

SWITZERLAND

MORE SNOOPING WITH THE NEW ANTI-DRUG DATABASE "DOSIS"?

A new electronic database on drug-related information is to be launched in eight Swiss cantons, before the end of Spring. Critics fear that the advanced computer will open the door to further snooping on citizens not suspected of any delict and contribute to criminalising drug-addicts rather than large scale trafficking.

The decision to set up DOSIS can be traced back to 1988, the year when the "state protection" scandal came to light. The then minister of justice and police, Elisabeth Kopp was accused by the press of involment in drug-money laundering and had to step back. In the wake of this affair, the Swiss parliament called for stronger measures against organised crime and required the installation of an electronic system of surveillance as a means to trace Mafia structures within drug business.

DOSIS however does not appear capable to fulfill such wishes. No information on the flux of illegal drug money through Swiss bank accounts will be collected in DOSIS. "We lack the legal competence for such a purpose", says Lutz Krauskopf, director of the BAP (federal office of police). DOSIS will rather focus on information concerning the half-open drug scene in urban areas. DOSIS will contain information both on purely profit oriented dealers and small consumer-dealers, who seek to finance at least part of their own consumption by selling drugs. As a matter of fact, this latter category makes up for over 80% of trafficking in the streets. Mere consumers of illicit drugs will however not be registered.

Critics are concerned that the storage of "non-warranted" data in the DOSIS-computer is explicitly provided for. When e.g. a memo-book with hundreds of addresses and phone numbers is found on a dealer, "we want them all in our drug investigation system, otherwise it would make no sense", says a former leading police commander.

From the point of view of investigation technics this may appear reasonable. "We want to know exactly, where a suspect of qualified drug trafficking has appeared before and whom he has met", says Jörg Schild, one of the initiators of DOSIS.

Federal officials try to quiet down concern about infringements on civil rights and liberties by such an extensive system of surveillance by pointing at three levels of control enabling the deletion of erroneous or obsolete data. Two of these instances of control are however located inside the federal office of police. The third is the federal ombudsman for data protection.

Access for persons concerned to their personal data is granted in principle. It is refused only pending criminal prosecution, but the concerned will thus learn that he/she is registered.

Similar projects within the EC have drawn harsh criticism of the German Association for Data Protection who sees the argument of combatting drug delinquency as a "dooropener for further police powers of a European office of criminal investigation [Europol] which is acting unrestrained by any legal chicaneries and control."

Paraphrased from Tagesanzeiger, 8.2.93: Droht der Drogen-Supercomputer DOSIS zum Schnüffelcomputer zu werden?, by Beat Leuthardt and Rolf Wespe.

AUSTRIA

NEW UNIT FOR THE COMBAT AGAINST "ORGANISED CRIME"

Austria's minister of Home Affairs, Franz Löschnak, announced the creation of a new "Operation Group D for the combat against organised crime", EDOK, in December 1992.

In the minister's opinion, organised crime (OC) has spread from drug related crime, smuggling (of illegal migrants) and car thefts to nearly "all profitable forms of delinquency", such as "theft of cultural objects, counterfeiting, burglary, economical crimes, robbery and theft of jewelry", thus requiring detection and

classification of OC delicts at the earliest possible stage. According to the minister, "planned proceeding of the the perpetrators, the preparation and execution of the criminal act" and the "well-reasoned exploitation of the loot" are significant indication for the presence of OC. "Influential persons" are at a particularly high risk of being blackmailed by criminal organisations, because of some "little foible".

EDOK will mainly have a coordinating role, but will also have operational powers in cooperation with local security bodies.

Mr. Löschnak also advocates new legislation in the domain of OC, in particular with an "effective protection of witnesses".

EDOK is to develop direct contacts with "similar foreign special units", in order to insure speedy and unbureaucratic cooperation in tracking international criminal networks.

A new databas on OC is further to be set up for the collection of "all OC relevant" data. Informations are to be stored in the new register, in presence of "continued common action of at last three persons, the particular dangerousness of their proceeding, or a dammage exceeding a half a million [Austrian] shillings".

EDOK is under direct control of the chief of "group D" (department of criminal police and Interpol).

Source:

EC LINKS SECURITY SERVICES

As the British based journal Statewatch reveals, the countries of the European Community have set up a powerful group of senior officials to coordinate activities bewteen their security and intelligence services - one of the EC's fastest-growing, most successful, and most secretive areas of cooperation. The group, called the K4 committee, was formed at the London conference of Home Affairs and Justice Ministers on 1 December 1992 (see CL No. pp.1-3, and p.10).

The K4 committeee has the task of establishing the Maastricht treaty's "third pillar", which covers inter-governmental cooperation on law and order, asylum and immigration policy, and the setting up of Europol. The committee will answer only to national governments. It will be responsible for implementing initiatives now in the hands of working groups set up under the TREVI process. Documents made available to Statewatch reveal the TREVI network's current activities. They show that 60 meetings of security service officers, custom officials and Home Affairs civil servants were held alone during Britain's six-month EC presidency last year. The UK ministry of Home Affairs warned other EC states that the volume of paper work was so great that it caused "operational difficulties" for TREVI's secure fax network.

To overcome the problem, it was agreed at the London meeting to consider using an electronic mail system with secret codes.

The documents also describe the work undertaken by three TREVI working groups.

