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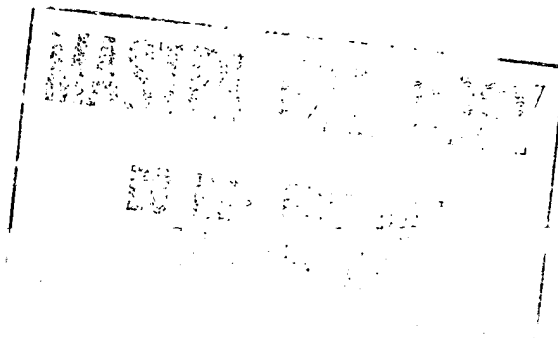


**Directorate of
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Spain: Basque Terrorism and Government Response



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An Intelligence Assessment

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*EUR 84-10229
November 1984*

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Spain: Basque Terrorism and Government Response



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An Intelligence Assessment

This paper was prepared by 
the Office of European Analysis. Comments and
queries are welcome and may be directed to the
Chief, European Issues Division, 

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November 1984*

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Spain: Basque Terrorism and Government Response [Redacted]

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Key Judgments

Information available as of 15 October 1984 was used in this report.

The Spanish Government has made considerable progress combating Euskadi ta Askatasuna (ETA) in the last two years and may soon succeed in breaking the back of organized Basque terrorism. [Redacted]

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[Redacted] ETA is plagued with ineffective leadership, inadequate funds, low rank-and-file morale, and a dearth of new recruits. [Redacted]

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The Socialist government of Prime Minister Felipe Gonzalez, which many thought would be soft on terrorism, has shown an almost ruthless resolve to eradicate ETA through a combination of political concessions to the Basque minority and intensified law enforcement:

- The granting of limited autonomy to the Basque region has defused separatist sentiment.
- Creation of special counterterrorist security and police units, along with allocation of more funds and other resources, has strengthened the government's hand.
- A tough new antiterrorist draft law that will broaden police and government powers, stiffen penalties for terrorist crimes, and grant leniency to repentants and collaborators, will also increase Madrid's capabilities.

In addition, the French Government's decision to deny safehaven to Basque terrorists and the murder of ETA members in France by Spanish antiterrorist vigilantes have deprived ETA of operational bases in France.

[Redacted]

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ETA is not finished as a terrorist force, however. Indeed, as its members become increasingly desperate, we believe they will perpetrate occasional spectacular acts of violence against governmental and military installations and personnel, including senior officials. [Redacted]

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If the Spanish Government, in pursuing its antiterrorist campaign, should again pay less heed to Basque nationalism—still a potent force—sympathy for the terrorists probably would rise in the Basque region. And if the French Government were once again to allow Basque terrorists safehaven, ETA could begin rebuilding its infrastructure and restoring its operational capability. [Redacted]

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But so long as the positive factors mentioned above remain constant—and available evidence suggests that they will—we believe ETA will continue to decline. As the organization becomes increasingly preoccupied with its own survival, it will have less time and money to undertake recruitment, training, and propaganda—activities essential to a rebuilding effort. [Redacted]

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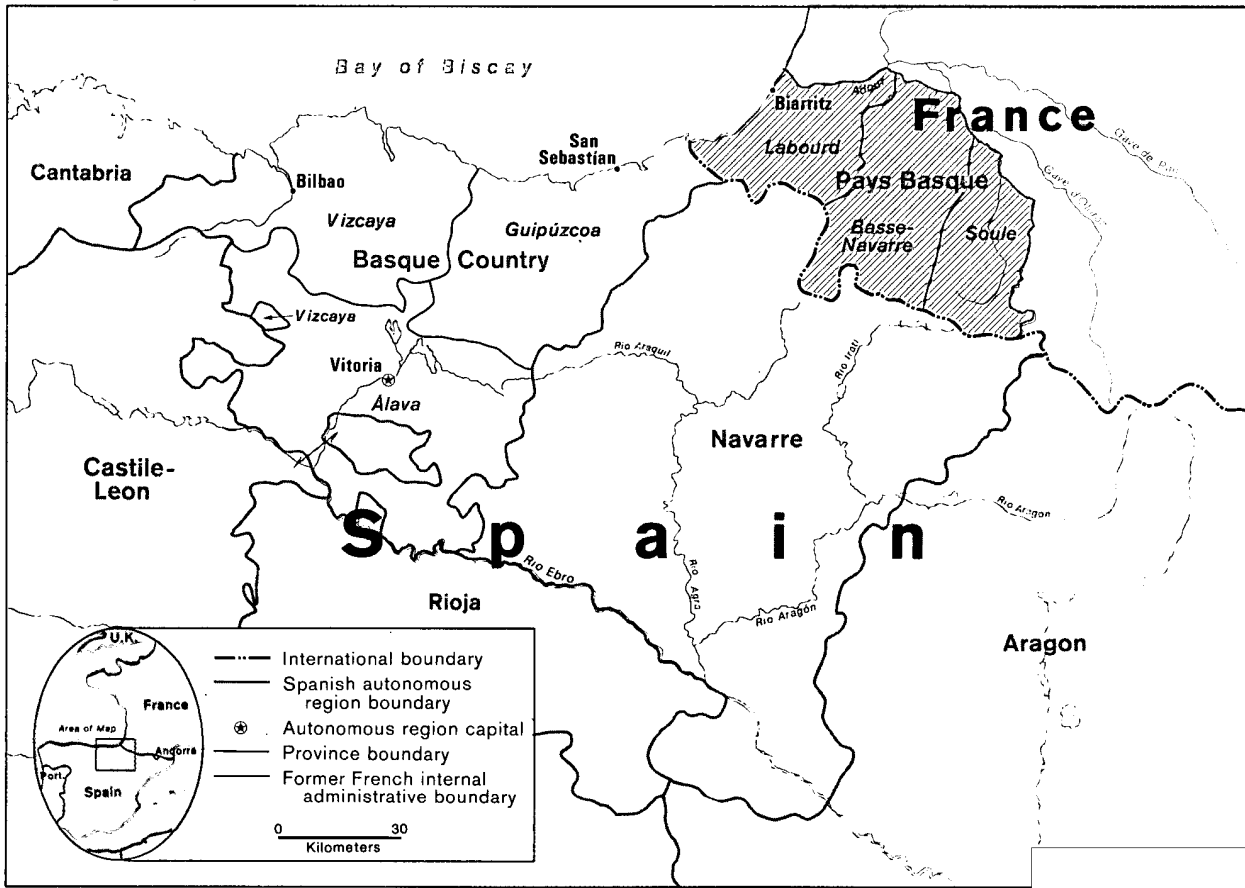
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The Basque Region



