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'Fortress Europe?'- Circular Letter is the organ of **Platform 'Fortress Europe?'** and of the **GENEVA GROUP - Violence and Asylum in Europe**. The 'Platform' is an informal international network concerned with European harmonisation in the fields of internal security, policing, justice, data protection, immigration and asylum and its effects on fundamental rights and liberties. It is associated with the European Civic Forum. The **GENEVA GROUP - Violence and Asylum in Europe** came into being in 1993 at a conference organised by the University of Geneva. The Group wishes to contribute to international multidisciplinary discussion on the right to asylum and its interaction with other developments in society. The objective of the Circular Letter is to offer a forum for mutual information, analysis and critical debate among experts and laypeople, scholars and practitioners. The Circular Letter is published 10 times a year. It offers a selection of news, comment and messages based essentially on the contributions of its readers.

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GERMANY

"OPERATION HADES": INTELLIGENCE SERVICE STAGED PLUTONIUM DEAL

Are the secret services becoming "states within the state", engaging in conspiracies and manipulating parliament? Does the fight against "organised crime" justify the use of secret service practices in the field of law enforcement?

These and many more questions have suddenly become topical in Germany, after media revelations indicating that the German Foreign Intelligence Service, BND, assisted by obscure under-cover agents, actually staged a widely publicised Plutonium deal in Munich, last August.

The scandal deserves concern even outside Germany. Indeed, some of the key figures involved in the affair are well known for their instrumental role in promoting European police and secret service cooperation within the frameworks of Schengen and the Maastricht Treaty's Title VI.

A spectacular arrest and its political effects

On 10 August 1994, Bavarian police arrested Justiniano Torres, a Columbian national, on his arrival at Munich on a flight from Moscow. Torres carried 363.4 grams of Plutonium 239 in his suitcase. Two companions, the Spaniards Javier Bengochea Arratibel and Julio Oroz Equia, who were waiting for him in Munich, were also arrested. A third Spaniard, with the cover name "Rafa", miraculously disappeared from Munich. At that time, the Bavarian Office of Criminal Investigation (LKA) suggested that he escaped arrest by hiding in a lavatory at the airport.

Plutonium 239 is a highly toxic substance. Two grams are sufficient to kill one million people, and a millionth of a gram can cause cancer. According to nuclear experts, 9 kg of the substance are needed to build an atomic bomb.

German security authorities were quick to stress to a terrified public that the arrest proved the existence of an international criminal network of nuclear trafficking, with suppliers in the CIS and potential buyers among terrorist networks and dictatorships from Asia to North Africa. Bernd Schmidbauer, the Minister of State in charge of coordinating intelligence services, suggested that the Plutonium seized in Munich might have been destined for North Korea.

The spectacular arrest of the nuclear dealers in what was called "operation Hades" happened at a very convenient moment for the Christian conservative parties, CDU and CSU, as well as for high-ranking representatives of the country's security apparatus, who drew ample political benefit of the incident. In autumn 1994, the CDU/CSU parties won elections for both the Bavarian and the Federal Parliament with a "tough on crime" campaign emphasising, among other things, the security risk posed by alleged wide-spread trafficking of nuclear materials and other organised criminal activities originating from Eastern Europe and the CIS.

In September 1994, little more than a month after the Munich seizure, the Federal Parliament passed a law on the "fight against crime". The law, for the first time in German post-war history, provided for a role for a secret service, the foreign intelligence service, *Bundesnachrichtendienst (BND)*, in combatting organised crime (see CL No.28, p.1).

On the international level too, Germany made effective use of its Plutonium case. Only weeks after the seizure, Minister Bernd Schmidbauer, on a visit to Moscow, severely admonished Russia for not acting more firmly against nuclear traffickers in the CIS, and managed to push through a special Russian-German agreement on increased police cooperation in the field.

On 7 September, less than a month after the Munich seizure, Germany hosted an "informal meeting" of the EU Interior and Justice Ministers in Berlin with the EDU (Europol Drug Unit) and the Europol convention as its main items (see CL No.28, p.5). At the meeting, German Interior Minister Kanther once again vigorously insisted on the need to extend the tasks of Europol and to develop it into a genuine "intervention task force". He justified all this by referring to the "increasing smuggling of nuclear substances" that national police forces were unable to deal with on their own. Mr. Kanther's wish was fulfilled in March 1995, when the EU Justice and Home Affairs Council decided to add nuclear trafficking, smuggling of illegal immigrants, and car theft to the list of crimes to be dealt with by the EDU and later Europol (see CL No.32, p.6).

The BND: Germany's largest "criminal organisation"?

Since March, however, steadily growing evidence has indicated that the BND, and other agencies in charge of security and law enforcement on the federal level and in Bavaria, actually staged the Munich deal.

The revelations were made in March, by the German weekly, *Der Spiegel*.

After presenting its version of the Munich deal, the magazine charged the BND with "abetting serious crime, endangering human lives, lying to the public and

dangerously gambling with foreign policy". The magazine's accusations culminate in the conclusion that German intelligence circles are pursuing a "parallel policy of conspiracy". The leader of the SPD (Social-Democrats), Rudolf Scharping, openly suspects secret service people of having "created a market which they had resolved to combat". In an interview with *Der Spiegel*, Scharping further speculated that the Munich operation might have aimed at pressing the Federal Parliament into extending the legal powers of the BND.

Minister Schmidbauer, who appears to be personally involved in the Munich operation, has hitherto rejected all such accusations. In his view, the Munich seizure amounts to no more or less than a proof of the efficiency of "offensive secret service strategies". The Plutonium deal "was a successful action, and important too. It brought us cooperation with Russia", Schmidbauer boasted.

How everything began

According to *Der Spiegel*, the deal was staged mainly by the BND's Section 11A, in cooperation with the BND's Madrid field agency. Also involved were Peter (alias "Roberto"), an under-cover agent employed by the BKA (Federal Office of Criminal Investigation) and later by the BND, and a Spanish under-cover agent, Rafael Ferreras, called "Rafa", hired for the purpose by the BND.

According to Spanish sources, "Rafa", who appears to have played a crucial role in the set-up, joined the Guardia Civil at age 18 and was, in due course, awarded a honorary medal by dictator Franco in person. While remaining an "active reserve officer" of the Guardia Civil, he later worked both for Spanish military intelligence and as a drug investigator.

Dealers or under-cover agents?

"Operation Hades" appears to have begun already in autumn 1993. According to "Rafa", a "Spanish contact man" proposed him a Plutonium deal. As it happened, the "contact man" was a long-standing associate of "Rafa".

