

## I. The EU, Ukraine and contested elections

### **Solana suggests constitutional change in Ukraine**

Although he has already openly stated his support for the losing presidential candidate in Ukraine, Viktor Yushchenko, the EU's Foreign Policy chief and former NATO Secretary-General, Javier Solana, is acting as a "mediator" in the country's political crisis following the disputed presidential election. He and others are pushing for a re-run of the election, even though the courts have not yet ruled on whether there is any basis to the allegations of fraud – an odd way of promoting the rule of law. Now Solana has added further confusion by suggesting that Ukraine change its Constitution. "The country will change from a presidential republic to a parliamentary republic," said Solana, although it was unclear whether the "will" was an imperative. Solana called on Yushchenko demonstrators to stop blockading government buildings, saying that a continuation of the protests would destabilise the Ukrainian currency and economy. [*Handelsblatt*, 1<sup>st</sup> December 2004]

### **The Polish role in the Ukraine crisis**

The new EU member state, Poland, is playing a major role in the Ukraine crisis. The Polish President, Alexander Kwasniewski, went to Kiev for the second time on Tuesday. Poland, which is one of the strongest allies of the US in the new Europe, strongly supports a Western-orientated Ukraine, and wants to bind it in to Western structures. The strategic partnership with Ukraine is one of the main planks of Polish foreign policy. Bronislaw Geremek, the Vice-President of the European Parliament and a prominent Polish politician, has announced that Ukraine will join the EU. "It is not a matter of whether Ukraine should join the EU, but when." Poland wants a Western-oriented Ukraine as a geo-strategic counterweight to Russia. Government

circles in Warsaw say that the integration of Ukraine into the West is important for Poland's security. Mr. Yushchenko, the losing candidate, has specifically welcomed Mr. Kwasniewski as a "mediator", even though, as with Solana, it is difficult to see how someone like the Polish President could mediate in a debate in which he has already taken sides. One of Yushchenko's closest collaborators, the former Foreign Minister, Boris Tarasjuk, expressed his thanks, in a speech to the Ukrainian Parliament, for the help which Poland had given the Opposition. The former Polish president Lech Walesa also visited Kiev in an attempt to solve the crisis. [*Handelsblatt*, 1<sup>st</sup> December 2004]

### **Nastase in the lead, fraud alleged**

The Romanian Prime Minister, Adrian Nastase, came first in the first round of the presidential election on 28 November, beating the mayor of Bucharest Traian Basescu. The second round is to be held on 12 December. In third place was Corneliu Vadim Tudor, the head of the Greater Romania Party (extreme right). Turnout was just 57%. The election has been marred by allegations of fraud, as in Ukraine, but, unlike in Ukraine, the Western media are paying very little attention, even going so far as to attack the opposition challenger Basescu for "destabilising the situation" with his charges of rigging and corruption. Basescu claims that voters for Nastase were bussed around the country so that they could vote numerous times. Vote fraud is made easier because the Romanians this year are voting with their identity cards, instead of with a voters' card, and the identity card simply has a sticker put on it when each voter votes: the sticker is easy to pull off. [Mirel Bran, *Le Monde*, 29<sup>th</sup> December 2004]

## II. Other European News

### **Gollnisch indicted**

The Procurator General of the Court of Appeal in Lyon has, on the request of the Justice Ministry, formally charged the Number Two of the *Front National*, Bruno Gollnisch, with "questioning crimes against humanity". Gollnisch has denounced this as "a political persecution". "This is a deliberate intrusion by the political power in an affair in which

the inquest had concluded that I am innocent," he said. On 11 October, during a press conference, Gollnisch had said that while he did not question either "the deportations" or "the millions of deaths" in Nazi concentration camps, he did say, "As to the way in which these people died, there should be a debate." Asked about the gas chambers, Gollnisch said, "I do not deny the murderous gas chambers.

