

GERMANY**"ANTI-TERRORIST" POLICE OPERATION ENDS IN SCANDAL**

A large scale operation of German security forces aiming at the arrest of two alleged members of the "Red Army Faction (RAF) is causing disarray and scandal in Germany. As we are writing this, both the German Interior Minister, Rudolf Seiters, and the Federal Prosecutor General, Alexander von Stahl, have resigned and the dissolution of the famed GSG-9, a special anti-terrorist unit comparable to the British SAS is discussed.

"High noon" in Bad Kleinen

Not even two weeks after the dramatic shoot-out that led to the death of an alleged terrorist and a policeman, were the responsible authorities able or willing to present a tenable account of what really happened on Sunday, June 30 in the little East German town of Bad Kleinen. An uninterrupted flow of contradictory official statements and media revelations is constantly adding to the general disarray and the German weekly "Der Spiegel" is already predicting a "state crisis".

So far, only the following facts appear to be established: On June 30, two alleged members of the "RAF", Wolfgang Grams and Birgit Hogefeld, met in a restaurant near the train station of Klein-Baden in the east German region of Mecklenburg.

According to some sources, a third man called "Klaus", - possibly an under-cover agent took part in the meeting as well. When Grams and Hogefeld left the restaurant, they ran straight into a police trap. More than 50 police officers belonging to the GSG-9, the BKA (Federal Office of Criminal Investigation) and another special unit, the "Grenzschutz-Sicherungsgruppe Bonn", had encircled the site. A wild shoot-out erupted, leaving two men dead. A young policeman, member of the GSG-9, and Wolfgang Grams. Birgit Hogefeld was arrested. Interior Minister Seiters immediately presented the operation as a big success of police after years of vain efforts to track down the alleged hard core of the "RAF", a phantom like group accused of a series of spectacular terrorist attacks between 1984 and 1990. Yet, only days later, the magazine "Der Spiegel" published a shocking version of the event in Bad Kleinen, based mainly on the statutory declaration of an unnamed policeman who had participated in the operation. According to this witness, Wolfgang Grams, already lying motionless on the ground, had been executed at point-blank range and in cold blood by a colleague policeman. This account was confirmed by another, civilian witness. The authorities reacted in panic. Secrecy was imposed on all staff involved in the operation, ever more pressing questions of the media remained unanswered, different authorities involved produced totally contradictory accounts of the incident, causing total disarray and a strong impression among public opinion, that the authorities concerned and the government are desperately trying to conceal the truth. Indeed, one week after the shoot-out no formal records of the police officers involved in the operation had been taken down - a fact that seems to indicate deliberate obstruction of any later enquiry.

And the most obvious and essential questions continue to remain unanswered: Was Grams armed or not? Was he really executed by a policeman in a situation of defencelessness? Or did he commit suicide? Was the GSG-9 member killed by bullets from Grams' gun or by accident, by police gun fire? What types of guns and bullets were used by whom? Who was the mysterious "third man"? Was he an under-cover agent? What happened with him? Who was in charge of the operation on the site?

Every day passing without convincing answers further and irreparably undermines the credibility of Germany's powerful internal security apparatus, already seriously questioned as a result of its troubling lack of initiative in combatting neo-nazi violence.

N.B.

Sources: *Der Spiegel*, No.27, 5.7.93; *Die Tageszeitung*, 3.7.93; *Berliner Zeitung*, 7.7.93; other German press articles.

The mystery of Bad Kleinen: Interview with "RAF"-expert Wolfgang Landgraeber

In March, we published an article on "The phantom of terrorism in Germany: Who hides behind the label "Red Army Faction"?" (CL No.13, p.2). The article was based mainly on a book by the German journalists Gerhard Wisnewski, Wolfgang Landgraeber, and Ekkehard Sieker. The book amounts to a merciless unmasking of German "anti-terrorist" policing and fundamentally questions the picture drawn by the prosecution authorities and the mainstream media of the "RAF" as a leftist terrorist gang responsible of a bloody series of professional killings.

While the three authors' revelations were largely ignored, if not ridiculed by the German main stream press, just half a year ago, their assessment of the "RAF" mystery and the role of German security bodies became a subject of public interest and discussion almost overnight, after the shoot-out at Bad Kleinen.

In the following, we publish an interview with Wolfgang Landgraeber, realized for the Circular Letter on 12 June by Jürgen Holzapfel (European Civic Forum). Wolfgang Landgraeber is a journalist with WDR, a German public broadcasting company.

CL: Mr. Landgraeber, the German authorities contend that Grams and Hogefeld are members of the "command level" of the "RAF" and directly involved in the failed terrorist attack against the then Minister Tietmeyer. What are these accusations based upon and are they justified in your opinion?

W.L.: I don't know, what these accusations are based upon. At a visit at the BKA (Federal Office of Criminal Investigation), about a year ago, we were told that Ms. Hogefeld was suspected, because she is said to have rented a car that was later used by the perpetrators in carrying out their assassination attempt against Tietmeyer. This, the BKA says, was established by its own graphological expert evidence. However, in the course of our investigation, we more closely examined the question of these graphological expert opinions and found out that this sort of evidence hardly ever was accepted by the courts, because of lacking evidential trustworthiness. In several cases this caused major embarrassment to the BKA. In this respect, the alleged evidence really lacks consistency. As for Grams, he is merely suspected of membership in a terrorist organisation, on the sole ground that he disappeared in 1984. There is no other evidence against the two.

CL: Has it meanwhile been established that Grams was actually armed?

W.L.: No, there is still no conclusive evidence. In recent days, the already confusing tracks have been further blurred to such an extent that we have good reasons to suspect that there is an instance somewhere in the security and investigation apparatus which is deliberately spreading disinformation. In the event of major actions police is engaged to video-film the entire operation. Now, the video-tape of the Bad Kleinen operation has finally emerged and - behold! - the crucial sequences either have not been filmed or have been removed subsequently. This is, after all, very suspicious, because, as a matter of fact, this means there still are more open questions than reliable answers with regard to Grams' death. A gun was found that is said to have belonged to Grams. According to some speculations a bullet fired from this gun might have hit Grams in the head. Other expert opinions contradict this version. There is also a lot of confusion about the ammunition used, although we are told that it is established which gun belonged to Grams and which ammunition the GSG-9 officers used. According to the BKA, the GSG-9 used so-called "action-ammunition" [a type of only partly coated bullets, producing large surface wounds]. Was it really Grams who shot and killed the young GSG-9 policeman, or did his colleagues kill him by accident? The characteristic of the lethal wound would point to the latter.

CL: What is known about this under-cover agent "Klaus"?

W.L.: Again, this is a real maze. First version: He was seen at the restaurant and ran away when the police took up the pursuit of Hogefeld and Grams. The second version: Some witnesses believe to have seen how this "third man" too was arrested and brought away. Yesterday there were speculations in the press that been brought to the USA with a new identity and a new face, in order to protect him from revenge actions of the "RAF". In short, we know nothing.

