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Pakistani Citizen Sentenced to 50 Months in Prison for Conspiracy to Provide Material Support to the Pakistani Taliban

Two Co-Defendants Previously Sentenced to 40 and 36 Months in Prison

WASHINGTON – A Pakistani citizen was sentenced today in the District of Columbia to 50 months in prison for conspiracy to provide material support to the Tehrik-e Taliban Pakistan (TTP), often referred to as the Pakistani Taliban, a designated foreign terrorist organization. Two co-defendants were sentenced for the same charge in December 2011 to 40 and 36 months in prison.

The sentences were announced by Assistant Attorney General for National Security Lisa Monaco; Assistant Attorney General Lanny A. Breuer of the Criminal Division; U.S. Attorney Ronald C. Machen Jr. for the District of Columbia; John Morton, Director of U.S. Immigration and Customs Enforcement (ICE); and John V. Gillies, Special Agent in Charge of the FBI Miami Division.

Irfan Ul Haq, 37, was sentenced today by U.S. District Judge John D. Bates. On Dec. 21, 2011, Judge Bates sentenced Qasim Ali, 32, to 40 months in prison, and Zahid Yousaf, 43, to 36 months in prison. On Sept. 12, 2011, each defendant pleaded guilty to one count of conspiracy to provide material support to a designated foreign terrorist organization. As part of their plea agreements, the defendants agreed to a stipulated order of removal to Pakistan upon the completion of their criminal sentences.

“This case underscores our continuing commitment to dismantle networks that facilitate terrorist travel,” said Assistant Attorney General Monaco. “I thank the many agents, analysts and prosecutors who were responsible for this successful prosecution.”

“Mr. Haq conspired with others to smuggle into the United States an individual who was believed to be a member of a foreign terrorist organization,” said Assistant Attorney General Breuer. “Such conduct presents a serious threat to our national security, and we will continue to work closely with our domestic and international law enforcement partners to prevent human smugglers from operating at home or abroad, and to punish them for their crimes.”

“Today’s sentence successfully brings to a close our prosecution of three criminals who aimed to use their human smuggling network to help a person who they believed to be a terrorist infiltrate our homeland,” said U.S. Attorney Machen. “By convicting three Pakistani nationals who were operating out of Ecuador, we have demonstrated our ability to dismantle human smuggling operations throughout the world when they threaten our national security.”

“ICE Homeland Security Investigations agents will continue to use every available resource to protect the American public from terrorist organizations and individuals who support them,” said ICE Director Morton. “Today’s sentence demonstrates our international resolve to ensuring that

our nation is safer and more secure. I applaud the outstanding work conducted by our HSI attaché office in Ecuador who led this extensive investigation. I would also like to commend our HSI office in Atlanta, along with our law enforcement partners in the United States and Ecuador, who assisted us in this case.”

“Today’s sentence sends a clear message: Individuals such as Ul Haq, who operate outside the law to support terror represent a threat to our safety. Ul Haq and his co-conspirators sought to smuggle men into the U.S. and did not care if they came here to ‘blow up’ something as long as they got paid. Ul Haq in turn provided material support to the TTP. Such would-be supporters of terror will be dealt with severely under our system of laws. I commend the FBI and everyone involved in the prosecution of this case for bringing him to justice,” said FBI Special Agent in Charge Gillies.

Ul Haq, Ali and Yousaf were arrested in Miami on March 13, 2011, on an indictment filed in the District of Columbia charging them with one count of conspiracy to commit alien smuggling. Based on the defendants’ guilty pleas to terrorism conspiracy charges, the government dismissed at the sentencing hearing today the charges of conspiracy to commit alien smuggling against the defendants.

Ul Haq, Ali and Yousaf admitted that between Jan. 3, 2011, and March 10, 2011, they conspired to provide material support to the TTP in the form of false documentation and identification, knowing that the TTP engages in terrorist activity and terrorism. According to court documents, Ul Haq, Ali and Yousaf conducted a human smuggling operation in Quito, Ecuador, that attempted to smuggle an individual they believed to be a member of the TTP from Pakistan into the United States. The TTP was designated as a foreign terrorist organization by the State Department on Sept. 1, 2010.

Court documents indicate that law enforcement agents directed confidential sources to ask the defendants, who were residing in Ecuador at the time, for their assistance in smuggling a fictitious person from Pakistan to the United States. Over the course of the ensuing negotiations, the defendants were made aware that the person to be smuggled was a member of the TTP who was blacklisted in Pakistan.

According to the court documents, the defendants agreed to move this person from Pakistan into the United States, despite his purported affiliation with the TTP. Ul Haq, according to the court documents, told the confidential sources that it was “not their concern” what the men “want to do in the United States – hard labor, sweep floor, wash dishes in a hotel, or blow up. That will be up to them.” The defendants accepted payment from the confidential sources for the smuggling operation and procured a false Pakistani passport for the purported TTP member.

The investigation was conducted by the HSI attaché office in Quito, Ecuador, with the HSI office in Atlanta, the Miami Division of the FBI and the Ecuadorian National Police.

The investigation was conducted under the Extraterritorial Criminal Travel Strike Force (ECT) program, a joint partnership between the Justice Department’s Criminal Division and HSI. The ECT program focuses on human smuggling networks that may present particular national

security or public safety risks, or present grave humanitarian concerns. ECT has dedicated investigative, intelligence and prosecutorial resources. ECT coordinates and receives assistance from other U.S. government agencies and foreign law enforcement authorities.

The Criminal Division's Office of International Affairs, the U.S. National Central Bureau of INTERPOL, the U.S. Customs and Border Protection, the U.S. Embassy in Quito and the government of Ecuador provided invaluable support.

The case was prosecuted jointly by prosecutors from the Human Rights and Special Prosecutions Section of the Criminal Division, the Counterterrorism Section of the National Security Division and the U.S. Attorney's Office for the District of Columbia.