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Denmark

# Copenhagen City Court terror trial verdict postponed

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**"This trial is the first of its kind. It is not easy to decide what constitutes terror," State Attorney Lone Damgaard summarized in her closing argument before Copenhagen City Court.**

Nevertheless, she did not hesitate in recommending prison terms of two to nine months for the seven defendants, Danish activists who produced and sold t-shirts with [FARC](#) and [PFLP](#) insignias. Some of the proceeds would have gone to media projects in support of the liberationist groups.

Following closing arguments, Judge Ulrik Stage-Nielsen postponed a verdict until the three-panel court can reflect on evidence. A verdict will be forthcoming on December 13.

## Background

Denmark's intelligence police unit (PET) arrested the seven in February 2006, confiscated sale proceeds and shut down the group's website. The Ministry of Justice charged them with violating a new anti-terror law, paragraph 114b.

Terror is defined as "terrifying a population...to destabilize or destroy a country's or an international organization's fundamental policies...economy or societal structure."

Maximum punishment for economically supporting terrorism is ten years imprisonment. However, four years imprisonment is the most that a city court can render defendants found guilty of any crime.

[<http://internationalviewpoint.org/local/cache-vignettes/L215xH114/censur-1e25d.jpg>]

The state contends that the two liberationist groups are terrorists. EU placed them on its terror list, following suit with the United States. The United Nations, Great Britain and the Latin American Parliament (comprised of 22 countries, including Colombia) have not so determined.

The terror list is not judicial proof. That, then, is the unprecedented task of this lower court: to legally determine the status of FARC and PFLP. Whatever the verdict, appeals to higher courts are likely.

## Final court session

The state attorney built her case entirely on partisan witnesses all employees of private or state institutions working for the United States government, the Israeli government and PET.

The prosecution's final witness, an undisclosed PET and army intelligence analyst, testified behind closed doors about the report he made on FARC and PFLP as terrorist organizations. His statement was read to a reopened courtroom. The secret agent's sources were all second hand. He had never been to Palestine or Colombia, but he declined to state if he had been to Israel.

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Neither he, the state's other witnesses, nor the state attorney considered the actions of FARC and PFLP within the context of Colombia or Israel realities.

Damgaard said that killing soldiers and police is as much terrorism as killing unarmed civilians. The fact that both FARC and PFLP admittedly seek to alter the societal structure with violence is adequate to find them guilty.

Torkil Hoeyer and Helle Jensen, attorneys for the defense, argued that any judgment must be determined within the context of reality in the countries where FARC and PFLP are fighting.

Hoeyer and Jensen said that their clients should be found innocent. Two of them had not produced or sold t-shirts rather had set up placards or acted as a homepage server. None of the defendants view FARC and PFLP as terrorists rather as liberation fighters seeking to free their people from tyrannical governments, and, in the case of Israel, from a state which systematically violates 250 United Nation resolutions, and is judged to be an illegal occupier of Palestine by the International Court of Justice.

Furthermore, the defense said that no money was delivered since PET had confiscated proceeds.

The defense contends that EU's terror list is compiled in counter-distinction to all rules of law. The commission members are undisclosed as is their determining criteria for what constitutes terror, and those accused have no opportunity of dispute. Although the list is not introduced as evidence, the case would never have been drawn had the organizations not been placed on the list.

## Defendants' final comments

Defendants offered final comments to a packed courtroom. One of the defendant supporters was Mikael Schølardt's 88 year-old mother-in-law, who had been a resistance fighter under Nazi-occupied [Danmark](#).

Other supporters overflowed onto the hallway while five local union standard bearers raised their banners outside the courthouse. One of a dozen local union supporters had just presented Fighters and Lovers with its cultural prize.

No state supporters were present in the audience.

Schølardt told the court that [RAND Corporation](#), which sent its researcher Angel Rabasa to witness for the state, is all but "independent", having been a major military strategist think tank for the genocidal United States war against Vietnam, Cambodia and Laos, as it is today for US wars against the Middle East, against Palestinians and Colombians.

He said that courageous people resisting Colombia state tyranny, among them ordinary people not involved in armed struggle, will be let down if the Danish government's terror law is upheld against FARC.

"This is an attempt by Minister of Justice [Lene Espersen](#) to shut up ordinary people's solidarity with decency."

## State witness lies

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During court sessions, November 14-16, both sides had introduced their cases.

In this final session, Rabasa was challenged by the defense for incredibility and incompetence.

The purported expert on Colombian affairs had named people whom he said FARC had murdered.

Torkil Hoeyer showed that several of those, including parliamentarians Jorge Eduardo Gechem, Consuelo González de Perdomo and Orlando Beltrán Cuéllar, were still alive. This is confirmed by articles in the Colombia press, relatives, military and parliamentary statements.

Danish reporter Niels Lindvig contested another claim by Rabasa, that Colombia's press is free. Lindvig said that several journalists have been murdered by paramilitarists, and that just weeks ago a Miami-based journalist, Gonzalo Guillén, fled Colombia after receiving 24 death threats within one day. President Uribe had endangered his life in a September 30 public statement, in which he claimed that Guillén had "mistreated" him in articles and was behind a book by the mistress of narcotic cartel head, Pablo Escobar, with whom Uribe had had political and economic ties.

Another key discrepancy was Rabasa's testimony that he was certain that FARC never laid down its weapons in a cease fire and had no relationship with the political party UP. Hoeyer introduced a quotation from Rabasa's 2001 book, "Colombia Labyrinth", chapter seven, page 71:

"A truce with the FARC and parts of the ELN was in effect from 1984 to 1987. The FARC established a political front, the Patriotic Union (UP), which contested the 1986 election and elected 14 senators and congressmen and scores of council members. However, the agreement unraveled amid mutual recriminations and assassinations of UP officials."

Rabasa also had claimed that his work was independent of any government and military institution. Rand's homepage announcement of his book (co-authored with Peter Chalk) states: "The research described in this report was performed under the auspices of RAND's Project AIR FORCE."