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## Conference Report

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# Frankfurt drug legalization mafia says 'no' to U.S. War on Drugs

by Karen Steinherz and Christian Huth

Should Germany "go legal" with dangerous "recreational" drugs, as the new liberal pro-drug government of Holland has done? This question was answered clearly in the affirmative, at a conference at the Evangelical Academy of Tutzing, in the German state of Bavaria. The elegant castle was the site of a 70-person symposium April 26-28, entitled "Drug Politics in Controversy."

The pro-drug policy of the Netherlands was vigorously endorsed by Dr. Harald Hans Koerner, the head of the central office for drug law enforcement at the District Attorney's office in the German state of Hesse. Koerner, a Social Democrat, spelled out a seven-point program, a "politics of tolerance," for the legalization of marijuana, cocaine, and heroin in Germany, displaying his legal expertise in a training session on how to circumvent German anti-drug laws.

The Frankfurt airport, which falls under Koerner's jurisdiction, is, along with the Madrid airport and the Rotterdam port, a leading entry point for marijuana, cocaine, and heroin coming into Europe from Colombia, Ghana, Morocco, and Afghanistan. The total drug traffic in the European Union was estimated at \$80 billion in 1994.

Dr. Gerhard Goedhart, drug adviser and member of the City Council of Amsterdam, painted the policy of the new government of the Netherlands in glowing terms. The informal drug paradise of Amsterdam will be turned into an official one, if new legislation in the Dutch Parliament is approved in the coming months. The legislation will enable Holland's coffee shops to sell cannabis, like a restaurant or a bar with a liquor license.

This position stands in stark contrast to the anti-drug campaign of the Clinton administration, and is a disturbing feature of the New European Order envisioned by the European Union's Maastricht Treaty.

One week before the Tutzing conference, the final document of the Cochabamba Conference of the European Union (EU) and the Rio Group, in Cochabamba, Bolivia, directly attacked the anti-drug policy of the Clinton administration, establishing instead the thesis of "co-responsibility or shared responsibility" between drug-producing and -consuming nations. This "shared guilt" thesis, according to which no one is

to blame for the drug mafia, is also the line of the Samper Pizano government in Colombia, which the Clinton administration decertified in March, because of its connections to the Cali Cartel. Decertification means that the American government is no longer officially collaborating with the Colombian government.

EU Vice President Manuel Marin affirmed, "The European Union is consolidating one principle on an international level: Drugs are not the exclusive problem of those who produce them; they are the problem of those who consume them." The EU *does not practice decertification*, he said.

The EU is proposing a policy that would supposedly stimulate "alternative development, placing its bets on the carrot and not the stick." Wire service coverage of the Cochabamba event emphasized, "This week Latin America is closer to Europe than to the United States."

### Seven steps to German drug legalization

Frankfurt Prosecutor Koerner's seven steps to drug legalization are an olive branch to international organized crime. However, he pitched his legalization agenda so as to avoid all mention of global issues, dwelling instead on the theme of "the victims," and repeating over and over, to an audience of drug therapists, doctors, and teachers, his concern about drug addicts having clean needles.

To begin with, Koerner would only punish dealers, not consumers of narcotics. Over a period of a few years, Koerner envisions total decriminalization, and, finally, legalization, with the only barriers to selling drugs being the protection of minors. Currently, Frankfurt has "shooting galleries" in which sterile syringes and needles are given out to the city's heroin addicts—but the addicts must bring their own heroin, which is still, illegal. According to Koerner's agenda (Step 5), doctors would eventually dispense drugs, including heroin, one step before a state-controlled monopoly on all drugs (Step 6).

Koerner pointed out that some cities, such as Nuremberg or Munich, might choose to remain at one step or another of the seven-step program. Legalization, the final step, he said, would mean that everyone could buy drugs, and every-

one could sell them (except pharmacies, which he was against). Koerner thought that Step 6 might be eliminated, going directly to legalization. He admitted that a state-controlled monopoly has never been considered before, because it violates U.N. conventions and other international narcotics protocols.

In November 1992, Koerner, who is member of the legal committee of the Social Democratic Party (SPD), wrote a memorandum for the Hesse Justice Ministry saying that even though they violate drug laws, the "health rooms" (shooting galleries) do provide addicts with clean needles, which is a "higher aim" than the law. Soon after this memo was issued, Frankfurt's five shooting galleries, which service approximately 1,000 heroin addicts, were established.

