



Der digitale Osama

Ortstermin: In Celle versucht ein Gericht, den Cyber-Terrorismus in den Griff zu bekommen.

Allah sei Lob, ich mahne die Jugend des Islam zum Dschihad an. Allah sei Lob, unser Leben endet eines Tages, und danach ist unser Unterhalt im Himmel. Also lautet die Botschaft des Osama Bin Laden, im Sechsten Brief an die Gemeinschaft der Gläubigen, verfasst in Chorasán, Afghanistan, am 4. Januar 2004. Verlesen in Celle, Niedersachsen, von einem Gerichtsdolmetscher in Saal 94.

Es lauschen vier Richter, zwei Bundesanwälte, ein Strafverteidiger, zwei Polizisten. Es lauscht ein Mann mit Bart und dunklen Augen, Ibrahim R., 1970 geboren in der nordirakischen Stadt Kirkuk, angeklagt der Werbung um Mitglieder für eine terroristische Vereinigung. Er soll die Rede Bin Ladens im Netz verbreitet haben und noch zwei Dutzend mehr.

Ein „Cyber-Terrorist“, so heißt es, der vor Gericht steht, in Deutschland der Erste seiner Art.

Bewaffnete sichern das Oberlandesgericht Celle, Panzerglas, Videoüberwachung, der Staatschutzsenat verhandelt im Hochsicherheitsstrakt, man rechne mit „Störungen“, steht in den Besucherinformationen, man sei gerüstet dafür. Doch der Zuschauerraum bleibt leer.

Es spielt im Abseits, dieses Grundsatzerfahren, und trifft doch das Zentrum einer aktuellen Debatte in der Politik. In einer Zeit, in der das Internet so gefährlich erscheint, dass das Bundesverfassungsgericht sich mit Online-Durchsuchungen beschäftigen muss; in der gefragt wird, wie man sich wehren kann gegen eine Gefahr, die Internet-User zu Terroristen macht: Wie ist er zu werten, der virtuelle Dschihad? Als Meinungsfrage? Als Verbrechen, das zurückwirkt in die reale Welt?

„Der Westen versucht heutzutage zu zweifeln, den Dschihad zu diffamieren und jeden, der unter seinem Banner kämpft, im Namen der Terrorbekämpfung zu töten.“ Der Dolmetscher liest, Ibrahim R. sitzt stumm. Er hat noch nichts gesagt im Prozess. Er trägt Kopfhörer, besonders gut Deutsch kann er nicht. 1996 kam er nach Bayern, als Flüchtling, durfte bleiben und geriet nach dem 11. September 2001 ins Visier der Staatsanwaltschaft München II. Er kannte Männer, gegen die ermittelt wurde. Nachzuweisen war ihm nichts.

Er zog nach Norden, in die Nähe von Osnabrück. Heiratete islamisch, wurde dreimal Vater und ein viertes Mal, als er dann in Haft saß. Wurde überwacht und am Telefon abgehört, verlor seinen Job in einer Zeitungsfirmen und fand keinen mehr, hatte zu viel Zeit und verbrachte sie im Netz, vor allem in einem Chatroom, der „al-Ansar“ heißt: die Unterstützer. Von dort aus, sagt die Anklage, hat er Botschaften von Bin Laden, Sarkawi und Sawahiri, von al-Qaida also, ins Netz gestellt oder neu verlinkt.



Anwalt Rüther, Angeklagter R.: Nur Phantasien im Internet?

Im Oktober 2006 wurde er verhaftet. Im Mai 2007 überprüfte der Bundesgerichtshof den Haftbefehl, verwarf einige der Haftgründe, ließ andere bestehen und machte die Sache komplizierter für die Ankläger.

Reine „Sympathiewerbung“ sei erlaubt, befand der BGH. Also auch die für den Dschihad. Straftat aber sei die Werbung um Mitglieder für eine Terrororganisation. Wer die Rede eines Terroristen verschicke, könne das auch zu Informationszwecken tun. Das sei gestattet. Wer sie aber als „eigenes werbendes Eintreten“ verstanden wissen wolle, der mache sich strafbar. Es sei die Absicht, die zählt.

