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Lawyers seek adjournment in terror suspect's extradition case

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LONDON --Lawyers for the United States seeking to extradite a British man on terrorism charges asked a judge Thursday to adjourn his extradition hearing, acknowledging that the suspect risked being handed to a U.S. military tribunal if delivered to American authorities.

Computer expert Babar Ahmad, 30, is accused of running U.S.-based Web sites soliciting support for terrorism and of trying to set up a terrorist training camp in Arizona.

He was indicted in the U.S. state of Connecticut in October on charges of supporting terrorism, conspiring to kill Americans and laundering money. U.S. authorities are seeking to have him extradited to stand trial in the United States.

John Hardy, a British lawyer representing the U.S. government, said the risk of Ahmad being handed to an American military tribunal was unknown.

"We are all looking forward and we do not know what may happen," Hardy said. He asked for a two- to three-week adjournment so his legal team can look into the issue.

Lawyers for Ahmad said any appearance before a military tribunal would be a "flagrant denial" of his right to a fair trial and added he could face the death penalty or be sent to the U.S. detention camp at Guantanamo Bay as an "enemy combatant" if handed over to the U.S. authorities.

British law forbids the extradition of suspects who could face capital punishment, which is outlawed in Britain.

"We do not concede at this juncture that a transfer to military jurisdiction would constitute a flagrant denial, but we do accept that it is strongly arguable," Hardy said.

Judge Timothy Workman said he would rule on the adjournment later Thursday but that he was likely to grant it.

Ahmad is accused of running several Web sites, including Azzam.com, which investigators say was used to recruit al-Qaida, Taliban and Chechen rebel fighters and to outfit them with gas masks, night-vision goggles and camouflage gear.

In an interview with The Associated Press on Wednesday, Hardy alleged that Ahmad had tried to set up a terrorist training camp in Arizona, where he met with Islamic radicals who claimed ties to Osama bin Laden.

Hardy said Ahmad met in Phoenix in 1998 with Yaser Al Jhani, a member of the Islamic mujahedeen militia, and others who claimed to have access to bin Laden. "He expressed an interest in developing a training system in Arizona," Hardy said. "That is, a training system, in effect for the mujahedeen to visit and train to fight abroad." He said there was no evidence the camp had ever been established.

Details of the Phoenix trip were outlined in a report by Assistant U.S. Attorney Robert Appleton, who would prosecute the case in Connecticut because one of the Web sites Ahmad ran was hosted there.

Ahmad's lawyers say a promise by Appleton that Ahmad would face a civilian trial provided an insufficient guarantee.

Thomas Loflin, a North Carolina legal expert called as a defense witness, told Bow Street Magistrates Court on Thursday that Ahmad faced a "real risk" of military justice.

"Nowhere in this treaty does it say that once a person is extradited he must be detained under civilian judicial authority ... or that the trial will have to be in a civilian court," Loflin said.

Hardy acknowledged the death penalty would be an option for a military tribunal.

Ahmad, who has been in a British jail since he was arrested in August, listened intently from the dock on the second day of his hearing.

Ahmad's case is being heard under contentious "fast track" extradition procedures that came into effect in January 2004. The new rules lessen the burden of proof in some cases, allowing certain countries, including the United States, to provide "information" rather than evidence that a crime has been committed.