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Spain: Basque Terrorism and Government Response

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Politically rooted violence has etched much of the history of modern Spain. The most recent episodes—leftist, rightist, and ethnic—have largely been the bitter harvest of decades of Falangist rule following the Civil War. In the post-Franco era, political terrorism poses the greatest threat to the youthful democracy, due principally to the unremitting violence of the separatist Basque terrorist group Euskadi ta Askatasuna (ETA) and its various factions.¹

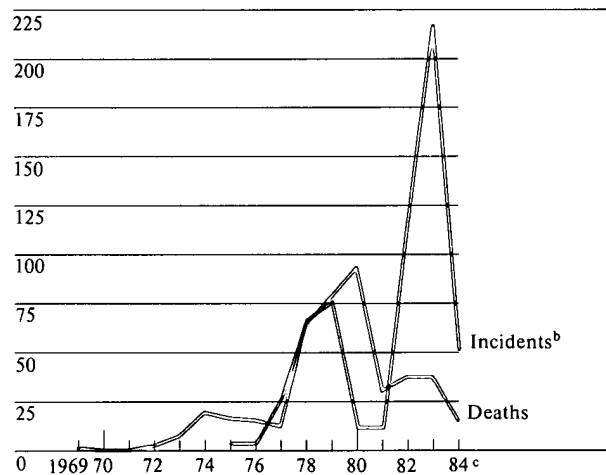
Motivated by deeply rooted Basque nationalism and a desire for regional autonomy, Spanish Basques have traditionally viewed Madrid as an oppressor. In response to repression under Franco, ETA's founders initially embraced political activism but resorted eventually to terrorism. Despite the accession in recent years of regimes in Madrid more sympathetic to ethnic and regional grievances, ETA has continued its terrorist campaign for an independent Euskadi—the region's name in the Basque language. In fact, during the tenure of the current Socialist government, ETA periodically has escalated the number and ferocity of its attacks against military and government targets.

the period immediately following the Socialists' electoral victory in October 1982 saw the highest level of ETA terrorist acts since the record number in autumn 1978.

Since the late 1970s, Spanish governments have responded to terrorism with a dual strategy of concessions intended to isolate ETA politically, and intensified police efforts aimed at reducing the group's operational capabilities. Madrid's granting of degrees of autonomy to the three Basque provinces (see map) since 1979 and increased Basque participation in the political process have combined to erode popular support among Basques for ETA's terrorist tactics. Squabbling within the ranks and recruiting problems have contributed to the decline of ETA's principal terrorist wing.

¹ Although there are several Basque terrorist factions, this assessment generally refers to ETA in a generic sense.

Deaths and Terrorist Incidents Attributed to ETA, 1969-84^a



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^a Source: Spanish Press.

^b Data for 1969-74 unavailable.

^c Through June.

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An increasing number of anti-ETA successes, stemming from intensified police work, signal the government's commitment to a tough antiterrorist line. Indeed, late last year the Gonzalez administration presented to Parliament a new package of laws that will expand counterterrorist powers. Despite general public approval for action against terrorism, recent polls indicate a widespread preference for negotiations between Madrid and regional groups to end terrorism. The military, on the other hand, approves of the government's inroads against terrorism and has had many of its initial suspicions of a Socialist government allayed.

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ETA's Principal Factions

ETA may have as many as 500 members, a majority of whom are believed to be based in France. Some Spanish terrorism experts maintain, however, that by late 1983 the organization had as few as 200 active members. Although ETA/M traditionally has been the smaller faction, it is more prone to violence than ETA/PM. The two factions have separate organizations and operate autonomously, but they often appear to coordinate their actions. [redacted]

ETA/M is divided into three well-coordinated commands, [redacted] military action (terrorism), political action (information collection, propaganda), and international contacts. [redacted]

[redacted] ETA/M consists of self-contained cells of three to six members, and includes logistic support units, two false documentation groups, a border-crossing assistance unit, and a financial section. Since 1978, the radical Herri Batauna (HB) Party has acted as the political front for ETA/M. [redacted]

A Spanish press report in 1979 provided further insights into ETA/M's operational procedures and organization, revealing details of the group's so-called "legal" or "sleeper" commando units. A fully compartmented system, the units have no contacts with each other. These teams consist of youths—often without police records and not necessarily Basques—who lead outwardly normal lives as workers or students, but also act as assassins at the direction of the unit's leaders. Following a major attack, the participants might never be used again. ETA/M commandos who are compromised, however, become "illegals" and go underground to work as planners and eventually supervisors of the "legals." [redacted]

Although ETA/PM is not as strictly compartmented as ETA/M, the political-military faction has a similar system of "legal" and "illegal" commandos, who plan and carry out terrorist activities. The group reportedly has several specialized bureaus: political, foreign, intelligence and propaganda, logistics and weapons, prisons, and cultural. Another section exclusively for mass movement infiltration targets labor and student groups. ETA/PM has two separate regional boards for the Spanish and French Basque areas, which consist of provincial boards, which, in turn, are made up of village boards. [redacted]

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This assessment examines the current strength and capabilities of ETA and gauges the nature and success of Madrid's efforts to combat terrorism. In so doing, we weigh the impact on Basque terrorism of several factors: the autonomy process, public attitudes toward ETA, special security forces, counterterrorist laws, and international cooperation against terrorism. Finally, we consider the government's prospects for containing or suppressing terrorism. [redacted]

ETA's Rise and Decline

Young nationalistic students pledged to act against the Franco regime on behalf of the Basque people established ETA on 31 July 1959. Basque youth

found in Marxist-Leninist ideology an alternative to the more moderate approaches of the established Basque Nationalist Party (PNV). The first decade of ETA's activities was marked by efforts to wed this ideology to Basque nationalism, but the organization's diverse currents were unable to agree on a coherent philosophical base. [redacted]

Although ETA was comparatively nonviolent during its formative period, many members eventually became proficient professional terrorists. They established contacts with terrorists of similar ideological bent in other countries and began to travel abroad to

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Sketches of ETA/M's Key Leaders

Domingo Iturbe Abasolo ("Txomin") . . . born 1944 . . . active in organization since 1968 and leader since 1970s . . . staunch advocate of Basque independence . . . non-Marxist, politically "moderate," and has stated desire to free Euskadi of all outside influence . . . explosives enthusiast feared even by his comrades . . . survived assassination attempt in May 1979 . . . arrested by French police in June 1982 on weapons charge, jailed, and released in March 1983 . . . subsequently exiled to northern France but then eluded French authorities. [redacted]

