

The NSU neo-Nazi gang and the German intelligence service

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Following a one-week break due to procedural issues, the trial of the neo-Nazi terror gang, the National Socialist Underground (NSU), has recommenced at the Higher Regional Court (OLG) in Munich.

On Tuesday, the 35-page indictment was read. The principal defendant, Beate Zschäpe, is accused of complicity in all the crimes committed by the NSU. Together with Uwe Böhnhardt and Uwe Mundlos, who allegedly killed themselves to avoid arrest, Zschäpe is accused of playing a leading role in the activities of the neo-Nazi group, which murdered eight Turkish-born individuals, a Greek-born small businessman and a German policewoman between 2000 and 2007.

Ralf Wohlleben, a former functionary of the far-right German National Democratic Party (NPD), and Carsten S. are accused of being accessories in the crimes. They are alleged to have provided the gun with which nine of the ten murders were committed. André E. and Holger G. are accused of supporting a terrorist organization.

Months before the trial, debates raged over various procedural issues and the behaviour of the court. Although the case is the largest involving racist murders ever held in Germany and public interest is very large--in addition to the attorney general, about 80 co-plaintiffs from the ranks of the murder victims and their families are involved in the trial--the Higher Regional Court in Munich insisted on carrying out the trial in a small courtroom.

This led to a long dispute over the allocation of the very limited number of seats available to the media. In the first round of accreditation, Turkish media outlets were entirely excluded. Turkish newspapers and politicians protested loudly because eight of the ten murder victims originally came from that country.

The Federal Constitutional Court then ruled that the court was obliged to grant a “reasonable number of seats to representatives of the foreign media, with particular reference to the victims of the indicted offences.” The Munich court then postponed the start of the trial and organized the allocation of places by drawing lots. This

again led to disputes because small provincial papers were awarded places while major international news agencies were left outside.

The delay in the start of the trial and the subsequent one-week interruption meant even more stress and inconvenience for the co-plaintiffs and relatives of the murder victims, many of whom had booked vacations and paid for lodgings in order to take part in the trial.

The bureaucratic and, on occasion, provocative actions of the court have been characterized in media reports as “insensitive” and lacking “political instinct” (*Süddeutsche Zeitung*), but they represent something far more than that. The desperate attempt to ensure a small courtroom is directly connected to a campaign to play down the political importance of the trial and ignore the background to the series of murders, first and foremost, the involvement of German state agencies in far-right terrorism.

Presiding judge Manfred Götzl has stressed on a number of occasions that he wanted to strictly limit the trial to the direct criminal responsibility of the five defendants. The central question of how it was possible for a right-wing terrorist group to carry out its homicidal campaign for years against immigrants under the noses of the police and intelligence agencies is not to be addressed in court.

It has now been confirmed, however, that both federal (BfV) and state (LfV) intelligence agencies, as well as the Military Counterintelligence Service (MAD) and the Berlin state police (LKA), had placed at least 24 undercover agents in the immediate environment of the NSU.

It is also known that the far-right Thuringian Homeland Security (DBS), from which the NSU emerged in the 1990s, was set up by a German intelligence informant, Tino Brandt, and--according to a report in *Der Spiegel* --was funded by the Thuringian state intelligence agency to the tune of hundreds of thousands of marks.

When 21-year-old Halit Yozgat was shot dead in an Internet cafe in the city of Kassel in April 2006, an employee of the Hessian intelligence agency was present at the crime scene and--contends the relevant article on

Wikipedia--left the cafe just a few seconds after the murder.

The official effort to ignore the role of the German secret service and other state agencies in the NSU case makes clear that the object of the proceeding is to cover up rather than reveal the truth.

Even a cursory examination of the known facts in regard to the origins of the NSU and the details of the murders clearly points toward the close links between the murderers and the German state.

In early 1995, the Military Counterintelligence Service (MAD) tried to win over Uwe Mundlos as an employee and informer. According to MAD, however, Mundlos turned down its offer. Then, in November 1997, the Thuringia state intelligence agency had both Mundlos and Uwe Böhnhardt under surveillance as they were buying potential bomb parts.

Two months later the police raided a garage rented by Beate Zschäpe and uncovered a bomb workshop with four functional pipe bombs. Böhnhardt was in the garage at the time of the raid, but was somehow able to leave unhindered.

Later it emerged that the explosives for the pipe bombs, about 1.4 kilograms of TNT, had been provided by Thomas Starke, a former friend of Zschäpe. Starke was an undercover agent of the Berlin State Criminal Investigation Department (LKA).

Under the headline, “NSU explosives supplier was an undercover agent of the Berlin police”, *Spiegel Online* reported last September that “contact between the LKA and the source S” was apparently very close. Starke later helped the trio (Zschäpe, Mundlos, Böhnhardt) in their search for a safe house in the city of Chemnitz.

It remains unclear whether Zschäpe ever collaborated with the security authorities. In November 2011, *Focus Online* wrote: “Beate Zschäpe is reported to have indeed worked for the secret service in Thuringia.”

According to a report from the state LKA, Zschäpe provided the authorities with information on the far-right milieu, i.e. had worked as an undercover agent, receiving protection at the time from her employer, Thuringia’s intelligence apparatus. During this period, Zschäpe is alleged to have used no less than five aliases.

The Thuringian secret service deny these reports, admitting that they had been in contact with Zschäpe and considered recruiting her as an agent, but then rejected her due to her instability and drug use.

The situation remains murky, due to the refusal of the intelligence agencies to make available important information. Immediately after learning in November 2011 of the NSU’s series of murders, officials shredded intelligence files in bulk that could have shed light on links between the terrorist cell and the authorities. Throughout this period, there were continual references to ‘mishaps and

‘regrettable mistakes’ committed by ‘unthinking’ clerical officers.

Nevertheless, the illegal behavior of the security agencies is so evident that the president of the federal intelligence agency, Heinz Fromm, and the intelligence chiefs of four state agencies (Thuringia, Saxony, Saxony-Anhalt and Berlin) have already been forced to resign.

Despite these facts, no one in political and media circles dares to state the obvious: that the NSU murders took place in the context of close cooperation between the perpetrators and sections of the German intelligence apparatus.

This apparatus either supports or covers up for the far-right milieu because it shares much of its ideology. The revelations so far have already indicated the existence of a state within the state, which is free from any parliamentary control and pursues extreme right-wing and racist goals.

At the same time, such links have a tradition in the German secret service. The entire history of this gigantic agency, which employs thousands of staff and undercover agents operating centrally and in no less than 16 regional offices, is tainted by its right-wing past.

Founded in 1950 by the US and its allies as a tool of the Cold War, the German intelligence agency employed many former members of the Nazi regime and the Gestapo.

When the Konrad Adenauer government (1949-63) took control of the agency from the allies in 1955, it promoted a former leading Nazi to be its new chief. Hubert Schrübbers served the Nazi regime as a member of the SA [the paramilitary wing of the Nazi Party] and chief prosecutor for 17 years. According to Wikipedia, Schrübbers then recruited “a large number of former SS [the most notorious Nazi paramilitary outfit, which emerged from the SA] and SD [Nazi intelligence service] members to prominent posts in the agency.”

The first BfV president’s deputy was Ernst Brückner, another former SA man. Brückner was also a member of the Nazi Party and from 1941 the head of the security police in occupied Poland, where the Nazis committed some of their worst war crimes.

These right-wing, racist and profoundly anti-democratic traditions of the German state apparatus, which indicate the close links between the NSU murders and the intelligence agencies, are to be kept secret in the Munich trial. This is the only conclusion that can be drawn from the trial so far.



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