not really consider Raissi a prime terror suspect, but that it was seeking his extradition in order to “get him back here and talk to him to find out more.”



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