Eugenio Echeveste Arizguren ("Antxon") . . . born 1950 . . . number-two man in ETA/M after Txomin, chief spokesman, and leader of radicals in group . . . strong ideologue, firmly pro-Soviet, committed Marxist-Leninist . . . enjoys reputation as persuasive and effective orator . . . led ETA/M while Txomin in French prison . . . arrested in France last summer and expelled to Dominican Republic . . . influence likely to diminish in his absence, but ETA/M probably will keep up contacts with him. [redacted]

train and solicit support. Some ETA members received training in Cuba, Algeria, and South Yemen, and the group reportedly may have secured some financial support from Libyan leader Qadhafi. By the time of Franco's death in 1975, ETA had killed at least 45 people. [redacted]

ETA's assassination in December 1973 of Admiral Luis Carrero Blanco, Franco's chosen successor, established beyond doubt the group's terrorist credentials and altered Spain's course. Major ideological differences and disputes over strategy and tactics that followed that killing, however, led to the formation of two separate branches of ETA. ETA Politico-Militar (ETA/PM) wanted to follow a strategy that combined political action with military attacks. ETA Militar (ETA/M) wanted to devote its resources exclusively to attacking symbols of governmental authority (see the inset). [redacted]

With Franco's death and the onset of democratization, ETA's leadership had to alter its strategy. In the absence of a dictatorship to target, the group instead

adopted a traditional terrorist strategy of attempting to antagonize the military to provoke a rightist coup. According to press and academic observers, ETA believed that renewed repression would revive support for the group's terrorist tactics and its goal of independence. Thus, even though the government became less repressive, the number of terrorist attacks increased and exceeded the levels experienced during the Franco regime. [redacted]

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Beginning in 1978, ETA again escalated its level of violence, and estimates of the number of victims climbed through 1980. Violence began to recede in February 1981, when ETA/PM proclaimed a unilateral cease-fire, and observed it throughout that year. In 1982-83 the violence resumed with several notable assassinations, kidnappings, bank robberies, and executions. [redacted]

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In the face of better police work, vigilante counter-violence, and a measure of autonomy for the Basque country, ETA's efforts have gradually been stymied. From its inception, ETA has espoused a revolutionary doctrine rooted in Marxism to attain an independent socialist Basque state. Adhering to this objective, ETA has sought to portray Spain's democratic governments as a continuation of Francoism. A growing segment of the Basque population, which had supported the group under Franco, however, now questions the group's objectives, strategy, and tactics, according to public opinion polls. ETA thus has found itself increasingly isolated from its constituency, a vanguard without a proletariat. [redacted]

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A telling indicator of ETA's growing disrepute is that more and more Basque businessmen in both Spain and France are resisting or refusing to pay ETA's traditional extortion of "revolutionary taxes" to finance terrorism, according to Spanish and French press accounts. This has occurred largely because ETA, which began by demanding money from wealthy businessmen and landowners in the 1960s, broadened its "tax base" to include small businessmen with modest enterprises who could ill afford the considerable sums the group sought. In a public opinion poll among Basques in 1982, for example, one

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The extraditions of etarras from France were welcomed by war-weary residents of Euskadi. [redacted]

businessman, whose situation reportedly was not uncommon, stated that his firm was driven to insolvency by ETA's draining of funds and demands that he employ a number of terrorists. In an unprecedented move, the Basque Nationalist Party (PNV) helped encourage resistance by enjoining its members in early 1982 from paying ETA's "taxes" and declaring its intention to defend those threatened by the terrorist group. [redacted]

Perhaps more important in the hardening of anti-ETA views among Basques is widespread disgust and frustration with violence on both sides of the Pyrenees. The terrorist assassinations of innocent individuals and popular public figures have prompted indignation and revulsion, even among Basques previously sympathetic to ETA. In particular, the murder in October 1983 of Capt. Martin Barrios, an apolitical Army pharmacist of Basque descent, prompted widespread concern and was the catalyst for Madrid's move to toughen antiterrorist laws. The murder of Socialist

Senator Casas Vilas by ETA elements on the eve of the February 1984 regional elections contributed to a surge of sympathy votes for the Socialists. These killings prompted the largest and most significant anti-ETA demonstrations to date in Euskadi. [redacted]

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We believe these and other recent episodes of violence mark an increasingly desperate and publicly unacceptable departure in tactics for ETA. The group traditionally targeted police and law enforcement figures, members of the Civil Guard, and the military. The assassination of Gen. Lago Roman in 1982 was somehow "acceptable," or to be expected, in the context of ETA's war against Madrid. The Casas and Martin murders, however, reflected a change in ETA's conventional strategy and went far to damage the group's case in Basque eyes. [redacted]

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We believe the group is no longer fighting for an independent Basque state. Rather, we see it struggling for its survival as a revolutionary organization:

- In a recent press report, Spanish security services claimed that ETA/M militants have signed an agreement that they will remain in the organization—an indication of the climate of mistrust and fear pervading the group. In addition, the elitist ETA/M has dropped its traditional reluctance to accept recruits from other Basque terrorist groups. According to the US Embassy, ETA/M reportedly is accepting new members from other groups with less discrimination and more desperation.
- The principal ETA factions reportedly have suffered as well from poor morale, ineffective leadership, and a notable lack of funds for the last few years. The cost of maintaining up to 1,000 ETA members and their dependents in France has been a financial drain, and several Spanish press reports suggest that the terrorists may be involved in drug trafficking as a source of support. [redacted] the ETA/PM leaders sent a letter to imprisoned members early this year to boost morale, promote solidarity, and discourage them from accepting government offers of amnesty, although disaffection among inmates already was widespread.