But I am not a specialist on the question and I think historians should be left to discuss it. And this discussion should be free.” In mid-October, the Minister of Justice asked the prosecutor in Lyon to open a preliminary enquiry. The police report found that Mr. Gollnisch’s statements might not be sufficient to lead to a conviction. But the Minister of Justice asked for the issue to be dealt with by a tribunal, and that Mr. Gollnisch therefore be prosecuted for the crime of negationism. Two other *Front National* officials are also being prosecuted, for statements they made on 11 and 14 October. [*Le Monde*, 29<sup>th</sup> November 2004]

### **General strike in Italy**

A general strike paralysed Italy on 30 November as the three main unions and consumer associations protested against the economic and social policy of the Berlusconi Government. This is the fifth time that a general strike has occurred during Mr. Berlusconi’s premiership. The strike lasted four hours on Wednesday. There have been no daily papers in the kiosks, public transport has come to a standstill, banks and post offices were closed, activity in hospitals slowed down. More than 70 demonstrations took place across the country. The strike was especially strong in the sectors which Mr. Berlusconi’s Government is intending to make cuts: he has promised to reduce by 75,000 the number of civil servants between 2005 and 2006. The union leaders are also attacking the Government’s proposed tax cuts. The Italian Government has been requesting the European Commission to apply the terms of the Stability Pact with flexibility: growth is very weak in the Italian economy, and this is a particular problem for a state whose debt is 106% of GDP, whereas the Stability Pact says it should be 60%. The governor of the Bank of Italy, Antonio Fazio, has warned that if corrections are not made, the budget deficit could have reach 6% next year. The left has used this to attack the proposed tax cuts. [Jean-Jacques Bozonnet, 1<sup>st</sup> December 2004]

### **French Socialists vote for Constitution**

The French Socialist Party has voted to support the forthcoming European Constitution. The decision comes after a surprisingly long internal argument within this traditionally pro-EU party. Following the presidential elections in 2002, when the Socialist Party was beaten into third place by Jean-Marie Le Pen’s National Front, two groups were set up within the PS to oppose the European Constitution. Campaigning on the theme of “a different Europe”, they criticised the terms of EU enlargement and expressed concerns that it would lead to greater inequalities. About 40% of the PS members

supported such views. Last September, faced with this rising pressure from the ranks, the president of the PS, François Hollande, issued “seven demands” on the then future Constitution. These concerned public services, tax harmonisation, the French cultural exception and other issues. This was a way of trying to stem the rising tide of feeling inside the PS that Socialists would be called on to vote, once again, for Jacques Chirac – as they had done at the second round of the presidential election, to keep out Jean-Marie Le Pen. In November, the two anti-Constitution movements increased the pressure and said they would not vote with the party whip on the Constitution in the National Assembly. By the time of the regional elections in March, the Socialists had smelt blood. François Hollande started to compare himself to José Luis Zapatero, the new Spanish Prime Minister, and the divisions went underground for a while. But then, in June, Laurent Fabius, the number two in the party, said he was “very reticent” about the proposed Constitution. He said he doubted strongly that the Socialists and the French would vote in favour. This put him at loggerheads with Hollande. The opponents were mainly concerned that the new Constitution strengthened the EU’s free-market economic policies at the expense of its social ones, and that it made the integrated EU foreign and defence policy too Atlanticist. [Isabelle Mandraud & Caroline Monnot, *Le Monde*, 1<sup>st</sup> December 2004]

Now, however, the opponents of the Constitution have been defeated. A turnout of 80% of the PS members helped the Yes camp, which won by 55%. It is of course a personal victory for François Hollande, and a defeat for Fabius, who had based his campaign on the political imperative of not voting again with the Right. The victory of the Yes camp makes it less likely that the French would vote against the Constitution, although the referendum might be close. There are grounds for saying that a No vote would have been highly probably if the Socialists had decided to campaign for it. [*Le Monde*, 2<sup>nd</sup> December 2004]

### **Defence witnesses appear for Milosevic**

Following the decision of the International Criminal Tribunal for the former Yugoslavia to overturn its earlier decision to force Slobodan Milosevic, against his will, to have a lawyer, witnesses have been appearing for the defence. Many of them had earlier refused to testify, in protest at the court’s attempt to impose a lawyer. The first witness was a former Prime Minister of the Soviet Union, Nikolai Ryzhkov; there followed General Leonid Ivashov, in charge of relations between NATO and Russia; and the former Russian Prime Minister Evgeni Primakov. Primakov made the point strongly that “Russia never thought

