



## Hizb ut-Tahrir and proscribed organisations

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Hizb ut-Tahrir al-Islami (the Party of Islamic Liberation) was founded in 1953 and its global leader is Ata Abu Rushta. Its aim is to establish a Caliphate in the Islamic world. It is

a political party whose ideology is Islam. Its objective is to resume the Islamic way of life by establishing an Islamic State that executes the systems of Islam and carries its call to the world. Hizb ut-Tahrir has prepared a party culture that includes a host of Islamic rules about life's matters....Hizb-ut-Tahrir is a political party that admits to its membership men and women, and calls all people to Islam and to adopt its concepts and systems.<sup>1</sup>

In the aftermath of 11 September 2001, and particularly since the London bombings of 7 July, there has been much discussion as to whether Hizb ut-Tahrir in the UK should be proscribed under the *Terrorism Act 2000*. According to the Act “an organisation is concerned in terrorism if it (a) commits or participates in acts of terrorism, (b) prepares for terrorism, (c) promotes or encourages terrorism, or (d) is otherwise concerned in terrorism”.

It was not one of the original proscribed organisations under the Act.<sup>2</sup> In August 2005 however it was named by the Prime Minister as an organisation he wished to see banned,<sup>3</sup> but when the list was revised by Order in October 2005, Hizb was not added. In a Westminster Hall debate on 27 October on Terrorism and Community Relations, several MPs argued that proscription of Hizb ut-Tahrir would be a mistake. At that time the Minister, Hazel Blears, said that “clearly, it does not fall within the current criteria for proscription and it was not included in the list of proscribed groups that we took through the House last week.”<sup>4</sup> However a new Terrorism Bill which received Royal Assent on 30 March 2006 included in it, after much controversy, the so-called “glorification” section which it was believed would result in Hizb ut-Tahrir being added to the list of proscribed organisations. In the Order to the *Terrorism Act 2000*, laid on 17 July in the House of Commons, four groups were added to the proscribed list but Hizb ut-Tahrir was not one of them<sup>5</sup>.

This note describes the case for and against the group.

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<http://www.hizbuttahrir.org.uk/postnuke/pn/modules.php?op=modload&name=Sections&file=index&req=viewarticle&articid=6&page=1> For a detailed discussion of Hizb ut-Tahrir, its methods and ideology see <http://forum.mpacuk.org/showthread.php?t=2048.20>

2 For list of proscribed organisations see the Home Office website:

<http://www.homeoffice.gov.uk/security/terrorism-and-the-law/terrorism-act/proscribed-groups>

3 Downing St Press Conference 5 August 2005

4 HC Deb 27 October 2005 c 812WH

5 *Terrorism Act 2000* (Proscribed Organisations) (Amendment) Order 2006

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## A. The case for action against Hizb ut-Tahrir

Hizb ut-Tahrir declares itself to be a non-violent organisation, and most allegations of a connection between it and violent terrorist activity appears to come from the troubled states of Central Asia where Hizb and other radical Islamist groups pose a threat to the secular and authoritarian states of Uzbekistan, Turkmenistan, Kazakhstan, Tajikistan and Kyrgyzstan. Hizb appeals to and actively recruits young Islamists in Central Asian states, all of whom have now banned it as a terrorist organisation. In May this year, the President of Uzbekistan, supported by Russia and China, blamed Hizb ut-Tahrir for fomenting trouble in the country over the previous years and street protests were forcefully resisted. Central Asian diplomats "have accused Hizb ut-Tahrir of raising funds and running propaganda leaflets from homes and offices in the UK... stirring up hatred against their regimes."<sup>6</sup>

According to Jane's Terrorism and Insurgency Centre (JTIC),

There is concern that some HT cells will reject the organisation's non-violent stance and conduct acts of terrorism or sabotage. The group's leadership has called for 'action' against US and other foreign forces operating in Afghanistan. Leaflets and literature found after the US-led attacks on Afghanistan call for war and martyrdom in the name of Islam. HT issued similar materials after the beginning of the US-led invasion of Iraq in 2003.

In 2004, Russian officials claimed to have broken up HT cells in Siberia and Moscow. In both cases, arrests involved citizens of Central Asian countries, in particular Uzbekistan. In June 2005, a Russian counter-terrorism official said that the country's Federal Security Service (FSB) is investigating 500 suspected members of HT and the Islamic Movement of Uzbekistan. An extension of HT activities to Russia would represent a logical step for the organisation, especially in light of the large numbers of labour migrants from Central Asia located in Moscow and other Russian cities...<sup>7</sup>

The Jane's report on Hizb adds however that "official Russian statements on the group's activities have been marked by the same lack of precision that frequently renders the statements of Central Asian officials problematic as a source on HT's real activities."