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• [redacted] there is mounting friction between ETA/M members and the radical French Basque community, [redacted]

[redacted] We believe ETA/M may be wary of assisting its French brethren for fear of provoking an even stronger response from the French Government. The group's leaders want to initiate new attacks in Spain to demonstrate the group's viability and to permit it to negotiate with the Spanish Government from a position of strength. [redacted]

Countermeasures

A series of governmental initiatives, along with developments not entirely of the government's making, have dealt serious if not fatal blows to Basque terrorism. Spain's autonomy statute of 1979 helped to increase Basque political participation and, we believe, defuse separatist sentiments. The toughening of antiterrorist laws, their aggressive enforcement, and the formation of special counterterrorist units have also been important factors in the fight against ETA. The anti-ETA vigilante group known as GAL—which the US Embassies in Madrid and Paris report may have links with Spanish security services—has sown fear and confusion among the terrorists and helped reduce their operational effectiveness. The collective impact of these factors has been to erode the popularity, capabilities, and support for ETA's terrorism. [redacted]

Autonomy and Public Opinion

Development of institutions of government under a regional Basque government has been Madrid's key means of enlisting the political participation and support of the Basques. As Madrid has devolved more and more powers of self-determination and self-government, ETA's raison d'etre of perceived centralized oppression emanating from Madrid has lost credibility. [redacted]

Since 1979, when the Basque region attained limited autonomy from Madrid, the Basque capital of Vitoria

**Table 1
Electoral Strength of Political Parties
in Euskadi—Results of the February 1984
Basque Regional Elections**

| | Vote Share (percent) | Character/Ideology |
|-------|-------------------------|--|
| PNV | 41.7 | Moderate Basque nationalist |
| PSOE | 23.3 | Spanish Socialist |
| HB | 14.6 | ETA-linked <i>abertzale</i> separatist |
| CP | 9.4 | Center-right coalition |
| EE | 8.0 | Basque nationalist |
| PCE | 1.4 | Spanish Communist |
| Other | 1.6 | Minor parties |

Source: US Embassy Madrid

[redacted]

has been trying to organize an effective government for the Basque provinces. It has assumed some authority in matters of regional importance, such as tax collection, establishment of Basque language educational curriculums, and development of a Basque police force. The regional parliament, elected for the first time in 1979, consists predominantly of members of Basque nationalist parties. Euskadi's leading party, the relatively moderate PNV, outpolled the other parties in the regional elections last February with nearly 42 percent of the vote (see table 1). This, we believe, indicates a growing public preference for electoral politics, rather than terrorist violence, as a means of asserting Basque control in regional affairs. [redacted]

The progress in autonomy, along with the erosion of ETA forces and capabilities, has undercut the Herri Batasuna (HB) Party, a radical proindependence, or *abertzale* group, that acts as the political arm of the ETA/M faction. Although the HB probably benefits from an indeterminate number of "protest" votes from Basques unhappy with the tenor and pace of autonomy concessions, we doubt that most such voters truly support ETA's terrorism. Popular support for the HB has declined slightly in the last few years to

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the extent that the party membership consists mainly of those who reject mere autonomy, deride cooperation with Madrid, and support armed violence to attain independence for Euskadi. The HB's share of the vote in the recent regional election declined toward 14 percent from 16 percent in 1983. [redacted]

The growing accessibility of political forums, in our judgment, is a major factor in the erosion of popular support for ETA's goals and methods, although Basque nationalism remains strong. An opinion poll by a reliable Spanish firm, for example, indicated that support among Basques for regional independence had declined from 26 percent in 1979 to 9 percent in late 1983. Similarly, a poll in late 1982 charted a steady increase among Basque respondents favoring an autonomous regional government, up to 37 percent from 31 percent in 1981. Moreover, public opinion polls conducted for Spain's leading news magazine in late 1982 indicated that 42 percent of Basques were opposed to ETA, a significant increase from only 23 percent in 1981. This tendency has continued, according to press and US Embassy reports. Conversely, only 8 percent of Basques voiced support for ETA—half the level of 1981. Nonetheless, some 68 percent of Basques felt themselves to be strongly or moderately nationalistic about Euskadi. [redacted]

An overwhelming majority of the Spanish public (86 percent) and the Basque population (97 percent) favors direct negotiations among Madrid, the regional government, and ETA as the best means for ending Basque violence, according to a poll in spring 1984. For a proposal for negotiation to be supported by the majority, all political and social forces in Euskadi would have to participate, including the Herri Batasuna, and thus, by implication, ETA. The head of the Basque government also appealed last July for a negotiated solution to terrorism and urged Madrid to stop short of physically eliminating ETA. [redacted]

Currently, however, the Spanish Government may not be particularly receptive to negotiations. The Socialist government's initiative in early 1983, shortly after taking office, to engage in a "peace table" dialogue failed because of ETA's intransigence. Hardline leaders in both ETA and the HB publicly opposed conciliation and would not agree to even a temporary cease-fire, thus forcing collapse of the talks. Madrid

subsequently intensified police counterterrorist programs. We suspect it now believes the success of the stepped-up police crackdown and a growing number of ETA "repentants" obviate the need for talks.² [redacted]

Counterterrorist Forces

The government's slow movements toward devolution have been accompanied by a strong emphasis on counterterrorist action. Spain's forces of public order—as traditional targets of Basque terrorism—have pursued their missions with particular zeal. They enjoy an unprecedented degree of political and financial support. Counterterrorist responsibilities are shared by the two principal law enforcement authorities, the National Police and the Civil Guard, which are both accountable to the Directorate General of Security in the Interior Ministry. While Civil Guard units in the Basque region over the years accrued de facto counterterrorist duties, the development of specialized national counterterrorist forces has been comparatively recent and was prompted by nonethnic as well as Basque terrorism. [redacted]

Spain's principal counterterrorist action group, the Grupo Especial de Operaciones (GEO), was established within the National Police in January 1978 following a spate of terrorism that convinced authorities to upgrade their operational counterterrorist capabilities. The GEO's first class completed training in February 1979 and was deployed to the Basque country a year later. By the end of 1982, after screening, selection, and intensive training, the GEO had some 150 qualified members, with 50 more in training. The GEO's first operation was in Madrid in May 1981, when its successful assault in a hostage/barricade situation resulted in the freeing of the hostages and the death or capture of the terrorists. [redacted]

² Despite intermittent press rumors of "secret" talks between government intermediaries and the terrorists, evidence of such negotiations remains elusive, as does any indication of their progress. [redacted]

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The GEO is modeled after the GSG-9 (West Germany's elite counterterrorist "SWAT" unit) in structure, organization, training, weaponry, and equipment. Indeed, the first class, and possibly subsequent groups, trained in West Germany with the GSG-9. The GEO is commanded by a National Police captain and consists exclusively of volunteers. The unit is divided into five tactical groups of 30 men each, which in turn are broken into five teams of five members each and one command detachment. Although each team member has a specialty, such as sniping, explosives, communications, or scuba diving, each member is trained in all fields. [redacted]

The Civil Guard also has a specialized, all-volunteer counterterrorist assault team. Formed in early 1980, this unit, the Unidad Especial de Intervencion (UEI), has a rigorous training program for hostage/barricade and hijacking situations that results in an attrition rate of up to 30 percent. The top graduates reportedly are assigned to the Madrid detachment and the rest are deployed in the Basque region. UEI members' average age is 25 and all have served at least two years in the Civil Guard and two years in the military. [redacted]

