

Report from Bonn by Rainer Apel

Lid is clamped down on terrorist probe

The Supreme Court ruled out use of evidence from Stasi files on western agencies' link to terrorism.

In mid-April, the underground organization of the Baader-Meinhof terrorists published a letter offering to stop "lethal actions against top leaders of the state and the economy," on the condition that the state stop all anti-terrorist measures in return.

The document addressed a split in Germany's elites between "factions inside the apparatus" around Justice Minister Klaus Kinkel that wanted to strike a deal with the terrorists, and "iron-eaters" on the other side, whose commitment to root out the extremists remained unaltered.

The letter was published in the middle of a public debate over whether the Baader-Meinhof group was still active and capable of carrying out assassinations like those of Deutsche Bank chairman Alfred Herrhausen (November 1989) and Treuhand chairman Detlev Rohwedder (April 1991), or whether it could be convinced to stop its fight against the state, like the M-19 terrorists in Colombia supposedly did.

Thus, when Justice Minister Kinkel responded positively to the letter, and offered a reduction in anti-terrorist protective measures (bodyguards, etc.) for leading figures of politics and business, this move was seen as a step toward a Colombian-style "reconciliation."

Senior anti-terror spokesmen, most prominently Kurt Rebmann, a retired federal prosecutor, criticized Kinkel's move and declared that there was no reason for the state to be less vigilant, because there was no evidence that the threat of major new

terrorist attacks had been reduced. Chancellor Helmut Kohl made it known, however, that he and his cabinet would discuss the Kinkel initiative after the Easter recess. The cabinet met, but nothing was decided.

Then, in a move that took anti-terrorism experts by surprise, the Supreme Court of Germany ruled that file material from the Stasi, East Germany's former foreign intelligence apparatus, was to be considered "not reliable" and could not be used for the prosecution of terrorist suspects.

Pursuing leads from such Stasi files, Alexander von Stahl had opened an investigation in March into the role of a certain Monika Haas in the October 1977 "Palestinian" hijacking of the German Lufthansa airliner Lands-hut. Mrs. Haas, a West German once married to the Palestinian radical Zaki Helou, who supervised training programs for Baader-Meinhof terrorists in the South Yemen capital of Aden in 1977, had been listed as an informant of the Stasi.

Haas was arrested, and the Federal Anti-Crime Agency (BKA) identified her as the person who used a false Dutch passport in October 1977 to bring the explosives from Algiers to Palma de Mallorca that were then used by a team of Palestinian terrorists for the hijacking of the German airliner.

The really delicate aspect in the Haas case is not even that she worked for the Stasi and had contact with Palestinian terrorists. It seems that she had also been pinpointed as an informant of "a western secret agency" in

a Stasi file.

It would have been very interesting to see all of this explained at her trial; but there will be no trial now, because of the Supreme Court ruling.

There was a precedent to this ominous Supreme Court decision: A new book, *The RAF-Stasi Connection*, which made similar hints about Monika Haas's entanglements with western agencies, was banned by court ruling before it arrived on the bookshelves in late January. The book was published in a censored version weeks later, with all such references removed from the text.

The ruling of the Supreme Court in early May is the more alarming, as the court has voiced no doubts about the usefulness of Stasi files in other cases, for example in trials against spies.

This looks like an "institutional" intervention in the debate about the past 20 years of terrorism, at a point where new, potentially crucial evidence could be added from secret eastern files that western experts had no access to before 1990. It looks like a move to preempt any public discussion about things that had been secret for a long time, simply because East Germany had kept the lid on. Now that there is a chance that officers of the former Stasi would talk, they're banned from doing so—by western judges.

The debate on closing the book on the last 20 years of German terrorism shows aspects of a coverup. Many of those who will benefit are people—not only in Germany—who were involved in Lt. Col. Oliver North's secret Iran-Contra deals with the Stasi in the early 1980s, by the way. Their operations overlapped closely with the drug and terrorism networks of the East bloc, details of which may very well be found in former Stasi files also.