

The London Ricin Cell

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Introduction

Few would challenge that terrorism, warlordism and organized crime—also known as the Deadly Trinity—could exhibit many similar characteristics but would they in any way be associated or even linked in a global proliferation network of weapons of mass destruction (WMD)? The case of the London Ricin Cell gave rise to cause for concern that it was such a WMD proliferation network. This chapter will address this topic using specific questions: 1) how many people would constitute a cell or a network; 2) if such a network existed then what type of substance would constitute the capability to inflict mass destruction; 3) is it necessary for ideological or religious elements to be present in a WMD proliferation network; 4) at which point would terrorism, warlordism or organized crime implement a WMD proliferation network with or without ideological or religious elements and 5) does existing legislation permit prosecution based on evidence of latent intent and capability but without the presence of an actual biological or chemical weapon. This is a salient topic given that there currently 60 people awaiting trial in the UK for terrorist-related offences; three further terrorist attacks since 7 July 2005 have been disrupted; and over 1,200 people have been identified as being activists the security service believe are engaged in acts of terrorism at home and abroad.^[1] The structure of the chapter is to relate the event of the Ricin Cell as a narrative as well as evaluate how the event unfolded as a discourse within the context of the Operation Iraqi Freedom (2003). This is be undertaken under the headings: The Event of The London Ricin Cell; The Deadly Trinity (warlordism, organized crime and terrorism); The Grey Area Phenomena; Escalation of the Deadly Trinity and The London Ricin Cell; and The Limitations of Domestic Law.

The Event of the London Ricin Cell

On Sunday morning 5 January 2003 at the height of diplomatic efforts that led to Operation Iraqi Freedom, which commenced on 19 March 2003, combined forces of the Anti-Terrorist Branch police, Scotland Yard Special Branch police and the Security Service (MI5) raided a north London apartment in the suburb of Wood Green. This was in part following evidence obtained during a previous evenings unrelated arrest after the murder of a police officer in Manchester. This was also in part from intelligence reports and from the interrogation of Mohammed Meguerba, a captured militant in Algiers. The combined information and analysis and the political atmosphere at the time of the Iraq crises led local authorities to believe that extremist violent groups were planning and were intending to launch a chemical, biological or radiological attack in the United Kingdom. This was in part substantiated with the arrest of seven men of North African origin including two teenage asylum seekers, all reasonably well-off financially and three with some

tertiary education. Investigators at Scotland Yard indicated that one of these seven men had attended an al-Qa`ida training camp in Afghanistan, whereas others had received terrorist training in Chechnya and the Pankisi Gorge region of the Newly Independent State of Georgia.[2]

The gathering of forensics and evidence at the Wood Green scene gave sufficient cause to warn all doctors (GP's) nationwide through the National Health System (NHS) system to look out for signs of exposure to the potentially lethal poison ricin. Castor oil beans—from which ricin is made—and equipment and containers for crushing the beans had been found in the apartment together with a formula for making ricin. Scientists at the Defence Science and Technology Laboratories at Porton Down in Wiltshire identified the nature of the substance while police did not rule out the possibility that some ricin may already have been distributed for the purposes of attacks.[3] Ricin is considered a potential biowarfare or bioterrorist agent and is on the Centre for Disease Control and Prevention's "B" list of agents—considered a moderate threat.

At the time, it was thought that the arrestees did not have the capability to make a mass destructive weapon, but they could have aimed to create mass panic by trying to kill small numbers of people. Ricin is relatively easy to manufacture in small amounts but would be considered an unusual agent to use for a mass attack as it must be ingested, injected or inhaled at close proximity to take effect. Defence minister Geoff Hoon described the discovery of the ricin formula and raw materials as a "disturbing development." Prime Minister Tony Blair addressed the nation and said the arrests showed the continued threat of international terrorism was "present and real and with us now and its potential is huge." [4]

