

FRG TRYING TO MAINTAIN CONTACT WITH CITIZENS JAILED BY GDR

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[Text] East Berlin--Sentences vary from 42 months to 15 years. The reason for the sentences keeps recurring. The GDR press for 2 weeks has been reporting almost daily on new sentences against helpers who hail from West Berlin or Federal Territory. Since 11 July the sentencing of 27 persons for alleged trafficking in human beings has been announced. However, all the reports lack data on when the escape helpers were apprehended and sentenced. According to reports from Western quarters, there is no doubt that weeks, and in individual cases perhaps months, elapse between the passing of sentence and its publication.

It has been learned from the Bonn mission in East Berlin that none of the now-announced sentences is from the recent past. Other sources report that the publication of sentences against escape helpers is now conducted by the State Prosecutor's Office. The courts do not make press releases about them. Moreover, court verdicts are generally published in the GDR press only when they have come into force. This takes at least a week, and in the case of appeals or objections, it may drag on for a considerable time.

The Legal Department at the FRG mission is anxious to establish contact with FRG citizens and West Berliners who have been arrested in GDR (bezirke) or in East Berlin. The GDR Foreign Ministry communicates the names of those concerned to the mission a few days after their detention. The mission endeavors, through the ministry's consular department, to make an appointment to talk with the person under detention, to inquire whether he already has a defense counsel and to propose attendance at the subsequent trial. Proposals of this sort have hitherto been granted by GDR quarters. Even after sentence has been passed, the mission tries to maintain contact with a Federal citizen imprisoned in the GDR.

Press reports in the GDR about the sentencing of Western escape helpers are basically the same; the only things that change are the names of those sentenced and the length of sentence. Paragraph 105 of the GDR Criminal Code is usually quoted as the legal basis for the sentences. Expressions such as "antistate trafficking in human beings," "criminal gangs of traffickers in human beings" and "abuse of the transit agreements" are common. These formulations cause Western observers to point out that one cannot talk in this context about "trafficking in human beings", since these are not cases in which the GDR citizens were to come to the West against their will.

These observers are increasingly tending to the view that the series of reports is increasingly assuming the nature of a measure with political aims and is intended, in their opinion, to have an effect within and without. On the one hand, the aim is to demonstrate to those who are potential escapees the increasing hopelessness of trying to escape and the risk of being severely punished. On the other hand, the aim is to create the impression outside the GDR that numerous organizations are at work on the transit routes smuggling out GDR citizens.

The East Berlin leadership is also trying to place the Federal Government on trial and to reproach it for not taking action against commercial escape help, precisely these reproaches which were heard last October at the escape helper trial in East Berlin which opened with a large blast of propaganda.

It is no coincidence, the observers say, that most of those whose sentences were announced recently come from West Berlin. This kind of selection is probably intended to support the GDR assertion that commercial escape helpers operate for the most part from West Berlin.