According to defense attache reporting, the UEI's activities are considered secret by ranking Civil Guard officers. This sensitivity may be attributable in part to competition; some US and Spanish military officers view the formation of the UEI as the Civil Guard's attempt not to be outdone by the National Police and its GEO. [redacted]

The government has tried to centralize its counterterrorist program, but the effort has been more effective on the regional level. The Joint Antiterrorist Command was established in 1981 to encompass counterterrorist components of the military, Civil Guard, and National Police under the command of the chief of the internal security and intelligence service. [redacted]

[redacted] It is likely, in our view, that turf conflicts were not adequately resolved in this arrangement and the military may have bridled under civilian command. [redacted]

As a national command, the Mando Unico met only three times its first year to coordinate efforts and ordered only one major intervention in a terrorist incident. In this instance, the Mando Unico in early 1982 orchestrated the GEO's freeing of Dr. Julio Iglesias Puga from his ETA/PM kidnapers. For organizational reasons, officials in Madrid decided in 1982 to relocate the headquarters of the Mando Unico to Bilbao, where the various counterterrorist forces have been able to concentrate more successfully and purposefully on Basque terrorism. [redacted]

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Laws, Amnesties, and States of Exception

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A variety of legal and security policies for combating Basque terrorism and ensuring public security have been used over the last two decades. Although several general amnesties have been declared, they were not aimed specifically at releasing imprisoned terrorists, and, in cases where terrorists were released, had little impact on reducing Basque terrorism. A so-called state of exception, or state of emergency, under which certain constitutional liberties may be suspended, was declared frequently during the Franco era, but has not been invoked since. Old antiterrorist laws intermittently have been strengthened and tough new laws have been enacted since 1960 (see the inset). A bill proposing to expand the government's powers still further is currently before Parliament and is the subject of impassioned debate among leftists. [redacted]

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Frequent declarations of amnesty, in which convicted, imprisoned terrorists were among those released, have had little apparent impact on reducing terrorism and, in one instance, have been followed by increases in terrorist activity. There was little appreciable change in the level of terrorism following two amnesties declared by Franco. The early amnesties by King Juan Carlos and the initial post-Franco governments led to a slight decline in terrorism. The Spanish Government's last amnesty offer in November 1977, however, included the release of hundreds of convicted Basque terrorists who subsequently took up arms in a campaign of mounting violence to press Madrid for major concessions on regional autonomy. The Socialist government is not disposed to use amnesties as a

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The Legacy of Antiterrorist Laws

The package of laws currently before Parliament is the first such move by the Socialist government of Prime Minister Gonzalez, but is not Spain's first effort to legislate against terrorism. Previous enactments, under both Franco and successive democratic regimes, were notable for tough provisions that often swept aside broader concerns for civil liberties. A 1960 decree law gave the military jurisdiction over terrorist crimes and mandated capital punishment in cases of death resulting from terrorism. Trials for terrorist offenses were conducted secretly, and defense attorneys, who had to be active-duty military officers, were allowed only minimal time to prepare their cases. Moreover, the defense could not cross-examine state witnesses or question state evidence against defendants. A 1963 law removed adjudication of terrorist crimes from military courts and suspended the death penalty, but an upsurge of violence in the Basque provinces in early 1975 led to a reversal of these changes. Summary court proceedings once again were held in military courts, defense attorneys had only four hours to prepare their cases, and the death penalty was reinstated. [redacted]

An upsurge in ETA activities in 1977 prompted the government to assist the police by allowing for several months' relatively unfettered house searches and lengthy detention of suspects without benefit of habeas corpus. A decree law of June 1978 authorized telephone wiretaps, mail intercepts, and, again, house

searches without warrants. Later that year, the detention limit was extended from three to 10 days, and, in early 1980, a decree law broadened the definition of terrorist crimes. Antiterrorist legislation passed in October 1980 closely resembled the 1978 laws, and a bill on "The Defense of the Constitution" in 1981 made changes in the penal code that stiffened the 1980 antiterrorist law. [redacted]

A law enacted in June 1981 defined the circumstances and conditions governing the imposition of states of exception and national emergencies, which are understandably more restrictive than under Falangist rule, in view of key provisions in the new Constitution of 1978 to safeguard civil rights and liberties. The death penalty was abolished, and habeas corpus and a 72-hour limit on detention are the law. [redacted]

Some press and human rights observers assert, however, that legal abuses and even torture—commonplace before 1976—persist in democratic Spain. In its report covering 1982, Amnesty International charged that torture is not uncommon in Spain, and other human rights groups claim that police officials are guilty of brutality, especially in cases involving terrorist suspects. Although police excesses may occur at the working level, we do not believe the Socialist government condones any abusive acts brought to its attention. [redacted]

tool of counterterrorist policy. In public statements, Prime Minister Gonzalez has voiced his opposition to the concept and instead favors social rehabilitation in cases not involving blood crimes. He also has stated publicly that amnesties are illegal under the 1978 Constitution. [redacted]

Even during periods of high terrorist activity, post-Franco democratic regimes have tried to avoid states of emergency that entail the suspension of civil liberties. From 1968 to 1975, states of emergency lasting 90 days or more were declared on only three occasions, specifically in response to ETA terrorism. Law

enforcement officials were able to round up extraordinary numbers of terrorist suspects and hold them incommunicado without benefit of habeas corpus. Legal constraints on search and seizure were lifted and torture of suspects was common, according to authoritative studies. The present Socialist government would find the imposition of a state of emergency—no matter how potentially effective against ETA—objectionable because of its disregard for civil liberties. [redacted]

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Since early 1983, the government has attempted to eradicate regional terrorism by implementing the so-called Zen plan (for Zona especial norte) for the Basque provinces. The plan, which was originally conceived by the previous government and later enacted by the Gonzalez administration, is aimed at suppressing the terrorists' operational capabilities through the infusion of special funds and the more effective deployment of manpower. A budget of about \$110 million was allocated for "Zen" in June 1983 to cover:

- New undercover vehicles, weapons, helicopters, and boats.
- Renovation of police facilities in the four Basque provinces.
- Materiel for training members of Spanish law enforcement agencies in counterterrorist methods.
- Efforts to infiltrate ETA.
- Preparation and distribution of anti-ETA propaganda.
- A census of the Basque provinces to enable authorities to identify collaborators, terrorist cells, and safehouses more easily.