Koerner cited veteran advocates of legalization, notably members of the Frankfurt Resolution group, such as Werner Schneider from Frankfurt, with whom Koerner worked out the plans for the shooting galleries; and Dr. Horst Bossong from Hamburg, who also spoke at Tutzing. The Frankfurt Resolution is the name of the leading organization backing drug decriminalization for what the legalizers term "soft drugs," such as marijuana. Its founding document also calls for distribution of methadone and heroin to addicts. It was endorsed by the cities of Frankfurt, Amsterdam, Rotterdam, Hamburg, and Zurich. Bossong is currently a drug adviser for Hamburg, and Schneider is the chief drug adviser for Frankfurt.

Schneider stated in his speech at Tutzing that it was his "personal opinion" that cocaine should be legalized. "There is as much cocaine in the apple wine pubs as there is apple wine," he said, referring to Frankfurt's famous apple wine. "These people are integrated into society; the risk is as low as with alcohol consumers." Cocaine is the drug of choice for Germany's "Chicy-Micky," a term for Germany's young bankers and wealthier middle and upper class.

### **'Bang, bang, bang'**

Last October, President Clinton signed a series of Executive Orders and Presidential Decision Directives, marshalling resources to shut down the 50 biggest drug-money-laundering operations in the world. He declared a state of national emergency over the growing power of international organized crime, and restricted financial dealings of U.S. companies with nearly 100 companies suspected of being fronts for the Cali Cartel.

In response to a question from *EIR* about President Clinton's tough stance, Koerner replied: "I don't like the American method of the War on Drugs; it's just bang, bang, bang. . . . No war on drugs in history has ever been successful. We had a 20-year repressive policy which did not work; we need to activate a new pragmatic drug policy."

Koerner, the chief prosecuting attorney in Frankfurt, presides over legal strategy in criminal and civil law for Frankfurt, for the prosecution of arrested drug dealers. When the

Federal German Border Guards (BGS) arrest these couriers, carrying suitcases of cash or drugs, their prosecution falls within the jurisdiction of the state of Hesse and its Criminal Office and Koerner's office. Koerner himself stated that there is only a 5% seizure rate in Frankfurt, and less than 4% of the crimes come to a successful prosecution, due to Germany's *Datenschutz* laws. These are supposed to protect the privacy of the individual, providing for banking secrecy, freedom from wiretaps, etc; but criminals are taking advantage of these laws, making Germany a haven for international organized crime.

When asked by *EIR* whether he would recommend changing German law to make it easier to investigate and prosecute the drug trade in Germany, Koerner replied, "No."

### **Controversy in government circles**

On March 9, 1994, the drug lobby's arguments found their way into a ruling of Germany's constitutional court, the Bundesverfassungsgericht (BVG). The court ruled that possession of small amounts of cannabis products for personal use, is not to be punished by law. Now, according to the German legal code, this will have to be written into law by the parliaments of the 16 German states, something which is still pending.

There is a debate on the question of what constitutes "small amounts": whether it should be, in the case of hashish, 10 grams, 30 grams (as in some other European states), or 30 kilograms (!), as one judge in Lübeck argued, though his ruling was later overturned. As of now, there is a great deal of flexibility in how the drug law may be interpreted.

The title of the Tutzing conference, "Drug Politics in Controversy," certainly did not refer to any opposition from the passive audience. However, there is some resistance to the legalization policy from the German federal government.

Drug Deputy Eduard Lintner, a Christian Democrat, in April attacked Heide Moser (SPD), who is proposing to give out cannabis in German pharmacies. In a new book entitled *Cannibis*, Mrs. Moser, who is the health minister of the German state of Schleswig-Holstein, gave her approval to the smoking of cannabis. Lintner attacked this as "highly irresponsible."

The leader of the opposition in the parliament of Schleswig-Holstein, Dr. Ottfried Hennig, attacked Moser's proposals: "Drugs are the quickest way to the self-destruction of a society. This is the spiritual aberration of the Social Democratic Party in drug politics, to play with the lives and destinies of young people, and to make fun of the concerns of millions of parents."

In order to get around government opposition, SPD member Koerner is pitching his arguments to the private sector. Banks, like Commerzbank in Frankfurt, are giving money for the shooting galleries, and police are asked to guard the galleries to support the "social policy" of driving the addicts out of Frankfurt's parks.