Within days of the Wood Green raid and arrests, authorities spoke of concerns about possible ricin terrorist attacks, even though ricin had not been found in a weaponised form at the Wood Green site. Public speculation followed fueled by media reports, both there and in the United States, about links between the arrested men and Abu Musab Zarqawi, whom U.S. intelligence had tried to identify as linked to al Qaeda, linked to Iraqi President Saddam Hussein and linked to a camp in northern Iraq where ricin had also been found. Vice President Cheney, speaking of Hussein and his terrorist allies in the same voice, told a Chamber of Commerce audience "The gravity of the threat we face was underscored in recent days when British police arrested . . . suspected terrorists in London and discovered a small quantity of ricin, one of the world's deadliest poisons." A week later at the White House, then-press secretary Ari Fleischer told reporters, "When you read about people in London being arrested for possession of ricin, there clearly remain people in the world who want to inflict as much harm as they can on the Western world and on others." On 3 February 2003 Tony Blair told the House of Commons that the "ricin terror plot" was "powerful evidence of the continuing terrorist threat." In his 5 February speech to the U.N. Security Council, Secretary of State Colin L. Powell put up a slide that linked a "U.K. poison cell" to Zarqawi and stated "According to a detainee named Abuwatia, Musab al-Zarqawi, the Islamist linked to al-Qaida and recently self-proclaimed perpetrator of atrocities in Iraq, ordered North African extremists to travel to Europe to conduct poison and explosive attacks. The detainee who helped piece this together says the plot also targeted Britain." [5] After U.S. troops seized the northern Iraq camp linked to Zarqawi, General Richard B. Myers, chairman of the Joint Chiefs of Staff, told CNN's "Late Edition" on 30 March "We think that's probably where the ricin that was found in London came [from]... At least the operatives and maybe some of the formulas came from this site." [6]

The arrests, the media coverage, the importance attached to this event by politicians and generals, and the context in the lead-in to a war in the Gulf, created the historical moment indicating a significant turning point for contemplating how to tackle WMD proliferation networks. The mere inference of the existence of such networks being a cause for concern given their ability to invoke and inflict mass fear, terror and destruction. The arrestees of the London Ricin Cell clearly being guilty at least of incitement and conspiracy to cause mass fear and terror through maybe the murder of a few high level individuals. The positive note being that the London Ricin Cell had been thwarted prior to any physical injuries or deaths. The next step was to

apprehend the rest of the network. As is the case in any subsequent operation of such a type the first next stage is intelligence in ascertaining the extent, the nature and characteristics of such a network. Having noted the narrative of the events and discourse within the context of Operation Iraqi Freedom (2003) this chapter will continue to consider the notion of The Deadly Trinity as a marriage of convenience of warlordism, organized crime and terrorism and then turn back to the actual events of the London Ricin Cell within the judicial context.

The Deadly Trinity: Warlordism, Organized Crime and Terrorism

Recently in the mid-to-late 1990s, even prior to 9/11 and the Axis of Evil pronouncement speech, a group of researchers worked on considering the linkages of the Deadly Trinity—warlordism, organized crime and terrorism—through the characteristics, definitions, activities and types of people and communities involved in all three activities.^[7] The linkages between organized crime, corruption, weapons trafficking and terrorism having already attracted the interests of academic, government and NGO writings.^[8] The theoretical underpinnings related to structural and relational changes in the international system brought about by globalization. During the 1990s there was no concern that any such linkages were in any fashion tending towards a WMD proliferation network. Initial hypothetical thoughts tended towards a research agenda to show that drug trafficking and other organised crime such as human trafficking, money laundering, and weapons trade were all linked with warlordism.^[9] Initial research progressed quickly and sustained such a notion linking two sides of the Dead Trinity—warlordism and organised crime.

This research demonstrated that warlordism was an established phenomena associated with the structure and culture of certain societies. Some clans, tribes or nations, such as in Europe, had adopted political ideologies including nationalism and had established sovereign territorial nation states. Elsewhere in the world other clans, tribes or nations preferred warlord-type communal governance. Such warlords lived in cohesive and frequently closed communities sometimes within sovereign nation-states and tended not to be involved in international affairs such as diplomacy or international regimes such as the United Nations. In many instances family ties in a clan-style was a prevalent factor of the cohesiveness of the warlords' control. The warlord-style governance did not appear to have manifestations of radical or militant theological or ideological elements even though religion was significant in daily practises.

In some parts of the world warlords and the central governments of sovereign states co-existed where government officials were content to permit warlordism so long as their own titular power and status remained.^[10] Such a phenomena of warlords was frequently prevalent in states that were not democracies. Often the security forces of such states were unable to control the warlords activities and did not even attempt to do so. This is led to understanding that in some cases warlordism could arise and gather momentum in weak (also known as fragile) or failed states while in other cases weak and failed states arose due to the presence and activities of warlords. These understandings about warlordism were substantiated in the cases of Afghanistan, Columbia, Kosovo, and Somalia.