CL: It is said in the newspapers that this under-cover agent was member of the alleged "command level" of the "RAF"...

W.L.: There to I can but say that for us, the three authors of the book "The RAF-phantom", the alleged "command level" is still a spectre. Although one is constantly told that it exists, there is not the slightest evidence. Our fellow journalists writing about the "command level" are somewhat helpless. They just take the BKA's search list and the photos - previously there were eight photos on the BKA's search poster, now there are only six - and then they say: this is the command level of the Red Army Faction. Yet, neither the chief of the BKA nor the federal Prosecutor general really know, what the "command level" of the RAF really is. They simply claim that there is a bunch of terrorists who take the decisions. But one doesn't even know, if they know each other, if they are organised in small, independently operating cells, if they inform each other through a single contact person, one doesn't know what they are doing and planning - in short, one knows nothing. The only established fact is that a group of eight - now six - people vanished from the surface of the earth. Nobody knows where they are staying, in many cases it is even unknown if they are still alive. Yet, precisely the fact that nothing is known about them is interpreted as circumstantial evidence for an alleged vast conspiracy.

CL: As compared with the military professionalism of other attacks attributed to the "RAF", the failed attempt against Tietmeyer, in which Ms. Hogefeld is presumed to be involved, makes a rather amateurish impression. This clumsy proceeding would better match the picture of leftist students or social workers. Could one not deduce from this the following thesis: that there is on the one hand an amateurish but authentic "RAF", formed of a group of confused leftists and thoroughly infiltrated by under cover-agents, and on the other one or several professional killer squads, responsible of the very spectacular and intriguingly successful attacks?

W.L.: I would, indeed, warm up to this thesis, since a lot of circumstantial evidence points in that direction.. Remember not only the Tietmeyer attack but also such bizarre attacks as, for instance the gun fire on the US embassy in Bonn during the Gulf war, followed by an explanation of an alleged "RAF" that this was a "symbolical act" against the US-imperialists aiming at uniting opposition against the Gulf war in Germany. The attack had exactly the opposite effect. It led to a desolidarisation, as none of the peaceful anti-war protestors wanted to appear as sitting in the same boat as the terrorists.. The picture is indeed, confusing and troubling. And no security expert has so far been able to produce a satisfying explanation for this aspect: why is the "RAF" capable, at some occasions, of acting like a perfect secret service, with really sophisticated operations? Also this most recent bombing of a high-security detention centre under construction in Weiterstadt shows this professional hand-writing. Explosive experts have confirmed for us that this bombing could only be carried out by genuine professionals with intimate knowledge of the statics of the building. The blast irreparably damaged all the carrying structures and the whole huge building had to be torn down.

How could just the "RAF" dispose of bombing professionals, who must have had many years of experience, according renowned explosive experts?

The picture is very intriguing and it is conceivable, indeed, that there does exist a "Red Army Faction", which uses the symbols of the "first generation" of the "RAF" and refers to this tradition, but which nevertheless is just a little bunch of amateurish would-be terrorists, whereas the large-scale, sophisticated and successful attacks would have been carried out by other perpetrators, making use of the "RAF" trade-mark for very different aims.

CL: The question remains about the consequences of the Bad Kleinen shoot-out. It could appear as somewhat astonishing that Interior Minister Seiters resigned so quickly, after this incident. After all, considering the incapacity of German security to cope with right wing violence in recent months, he would have had better reasons and earlier occasions to step back. What is your interpretation of this resignation and how is it motivated?

W.L.: There is not much I can explain. I can only register and guess, just as you do.. As things are developing right now, with new questions and stumbling stones emerging every day, one has good reasons to suspect that Mr. Seiters knows a whole lot more than he admitted during recent weeks. and that he might have been aware of a developing big "state crisis", the "Spiegel" magazine calls it, which he inevitably would have been drawn into. He might have preferred to step back at an early stage of the scandal in order to save his chances for a later political come-back.

In addition to this, the resignation might indicate that an even larger scandal might be hidden behind the incident of Bad Kleinen and that facts might emerge showing that Grams was actually executed by the police and that there was a government conspiracy to conceal this. But in this event, new questions would rise: why did this happen? Why was Grams drawn from circulation now? What did he know, that he should be prevented at any cost from revealing? A lot of questions, indeed.

CL: The Interior Minister and the Federal Prosecutor General have resigned. But who was in charge of the operation on the site?

W.L.: It must still be found out, who was responsible at the operational level on the site, what happened with regard to Grams' death and who ordered what in the course of the incident. It preys on my mind that this affair will not be brought to a close by the resignation of ministers responsible at a top level, but that the scandal might lie somewhere else.

CL: In your book the same question rises again and again: cui bono? Who benefits of all that? Do you have the beginning of an answer to this question, or is it too early?

W.L.: For the time being, it is impossible to give clear answers. We can but guess and register what happens. We have registered how lame the prosecution apparatus is as far as right wing terrorism is concerned. We must have in mind that 17 persons died in Germany since 1990, as a result of right wing terrorism, and many more were very seriously injured. On the other side, except for the assassination of Mr. Rohwedder in early 1991 - an attack officially attributed to the "RAF", although this is very doubtful - in the same period beginning with 1990, no persons were killed or injured. During this whole period police and judicial authorities almost had to be flogged into doing their duty and arresting and sentencing right wing perpetrators of terrorist attacks.

Considering this one indeed gains the impression that the attempt is made to hold alive this leftist terrorist spectre of a "Red Army Faction". And a spectre it is. The "RAF" can no longer be made out in its most basic outlines. It actually vanishes from the ground with the "second generation". As for the alleged "third generation", there are no traces whatsoever.

Against this background, the suspicion that there is a policy of deliberately underestimating the right wing threat and of permanently drawing public attention to an alleged terrorist organisation on the left instead, despite the obvious fact that there exists neither an infrastructure, nor a personal basis in today's Germany for any serious threat of left wing terrorism.

"ELECTRONIC KEY" TO FORTRESS EUROPE

In an attempt to deal with expected consequences of regulations in the Schengen Agreement introducing stringent measures of control at external borders (frontiers with non-EC states), the German Federal Government is preparing the introduction of "automatised personal checks" at borders. Frequent travellers eager to escape long queues and delays at airports can have their "biometrical measurements" registered in an electronic data base. In return they are promised speedy clearance at border checks.

Business circles and tourism industry have expressed concern about possible impediments to international travel as a result of the Schengen regulations on external border controls. So far, mere random checks are usual at airports and other external borders. But once the Schengen Agreement is in force, every single traveller entering or leaving EC-territory is to be submitted to a thorough identity control including not only travel documents, but also electronic data matching with the central register of criminal investigation and the SIS (Schengen Information System).

