

WAS INSPIRE A BRITISH-MADE PRODUCT?

Amid a longer story about one-time Brits stripped of their citizenship and handled according to the Administration Disposition Matrix, Ian Cobain fills out the story of Minh Quang Pham (whose identity in the UK is protected under a legal gag and so is referred to as B2). Among other things, Cobain answers the question I raised here: how Pham materially supported Al Qaeda in the Arabian Peninsula by (we infer) helping to produce Inspire between the time he was arrested upon returning from Yemen in July 2011 and the time the British Home Secretary Theresa May tried to strip him of citizenship in December of that year (see my timelines here): he was out on bail.

On arrival back at Heathrow airport, the Vietnamese-born man was searched by police and arrested when a live bullet was found in his rucksack. A few months later, while he was free on bail, May signed an order revoking his British citizenship.

But that would mean Pham was materially contributing to Inspire at a time when he was in the UK. The Brits have much stronger laws against even possessing Inspire. If we (and by association they) had evidence he was producing Inspire while out on bail, it should be easy to try him there.

Which is part of Pham's current complaint, as he tries to avoid extradition to the US: he could have and should have been charged in the UK.

Within minutes of SIAC announcing its decision and granting B2 unconditional bail, he was rearrested while sitting in the cells at the SIAC building. The warrant had been issued by magistrates five weeks earlier, at the request of the US Justice Department. Moments after

that, the FBI announced that B2 had been charged with five terrorism offences and faced up to 40 years in jail. He was driven straight from SIAC to Westminster magistrates' court, where he faced extradition proceedings.

B2 continues to resist his removal to the US, with his lawyers arguing that he could have been charged in the UK. Indeed, the allegations made by the US authorities, if true, would appear to represent multiple breaches of several UK laws: the Terrorism Act 2000, the Terrorism Act 2006 and the Firearms Act 1968. Asked why B2 was not being prosecuted in the English courts – why, in other words, the Americans were having this particular headache, and not the British – a Crown Prosecution Service spokesperson said: “As this is a live case and the issue of forum may be raised by the defence in court, it would be inappropriate for us to discuss this in advance of the extradition hearing.”

One of the charges against Pham is that he conspired to obtain military training. Which would seem to rely on Ahmed Warsame's testimony. But it's not clear how much of the material support charges Warsame could support, given that Pham's material support period extends a number of months beyond Warsame's arrest.

Note, however, that there may be overlap between the UndieBomb 2.0 mole working with AQAP (who may have arrived in AQAP 2 months before Pham left) and the tail end of the charge. In which case they may be shipping Pham to the US to better hide the mole's role in all this.

Of course, all these charges may primarily be about protecting the mole.