Given the nature of the changing security environment from state based threats of the Cold War to post-Cold War societal issues the research then turned to consider the nature of organised criminal networks and cartels for example human trafficking and narcotic trafficking. Similar to the case of warlordism it was demonstrated that serious organised crime arose and flourished in states that were not democracies and where the security forces of such states were unable to control the criminal activities and did not even attempt to do so. This is led to understanding that in some cases organised crime could arise and gather momentum in weak or failed states while in other cases weak and failed states arose due to the presence and activities of organised crime. These understandings about organised crime were substantiated in the case of Afghanistan and Columbia, both noted as source of drug production and international drug trafficking.

Such findings gave cause to consider if any specific linkages could exist between warlordism and organised crime, as a marriage of convenience, given that both had been shown to exist in weak and failed states for example Afghanistan and Columbia. In doing so and along a time-line of centuries warlordism could be identified as having been present prior to international drug trafficking. The criminal activity of drug production and trafficking has not necessarily been driven by the existence of warlords nor did warlords necessarily instigate it. In instances where warlordism and organised crime have coalesced, narcotic and human trafficking and its associated criminal activities have been catalysts generating the means for warlords to escalate and wage protracted conflict. In the marriage of convenience organised crime has recruited narcotic traffickers from the clan/tribal warlordism. The use of violence and fear has been a tactic to ensure that those recruited for such a role adhered to instructions while the cohesive clan structure provided secrecy.

In such a coalescence of warlordism and organised crime, domestic law enforcement has been progressively curtailed. For example, despite the executions world-wide of thousands of people convicted of drug related offences, most after unfair trials, the use of the death penalty has not suppressed drug trafficking and organised crime. Further, whereas much of the separate criminal activity and warlordism was confined to a specific geographic area, for example during the Cold War, the coalescence of organised crime and warlordism in the era of globalisation has resulted in a growing internationalization to secure weapons, and to launder large sums of money.[11] It is not surprising that warlordism and narco-terrorism have become a part of the underworld dictionary of threats to world order. As the United Nations International Narcotics Control Board noted failure to bring traffickers under control can lead to internal chaos, and even civil war. The report states "Illegal drug production and trafficking financed by organized crime is so pervasive that the economies of entire countries are disrupted, legal institutions menaced and the very security of some states threatened." [12]

There have been increased activities of networks of criminal activities across state boundaries that have merged heretofore-separate offences in different states in pursuit of common goals eroding local and national governmental power both economically and militarily, even in democratic states. In an escalatory and reciprocal fashion this has generated a global and criminal dimension to the funding of ethnic and sub-state conflicts on a global basis.[13] This has been to the extent that central state authority has been eroded both economically and militarily leading to a growing number of weak and failed states. In these weak and failed states there has been notable corruption amongst state officials engaged in drug trafficking while the main revenue for a large section of the population has been the narcotic trade. As such criminal activities transcend territorial borders with the onset of the 21st Century there has evidently been a necessity for stronger states to intervene across sovereign borders at the source of warlordism and organised crime in weak and failed states.

Such action is not always applicable to counter the Deadly Trinity. It is well known that terrorist organisations use normally legitimate organisations such as charities to raise funds. Further, by 2006 the links between terrorism and organised crime have also entered cyberspace. Money is terrorism's lifeline where numerous terrorist groups request funds directly from Web surfers who visit their sites. Some are less discrete than others and offer bank account details, PAYPAL or credit card facilities for direct payments. Others are more discrete through the establishment of online stores and in the sale of items such as books, audio and video tapes, flags, t-shirts etc. Additionally and according to Jean-Francois Ricard, one of France's top anti-terrorism investigators many Islamist terror plots are financed through credit card fraud.[14] Determining what is a legitimate business by a legitimate entrepreneur and what is an illegitimate business by a terrorist is a daunting task.