WG1, concerned with poitical violence, has agreed a "full terrorist threat assessment document", including an unprecedented analysis of future threats. "Terrorist finances" are the subject of a separate judicial cooperation working group.

WG2 is responsible for cooperation among police forces, including the exchange of information on training, forensic science, computers, public order and the policing of road traffic. It has set up a study on telephone tapping.

WG3 deals with serious crime, including drug-trafficking and money-laundering, and is responsible for setting up the European drug intelligence unit as the first step towards the creation of Europol.

This group is also responsible for establishing common definitions. For example, terrorism is defined as "the use and attempt to use violence by a structured group to obtain political objectives". Organised crime is "an uninterrupted series of criminal activities committed by a group of individuals with the intention of obtaining benefits, influence or power."

The British Home Affairs minister, Kenneth Clarke said at the London conference on 1 december that he had thought this would be the last meeting of TREVI and he looked forward to the K4 committee taking over with a permanent office and secretariat in Brussels, when the "third pillar" of the Maastricht treaty (article K for

Cooperation on borders, immigration, asylum, law and policing) came into effect.

Compounded from the Guardian, 4.2.93, and Statewatch

Source: Statewatch Vol.3, No.1, January/February 1993.

Contact: Statewatch, PO Box 1516, London N16 0EW, Tel:+44/81 8021882, Fax:+44/81 8801727

CONFERENCE ON ILLEGAL IMMIGRATION IN BUDAPEST

The "Second European Conference of Ministers on Illegal Immigration" was held in Budapest, on 14/15 February. Ministers of Home Affairs and Justice of 33 European countries and representatives of six international organisations, as well as observers from Canada and Argentine participated at the meeting. The only European states not present were rest-Yugoslavia, Macedonia, the Vatican, Liechtenstein and Monaco.

The Budapest gathering was the pursuit of the "Berlin Conference" held in Oktober 1991. At that occasion a particular working group had been mandated to draft proposals and recommendations for "the effective combat" against smuggling of illegal immigrants. The group worked under Austrian presidency and in cooperation with Hungary and the respective presidents of the Schengen group (see CL No.3, p.1). This working group now submitted recommendations on the following eight subjects to the Budapest conference:

- the punishability of smuggling;
- mutual legal assistance in criminal matters in view of combatting smuggling;
- the setting up of special units against the smuggling of immigrants;
- mutual information on illegal migratory fluxes;
- procedures and standards for improving the control of persons at frontiers;
- the deportation and taking back of illegal migrants;
- measures for securing frontiers outside points of authorised entry;
- the obligation for carriers to prevent illegal entries.

On initiative of Austria and Germany a new working group was set up. The task of the group, called the "Budapest club", will be to monitor the fulfillment of the above proposals.

The recommendations were presented as a necessity on the grounds that illegal immigration "poses a threat to public security and stability by giving rise to criminality and illegal employment". Smuggling (of migrants) should be combatted by special police units according to a common tactical concept. For that purpose the group recommends that "compatible structures" be set up in the whole of Europe. These units should be equipped with advanced and compatible communication technics. The group further calls for centres for the exchange of information on migratory fluxes to be set up in every state in order to suppress illegal immigration, for instance under the pretext of visits, studies and business travels.

Hungary went even further with a proposal to deport illegal non-European immigrants to their countries of origin with "collective deportation flights" departing from a "centrally located European airport". There seemed to be agreement on the type and the necessity of these measures proposed by the group. The conference failed to reach consensus only on the extent of financial support to be granted to the Eastern European countries - the "front states", in the words of the German Minister of Home Affairs, Seiters - for effectively sealing off the borders, in particular by the setting up of an operative police information system.

Thomas Sperlich

Sources: Der Standard, Die Presse, Salzburger Nachrichten, APA, 16.2.92

MINISTERS OF FIVE EC-COUNTRIES LAUNCH COOPERATION TO COMBAT MAFIA

Ministers of justice of the five EC-member states France, Italy, Spain, Greece and Portugal met in the

Southern French town of Arles on 17/18 January to discuss closer cooperation between their states in combatting Mafia crime. A follow-up meeting is planned to be held at an early date in Palermo.

At the Arles meeting the French minister of justice Vauzelle announced that Michel Debacq, a former investigative judge (juge d'instruction) was to be sent to Rome, where he would strengthen Franco-Italian anti-Mafia cooperation as a permanent liaison officer, beginning with 1 February.

The representative of the absent Italian minister of justice Martelli, Ms. Liliana Ferraro, the ministry's director of criminal affairs stressed that Italy was not the only country in arrears with its combat against Mafia crime, while Mr. Vauzelle asserted that no Mafia structures in the true sense of the word existed in France which had hitherto been used by the mafia merely as a sanctuary and for investments and money laundering. The minister's view is however regarded as a naive understatement by some French experts.

In September 1991, France had participated at the foundation of a European anti-Mafia group in Brussel. Police and judicial authorities are to work together in the group. [It is not clear, in how far the foundation of this group and the recent Arles meeting are linked to EC-projects on closer justice and police cooperation].

At a French-Italian summit last November in Paris, the reinforcement of preventive bi-lateral measures was decided.

In Arles, the ministers of Justice called for the early convocation of a UN-conference against the Mafia.

[In the meantime, the Italian minister of justice Martelli has stepped back, after allegations of his involvement in a bribery scandal connected to the affair of Licio Gelli's secret loge P2].