In May 1994, "Rafa", together with companions met an "obscure German" in Madrid. The Spaniards proposed all sorts of deals, ranging from Russian helicopters to Osmium, but the German, secretly assisted by "Rafa" (who was working for the BND), persistently brought back the conversation to the only deal he was interested in: Plutonium.

A further meeting between "Rafa", a Basque "business man", Javier Bengochea Arratibel, and the "obscure German" took place in the Madrid Novotel hotel on 10 June 1994. The German was presented to Bengochea as "a friend" of "Rafa". According to an unnamed secret service source quoted by *Der Spiegel*, he was actually a full-time under-cover agent of the BND (possibly Peter, alias "Roberto, who also worked for the BKA). According to Bengochea, the German insisted on receiving a Plutonium sample before making any deal and refused to pay anything in advance. Moreover, he demanded that the delivery take place in Munich only, with the pretext that he had access to a laboratory there.

Under-cover agent offers 2 million dollars commission for Plutonium delivery

Some time later, Bengochea was offered a \$2 million commission for the delivery of Plutonium by his German business associate.

Between mid June and mid July, a Spaniard doing casual business in Russia and obviously another "acquaintance" of under-cover agent "Rafa", told a Moscow based business friend, the Columbian Justiniano Torres Benites, that "somebody" in Spain was urgently asking for Plutonium. Torres was running a sales company in Moscow for a large helicopter manufacturer in the CIS and had a lot of Russian business connections. Via Russian contacts, Torres procured a 3 grams sample of Plutonium.

According to Oroz, an "acquaintance of "Rafa"" (the German under-cover agent in Madrid?) informed him in Moscow, that the sample absolutely had to be brought to Munich. Only there could the deal be concluded.

Minister Schmidbauer involved

On 3 July 1994, "Rafa" met his contact officer from the BND's Section 11A, Mathias Hochfeld, and officers of the Bavarian LKA (*Land* Office of Criminal Investigation). "Rafa" told them about the planned Plutonium deal.

On 11 July, Torres and Oroz arrived in Munich by train from Moscow, with the Plutonium sample. They waited for the purchaser in a Munich hotel. In Madrid, "Rafa" informed the head of the Madrid BND agency, Peter Fischer-Hollweg, of the two men's arrival in Munich, whereupon Fischer-Hollweg warned the BND headquarters that the two would leave Munich shortly and urgently demanded remuneration for "Rafa".

It seems that the BND leadership had some hesitations about the planned proceedings and therefore tried to protect its back by asking Minister Schmidbauer, how much a hint at a nuclear deal was worth.

On 22 July, "Rafa" travelled to Munich with the instruction to mediate between the BND and the dealers from Moscow. "Rafa" met the two men on the same day. He told them that he wanted 4 kg of Plutonium and that he had brought 400,000 dollars with him. Torres showed the 3 grams sample and said that the rest of the substance was still in the CIS.

276 million dollars for 4 kg Plutonium 239

Some days later, the Bavarian LKA prepared its under-cover agent "Walter Boeden" for a meeting with Torres and Oroz. "Boeden" was equipped with a secret microphone. All his negotiations with the dealers were recorded by LKA-technicians. The dealers handed him over the Plutonium sample which "Boeden" told them he wanted to

test in his laboratory.

On 26 July, "Boeden" met the dealers, together with "Rafa" and an interpreter, provided by the BND, and not by the Bavarian prosecution authorities. LKA undercover agent "Boeden" requested 4 kg Plutonium 239. Torres demanded to be paid. When "Boeden" refused, Torres proposed that "Boeden" travel with him to Moscow and that the delivery could take place there.

Yet, for obvious reasons, the BND's plan required that the spectacular "strike against international nuclear traffickers" should be staged at home. "Boeden" therefore paid the two dealers 7000 DM in "reimbursement of expenses" and then showed the two men a financing confirmation for 122 million dollars, delivered by a Bavarian bank. The two parties concluded the deal. Upon delivery of 4 kg Plutonium 239 in Munich, "Boeden" would pay Torres and Oroz 276 million dollars. Torres promised to fly to Moscow and return within 2-3 days with 500 grams Plutonium.

Torres left for Moscow, while Oroz stayed in Munich. All the following telephone conversations between the two and their contacts in Moscow were tapped by German intelligence, which thus was informed in advance on the exact time of Torres' return to Munich with a Luft-hansa flight on 10 August 1994.

"Rafa" miraculously escapes spectacular arrest

Torres was arrested upon arrival at Munich's Franz-Joseph Strauss airport with 363.4 grams Plutonium in his luggage, together with Oroz who was waiting for him in the arrival hall. Their companion Bengochea was arrested at a Munich hotel. As for "Rafa" - the man on the BND's paying roll who had been instrumental in staging "operation Hades" and abetting to the deal, he was at the airport too, but, as we already know, escaped arrest by hiding in the airport lavatories and then vanishing into thin air.

What at the time looked like an embarrassing blunder by the Bavarian police, appears in a different light now, given what is known now of "Rafa's" true role. Indeed, the BND has so far paid "Rafa" 100,000 DM and the Bavarian LKA is still determined to remunerate him.

Ruthless endangering of human lives

By allowing the Plutonium transport to take place in a regular Lufthansa passenger flight, the authorities in charge of "operation Hades" deliberately exposed the public to the risk of nuclear contamination.

At the arrival of the Lufthansa flight in Munich, investigators equipped with camouflaged geiger counters immediately boarded the plane. All passengers and crew members were secretly checked for possible contamination. Abnormally high radiation was measured inside the plane, in the hatch where the suit case with the Plutonium was stored. As a precautionary measure, airport personal and police too were checked for eventual contamination after the operation.

Sources: Memorandum by Christian Busold (assistant of Manfred Such, MP at the German Bundestag), 20.4.95; 66 Fragen an die Bundesregierung zur BND-/Plutonium-Affäre, questions to the government by Manfred Such, MP, 19.4.95; Focus, 16/95, 15.4.1995; Frankfurter Rundschau, 18.4.94, 13.4.95, 12.4.95, 11.4.95; Der Spiegel 34/94, 22.8.94, 15/95, 9.4.95, 16/95, 15.4.95; Die Tat, 15/16.4.95; Frankfurter Allgemeine Zeitung, 15/16.4.95, 11.4.95, 12.4.95, Süddeutsche Zeitung, 12.4.95, 19.4.95; our sources.

