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THE PARTY DONATIONS AFFAIR: INVESTIGATIONS AGAINST KOHL

SUMMARY

1. PUBLIC PROSECUTOR IN KOBLENZ IS TO INSTITUTE A FORMAL INVESTIGATION AGAINST KOHL ON SUSPICION OF GIVING FALSE TESTIMONY TO A PARLIAMENTARY COMMITTEE IN THE RHINELAND-PALATINATE INVESTIGATING THE PARTY DONATIONS AFFAIR.

DETAIL

2. ON 17 FEBRUARY THE PUBLIC PROSECUTOR IN KOBLENZ ANNOUNCED THAT HE PROPOSES TO INSTITUTE A FORMAL INVESTIGATION AGAINST CHANCELLOR KOHL ON THE BASIS OF CHARGES BROUGHT AGAINST KOHL AT THE END OF JANUARY BY THE GREENS MP OTTO SCHILY. (SALVESEN'S LETTER OF 7 FEBRUARY TO ANDERSON (WED), NOT TO ALL, REFERS.) SCHILY HAS ACCUSED THE CHANCELLOR OF KNOWINGLY GIVING FALSE TESTIMONY TO THE COMMITTEE OF INQUIRY SET UP BY THE LAND PARLIAMENT IN THE RHINELAND-PALATINATE TO INVESTIGATE ILLEGAL DONATIONS TO POLITICAL PARTIES IN THE RHINELAND-PALATINATE BY INDUSTRIALISTS INCLUDING THE FLICK CONCERN. SPECIFICALLY, SCHILY HAS CHALLENGED KOHL'S STATEMENT TO THE COMMITTEE ON 18 JULY 1985 THAT HE DID NOT KNOW THAT AN ORGANISATION CALLED THE 'STAATSBUERGERLICHE VEREINIGUNG 1954 E.V.' HAD SERVED AS A CHANNEL FOR LAUNDERING DONATIONS TO THE CDU AT THE TIME WHEN KOHL HIMSELF WAS MINISTER-PRESIDENT OF THE RHINELAND-PALATINATE. ACCORDING TO SCHILY, DOCUMENTS MADE AVAILABLE TO THE SEPARATE BUNDESTAG COMMITTEE OF INQUIRY, ON WHICH SCHILY IS THE GREENS REPRESENTATIVE, PROVE THAT KOHL WAS FREQUENTLY INVOLVED IN TRANSACTIONS INVOLVING THE VEREINIGUNG.

3. SCHILY HAS FILED A SIMILAR CHARGE AGAINST KOHL WITH THE BONN PUBLIC PROSECUTOR IN RESPECT OF KOHL'S TESTIMONY TO THE BUNDESTAG COMMITTEE ON 7 NOVEMBER 1984. ON THAT OCCASION KOHL DENIED ACCEPTING TWO FURTHER DONATIONS FROM FLICK (DM 30,000 IN DECEMBER 1977 AND DM 25,000 IN AUGUST 1978) IN ADDITION TO THE THREE HE HAD ALREADY ACKNOWLEDGED, ALTHOUGH BOTH DONATIONS ARE RECORDED IN THE FLICK ACCOUNTANT'S NOTEBOOKS MADE AVAILABLE TO THE COMMITTEE. SCHILY FINDS SUPPORT FOR THIS CHARGE IN REMARKS MADE TO THE BONN COURT IN DECEMBER BY VON BRAUCHITSCH, THE FORMER FLICK GENERAL MANAGER, WHO IS CURRENTLY STANDING TRIAL FOR BRIBERY AND TAX EVASION. VON BRAUCHITSCH TOLD THE COURT THAT KOHL'S ASSISTANT FRAU JULIANE WEBER HAD ON OCCASION CALLED AT THE FLICK OFFICES TO COLLECT MONEY FOR KOHL. HIS OFFICE DIARY, ALSO MADE AVAILABLE TO THE BUNDESTAG COMMITTEE, IS SAID TO SHOW THAT FRAU WEBER DID CALL AT FLICK'S AROUND THE DATES WHEN THESE TWO DONATIONS 'FOR KOHL' WERE LOGGED IN THE ACCOUNTANT'S NOTEBOOKS. THE BONN PUBLIC PROSECUTOR HAS YET TO DECIDE WHETHER TO INSTITUTE A FORMAL INVESTIGATION.

4. SINCE KOHL IS A MEMBER OF THE BUNDESTAG, THE NEXT STEP IS FOR THE KOBLENZ PUBLIC PROSECUTOR TO NOTIFY HIS PRESIDENT FORMALLY OF HIS DECISION. THIS IS EXPECTED TO HAPPEN IN THE NEXT FEW DAYS. IF THE APPROPRIATE BUNDESTAG COMMITTEE RAISES NO OBJECTIONS WITHIN 48 HOURS TO LIFTING KOHL'S PARLIAMENTARY IMMUNITY, FORMAL INVESTIGATIONS CAN PROCEED. A DECISION WHETHER OR NOT TO PROSECUTE WILL DEPEND ON WHAT THESE INVESTIGATIONS REVEAL.

5. THE GOVERNMENT SPOKESMAN OST HAS DISMISSED BOTH SCHILY'S CHARGES AS GROUNDLESS, AND HAS DECLARED THAT KOHL FACES THE PROSPECT OF A FORMAL INVESTIGATION WITH EQUANIMITY. HE HAS APPOINTED A LAWYER TO REPRESENT HIM.

6. THE AFFAIR IS THE MAIN STORY IN MOST OF TODAY'S LEADING NEWSPAPERS. PARALLELS ARE BEING DRAWN WITH FORMER FDP ECONOMICS MINISTER COUNT LAMBSDORFF, NOW IN THE DOCK WITH VON BRAUCHITSCH ON CHARGES OF CORRUPTION AND AIDING AND ABETTING TAX EVASION, WHO WAS FINALLY FORCED TO RESIGN WHEN THE DECISION TO PROSECUTE WAS REACHED. THIS IS THE FIRST TIME A FORMAL INVESTIGATION HAS BEEN BROUGHT AGAINST A CHANCELLOR OF THE FRG IN OFFICE.

7. COMMENT FOLLOWS.

BULLARD

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