Even the German Interior Ministry appears to be worried about the prospect of long queues and traffick delays and therefore offers businessmen and other frequent travellers to participate in the test run of a new electronic system for automatised personal checks.

The somewhat unusual offer of the Interior Ministry: Apply at the border police for the voluntary, non-recurring electronic registration not only of your personal data including your passport or ID-card number, but also of your "biometrical characters" such as finger- and handprints, or the measurement of your hands. In return, you will be authorised to flit by queues of ordinary travellers, and place both your machine readable passport and your hand on the respective marked surfaces of a computer. The device reads the ID-data, compares them with the biometrical data measured by a laser ray and matches the information obtained with your data in the central register. After a few seconds a green light will indicate that you may pass the revolving gate.

Similar automatised systems are currently tested at the Amsterdam-Schiphol and New York-Kennedy airports. In these tests, however, voluntaries feed a smart-card of the size of a credit card with their personal data into the computer. The smart-card system requires no central registration of the personal data and nobody other than the holder of the card has access to them.

But the German system is operational only through central registration, thereby technically permitting access to third users.

In a first stage the system is to be introduced at Frankfurt airport, and only EC citizens may participate in the test. But if successful, the "electronic key to Fortress Europe" will also be offered to third country nationals - on condition however, that they come from states with "no or low risk of immigration".

If definitively introduced, the automatised control systems will lead to a two class clearance system at borders and further increase discrimination of certain categories of non-EC nationals.

The project is met with some scepticism by the former federal ombudsman for data protection, Alfred Einwag, who retired in June. The new system could mark the beginning of a "completely new practice of control", Mr. Einwag says and demands for guarantees excluding any other use of the data stored in the system than for its initial purpose of border control. In a paper addressed to the parliament, Mr. Einwag further expresses some doubts about the alleged "voluntariness" of registration in the system. Confronted with the unpleasant prospect of never-ending queues, travellers might well sense a "factual constraint" to "voluntary" registration.

He further finds fault with the fact that parliament was not incorporated in the planning of the project by the Interior Ministry and the border police.

The Frankfurt test run has also drawn angry reactions from a number of MPs. An FDP (liberal) MP, Wolfgang Lüder, stressed that the setting up of a biometrical database went much further than an earlier governmental project, rejected by parliament on data protection grounds, to introduce compulsory personal code numbers. A PDS (socialist left) MP predicted that the system would provide a "case study of Apartheid made in Schengen" and the Green MP, Ms Ingrid Köppe labelled the Interior Minister's refusal to inform parliament as "further evidence for the democratic deficit reigning in the field of the Schengen Agreement".

Researchers of the Bremen based *Institut für Informations- und Kommunikationsökologie* (IKÖ) warned that the system tested in Frankfurt could easily be extended to a "boundless surveillance of travellers". IKÖ fears that, in the long run, the introduction of the system will lead to the compulsory registration of all travellers and will be used for criminal prosecution purposes. The computer experts further denounce the very mentality behind extensive databases as the planned automatised border check system which, they say, amounts to "everybody being a suspect and everything needing to be controlled".

Sources: TAZ, 24.6.93; Berliner Zeitung, 17.6.93

For further information contact: Jan Kuhlmann, IKÖ/Fachgruppe Datenschutz, c/o Bremen University, FB Mathematik/Informatik, Bibliotheksstrasse 1, D-W-2800 Bremen 33, Tel: +49/421 2182833, Fax: +49/421/2183308.

DENMARK

POLICE SHOOTINGS IN COPENHAGEN

As mentioned in CL No.16, Danish police forces shot into crowds of mostly young and angry stown throwing demonstrators during the night following the Danish referendum on the Maastricht Treaty, on 18/19 May. Here is a first report on the incident.

The police fired at least hundred shots and made more use of teargas than ever before. 11 youth were hospitalised with grave injuries (head, back and stomach) resulting from bullets. At least two more youth were wounded, but sought other treatment because they feared going to the hospital. Several police officers were hurt too, but none of them needed hospital treatment for more than a day.

Already the day after the dramatic events, the Prime Minister, the Minister of Justice, and the Chief of the Copenhagen police forces declared their full support for the police's conduct and stressed that there was no need for further investigation. The use of fire arms by the police was justified with an alleged serious threat to the lives of policemen.

However, video films produced by alternative TV channels and reports from witnesses brought to light in the following days that plain-clothed officers of the special branch of the police, URO-patruljen, played a very active and dubious role in the street fight, throwing stones themselves and encouraging the battle-dressed police forces to fire. It was also documented that, as opposed to early assertions of the police chief, police opened fire at two

occasions at least.

This evidence raised questions that demanded answers from the responsible authorities, such as: Who was in command that night? Who gave the order, first to fire warning shots and then, to shoot into the crowd? What was the role of the special branch that night, and why were so many of its plain-cloth officers in the area? Why did an obviously to small group of battle-dressed police (18-24 officers) try to resist massive stone throwing instead of retiring when they ran out of teargas before support units could be sent to the scene? Where regulations on the use of lethal weapons by police respected?

The leadership of the Copenhagen police forces has been strongly questioned and their is mounting criticism about the role and the activities of the URO-special branch.

The Minister of Justice was finally forced to order an investigation of police behaviour during the events. The investigation is also to include a research on the "youth scene" and political activities in the area. The Danish prosecutor general, Asbjorn Jensen, will be in charge of the investigation. This has drawn renewed criticism, as Mr. Jensen and his institution are not seen as unprejudiced.

Other aspects of the May events have given rise to angry protest and new questions, such as: Is it ethically and legally acceptable that the hospital staff handed out names and other personal data of young injured patients to the police? The head of the medical doctors' union now demands an investigation and a political discussion on the status of the medical law when it conflicts with other laws. The question is, whether doctors and hospital staff can be forced to break their vow of secrecy, as they felt they were.

Did the police further act adequately and in compliance with the law, when arresting the injured youth and examining and impounding their personal belongings?

Thus the concerned were treated as criminals, although there appears to be no evidence that they were shot at because of some particular behaviour, but were accidental victims of shots fired indistinctly into a crowd.

More generally, the old question of police investigating police behaviour has come up again with new intensity. Amnesty International has initiated an alternative investigation.

On the other hand, one of Denmark's leading dailies, Berlingske Tidning, has launched a veritable inflammatory campaign against all non-conformist groups, ranging from Copenhagen's "youth scene", to leftwingers and other politically or socially active groups. In a series of articles all these very heterogenous groups, whose only common denominator might be their opposition to EC-membership are presented as being highly organised and all related to lesser or greater extent to international terrorism.

Meanwhile, both the meeting of the TREVI-ministers and of the European Council in Copenhagen took place under security measures and police presence unprecedented in post war Denmark, because of an alleged terrorist threat.

Already now, one thing seems certain: The may events are likely to poison the political and social climate in Denmark for a longer time.