Comment

We may consider as established that the German secret services have abetted the trafficking of extremely dangerous nuclear substances. Nothing indicates that the Plutonium deal would ever have taken place without the instigation of the BND, who offered such enormous sums of money that any Russian with access to the substance would have had to have been either a fool or a saint, to resist the temptation.

According to the Bureau of Political and Military Affairs at the US State Department, nowhere in the world are there even traces of any illegal market for Plutonium. Neither Minister Schmidbauer nor any other German "security expert" has hitherto presented any evidence to the contrary. Far from providing such evidence, "operation Hades" has, if anything, contributed to the artificial creation of such a market. Indeed, for a market to develop, there must be buyers. But so far, the German authorities involved in "operation Hades" have been unable to name any client interested in buying the Plutonium other than their own agents.

We would like to recall some words from the German professor of law and political science, Jürgen Seifert ("The erosion of democracy through the predominance of the executive"; in CL No.29, November 1994, pp.10-14):

"I would like to emphasise that security campaigns are staged not only by the government, political parties and the media. The present position of power of the bodies in charge of security enables them to stage such campaigns on their own.(...).

[These] secretly operating executive bodies are not only used as instruments for realising party-political interests. They have become separate powers safeguarding their very own interests and running their own policies."

Many questions about "operation Hades" still remain unanswered. It is unclear who within the BND, the Bavarian LKA, and, perhaps, the government, actually initiated and masterminded the operation, who authorised it, and when. Did the BND's local agency in Madrid or the BND's Section 11A start the operation on their own, perhaps behind the back of the BND's presidency? When and to what extent was the Federal Office of Criminal Investigation (BKA) involved? Are zealous under-cover agents, employed or temporarily hired by German intelligence, acting on their own initiative in order to influence German secret service policies?

Considering "Rafa's" background, did the BND entice him away from his Spanish employers, or were Spanish secret services cooperating with their German counterparts?

Which is Minister Schmidbauer's exact role in "operation Hades"? An answer to this question should interest the public not only in Germany, but in all other EU-member states as well. Indeed, ever since his nomination in December 1991 as a State Minister at the Chancellery, responsible for the coordination of all German secret services, Mr. Schmidbauer has put himself forward as a restless advocate of extended powers and new tasks for the police and the secret services. On a European level, he has stubbornly pressed for increased European police and secret service cooperation, both within the Schengen process and in the intergovernmental framework of the Third Pillar of the Maastricht Treaty. If things develop according to Bernd Schmidbauer's wishes, Europol is likely to soon carry out undercover operations inspired by "operation Hades".

Schmidbauer's European activities seem to be particularly appreciated in Spain, whose secret services, incidentally, are currently shaken by the revival of the GAL affair involving accusations of state terrorism. Indeed, the German Plutonium scandal did not prevent the Spanish government from awarding Schmidbauer with a honorary medal for his valuable services in preparing Spain's speedy integration into the Schengen Group.

None of the numerous protagonists of "operation Hades" are known to be particular friends of transparency. In spite of the end of the Cold War, the BND has continued to grow into an increasingly complex and multi-vocational mega-structure with ever more sections and field agencies out of reach of any serious control. The menacing Section 11A, for example, has specialised in finding new tasks for the BND. The field agency in Madrid is only one among 70 spread over the whole world.

Not either should we expect to learn much more through the trial in May of the dealers arrested in Munich. In the 23 page accusation before the 9th Criminal Chamber of the *Land* Court of Munich, the BND is not even mentioned.

In the late 70s, Robert Jungk predicted that the extremely complex and vulnerable high-tech "nuclear society" of the future would lead to the setting up of a pro-active police state, i.e to the gradual abolition of fundamental rights and freedoms. One should have Jungk's grim vision in mind when assessing the real significance of affairs such as "operation Hades".

Far from admitting any wrong-doing in the secret service operation, Mr. Schmidbauer is lecturing his critics by referring to the terrorist gas-attack in Tokyo: "A preventive operation is better than investigating with hindsight - see the poisonous gas attack in Tokyo", he remarks and claims that "it is always better to have a preventive operation that casts light on things and shows us the necessary consequences".

Events such as the recent dreadful bomb attack in Oklahoma City are likely to further benefit the pro-active policing objectives of Schmidbauer and his like-minded colleagues on both sides of the Atlantic: In the aftermath of the Vietnam debacle, the American FBI was denied the authority to spy on and infiltrate politically "suspect" groups for merely preventive purposes, after protests against the agency's massive "pro-active" surveillance of US anti-war groups. In the wake of the Oklahoma bomb attack, President Clinton has stated his intention to reintroduce the FBI's former authority. Legislation is likely to be adopted within weeks.

Both the German Plutonium scandal and the Oklahoma bombing are more than just deplorable incidents. They might soon prove to be mile-stones in making Robert Jungk's night-marish vision true.

N.B.

EUROPEAN UNION

DUTCH EXPERTS MAKE PROPOSALS TO AMEND MAASTRICHT TREATY

The Dutch "Standing Committee of Experts on International Immigration, Refugee and Criminal Law" has published a list of proposals to amend the Maastricht Treaty. Most of the proposals refer to Title VI of the treaty (on Justice and Home Affairs). The proposals are made in advance of the 1996 EU summit. They focus on ensuring that Union law as it develops, reinforces democratic principles, or, at least, "prevents those democratic principles being detrimentally affected". In particular, the Standing Committee wishes to achieve more transparency and improved parliamentary and judicial control. The following is a synopsis of the document.

Open government

Citizens of the Union should be entitled to access to information held by the institutions and to receive this information so that they may both follow and participate in the development of Union law. Such an important principle should not be relegated to the realm of internal rule-making by the institutions, as it is currently the case

with the Rules of Procedure of the Council and the Commission. The Standing Committee therefore proposes the insertion of a new provision in Title II of the treaty stating the general rule of citizens' right of access. The provision should precisely specify the categories of information and the grounds upon which exceptions to this rule may apply.

areas under Community legislation (first pillar). The Standing Committee therefore proposes a second amendment relating to Title VI (third pillar) that reads as follows:

"Proposals for the adoption of a joint position or joint action as well as measures in pursuance thereof and the draft of a convention as well as measures implementing it . . . shall be published in the Official Journal, three months before the Council adopts a decision thereon. Upon adoption by the Council, the decision shall be published in the Official Journal".

It is further stressed that the European Ombudsman should also play a role in promoting administrative openness within the Union through decisions taken regarding to the complaints of interested citizens.

