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‘Flimsy’ case against suspect in Germany

By Ernest Gill

HAMBURG: Court proceedings against the first suspect in Germany to be indicted for the September 11 attacks will likely get under way this autumn, a judicial spokesman in Hamburg said Friday, but the outcome is far from certain.

Proceedings against Moroccan citizen Mounir El Motassadek, 28, will be held at Hamburg State Superior Court by the end of the year. No actual date has yet been set.

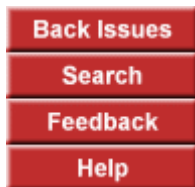
He faces more than 3,000 counts of being an accomplice to murder in connection with the attacks on the World Trade Center and the Pentagon.

But legal analysts in Germany predict the federal Prosecutor General Kay Nehm will have a hard time convincing the court of Motassadek’s guilt.

And even if found guilty, there is doubt whether Motassadek would be sentenced to life in prisonment — the maximum sentence in Germany, where there is no death penalty.

Motassadek, the only one of the September 11 suspects who either did not die in the attacks or did not flee Germany prior to them, has consistently maintained he is innocent. The fact that he was still living in Hamburg in November last year, he says, is proof that he had a clear conscience.

His lawyers insist the government has a “flimsy” case against their client. His defence team, the Hamburg law firm of Hans Leistriz and Hartmut Jacobi, issued a statement accusing the federal chief prosecutor of “valiantly carrying out his political assignment” at an internationally broadcast news conference



Thursday at which Nehm outlined the 89-page indictment against their client.

“We look forward to meeting the federal prosecutor in court,” the defence attorneys said, “and taking him and his 89-page dossier to task ad absurdum.”

At his news conference on Thursday, Nehm described Motassadek as the accounting wizard who funnelled money to the September 11 terrorists while they were attending flight schools in Florida.

Nehm said Motassadek was so intimately involved with the Hamburg terrorist cell that he put his signature as a witness to the will of Mohammed Atta, who is believed to have piloted one of the jetliners into the World Trade Center. And Motassadek had right-of-attorney to a German bank account held by another September 11 skyjacker, Marwan Al-Shehhi.

Nehm said evidence showed the money helped finance flight training classes at two air schools in Venice, Florida. Bank records also show that Atta received 1,000 dollars from the account in May 2001.

But will all that stand up in a German court of law? That is the question legal analysts are posing in the wake of Nehm’s impressive news conference.

Motassadek’s lawyers say the case boils down to two things:

- Motassadek put his signature to Atta’s will, and
- Motassadek had access to a bank account in the name of another suspect.

“Is that enough to convict him of being an accessory to murder in more than 3,000 cases?” his lawyer Leistriz asked. “We think not.”

In an exclusive television interview, Nehm was asked what the most extraordinary thing about the case is.

“The most extraordinary thing,” Nehm told his interviewers for ARD television’s “Panorama” show, “is the trail of clues. It was a very visible trail. We were able to fill an indictment with 89 pages of evidence. It was as if the suspect did not bother to cover his tracks.”

To which Motassadek’s defence lawyers say: “He didn’t cover them because he had nothing to cover up.” — Dawn/dpa


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