Ida Koch (Copenhagen)

SWEDEN

NEW REGULATIONS FOR REFUGEES FROM BOSNIA

The Swedish government decided on 22 June to introduce the visa obligation for refugees from Bosnia.

The measure will make it all but impossible for Bosnians to enter Sweden. However, by the same decision, most of the 40.000 Bosnians currently awaiting a decision on their asylum application in Sweden will be granted a permanent residence permit.

Applications from those Bosnian asylum seekers already staying in Sweden, who have been split from their families as a result of their flight, will be handled as a priority. Swedish regulations provide for the reunification of spouses, children under age 20, and, in some cases of grandparents.

The Minister of Cultural Affairs, Birgitt Friggebo, responsible of immigration said that the government was also considering to seek the parliament's approval to raising the "planned reception of refugees", by augmenting the number of so-called "quota-refugees" to 1000 persons per month, for refugees from former Yugoslavia.

Ms Friggebo justified the introduction of the visa obligation with the assertion that Sweden was no longer able to cope with the present influx of 1.200 to 1.700 Bosnian refugees per week and stressed that most Bosnian refugees

were entering into Sweden by bus, via countries such as Poland, Hungary and Slovakia. These countries are considered as "safe" by Sweden. The introduction of the visa obligation is a direct signal to these countries to take their responsibility instead of merely transiting asylum seekers to Sweden, the minister said.

By deciding favourably on the individual asylum application of a Bosnian family, the government introduced new jurisdiction permitting the immigration authorities to decide on some 40.000 further applications from Bosnians that had previously been shelved. Ms Friggebo said, that the previous policy of tolerating Bosnian refugees on Swedish territory on a provisional basis without handling their applications, had been introduced in view of a possible improvement of the situation in Yugoslavia, but that the further deterioration of the situation in Bosnia no longer permitted to hope for an early return of refugees to their country.

Source: Dagens Nyheter, 22.6.93

FRANCE

"IMMIGRATION ZERO": PASQUA'S ANTI-IMMIGRATION PACKAGE VOTED BY PARLIAMENT

With 480 against 88 votes the French National Assembly adopted a law on the entry and stay of foreigners, the last of three bills proposed by Interior Minister Pasqua in the framework of his harsh anti-immigration programme launched under the popular slogan "immigration zero". On 19 June, some 20.000 persons demonstrated in against the "Pasqua projects" in Paris.

Pasqua's anti-immigration package consisted of three pillars:

- the reform of the law on citizenship (code de la nationalité);
- the bill on identity checks (loi sur les contrôles d'identité);
- the bill on the entry and stay of foreigners in France (loi sur l'entrée et le séjour des étrangers en France).

The law on citizenship

The new law introduces a series of restrictions with regard to access to French citizenship:

- Foreign parents of children born in France will no longer have the right to apply for French citizenship on behalf of their children. So far foreigners often made use of this possibility in order to secure their own situation of residence, as the parent of a French child may not be expelled (This latter protection is suppressed for parents sentenced for drug trafficking).
- Children born in France of foreign parents must manifest their will to become French. So far, in strict application of the principle of *ius soli*, citizenship was granted automatically to this category at age 18.
- A six month prison sentence after age 18 will prevent any application.
- A foreigner marrying a French will have to wait two years before obtaining citizenship (half a year, according to previous legislation).
- Children of Algerian parents born before Algerian independence will no longer automatically be French at birth. So far a child born in France was considered a French if one of its parents was born in France. All Algerians born before independence in 1962 were considered as born in France. With the new regulation, this principle will only apply, if the parent born in Algeria has resided in France for the last 5 years. Symbolically, this provision amounts to no longer considering pre-independence Algerians as French. According to the government, the amendment aims at preventing Algerian women from travelling to France for delivery for the mere sake of obtaining French citizenship for their child.
- Children of parents from other former French colonies and born before independence will no longer be French at birth. This measure aims at children of parents from the former French colonies in Africa.
- Youths with double citizenship will have to do military service in their country of residence.
- Decisions turning down an application for citizenship must be motivated.

Identity checks

So far, identity checks were authorised only in presence of circumstantial evidence linking the person concerned to an infraction. According to the new law, on order of the public prosecutor, any person can be checked by the police in places and within a period of time determined by the magistrate.

Checks on purely preventive grounds were prohibited under previous law. According to the new law, ID-checks may be carried out, "in order to prevent an encroachment on public order, namely an encroachment on the security of persons and property...whatever the behaviour [of the concerned] may be."

Critics of the new provisions say they will allow arbitrary checks of foreigners based merely on physical appearance and thus further encourage police racism.

Finally, the new law comprises "compensatory" regulations justified with the abolition of internal border controls by the Schengen Agreement. The entry into force of the Agreement has, however, been postponed *sine die* by France (see CL No.16, p.1). Nonetheless the new law clearly refers to Schengen by stating, that after the entry into force of the Agreement, any person within 30 km reach of a border, or being found at a port, an airport or a bus or train station open to international traffic may be checked. The legal committee of the parliament further extended this possibility of control to all *départements* (districts) with maritime or terrestrial borders.

Entry and stay of foreigners

The law on the control of immigration and on conditions of entry, reception, and stay of foreigners in France aims at setting a limit to what the government views as the three main channels of immigration - family reunification, marriage, and asylum, - and at facilitating expulsions and deportations:

- Asylum applications will be more thoroughly "filtered" by the interior ministry. Thus the *préfets* (district governors named by the Interior Minister) can reject an application on the grounds of "deliberate fraud", or when the applicant has passed through another Schengen-member state on his way to France.

Asylum applications presented at the border can be turned down without further consideration if they are considered as "manifestly unfounded" by the interior ministry. These new barriers will prevent certain asylum seekers from presenting an application to the OFPRA, the administration in charge of refugees.

- Family reunification will be granted only to applicants having resided regularly in France for two years and disposing of sufficient income (whereby expected family allowances are not taken into account).

- Social assistance will be suppressed for illegal residents. The total denial of access to medical care for illegal residents initially included in the Pasqua project was however dropped after protests by the former Minister of Human Rights, Claude Malhuret, and medical organisations pointing at possible negative effects of such a measure on public health.

- The residence permit card will be more difficult to obtain. the possibility of automatic renewal is limited. Polygamous foreigners will be denied residence permit, even retroactively and authorities may always deny a residence card on the grounds of a "threat to public order".

- Mayors will be authorised to suspend the celebration of a "suspect" marriage with a foreigner and demand further examination by the public prosecutor in case of suspicion of a marriage of convenience and the automatic right to long term residence of foreigners married with a French will be restricted.

- Foreigners awaiting deportation can be placed in a retention centre for up to 3 months, if they refuse to reveal their identity.

- The protection of long term resident foreigners from expulsion is reduced. Among others, a foreigner sentenced for drug trafficking may be expelled, even if his child is French.