Source: Neue Zürcher Zeitung, 21.1.93

TURKEY WANTS RECOGNITION BY GERMANY AS A "SAFE COUNTRY"

The Turkish Prime Minister Demirel has called on Germany, no longer to grant refugee status to asylum seekers from Turkey. Mr. Demirel justified his request on the grounds that persecution did not exist in Turkey. When questioned about reports on human rights violations in his country, Mr. Demirel said that isolated cases might have occurred, but that Turkey was an open country with a free parliament and a free press.

Source: Neue Zürcher Zeitung, 24.2.93

Comment:

Mr. Demirel's move is significant in three ways.

1. It is, indeed, a prompt reaction to the conclusions of the London conference of the 12 EC-Immigration ministers on 30 November 1992. The ministers had agreed that asylum applications from refugees from countries with "generally no serious risk of persecution" should be considered as "manifestly unfounded", thus allowing for a quick rejection of the claim and the deportation of the concerned.

Among the criteria listed at the conference for establishing "safe" countries of origin was the existence of democratic institutions.

2. It is not by mere accident that the Turkish prime minister chose Germany as the first EC-country for presenting his claim. Germany is since long ago Turkey's most faithful European ally. German experts have trained anti-terrorist units and modernised the police in Turkey and Germany is the main importer of arms to Turkey.

3. Demirel's reference to the freedom of press is cynical against the background of an ongoing campaign of physical liquidation of independent and oppositional journalists in Turkey and the harassment of Kurdish publications, but he knows that the German government is in desperate search for a pretext to stop the influx of - most Kurdish - refugees from Turkey. And should Germany give in to his demands, the rest of the EC-countries is likely to follow, as he might have concluded from recent experience in the Balkans.

N.B.

THE PHANTOM OF TERRORISM IN GERMANY: WHO HIDES BEHIND THE LABEL "RED ARMY FAC-TION"?

Since more than twenty years the Federal Republic of Germany has gradually developed from a constitutional state to a security state. Fundamental rights of the accused and the defense have been massively restricted, people intimidated and harassed merely for having made use of their civil liberties, secret services and police have set up a system of surveillance and control barely limited by legal barriers. Undercover agents snoop on harmless citizens and carry out terrorist crimes with the consent of government. Innocent persons disappear behind prison bars for years. All these developments are publicly justified by the need to combat terrorism, and in particular, the "Red Army Faction" (RAF) initiated by the Baader-Meinhoff group in the late 60ies.

Yet, not one of the perpetrators numerous attacks and murders imputed to the "RAF" since 1981 has been identified, let be arrested or put to trial. The impressing arsenal of anti-terrorist laws, the legal, technical and financial rearmement of criminal investigation authorities, secret services and police has proven totally ineffective in tracking the terrorists, but they are posing a growing threat to constitutional democracy in the EC's most powerful member state.

Who stands behind the mysterious crimes carried out under the mysterious label "RAF"? Is it really an ultra-leftist revolutionary group?

In a recently published book the three German authors an TV-journalists Gerhard Wisnewski, Wolfgang Landgraeber and Ekkehard Sieker, make a clean sweep of the longstanding and systematical attempts by the German security apparatus to hold the spectre of the "RAF" alive. The authors are convincing when revealing the blatant inefficiency of official investigations, bizarre flaws of the vaste security structures set up for the protection of prominent victims and systematic deception of the public by government bodies and media trying to keep the "RAF"- phantom alive. The book becomes more speculative, when trying to find an answer to the crucial question of "cui bono?" (in whom's interest?). Yet, it is a must for any one trying to understand the effect of terrorism on Western states.

Three "generations" of one and the same terrorist organisation?

The book essentially focuses on the so called "third generation" of the "RAF". The authors make out fundamental differences in the behaviour and the political background of this last generation as compared with its predecessors. While the "first generation", the so called Baader-Meinhoff-group, was to some extent rooted in the radical German protest movement of the 60ies, already the "second generation" operating in the late 70ies and early 80ies rapidly became politically isolated. As for the "third generation", they are quite generally viewed as professional provocateurs by the German left as a whole.

Indeed, the opposition movement in Germany has changed since the 60ies marked by a leftist culture of universalist and intellectual criticism of capitalism and US-imperialism and some readiness to sympathise with "revolutionary" violence.

Since the beginning of the 80ies, the German left concentrated on basically non-violent "single-issue" movements such as those against the building of a new runway at the Frankfurt airport, the stationing of Pershing II-missiles on German soil, nuclear power plants, the Gulf war, or the dismantling of Eastern German economy after the unification. All these movements were fairly non-ideological, aiming rather at wide support among average people than at proning insurrection. This was no longer a promising political recruiting field for the "revolutionary" violence of the "RAF".

The authors note a further difference between the various generations of the "RAF". From its very beginning,

the "first generation" (Baader-Meinhoff) was thoroughly infiltrated by undercover agents, its members permanently observed, hunted and tracked. A massive wave of arrests launched just three weeks after the first bomb attack of the group put an end to its activity. The self-taught guerilla-fighters had no chance even against the comparatively modest legal and police apparatus of the 60ies and early 70ies.