of herself as an ally of Slobodan Milosevic". He agreed with the other witnesses that they denied there had ever been a "Greater Serbia" plan, which forms the backbone of the charges against Milosevic. They argued instead that the Western powers had conspired to destroy Yugoslavia. Primakov testified that he had visited Milosevic in March 1999, on Jacques Chirac's request, and that the Yugoslav President had said, "I will withdraw all my forces from Kosovo if NATO withdraws its forces from the Macedonian border." Primakov then went to Bonn, "but our plane had hardly taken off than the NATO bombardment started." Primakov said he pleaded with President Clinton to stop the bombing, but in vain. Primakov therefore said he concluded that the West's attitude bore within it the germs of a new Cold War. General Ivashov elaborated on this theme. He was the man who passed on the order from President Yeltsin to Russian troops in Bosnia to move into Kosovo at the end of the bombing in June 1999. He said that NATO wanted to make Kosovo secede from Yugoslavia, and that the OSCE Kosovo Verification Mission, which was sent into the province in late 1998, was an instrument in this plan. He described the KVM as "a screen to prepare the bombing" and said that the reports produced by the Russian members of the mission were ignored, as were those of Ukrainians, Finns and Swedes. He added that certain members of the KVM had studied military objectives in order to prepare the bombing, and that some of them were members of Western intelligence services. Nikolai Ryzhkov's testimony corroborated this. He said that the Kosovo Liberation Army had between 800 and 1000 mercenaries "who came essentially from the Middle East" and that "Albanian terrorism was followed by Chechen terrorism". The Prosecutor, Geoffrey Nice, asked for evidence of this. Ryzhkov, who was then Chairman of the Yugoslav committee in the Russian Duma, replied, "Hashim Thaci's telephone" – Thaci was the head of the KLA – "was tapped by the Serbs, and the Russian partook in this, within the framework of the fight against terrorism, and that they had established that he was in regular contact with Madeleine Albright, the then US Secretary of State, who gave him advice on what to do, even though he was "a terrorist". [Stéphanie Maupas, *Le Monde*, 2<sup>nd</sup> September 2004]

### **EU takes over in Bosnia**

The European Union has taken over the peacekeeping operation in Bosnia from NATO, creating a force known as EUFOR. It is composed of the same soldiers, now operating under a different label, and is the second major military operation being conducted by the EU (after Macedonia).

"Operation Alethea" (alethea is 'truth' in Greek) is supposed to be directed against organised crime. An American general, from the old SFOR, and a British general, from the new EUFOR, gave a press conference to explain that the transition between the two commands would be seamless. This is not least because the EU will be using the structures of NATO to carry out its new tasks. NATO will in any case maintain a "residual HQ" in Sarajevo, while the US army will retain some 250 soldiers and diplomats in Sarajevo and Tuzla for "special operations". In the words of one unnamed European, they will also "keep an eye on what we are doing". [Laurent Zecchini, *Le Monde*, 2<sup>nd</sup> December 2004]

### **Rumsfeld charged with war crimes**

The American human rights organisation, Center for Constitutional Rights, has lodged a suit against Donald Rumsfeld, the US Secretary of Defense, for war crimes, with the Federal Prosecutor's office in Karlsruhe, Germany. "We accuse Rumsfeld and nine further officials of war crimes and torture against Iraqi prisoners in the American prison Abu Ghraib (in Baghdad)," said Michael Ratner, the president of CCR. The Republican Union of Lawyers said that the suit had been lodged in the name of five Iraqis who claim to have been the victims of mistreatment and torture at the hands of the Americans. The lawyers say they have taken this step because all the civil and military superiors of the eight US soldiers who have been accused of crimes, have gone unpunished. They point out that the doctrine of command responsibility means that commanding officers and civilians can be accused of complicity in war crimes if they knew what was happening, or should have, and failed to stop it. The American lawyers are using the German penal code because it provides that war crimes, genocide and crimes against humanity may be prosecuted wherever they occurred. "German law is the best in the world for the prosecution of these crimes," said Ratner. The Federal Prosecutor's office has confirmed receipt of the suit. The 170 page report will now be studied by the German authorities, which will rule on whether it is admissible. Since the entry into force of the new legal code in July 2002, no such claim has been accepted by the authorities. The defendants named in the suit include George Tenet, the former Director of the CIA, General Ricardo Sanchez, Rumsfeld himself. It was this same Center for Constitutional Rights which recently brought a successful appeal to the US Supreme Court on the detainees in Guatánamo Bay. [*Die Welt*, 30<sup>th</sup> November 2004]

