

## **Police evade prosecution after three fatal shootings**

AI has pointed to long delays and irregularities into the investigations of the police killings of Mourad Tchier in December 1993 and Ibrahim Sy, an 18-year-old youth of Senegalese origin who was shot near Rouen by a gendarme.

Despite the findings of a preliminary inquiry by the General Inspectorate of the National Police, the judge of instruction in Nice has ruled that there was no grounds for prosecution of police officers who opened fire on a Roma convoy attempting to cross over into France and shot and killed the 8-year-old Roma, Todor Borgdanovic in August 1995. The police inspectorate found that shots had been fired prematurely and that the criteria for legitimate defence had not been met. (*AI Concerns in Europe July-December 1996. AI Indeed EUR 01/01/97*)

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## **Germany**

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### **Asylum and immigration**

#### **No welcome for Albanians or Bosnians in Germany**

A new crisis in the Balkans? How can Germany divest itself of its responsibility to Bosnian refugees, at the same time as moving to prevent an influx of Albanians and a new refugee crisis? In order to address these problems, the interior ministers of Germany's 16 states held an emergency conference in March where the question of the phased deportations of Bosnians was addressed. And leading German officials are rethinking attitudes toward the Schengen accord, saying they fear the implications freedom of movement between participating states will have in view of the Albanian crisis and the scheduled end in 1998 of the NATO peace keeping force in Bosnia.

#### *Schengen reviewed*

Germany's 'boat is practically full', said foreign minister Klaus Kinkel, adding that Germany does not intend to take in Albanian refugees and that other European countries must shoulder the burden. Austria's future membership of the Schengen Accord, scheduled to take place in October, is also causing concern. Wilfried Penner, chairman of the home affairs committee in the lower house of the German parliament points out that 'all the Bosnians came here via Austria. The Albanians would come the same way ... If Austria joins Schengen, that means we have no external border with Austria. It has to ensure that its southern and eastern borders hold, and that's not easy for Austria.'

#### *Chartered deportations planned*

Berlin and Bavaria are leading the way in the deportation of Bosnians. Berlin's interior minister, Jörg Schönbohn, a former army general, has stated that after Easter chartered flights will be used to carry out deportations. Several Bosnians have already been deported by plane, under armed guard.

#### *Who are the deportees?*

Many of those who have received deportation orders are

Muslims from Serb-held parts of Bosnia, to which they cannot return. Some are women from Srebrenica, seized by the Serbs in 1995 amid massacres and the summary execution of thousands of Muslim males. Others are rape victims and men tortured in Serb camps. (*Guardian 20.3.97*)

#### *What AI says*

In a special report on Bosnia-Herzegovina, AI has criticised Germany and other European countries for granting only temporary protection to those fleeing the war in the former-Yugoslavia – and now revoking that protection without reference to international standards for the protection of refugees. In arguing that it is still not safe to return refugees to Bosnia-Herzegovina, AI also criticises the August 1996 decision by the Federal Administrative Court in Berlin to grant refugee status only to Bosnian refugees in Germany who could prove that at the time of their flight they could not receive protection anywhere in what are now the two entities of Bosnia Herzegovina. According to AI, the decision is 'extraordinary given that, when most refugees fled, the shape of the entities was not defined and the situation in Bosnia-Herzegovina was so unstable that no area of the country was safe'. (*AI, 'Who's living in my house?' Obstacles to the safe return of refugees and internally displaced people*)

#### **Border policing intensified**

Interior minister Manfred Kanther has called for an additional 1,500 police to patrol the borders between Poland and the Czech Republic to prevent smuggling. While an official report states that the present border contingent of 4,700 officials resulted in 1,182 arrests between January and December 1996, the number of people who die attempting to cross into Germany is nowhere officially acknowledged.

In Bavaria, Edmund Stoiber has called for the intense policing of a 30km 'invisible border' between Austria and Germany in the form of trawls and checkpoints at all access roads. (*Tatblatt 13.2.97*)

#### **New report chronicles deadly consequences of German asylum policies**

The Berlin-based Antirassistische Initiative has produced a report on 'German asylum politics and its deadly consequences' which chronicles deaths of asylum-seekers from January 1993 until January 1997. It finds that:

- from January 1993 to January 1997, 70 refugees died either on their way to Germany or at the border (45 refugees died at Germany's eastern border);
- forty five refugees committed suicide, rather than face deportation. At least 33 refugees who attempted suicide suffered serious injury, but survived;
- since 1993, 32 refugees died following racist attacks. Serious injuries were suffered by 151 refugees. (*Bundesdeutsche Flüchtlingspolitik und ihre tödlichen Folgen, Antirassistische Initiative e, Yorckstr. 59, 10965 Berlin*)

#### **Twenty-four refugees die in freezing conditions on Germany's eastern borders**

With reports that Germany has doubled its patrols on its eastern borders since the New Year, have come alarming details of death at the border. A particularly severe winter,