The upgrading of facilities and materiel almost certainly has improved counterterrorist capabilities, but we consider the likelihood of success in infiltrating ETA doubtful. Past efforts by authorities to penetrate ETA have proved problematic due to language difficulties and the closely knit nature of Basque culture and society. Similarly, attempts to conduct a census for the government in Madrid may well meet with suspicion, hostility, and evasiveness on the part of the Basque populace.

Spanish officials continue to nurture hopes for tougher legal instruments to fight terrorism. In the midst of an intensified campaign of ETA violence, and spurred by the murder of Captain Martin, the Gonzalez government last fall submitted to Parliament a draft package of antiterrorist legislation that would broaden police and government powers and stiffen penalties for terrorist crimes. Provisions of the proposed bill would:

- Impose prison terms of six to 12 years and 150,000- to 750,000-peseta fines for any sort of association with terrorists.

- Enforce a schedule of fines, prison terms, and an eventual shutdown, for newspapers, electronic media, and their employees "deemed to express moral support for terrorists on a regular basis."
 - Enable judges to sanction police surveillance, such as wiretaps, of terrorist suspects for up to three months.
 - Allow Spanish courts to adjudicate crimes committed by Spanish terrorists outside of Spain and apply the principle of extraterritoriality to retry cases in which sentences by foreign judges are less than sentences under Spanish law for the same crimes.
 - Grant judicial authority to dissolve political, cultural, or social groups that have members who have been convicted of terrorist crimes, if belonging to the group may be shown to be "causally relevant" to those members having committed terrorist acts.
 - Establish penalties for abusing national symbols, with heavier sentences for government or elected officials who do so.
 - Grant judicial authority to order solitary confinement for prisoners or detainees before, during, or after terrorist trials.
 - Give permission to security forces to search, without warrants, private residences where terrorists are suspected of living or hiding, provided the Interior Minister or the Director of State Security submits a "detailed justification" to the local judge immediately thereafter. 25X1
 - Institute a system for sentencing "repentant" terrorists that takes into account their cooperation with authorities and willingness to renounce armed violence (see the inset). 25X1
- Measures to broaden police powers for wiretaps and surveillance would legalize practices that have often been conducted in the past without legal sanction. This article and the bill's provisions to levy penalties

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Repentance, Spanish Style

Perhaps the most politically and socially significant provision of the government's draft legislation is a series of inducements for "repentant" terrorists not guilty of capital crimes to cooperate with authorities in exchange for reduced sentences. Such consideration would apply in cases where:

- *A terrorist turns himself/herself in and confesses to any crimes committed.*
- *A confession preempts or reduces the damage of a pending terrorist operation, or leads to the identification and capture of those involved.*
- *Jailed terrorists renounce past associations and actions, cooperate with authorities, and thereby obtain provisional liberty after completing from one-third to one-half of their minimum five-year sentences.*

The government's interest in encouraging the reintegration of "repentant" terrorists into society appears inspired in part by Italy's experience with "repentant" terrorists. If approved, the bill would be another blow to ETA's dwindling support base as reluctant activists abandon the group. A judiciously applied "repentant" program, in our view, would also help counter accusations from the political left and Basque nationalists that the government is bent on using violence to destroy ETA.

Determined to incorporate some conciliatory aspects into official counterterrorist policy, the Spanish Government this year instituted a de facto "repentant" program when Interior Minister Barrionuevo gave his French counterpart a list of 200 Basque refugees resident in France (200 more reportedly are to be named) who are eligible to return to Spain without fear of prosecution. Special telephone lines and addresses have been publicized in France for fugitive terrorists who wish to apply for an official pardon from the Spanish Government. Prospective candidates probably were somewhat encouraged when the cabinet approved pardons in July for five of 43 convicted guerrillas who petitioned, formally renounced violence, and agreed to abide by the law.

on the media, permit searches without warrants, and ban certain political groups have stirred opposition in the Socialist Party's left wing, as well as among the Communist and Basque nationalist parties in Parliament. The Herri Batasuna party, in its support capacity for ETA/M, is acutely aware that it is the primary target of government hopes to outlaw groups that support terrorists.

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The new package of laws, which is still in committee, is likely to pass given the Socialist majority in Parliament. Nonetheless, the government will face opposition from the left wing of its party, where concern for civil liberties runs high, and the new law will only exacerbate the poor state of relations between Madrid and Vitoria.

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The GAL Factor

The emergence of the shadowy Antiterrorist Liberation Group (GAL) and its impact on French attitudes toward ETA are among the most important developments regarding Basque terrorism since the Socialist government came to power. GAL, which first appeared in December 1983, has taken reprisals against known and suspected ETA terrorists and activists on the French side of the Pyrenees, claimed at least nine assassinations on French soil thus far, and sown fear and disorganization in the ranks of fugitive *etarras*.³

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GAL's operatives are of uncertain provenance—in communiques they have claimed to be of several nationalities, with alleged underworld, Secret Army Organization (OAS), and French Foreign Legion links—but many Spanish press and public observers strongly suspect the group may be backed by the Spanish Government (see table 2).

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If Madrid's putative involvement were confirmed, the democratic credentials of the Spanish Government and the Socialist Party would be seriously tarnished.

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³ The Spanish term for a member of ETA.

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Table 2 Percent
GAL Assassinations of
ETA Members in France

| | Total | Basque Country |
|--|-------|-------------------|
| Do you believe that assassinations of ETA members in France by the so-called Anti-Terrorist Liberation Group (GAL) are justified? | | |
| Justified | 17 | 0 |
| Not justified | 61 | 84 |
| No opinion | 22 | 16 |
| Would you say that someone is behind GAL—that is, someone is supporting it—or would you say that no one supports it? | | |
| Someone supports it | 57 | 58 |
| No one supports it | 7 | 8 |
| No opinion | 36 | 34 |
| Who do you believe supports GAL? | | |
| Businessmen | 18 | 9 |
| The government | 12 | 32 |
| The right wing | 6 | 0 |
| Foreign countries | 3 | 2 |
| Do not know | 47 | 30 |
| No response/other | 14 | 27 |

Source: Tiempo-Gallup, April 1984

Although the tactic of fighting terrorism with terrorism is hardly new⁴, the terrorists are even more on the defensive since they now know that leaving Spain does not ensure safety. GAL claims to have targeted ranking *etarras*, but some Spanish press accounts maintain that victims have been “small fish” rather than leaders whose murders would decimate the terrorist group. Vigilante targeting of rank-and-file *etarras* may be a deterrent to prospective ETA recruits, but some Basque politicians and press observers have argued that GAL’s murders have simply created new martyrs and have encouraged ETA recruitment among Basque youth. In our view, other factors—such as GAL’s activities and the French Government’s crackdown on fugitives—militate against sharp increases in the number of new ETA members. [redacted]

