

German court imposes lengthy sentence on Islamist preacher accused of supporting ISIS terrorist group

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The Zelle Regional High Court sentenced the Iraqi Ahmad Abdulaziz Abdullah A., known as Abu Walaa, to 10-and-a-half years in prison for being a member of a foreign terrorist organisation, an accomplice to the preparation of a seditious crime and the financing of terrorism.

The court deemed it proven that the preacher of the now prohibited “German-speaking Islamic Circle of Hildesheim” was a leading member of the IS terrorist group in Germany, radicalised young people, encouraged them to carry out terrorist attacks and helped them to reach IS-controlled territory in Syria and Iraq.

Three co-accused were convicted of supporting a terrorist organisation and were sentenced to eight, six-and-a-half, and four years imprisonment, respectively, because they recruited men for IS from Hildesheim and the Ruhr Region.

With its ruling, which can be appealed, the court came close to meeting the state prosecutor’s request that Abu Walaa be sentenced to 11-and-a-half years in prison. By contrast, the defence appealed for a much milder sentence or acquittal. They justified this by calling into question the credibility of the key witness upon which the charges were based.

Although the trial lasted three years and included 246 days of proceedings, it raised more questions than it answered.

The main witness, the intelligence agency informant code-named Murat Cem, whose alias was VP01, infiltrated the group around Abu Walaa over a period of years to spy on it on behalf of the state bureau of criminal police (LKA) in North Rhine-Westphalia. However, he did not receive authorisation from the state government to testify.

Although the presiding judge Frank Rosenow repeatedly sought to compel this in writing, neither the court nor the defence were able to question him. Instead, the witness bench was occupied by police officers who reported his testimony.

The fact that the informant was not permitted to testify to the court is significant above all because he was in close

personal contact with Anis Amri, who crashed a truck into a Christmas market in Berlin on December 19, 2016, killing 12 people. Cem probably knew Amri better than any of the Islamist’s ideological co-thinkers, noted *Der Spiegel*. The pair often spent days together.

Cem made the acquaintance of Amri while he was spying on Abu Walaa’s group. Amri was active in the group and personally knew all four men who have now been sentenced. He participated in Abu Walaa’s seminars and lived for a time in Dortmund with Boban S., who has now been sentenced to eight years in prison.

The informant Cem became one of Amri’s closest confidants. They discussed planned attacks and the purchasing of weapons. According to his own statements, Cem warned his superior in the LKA North Rhine-Westphalia repeatedly about the threat posed by Amri. He also chauffeured Amri to Berlin in February 2016, 10 months before he carried out his attack.

The background to the Breitscheidplatz terrorist attack remains murky to this day. It is known that the LKA from North Rhine-Westphalia, as well as other police and intelligence agencies, had Amri on their radar. They knew about his plans for a terrorist attack and allowed him to go ahead with them. The Abu Walaa trial could have provided answers about the background to the attack.

However, it was conducted in the same way as the major trials against right-wing extremist terrorists—the NSU trial in Munich, the Lübcke trial in Frankfurt, or, 40 years ago, the investigations into the Oktoberfest attack in Munich. As soon as the role of the intelligence agencies and security forces came into focus, inquiries were shut down. The executive branch, the interior ministers, and the intelligence agencies determine what the judiciary can and cannot know. A mockery of the principle of the balance of power and the independence of the judiciary!

The prohibition of the main witness from testifying is all the more peculiar because he was not afraid of speaking in

public. In March 2019, without the police's knowledge, he contacted *Der Spiegel* to tell his story. A team from the news magazine repeatedly met with Cem, spoke to him for hundreds of hours, travelled with him to operation locations, evaluated tens of thousands of pages from files about his case, and spoke with investigators, colleagues, and relatives.

The result of this research was a lengthy front-page story in *Der Spiegel* and the 320-page book "Undercover: An informant tells all," which detailed Cem's 20-year career, including his relationship with Amri and Abu Walaa.

Cem portrayed his own role and motives to *Der Spiegel* in the rosiest colours, but the fluidity of the transition from informant to agent provocateur is well known. Early on, the suspicion arose that Cem strengthened Amri's belief in his terrorist plans. During the trial, one of the defendants accused him of being a provocateur and inciter of the most serious crimes. Cem's history certainly does not speak in his favour. He was hired by the police after having accumulated a criminal record of 12 offences, and he faced a lengthy prison sentence due to drug trafficking.

Cem testified to the parliamentary investigative committee in Germany's federal parliament in December during a hearing on the Breitscheidplatz attack. He did not appear in person, but spoke behind the cover of an altered face and voice via video link. This would also have been possible in the Abu Walaa trial. The fact that North Rhine-Westphalia's Interior Ministry refused to grant the authorisation for the now inactive informant is a clear indication that there is a desire to conceal something.

The second key witness upon which the court based its verdict was anything but credible. The former Islamist Anil O. appeared in court under the disguise of sunglasses and a blond wig and testified during 20 days of proceedings. But the defence considers the now 25-year-old to be a notorious liar.

Anil O. moved with his wife and child to a Syrian war zone in the summer of 2015, but turned against IS six months later and fled to Turkey. While there, he spoke with German reporters. He then offered himself to the German security authorities as a key witness against Abu Walaa, who he described as IS' number one in Germany. They repaid him with a mild punishment of a two-year suspended sentence and his acceptance into a witness protection programme.

The court justified its belief in Anil O.'s credibility by stating that he detailed the complex proceedings almost without contradiction and that there were "striking overlaps" in his testimony and that of Cem. However, according to statements from the defence lawyer Thomas Koll, who represented Abu Walaa, O. "prior to making his statements, received comprehensive information about the files,

including of course the statements of VP01." He was therefore able to compare his testimony with the statements of Cem, who could not be questioned by the court.

Koll takes the view that the key witness merely supplied the information expected of him by the investigative authorities. Anil O.'s ability to do this is beyond doubt. Even the court described the ex-Islamist, who obtained top marks in his high school diploma and began a course in medicine before he was radicalised, as having an "above-average intelligence" and being "eloquent."

The fact that Abu Walaa had ties to IS was confirmed by other witnesses during the trial. But it is questionable whether he was such a dominant figure as he is now being portrayed. There is much to suggest that his role is being exaggerated to divert attention from the role of state agencies in the Breitscheidplatz terrorist attack.

Already three years ago, the WSWS posed the question, "Was the terrorist attack on the Berlin Christmas market an 'intelligence agency operation with deadly collateral damage'?" At the time, we based ourselves on reports from *Die Welt* and the Green Party politician Hans-Christian Ströbele, suggesting "the involvement also of international intelligence agencies," including explicit reference to the US. "They likely saw Amri as a decoy who would lead them to those backing him, IS plotters of terrorist attacks in Libya," wrote *Die Welt*.

There were also domestic political considerations that supported allowing the attack to take place. The Federal Office for the Protection of the Constitution, Germany's national domestic spy agency, followed Amri's activities at the highest levels. Even at this stage, the suspicion was raised that Cem encouraged Amri's plans for the attack. A potential accomplice of Amri's, the Tunisian Bilel Ben Ammar, was rapidly deported shortly after the attack.

In an article on the deportation of Ben Ammar, we commented, "it is impossible to reject out of hand the suspicion that the state authorities allowed the Breitscheidplatz attack to take place in order to produce the necessary political climate for their militarist policy, the build-up of a police state and the intensification of deportations, and to create the conditions that made possible the rise of the AfD [Alternative for Germany]."

The prohibition on Cem testifying in the Abu Walaa trial has further strengthened this suspicion.



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