

# Was the Berlin Christmas market attacker an undercover agent?

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A report published just over a week ago by the Federal Criminal Office (BKA) raises the question of whether Anis Amri was an intelligence agent.

Amri allegedly drove into a Christmas market with a lorry on December 19 and killed 12 people. He is also accused of shooting and killing the lorry's Polish driver.

Just days after the attack, it was already clear that Amri had prepared the attack under the noses of the police and intelligence agencies. He had been under constant surveillance over the previous two years and was in contact with an agent with the North Rhine-Westphalia (NRW) state intelligence agency.

On the basis of the BKA's confidential report, it is possible to reconstruct Amri's activities in Germany quite precisely. The police and intelligence agencies concentrated on Amri almost weekly and followed all of his actions.

Amri came from Italy to Germany in the summer of 2015. He had already received a four-year custodial sentence. He was initially sent to a refugee accommodation centre in Emmerich (Kreis Kleve), NRW.

Already at that time, the 22-year-old was noticed because he had pictures of ISIS fighters on his mobile phone. In December 2015, other refugees reported to the immigration authorities in Kreis Kleve that he "supposedly maintained contact with Islamic State." Eventually, the authorities were aware of 14 identities used by Amri.

Amri became involved with the Salafist movement, into which the NRW state intelligence agency had embedded at least one agent. He reported repeatedly to the police about Amri. "The source spilled over," wrote the *Süddeutsche Zeitung*, which saw the BKA report. These reports filled entire files.

On the basis of these reports, the state prosecutor ordered Amri's phone to be tapped in November 2015. Somewhat later, Italian intelligence agencies sent photos

and detailed personal information to Germany.

In February 2016, the intelligence agent reported that Amri was becoming more withdrawn and reading the Koran, as if he wanted to be purified as some suicide attackers do prior to an attack. He was designated as a "threat" by the NRW state intelligence agency.

At the same time, the state BKA in NRW sent their intelligence about the Islamist network in which Amri was involved to the state prosecutor in Karlsruhe. The top German prosecutor took up an investigation against the group for supporting terrorism and recruitment for a terrorist organisation and in November ordered the arrest of its leader, Abu Walaa, as well as the hardcore members of the group. However, Anis Amri was left at large.

A variety of intelligence agencies were now watching him as he travelled regularly between Dortmund and Berlin. He was driven at least once by the intelligence agent. Between March and September, the Berlin state prosecutor conducted an investigation into Amri. He was intercepted and observed, but allegedly not for terrorist planning but for petty drug trafficking. According to the *Süddeutsche Zeitung*, the BKA report alleges that "religious questions" supposedly fell into the background during Ramadan.

On July 30, police arrested Amri on a bus at the border with Switzerland because drugs and false identities were found on him. After two days, he was released from the justice detention centre in Ravensburg after consultations with the immigration authorities in Kreis Kleve and the NRW Interior Ministry.

The head of the justice detention centre in Ravensburg told Westdeutsche Rundfunk that if everything had been known at the time that was known by the authorities in NRW, they could have held Amri longer. But the authorities kept the information to themselves.

Then on September 19, Morocco's intelligence agency warned the BKA and the foreign intelligence service

(BND) that the Tunisian could carry out an attack. Two days later, on September 21, 2016, the Berlin police ended their observations, allegedly because there was no evidence of an impending criminal act.

A new warning was sent from Morocco to the German intelligence agencies in October. The NRW state intelligence agency was warned on several occasions by the Moroccan and Tunisian intelligence agencies about Amri, the last time on October 26. The NRW state intelligence agents merely checked the location of his phone and found he was residing in the Berlin-Brandenburg area.

The Joint Terrorism Defence Centre (GTAZ), in which 40 security agencies at the state and federal levels are represented, held a total of seven meetings about Amri. But nobody allegedly saw any risk.

Nonetheless, the authorities entered Amri's name into a nationwide police Inpol database as a "foreign fighter"—i.e., as a terrorist—last October. This information was sent to all 26 countries party to the Schengen agreement.

Amri was not arrested due to a lack of legal means, even though this is how it is portrayed. The authorities could have filed an application for deportation or security detention with a court and held Amri for up to 18 months as a "threat." They could have then arrested him under a charge of terrorism. But none of this occurred. Amri remained concealed and on December 19 was able to carry out his attack.

The BKA in particular played down the threat posed by the young Tunisian. In December 2015, the BKA deemed it "very unlikely" that Amri would carry out an attack. At one of the GTAZ meetings, an official of the BKA stated that the agent reporting about Amri had been part of a previous case in which he had provided "exclusive intelligence." ("Exclusive means in general: there was nothing to it," the *Süddeutsche Zeitung* explained.)

The BKA designated Amri as a standard petty criminal to whom religious rituals meant nothing. "In the course of the measures, indications of planning for religiously motivated acts of violence did not arise." The BKA report stated further, "The impression emerged of a young man on the move, erratic and appearing quite unstable."

As is now known, Amri prayed at a mosque in Berlin-Moabit shortly before the attack.

Who was responsible for playing down the threat of Amri is one of the open questions in the case. Was he even perhaps an agent for one of the authorities? This suspicion was even held by some police authorities,

because all pending investigations against Amri were halted, even an investigation for social welfare fraud in Duisburg. Additionally, there was no inquiry against him for grievous bodily harm and drug trafficking. Based on historical experience, this is a clear sign that someone is under the protection of a senior police or intelligence authority.

Amri cannot comment on these latest details. The 24-year-old was shot and killed by Italian police on December 23 in Milan.

The insistence by all state intelligence agencies that they were unaware that Amri was preparing an attack is worthless. This is well known from numerous previous attacks—the terrorist attacks of November 13, 2015, in Paris; April 15, 2013, in Boston; and September 11, 2001, in New York City. In every case, the security services had the attackers under surveillance for a long time and did not intervene to stop them from carrying out their plots.

Each attack provided the justification for a huge buildup of the state apparatus, and the latest attack on the Berlin Christmas market is no different.

Interior Minister Thomas de Maizière (Christian Democrats—CDU) responded at the beginning of January with the demand for the restructuring and centralisation of the security apparatus. The BKA had to be strengthened and the state intelligence agencies dismantled in favour of a federal administration and the construction of a "genuine federal police." He published these demands under the headline "Guidelines for a strong state in difficult times" in the *Frankfurter Allgemeine Zeitung*.

CDU chair Thomas Strobl, interior minister in Baden-Württemberg, subsequently called for unlimited detention pending deportation for threats and criminals.

On Tuesday, the federal government decided to appoint a special investigator or initiate a parliamentary investigatory committee into the December 19 attack. Merely an internal investigatory group of the Parliamentary Control Commission (PKGr) will shortly present a report. The question must be asked: Who has an interest in this cover-up?



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