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Yemeni Cleric's Conspiracy Trial Begins

By Michelle Garcia
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NEW YORK, Jan. 28 -- A Yemeni cleric was captured on secretly recorded tapes discussing fundraising for terrorist groups in an elaborate sting operation that spanned the Atlantic, federal prosecutors said Friday as the trial of Sheik Mohammed Ali Hassan Moayad got underway here.

Moayad, who prosecutors said has called himself a spiritual adviser to Osama bin Laden, and his assistant Mohammed Mohsen Yahya Zayed have been charged with conspiring to direct money to al Qaeda and the Islamic Resistance Movement, which is also known as Hamas. They "met in a hotel room and talked about funneling 2 million dollars to the two most dangerous terrorist organizations," Assistant U.S. Attorney Kelly Moore said in opening statements in federal court in Brooklyn. They "talked about their commitment to jihad."

Moayad's arrest two years ago was trumpeted by Attorney General John D. Ashcroft but has since gained notoriety because one of the key witnesses against him, FBI informant Mohamed Alanssi, set himself on fire outside the White House in November to protest his treatment by U.S. investigators.

Moore told the jury that Moayad spoke coded Arabic to disguise an elaborate plan to purchase weapons and fund mujaheddin fighters. The conversations took place, the prosecutor said, over four days in a luxury hotel in Germany. FBI informants lured Moayad and Zayed to the Frankfurt airport with the promise of money, and were arrested by German authorities and extradited to the United States.

But defense attorneys argued that Moayad and Zayed fell prey to a government informant who pledged a hefty donation for the cleric's charity in Yemen and medical treatment for his diabetes. Moayad's attorney, William H. Goodman, introduced his white-bearded client, who sat dressed in religious gowns, as a prominent political and spiritual leader.

The government's recorded evidence, Goodman said, was a "reality show: all show, no reality."

Working for the FBI, Alanssi mistranslated conversations recorded in a "staged fishbowl of an environment" Goodman told the jury. "What you see over and over again is two conversations happening. The defendants were unaware the conversations were being molded and punched."

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Zayed's attorney, Jonathan Marks, said the FBI, in its zeal to fight terrorism after the 2001 attacks, "became vulnerable to a character like Alanssi who will sell them a bill of goods for money."

Alanssi set himself on fire on Nov. 15 outside the White House asserting that federal agents failed to keep their promises to him after he helped them collect information in the case. He is not expected to testify in the case.

Earlier in the week, U.S. District Judge Sterling Johnson dealt a serious blow to the government case by ruling that prosecutors could not admit evidence central to their contention that the defendants have long-standing ties with terrorism.

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