The new laws must still be approved by the common session of the two parliamentary chambers and could be submitted to a decision of the Constitutional Council, before entering into force. Major amendments are however not expected.

Sources: *Légiférer pour mieux tuer des droits, Projet de réforme de l'entrée et du séjour des étrangers, texte, analyse, commentaire*, published by GISTI (Paris), June 1993, 72 p.; *Le Monde*, 11.6.93, 19.6.93, 20.6.93; *Impact Médecin Quotidien*, 15.6.93; *Libération*, 3.6.93, 15.6.93; *Neue Zürcher Zeitung*, 18.6.93, 22.6.93.

PASQUA POLICY DRAWS PROTESTS FROM MANY QUARTERS

The significance of Pasqua's anti-immigration bills lies in their political symbolics above all. Many of the measures now becoming law had been gradually introduced into practice already by previous governments. But this was done in in shameful silence. For the French people, the country's role as the "cradle of human rights" , the mother of *liberté, égalité, fraternité*, has always been a matter of tradition and national pride.

This ideal, although often not met by practice, was never questioned as a such and it strongly influenced

law making. In the view of the French left and many liberals, the openly declared war on immigrants sets an end to this national consensus. Minister Pasqua's "reform" announces a profound change of the political and judicial climate in France. The following comments reflect this new situation.

A logic of generalised suspicion

In the introduction to its critical analysis and comment of the Pasqua package, GISTI, a Paris based organisation providing social and legal information and support to immigrant workers writes, among other things: "Like a watermark, an implicit philosophy shines through [behind the bills] postulating, that foreigners - read: non-Community nationals - have no right whatever, neither to be in France, nor to live here, and that, as a consequence they can not benefit here of any protection other than such, one - arbitrarily and by pure kind-heartedness - consents to concede to them, and that, thereby, insecurity becomes the very essence of their condition". GISTI further stresses that the law on entry and stay of foreigners amounts to the "reinforcement of a police state whose most spectacular elements are its obsessional concern for public order and its identity checks, but which manifests itself more fundamentally through the setting up of a logic of generalised suspicion. Not just the (genuine or reputed) "clandestines" - but the foreigner population as a whole - labelled in front of public opinion as a source of potential threat having intruded on the national territory - will be the victims of this suspicion, just as all those whom some element designs as possibly being a foreigner, and those who have taken the risk of taking up affective relations with foreigners. But let us not fool ourselves: Even if the foreigners are in the first line, it is all of us, nationals included, who will have to endure the system of repressive policing that is being set up, piece by piece on the pretext of combatting clandestine immigration and insecurity."

Source: Légiférer pour mieux tuer les droits, GISTI paper, June 93. (See this CL: Documents and Publications).

Immigrants - scape goats in a period of crisis

The president of the governmental Office of International Migration (OMI: Office des Migrations Internationales), Pierre-Louis Rémy stepped back on 3 June, because of disagreement with the government's immigration bill. In his letter of resignation Mr. Rémy says:

"I fear...that the proposed texts and the comments accompanying them might comfort those who consider foreigners as being the source of all our difficulties and that, in their bud, they [the texts] might bear disillusion and risks of serious tensions for our society". And in allusion to Mr. Pasqua's "immigration zero" slogan, he pursues: "I suspect that the assertion that France should strive after a nill immigration might hinder the integration of foreigners already residing in France legally. Besides, everybody knows that such an objective is not realistic. As a consequence, it must be feared that its mention might provoke uncontrolled reactions by French people having understood it far too literally... In periods of crisis, fear and mistrust of foreigners are common. And our country is currently - together with others - going through a difficult period. The social coherence is fragile. It is therefore particularly dangerous to point at the foreigner as a scape goat."

Source: Le Monde, 5.6.93

"What your ancestors used to call liberties, you already call it disorder"

In an article in the Paris daily "Libération" entitled "Marriages under high surveillance", Francois Camé writes: "A citizen no longer has the right to receive foreign friends at his home without beforehand having requested the authorities for authorisation [according to government ordinances from 1982 and 1991]. The citizen, making such a request, must sign a paper authorising the officers of the Interior Ministry to come and inspect his home, without the mandate of a judge.

This is not happening in Russia, but in France.

Circular from 16 July 1992. A citizen desiring to marry a foreigner must also seek approbation by local authorities. In most of the cases he/she will be deferred to the public prosecutor, together with the one he/she loves. The police is namely charged with assessing if they have sexual relations with each other, the marriage otherwise being considered as nill.

This is not happening in China, in Burma, or North Korea, but in France. And nobody seems to be alarmed.

Let us make it clear: the issue here is not even about defending immigrants, or pleading the *ius soli*. These are just combats in favour of foreigners and their rights, of course. But this is not what all is about. The French people themselves are concerned... In a world of air transports, global market and international fluxes (cultural, economic, social), it is no longer possible to infringe on the free movement of persons without sacrificing on the the altar of fear one's own liberty, one's own wealth.

By wanting to control 30.000 persons a year (the huge majority of whom really wish to marry from love) they sacrifice their principles of democratic citizens, their dignity as free individuals - and, more simply, the eventuality of being happy some day with a person of different nationality..."

The author then quotes the French "right wing" writer, George Bernanos, who was concerned about the apathy of the French people with regard to the extension of identity checks, just after World War II: "The thought that a citizen who has never found up himself with the judiciary of his country, should be perfectly free to keep his identity to himself vis-à-vis whom ever he wishes and for reasons he alone is the judge of, or just for his pleasure; that no indiscretion whatever of a policeman concerning this domain should be accepted in absence of very serious grounds - this thought does no longer come to the mind of anyone... When the state will consider more practical... to impose us some exterior mark, why should we then hesitate to be marked with an iron, on the cheeks or on the behind, just as cattle... What your ancestors used to call liberty, you already call it disorder.'
This was forty five years ago."

Source: Libération, 4.6.93: Mariages sous haute surveillance, by Francois Camé.

EUROPEAN HARMONISATION

THE COMMON COMBAT AGAINST A CRIME YET TO BE DEFINED

In September 1992, the EC-ministers of justice and home affairs commissioned an "Ad Hoc Working Group on International Organised Crime" (AHIOC) to produce a report on judicial, police and Customs co-operation in a view to combat organised crime.

The report was approved by the ministers at their meeting at Kolding (Denmark) on 6/7 May 1993 and the mandate of the AHIOC extended for an additional six month period.

While proposing a series of concrete measures aiming at a better police and judicial co-operation in the field of organised crime, many of whom are likely to further undermine the rights of the defence, the AHIOC clearly has not agreed on a common criminological, let alone legal definition of what organised crime really is.