Die Gesinnung also. Das, was sich im Kopf abspielt. Aber wie schützt sich ein Staat vor Gesinnung? Darf er das?

Ein Wichtigtuer, der im Internet seine Phantasien austobt, so ungefähr sieht ihn sein Anwalt Klaus Rüther, ein Pflichtverteidiger, der in diesem Fall mehr sieht als seine Pflicht. Gesinnungsjustiz. Er mag so etwas nicht.

Ein ernsthafter Streiter für echten heiligen Krieg, das ist R. in den Augen von Monika Harms, der Generalbundesanwältin, die die Anklageschrift unterschrieb.

So hat sich der Prozess zu einem Seminar für politische Bildung entwickelt, schnell geht es nicht. Dies ist die 14. Botschaft, die im Verfahren zum Vortrag gebracht wird, sie heißt „Anspornen und Antreiben zum Dschihad“. Es ist ein Prozess um Worte, um Auslegung, um Weltanschauung und ihre Folgen, ein mühsamer Prozess, den ein Staat führt gegen einen Mann, der sich beruft auf die Grundrechte einer Gesellschaft, die er, möglicherweise, gern in die Luft sprengen möchte. Oder doch nicht?

Ein Richter blättert, einer kritzelt, einer schaut ergeben vor sich hin. Bin Laden schlägt die Schlachten von 2500 Jahren, gegen den Westen, gegen die Kreuzritter, die arabischen Verräter und die Demokratie. Ein klein wenig Licht fällt durch Fensterschlitze, draußen muss ein schöner Tag sein. Der Dolmetscher kommt jetzt zu Fußnote 92.

Er liest, trägt vor, wach und präsent und nicht mühsam die Augen offen haltend wie manch anderer im Saal, er schiebt

manchmal ein arabisches Originalzitat dazwischen, in der Kaffeepause sagt der Übersetzer: „Verstehen Sie mich bitte, das Original ist sprachlich einfach wunderbar.“

Die Rhetorik des Osama Bin Laden. Ein Meisterwerk, sagt er. Ein gefährliches, millionenfach verbreitetes Meisterwerk, überall gibt es die Reden im Netz, nicht nur über den Chatroom al-Ansar.

Wenn Bin Laden der Brandstifter ist, was ist dann Ibrahim R.? Ein echter Zünder? Und ab wann darf man einschreiten gegen so einen zündelnden Agitator? Es ist ein Musterprozess über Freiheit und Sicherheit, er dauert schon fünf Monate und wird sich noch über Monate ziehen.

Man kann nicht wissen, was der Angeklagte denkt. Er sagt ja nichts. Vielleicht wird er irgendwann etwas sagen, aber bisher lässt er sich nur betrachten, sein Bart ist etwas länger als früher, auf dem Kopf trägt er das Käppchen des frommen Muslim.

Früher, vor der Verhaftung, war er eher mit Baseballkappe zu sehen. BARBARA SUPP

FOTOS: JORG MÜLLER / VISUM

U.S. reportedly gives immunity in Iraq incident

From the Associated Press

WASHINGTON — The State Department promised Blackwater USA bodyguards immunity from prosecution in its investigation of last month's deadly shooting of 17 Iraqi civilians, U.S. officials said.

The reported immunity deal has delayed a criminal inquiry into the killings and could undermine any effort to prosecute security contractors for their role in the incident.

"Once you give immunity, you can't take it away," said a senior law enforcement official familiar with the investigation.

State Department officials declined to confirm or deny that immunity had been granted. One official — who refused to be quoted by name — said: "If, in fact, such a decision was made, it was done without any input or authorization from any senior State Department official in Washington."

FBI agents were returning to Washington late Monday from Baghdad, where they have been trying to collect evidence in the Sept. 16 embassy convoy shooting without using statements from Blackwater employees who reportedly were given immunity.

Three senior law enforcement officials said that all of the Blackwater bodyguards involved were given the legal protection as investigators from the Bureau of Diplomatic Security sought to find out what happened. The bureau is an arm of the State Department.

