

No Excuse

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Articles & Testimony

According to British diplomats, Britain is actively pressing the United Nations to adopt a "no excuses" definition of terrorism and an explicit and unconditional condemnation of all acts of terror. The push for such a definition was given new impetus in the wake of the terrorist attacks in London and comes as Britain holds the rotating presidency of the European Union. The timing is important since the U.N. General Assembly's treaty-writing legal committee is holding a new round of discussions on how to define terrorism this week. The issue is supposed to be included in a "comprehensive convention on international terrorism" to be introduced in September when the U.N. will hold a summit on institutional reforms.

But as Britain presses its fellow U.N. member states to oppose all acts of terrorism, whether conducted as part of a campaign to undermine the West and establish a global Caliphate or to "resist occupation" in the West Bank or Iraq, it still has far to go to address this scourge at home. While Britain has turned the corner on allowing supporters of "global jihadist" terrorism to enter and remain in the country, and is preparing legislation to bar them from radicalizing and inciting British Muslims to violence, a network supporting the suicide bombings carried out by Hamas against Israel still thrives there.

Consider the case of Mohammed Qassem Sawalha, a Hamas activist, who was appointed as a "moderate" trustee of London's Finsbury Park mosque in February. The mosque was closed in 2004 because it had come under the influence of Abu Hamza al-Masri, a radical Islamic cleric arrested in Britain and charged with 16 terrorism-related offenses. Mr. Sawalha was named one of five trustees of the mosque when it was reopened in early 2005. But Mr. Sawalha's own decade-long history of supporting Hamas terrorist operations differs from Mr. al-Masri's only in terms of the nationality of the population targeted in otherwise identical attacks like suicide bombings, kidnappings, shootings and more.

Mr. Sawalha was named as a co-conspirator in an Aug. 2003 indictment brought by federal prosecutors in Chicago against Hamas activists in the U.S. and accused of assisting Hamas activists planning terrorist attacks. According to the indictment, before Mr. Sawalha moved to London in the early 1990s he was a Hamas leader in the West Bank. The indictment goes on to cite several cases in which Mr. Sawalha allegedly conspired with others to support Hamas terrorist operations. For example, while in London Mr. Sawalha met with Mohammad Salah (one of the defendants) and Mohammad Jarad, who were passing through London on route to Israel. According to the indictment, Mr. Sawalha provided the two men with instructions on "Hamas-related activities they were to carry out while in Israel, the West Bank, and the Gaza Strip." The indictment further describes how, in Aug. 1992, Mr. Sawalha met with Hamas leader Mousa abu Marzook and Mr. Salah to discuss the need to "revitalize Hamas terrorist operations in the West Bank." At that meeting Mr. Sawalha suggested specific Hamas members in the West Bank on whom Messrs. Salah and Jarad might rely to help energize Hamas's terrorist activities. Less than six months later, in January 1993, Messrs. Sawalha and Salah met yet again in London. At this meeting Mr. Sawalha specifically directed Mr. Salah to "provide money to various Hamas members in the West Bank and Gaza Strip."

Also in London, Interpal, a purportedly charitable organization designated as a Hamas front organization by the U.S.

Treasury Department, continues to fund Hamas institutions in the West Bank and Gaza Strip. Despite a plethora of evidence gathered by the U.S., Israel and other governments demonstrating its ties to Hamas, Interpal was given a clean bill of health by the British Charity Commission in Sept. 2003. (The Commission was aware, for example, that the FBI had already determined that Hamas members in the U.S. sent funds to Hamas in the West Bank and Gaza through Interpal). Strangely, the Commission itself acknowledged that Interpal transferred funds on behalf of the al Aqsa International Foundation, a Hamas front organization banned in Britain, the U.S., Germany and elsewhere, but determined anything short of ties to Hamas military or political activists to be insignificant. But only a few weeks earlier the EU banned all of Hamas, including activity supporting any of its military, political or social branches.

More recently, Sheikh Mohammad al Moayad and his assistant, Sheikh Mohammad Zayed, two Yemeni clerics, were convicted of funding both al Qaeda and Hamas through associates in New York. Their trial produced still more damning evidence of Interpal's role in financing terrorism. Unaware he was talking to an FBI informant merely posing as a terror financier, Sheikh Moayad produced a receipt showing that he had transferred \$70,000 to Interpal as proof of his ability to, as he put it, "get money to the Jihad." In the context of this and other receipts, the cleric told the informant he had provided millions of dollars to Hamas and al Qaeda.

Efforts to establish a global anti-terrorism treaty date back to 1996, but have stalled for years in the face of objections from several Arab and Muslim countries over the classification of suicide bombers engaged in "resistance to occupation." According to these member states, suicide bombings should not be considered acts of terrorism—even if they target civilians and non-combatants—if conducted for a sufficiently legitimate cause. Still others believe that groups that carry out acts of terrorism are not to be considered terrorists if they also participate in the political system or provide social-welfare support. Thus, several European states have long opposed including Hezbollah on the EU's terrorism list because of that group's social activities and participation in Lebanese politics. Others, including Britain, have tolerated the presence and activities of groups like Hamas even as they crack down on other groups engaged in similar acts of terror in the name of apparently less compelling causes.

But as recent attacks in Britain, Turkey, Israel, and Egypt all attest, these are morally bankrupt positions. The international community must stand firm in its condemnation of all acts of terror, no matter what cause or injustice such attacks are intended to remedy and no matter what other political or humanitarian activities these groups engage in. Indeed, the U.N. and individual member states both should make clear once and for all not only that no cause legitimizes terrorism, but that terrorism undermines the legitimacy of otherwise legitimate causes. Let's say it openly and honestly: nothing undermines the legitimate goal of establishing a secure and independent Palestinian state that lives in peace side-by-side with its neighbors more than Palestinian terrorism. There is no excuse for terror.

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