The Grey Area Phenomena

After an increase in radical, militant and fundamentalist international terrorist activities in the late 1990s and early 21st century, this research agenda into the Deadly Trinity turned to consider whether organised crime and terrorism and/or whether warlordism and terrorism were also in any fashion developing a marriage of convenience. It was understood the existence of weak and failed states could harbour terrorist groups and their training camps. Further and of significance it was debated hypothetically whether the grey area phenomena became apparent as an ethnic and sub state military dimension, when warlords took on the role of drug trafficking across state boundaries.

In general terms the grey area phenomena was identified as trans-national threats to the stability of nation-states by non-state actors and non-governmental processes and organizations. In specific terms the grey area phenomena was identified as low intensity conflicts ranging associated with a various combination of terrorism, insurgencies, and illegal local drug trafficking which in some cases was seen to result in an escalation to warlordism that challenged state existence, e.g., Columbia, militant fundamentalism, e.g., Afghanistan, and ethnic cleansing, e.g., Kosovo. It was debated, that this could eventually lead to a situation where the warlords could eventually become the dominant economic, political and military authority but short of being the government of the state.[15] At the time of this research in the 1990s in the immediate post-Soviet era the thinking was that after the proliferation of weapons of mass destruction (WMD) such as nuclear, chemical and biological weapons the grey area phenomena was the most serious and probable issue threatening the global community.[16]

The United Nations General Assembly expressed alarm in numerous debates at the growing link between these phenomena given that warlords, organised crime and terrorism in a marriage of convenience could lead to global anarchy and chaos. Unrestrained by borders and international protocols, individuals and societies were threatened on global proportions. This was not only within weak and failed states through the erosion of government and state authority. It is also across sovereign state boundaries into well-established democratic free market states. The term drug terrorism was expressed noting instances where illicit drug trafficking by Asian and African drug warlords had contributed to disorder in some European and North American megacities eroding the rule of law and order and government services.[17] This culminated in a statement by President Clinton that “the inability of democratic nations to come to grips with the supply and demand aspects of illicit drugs, trans-national narco-trafficking is a threat to national security.”[18] Hence the United Nations General Assembly passed a Resolution requested its member states to pay particular attention to the links between illicit drug smuggling, warlordism and terrorism and to propose viable control measures. The ensuing Global Program of Action called for measures to be taken to prevent illicit and covert arms and explosives transfers, as well as other drug traffic related activities.

Reconsidering this research in a world typified by suicide bombers against civilian targets in democratic states (e.g., 9/11, Madrid Train Bombs, London Transport Bombs etc) and the London Ricin Cell gives rise to debate and cause to investigate whether narco-trafficking, organized criminal network, warlordism and the emergence of street drug gangs in European and North America could be joined in planning and executing proliferation networks of weapons of mass destruction (WMD) and in ideological or theological terrorism. Underlying the justification for concern is the well-established fact that al-Qaeda was born and grew in Afghanistan in the heyday of its opium manufacture and clan/tribal warlordism.

Daily interactions between terrorist camps and warlords in weak and failed states could lead to the increasing radicalising or militarisation of local clans/tribes. Inherent is the concern that more warlords and organized crime networks will attain ideological and/or theological intonation, leading to the need to consider whether this is the radicalization of politics or the creation of extremist militarism and whether this of global proportions. This is also significant for considering whether more failed or weak states will emerge and how to handle such a situation. This could lead to the emergence of narco-trafficking and human trafficking routes, networks and individuals

becoming a means for radical and militant terrorist organisations to expand their global activities in fear, violence, and terror and in WMD proliferation. Such a network that has originated in one country (weak/failed) may continue in another country (Western Democracy) through networks of organized crime, religious organizations, political movements, etc. All regions of the world could thus become victim to new forms of WMD proliferation.

Such concerns have been expressed in writings on networked threats that dominate the security horizon.^[19] Such writings elaborate on Fourth Generation Warfare (4GW), extremist organizations, exemplified by the self-proclaimed global *jihadi* movement (al-Qaeda) and its affiliates. These are complex non-state actors operating as trans-national networks within a galaxy of like-minded networks. These trans-national entities exploit the seams of traditional approaches to security and intelligence and the traditional boundaries between national security and criminal enforcement. These networked global insurgents mix political and religious fanaticism with criminal enterprises to exploit the seams between crime and war.