In an attempt to define international organised crime (i.o.c.) "from a criminological point of view", a list of o.c.-relevant elements is drawn in the report:

- Systematic cross-border criminal activity in certain "particularly lucrative" domains;
- Determination to influence the political life, the media, the economy, the public and judicial authorities;
- Considerable economic resources enabling for the purchase of "sophisticated equipment", legal advice and other expert services;
- Sufficient intellectual capacity and economic power enabling to exploit differences between the judicial systems of the EC-member states;
- Hermetical hierarchical structures making it difficult to establish links between higher and lower levels of the organisation;
- Double structures of organisation, the profits from criminal activities being invested in lawful activities of vast networks of legal society structures masking relations with the criminal organisation;
- Strict internal discipline based on a system of reward and punishment, such structures being favoured by the common belonging to a "particular ethnic group";
- Willingness to make use of violence, including homicide, for protecting the organisation;
- Use of economical means for bribing public administration and political parties.

Yet, the report underlines that "this list is not exhaustive, not established according to an order of importance [of the different elements named above], and that not all mentioned characteristics can be found in all international criminal organisations". In other words, a criminal activity can be rated as "organised", even when it fits only part of the elements of description above.

Later in the report, the AHIOC openly admits that it has "not been able to find possibilities of formulating a common

legal definition of the term of organised crime".

Judicial co-operation

In the field of judicial co-operation the AHIOC calls on the member states to ratify without reservations all conventions regarding penal affairs as an efficient means of co-operation. The report underlines the particular importance of co-operation relating to the extradition of delinquents which, it says, is for the time being hampered by legal and practice obstacles.

This problem could be overcome through simplified and accelerated procedures, namely in the field of mutual criminal-legal assistance and more efficient communications between the judicial authorities, prosecution and police of the member states. The AHIOC proposes to establish a network of "contact points" of judicial co-operation in each member state commissioned to collect and spread information; to encourage direct contacts between local authorities concerned, and to promote the exchange, for limited periods, of magistrates of the prosecution and courts and of ministerial civil servants. The proposals could be realised in the framework of the Maastricht Treaty (title VI) or on a bi-lateral basis.

The AHIOC makes out a problem of lacking compatibility of the legislative means available in the various member states. Thus, in some countries criminal organisations are prosecuted merely under general provisions on "criminal complicity", while in others prosecution is based on particular legislation on "membership in a criminal organisation" or "association of gangsters".

In order to "lessen the risk of unintentional consequences of the absence of a common legal definition of international organised crime", the AHIOC therefore stresses the need for a better mutual knowledge of o.c. relevant law and practice in each member state.

The report further notes differences among the member states of the legal means of criminal investigation regarding practices such as searches, seizures, interception of communications, covert surveillance (including deliveries under police surveillance), active infiltration, the freezing of assets, the handling of informers, the protection of witnesses, and the reduction of sentences for "repenters" turned state witnesses. The report calls for a common effort of identification of means of action in those domains [of criminal investigation] "where the differences among legislations could have a negative effect on measures against international organised crime".

[This is quite obviously a call for a harmonisation of investigation practices according to the most extensive interpretation of necessary repressive action in each member state, the whole being justified by a criminal behaviour which lacks a common legal definition. N.B.].

The AHIOC further advocates anti-i.o.c. co-operation beyond the EC, both within international fora and on a bi-lateral level.

Police and Customs co-operation

The AHIOC welcomes the work of TREVI WG III in this domain and urges i.a. for a speedy decision on the site of Europol's future headquarters; the speeding up of the preparatory work for a Europol Convention; the extension of Europol's tasks

to types of "cross-border crime" other than drug trafficking; accelerated work on both an EIS (European Information System) and a CIS (Customs Information System) Convention. According to the report, ca. hundred computer terminals of the CIS are already operational throughout the EC, making agreement on a legal basis an urgent issue.

Closer and more formalised co-operation between Customs and police authorities regarding the combat against i.o.c. is stressed.

A network of "contact points" similar to the one proposed in the domain of judicial co-operation should be set up for police co-operation. Each member state should design its point of contact [A Swiss proposal that EC member states use their existing National Co-ordination Bureaux of Interpol as points of contact in the framework of EC-police co-operation (CL No.15 p.1), is not commented in the report].

The AHIOC asks the ministers to consider the creation of a common scientific documentation on o.c. with eased access for "decision-makers and practitioners".

The exchange of information is named as the most important element of police co-operation. On the international level this exchange is, for the time being, mostly taking place in the framework of Interpol and, namely, its unit on o.c.

On Community level, various fora within the TREVI structure are concerned with o.c. related issues: TREVI I (combat against terrorism), TREVI II (professional training and equipment of the police), TREVI III (organised crime/drug trafficking). A particular "Ad Hoc Group TREVI Europol" is in charge of setting up Europol, while the "Working Group TREVI 1992" is entrusted with the fulfilment of the "TREVI Programme of Action", in which "a

certain number of precautionary measures to be set up in the domain of policing in relation of the free movement of persons within the Community", are named.

"An important element in this context", the AHIOC says, "has been the widening of the network of contacts - both formal and informal - set up as an integrating part, within recent years, of an ever more intensive police co-operation". This form of co-operation could be further improved by the establishment of a network of police liaison officers, as well as bilateral exchanges.

Source; Rapport du Groupe de Travail Ad Hoc sur la Criminalité Organisée Internationale destiné aux Ministres de l'Intérieure et de la Justice, 21.4.93, 28 p., in French (no reference number and place of publication mentioned).

INTERNATIONAL ORGANISED CRIME AND EUROPEAN POLICE CO-OPERATION

Interview with Professor Lode van Outrive, MEP, Catholic University of Leuven

CL: The report by the Ad Hoc Group on International Organised Crime (AHIOC) confirms that the new structures of European police co-operation, Europol, EIS, and CIS are already being set up despite the fact that a common legal basis for such a co-operation does not yet exist. How about the democratic legitimacy of such a proceeding?

LvO: With regard to the EIS, it is not really correct to say that it is already being set up. This is however rather due to technical and administrative problems than to scruples about the legitimacy of the proceeding. The setting up of the EIS is somewhat blocked for the time being, because the SIS (Schengen Information System) is not yet fully operational. This is however seen as a precondition for establishing the EIS. By the way, the SIS too, for the time being, lacks a legal basis, as the Schengen Agreement has not yet been ratified by all signatory states.

With regard to Europol, your observation is correct: There is no convention yet, but one has already begun working on the sole basis of a purely technical-administrative agreement. To start police co-operation in this way, is a very objectionable proceeding indeed, in particular, when one considers that we don't know anything about which stage the work on the first element of Europol, the EDU (European Drug Unit), has reached. It seems that the EDU is already more or less operational, but it is not known yet, where the central computer will be placed, because Ministers failed to reach agreement on the question of the seat of Europol's headquarters. Now, there is also some talk about a project for a particular Europol Convention which is necessary in view of the planned exchange of personal data. In my opinion, they have taken a wrong start. There is no control and the ministers simply tell us that they will assure control themselves.