Russia and China are unequivocal about the need to combat terrorism, which they associate with extremism and separatism – the 'three evils' - and defended the Uzbek government's actions, mindful of their own, often violent, disputes with Islamic and separatist groups.<sup>8</sup>

The JTIC profile of Hizb ut-Tahrir examines its philosophy and organisation in detail and concludes that individual members of Hizb may be drawn into terrorist activity:

Although HT leaders admit to admiring Osama bin Laden and supporting Taliban goals, HT has always denied any links. An absence of formal ties does not mean that there is necessarily a firewall between HT and violent extremist organisations such as Al-Qaeda and its offshoots. HT members were reported to have fought in the "jihad"

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<sup>6</sup> Anthony Glees and Chris Pope, *When Students turn to terror: terrorist and extremist activity on British campuses*, Social Affairs Unit 2005. Professor Glees is Director of the Brunel Centre for Intelligence and Security Studies; Chris Pope is a journalist and editor of the RUSI journal *Monitor*

<sup>7</sup> Jane's Terrorism and Insurgency Centre 13 February 2005

[http://jtic.janes.com/docs/jtic/groups\\_main.jsp?&showLetters=true](http://jtic.janes.com/docs/jtic/groups_main.jsp?&showLetters=true)

<sup>8</sup> eg as declared at the Shanghai Cooperation Organisation summit, Tashkent, June 2004

against Soviet forces in Afghanistan, but they did so as individuals, not party members. The precedent of this policy implies that HT members today may take part "as individuals" in violent extremist activities that HT itself does not openly condone.

In the UK, until 1996 Hizb ut-Tahrir was associated with Omar Bakri Mohammed, whose radical and provocative pronouncements in the past 15 years included claims that he had given religious instruction to two Britons who went to Israel on a suicide bombing mission that killed four people, that the July 2005 suicide bomb attacks on London were the fault of the British people and that Tony Blair and those who voted him into office helped to create a "cycle of bloodshed". Omar Bakri Mohammed was a Syrian who moved to Britain via Beirut and Saudi Arabia and was granted asylum here "on the grounds that he faced imprisonment or worse if he were returned to Syria. Here he joined and later left the London branch of the radical group Hizb ut-Tahrir."

In August 1998, warning Mr Blair not to introduce laws that would lead to the deportation of clerics such as himself, he said: "Britain, like America, must understand that to live in peace you must not dictate to the Islamic nation. We don't want to see our ideological struggle in Britain transferred to a military struggle but the new law to deport Islamic movements will be a disaster. You will push us underground. If Muslims are oppressed they will start to retaliate."<sup>9</sup>

Anthony Gles and Chris Pope, authors of *When students turn to terror: terrorist and extremist activity on British campuses*, have made a thorough study of Hizb ut-Tahrir and its popularity among students in the UK, especially those of Bangladeshi and Pakistani origin. Drawing on many official, academic and press sources, the study concludes with a number of policy recommendations, which fall short of proscription but include rigorous screening of students, links between university registrars and immigration officers, identity proof, a community police presence on campuses, a review of courses, monitoring of student societies, and the promotion of liberal democratic aims and citizenship requirements.

## **B. The case against proscription**

As has been described, Hizb is accused of association with violent activity in Central Asia, but the case for proscription in the UK is critically undermined by the authoritarian nature of the Central Asian states, and particularly the response of the Uzbekistan authorities to protesters in Andizhan in May 2005, when hundreds of civilians were killed. The Foreign and Commonwealth Office's country profile on Uzbekistan states that: "The extremist Islamic organisation Hizb-ut-Tahrir is active throughout Central Asia, including Uzbekistan. It has a radical and utopian agenda and its published materials often employ inflammatory language. While this is a matter for concern, we have yet to see convincing evidence that Hizb ut-Tahrir as an organisation has directly advocated acts of violence or terrorism."<sup>10</sup>

The International Crisis Group warned in 2003 that:

Wider policies of governments in Central Asia have probably contributed to the growth of Hizb ut-Tahrir, particularly in Uzbekistan. Repression by the Uzbek government has given it a certain mystique among some of the population, and the

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<sup>9</sup> Audrey Gillan and Duncan Campbell, *Guardian*, 13 August 2005

<sup>10</sup> [FCO country profile on Uzbekistan](#)

lack of alternative forms of political opposition or expression of discontent has ensured that it has attracted members from the mass of those opposed to the regime for political reasons. Poor economic policies have further undermined support for the government, and induced discontent among traders – a key Hizb ut-Tahrir constituency. Uzbekistan's restrictive border regime has also increased support for a group that advocates a universal Muslim state, with no national distinctions.

For a small but significant group of predominantly young men, Hizb ut-Tahrir gives an easy explanation for their own failure to achieve change in their personal lives, in society or in the state system. It provides young men with some meaning and structured belief in an era of otherwise confusing and difficult social change. It also offers occasional material benefit and social support in states characterised by extreme poverty and social breakdown.

