

mainly from safehouses across the border in the French Basque.

Drugs: more dangerous than terrorism?

Closely tied to the terror problem is the looming security threat of drugs. For some years, both the Communist Party of Spain and the Socialist Party Youth have proposed not only the decriminalization of both soft and hard drug consumption, but the creation of a state narcotics monopoly based on the concept of the French Regie Française de Tabacs. The individuals associated with this campaign in the Spanish Socialist Party include the present minister of education, José Luis Maravall, and Justice Minister Joaquín Ledesma.

Spain's Parliamentary Justice Commission proposed in late April a reform of the penal code by which both soft and hard drug consumption would be decriminalized. In fact, as Interior Minister Barrionuevo points out, drug consumption has never been a crime in Spain. What is punishable is drug trafficking, and there are proposals that the reform include decriminalization of possession and trafficking of, at least, "soft" drugs.

Unofficial estimates of drug consumption in Spain indicate that 45 percent of those over 14 years old smoke hashish (15 to 20 percent of these habitually), while 1 percent of the entire Spanish population (of all age groups) uses heroin. Spain is a major transit point for cocaine and heroin flooding into Europe.

The penal code reform comes up for debate in fall 1983. With the exception of a recent statement by the Spanish Catholic Conference of Bishops, attacking the "flabbiness of legal norms against consumption of drugs" as indicative of the moral collapse of Spanish society, there has been as yet little opposition mounted.

Anticipation of passage of this pro-drug reform is indicated by the tragicomic scene of a heroin addict filing charges at a local police station against her pusher, for supplying bad heroin at inflated prices.

There can be little doubt that ETA, among other terrorist groups, is involved in a drugs-for-arms trade, despite the lack of hard evidence to date. Police director general Rafael del Río, interviewed recently in the Catholic daily *Ya*, acknowledged that "on some occasions we have had indications that ETA was behind some drug operations, but this could not be shown to have been in Spain itself. We have, however, been able to prove that ETA is involved in counterfeit money."

Del Río went on to state that "terrorism produces a bigger impression, but drugs lead to a type of criminals who are enormously aggressive, able to become savage in their aggressions and to sow an unforeseeable disquiet in society. I believe that the rush toward drugs in the long run can cause greater instability than terrorism."

Interview: Spain's Interior Minister

'Terrorism is an incentive for the enemies of democracy'

Interior Minister José Barrionuevo, 42, describes himself as having been a Carlist radical in his youth and a member of the Francoist student union, SEU. After several years as a journalist and lawyer, Barrionuevo became head of police affairs for Madrid. He does not share the view that terrorism is an inevitable sociological phenomenon. He has proposed a number of anti-terrorist measures, including the registration of all house rentals and purchases of police computers for monitoring purposes, the freezing of kidnap victims' bank accounts to prevent ETA from receiving ransom funds, and the outlawing of the intermediary system (the use of paid go-betweens to conduct negotiations between ETA and kidnap victims' families). Barrionuevo has also strongly opposed measures such as the proposed British-style habeas corpus law that would inhibit questioning of detainees.

The controversy referred to in the interview between Justice and Interior ministries grew out of the Interior Ministry's attempt earlier this year to crack down on ETA and other terrorist operations in Spain. The kidnapping of Mikel Echeverría, the son of an industrialist who had paid the so-called revolutionary tax to ETA for years, prompted dozens of industrialists and professionals from the area to confess to having paid protection money to the terrorist groups for years. However, when the Interior Ministry intervened by prohibiting mediation with the terrorist groups and freezing victims' bank accounts, the Justice Ministry counteracted both measures, and at the same time forced Manuel Ballesteros, the former head of the Joint Counterterror Command, to testify to the French government on a shootout between the police and ETA terrorists on French territory.

This and the following interview were conducted in Madrid in April by EIR correspondents Anno and Elisabeth Hellenbroich and Katherine Kanter. Interior Minister Barrionuevo was interviewed April 19.

EIR: What, in your opinion, is the most serious security threat facing Spain today?