Escalation of the Deadly Trinity: The London Ricin Cell

Such causes for concern were noted in judicial deliberations on the London Ricin Cell. The investigators, the prosecution and the judges in the trial provided clear evidence of growing patterns and trends of links between illicit organized crime, known terrorists, and weak or failed states that harbor warlordism and terrorists organizations. However, there was deep concern that the specific investigation did not reveal leads to additional networks. For example, during the trial of one of the accused, Kamel Bourgass, evidence emerged that he was implicated in a global network that combined warlordism, organized crime and trafficking in chemical technologies that could be weaponized. The evidence included the following facts.^[20]

- He arrived in the UK in February 1998 using an Italian identity card in the name of Fabio Marco and claimed residence and later sought political asylum.
- He lived at the Finsbury Park Mosque for over a year in 1999/2000 and stated that he knew known terrorists Abu Doha, Toufiq and Houssam only because they prayed there, although he had previously denied that he knew Abu Doha.
- He had used a false French passport in the name of Sylvian Delas to make several trips to the United Arab Emirates in May and June 2001.
- He traveled to Georgia in July 2001 on the same false passport, from where he was deported back to the UK—he had attempted to travel to Chechnya but had been detained by Georgian police on 3 July 2001 as he attempted to enter the Pankisi Gorge.
- In September 2001 UK Security Service surveillance noted that he and an associate subsequently identified as Mohamed Yacine Ankouche had used anti-surveillance techniques during a journey to St. Albans near London. It was assessed that the visit to a photo-booth was to obtain photographs to use in false documentation. Redacted copies of surveillance reports dated 28 September and 2 October 2001 were included among the documents produced with the Statement. These described his behaviour and his associate in some detail, e.g. “they appeared to wait until everyone else had cleared the platform before jumping back onto the train; when the train stopped at St. Albans they were seen to pause on the platform, looking at other passengers.”
- When he was apprehended in October 2001 for violation of asylum seeking conditions he had a French driving licence in the name of Adam Naouli.
- Following his escape from detention in February 2002 he re-involved himself in extremist activity. He provided support for the network of North African extreme Islamists, including former members of the Abu Doha group, planning terrorist attacks in the UK and Europe including the use of toxic chemicals. His activities suggested that he could be properly described as a member of the network.
- He was rearrested in September 2002 where evidence came to light, in the words of the judge “You are a senior member of group of Mujahideen engaged in active support for

- various international terrorist groups, including networks associated with Usama Bin Laden. Your activities on behalf of Islamist networks include facilitation of travel for Mujahideen, in particular from Abu Doha's group, to and from Afghanistan, Pakistan and the Caucasus. You have also attempted to join Ibn Khattab's Arab Mujahideen in Chechnya in order to fight. You held a senior position within Abu Doha's group and you have provided active support for a network of extreme Islamists planning to carry out attacks in the UK and Western Europe including the use of toxic poisons."
- When detained, he was in possession of mobile telephone numbers associated with Toufiq and Abdelrahman Ghafiqi, a former member of the GIA who latterly worked on behalf of its splinter organisation, the GSPC, and was involved in fundraising for the Chechen Mujahideen; he was also in contact with other significant members of the GIA and the GSPC; he had maintained close contact with a North African extreme Islamist network based in Pakistan and Afghanistan with links to Al Qa'ida which was heavily involved, prior to the Allied invasion of Afghanistan, in organizing the travel of extremists to and from Afghanistan and the training camps located there.
 - Following an appeal it was established in trial that he was in regular contact with known terrorists including Abu Doha himself, Abu Doha's successor Toufiq, and other named members of the group including Houssam Mohammed Kouchi; many of those associated with the group had undergone terrorist training in Afghanistan and had been active in the provision of logistical support to Algerian terrorist groups including the GSPC, the Arab Mujahideen in Chechnya and terrorist training camps in Afghanistan.
 - His activities on behalf of this network included the provision of financial and logistical support.
 - When arrested in London on 20 September 2002 he was found to be in possession of a bankcard in the name of Izac Katti. He denied any knowledge of a Belgian passport found at his address, but admitted that he recognised the photograph as that of "Toufiq" whom he had seen at the Finsbury Park Mosque but had not seen for at least 18 months. He attributed false documentation found at his address to an individual called Djamel, who was assessed to be Aissa Khalef. Khalef was traced to an address in Norfolk where he was arrested on 26 September and found to be in possession of a document in Arabic on the production of poisons, explosives and electronic circuits.
 - In January 2003 the Metropolitan Police Anti Terrorist Branch searched a flat in Wood Green. What was found there pointed to the preparation of toxic chemicals for terrorist use. It was assessed that not all of the toxic chemicals manufactured in the UK had been recovered.

