

German student arbitrarily detained in Afghan prison

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A German student of Afghan origin was arbitrarily held in the notorious Bagram prison in Afghanistan for 20 days. It was only due to a campaign to inform the public, resolutely waged by his family and fellow students at Frankfurt University, that he was released in late January.

The 23-year-old Zainulabuddin N., known as Haddid, is a civil engineering student at Frankfurt University. He wears his hair short and is a practising Muslim. That was apparently enough to ensure he was targeted by the German police as a suspected supporter of Islamic terrorism.

From 2008, the Frankfurt public prosecutor had him placed under surveillance because of his “proximity to possible terrorist cells”. In October 2009, Haddid tried to fly to Pakistan to visit his grandmother, but he was detained at Frankfurt Airport and deprived of his passport.

The Frankfurt prosecutor was unable to produce any evidence of a connection with terrorism to hold against him. There was no legally relevant evidence for the vague accusations that he had made statements critical of Christians and Jews in the Bilal mosque in Frankfurt-Griesheim. The proceedings were suspended on July 12 of last year and his passport returned in August.

In late November he flew with a friend to Dubai, where his brother lives. From there, he took another flight on December 17 to visit his father, a Kabul businessman, in Afghanistan.

The German prosecutor reacted with alarm, ordering a search to be carried out on his friend when he arrived back in Germany from a visit to the United Arab Emirates. In early January, the police told Haddid’s sister that he was suspected of wanting to join the jihad (Muslim holy war) in Afghanistan. His sister vehemently denied this, informing the police that

Haddid only wanted to pay his father a visit. Upon request, she gave them the father’s address.

Three days later, on January 8, Haddid was arrested in Kabul by US soldiers who ransacked and devastated his father’s house. The son disappeared without a trace.

The family was unable to make contact with Haddid for the next three weeks, during which time they launched a publicity campaign accusing the German authorities of passing on false information to the US military.

Haddid’s lawyer, Frederick Koch, told the *taz* newspaper he presumed the German security authorities had provided the US authorities with false information about Haddid. “Where else could the Americans have got their information from?” asked Koch.

Wolfgang Neskovic, Left Party parliamentary deputy and former judge of the Federal Court, expressed the “pressing suspicion” that the BND (Federal Office for the Protection of the Constitution—Germany’s intelligence service) had something to do with the matter.

The General Students’ Committee (Asta) of Frankfurt University, where Haddid studied, made a public protest. Two thousand of Haddid’s fellow students signed a petition demanding his immediate release.

Haddid’s sister, a Frankfurt lawyer, told the media of the reply from the US embassy in Kabul to an inquiry from the family: Haddid was being “restrained in line with the international law on armed conflict and treated humanely in accordance with the Geneva Convention”, and his detention was being conducted “in close cooperation with the German government”.

The German government, however, denied any involvement in Haddid’s arrest. Germany’s Federal Criminal Investigation Agency (BKA) in Wiesbaden

assured reporters it absolutely had not forwarded any information on to US agencies. After an unstinting two-week public campaign on the part of the family, friends and fellow students, a number of politicians finally condescended to comment on the affair.

Deputies from several parties in the Bundestag (parliament) raised the demand for clarification. Gregor Gysi, the Left Party's parliamentary faction leader, promised to contact Philip Murphy, the US ambassador in Berlin.

On Wednesday, January 26—some 18 days after Haddid's arbitrary arrest in Kabul—Foreign Minister Guido Westerwelle stated in the Foreign Affairs Committee that his ministry was trying to gain access to the man. He refused to divulge any further information, claiming the matter was subject to "security procedure". On January 28, he telephoned US Secretary of State Hillary Clinton.

On January 29, Haddid was released and taken to the German embassy, where he was able to get in touch with his family. A statement from the federal chancellery claimed the whole business had arisen merely from "a misunderstanding".

No one explained how it was possible for such an arrest to occur. But everything indicates that, even after his official release in July 2010, Haddid's name had been placed on a secret "suspected combatants" list accessible to the US authorities. Exactly who maintains this list—the German public prosecutor's office, the BKA or the BND—and who informed the US military intelligence remains unclear.

Haddid's case must therefore be seen as far from closed. It stirs grave concern that German authorities pass on cases of suspected potential terrorism to the US, without being able to provide any proof and without obtaining any ruling in accordance with German legal norms.

Haddid's experience is not unique. Ahmad S., a Muslim from Hamburg, has been in the Bagram prison since July 2010. Furthermore, a rocket from an American drone aircraft struck and killed three people on the Afghan-Pakistani border in October 2010. Among these was the German youth Bünyamin E. The German authorities also suspected him of "terrorism", without supplying any proof or convicting him on any charge.



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