Barrionuevo: All the security problems are serious, because public opinion has also become much more sensitive

in a way that provokes very intense emotionalism. There are at times reactions which are not very rational, not very well controlled. Within the range of security for the population, without doubt what most alarms the Spanish public is terrorism. And where terrorism has its most notable, most important influence is in the Basque region, although there are at times terrorist actions in other parts of the country. This problem is serious not only for the terrorism in itself, for the criminal acts, but because it acts indirectly as an incentive for the most reactionary sectors of the country, who think that the democratic system is too weak to fight this kind of criminal activity and that consequently non-democratic solutions should be used. Somehow, it acts as a stimulant for the most reactionary part of the country, for the enemies of democracy. There lies the double gravity of the terrorist phenomenon.

EIR: It is well known that drugs-for-arms traffic is closely connected to the "black international." Thus, drugs are not only a social problem, but a serious security problem, as U.S. President Reagan recently emphasized. What measures are you taking to create a war against drugs, and how do you view the draft proposal to de-criminalize so-called soft drugs in Spain?

Barrionuevo: We have no evidence that the drug problem in our country is related to the terrorist phenomenon. There may be some relation, but it is indirect, minor. It constitutes a problem in itself, because drug traffic generates—apart from that form of delinquency and the effects on health—other types of delinquency: drug addicts commit assaults or robberies in order to buy drugs.

The Spanish police are taking measures against drug traffickers and they are partially effective. There are frequent busts of hard drugs, because Spain is not only a receiver or consumer of drugs, but also a transit point from countries in Africa toward Europe and even some points in America.

There is contact through Interpol and other channels with police of other countries to combat those forms of trafficking in Spain.

[Regarding legalization of drugs] here in Spain there is an intense discussion on whether or not to de-criminalize. As in other countries, drug consumption in Spain is not a crime. What is a crime is trafficking. . . . The practical situation is logically a greater tolerance toward soft drugs than toward hard drugs.

The truth is that there is still no firm position adopted by the government or by the parliament on whether or not to legalize trafficking, because as I said, consumption is not a crime in Spain.

EIR: Mr. Xavier Arzallus of the Basque Nationalist Party (PNV) recently proposed creation of an international commission on Basque terrorism, with names such as: Brian Jenkins of the Rand Corporation, Peter Janke of Control Risk, and Professor Leaute of the Sorbonne University in Paris and the Eurogroup, who is closely tied to criminologist

Giovanni Senzani.

EIR has published various reports on the more than suspicious character of these people, who can be characterized as sympathizers of the "terrorist phenomenon." What is your reaction to this provocation by Arzallus?

Barrionuevo: Well, I don't believe it to be a provocation. I think that proposal must be seen in the context of other, earlier statements and in the context of the electoral process in which we are immersed in Spain [the May 8 municipal elections].

We are in a phase in which there is an intense debate taking place in the Basque region between the Basque Socialist Party and the PNV, the two principal political forces there. The Spanish Socialist Workers Party (PSOE) charges, in my view with some basis, that the PNV's position on terrorism is not sufficiently clear or firm.

On the occasion of a traditional PNV celebration, a polemic erupted. There are understandable tensions during election time. Mr. Arzallus at that time made some highly criticized statements. And precisely because of those criticisms, which were very widespread, that suggested a certain inhibition on his part to fight terrorism, Mr. Arzallus several days later made that proposal to form a commission of international experts to make some kind of pronouncement on the terrorist phenomenon. But that should be viewed as a kind of dialectical or polemical way out by Mr. Arzallus to reduce the tension created by his previous statements, and to furnish himself a sort of escape valve; he wanted to demonstrate that he had original solutions. Original, indeed.

EIR: Any intensification of terrorism in Spain represents a danger of destabilization. In your opinion, is the White House sufficiently motivated and informed on this danger? What more would you like, regarding international cooperation, from President Reagan?

Barrionuevo: I don't know how well informed the White House is. I imagine that they have some information; from the point of view of one who directly suffers the phenomenon, perhaps that information and that awareness were never sufficiently high. One always would like to have neighbors, friends, countries, and persons who can help, to feel the same level of concern as one feels. Of course that is difficult.

We think that the U.S. government is informed of Spain's problems and of the potential dangers involved. And we would like, from the point of view of the direct danger as well as the indirect—terrorism can act as an incentive for the most reactionary groups who would prefer there were no democracy in Spain—the position of the U.S. government to be sufficiently clear and collaborative with the Spanish government.