Regarding Europol's relations with Interpol and the numerous other bodies and initiatives involved in the combat against narcotics, nothing is regulated in an orderly manner, as far as I know, at least. If such arrangements have been made, they have been kept completely secret.

CL: The AHIOC calls for the setting up of a scientific documentation on international organised crime based on common research. It further recommends that the results of this research should be more accessible both to "decisionmakers" and "practitioners". Is this an indication that non-governmental institutions and groups, as for instance academic researchers, lawyers and human right groups might finally be granted better access to information concerning the development of police and justice co-operation?

LvO: I would be happy to believe this, but I am very doubtful. So far, such an access to information has been denied in this domain and the recommendations you mentioned are all too vague.

CL: The AHIOC recommends that all domains regarding home affairs and justice be placed under the common co-ordination of the new K.4 Committee.

Is the K.4 Committee going to take the place of TREVI?

LvO: No, K.4 is not identical with TREVI. TREVI will pursue its work. The K.4 Committee is to replace the so-called Group of Co-ordinators on the free movement of persons. This last fairly informal group was created as a result of the Rhodos Council of European Top-Ministers and the first Palma conference of co-ordinators (top level civil servants). With the formal creation of the K.4 Committee, the Group of Co-ordinators will simply obtain a more official status within the framework of the Maastricht Treaty on Union. One of the tasks of the K.4 Committee will be

to co-ordinate the various TREVI-working groups as well as the activities within the Ad hoc Group Immigration. As for the AHIOC, this is a separate body created by the European Council.

CL: The report of the AHIOC calls for the setting up of points of contact for police co-operation in each EC-member states. At the recent conference of Interpol's European section in Berne, the Swiss delegation suggested that the existing National Co-ordination Bureaux of Interpol would be best suited for such a function (see CL No.15, p.1). Is such a rapprochement between Europol and Interpol likely to take place?

LvO: I very much doubt it. According to my sources, the EC police network is interested in making full use of Interpol information, but has no intention to grant Interpol access to its own information. It is true that Interpol, and in particular its European section, are trying to exert strong pressure in order not to be excluded from the developing EC-network of police co-operation. But I understand, there is a lot of opposition against Interpol's desires. In the view of EC-decisionmakers, Interpol is to benefit Europol, but not vice versa. In the technical-administrative agreement on Europol it otherwise clearly says that Europol is prohibited from communicating with other international systems.

CL: The AHIOC obviously has a hard time in trying to establish a common criminological, let alone legal definition of organised crime. Is it not quite questionable to set up common police structures of combat against a non-defined form of crime?

LvO: In my opinion, just as one has never been able to agree on a definition of terrorism, one will never find an acceptable definition of what is organised crime and what is not. The term will always be interpreted according to the ad hoc priorities of the instances and interests one wishes to promote. The definition of international organised crime will always be a political issue.

The Belgian Gendarmerie, for instance says there is a criminal organisation, as soon as two persons do something punishable together. In other countries they say, that a criminal organisation presupposes the presence of criteria such as organisational structures, a hierarchy, the determination to commit violent crimes, etc.

The term is all too elastic, indeed. Take the report of the AHIOC, for instance. It names illegal immigration as a domain relevant of international organised crime - just one example among others showing that it is political priorities of the moment which dictate "ad hoc" definitions.

In my view, a common and precise legal definition of a crime could be a precondition for combatting it. This is true for international organised crime too. But such a definition will always be the result of political decision-making - hidden or not.

DOCUMENTS AND PUBLICATIONS

Report of the Ad Hoc Working Group on International Organised Crime addressed to the EC-Ministers of Home Affairs and Justice (see reference in this CL, p.)

TREVI Ministerial Meeting Copenhagen, Denmark, on 2 June 1993, press release of the Danish presidency of the EC/Ministry of Justice, 5 p., in English.

Very summary review of the issues discussed at the meeting: Europol; the signature of a "Ministerial Agreement" constituting the basis for the establishment of the Europol Drug Unit; terrorism; attacks and violence directed against foreigners; environmental crime; money laundering; involvement of motor cycle gangs in cross-border criminal activity (Denmark is to take lead responsibility for a "questionnaire with a view to identifying the scale of the problem and establishing the basis for proposals to enhance the joint action directed against this type of organised crime); additional tasks for the TREVI III Working Group; discussions with third countries (USA, Canada, Austria, Sweden, Finland, Norway, Switzerland and Morocco).

Ad hoc Group Immigration: Draft Recommendation concerning checks and expulsion of third country nationals residing or working without authorization, Brussels, 25.5.93, SN 3017/93 WGI 1516, confidential, 5

p., in English.

The paper was submitted to the EC-ministers responsible for immigration at their meeting on 1/2.6.93 in Copenhagen. It proposes common measures with a view to better enforcement of foreigner control and expulsions. Moreover, the report recommends that Member States may also expel "those people who are subject to immigration/aliens provisions who have been involved in the facilitation, harbouring or employment of illegal immigrants". The report advocates the increased use of police checks which "should, in particular, be carried out in respect of persons who are known or suspected of staying or working without authority, including persons whose request for asylum has been rejected". It is further recommended to "examine the types of checks, which would be most appropriate to introduce with a view to detecting third-country nationals who are residing or working illegally...". Among the "types of checks" particularly listed in the report are "checks in view of detecting abuse", i.a. on "persons who have been authorised to be reunited with their family with a view to living together" or "who have received a residence/work permit on the basis of their marriage to a person resident in the Member State". All recommendations of the Ad Hoc Group were adopted by the immigration ministers on 1/2 June in Copenhagen.

Meeting of Ministers with responsibility for immigration (Copenhagen, 1 and 2 June 1993), press release of the General Secretariat of the European Council, Brussels, 2.6.93, 7 p. + annex, in English.

Subjects: The Dublin Convention and its ratification and implementation; Compilation of texts on European practice with respect to asylum; Centre for Information, Discussion and Exchange on Asylum (CIREA); draft convention parallel to the Dublin Convention (talks with Austria, Finland, Norway, Switzerland, Sweden and Canada. According to the press release, ministers noted that "the Dublin Convention formed part of the "acquis" built up by inter-governmental co-operation between the twelve Member States in the field of justice and home affairs, which the acceding States were to accept".); displaced persons from former Yugoslavia; report to the European Council on free movement of persons; controls at external frontiers (problems between Spain and the UK preventing the signature of the Convention still remain unsolved); Visa requirements (73 third countries now require visas for all EC-member states. The list is to be further discussed by the Ad Hoc Group Immigration); Resolution on harmonization of national policies on family reunification (the ministers suggest they adopted this resolution as a condition "for the successful integration of immigrants lawfully resident in Member States' territories"); checks and expulsion of third country nationals (ministers agreed to a Recommendation based on the report of the Ad Hoc Group Immigration (see above)); annex: commission statement on the report to the European Council in Copenhagen on the implementation of article 8 A of the Treaty of Rome with regard to the free movement of persons.