The law enforcement and State Department officials spoke on condition of anonymity because of the sensitivity of the inquiry.

Blackwater spokeswoman Anne Tyrrell declined to comment about the U.S. investigation.

The company has said that

on Sept. 16, its convoy was under attack before it opened fire in west Baghdad's Nisoor Square, killing 17 Iraqis. A follow-up investigation by the Iraqi government, however, concluded that Blackwater's men were unprovoked. Iraq has demanded the right to prosecute, but a rule imposed by U.S. authorities after the invasion of Iraq gave contractors immunity from Iraqi law.

An initial incident report by U.S. Central Command, which oversees military operations in Iraq, also indicated there was "no enemy activity involved."

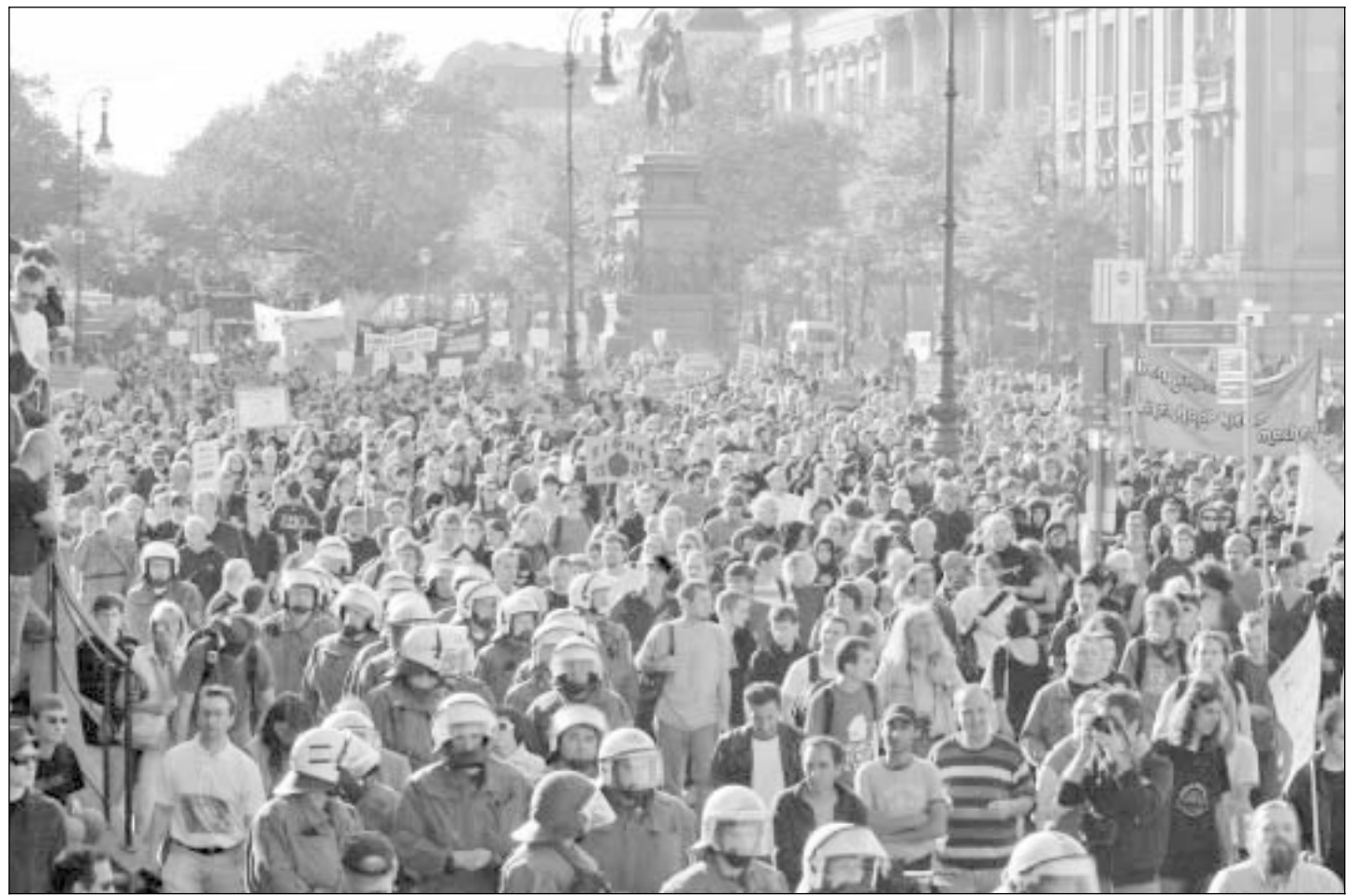
The FBI took over the case early this month. It has interviewed some of the Blackwater employees, and one official said Monday that several had refused to answer questions, citing their constitutional right to avoid self-incrimination. Any statements to the FBI could be used to bring criminal charges.