In truth, in the few months [four and a half] that we have been in government, we don't have any reason to complain. We would like it if the U.S. government were more active, like the unique case of the French government, and the Italian; nevertheless, given international norms, we can say that the United States has an attitude of normal and friendly

collaboration.

EIR: What is your personal opinion of the payment of ransom in kidnapping cases?

Barrionuevo: There is no special law concerning kidnappings. There is a debate motivated by an attitude of ours on the question of ransom payments. Until now, the majority of kidnappings in Spain have been carried out by armed terrorist groups, and almost always, with one exception, in order to collect money to finance their own organizations. There have also been some cases of kidnappings by common criminals also with the aim of collecting money and enriching themselves.

We fear that this practice of kidnappings for money will spread, criminals considering it less risky and more lucrative than other criminal activities. Given this fear, looking ahead, we think that the government and police should have special abilities to impede ransom payments.

We carried out, from the Interior Ministry, a public opinion poll of sorts on this issue. The results were uneven, because while an important percentage of the population thinks this is the approach that should be taken, there was also a not-insignificant percentage that thinks that the humanitarian concerns of the family must be respected, that the family wants to do everything possible to save the life of the kidnapped person, and that it is not just for the police to impede these family actions. The criteria also vary according to the areas of Spain. In the Basque region, the majority sentiment—more than 50 percent—is that the police should not impede attempts by the family to save the life of the kidnap victim. In the rest of Spain, the majority thinks that the police should impede these attempts, but it is not a conclusive majority. A notable percentage of the population, above 30 percent, considers that humanitarian motivations should be respected.

There is not at the moment a law that grants extraordinary facilities to the police or judges to impede those contacts by the family with the kidnapers. It is another matter under discussion now.

Interview: Spain's Justice Minister

'Terrorism within a country is that nation's problem'

Spanish Justice Minister Joaquín Ledesma, born in 1939, was a well-known lawyer, magistrate, and professor of constitutional and administrative law before joining the government. The following interview was conducted in Madrid on April 25.

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EIR: A rather open controversy has arisen between your ministry and that of José Barrionuevo, minister of the interior, concerning payment of ransoms, freezing of bank accounts of a kidnap victims, the use of intermediaries in kidnap cases, the access to legal advice by terrorists detained, and recently, your proposal for a law of habeas corpus modeled on British law. We would appreciate your explaining the political and philosophical roots of the differences above, which strike us as quite profound.

Ledesma: There are no profound differences, nor are there essential philosophical differences. In one of the cases you cited, that of legal assistance for detainees, we have arrived by common agreement at a shared solution, and the same will occur with the habeas corpus and anti-terrorist legislation. It is quite logical that in the search for these common solutions, each ministry uses the dimension closest to the function it daily exercises. Since the Justice Ministry is to give juridical advice to other ministries, it tends to concentrate on those aspects which protect the fundamental rights of citizens.

As for the Department of the Interior, here as elsewhere, its task is to maintain order and public security, and quite obviously these concepts come to the fore. But even though each department works with the concepts closest at hand, there is no doubt that we arrive in the final analysis at an agreement.

Fortunately, in my country at this point, the ministries do not make policies. There is not an Interior policy and a Justice policy. There is a government policy, and this government is led by a president, who decides on political orientations which are shared and carried out by all without differences and certainly without the slightest hostility.

EIR: Which reforms do you propose to combat terrorism? What do you think about the proposal of Xavier Arzallus, president of the Basque Nationalist Party (PNV), to create an international commission on terrorism in the Basque including Brian Jenkins, Peter Janke, and Professor Leauté of the Eurogroup?

Ledesma: I think that the current Spanish legislation is sufficient to combat terrorism, and I think that the European position on that coincides with mine. I do insist that the current Spanish legislation is adequate.

We are simply studying the possibility of including some solutions applied by other countries, like Italy, notably, disincentives to criminals through favored treatment for collaborating in the fight against terrorism. Such reforms are being studied by various ministries and I cannot say what the result will be.

As for the proposal of Arzallus, without in any way calling into question international cooperation as laid down in international treaties, the investigation of terrorism in one's own national territory is a quite different question: This is a police and judicial activity which must remain entirely in the hands of the police and judiciary of one's own country.

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