The jurisdiction of the Court of Justice

The Standing Committee aims at making the jurisdiction of the Court mandatory in Conventions (e.g. Dublin Convention, Europol Convention) set up under Article K.3 (2)c of Title VI.

A dispute arising between member States with respect to the interpretation or application of an agreement could thus be resolved by the Court of Justice. Individual citizens could also call on the Court in order to ensure that the interpretation of important rules in the agreements is definitive.

The Standing Committee sees such a role for the Court as crucial for preventing differing interpretation of agreements in the various member states, and thus for guaranteeing a minimum standard of legal security and justice.

Well aware of certain Member States' deep-rooted reluctance to accept such a role for the European Court, the Standing Committee also proposes an alternative amendment under which the jurisdiction of the Court of Justice would be limited to those Member States which have declared to the Secretary-General of the Council that they accept such jurisdiction.

Such an expedient could be used to break deadlocks where the issue of whether the Court of Justice is competent to decide something in itself prevents progress. Such a deadlock might arise thanks to the intransigence of one or a small number of Member States. Thereby the Standing Committee wishes to ensure that no single Member State should be deprived of the right to accept the jurisdiction of the Court solely because one or more other Member States refuse to do so. In the Standing Committee's view, it is unacceptable that those states which desire proper judicial supervision are denied the opportunity of having it, merely because one Member State's obstruction.

"In order that the democratic character of a law making institution may properly be termed democratic, the existence of a judicial authority charged with interpreting its decisions is fundamental", the Dutch experts emphasise. "Where the institution is supranational or international, it is vital that the judicial authority is also supranational or international in the interest of uniformity". The Standing Committee rejects the idea of giving jurisdiction to the International Court of Justice or the European Court of Human Rights, mainly on the grounds that conferring jurisdiction on such "extraneous" courts over disputes arising in the context of the third pillar (Title VI of the Maastricht Treaty) "would add considerably to the complexity of the Union structure as a whole".

Parliamentary control under Title VI

A new paragraph should be inserted into article K.4 (establishing the K4-Committee of Coordinators and its competencies):

"A decision of the Council as referred to in this Title shall not be adopted until the European parliament has been afforded the opportunity to formulate and notify the Council of its opinion on the draft decision of the Council, within a period of three months of its receipt."

The amendment is intended to guarantee that no decision will be taken by the Council without the European Parliament being consulted.

An additional amendment aims at providing each national parliament with the possibility of scrutinising any draft decisions pending before the Council, insofar as the draft decision purports to establishing binding rules. This amendment, however, does not specify the purported legal effect of the opinion given by a national parliament, this being a matter for the national law and practice of each Member State.

The purpose of this important proposal is to involve national parliaments, should they so wish, in law making by the Union in the highly sensitive areas of immigration, criminal law, and policing.

Combatting racial discrimination

A number of amendments under Title II of the Maastricht Treaty are proposed with an aim to provide a legal basis for the adoption of binding rules for common action towards the prevention of racial discrimination and

ethnic conflict within the Union. The Standing Committee notes that current provisions of the Maastricht Treaty emphasise the differences in legal status between the citizens of the Member States and immigrants from third States legally residing in the Union. "That distinction serves as a justification for xenophobia and unequal treatment of immigrants from third countries", the Committee claims. "If the Council wishes to take its declarations on the prevention of racial discrimination seriously, priority deserves to be given to improving the legal position of citizens of third countries legally residing in the territory of each of the Member States".

Among the measures named by the Standing Committee, its proposal for a radical re-definition of citizenship of the Union deserves particular mention. A new Article 8 (1) of Title II would read as follows:

"Citizenship of the Union is hereby established.
A person holding the nationality of a Member State or who has been lawfully residing in the territory of a Member State for five years shall be a citizen of the Union".

This amendment extends Union citizenship established in 1993 to include immigrants from third states who have legally resided in the territory of a Member State for a determined period. The Standing Committee asserts that, without an express equality provision such as this, many Union measures against racism, xenophobia, and racial discrimination will remain "hollow rhetoric".

of a new paragraph into article 100C of the EC Treaty:

Finally, the Dutch experts propose the insertion

"The Council shall . . . determine the conditions under which free movement within the Union shall be exercised by citizens of third States lawfully in the territory of a Member State".

The Standing Committee is of the opinion that free movement of persons in the Community cannot be fully developed when a section of the population is excluded from the enjoyment of this right. Pursuant to the above amendment, the Council can determine the extent to which free movement of persons can be extended to citizens of third States lawfully staying in the Community. Conditions may be specified as regards duration, financial requirements, extension of stay after the original ground ceased to exist, social security entitlements and responsibility in event of expulsion.

proposal aims at creating the preconditions for gradually extending the right of free movement to ever larger sections of the population, in order to achieve progress in a field where discussions for the time being are marked by "all or nothing" attitudes.

The Standing Committee's very moderate

Source: **Proposals for the amendment of the Treaty of the Union at the IGC in 1966**, Standing Committee of Experts on International Immigration, Refugee and Criminal Law, Utrecht, March 1995, 13 p. Available at: Standing Committee of experts, p.o.box 638, NL-3500 AP Utrecht, Tel: +31/30 963900; Fax: +31/30 944410.

THE "ARCHITECTURE" OF EUROPOL'S INFORMATION SYSTEM

As reported earlier (CL No.32, p.6), the Justice and Home Affairs Council agreed on the architecture of Europol's electronic data registers at its meeting on 9 March in Brussels. Meanwhile, more details about the system architecture have been revealed by the Brussels-based Agence Europe.

We have already described the three particular data registers in Europol's information system in some detail and will only mention here the additional information reported by *Agence Europe*. Most of this pertains to the so-called Analysis Registers (ARs). These are "working" registers set up temporarily for the purpose of strategic and operational analyses. They will contain "particularly sensitive" information. Two main forms of analysis will be carried out:

a) "Strategic analyses" will cover general criminal phenomena and will not include personal data. They will be based on information provided by the 15 member states as well as third countries and organisations. Through the intermediary of their Liaison Officers (LOs), the member states will have full access to the results of these analyses, whose purpose is to form the strategy of the EU member states in fighting organised crime and thereby improving the coherence and efficiency of national authorities in the field.

b) "Operational analyses" will focus on specific cases of criminal activity within the purview of Europol. They will include a more limited number of member states - those directly concerned by the investigation. The main objective with these analyses is to finalise decisions and operations to be carried out by the authorities concerned in the member states participating in the investigation.