⁴ Other self-proclaimed antiterrorist vigilante groups have appeared in Spain since 1975, including the Anti-ETA Terrorism (ATE), the Anti-Communist Apostolic Alliance (AAA), and the Spanish Basque Battalion (BVE). These groups aimed principally at pressing Madrid to crack down harder on Basque terrorism in the years immediately following Franco’s death. [redacted]



French cooperation has been a key ingredient in recent Spanish counterterrorist successes. [redacted]

International Cooperation

The government of Prime Minister Gonzalez has attempted, with some success, to elicit greater international cooperation in its fight against Basque terrorism. Although France traditionally has been reluctant to work with Spain to stem the tide of Basque terrorism, the Gonzalez government has succeeded in convincing Paris that cooperation against ETA serves both countries’ interests. Spain’s appeal to historical ties with Latin American countries has persuaded several to accept temporarily *etarras* deported from France. Gonzalez also has demonstrated an interest in strengthening counterterrorist links with other states in his calls for an international conference on terrorism. [redacted]

France

Counterterrorist cooperation with France, in particular, has improved markedly over the last two years largely because of fraternal solidarity between the two socialist governments and French recognition that Spain’s youthful democratic institutions cannot fully take root in the face of persistent domestic terrorism. French cooperation culminated most recently in the unprecedented extradition of three ETA terrorists to [redacted]

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ETA'S Foreign Ties

ETA's various factions have developed and maintained links with other foreign terrorist groups and supporters over many years, according to [redacted] numerous press reports. Among West European groups, ETA's relations with the radical French Basque Iparretarrak terrorists reportedly have been strained since the official French crackdown on ETA's activities in the cote basque.

official Spanish reports and press accounts of ties between ETA and the IRA and the Red Brigades. Although the nature and extent of ETA's contacts with the Irish and Italians are not fully known, we believe that their common guerrilla training camp experiences in the Middle East at a minimum have fostered "fraternal solidarity" among the groups.

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Central America is the most recent focus of Spanish Government concern about ETA's activities abroad and foreign support for the group. According to US Embassy reporting, a noted Spanish authority on terrorism maintains that Venezuela and Mexico are major centers for ETA activities, and that this has been publicly discussed for several years. Nonetheless, allegations of ETA involvement in the assassination attempt against Nicaraguan rebel leader Eden Pastora in Costa Rica in late 1983 further increased official interest in Basque terrorist links throughout the Caribbean basin.

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Press [redacted] reports indicate that, since 1979, more than 100 ETA/M members have trained at Sandinista camps in Nicaragua. Moreover, the Spanish Government's study of ETA's foreign links asserts that Nicaragua is the base for ETA/M's document forgery operations and that Salvadoran rebels have received such documents, along with weapons and money, from ETA. Other press reports [redacted] maintain that etarras arrested in Costa Rica in late 1983 were part of a wider ETA-Sandinista plot to assassinate anti-Sandinista leaders resident in Costa Rica. These and other revelations have taxed relations between Madrid and Managua

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According to early 1984 press accounts of a special government report on ETA's international links, Spanish officials believe ETA has enjoyed significant and longstanding foreign support in the form of training and probable financial aid. The report traces ETA's foreign ties to the training of Basque terrorists in Cuban camps 20 years ago and alleges similar, later activities in Algeria, Lebanon, and South Yemen. ETA/PM allegedly began to train with the PLO in late 1979, and ETA/M reportedly established ties with the PFLP. The study also reasserts earlier

Spain, a move that took many French as well as Spanish officials by surprise, according to press and US Embassy reports.⁵ [redacted]

Following the election of the Socialist government in Spain, France began moving cautiously away from its longstanding reservations about acting against fugitive ETA members in France. The emergence of the GAL vigilantes, however, apparently expedited

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⁵ Although the French action was a major breakthrough, Belgium's extradition of two ETA/PM members last spring was the first of its kind by a West European country. [redacted]

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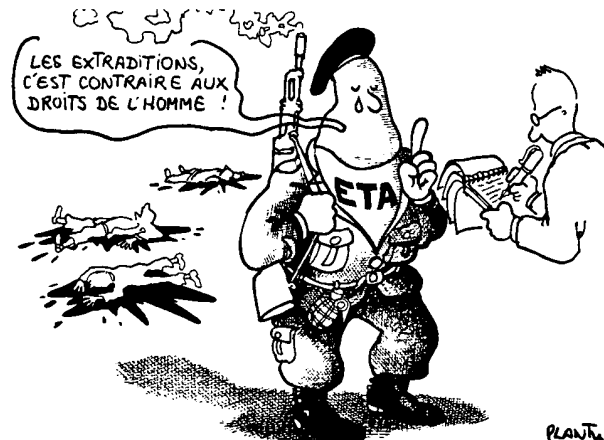
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French cooperation with Madrid. Paris publicly expressed its anger at extralegal actions on its territory and, we believe, is fearful of an awakening of latent Basque nationalism in France, ordered sweeping police roundups in the *pays basque* and stepped up the irregularly enforced policy of relocating refugee Basque activists to northern France. Paris is also trying to discourage further GAL attacks by removing likely ETA targets from the border area. This year France has expelled some 30 presumed ETA leaders to countries in Latin America and Africa.

French counterterrorist measures were largely responsible for the dissolution of ETA/PM in France, and fewer than 20 PM members remain there. Many of the ETA/PM members in France, as well as some in prison in Spain, subsequently accepted amnesty offered by the Spanish Government.

In an important development last June, Interior Minister Barrionuevo and France's then Interior Minister Defferre signed an agreement in Madrid for cooperation against terrorism. Significantly, Defferre stated that terrorists would no longer be considered political refugees. Although the agreement did not entail specific new plans so far as we know, it contained pledges to strengthen law enforcement cooperation. The present French Interior Minister, Pierre Joxe, reaffirmed his intention to abide by the agreement although he reminded Madrid that eliminating the traditional French sanctuary for *etarras* will not by itself solve the problem of Basque terrorism.

Nonetheless, the French *Conseil d'Etat's* decision this October to let stand a lower court ruling to extradite three *etarras* who were wanted in Spain on murder charges is of major significance. Paris previously had declined all Spanish requests for extradition. Madrid greeted the terrorists' extradition as formal French



"Extraditions are a violation of human rights!"

