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Briton 'facing Guantanamo spell': A Briton accused of trying to set up a terrorist training camp in the US could be held indefinitely at Guantanamo Bay, an extradition hearing has heard.

BBC News
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US authorities say Haroon Rashid Aswat, 31, of Dewsbury, West Yorkshire, wanted trained people to fight in Afghanistan.

Expert witness Thomas Loughlin, a US attorney, said Mr Aswat, who denies the charges, could go to Guantanamo if extradited to the US.

The Bow Street Magistrates' Court hearing was adjourned until 5 January.

Mr Aswat was deported from Zambia in August after he was arrested there and briefly held in Lusaka jail.

He could be held indefinitely in military custody without charge or trial of any kind... possibly until the war on terror is over

The court heard that a diplomatic note had been issued by the US Embassy with an assurance that, if extradited, Mr Aswat would not be detained indefinitely without trial, tried in a military court or be treated as an enemy combatant.

But Mr Loughlin said he did not think the note was binding on US President George W Bush and that the "risk remained" he would be "designated as an enemy combatant".

Asked what would happen if Mr Aswat was categorised as an enemy combatant by President Bush, he replied: "He could be held indefinitely in military custody without charge or trial of any kind - possibly until the war on terror is over."

It was likely Mr Aswat would be sent to a military prison - of which Guantanamo Bay is the biggest - that would be chosen by the US defence secretary.

"It is likely it would be Guantanamo Bay but it does not have to be," Mr Loughlin said.

Al-Qaeda accusation

If designated an enemy combatant, Mr Aswat could also face trial by a military commission, which has the power to convict someone on hearsay evidence or evidence obtained by torture, Mr Loughlin said.

The only right of appeal after that would be directly to the US president himself, he added.

He said the fact that the US had alleged Mr Aswat was a member of al-Qaeda was enough for him to be defined as an enemy combatant.

Mr Loughlin was asked if, upon arriving in the US, Mr Aswat would also be subject to Special Administrative Measures, which can include solitary confinement and the cutting off of contact with the outside.

"It is extremely likely," he replied.

"In fact, I would be shocked were he not."

Edward Fitzgerald QC, counsel for Mr Aswat, said in his closing submissions: "Everybody here in this court agrees that to expose somebody to Guantanamo-style detention is a flagrant denial of justice."

The US authorities accuse Mr Aswat of conspiracy to provide material support for terrorism in the US between 1999 and 2000.

They claim he and another man helped to set up a camp in Bly, Oregon, to train people to "fight jihad" in Afghanistan.

Mr Aswat denies any involvement with terrorism.

Another man, 38-year-old James Ujaama, pleaded guilty to involvement in the plot in April 2003 and was sentenced to two years in jail after agreeing to help the authorities.