These "operational" ARs will contain the most sensitive information. While the rights of each member state within Europol must be respected, security and confidentiality must be assured with respect to these data, the proposal says. Therefore, the most sensitive data stored in these registers shall not be accessible to the national parties and all OLs. Instead, they shall be communicated directly, by conventional means or electronically, to Europol's Analysis Groups by the LO (or LOs) directly concerned. The same procedure shall apply to information of similar character provided or requested by third states or organisations.

The Index System shall merely mention the existence of such data with key-words, i.e. in a non-explicit form that does not allow for any crosschecks if the LO consulting the Index does not have at his disposal the full relevant information on the specific case.

Like the information processed by an Analysis Group, the data stored in the Index System will not be directly available to the national parties. Europol's Analysis Groups will work alone with these data, in "close association" with the LOs and/or experts of those member states that have communicated the data and those "invited" by the Analysis Group to participate in a particular investigation on the grounds that their country is directly concerned by the analysis project. However, if a LO who is not yet participating in a specific analysis finds that he needs to be initiated into the investigation, he and his national party may demand to join the investigation. Such a request must however be presented as a formal, written application filed by the applicant member states.

The French compromise proposal emphasises that the member state which communicates information to Europol shall alone decide whether and to which extent the data concerned are sensitive. Any dissemination or use of analytical data is subject to prior consultation among the participants of the analysis. A member state acceding to an analysis already under way will be forbidden to spread or use the information without prior permission of the member states primarily involved.

The compromise proposal further provides for a conciliation procedure in the event of disputes with respect to the incorporation of a new participant into an analysis. The procedure is made up of three stages:

1. The participants in an analysis will attempt to find a "solution acceptable to all" with the applicant state. Pending a decision which must be taken within eight days, the applicant state will not participate in the analytical work.
2. The refusal by the participating states to incorporate the applicant state entails a meeting of the officials in charge of all member states concerned within three days with an aim of achieving a "consensual outcome" of the dispute. Europol's director participates at this meeting. At this stage of the procedure the applicant state may still not participate in the analysis.
3. If no solution is found at the meeting, the member states' representatives in the Administrative Council (management board) of Europol will meet in urgent session within eight days and take a "consensual decision".

Source: "Europe"- No. 6453, 1.4.95 (Agence Europe).

Comment

It remains to be seen whether the compromise formula proposed by the French and agreed by the JHA Council (the council of EU Justice and Home affairs ministers) will work in practice. Both the proposed system architecture and the conciliation procedure are so complex and at the same time so open to interpretation, that they pave the way for disputes and rivalries.

The compromise formula conveys the JHA ministers', and in particular French interior minister Charles Pasqua's desperate need to demonstrate unity, rather than willingness to achieve effective cooperation based on clear rules. Obviously, the ministers are feeling pressed to achieve some progress on Europol. So they agree on regulations which are reminiscent of declarations of intent rather than of applicable rules (Remember Maastricht!).

The very wording of the compromise suggests that a major obstacle to European police cooperation on a basis of equality and mutual confidence of all 15 member states remains. Many national police and intelligence circles appear profoundly reluctant to share their "sensitive" information with a supra-national body and with the authorities of certain member states. In spite of the regulations in the compromise proposal pertaining to the access to sensitive data, nothing will prevent national parties from simply not communicating important information to Europol. As for the conciliation procedure, it remains a mystery how the management board of Europol shall be able to take a "consensual decision", should one or several member states fundamentally object to another member state's right to participate in an analysis project.

On the one hand, it seems inconceivable from a political point of view that any member state would accept its own exclusion. If, on the other hand, the incorporation of a member state in an on-going analysis project is accepted merely in order to prevent a political row, the national parties opposed to the applicant's participation may be expected to think twice before communicating any sensitive information to Europol.

Signing the Europol Convention in June at the Council in Cannes is one thing. Making Europol an effective agency is another, unlikely to be achieved by mere ministerial demonstrations of political determination.

N.B.

EUROPOL: COMPROMISE PROPOSAL ON CITIZENS' ACCESS TO THEIR DATA

At an "informal" meeting in Paris, on 19 April, the ministers of the JHA Council once again discussed remaining problems over finalising the Europol Convention. Talks focused on two main questions: citizens' rights of "direct" access to their data stored in Europol's information system and the so-called "institutional" question of an eventual role for the European Court of Justice and the Court of Auditors.

Citizens' access to their data

According to a note by the Danish Ministry of Justice to two committees of the Danish *Folketing* (national parliament), the French presidency of the Council, represented by Interior Minister Charles Pasqua presented a new compromise proposal on whether citizens shall have a right to "direct" or "indirect" access to their data in Europol registers.

An difference of views on this issue mainly among France and Germany has hitherto blocked the finalisation of the Europol Draft Convention.

Germany is blaming France and other countries for refusing citizens direct access to their own data. According to German and Dutch law, citizens may address a request of information directly to the body storing his personal data. In France and other member states, such requests must be addressed to a special data protection body (in France: the *Commission Nationale Informatique et Liberté*) which will communicate the request to the holder of the data register concerned. An eventual answer to the request will also pass through this "filter".

Germany considers that this system of "indirect" access interferes with individual liberties guaranteed by the German constitution.

Under the new French proposal, a "common authority" and a "single application point" would be created within Europol where any EU citizen could ask to check his personal data stored by Europol. If the requested data originate from Europol's own analyses, the "common authority" would be in charge of checking the information. If the data originated from a national police authority, Europol would forward the request to the member state concerned, which would then handle it according to its national legislation. Thus, all member states could continue to apply their national legislation in the field.

According to the Danish note, the oral French proposal was met favourably by the representatives of those countries with "direct" access legislation. They, however, said, that they would await a more detailed and written version of the proposal before approving it.

Judicial control

No progress seems to have been made with regard to the judicial control of Europol by the European Court of Justice. New French proposals do not provide for any such role of the Court. Instead, disputes between the member states shall be solved by the Council. Other legal disputes shall be solved according either to national law of the member states or Dutch law, since Europol is located in The Hague.

The French proposal is likely to please the British, but failed to satisfy those member states who want appropriate judicial control of Europol.

Budget control

The French proposed to set up a particular "ad hoc panel" to control of Europol's budget. The panel would be made up by three alternating members of the EU Court of Auditors.

The proposal aims at meeting British objections against any role for Community institutions within the framework of Europol.