A second official, however, said that not all of the guards had cited their right against self-incrimination — leaving open the possibility for future charges.

It's not clear why the Diplomatic Security investigators agreed to give immunity to the bodyguards, or who authorized doing so.

Bureau of Diplomatic Security chief Richard J. Griffin last week announced his resignation, effective Thursday. Senior State Department officials, speaking on condition of anonymity, have said his departure was directly related to his oversight of Blackwater contractors.

Last week, Secretary of State Condoleezza Rice ordered a series of measures to boost government oversight of the private guards who protect U.S. diplomats in Iraq. They include increased monitoring and explicit rules on when and how to use deadly force.



MARKUS SCHREIBER Associated Press

KEEPING WATCH: Riot police escort about 8,000 demonstrators in central Berlin in September as they protest against planned laws to collect personal and private data. Many Germans fear a return to the often-severe anti-terrorism measures of the 1970s.

Germany seeks to spy on suspects' computers

[Germany, from Page A1]

West Germany to fight the devastating tactics of the leftist Red Army Faction.

And in today's high-tech world, the proposed measure causes a chill to those who see hard drives as the new window to the soul.

"Back in the '80s when people were fighting the census, it was because they feared the state could find out that they were not honest toward the tax authorities or something like that," said Sven Lueders, head of the Humanist Union of Berlin, which helped organize a recent protest against the so-called Bundestrojaner, or federal Trojans. "Now what people fear is that the state can actually look into your computer. Because almost everybody has something on his computer that he doesn't want somebody else to see."

"If you spy on my telephone calls, you can never have as big a picture of me as if you can read my hard drive," said Constanze Kurz, an activist with the Berlin-based hacker organization the Chaos Computer Club, which has pledged to find and publicize the first government Trojan.

"My communications, my private photos, my private films, all of my research. And if you install that Trojan on the computer, you can look not only at this data on the hard drive, but you can see what I'm typing, you can collect my thoughts as I'm typing them in," she said. "If you give me your computer for one hour, I will know everything about you."

Already, Romania, Cyprus, Latvia and Spain have laws that allow "online searches," according to a report from Germany's Interior Ministry, which conducted an informal survey in Europe. Switzerland and Slovenia appear to also allow such searches, and Sweden is in the process of adopting similar legislation, the report said.

In the U.S., where battles are being fought over warrantless surveillance of telephone and Internet communications, the FBI is known to have implanted software designed to identify target computers. But it is unknown, and the FBI won't say, whether the government has tried to surreptitiously search the contents of hard drives.

"I'm not aware of that technique being used in the United States," said Marc Rotenberg, president of the Washington-based Electronic Privacy Information Center. "But it's also not clear, given the current view of the president on his powers to conduct electronic surveillance, that it hasn't been used."

Europe has been scrambling in recent months to adopt new counter-terrorism measures as recent arrests in Britain, Germany and Denmark have shed light on the increased number of militants raised in Europe.

On Nov. 6, the European Union's justice commissioner, Franco Frattini, will propose a new set of counter-terrorism measures that is expected to include proposals to block Internet sites offer-



KIM MURPHY Los Angeles Times

LATEST FAD: T-shirts that refer to the infamous secret police bear the image of German Interior Minister Wolfgang Schaueble.

ing bomb-making recipes and to make online recruiting of terrorists a criminal offense.

