

French courts sabotage probe of official financing of Islamic State terrorism

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The Paris appeals court dropped charges of complicity in crimes against humanity targeting the Lafarge corporation just before the fourth anniversary of the November 13, 2015 attacks in Paris and the conclusion of an investigation by anti-terror magistrates. On that date, deadly attacks by the Islamic State (IS), which was receiving funding from Lafarge with state complicity, claimed 130 lives and wounded 413 people.

Lafarge, an industrial company specializing in building materials, financed IS to the tune of at least \$13 million while a wave of terrorist attacks devastated Europe from 2014 to 2016. This financing continued after the deadly attacks on *Charlie Hebdo* in Paris in January 2015.

The court ruling is line with Lafarge lawyers' demands. In March 2019, charges were dropped against former LafargeHolcim director Eric Olsen—which, *L'Express* noted, “began the defense lawyers' counterattack.” Charges were scaled back against a key defendant in the affair, Lafarge security chief Jean-Claude Veillard, and Frédéric Jolibois, the director of Lafarge's Syrian plant starting in 2014, was released from preventive detention. *Le Monde* wrote that this scaling back of charges would “automatically knock major ‘holes’ in this complex legal case.”

The appeals court kept accusations of “financing terrorism,” “violating an embargo,” “endangering the lives” of former workers at Lafarge's Jalabiya, Syria plant.

The charge of “complicity in crimes against humanity” was the most serious and had the broadest scope, however. The dropping of this charge limits the scope of investigations and effectively blocks a trial that would reveal the state's actions between 2012 and 2016, and their repercussions with deadly attacks in

France, Belgium, Germany, Britain and Spain.

Unlike the investigating magistrates, the appeals court demanded investigators prove not only that Lafarge financed crimes against humanity, but that Lafarge intended to commit such crimes.

Investigators had argued that Lafarge's “intention” was proved by the fact that it was aware of IS crimes and contributed to them by financing IS. Courts “do not insist that someone guilty of complicity in crimes against humanity ‘share the same ideologically hegemonic policy as the main actors.’ Nor is it necessary for an accomplice to ‘know the precise crime being planned,’” they wrote in a note. The UN and the European Parliament reported IS war crimes and crimes against humanity in 2015 and 2016.

In October, prosecutors threw out four civil plaintiffs from the case, preventing any intervention by the public. Prosecutors settled on “throwing out all the legal briefs that non-governmental associations had filed,” wrote the Sherpa association, one of the plaintiffs, adding that without the civil plaintiffs “this case would not exist.”

Another civil plaintiff, the Chredo (Coordination of Christians in danger in the Orient), accused the state of “not respecting the obligation to mention Lafarge among the entities financing terrorism, though it was known to be doing so.”

This dropping of charges impedes the organization of a trial that would expose the imperialist policy of the French government and its NATO allies in Syria and the role of Western intelligence agencies during the deadly attacks of 2014-2016. In the war for regime change they launched against President Bashar al-Assad's regime in Syria, the NATO imperialist powers used Islamist terrorist militias like IS as proxy forces.

A key aspect of the affair was the ties between

Lafarge's financing and terror attacks in Europe. The Life in Paris association, which represents victims of the November 13 attacks and their relatives, had been allowed to file charges in January 2018. Investigating judges ruled it was "established" that "the overall size and duration" of Lafarge financing allowed IS to "plan and carry out violent attacks in Syria and abroad, including in France."

L'Express wrote in May 2018: "According to judicial sources, 'bank notes found in the pockets of Abaaud [the suspected organizer of the November 13 attacks] or of others could have come from Lafarge.'"

According to investigating magistrate Charlotte Bilger, "nothing allows us to rule out the hypothesis that funds that Lafarge could pay to terrorist groups would have helped to finance the terror attacks in Paris on November 13, 2015." Nevertheless, the Paris prosecutor's office opposed allowing the association to be listed as a plaintiff in the case, claiming the charges were outside the association's legal competence.

In a May 7, 2018 article, "Lafarge, the shadows of November 13," *L'Express* noted: "According to judicial customs officials investigating for the investigating magistrates, Lafarge paid funds until 2015 to various terrorist organizations, including IS. The date is critical: indeed, on January 9, 2015, Amédy Coulibaly committed crimes, targeting a municipal policewoman in Montrouge and a kosher market in Vincennes in the name of IS, formally establishing the link via a posthumous video."

The magazine added, "Investigators set up a chart of payments made to intermediaries known to be close to terrorist elements, and it seems that these payments continued after IS first claimed responsibility for attacks waged in France. ... Thus, a line in this chart titled 'payments, supplies' notes that seven suppliers of raw materials established in Raqqa ... received from Lafarge the equivalent of \$3 million between 2010 and February 2015—which executives like Frédéric Jolibois downplayed during their interrogations."

One row in this "chart describes 'payments made to intermediaries' between December 4, 2013 and January 31, 2015 for a total of \$240,000. ... Clearly this was not enough to embarrass certain executives of Lafarge, who thus continued to pay their 'alms,' as one of them put it, to the organization," continued *L'Express*.

It is now established in particular that Veillard was in contact with the Elysée presidential palace, in "October or November 2014" by his account, to "make clear that this factory could serve as a base in the context of a deployment of French military forces." Lafarge also established permanent contacts with France's General Directorate of Interior Security (DGSI) regarding its ties and payments to IS—contacts which, according to a declassified DGSI report, continued until 2016.

The questioning of former minister for Foreign Affairs Laurent Fabius, who denied all knowledge of any aspect of the case, reinforced suspicions that the Elysée and the foreign ministry were perfectly well informed.

Though it is also under investigation, the DGSI was allowed access to the case files. In October 2018, Lafarge lawyers accused it of "bias" and "conflict of interest." The DGSI participated in searches of Lafarge facilities, participated in interrogations of suspects, and wrote up reports and summaries for the judges.



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