



# Department of Justice

FOR IMMEDIATE RELEASE  
TUESDAY, APRIL 12, 2005  
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CRM  
(202) 514-2008  
TDD (202) 514-1888

## **THREE BRITISH NATIONALS INDICTED ON CHARGES OF CONSPIRING TO USE WEAPONS OF MASS DESTRUCTION, PROVIDING MATERIAL SUPPORT TO TERRORISTS**

WASHINGTON, D.C. – Deputy Attorney General James B. Comey, Assistant Attorney Christopher A. Wray of the Criminal Division, U.S. Attorney David N. Kelley of the Southern District of New York, and FBI Executive Assistant Director Gary Bald announced today that three British nationals have been indicted by a federal grand jury in Manhattan on charges of conspiring to use weapons of mass destruction, providing material support and resources to terrorists, and conspiring to damage and destroy buildings.

The four-count indictment names: Dhiren Barot, a/k/a “Esa al-Britani,” “Abu Esa al-Britani,” “Esa al-Hindi,” and “Issa al-Hindi”; Nadeem Tarmohamed; and Qaisar Shaffi. The indictment alleges that the defendants entered the United States in 2000 and 2001 to conduct surveillance of several buildings in New York, Northern New Jersey and Washington, D.C. as part of a conspiracy to damage and destroy the buildings. After discovery of the surveillance activities, the Homeland Security Advisory level was raised from “Elevated” (Yellow) to “High” (Orange) for those communities until November 2004. As indicated in the indictment, the conspiracies to attack buildings were ongoing until August 2004, when the defendants were arrested in the United Kingdom.

The defendants are charged with: conspiracy to use weapons of mass destruction against persons within the United States, in violation of 18 U.S.C. § 2332a (a)(2); conspiracy to provide and conceal material support and resources to terrorists, in violation of 18 U.S.C. § 2339A; providing and concealing material support and resources to terrorists, in violation of 18 U.S.C. § 2339A; and conspiracy to damage and destroy buildings used in interstate and foreign commerce, in violation of 18 U.S.C. § 844 (i) and (n).

The defendants are currently in custody in the United Kingdom, facing criminal charges in that country. At the conclusion of those proceedings, the United States intends to seek the extradition of all three defendants so that they may stand trial in this country.

If convicted of the charges in the United States, the defendants face a maximum sentence of life in prison on the charge of conspiracy to use weapons of mass destruction, 15 years in prison on each material support count, and 20 years in prison on the charge of conspiring to damage and destroy buildings.

“The conspiracy laid out in the indictment was designed to kill as many Americans as possible, and the alleged surveillance of these buildings makes these allegations all the more serious,” said Deputy Attorney General James Comey. “Through the hard work of many of our law enforcement partners both here and overseas, we were able to hold those behind the conspiracy accountable for their actions and ensure that their plans to harm our homeland never

materialized.”

“The fact that these terrorists stalked their targets while surrounded by innocent and unsuspecting Americans going about their everyday affairs reminds all of us that a successful campaign against terrorism calls upon all of us to be ever-vigilant,” said U.S. Attorney David N. Kelley of the Southern District of New York. “The entire law enforcement community is committed to this battle and will travel the globe to bring to justice any and all terrorists, particularly those plotting to commit terrorist acts on our soil.”

Gary Bald, the FBI’s Executive Assistant Director for Counterterrorism and Counterintelligence, said, “These indictments show once again that the battle against terrorism is global, and to win it, we must be able to investigate aggressively and piece together intelligence from the country and across the world. This case is a success story because of strong cooperation between the New York and New Jersey Joint Terrorism Task Forces, other JTTFs across the country, our Legal Attache Office in London, our counterparts in the U.K., and other international partners.”

The indictment alleges that at various times from on or about Aug. 17, 2000 through April 8, 2001, the three defendants visited and conducted surveillance on buildings and surrounding neighborhoods in the United States, including the International Monetary Fund World Headquarters and the World Bank Headquarters in Washington, D.C., the Prudential Corporate Plaza and World Headquarters Building in Newark, New Jersey, and the New York Stock Exchange Building and the Citigroup Centre in Manhattan, New York. This surveillance allegedly included, among other things, video surveillance conducted in Manhattan in or about April 2001. The indictment alleges that the surveillance was part of the conspiracy to use weapons of mass destruction.

The indictment alleges that in or about 1998, Barot served as a lead instructor at a jihad training camp in Afghanistan where recruits were taught to use weapons and received other paramilitary training. In about June 2000, Barot allegedly applied to a college in New York to conceal the true purpose of his subsequent trips to the United States. While he was admitted to the college for the 2000 and 2001 school years, the indictment alleges that he never enrolled in or attended any classes at the college. The indictment details several trips that the defendants made between the United Kingdom and the United States during the course of the charged conspiracy.

The prosecutors responsible for this case are George Z. Toscas of the Counterterrorism Section of the Criminal Division at the U.S. Department of Justice, and Assistant U.S. Attorneys Eric B. Bruce and Joon H. Kim of the U.S. Attorney’s Office in the Southern District of New York. The Criminal Division’s Office of International Affairs assisted in this matter. The investigation was led by the New York Office of the Federal Bureau of Investigation, the New York Police Department and the Joint Terrorist Task Force, with assistance from FBI agents and JTTF members across the country and at the FBI Legal Attache’s Office in London, England.

The charges contained in the indictment are merely allegations. All defendants are presumed innocent until and unless convicted in a court of law.

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