Repression of its members, and often of those merely associated with them, has radicalised the movement, and had an impact on wider societies. Given the radical ideas of the group and the conspiratorial nature of its political struggle, it is understandable that governments are concerned about its impact on stability. But too often governments in the region, particularly in Uzbekistan, use Hizb ut-Tahrir as an excuse for their own failure to carry out political and economic reform and for continuing suppression of religious activity outside narrow official structures. Too often the international community has turned a blind eye to this repression. The West, and the U.S. in particular, is in danger of damaging its reputation in the region by close association with Central Asian dictatorships.<sup>11</sup>

The organisation Human Rights Watch recently published a second major report on torture and institutional violence in Uzbekistan detailing the religious persecution of independent Muslims and the Uzbek authorities' systematic torture, ill-treatment, public degradation, and denial of due process to prisoners.<sup>12</sup>

Hizb ut-Tahrir itself does not advocate violent action – it believes in political and intellectual means of persuasion. It argues on its website that that resistance to it is based upon its ideological position which in part objects to American supremacy. In *The American Campaign to Suppress Islam* Hizb writes:

As for the American campaign to make Capitalism an ideology for all nations and people of the globe, it meets no resistance except in the Islamic world. This is because the rest of the nations and people of the world either already embrace Capitalism as is the case with the US, Western Europe and their followers such as Canada, Australia and New Zealand or others like Russia and the states of what once were known as the Eastern bloc who have renounced Socialism and started to mould their lives on the basis of Capitalism... . Other nations and peoples of Latin America, the Far East, South East Asia and some countries and tribes in Africa who continually did not have any ideology, do not perceive Capitalism as a doctrinal rival. The Islamic *Ummah* is the only nation from amongst the non-Capitalist nations which has an ideology which she embraces, despite the fact that currently she neither lives according to it nor conveys it to the world...

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<sup>11</sup> International Crisis Group 'Radical Islam in Central Asia: Responding to Hizb-ut-Tahrir' 30 June 2003

<sup>12</sup> <http://www.hrw.org/reports/2004/uzbekistan0304/>

This [American] campaign has other motives such as the Capitalist greed, the ambitious desire of America and the West towards the resources of the Muslim lands, the geographic and strategic advantages of these lands, and the fact that they constitute a huge market for the products of the West and are a source for the raw materials necessary for its industries as well as its huge oil reserves vital for its life. Notwithstanding all these motives the principle motive behind this campaign is the potential threat from the Islamic *Ummah* against the interests of the West, and its international influence as well as upon its very existence once the Islamic *Ummah* wakes up, revives, and carries her message to the world.<sup>13</sup>

The case, broadly, for not banning Hizb ut-Tahrir is that however unpalatable its views, for example its anti-semitism, and its rejection of parliamentary democracy, forcing it underground will radicalise its members, and allow it to act as a suitable rallying point for potential extremists. Prosecution under existing law is preferable to a ban. In a Westminster Hall debate of 27 October 2005, the Chairman of the Home Affairs Select Committee, John Denham, criticised the prospect of proscription:

We now know that the Government's assessment of the situation a year ago warned against targeting organisations such as Hizb ut-Tahrir, on the ground that that is not right the way in which to tackle extremism. Why has that assessment changed?

Ann Cryer, the Member for Keighley, also questioned the wisdom of proscription.

When I went to the university a few weeks ago, I was told that Hizb ut-Tahrir has taken over the Islamic society and was preparing to take over the students union. I am not sure what has happened about the students union, but I hope that it has not been taken over. Such events are really sad, because it is the hundreds of mainstream Muslims at the university—good, intelligent young men and women—who should be the guiding force in our communities. They have the correct ideas, they are enlightened and they are terrific people. I do not regard members of Hizb ut-Tahrir as fluffy bunnies or as nice, but I am still quite pleased that the organisation was not proscribed. That would have been the wrong the direction to go in, because it would have made them martyrs.<sup>14</sup>

Similar arguments have been made in the House of Lord during the passage of the new *Terrorism Act 2006* (see below).

