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TERRORISM IN FRANCE: ACTION DIRECTE

SUMMARY

1. MURDER TRIAL OF ACTION DIRECTE MEMBERS HALTED AFTER JURY DEFLECTIONS. DOUBTFUL PROSPECTS FOR NEW TRIAL. ANOTHER EMBARRASSMENT FOR CHIRAC.

DETAIL

2. THE TRIAL OPENED IN PARIS ON 3 DECEMBER OF REGIS SCHLEICHER AND TWO OTHER ALLEGED ACTION DIRECTE MEMBERS, CHARGED WITH THE MURDER IN 1983 OF TWO POLICEMEN WHO WERE SHOT WHEN THEY ASKED TO SEARCH BAGS BEING CARRIED BY A GROUP OF PEOPLE IN A PARIS STREET. SCHLEICHER WARNED THE JURY AND COURT THAT ALL WOULD BE EXPOSED TO PROLETARIAN JUSTICE

3. SEVERAL JURORS QUICKLY PLEADED MEDICAL GROUNDS FOR WITHDRAWING AND WERE REPLACED BY THE FOUR SUBSTITUTES. ON 8 DECEMBER A FIFTH JUROR DEFECTED, ALSO ON ALLEGED MEDICAL GROUNDS: AND AS NO SUBSTITUTES REMAINED, THE TRIAL WAS HALTED.

4. PRESS REPORTS SAY THAT THERE MAY BE A NEW TRIAL IN FEBRUARY OR MARCH BUT THAT THERE IS NO CERTAINTY THAT A NEW PANEL OF JURORS WILL PROVE MORE COURAGEOUS. THE SAME PROBLEM MAY ARISE AT THE TRIAL, DUE AT ABOUT THE SAME TIME, OF GEORGES ABRAHIM ABDALLAH (ALLEGED LARF LEADER). APPARENTLY FRENCH DEFENCE COUNSEL HAVE A RIGHT TO KNOW JURORS' NAMES AND ADDRESSES: THE DANGER OF INTIMIDATION OR WORSE IS THEREFORE VERY REAL: DEFENCE COUNSEL IN THESE CASES TEND TO BE ADHERENTS OF THEIR CLIENTS' CAUSES.

5. ANTI-TERRORIST LEGISLATION ENACTED IN SEPTEMBER PERMITS TRIAL WITHOUT A LAY JURY IN CERTAIN CASES (THE PRINCIPLE OF COLLEGIABILITY REMAINS, HOWEVER, AND THE PRESIDENT OF THE COURT WILL BE ASSISTED BY SIX MAGISTRATE-ASSESSORS). BUT THE LAW IS EXPLICITLY NOT RETROACTIVE, ALTHOUGH SINCE IT DEALS WITH PROCEDURE RATHER THAN PENALTY, IT WOULD NORMALLY HAVE BEEN SO.

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6. FURTHER DETAIL ON THE SCHLEICHER CASE IS IN COX'S LETTER OF 8 DECEMBER TO KIDD (WED).

7. COMMENT: THE COLLAPSE OF THIS TRIAL AND THE UNCERTAIN PROSPECTS ARE ANOTHER EMBARRASSMENT FOR CHIRAC AND THE GOVERNMENT. EVEN FIGARO'S (RIGHT-WING) REPORTER CANNOT REFRAIN FROM POINTING OUT THE CONTRAST BETWEEN THIS FIASCO AND PASQUA'S EARLIER PLEDGES TO TERRORISE THE TERRORISTS. POLICE MORALE IS ALSO LIKELY TO BE AFFECTED, UNLESS THE GOVERNMENT TAKES SWIFT ACTION TO MAKE THE SEPTEMBER LEGISLATION RETROACTIVE. THIS SEEMS THE MOST LIKELY OUTCOME.

8. IT REMAINS TO BE SEEN WHETHER THIS EXPERIENCE WILL CAUSE FRENCH JOURNALISTS AND POLITICIANS TO UNDERSTAND BETTER THE PROBLEMS FACED BY HMG OVER THE INTIMIDATION OF JURIES IN NORTHERN IRELAND AND THE NEED FOR SPECIAL PROCEDURES THERE.

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