The same is true with regard to the "second generation", with one troubling difference however. Two of its leading figures, Christian Klar and Adelheid Schultz, twice miraculously escaped arrest (1977, 1978) in spite of uninterrupted close observation by intelligence. A frustrated Horst Herold, then head of the BKA (Federal office of criminal investigation) later made the following cryptical but noteworthy comment: "In this case one has allowed - and this with the participation of Chancellor Helmut Schmidt and Minister Baum - to withhold from the police the terrorists Klar and Schulz, whom the *Verfassungsschutz* [the FRG's internal secret service] of Hamburg had clearly tracked (...) After that, the secret service and the politicians make business with such things... all this is just intolerable."

Christian Klar was finally arrested in 1982. The event marked the end of the "second generation". Most of the remaining members of the group gave up terrorist activities and found sanctuary in the former German Democratic Republic (GDR), where they returned to normal civilian life until their arrest in 1990, after the downfall of the Honecker-regime. Only a small group of seven alleged members of the "second generation" seemed to have literally vanished from the ground. None of them was ever seen or heard of again.

No "Stasi-RAF connection"

In a particular chapter, the authors convincingly refute allegations widely spread by Western media of a "RAF-Stasi (GDR-secret service) connection" responsible for the terrorist attacks of the "third generation". They even assert that the GDR's decision to grant sanctuary to defecting "RAF"-Guerillas was secretly negotiated between high-ranking politicians of the West German government and the central committee of the GDR's ruling communist party. At that time, the authors say, Chancellor Helmut Schmidt was eager to get rid of the politically sensitive issue of terrorism.

When asked about such a secret agreement, the BKA sent the following statement to the authors: "There are no findings in hand of the BKA defeating arrangements between FRG and GDR politicians pertaining to "RAF" defectors in the GDR." The authors also bring evidence that the BKA knew that RAF-defectors were living in the GDR as early as 1985 and quote a pro memoria of the Interior Ministry of the FRG from 1991, according to which "there is no sufficient evidence for a collaboration between the [GDR] Ministry for State Security and the "RAF" ". All this did not prevent German massmedia from further cultivating the legend of the "RAF-killers" trained and controled by the "diabolic" Stasi.

"We bomb, hence we exist!": the faceless professionals of the "third generation"

1985 marked the beginning of a new macabre wave of particularly spectacular and cold-blooded murders and bomb attacks against some of the most high ranking and best protected personalities of the country, among whom Ernst Zimmermann, head of the German armement corporation MTU (1985), Karl Heinz Beckurts (member of the board of Siemens (1986), Alfred Herrhausen, speaker of the board of Deutsche Bank (1989) and Detlev Karsten Rohwedder, chief of the "Treuhand-Anstalt", the public trust-company in charge of privatisation, respectively liquidation of the former East German public sector(1991).

The common characteristic of all these murders: They are carried out by professionals who often appear to have detailed insider knowledge not only of the localities and the victims' habits, but also of the loopholes in the security disposals.

As the authors' thorough investigations and detailed reconstructions, in particular of the Herrhausen and Rohwedder cases, show, they prepare their deeds with uncanny sureness, sometimes during months, and right under the nose of some of Europe's best equipped and trained anti-terrorist forces (the German MEK and SEK police units). They almost demonstratively leave traces on the places of their crimes - letters of confession with the "RAF"'s insignia, star and mp, a fieldglass, neatly assembled cartridge cases, detonators -, but these traces neither ever lead to a perpetrator, nor do they establish the authenticity of the messages of confession apparently linking the "RAF" to the crimes.

None of the "vanished" members of the "second generation" can be linked to the crimes. While Andreas Baader and his friends always tried to ideologically justify their dees and left no doubt about the authenticity of

their letters of confession, e.g. by applying finger print stamps, the alleged "third generation" is a pure phantom, a terror squad without members. As opposed to the preceding RAF-generations there are no traces of any logistical structures and preparations necessary for carrying out attacks of such a scale: no apartments serving as hiding places, no weapon or ammunition stocks, no bank robberies... nothing.

The total failure of Germany's internal security apparatus

In 1989 the then chief of the BKA, Kurt Rebmann dryly admits that there is no factual evidence linking the "RAF" to any of the murders occurred since 1985.

Nonetheless, the existence of a leftist terrorgroup by the name of "RAF" springing from the original Baader-Meinhoff group is never questioned. The legend of the leftist killers of the "third generation" is, in contrary, systematically cultivated by government agencies and the press.

Based on a troubling number of well researched cases the authors claim that the BKA and other judicial and governmental bodies do not hesitate to use means ranging from interference in legal procedures, biased expertises to outright blackmailing of witnesses and fake "terror attacks" carried out by... the state's anti-terrorist units in cooperation with the internal secret service - all this in order to "prove" the existence of the "third generation" of left wing terrorists.

The "letters of confession"

The BKA has spent a lot of time and money in deceiving the public on the alleged authenticity of letters of confession and other messages regarding the murders.