Ad Hoc group Immigration: Harmonisation of national policies on family reunification, Copenhagen, 1 June 1993, SN 2828/1/93 WGI 1497 REV 1, resolution adopted by the immigration ministers in Copenhagen, 7 p., in English.

The resolution lists principles which "should govern the national policies of Member States in respect of family reunification for immigrants resident in their territories".

Ministerial Agreement on the Establishment of the Europol Drugs Unit, Copenhagen, 2 June 1993, (agreement reached by the TREVI ministers), 9 p., in English.

This purely technical-administrative agreement was signed with the obvious intention to give the ongoing establishment of Europol an appearance of legal legitimacy, "considering that the preparation and subsequent entry into force of the Convention will take some time", as it says in the ministerial agreement.

The "agreement pending a convention" provides, i.a., for each member state sending liaison officers to a "central location on or after 1 July 1993" (in other words: no agreement has been reached on Europol's site in the agreement on Europol), in order to constitute the Europol Drug Unit, a "non-operational team for the exchange and analysis of intelligence in relation to illicit drug trafficking, the criminal organisations involved and associated money laundering activities affecting two or more Member States". The agreement further contains guide-lines and regulations for fields such as treatment of information, data protection, staffing accountability, and finances. Under the chapter "Data Protection" it is stated that the "transmission of personal information to non-Member States or to international organisations [e.g. Interpol, note of the editor] by the liaison officers will not take place". The ministers "instruct their liaison officers to cooperate fully with their respective national data protection authorities in order to enable them to fulfil the requirements [pertaining to the protection of personal data] referred to above."

Existing fora for inter-governmental co-operation on asylum, refugee and migration problems in the European region, prepared by Intergovernmental Consultations within the Council of Europe for the meeting of persons responsible for the provision of assistance in case of mass inflows of persons fleeing their country,

Strasbourg, 17.3.93, 18 p., in English.

Draft Report on the Constitution of the European Union, part A, European Parliament, Committee on Institutional Affairs, Rapporteur: Marcelino Oreja Aguirre, 27.4.93, PE 203.601/rev., 20 p., in English.

Eurodac et article 15 de la Convention de Dublin (Eurodac and article 15 of the Dublin Convention), Council of the EC, legal service, Brussels, 18.3.93, 5546/93 JUR 25, 8 p., in French.

Report on Immigration and Asylum Procedure and Appeal Rights in the 12 Member States of the European Community, by Jim Gillespie, Immigration Law Practitioners' Association (ILPA), London, 35 p. Available at: ILPA, 115 Old Street, London EC1V9JR, Tel: +44/71/2501671, Fax: +44/71/2533832.

The introduction to the report points at the "absence of Community-wide common minimum standards of fair procedures and appeals" and stresses that it is "inherently and manifestly undesirable that procedural protections and appeal rights available to non-EC nationals should differ markedly from those guaranteed for EC nationals". As a consequence, 7 proposals for minimum standards of fair procedure are made in the report. The proposals have been drawn up between members of a working group of legal experts from each EC-member State and following a detailed comparison of current procedures and appeal rights in each country. The aim in each case has been to "adopt a standard that would at the very least comply with relevant international obligations and generally accepted standards of good practice".

A convincing result of an approach of European harmonisation in the field of immigration and asylum contrasting pleasantly from the all too well-known search after the "lowest common denominator" as practised in the framework of EC-intergovernmental co-operation, this report is good reading and, hopefully, an exemplary precedent for another common European approach to legal harmonisation, based on the respect of fundamental constitutional principles.

Légiférer pour mieux tuer les droits, le projet de réforme de l'entrée et du séjour des étrangers (Killing rights by making law, the project for a reform of legislation on entry and stay of foreigners in France), Groupe d'information et de soutien des travailleurs immigrés (GISTI), June 1993, Paris, 72 p., in French.

Thorough analysis and comment of Interior Minister Charles Pasqua's anti-immigration bills (the wording of the Pasqua proposals is included in the paper). The GISTI brochure contains the following chapters: Residence, family, marriage, youth, asylum, social security, judiciary, polygamy, French oversea territories.

Available at: GISTI, Rue des Petites Ecuries, F-75010 Paris, Tel: +33/1 42470709, Fax: +33/1 42470747.

EVENTS

Migration and Global Change, Tallinn, Estonia, August 19-23, 1993.

Conference on the influence of the new immigration movements on states and societies, convened by the International Council on Communication and Migration in co-operation with the Estonian Academy of Sciences in Tallinn, Estonia. The main aim of the conference will be to follow up on developments since the 1988 conference held under UNESCO patronage in Lausanne on "The Role of Information in the Realization of Human Rights of Migrant Workers".

For more information contact: Esta Ivalo, Conference Secretary, Estonian Academy of Sciences, Institute of Philosophy, Sociology and Law, 7 Estonia Blvd., Tallinn, Estonia, Tel: 3722 454139, Fax: 3722 446608.

Control as Enterprise: East and West - XXIth annual conference of the European Group for the Study of Deviance and Social Control, Prague, August 29 - September 1, 1993.

The introduction of Western market economics into the East and the expansion of market principles to ever increasing areas of life in the West is generating an enterprise culture throughout Europe in economic, politic and social fields. A key example of this process is the marketing of Western crime control systems and ideologies by a growing number of experts who visit the East to advise on social problems and social policies. A number of these systems and ideologies are now being adopted in the East.

Initially, the enterprise culture was seen by the East as the way forward, but now there is increasing disillusionment as the range of social problems grows. Similarly, market principles are creating difficulties in the West. The problems, changes and uncertainties associated with the universalisation of the market are producing a crisis of

identity for individuals and communities in both East and West. One outcome of this is the renewed interest in old identities in respect to citizenship, nationhood and ethnicity, identities which are having a strong impact on policy developments and social order, in particular, they are affecting migration policies, reinforcing social divisions and creating new groups of excluded people.

Some of the key themes of the Conference: Crime control as industry; Expert and sale of expertise; Regulation and deregulation; Transferring criminology; Destruction and reconstruction of identities; Controlled freedom and migration policies; The social production of moral indifference in control; Colonization of the mind; Bureaucratization of control and associated concepts of rationality and efficiency; Constructed loyalties and allegiances.

For more information contact: Karen Leander, Dept. of Criminology, Stockholm University, Fax: +46/8 7906869, Tel: +46/8 7906866 or 7835002.

Contributors to CL No.17: Ida Koch (Copenhagen), Wolfgang Landgraeber (Cologne), Lode van Outrive (Leuven), Michael Williams (Hedemora, S), Ebergard Stüber, Karen Leander (Stockholm), Claire Rodier (Paris), Jolyon Jenkins (London), Helga Schwarz, Uwe Geissler, Jürgen Holzapfel (Forcalquier, F), Nicholas Busch (Falun, S).