Consultation of the European Parliament

Finally, the French presidency suggested that the European Parliament should be informed and heard "in compliance with article K.6 of the Treaty on Union [Maastricht Treaty]", as it says in the Danish note. In particular, it shall be stated in the Convention that the European parliament be communicated an annual report on the activities of Europol and that it shall be "consulted" in the event of eventual changes of the Convention.

Sources: Note of the Danish Ministry of Justice, 21.4.95, 2 p., in Danish; La Libre Belgique, 19.4.95.

OPINION

AFRICA DEMANDS OF EUROPE THE RIGHT TO SURVIVE

The following contribution is a slightly abridged and edited translation of a speech delivered by Alexander Kum'a Ndumbe III before the Basso-Tribunal on the right of asylum in Europe, in Berlin, 8-12 December 1994.

The author is a professor at the University of Yaoundé and currently a guest lecturer at the Free University of Berlin. From 1981 to 1991, professor Kum'a Ndumbe III was the president of the Cameroonesse Association of Writers.

In the face of the recent massacres in Rwanda, and of ever more restrictive immigration and asylum

policies, this contribution represents an African point of view unlikely to be spread by Western media.

A Chinese friend once told me a saying from his country that I have born in mind ever since: "Of 30 ways to escape a danger, running away is the best". Many of us run away from their homeland, they run and run, but they never find a home again. And yet, every man yearns for a secure life in his native land.

In our continent, Africa, waves of refugees are flooding the borders of foreign states. Let me talk mainly about that continent, as over 40 per cent of the refugees from the Southern hemisphere are concentrated there. The number of refugees in Africa jumped from 300,000 in 1960, the year in which many countries gained their independence, to three million in 1980. In 1990, almost five million people inside Africa were already running away from one country to another, simply because they wanted to survive.

The catastrophic situation in most African states justifies an often asked question: *Why are these Africans not able to establish law and order in their own states and to ensure prosperity for their people, given that they gained independence 30 years ago and are now taking responsibility for their own affairs?*

By answering this fundamental question, we will understand the reasons for flight in this continent of the South. Let me set out a main thesis. Since the middle of the 19th century, Africa has been mainly a structural concept of Europe and its allies. If we sum it up, *Africa is a European concept*. This means that since the massive encounter with Europe in the 19th century, Africans have not succeeded in making Africa a concept of the Africans. *In other words: Since the colonial invasion, which itself was a logical consequence of more than three hundred years of transatlantic slave trade, the Africans have essentially failed to shaking off the European domination of Africa and to take the fate of their continent in their own hands.* In discussing this thesis, I will here limit myself to talking about economic policies.

I am well aware that many Europeans react with irritation when it comes to analysing the historical causes of the catastrophic situation in Africa. The European media and the general public tend to show a clear preference for analyses limited to the 30 years of independence of African countries and emphasising the allegedly better economic situation under the era of colonialism, as compared with today. Alternatively, they prefer analyses that simply blame the continent's problems on its elites. Such explanations are inadequate, because they are incomplete and - consciously or not - shy away from a comprehensive understanding. However, a global analysis requires us to examine all relevant considerations.

The era of balanced relations

For most people, relations between Africa and Europe began in the 19th century. But our relationship existed long before that. Plato, for example, who died in 348 BC, spent 13 years in Heliopolis, where he was initiated into geometry and theology. Pythagoras stayed in the temples of Egypt for 20 years, studying geometry and astronomy with African priests. Ethiopia was christianised as early as 333 AD. Only when the Arabs subjugated Egypt in 622 AD and settled there, was the European influence significantly reduced.

Nevertheless, relations with Europe continued to develop. Treaties were concluded and ambassadors exchanged between the countries of the Mediterranean region throughout the Middle Ages. Many trade routes linked Europe with Africa, and the maritime trade of East African kingdoms with India and China prospered, without taking the detour via Europe.

The triangular trade and the European domination of the African economy

The crucial change in the relationship between Africa and Europe came with the technological progress in Europe that, from the 15th century onwards, enabled regular navigation between Africa and Europe. Europe took an enormous lead in charting the whole world. The first important consequence of this was the invasion of the American continent, the almost total annihilation of the native population and the unrestricted take-over of political and economic power. America's economy was restructured and oriented according to European requirements. A system of gigantic plantations was introduced to grow sugar, cotton and tobacco and to produce rum for the European market.

For the first time, Africa's economy was profoundly shaken in its relations with Europe. Indeed, for three centuries, the American plantations were supplied with African slaves. In the slave trade, Africa lost some hundred million people from its work force. Not only were the social and political systems of African kingdoms destabilised in a decisive way, but the African economy gradually became strongly dependent on Europe. Somewhat simplified, I would formulate this as follows: *With the transatlantic slave trade, from the 16th to the 19th century, Africa's economy was not only oriented towards Europe but also became controlled by Europe.* It was precisely this European control of the economy of other continents that in its turn caused armed conflicts between certain European nations and European emigrants in America resulting in the birth and the independence of American states.

The European emigrants restructured the economy of the conquered America to their own benefit and then showed Europe the door. The USA gained independence in 1776, Brazil in 1822, Uruguay in 1828, etc. However, Europe had enriched itself enormously and had accumulated capital. The technical discoveries of Watt, Cugnot, Fulton, Stephenson, and others in the 18th and early 19th century enabled the processing of steel. The industrial machines and new transport opportunities created by ship and rail generated new needs within the European economy and entailed another significant change in the relations between Africa and Europe. The industrial revolution enabled many European states to use machines for production. This required gigantic amounts of raw materials that were not, or not sufficiently, available in Europe.

Moreover, the 19th century in Europe was deeply marked by an extreme nationalism with strong chauvinist tendencies. Everybody wanted to produce as much as possible, but nobody wanted to buy from their neighbour. Every European state felt the need to have at its disposal sovereign territory outside the continent that would provide both raw sources of material, and outlets for finished goods. After the independence war in America, this continent was lost to Europe. Yet Europe could make use elsewhere of the experience collected in America in exterminating and irreversibly disempowering the native people to the point of total dominance of the continent by the Europeans. The industrial revolution consolidated Europe's technological lead in the field of arms production too. This enabled the European states to conquer and colonise Africa and Asia, first by single action, and later by *concerted aggression*.

Colonial expansion as an alternative for European economy

The European orientation and control of African economy began with the slave trade. With colonisation it was systematically developed. Defeated in their own country, the Africans were politically put under European tutelage. They were allowed no participation at all in political or economic decision making. Thus, Europe could ruthlessly restructure the African economy according to its own interests.