This specific evidence from the London Ricin Cell on the eve of the Gulf War (2003) led to a cause for concern of an overall escalation in violence and terror and the existence of more WMD proliferation networks. Prudence dictated that considering how to tackle these phenomena turned to two options. These options rested at tackling the constituent components of the Deadly Trinity at the source in weak or failed states maybe through pre-emptive military strikes or at the point of potential attack maybe through community policing. Deciding which option was more viable could be determined by ascertaining at which point terrorism, warlordism or organized crime could and would implement a WMD proliferation network with or without ideological or theological elements. The decision would in part rest on the process in intelligence prediction and forecasting to ascertain the various indications and warning indicators that could focus upon determining where the constituent components of the Deadly Trinity were intersecting.

Neither option would be an easy task. The legality of the former option would require international consensus maybe including a United Nations resolution and would require protracted diplomacy. The cases of Iraq, Iran and North Korea highlight this dilemma. The later option would be as daunting as looking for a needle in a haystack. Planning and preparation, under and through the auspices of the Civil Emergency Secretariat of the UK Cabinet office, has tended towards prevention as being better than a cure, towards containment during and after a toxic attack and towards civil defense and emergency planning.[21] Part of this planning also reflects the evolving

nature of criminal and police interactions. For example, less than twenty years ago the majority of police in Great Britain did not bear arms. A simple yard long baton made of wood and handcuffs were the mainstay of their compliment in handling all forms of crime. Less than 1% of all police, only in small elite units, were armed. By 2001 this had risen to around 20% of all police following a rise in fire-arm related and knife related crimes.[22]

The escalation in localized criminal activities using hand firearms has led authorities to analyze global trends in terrorism, warlordism and organized crime. An escalation is understood to have happened especially with organized cartels of narco-producers and traffickers who have even acquired hand-held surface-to-air missiles to defend their crop areas and headquarters for example in Columbia. Consequently there is cause for concern that localized criminal activities could escalate to the use of more sophisticated weaponry including sub-machine guns, rocket propelled grenades, or even toxic substances. This could be to defend or extend their areas of trade without any ideological or theological indicators. Given this it has been concluded that it is not necessary for ideological or religious elements to be present in a WMD proliferation network involving the marriage of convenience between warlords and organized crime.

There is also no specific point that can be identified at which terrorism, warlordism or organized crime could or would implement a WMD proliferation network with ideological or theological elements. The circumstances could be coincidental simply by the toxic substances being available, by being offered at the right price and the right time where an egotistic or mad terrorist, warlord or criminal takes to the notion, or through an adversaries perceived or actual acquisition of similar toxic substances. Escalation from one form of weaponry to another can occur with any due thought process to the consequences. In particular the mere distribution of a recipe for the manufacture of toxic substances could generate a global WMD proliferation network with or without ideological or religious elements. Such an escalation by terrorists, warlords or criminals is no different from the manner from which escalation takes place in the acquisition of weapons by nation states.

The Limitations of Domestic Law

The evidence from the London Ricin Cell thus substantiated the theoretical underpinnings of causes for concern on linkages between organized crime, warlordism and terrorism. The arrests and trials of individuals in the London Ricin cell saga also highlighted the dilemma in handling suspected terrorists and WMD proliferation networks through domestic law and during peacetime in democratic states such as the United Kingdom. The judicial system of England and Wales, like in other democracies, serves three purposes. This is firstly to deter would-be offenders through the ability to impose prison terms and fines. However and for example, the suicide bombers in the 7 July 2005 terrorists attack on the London Transport System were not deterred and died in the suicide attacks. No legal system is capable of deterring such suicide terrorists not even when it descends to promoting deterrence through imposing collective punishment through retribution to the perpetrators family and community.

