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# Muslim Cleric 'Was Committed to War' Prosecutor Says in Terrorism Trial

By BENJAMIN WEISER · APRIL 17, 2014

Mostafa Kamel Mostafa, an Egyptian-born cleric who became prominent for his fiery sermons at a British mosque, was more than just a preacher, a federal prosecutor said on Thursday. "He was a trainer of terrorists, and he used the cover of religion so he could hide in plain sight in London."

The prosecutor, Edward Y. Kim, made that assertion before a Federal District Court jury in Manhattan in the government's opening statement in the trial of Mr. Mostafa, who was extradited from Britain in 2012 to face terrorism charges in New York. His is the second major terrorism trial in Manhattan in two months.

Mr. Mostafa, 56, faces charges of helping to orchestrate the 1998 hostage-taking of a group of tourists, including two Americans, in Yemen, including providing the kidnappers with a satellite phone and taking a call from one of the gunmen, who sought his direction. In a rescue operation by the Yemeni military, the kidnappers used the hostages as human shields and four of them died, prosecutors have said.

Mr. Mostafa, who also goes by Abu Hamza al-Masri, has also been charged with planning to create a terrorist training camp in Bly, Ore., in 1999; and of providing assistance to Al Qaeda in Afghanistan.

"Abu Hamza did not just talk the talk, he walked the walk," Mr. Kim said. "Abu Hamza was committed to war. War against non-Muslims. In

support of that war, he dispatched young men around the globe to train, to fight and to kill.”

In the defense’s opening statement, a lawyer for Mr. Mostafa denied that his client had participated in any of the acts charged, although he acknowledged that his client had said “a lot of harsh things” about the United States, Israel and the West.

But the lawyer, Joshua L. Dratel, said Mr. Mostafa had also been critical of Al Qaeda and other terrorist groups when he disagreed with them.

“He is on his own island,” Mr. Dratel said, adding that his client had “a lot of independent views.”

“These are views, not acts,” Mr. Dratel said. “This is expression, not crimes.”

Mr. Dratel said that his client had “needed to be outrageous” in order to “reach the entire spectrum of his community,” and to offer a moderating influence, “a third way between Osama bin Laden on one extreme, and George Bush on the other.”

Mr. Mostafa, who lost an eye and the lower portions of both arms in explosions years ago, has been known for the hooks he wore as a prosthetic device. In court, he has appeared without prosthetics and with the bare stumps of his arms visible.

He sat quietly during the opening statements, but he has been an assertive figure in his own defense. Twice in recent months, he has written to the judge, Katherine B. Forrest, indicating that he wanted to testify at his trial.

On Thursday, before the jury entered the courtroom, Judge Forrest said she had received a new, five-page, single-spaced letter from Mr. Mostafa in which, among other things, he had asked to make his own opening statement.

Judge Forrest denied the request but said that she wanted him to understand that “his letter had been read and considered.”

In his opening statement, Mr. Kim, the prosecutor, said that Mr.

Mostafa had in the late 1990s become the leader of the Finsbury Park mosque in London, which was “brimming with hundreds of men” that he had “sought to deploy for his own violent purposes.”

The mosque became his “base of operations for his global export of violence and terror,” Mr. Kim said.

He told the jury that among the witnesses they would hear from were two of the hostages rescued in Yemen, including one woman who had later interviewed Mr. Mostafa at his mosque. The jury would hear the recording of that interview, Mr. Kim said, in which Mr. Mostafa admitted he gave the satellite phone to the kidnappers and said the kidnapping “was justified.”

“Abu Hamza played a vital role in that kidnapping,” Mr. Kim said.

Mr. Dratel contended that the government had “no proof” of Mr. Mostafa’s involvement in any kidnapping conspiracy, and that his client had given no “directions or orders” to others. He portrayed his client’s conversation with the hostage-takers differently than the government.

“They reached out to him,” Mr. Dratel said. His role had been “as an intermediary to try and negotiate the release of the hostages,” and to try to keep people “from getting hurt.”

The long-awaited trial followed extensive legal wrangling over the admissibility of many of Mr. Mostafa’s statements, which Judge Forrest addressed in an opinion on Tuesday.

She ruled, for example, that prosecutors could introduce a statement by Mr. Mostafa in a British television interview, in which he spoke approvingly of the 2000 bombing of the American destroyer Cole, which was in Yemen, and of the Sept. 11, 2001, attacks.

“Everybody was happy when the planes hit the World Trade Center,” Mr. Mostafa said, according to the judge’s opinion.

The comments provided “direct and clear evidence of the defendant’s state of mind as to Al Qaeda and its agenda,” the judge wrote. She noted that in his letters to her, saying he would testify, he had said he intended to mention the events of Sept. 11.