The Europeans now established the plantation system they had introduced before in America in Africa. Large scale single-crop farming was used to grow products which were required by European industries, but which were of no use to the African population. To this day, we are familiar with colonial products such as cotton, rubber, coffee, cocoa, bananas, etc. Let me name an example. My country, Cameroon, grows a lot of coffee and has also been very dependent on coffee prices, ever since the beginning of the colonial era. Yet, if you travel to Cameroon today, you will see many advertisements aimed at trying to get the Cameroonese to drink coffee at last! Actually, we prefer herbal teas. But no plantations of this sort have been laid out. Indeed, the plantations were never meant to produce foods for the African population. For nearly a century, Africa supplied the European economy with cash crops and mineral resources and, at the same time, became the common outlet for European industrial products.

From 1884 to 1960, this colonial division of labour between Europe and Africa was imposed on us by military force. During this period, Africa had no chance either to build up an economy benefitting its own people, or to participate in determining the rules of the economic game with Europe or the rest of a world equally under European domination. The production, the markets, the prices of African goods in and outside Africa were dictated exclusively by Europe. European economic experts wrote about Africa as the natural, colonial or tropical "complementary area" to Europe.

I have reached 1960 at last, the famous year of African independence. Things had drastically changed. The two world wars had made the Africans aware of the frailties and vulnerability of European states. The independence movements and the wars forced the colonial powers to give in. In the wake of these confrontations, the African states achieved independence in the 60s and the late 70s. After the independence movement of the American states in the 18th and 19th century, Europe suddenly faced the threat of having to accept the breakaway of another colonised continent, the more so as Asia too was freeing itself from European control.

But Africa is a direct neighbour of Europe. Moreover, after World War II, it was considered NATO's southern flank. The transport of raw materials from all over the world to Europe passes through the Suez canal in the North and round the Cape of Good Hope in the South. Therefore, Africa was considered a vital strategic route for supplying Europe with raw materials. Could the colonial western Europe be expected to allow the countries of such a strategic region to build up autonomous, independent economies, during a time of relentless confrontation with the socialist East? This did obviously not correspond to *Realpolitik*.

If the independence movements in Africa could not be stemmed, a political alternative had to be found. This is why in 1957, the NATO Council recommended its members to grant independence to their African colonies - on one condition, however: *strategic installations must remain under the control of Europe, and Africa as a whole must remain within NATO's zone of influence*. In most African countries, many leaders of liberation movements who strove to end any reliance upon Europe were murdered or effectively side-tracked. Politicians well disposed towards Europe and sponsored by the colonial powers were manoeuvred into the presidencies of the new republics. Their job consisted in acting as agents of the European powers. Those who failed to do so were removed by military coups. The few politicians who achieved power while advocating independence without European patronage found themselves isolated within Africa, and branded as extremists and communists in international politics.

European control in the post-colonial era

What did Africa's economic structure look like after its nations gained independence? It is not enough just to speak of a general European orientation and control. The Europeans had prepared the independence of African states to offer no chance to these countries of making themselves free from total dependence of Europe. In October 1955 and October 1956, French and German experts met in the town of Neuenahr near Bonn to deliberate on the structure of economic relations between Africa and Europe in the event of European unity and political independence of African countries, and to agree on some form of concerted action. The French side was represented by leading politicians such as François Mitterrand, Valéry Giscard d'Estaing, Christian Pineau, Edmond Vermeil and Robert Schumann. Their German counterparts were Eugen Gerstenmaier, Annemarie

Renger, Kurt Georg Kiesinger, Carlo Schmid, Karl Carstens, and Hans Sterkens, among others. Some few Africans such as Hamani Diöri were invited to the third and last meeting in December 1957 in Bad Godesberg.

However, by May 1956 all European states involved in the project of founding an economic community had already been discussing the future of Africa in Venice. These discussions resulted in the association of the French African colonies, according to articles 101 and 131 of the EEC Treaty, signed on 25 March 1957 in Rome. *Africa was tied to the European economy before its states achieved independence and were thereby free to decide themselves.* Visionary politicians such as the President of Ghana, Kwame Nkrumah, the President of Guinea, Sekou Touré, or Nigeria's Prime Minister, Sir Abubakar Tafawa, and Emperor Haile Selassie of Ethiopia believed that for African countries to be bound to the EEC in this way jeopardised African aspirations to unite after the achievement of independence by the African states and to create a common economy. They feared that Europe would undertake an indirect, *collective colonisation of Africa* via the association with the EEC.

Indeed, the European strategy proved effective in achieving the economic enchainment of Africa. When the African countries became independent and started to form new states, additional binding bilateral economic and financial treaties were signed with the former colonial powers. After Great Britain joined the EEC in 1973, the former British colonies were in their turn associated with the EEC by the Lomé I Treaty. There are now 69 states associated with the EEC. They form the ACP (African Pacific and Caribbean States) Group. As a result, any African state not belonging to this group would find itself completely isolated both within and outside Africa. Consequently, all African States south of the Sahara belong to the ACP Group, and South Africa is likely to follow soon.

All this implies that, after 34 years of political independence, the former French colonies still lack their own currencies and are still moving in the Franc zone controlled by Paris. The division of labour is essentially the same as in the era of colonialism. The internal economic structure of the African countries is still oriented towards agriculture and organised according to the needs of Europe. This leads to absurd situations. Agrarian countries are forced to import food, since they have to produce colonial goods for export. The Africans supply raw materials and precious metals, while the Europeans produce industrial goods. The markets for these goods are controlled by the Europeans and their allies who decide upon import and export prices. In spite of independence, the economic structure of Africa has remained in a state where economic relations between African states were limited to 7 per cent of their commercial exchange in the end of the 80s, while their relations with Europe amounted to 60 per cent. Thus the disproportionate European orientation and control of the African economy cannot be denied.

The internationalisation of the European control of Africa

There are those who praise this dependence of Europe, because it is said to bring development aid and investment to Africa, and even to cushion adverse terms of trade by the introduction of special measures.

Let me briefly address this subject. *Africa is a European concept, even - and above all - economically.* This is my main thesis. Binding Africa to Europe after the process of political independence was not an African, but a European concept. Terms such as "development" and "development aid" were not born from a debate among Africans who sought to regain control over their own destiny. Instead, these terms and the programmes accompanying them originated in Europe, at the time of the East-West conflict, when the issue was about dividing the world and securing zones of influence. *After all, did the Africans ask Europe to develop Africa, after World War II? As far as I know, the Africans demanded to be freed from the chains of colonialism and the economic exploitation belonging to it.* Instead, economic and financial mechanisms were conceived with a view to keep the puppet rulers forced upon the African people by the West, and later by the East, securely in place. These rulers left all economic planning to Euro-American experts, while their only concern consisted in enriching themselves and their clients beyond all limits and accountable to nobody. The economic future of their country was certainly not their main concern. Indeed, they were well aware that their remaining in power did not depend on the *will* of their people but on the *goodwill* of foreign powers.