But based on the findings of some of Germany's most respected experts of crime technology, graphology and linguistics, the authors come to the conclusion, that the BKA's assertions regarding the authenticity of the texts concerned are unscientific and biased. In a rare access of honesty the BKA itself admitted that the thermoprinter used for the letter of self-accusation in the Herrhausen case lacks any particular characteristics permitting its identification. Regularly confronted with such lack of usefull evidence, a regrettable consequence of modern printing technology, the BKA developed "TEXTOR", a computerised text matching program. By screen-matching all existing texts imputed to the RAF it was hoped to detect the "individual" stile (orthographic, grammatical, linguistic particularities) of a whole group. Writings of a number of individuals suspected to be sympathisers of the RAF were screened for ressemblances with the computerised "RAF-stile". One suspect, Andreas S. was held on remand for two and a half years, because of his habit to write the German abbreviation *z.B.* [in English: i.e.] with small letters, a current mistake in alleged RAF texts. The TEXTOR-expert's credibility only broke down, when critical colleagues discovered the criminal *z.b.* in one of his own writings. The court later found that many of the alleged letters of confession had simply been copied and compounded from old press articles and leaflets from various sources. This was, for the time being, the end of TEXTOR and the legend of an anonymous terror squad's "personal handwriting".

Since then, only one thing is beyond doubt: anybody could easily have fabricated the written confessions and "RAF" insignia.

The "repenter" Siegfried Nonne

The case of Siegfried Nonne is one of the spectacular attempts of German state bodies to forge evidence in view of their ever more obvious lack of success in tracking the terrorists.

In January 1992 the BKA organised a press conference with a scoop: A repenter turned state witness had admitted that he had prepared the murder of Alfred Herrhausen together with two of the vanished members of the "RAF"'s second generation. A link between the crimes of the 80ies and known members of the "RAF" finally seemed established.

The "repenter", Siegfried Nonne, was a 35 year old drug addict with a long psychiatric record and the Verfassungsschutz (VS) later admitted that he had been an under cover agent in the early 80ies. But this did not prevent the media from warming up the old "RAF" legend and once again speculating on Stasi involvment.

But in June 1992, Nonne, appearing in a TV-program, testified to the authors, that since November 1990 he

had been bribed and blackmailed with threats to his life into his "confession" by high officials of the VS (the stunning story is told in detail in a long chapter of the book).

The "Celle hole"

In 1978 a bomb explosion tore a hole in the in the prison of Celle, a town in Nieder-Sachsen. The attack was immediately presented as a terrorist attack aiming at the liberation of "RAF"-convicts detained in the prison. As a result, the prisoners rights were massively restricted and the bombing served as a justification for more pro-active policing.

The truth about the bombing came to light eight years later, in 1986. It had been planned and carried out by the VS in cooperation with GSG-9, a German anti-terrorist unit created with the support of the British SAS. None of the high officials involved was ever sanctioned. In contrary: The then chief of the VS of Nieder-Sachsen was named vice-president of the federal VS and Gerhard Boeden, then vice-president of the BKA, is now head of the federal VS.

As Jürgen Trittin, now a minister in the *Land* of Niedersachsen remarked, one "does not any longer know which attacks must be answered for by the state and which by the terrorists."

The book contains further troubling evidence for state involvement in terrorist crimes, as for instance the case of a VS-undercover agent, Peter Schmücker, mysteriously murdered in a Berlin park in 1974. The case was finally dropped in 1990, after years of prison on remand for the official suspects, when the murder weapon was found in a cellar of the Berlin VS.

Cui bono?

Authorities periodically come out with the assertion that "RAF"-detainees command the terror squads from inside their high security prison cells. This is a good pretext for further restricting the rights of the detainees and their lawyers, each time a new attack has occurs, and for gradually extending police observation and infiltration to ever larger groups of persons suspected to form the "social environment" of the terrorists, but even the president of the German association of penitentiary directors insists that there is not the slightest evidence for any functioning command structure among the "RAF" detainees.

The political effect of the "third generation's" attacks is clear: The head of Deutsche Bank, Herrhausen, is murdered at a time of growing criticism of the role of the banking world in the impoverishment of developing countries, a machine gun attack against the American embassy in Bonn is carried out at the height of non-violent mass protests in Germany against the USA's role in the Gulf war, Mr. Rohwedder, the chief of the "Treuhand" is shot dead only weeks before a planned mass rally of union members in Berlin against the brutal dismantling of East German economy by the "Treuhand". In all cases the effect is the same: The "acts of solidarity" of the "RAF" with popular mass movements deprives the the latter in of their credibility and leads to the criminalisation of legitimate political opposition.

In several chapters the authors investigate the backgrounds and roles of some of the prominent victims. Alfred Herrhausen, for instance, is presented as the man who attempted to make the Deutsche Bank a "global player" in direct rivalry with mostly American financial institutes and as a strong advocate of cancelling the debts of Third World countries. Both policies are resented as a threat by US bankers. As for Rohwedder, the chief of the "Treuhand", he was facing growing criticism from neo-liberal financial circles in and outside Germany for placing social considerations before ever to hasty privatisations leading to mass unemployment. After Herrhausen's death, Deutsche Bank gives up its ambitions as a "global player", the new chief of the "Treuhand" proceeds with the ruthless liquidation of East German enterprises.

In other words, the acts of the "third generation" inflict heavy damage to precisely the aims they pretend to serve: Improved conditions for the "RAF"-detainees, the preservation of civil liberties, peace in the Gulf region, Third World solidarity, employment in East Germany...

But then, if the terror attacks are not in the interest of popular opposition, in whom do they serve? Why were economical and politic leaders of Germany's economy killed and by whom?

"RAF" in Germany, Brigade rosse in Italy, "17 November" in Greece: A secret service plot?

