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## Terrorist or scapegoat? Allies of jailed CERN physicist decry French anti-terrorism laws

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PARIS — In emails, the nuclear physicist at one of Europe's most celebrated laboratories railed about a need to punish Western governments for allegedly anti-Muslim wars in Iraq and Afghanistan — and conferred with an alleged al-Qaida contact about possible assassination or bombing plots.

Defenders of Adlene Hicheur admit the physicist from Switzerland's CERN lab spoke his mind — but it was talk, not action — and say authorities are exaggerating the danger he represents. They complain he's been wrongly jailed for 2-1/2 years awaiting trial on trumped-up terrorism charges.

Accused of communicating with al-Qaida's North Africa branch and plotting attacks, the 35-year-old Frenchman goes on trial in two weeks — in one of France's biggest terrorism cases in years.

His advocates allege the Algerian-born scientist fits French authorities' "profile" for the homegrown terrorist they most worry about: Muslim, young, angry at the West; well-educated, Internet-savvy, and self-radicalized. The threat that Hicheur posed seemed even more potent because of his access to a potential security hazard, one of the world's top nuclear physics labs.

But the case is raising new questions about whether France's legal arsenal against terrorism — seen as one of the most effective in western Europe and a reference point for countries like the U.S. after the Sept. 11 attacks — may have gone too far this time.

It also strikes at the point where freedom of expression online, even angry calls for violence and vengeance, may cross a line under French anti-terrorism laws. President Nicolas Sarkozy, while interior minister in the early 2000s, had an important role in stiffening that legislation — already strong in the wake of bouts of terrorism in France in the 1980s and 1990s.

French counterterrorism officials, whose main concern today is al-Qaida's North Africa branch, have focused recently on the possibility that people with no criminal record could self-radicalize online and carry out attacks in France by slipping under the law-enforcement radar.

Hicheur was arrested in a pre-dawn raid on Oct. 8, 2009 at his parents' home in southeastern France — just hours before he was to take a flight to Algeria to work on a real estate purchase, his lawyer said.

“From the start, Adlene Hicheur was presented as the perfect culprit,” defense lawyer Patrick Baudouin told a Paris news conference on Thursday, aimed at laying out his arguments for the trial starting March 29.

Baudouin said French investigators pored over about 35 emails between Hicheur and an alleged Al-Qaida in the Islamic Maghreb contact. The group has roots in Algeria's 1990s insurgency and sees France as an enemy.

Some had mentioned possible targets like oil giant Total or a French military barracks in the Alps.

In their order sending the case to trial, filed in December and obtained by The Associated Press, investigating judges Nathalie Poux and Christophe Teissier cited Hicheur emails to a man named Mustapha Debchi, whom they believed to be a high-level member of Al-Qaida in the Islamic Maghreb, also known as AQIM.

U.S. authorities provided French authorities a CD-ROM, including data about the gmail and yahoo accounts that Hicheur and Debchi allegedly used, according to the judges' order. Hicheur's nickname was Abou Doujana; they called each other brother; they wrote of jihad and religious references.

At times, they used encryption software and chatted about using Paypal to transfer money, according to the court filing.

They disagreed at times on strategy, and Hicheur said if their objective was to “punish the state for its military activities in the country of Muslims (Afghanistan), then it should be a military objective,” he wrote, according to a transcript of one email in the court filing. Another option was to strike at economic interests, like oil giants Exxon or Total, which tapped resources in underdeveloped countries, or targeted killings of criminals, the filing said.

The judges wrote that Hicheur, under police questioning, said he had believed Debchi was part of AQIM, but later told investigating judges that he did not. They also said one of his seized computers turned up a file folder entitled “tempo AQMI” — for the group's French language acronym.

Debchi allegedly sought to persuade Hicheur to carry out a suicide bombing — which he refused, responding that it was against Islam, and that he had no intention of dying prematurely, the court documents showed.

Hicheur is the only person brought to justice in the case, Baudouin said. Debchi, whom French authorities believe was based in Algeria, was allegedly questioned by Algerian authorities in February 2011, but his whereabouts are today are unknown, the lawyer said.

Defenders say hundreds of Hicheur's fellow scientists have called for his release. Baudouin said behind bars, Hicheur faces psychological pressure and humiliation — including a body search every two weeks.

The judges said Hicheur did not deny the content of 27 emails with Debchi between January and June 2009, but claimed he was disoriented because of back pain he was intermittently experiencing at the time and did not realize the significance of what he had written. Investigators countered that such claims contradicted other evidence in the case.

“Hicheur never agreed anything concrete ... toward helping or preparing any concrete terrorist act,” Baudouin said, adding that the prosecution’s only evidence was the email traffic. “This is all virtual.”

Other Hicheur supporters suggested he was a victim of his own profile, and was being held — unfairly — for more than two years for comments that are already widespread on the Internet.

“Take any old chat room for youths who call themselves anarchists, or antifascists, the comments you see are 10 times more violent ... than what Adlene Hicheur is accused of,” said Jeremie Assous, a lawyer who worked on a recent terrorism case in France and supports Hicheur. He said critics would cry foul if authorities made arrests in that milieu.

“But when it’s an educated Muslim, and (authorities) tie it up in a nice package, it works — that’s what’s so terrible,” he said. “Unfortunately, this case, if it has worked, it’s only because his name is Adlene Hicheur.”

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