This is why, three decades after the achievement of political independence, investment structures in Africa are mainly concentrated on securing Europe's need for raw materials. This form of economic relations between Africa and Europe leads to the paradox that, eventually, more money flowed from the poor Africa to the rich Europe and other industrial states than vice versa. Thus, *what was developed, was not Africa, but the underdevelopment of Africa.* This outcome should not surprise anybody. I will not analyse the dubious term "development" any further here. Let me just make this one observation: No country can "develop" a foreign country. This is even more true when this foreign country has not been in a position to put through its own concept of its destiny in these bilateral relations.

With ever greater output required to obtain an ever-shrinking return, Africa was caught in a desperate situation. The economic situation became even worse than under colonial rule. So, new concepts were conceived by international organisations controlled essentially by Europe and North America. Experts were talking of "structural adaption measures". Once again, terms, concepts and programmes that did not originate from discussion inside Africa were being imposed on the continent. Thus, **not only is Africa a European concept; it is now becoming a concept of international organisations essentially controlled by Europe and its allies.** This is why European experts argue for putting Africa under the economic tutelage of international bodies. Economic concepts and programmes drawn up by the Africans themselves, such as the *Action plan of Lagos* or the *African Economic Community in six stages until 2025* are hardly mentioned in Europe.

The East-West conflict has ended. Access to raw material supplies in Eastern Europe is now open to the

West. The overcoming of nationalism by the trend towards European unity is gradually leading to the creation of the most powerful economic zone of the world. All these factors are leading Europeans to believe that the "European House" could soon meet all its needs on its own and make the continent largely independent of other continents. And should they really need something more, they will just go and get it, thanks to their economic power and military force. Africa, the "tropical complement" is no longer relevant as partner firmly "bound" to Europe and America. Thus, Africa with all its present misery can be "uncoupled". This is why European media are now talking about "uncoupling" Africa very much in the same way one in the days of the old talked about the "discovery" of Africa. Indeed, this "uncoupling" means that the catastrophic economic situation of African countries has rendered them unattractive as business partners, that the people there should cope themselves with the consequences of their relations with Europe, and that Europe will not hesitate to intervene militarily and show its superiority, should this be necessary for keeping its privileges.

For the African people, survival has become an art. But many die. Attending funerals has become a weekly duty for everybody. And people do not see, when they at last will have *the freedom to develop their own concepts, to carry out their own programmes and to account for them*. Have you ever had the experience of bearing your child, and seeing it dying in your arms, while you look on, powerless, incapable even of screaming?

"Of 30 ways to escape a danger, running away is the best".

If you were living in such a country, wouldn't you too try to run away and apply for asylum in Europe, to settle there and to live in human dignity?

Alexander Kum'a Ndumbe III

This is an abridged and edited translation of: **Africa fordert von Europa das Recht auf Überleben**, Communication presented by the author before the Basso Tribunal in Berlin, December 1994.

EVENTS

Confronting Control - Theories and Practices of Resistance: 23rd Annual Conference of the European Group for the Study of Deviance and Social Control, Crossmaglen, Co. Armagh, Ireland, 31st August to 4th September 1995.

The border between the North and South of Ireland is Europe's most policed internal border. Crossmaglen, with its myriad of fortified military installations and surveillance devices, is an integral part of this border and has been chosen as the location of the 1995 European Group's 23rd annual conference.

The conference is being jointly organized by members of the local community and academics from the University of Ulster and Queen's University, Belfast. In keeping with previous years, the conference will bring together activists and researchers to discuss the central themes. We particularly welcome papers which offer:

- critical accounts of the contemporary forms of managerialism, modernisation and technocracy in the criminal justice process and other control structures;
- evaluations of movements and campaigns aimed at challenging these developments or humanising their consequences and related contradictions.

For more information, contact: Mike Tomlinson, Department of Sociology and Social Policy, Queen's University, Belfast. BT7 1NN; Tel: +44/ 1232 245133 Ext 3714; Fax: +44/1232 320668; e-mail: m.tomlinson@v2.qub.ac.uk.

DOCUMENTS AND PUBLICATIONS

European Parliament: Joint motion for a Resolution on the Schengen Agreement and political asylum, 5.4.95, DOC EN/RE/271/271584.

Le guide de l'entrée et du séjour des étrangers en France, GISTI/Editions La Découverte, Paris, March 1995, ISBN 2-7071-2452.4, 262 p., in French.

This is the second, up-dated edition of The GISTI's comprehensive handbook on French legislation with respect to the entry and stay of foreigners. The handbook is a useful tool both for social workers and jurists counselling foreigners in France and for immigrants who want to know more about their rights. We also warmly recommend the book to foreign readers interested in learning more about French law and practice in the domain

of immigration and asylum.

Available from: Éditions La Découverte, 9 bis, rue Abel-Hovelacque, F-75013 Paris. Price: 98 FF.

Deserters from the war in former Yugoslavia, report published by *Women in Black*, November 1994, Belgrade, 50 p., in English.

The report focuses on the situation of deserters inside former Yugoslavia. It consists of five parts: Deserters and Legislation; Deserters' Realities; Support to Deserters; The Position of International Institutions and the Status of Deserters outside Former Yugoslavia; International Support.

Available from: 'Fortress Europe?'- Circular Letter at 100 SEK (p&p).

Vad är det vi stödjer - krigsvägrarna eller kriget?, report on the treatment of deserters and draft dodgers from former Yugoslavia in Sweden, publ. by FARR (Swedish Forum for Asylum Seekers), ed.: Nicholas Busch and Michael Williams, 30 p., in Swedish.

Based on 11 case studies on deserters of various ethnic origin and from all parts of former Yugoslavia who have sought protection in Sweden, the report analyses restrictive Swedish and European asylum practices as painfully experienced by tens of thousands of Yugoslav war resisters. Preface by Ingrid Segerstedt-Wiberg.

Available from: Britta Flodin, FARR, Storgatan 2, S-647 00 Mariefred; Tel: +46/159 10707. Price: 25 SEK (postage not included).

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