In spite of years of terrorist hunt carried out by an ever more sophisticated security apparatus, nothing is

known about the true authors of the attacks of the last decade and, as the magazine of the Germany's largest workers union, *IG Metall*, puts it: "Nobody has publicly raised the question, if really all traces are being investigated or perhaps only the obviously wrong ones, if we are really dealing with a totally unknown "RAF"-generation or perhaps rather with a quite known one, made up of international intelligence circles, if actually Zimmermann, Beckurts, Herrhausen and Rohwedder did not have enemies outside the left, for instance inside the system of big money at home and abroad."

To investigate these "other traces" is precisely what the authors undertake in large parts of their book. Their findings are contained in interesting chapters on the policies and methods of secret services as the CIA, stunning cases of collusion between "anti-terror" units, secret services on the one hand, and the "RAF's" brother groups, the Red Brigades in Italy and the "movement of the 17th November" in Greece, counter-insurgency operations and secret combat structures as the NATO's "Gladio". All this is based on extensive and meticulous investigation.

Yet, the book can but fall short from producing evidence for what appears to be a strong suspicion of the authors, that the murders of Zimmermann, Rohwedder and Herrhausen, just as those of John F. Kennedy, Enrico Mattei and Olof Palme were planned and carried out with strong involvement of Western secret service networks.

The rare reviews of the book in the German press have derisively focused on this "plot theory" of the authors, thus escaping the more thornful task of commenting the authors' really crucial and well-established findings regarding the notorious inefficiency and sometimes criminal behaviour of the German security apparatus and their bitter remarks on the setting up of a control state.

"Yet, the authors bitterly note, in the presence of medicine which obviously does not have any effect, the only thing that comes in their [politicians and security experts] minds is to prescribe more of it."

"The intimidation of the population with "criminal investigations", the maintenance of a gigantic security and legal apparatus and, finally, the unrestricted spying on critical citizens, with an unidentified terror squad named "RAF" as a pretext, are proceedings the citizens of this country should never accept."

Nicholas Busch

Das RAF-Phantom - Wozu Politik und Wirtschaft Terroristen brauchen, by Gerhard Wisnewski, Wolfgang Landgraeber, Ekkehard Sieker, December 1992, publisher: Knauer, Munich (ISBN 3-426-80010-1), 464 p., German.

RIGHT-WING EXTREMISTS AND CRIMINALS IN BERLIN'S VOLUNTARY POLICE RESERVE FORCE

Berlin's voluntary police reserve force (Freiwillige Polizeireserve, FPR) is infiltrated by right-wing extremists and criminals. This is the finding of an investigation on the "security force". The German police union GdP, Social-democrats and Liberals call for its dissolution, but Berlin's senator in charge of interior affairs sees no reason f

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EDOK is under direct control of the chief of "group D" (department of criminal police and Interpol).

Source:

DIGITAL NETWORKS TOO SAFE?

german authorities complain about their problems withintercepting the new digital mobile telephone networks. They say, it is impossible for them to tapp conversations on both new digital networks, D1 (operated by the state-owned Telekom) and D2 (operated by the private Mannesmann Mobilfunk).

According to reports in the *Süddeutsche Zeitung* and in *Wirtschaftswoche* the problem lies in the lack of software in the transmitter stations. For both systems, such software has not yet been produced. This constitutes a breach of a provision in the network licences under which interception must be possible for the authorities at any time. The German licence appears to be quite to meet requirements of the "FBI-proposal" in the USA.

Another problem for the security services lies in the operating standard all European digital mobile phone vendors have agreed upon. The GSM (Global System for Mobile Communication) standard has a feature that to some degree encrypts all traffic at least between the transmitter and the user's phone, thus barring third persons access to the conversation by interception of theradio-transmitted part of the telephone call. The effectiveness of this encryption algorithm is however questionable, as its initial purpose within the GSM was to pack more traffic to a restricted number of frequencies and not to provide tapping-proof telecommunication.

The GSM has been quite successfully exported not only throughout Europe, but to other countries as well, such as Iran, South Africa and the Peoples Republic of China. This particularly worries at least the German security services, as it jeopardises their eavesdropping capabilities in these countries. They now press for stringent export controls on the encryption feature of GSM-based mobile telephone equipment.

The internationalisation of GSM-based systems has led to curiosities even within Europe. While the german network vendors telekom and Mannesmann agreed on interception, it is difficult to enforce interception within Europe. This is an effect of the opening of the common European market. It is now possible, e.g. for a german, to subscribe to one of the 26 European mobile phone companies. While this German user can now get access to the mobile phone network from anywhere in Europe, it has become even more difficult to enforce a German judge's order to intercept his/her phone calls made through a non-German company, as European regulations pertaining to this matter do not exist.

german security authorities are now negotiating treaties with their EC neighbours aiming at EC-wide regulations on interception.

Comment:

For once, technical development has improved communication privacy - at least for the few happy who can

PUBLICATIONS AND DOCUMENTS

Human rights in Croatia, a brief summary of human rights violations prepared on the occasion of the visit to Strasbourg of the Minister of the Republic of Croatia and Croatia's accession to the European Cultural Convention; European Civic Forum, Basle, 30.1.92, 7.p., English, French, German.
Available at: European Civic Forum, CP 2780, CH-4002 Basle, tel:+41/61 446619, Fax:+41/61 446620.