### **Turkey negotiations to start in 2005**

Belgium and Germany are to launch a common initiative at the EU summit in the middle of December to press for the EU's negotiations with Turkey to start in 2005, according to a common statement made by the German Chancellor and the Belgian Prime Minister in Berlin on Wednesday. France wants a delay. Chancellor Schröder and Prime Minister Verhofstadt both said they were opposed to any concept of a "privileged partnership". Verhofstadt said the EU already had a privileged partnership with Turkey, and that it did not need a new one. "We need normal negotiations with Turkey," he said. Schröder also emphasised that the negotiations should be about Turkish membership, and nothing else. In Germany, the Christian Democrat Opposition is campaigning heavily for a privileged partnership, and against full EU membership. Some EU countries want the EU summit on 17 December to be adopted as the EU's official aim, in other words for the option of full membership to be rejected now. The Belgian and German premiers also called on all founding member states of the EU to ratify the Constitution in 2005, to give a signal to the others.

### **German President says Merkel should learn from Thatcher**

In an extraordinary breach of his unpolitical role, the Federal President of Germany, Horst Köhler, has said that the leader of the German Christian Democrats, Angela Merkel, should draw inspiration from Mrs Thatcher. Köhler said that Merkel should not copy Thatcher, but that she would do well to "take the measure of depth and breadth of her (i.e. Mrs Thatcher's) reform policy". This is not the first time that parallels have been drawn, at least in Germany, between the two women. "Our Maggie is called Angie," people have been saying in the CDU for years. Mrs Merkel has herself said that Thatcher is not a role model for her, while at the same time adding, "It was her achievement to take courageous decisions when Great Britain was in a crisis situation." [Matthias Thibaut, *Handelsblatt*, 1<sup>st</sup> December 2004]

### **EU wants to help in Middle East**

The European Union has announced its intention of supporting the continued efforts to reach a solution in the Middle East, following the death of Yasser Arafat. Foreign ministers from the 25 EU states have met twelve delegations from Arab states in The Hague for a two-day summit. The EU commissar for

foreign affairs, Benita Ferrero-Waldner, the Dutch Foreign Minister, Ben Bot, who holds the EU presidency, and Javier Solana, also met Israel's Foreign Minister Silvan Shalom. Shalom had warned the Europeans not to side too much with the Palestinians. He said that it was wrong for the EU to support the Palestinians "100%" and then to present itself as a mediator. Mahmoud Abbas, the West's favourite candidate for the post of Palestinian President, has said that he is prepared to meet Ariel Sharon after the elections – which he presumably intends to win. Sharon has confirmed that Israel is open for dialogue. [Katja Riddersbusch, *Die Welt*, 30<sup>th</sup> November 2004]

### **Mafia wars in Naples kill 119**

On Tuesday 30 November, demonstrators in Naples were protesting not only against the policies of the Berlusconi Government, but also against the Neapolitan Mafia, the Camorra. Since the beginning of the year, a bloody vendetta between two rival clans has caused the death of 119 people. The killings have mainly taken place in the poor quarters of Naples. Scampia and Secondigliano, where "Ciruzzo the Millionaire" (Paolo di Lauro) has controlled the drugs trade since the 1980s. Experts say he earns half a million euros a day from this trade. In hiding, he has handed over 'the business' to his son, which caused some of his other lieutenants to break away from his group. This is the origin of the vendetta. Shops have been burned down, men are shot dead in bars, on the pavement and in their cars. The last victim was a 62 man who died after being in a coma for a month: he had been horribly tortured. A woman fell victim to the vendetta for the first time last week: she was found dead in her car, riddled with bullets. A 14 year old girl has also been killed, as she got caught in a shoot-out. In 1981, a similar vendetta caused 273 deaths; the police are now afraid that the other Camorra clans (there are believed to be 83 of them) might now be tempted to intervene and to use the current instability for their own ends. [Jean-Jacques Bozonnet, *Le Monde*, 2<sup>nd</sup> December 2004]

### **4.26 million out of work in Germany**

The seasonally adjusted number of people out of work in Germany rose by 50,800 in November. The total figure, 4,257,300, is 73,700 higher than this time last year. 10.3% of the German work force is now officially jobless. Unemployment has risen in both West and East Germany: the rate is 17.7% in the East and 8.3% in the West.