There has been a vocal lobbying campaign in the UK by Hizb ut-Tahrir itself to prevent its inclusion on the list of proscribed organisations, Hizb ut-Tahrir's media spokesman, Imran Waheed, was interviewed by Radio Free Europe/Radio Liberty in September 2005 and said:

We intend to continue our work and we're working very hard to avert a ban, as the British government suggested that it wanted to enforce against us. We know that it is the dictators and tyrants in the Muslim World who have banned the party, and despite that the party has continued in its nonviolent political work....Hizb ut-Tahrir is an open organization, and we feel that if governments like the British government are serious in countering terrorism and extremism within the Muslim community, rather than banning nonviolent political movements like Hizb ut-Tahrir, they should in fact be involved in

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<sup>13</sup> *The American Campaign to Suppress Islam*, Al-Khalifah Publications 1996

<sup>14</sup> For full debate see HoC Deb 27 October 2005 c141-183WH  
[http://www.publications.parliament.uk/pa/cm200506/cmhansrd/cm051027/halltext/51027h01.htm#st\\_60](http://www.publications.parliament.uk/pa/cm200506/cmhansrd/cm051027/halltext/51027h01.htm#st_60)

dialogue and discussion. And Hizb ut-Tahrir is willing to sit down and discuss with anyone.<sup>15</sup>

RFE/RL commented at the time that “Hizb ut-Tahrir does not make things easy for itself: it refuses to recognize any government in the Muslim world, rejects parliamentary democracy because it says it leads to corruption, and opposes Zionism and the state of Israel. It condemns Western democracy and capitalism, both of which it says are inconsistent with Islamic principles, but insists it will use only lawful means to make its voice heard.”

### **C. Hizb ut-Tahrir and the *Terrorism Act 2006***

Further anti-terrorism legislation – the *Terrorism Act 2006* - was passed by Parliament in March this year, including the measure which has become known as the “glorification of terrorism” section - S 1 of the Act, - after much disagreement between the two Houses over its terms. Hizb ut-Tahrir campaigned vigorously against inclusion on the list of proscribed terrorist organisations, on glorification grounds, now that Section 1 has come into force.

The relevant paragraph of Section 1 states that:

(3) For the purposes of this section, the statements that are likely to be understood by members of the public as indirectly encouraging the commission or preparation of such acts of Terrorism or Convention offences include every statement which –

(a) glorifies the commission or preparation (whether in the past, in the future or generally) of such acts or offences; and

(b) is a statement from which those members of the public could reasonably be expected to infer that what is being glorified is being glorified as conduct that should be emulated by them in existing circumstances<sup>16</sup>

Hizb ut-Tahrir in Britain fear that what they consider legitimate support of resistance movements will be unlawful under the new Act. Their response was placed on their website:

As the new Terrorism Act officially comes in to force, MPs, lawyers and a host of Muslim groups voiced their continued opposition to provisions in the Act that outlaw the ‘glorification’ of terrorism. The Labour MP Jeremy Corbyn said: “The legislation is misguided and the whole concept of glorification is frankly absurd, and will end up entrapping the innocent and preventing legitimate debate.” The Muslim Safety Forum (MSF) an umbrella group of over 30 Muslim organisations released a statement saying, “The Clause on Glorification of Terrorism threatens to criminalise non-violent organisations, groups, Imams and individuals for supporting legitimate causes around the world and expressing political opinion.” Azad Ali, chair of the MSF said, “We have submitted over half a dozen examples where we feel innocent acts carried out by

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<sup>15</sup> <http://www.rferl.org/featuresarticle/2005/09/3f0461f4-1022-4b61-94a7-ff2e72e6c6bc.html>

<sup>16</sup> Section 20 of Part 1 of the Act gives the following additional information: “Convention offence” means an offence listed in Schedule 1 (of the Act) or an equivalent offence under the law of a country or territory outside the United Kingdom. “Glorification” includes any form of praise or celebration, and cognate expressions are to be construed accordingly.

Muslims will fall foul of the law, this includes for example praying for those that are standing up against oppression and illegal occupation”.

In the debate on 20 July 2006 approving the draft Order to add four organisations to the proscribed list (see above) the Minister for Policing and Security (Tony McNulty) addressed the question of Hizb ut-Tahrir’s absence from the list. “On 5 August last year the Prime Minister clearly mentioned three such organisations...I have come to the House with an order proscribing two of those. I have made it clear that the Government still have serious concerns about Hizb ut-Tahrir, but that is not to speculate about whether a proscription is forthcoming.”<sup>17</sup>

For the moment, Hizb ut-Tahrir appear to have satisfied the Home Office that their inclusion cannot be justified by the evidence necessary under the 2000 or 2006 Acts. Former Home Secretary, John Reid, said in a Parliamentary Question to the new Prime Minister, Gordon Brown:

In relation to the question from the Leader of the Opposition, I confirm what the Prime Minister said: we have recently carried out two reviews of Hizb ut-Tahrir and we have decided that there is insufficient evidence to ban it. I therefore ask the Prime Minister to stay absolutely on the course that he set today, and to stick by the law and the evidence and not to be swayed by any arbitrary political advantage that he thinks might be gained. May I also tell him—[Interruption.] Nothing would be more politically disadvantageous than taking on a case without evidence and losing it. That would confirm all the accusations made against us by our opponents.<sup>18</sup>

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<sup>17</sup> HC Deb 20 July 2006 c 508

<sup>18</sup> HC Deb 4 July 2007 c 955