Secondly and thirdly the legal system acts through punitive action once a criminal offense has been committed and/or to offer compensation to victims. However these options would be too little to late if the criminal action were to be the usage of toxic weapons as a tool of murder, no matter the whether the motive was criminal, ideological, theological or insanity. Specifically the London Ricin Cell arrests highlight the dilemma of the length of prison sentences and the nature of defining the crimes committed prior to the use of toxic substances. There is no law, as yet, that makes a crime the possession of raw materials that could be used to make most biological or chemical weapons. For example, there is no legislation that forbids the possession of castor beans that is the raw material for ricin.

Hence the dilemma of the courts of law in the case of the London Ricin Cell network trial turned to debate and define: 1) What is a weapon? and 2) Can it inflict mass destruction—for example during both World Wars, conventional weapons inflicted mass destruction. In the deliberations in the trial of Kamel Bourgass specific issues raised included:

- What is ricin? Ricin is a toxic material that can be fatal when inhaled, ingested or—most dangerously—injecte d. It is easily produced, and can be extracted from the beans of the castor oil plant. It can damage the organs, and a combination of pulmonary, liver, renal and immunological failure can lead to death, although people can recover from exposure. Ricin, is explicitly prohibited as a toxin weapon by the Biological and Toxin Weapons Convention (BTWC), and is also listed in Schedule 1 of the Chemical Weapons Convention (CWC).
- How does it get into the body? It can be delivered through the air in an aerosol spray, or it can be injected or swallowed. One to three castor beans chewed by a child, or just eight seeds chewed by an adult can be fatal.
- How potent is it? Just a tiny amount of ricin is enough to kill. Seventy micrograms or two millionths of an ounce is enough to kill an adult, roughly the equivalent to the weight of a single grain of salt. Per gram, it is 6,000 times more poisonous than cyanide.

The court thus conceded that ricin was a poison however it was not possible to cause huge numbers of casualties. The mere possession of “castor beans” could not be considered as possession of a weapon and could not form the basis for prosecution for terrorism, murder or the sentencing of life imprisonment. In the case of the London Ricin Cell no evidence was uncovered that ricin would be used to kill anyone. The terms “mass” and “destruction” were also inappropriate. In summary the court found that the actual ability and capability to inflict ricin as a weapon of mass destruction was not evident and that there was no clear evidence of intent to perpetrate an act of terrorism using ricin as a weapon. Nevertheless the court and subsequent media analysis accepted that those who would be prepared to produce ricin, could be prepared to use other more deadly and more widely dispersible chemical and biological means to attack a civil population if such capability was available.[23] There was clear understating that politically, though not militarily, Ricin and indeed all other chemical and bio-weapons can be considered as the “poor mans nuclear weapon.”

The courts hearing the case of the London Ricin Cell then turned to considering whether or not a WMD proliferation network existed among the accused. As there was no previous instances of such a case of a WMD proliferation network the definition of a network remained ambiguous. To assist the court turned to the definition of an organized crime group and in doing so unwittingly created the legal precedence to link terrorism with organized crime. The National Criminal Intelligence Service, now part of the Serious Organised Crime Agency defines an organized crime group as satisfying all the following four criteria: 1) contains at least three people; 2) criminal activity is prolonged or indefinite; 3) criminals are motivated by profit or power; 4) serious criminal offenses are being committed. To sustain that the London Ricin Cell was a WMD proliferation network following this legal debate it was shown that:

- In a chapter on assassinations from an undated al-Qa`ida military manual, 'I'alan al-Jihad 'ala al-Tawaghit al-Bilad [Declaration of Jihad Against the Country's Tyrants], a copy of which was seized in 2002 by the Manchester police, a number of recipes for making poisons were provided, including a method for manufacturing ricin.
- This manual instructs the reader to “soak...castor-oil plant seeds in about 10 ounces of water, adding two teaspoons of [lye].”[24] The recipe described in this particular al-Qa`ida manual appears to have been translated nearly word-for-word from The Poisoner's Handbook (1988), an underground pamphlet widely distributed.[25]
- In March 2002 trace amounts of both *bacillus anthracis* (anthrax) spores and ricin were found at a few of the approximately 110 sites searched by coalition forces in Afghanistan, using this recipe.[26]