"The picture of the terrorist of today doesn't have an AK-47 under his arm, but he has a laptop on his lap," Schindler said in an interview at his well-guarded Interior Ministry office.

The mood in Germany since the latest wave of arrests in September has been tense, with senior officials warning that they cannot hope to stop all the plots believed to be underway.

"A terrorist attack with nuclear weapons is certain. The question is no longer whether such an attack could be carried out by terrorists, but when," Schaueble told the Frankfurter Allgemeine newspaper in September.

Defense Minister Franz Josef Jung has warned that he would be prepared to order the shooting down of a commercial airliner hijacked by terrorists under emergency laws, despite a court ruling that held such a measure illegal.

Police say that although the current authority to enter a suspect's home and seize computers and storage drives for inspection is helpful, there are times when the ability to probe without the suspect's knowledge, by way of an e-bug implanted when he unknowingly opened an e-mail attachment, might yield crucial information.

"I can imagine lots of cases where it's sensible not to do a physical search first," said Kon-

rad Freiberg, chairman of Germany's police union, who is an advocate of the proposed new authority.

"For example, if a suspect is under telephone wiretapping and we know from his phone calls that he's planning an attack. At the moment, we would have to go to his apartment and search his apartment. But then he would know that we are there. And maybe in this case, it would be more sensible to let it go for a couple of days, look at what he's doing, see what he's planning, and do that secretly, in hiding," he said.

Federal intelligence agencies already had been conducting these kinds of online searches but were forced to halt the practice in February, when the Federal Court of Justice ruled it was illegal. The interior minister said such searches would not resume before the passage of legislation, and possibly an amendment of Germany's Basic Law, to allow them.

The government is awaiting a decision from the federal Constitutional Court, which is hearing a legal challenge to the procedure brought in a provincial case, and, depending on the outcome, could present proposed legislation by the end of the year.

Critics of the proposed policy complain that it could circumvent the normal, adversarial legal procedures for searches precisely because of its secrecy.

"It is already possible with

the decision of a judge to physically search computers, but it has to be approved by a court. And since it is necessary to have it approved by a court, it is also possible to object," said Hans-Christian Stroebble, a member of parliament from the Green Party. "But if you want to do it secretly, it runs completely out of the control of legal procedure."

"What we fear is that without any hint of a criminal background, police can secretly go into computers, maybe even the computers of political opponents, and spy them out, gaining access to personal data like photos, diaries, love letters, things like that," Stroebble said.

Law enforcement authorities emphasize that they are seeking an official legislative sanction to ensure that proper protections are in place.

"We need to put this into a clear framework of rules, which means it has to be clearly defined who is going to allow online searches," Schindler said. "It's not going to be a police officer who decides that; it of course will be a judge who decides."

Computer aficionados say it's doubtful that any criminal worth his salt would be foolish enough to open an e-mail attachment with a Trojan virus embedded in it. Government officials responded that they might embed the programs in communications from the tax authorities — a proposal that raised more controversy, with critics saying it would cause the public to mistrust all government communications.

German authorities are also trying to regulate the distribution of militant material on the Internet. In a groundbreaking case in the city of Celle, an Iraqi Kurdish immigrant identified only as Ibrahim R. is on trial for forwarding videos made by Osama bin Laden and other Al Qaeda leaders, available elsewhere on the Internet, into Islamic militant chat rooms.

Prosecutors, who have charged him with supporting terrorism, say his postings amount to conducting a "virtual jihad."

But Klaus Ruether, his defense lawyer, said anyone might forward such videos; Ibrahim R.'s crime is that he seemed to agree with the points of view expressed, the lawyer said.

"If a person can be punished only because of what they suppose he has in his mind," Ruether said, "then we have crossed an important line."

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World in Brief

DOMINICAN REPUBLIC

Storm veers; at least 20 die in flooding

Tropical Storm Noel veered into the Dominican Republic, causing flooding and mudslides that killed at least 20 people and left another 20 missing, officials said.

The storm had been forecast to hit hardest in Haiti, which shares the island of Hispaniola with the Dominican Republic.

"It took us by surprise," said Guarionex Rosado as he left his home in La Cienega, one of Santo Domingo's most affected neighborhoods.