The report deals with human rights violations in the following domains:
Citizenship and nationality; ethnic discrimination; torture, ill-treatment and physical attacks against citizens of non-Croat ethnic origin, in trade unions, parties and other organisations in opposition for the prevention of torture and inhuman or degrading treatment or punishment (CPT):

Public statement on Turkey, adopted on 15.12.92.

The statement concludes that "in the light of all information at its disposal, the CPT can only conclude that the practice of torture and other forms of severe ill-treatment of persons in police custody remains widespread in Turkey and that such methods are applied to both ordinary criminal suspects and persons held under anti-terrorism provisions. The words "persons in police custody" should be emphasised" and calls for adequate remedy.

CALENDAR OF EVENTS

24-25 March 1993

"The Refugee Problem in Europe", international congress in Rotterdam, organised by Refugee Council Rijnmond. Discussion of legal, statistical, ethical, social and financial aspects of the refugee problem and workshops.

Information: Congress Organisation Refugee Council Rijnmond, att. Mrs. B. van Zoggel, Postbus 9, NL-3000 AA Rotterdam, tel:+31/10 4523911, fax:+32/10 4529006

27 March 1993

"**Statewatching the new Europe**", conference organised by Statewatch. Among others workshops on asylum and migration policy/ Europol, TREVI and police cooperation/ racism and fascism/ Schengen and border controls.

Information: Statewatch, P.O. Box 1516, London N16 0EW, Tel:+44/81 8021882, Fax:+44/81 8801727

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MINISTERS OF FIVE EC-COUNTRIES LAUNCH COOPERATION TO COMBAT MAFFIA

Ministers of justice of the five EC-member states France, Italy, Spain, Greece and Portugal met in the Southern French town of Arles on 17/18 January to discuss closer cooperation between their states in

combatting Mafia crime. A follow-up meeting is planned to be held at an early date in Palermo.

At the Arles meeting the French minister of justice Vauzelle announced that Michel Debacq, a former investigative judge (juge d'instruction) was to be sent to Rome, where he would strengthen Franco-Italian anti-Mafia cooperation as a permanent liaison officer, beginning with 1 February. The representative of the absent Italian minister of justice Martelli, Ms. Liliana Ferraro, the ministry's director of criminal affairs stressed that Italy was not the only country in arrears with its combat against Mafia crime, while Mr. Vauzelle asserted that no Mafia structures in the true sense of the word existed in France which had hitherto been used by the mafia merely as a sanctuary and for investments and money laundering. The minister's view is however regarded as a naive understatement by some French experts. In September 1991, France had participated at the foundation of a European anti-Mafia group in Brussel. Police and judicial authorities are to work together in the group. [It is not clear, in how far the foundation of this group and the recent Arles meeting are linked to EC-projects on closer justice and police cooperation]. At a French-Italian summit last November in Paris, the reinforcement of preventive bi-lateral measures was decided. In Arles, the ministers of Justice called for the early convocation of a UN-conference against the Mafia. [In the meantime, the Italian minister of justice Martelli has stepped back, after allegations of his involvement in a bribery scandal connected to the affair of Licio Gelli's secret loge P2].

Source: Neue Zürcher Zeitung, 21.1.93

EC LINKS SECURITY SERVICES

As the British based journal Statewatch reveals, the countries of the European Community have set up a powerful group of senior officials to coordinate activities between their security and intelligence services - one of the EC's fastest-growing, most successful, and most secretive areas of cooperation. The group, called the K4 committee, was formed at the London conference of Home Affairs and Justice Ministers on 1 December 1992 (see CL No. pp.1-3, and p.10).

The K4 committee has the task of establishing the Maastricht treaty's "third pillar", which covers inter-governmental cooperation on law and order, asylum and immigration policy, and the setting up of Europol. The committee will answer only to national governments. It will be responsible for implementing initiatives now in the hands of working groups set up under the TREVI process. Documents made available to Statewatch reveal the TREVI network's current activities. They show that 60 meetings of security service officers, custom officials and Home Affairs civil servants were held alone during Britain's six-month EC presidency last year. The UK ministry of Home Affairs warned other EC states that the volume of paper work was so great that it caused "operational difficulties" for TREVI's secure fax network. To overcome the problem, it was agreed at the London meeting to consider using an electronic mail system with secret codes.

The documents also describe the work undertaken by three TREVI working groups. WG1, concerned with political violence, has agreed a "full terrorist threat assessment document", including an unprecedented analysis of future threats. "Terrorist finances" are the subject of a separate judicial cooperation working group.

WG2 is responsible for cooperation among police forces, including the exchange of information on training, forensic science, computers, public order and the policing of road traffic. It has set up a study on telephone tapping.

WG3 deals with serious crime, including drug-trafficking and money-laundering, and is responsible for setting up the European drug intelligence unit as the first step towards the creation of Europol.

This group is also responsible for establishing common definitions. For example, terrorism is defined as "the use and attempt to use violence by a structured group to obtain political objectives". Organised crime is "an uninterrupted series of criminal activities committed by a group of individuals with the intention of obtaining benefits, influence or power."

The British Home Affairs minister, Kenneth Clarke said at the London conference on 1 december that he had thought this would be the last meeting of TREVI and he looked forward to the K4 committee taking over with a permanent office and secretariat in Brussels, when the "third pillar" of the Maastricht treaty (article K for Cooperation on borders, immigration, asylum, law and policing) came into effect.