- On 10 July 2002, a suspected BW smuggler was detained in the Afghan village of Hesarak; materials in his possession revealed trace amounts of ricin having been manufactured using this recipe.[27]
- In August 2002, the Kurdish Islamist group Ansar al-Islam (Supporters of Islam), which has apparent ties to both al-Qa`ida and Iran,[28] tested ricin manufactured using this recipe, on barnyard animals.[29]
- A French Islamist cell was arrested in December 2002 by the Direction de la Surveillance du Territoire (DST: Directorate for Territorial Security, the French domestic intelligence agency) who had training with Chechens in Georgia's Pankisi Gorge area who were known to have manufactured ricin using this recipe.[30]
- On 13 January 2003, Russian special forces units operating in Chechnya found this recipe for making poisons, including ricin, in the possession of a guerrilla fighter they had killed.[31]
- The same recipe was found in the Wood Green apartment during the raid in January 2003 while it was shown that the accused had contacts and had visited some of the afore-mentioned locations and individuals.

It was therefore concluded that a WMD proliferation network existed in the case of the London Ricin Cell to acquire toxic substances by individuals with similar ideological and/or theological purposes. However the size of the network, the nature of its leadership and its ultimate intent remained undefined. As no serious criminal offense had taken place it was therefore not possible to prosecute for a WMD proliferation network even based upon the definition of an organized crime network. Important, however, was the process of the debate that intricately linked definitions of organized crime with that of terrorism in WMD proliferation networks.

It was therefore only possible to convict one out of the seven arrestees for poison conspiracy based on his admission.[32] This was Kamel Bourgass, 31, an Algerian who had lived in the apartment raided on 5 January 2003 in the London suburb of Wood Green. He could not be jailed for the possession of a weapon of mass destruction nor for terrorism given that only castor beans and a recipe had been found yet no weaponised ricin.[33] His sentence was materially not relevant since he had already been sentenced for murdering a British police constable.

Conclusions

This chapter commenced by noting that terrorism, warlordism and organized crime could exhibit many similar characteristics. It concludes noting that there is cause for concern as there are instances where they form an ad hoc Deadly Trinity and that this could tend towards global WMD proliferation networks. Such a cause for concern emanates from experience in dealing with weak and failed states where warlords and terrorist organizations co-exist in close geographical proximity. Increasingly warlords and terrorists have connections to organized crime such as narcotic production and trafficking and money laundering. The tribal/clan structure of warlordism could embrace militant or radical ideological or religious elements due to terrorist influence. Warlords and terrorists could use mutually beneficial networks through organized crime such as narco-trafficking and human traffickers. Such organized crime traffickers could then become associated with other extremist or radical ideological or religious groups or movements in other countries. In this a global WMD proliferation network could originate in a weak/failed state and continue in a strong Western democracy.

This chapter, in its introduction posed five questions that have been answered showing that when considered together substantiate that WMD proliferation networks exist and that the London Ricin cell was one such network. In doing so further cause for concern was posed in the ability to tackle any such linkages in terrorism, warlordism and organized crime. Clearly current domestic legislation in western democracies is severely limited in handling intent to undertake an act of terror, in handling suicide terrorism, and even further limited in deliberating how to handle a WMD

proliferation network. Current legislation is severely limited in handling those who possess the means to undertake a chemical or biological attack where intent is not shown to exist. This is evident in the case of the London Ricin Cell where no actual weapon was found nor was there any evidence of a specific target. This is despite the discovery of the raw materials such as castor beans, whose seeds contain ricin; bottles of acetone, which can be used in producing the poison; and handwritten notes in Arabic with a formula for ricin. Legislation is also limited in determining the types of substance that could constitute the capability to inflict mass destruction should the substance not yet be in weapon form.

Given the above findings it appears that the last resort in countering a WMD proliferation network such as existed with the London Ricin Cell is the responsibility of local police working with local communities to apprehend any rogue individual. In the larger picture the best means of preventing a WMD proliferation network from emerging through the coalescence of terrorism, warlordism and organized crime is to tackle the issue of weak (fragile) and failed states. This will satisfy the horizontal and vertical gaps and enforcement in increasing the number of states that will participate and concur in the compliance of arms control measures, treaties and regimes. The evolutionary nature of proliferation and counter-proliferation may necessitate preemptive military action against a rogue state or rogue non-state actors. Combined these efforts will result not only in tackling WMD proliferation networks but also in handling warlordism, narco-trafficking, human trafficking, terrorism, and organized crime and in promoting stability and democracy.

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