Noel temporarily knocked out the Dominican Republic's entire power system, plunging 9.4 million people into darkness for about two hours, officials said.

Ten of the missing disappeared when the Maimon River overflowed its banks and sent a torrent of muddy water through the town of Piedra Blanca.

JAPAN

Mission refuels its last warship

Japan refueled its last warship in support of U.S.-led forces in Afghanistan before Tokyo's naval mission in the Indian Ocean closes down Thursday, a defense official said.

The official refused to give details. Kyodo News agency said the last ship refueled was a Pakistani navy destroyer.

Japan, America's top ally in Asia, has refueled coalition warships in support of U.S.-led forces in Afghanistan since 2001, and U.S. officials have clamored for an extension of the mission. Tokyo also sent humanitarian troops to Iraq from 2004 to 2006.

But Japan's pro-U.S. ruling coalition has struggled to renew the deployment in the face of a resurgent opposition, which demands that Japan withdraw and has slowed parliamentary debate.

PAKISTAN

Hundreds flee during cease-fire

Hundreds of civilians used a cease-fire between a pro-Taliban

cleric and the government to flee a mountain valley where four days of fighting killed at least 100 people, officials said.

Alli Rahman, a local police official, said about 600 people fled the conflict zone, many crammed into buses and others on foot. Television footage showed villagers wading across a river and struggling across fields, clutching bags of possessions.

Authorities sent about 2,500 extra police and troops into Swat district on Oct. 23 to tackle the followers of Maulana Fazlullah, a militant cleric who has set up a virtual mini-state and sought to impose fundamentalist Islam.

AZERBAIJAN

U.S. Embassy plot foiled, officials say

Militant Islamists planned to attack the U.S. Embassy and other government buildings in Azerbaijan with stolen military grenades and assault rifles but were thwarted by security forces, officials said.

The National Security Ministry said a group had planned a "large-scale, horrifying terror attack" but did not provide details.

It described the plotters as adherents of the strict Wahhabi interpretation of Sunni Islam.

The State Department said that it had closed its embassy in Baku, the capital, but would probably reopen it soon after tightening security.

Britain's Foreign Office said that its embassy in Azerbaijan also temporarily suspended services because of what it called a "local security concern."

RUSSIA

'Chessboard Killer' gets life of labor

A former grocery clerk convicted of murdering 48 people during a methodical hunt to kill a person for every space on a chessboard was sentenced to life in a hard labor colony.

A Moscow court handed down Russia's harshest possible sentence for Alexander Pichushkin, 33, who mostly preyed on residents of his poor Moscow neighborhood.

The so-called Chessboard Killer had boasted of killing 60 people.

Prosecutors could find evidence to charge him with 48.

From Times Wire Reports

Turks hit Kurdish rebels in southeast

From Reuters

SIRNAK, TURKEY — Helicopter gunships fired rockets and bombed Kurdish rebel positions Monday in southeastern Turkey near the Iraqi border, witnesses said.

Turkey has massed as many as 100,000 troops along the border, backed by tanks, artillery and aircraft, in readiness for a possible incursion to hunt down 3,000 guerrillas who use the region as a base.

The White House said it was pressing Turkey and Iraq to keep

up talks aimed at averting a major cross-border operation.

Ground troops were reinforcing Monday's airstrike to clear suspected Kurdistan Workers Party hide-outs in Sirnak province.

Two soldiers were killed during the Sirnak operation, army sources said. Another soldier was killed by a land mine in Tunceli province, far from the border.

On Sunday, army sources said 20 guerrillas had been killed in the Tunceli campaign, which involved 8,000 soldiers.

In Ankara, meanwhile, warplanes swooped, tanks rolled and troops marched past President Abdullah Gul, Prime Minister Recep Tayyip Erdogan and senior generals in a display of military might designed to emphasize Turkish unity and resolve.

Istanbul, Turkey's largest city and business hub, also staged a military parade, and people waved flags and clapped loudly as tanks drove past. Many people carried pictures of Mustafa Kemal Ataturk, who founded modern Turkey in 1923.