Compounded from the Guardian, 4.2.93, and Statewatch

Source: Statewatch Vol.3, No.1, January/February 1993.

Contact: Statewatch, PO Box 1516, London N16 0EW, Tel:+44/81 8021882, Fax:+44/81 8801727

RIGHT-WING EXTREMISTS AND CRIMINALS IN BERLIN'S VOLUNTARY POLICE RESERVE FORCE

Berlin's voluntary police reserve force (Freiwillige Polizeireserve, FPR) is infiltrated by right-wing extremists and criminals. This is the finding of an investigation on the "security force". The German police union GdP, Social-democrats and Liberals call for its dissolution, but Berlin's senator in charge of interior affairs sees no reason for doing so.

The investigation which started in January produced chilling findings: 89 of the 200 members of the reserve checked in the first stage of the inquiry had a criminal record. And in its final conclusions the report confirms that 807 voluntary policemen have at some time

SWITZERLAND

MORE SNOOPING WITH THE NEW ANTI-DRUG DATABASE "DOSIS"?

A new electronic database on drug-related information is to be launched in eight Swiss cantons, before the end of Spring. Critics fear that the advanced computer will open the door to further snooping on citizens not suspected of any delict and contribute to criminalising drug-addicts rather than large scale trafficking.

The decision to set up DOSIS can be traced back to 1988, the year when the "state protection" scandal came to light. The then minister of justice and police, Elisabeth Kopp was accused by the press of involment in drug-money laundering and had to step back. In the wake of this affair, the Swiss parliament called for stronger measures against organised crime and required the installation of an electronic system of surveillance as a means to trace Mafia structures within drug business.

DOSIS however does not appear capable to fulfill such wishes. No information on the flux of illegal drug money through Swiss bank accounts will be collected in DOSIS. "We lack the legal competence for such a purpose", says Lutz Krauskopf, director of the BAP (federal office of police). DOSIS will rather focus on information concerning the half-open drug scene in urban areas. DOSIS will contain information both on purely profit oriented dealers and small consumer-dealers, who seek to finance at least part of their own consumption by selling drugs. As a matter of fact, this latter category makes up for over 80% of trafficking in the streets. Mere consumers of illicit drugs will however not be registered.

Critics are concerned that the storage of "non-warranted" data in the DOSIS-computer is explicitly provided for. When e.g. a memo-book with hundreds of adresses and phone numbers is found on a dealer, "we want them all in our drug investigation system, otherwise it would make no sense", says a former leading police commander.

From the point of view of investigation technics this may appear reasonable. "We want to know exactly, where a suspect of qualified drug trafficking has appeared before and whom he has met", says Jörg Schild, one of the initiators of DOSIS.

Federal officials try to quiet down concern about infringements on civil rights and liberties by such an extensive system of surveillance by pointing at three levels of control enabling the deletion of erroneous or obsolete data. Two of these instances of control are however located inside the federal office of police. The third is the federal ombudsman for data protection.

Access for persons concerned to their personal data is granted in principle. It is refused only pending criminal prosecution, but the concerned will thus learn that he/she is registered.

Similar projects within the EC have drawn harsh criticism of the German Association for Data Protection who sees the argument of combatting drug delinquency as a "dooropener for further police powers of a European office of criminal investigation [Europol] which is acting unrestrained by any legal chicaneries and control."

Paraphrased from Tagesanzeiger, 8.2.93: Droht der Drogen-Supercomputer DOSIS zum Schnüffelcomputer zu werden?, by Beat Leuthardt and Rolf Wespe.

TURKEY WANTS RECOGNITION BY GERMANY AS A "SAFE COUNTRY"

The Turkish Prime Minister Demirel has called on Germany, no longer to grant refugee status to asylum seekers from Turkey. Mr. Demirel justified his request on the grounds that persecution did not exist in Turkey. When questioned about reports on human rights violations in his country, Mr. Demirel said that isolated cases might have occurred, but that Turkey was an open country with a free parliament and a free press.

Source: Neue Zürcher Zeitung, 24.2.93

Comment:

Mr. Demirel's move is significant in three ways.

1. It must be seen as a prompt reaction to the conclusions of the London conference of the 12 EC-immigration ministers on 30 November 1992. The ministers had agreed that asylum applications from refugees from countries with "generally no serious risk of persecution" should be considered as "manifestly unfounded", thus allowing for a quick rejection of the claim and the deportation of the concerned.

Among the criteria listed at the conference for establishing "safe" countries of origin was the existence of democratic institutions (see CL No.11, p.2).

2. It is not by mere accident that the Turkish prime minister chose Germany as the first EC-country for presenting his claim. Germany is since long ago Turkey's most faithful European ally. German experts have trained anti-terrorist units and modernised the police in Turkey and Germany is the main importer of arms to Turkey.

3. Demirel's reference to the freedom of press is cynical against the background of an ongoing campaign of physical liquidation of independent and oppositional journalists in Turkey and the harassment of Kurdish publications, but he knows that the German government is in desperate search for a pretext to stop the influx of - most Kurdish - refugees from Turkey. And should Germany give in to his demand, the rest of the EC-countries is likely to follow, as he might have concluded from recent experience in the Balkans.

N.B.