Le Monde, October 1984

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acknowledgement of Spain's democratic credentials, which President Mitterrand echoed during his 11-13 October visit to the French *pays basque*. Mitterrand also stated, however, that Spanish Basques who respect the "contract" of asylum in France—that is, who respect French law and refrain from using French territory as a staging area for terrorist attacks in Spain—will be protected by French law. In any case, press and US Embassy observers believe the extraditions may satisfy the forces behind GAL that ETA lawlessness is finally being addressed. The French Government's resolve in such matters will be further tested when it is presented with as many as 95 extradition requests that Spain reportedly plans to begin processing soon.

Paris, for its part, would like the Spanish Government to obtain a cease-fire and begin talks with ETA as a complement to French efforts against the group, according to US Embassy reports. The outbreak of ETA terrorist acts against French properties and interests in France and Spain—both before and after the Basque extraditions—ensure that France will continue to pressure Madrid to adopt additional measures. Indeed, the Spanish Government's offer last August to negotiate a cease-fire with ETA probably took into account French sensibilities and domestic political concerns.

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Latin America

Drawing on its historical ties to Latin America—and probably offering financial incentives—Madrid has persuaded several countries in the region to help relocate more than 2 dozen terrorists expelled from France:

- Panama has accepted the largest number of *etarras*, but it has recently set a limit of 10 at one time and refuses to grant them permanent residence.
- At strong French urging, Cuba has grudgingly taken in some ETA members from Panama.
- The Venezuelan Government has also accepted several terrorists but is reluctant to take in more for fear they would create trouble in Venezuela's large Basque community.
- In response to official Spanish and French requests, the Dominican Republic granted refuge last August to the second in command of ETA/M, the highest ranking *etarra* expelled from France to date. [redacted]

Madrid is sensitive to Latin American concerns, however, and does not wish to exhaust good will. Thus, the Spanish Government, along with Paris, has been searching in recent months for countries that will take in ETA members. This effort has resulted to date in Togo's acceptance of four *etarras*. In approaches to other African countries, Madrid reportedly has offered to pay the living expenses and provide security escorts for resettling expelled *etarras*. [redacted]

Multilateral Organizations

The Gonzalez government has been trying recently to display a more activist image in its efforts to combat international terrorism. In his speech at the Council of Europe in November 1983, Gonzalez called for an international summit conference on terrorism. Although the proposal has not yet been realized, a number of his ideas on how to enhance regional cooperation were reflected in a resolution the justice ministers of the Council of Europe adopted in June. [redacted]

Various Spanish officials in the last few years have raised the issue of cooperation in visits to Italy, West Germany, and Israel. Madrid is a charter member of the Western Mediterranean Club which includes France, Italy, Morocco, and Tunisia in an interservice group organized in late 1983 to counter common threats from international terrorism. Although not a member of the Club of Berne counterterrorist group, Spain participates in the club's communications networks, which rapidly disseminate operational information on terrorists. For several years, Spain has had observer status with the EC's Trevi Group, which consults on counterterrorism policies and practices in the 10 member states. When Spain joins the EC, probably in 1986, and thus attains full membership in the Trevi Group, we believe Madrid will participate actively in the group's proceedings. [redacted]

Prospects

We believe that ETA will continue to decline in strength and influence and that its operational capabilities will suffer so long as Madrid and Paris adhere to their current policies and actions, which hamper ETA's ability to regroup and reorganize. Recent government counterterrorist successes suggest that it may be only a matter of a few more years before organized Basque terrorism is fully routed. The terrorists—particularly the ETA/M faction—will nonetheless remain dangerous and capable of random acts of considerable violence against targets of opportunity and may try further attacks on government and military officials. Moreover, Basque nationalism is certain to remain a powerful force despite the waning fortunes of terrorism. [redacted]

The overall state of the autonomy process in the Basque provinces augurs well for a future devoid of ETA. Despite intermittent setbacks and squabbling between Madrid and Vitoria, the regional institutions created for an autonomous administration are playing an important role in the economic revitalization of Euskadi and the legitimizing of political participation to convey nationalist sentiment, according to US

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Pro-ETA demonstrators under the watchful eye of French police in France's pays basque. [redacted]



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Consulate reports. As economic conditions—especially unemployment—and the quality of life improve, Basques are less likely, in our view, to welcome or condone resurgent violence. Perhaps more importantly, the development of regional institutions, such as Basque schools, which provide for the expression of ethnic nationalism, will prompt Basque society increasingly to abandon support for terrorism. [redacted]

The French Government's determination to end use of its territory as a safehaven for ETA will be key to the fortunes of Basque terrorism. Even if Paris decides not to extradite any more Spanish Basques, ETA members no longer dare assume that Paris holds a benign attitude toward their presence and activities in France. Recent official French statements indicate that regional law enforcement authorities will also try to prevent the rebuilding of ETA's shattered infrastructure, particularly the terrorists' communications network in France, which is essential to operational planning. [redacted]

GAL will also continue to play a role in ETA's decline although no ETA deaths have been attributed to GAL since last summer. ETA members are conscious that such vigilantes may strike again. Fugitive *etarras*, uprooted from their previously unmolested bases in

southwestern France, will be compelled to keep moving to avoid both the police and GAL. For their part, the French authorities probably will continue to deprive GAL and any similar groups of prospective targets by moving resident *etarras* north. [redacted]

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Because the besieged ETA will be increasingly preoccupied with its own survival, particularly when the provisions of the new antiterrorist draft law are in effect, it will, we believe, have less time and fewer resources for recruitment, training, and propaganda activities. Moreover, ETA's struggle to create a leftist revolutionary—rather than strictly Basque—identity probably will distance the group even more from its traditional base of support. With “revolutionary taxes” drying up, along with the ability to collect them, ETA is likely to be strapped for funds. In its desperation, the group might turn to non-Basque terrorist networks for financial support, and end up repaying such debts through terrorist acts that further diminish ETA's relevance to the cause of an independent Euskadi. [redacted]

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Whether Madrid succeeds in solving the problem of Basque terrorism depends in large part on the government's own actions. We believe that an erosion of Madrid's concern for Basque sensitivities would increase hostility toward the central government and transform current antiterrorist victories into future political problems. Basque nationalism remains a powerful and pervasive force; opinion polls continue to show that many Basques consider themselves Basques first and Spaniards second. Basques also believe—correctly—that many Spaniards consider them second-class citizens, and they are quick to respond to perceived or actual political slights. [redacted]

Two other factors could undermine the government's antiterrorist campaign. If it became apparent that Madrid had sponsored the vigilante actions of the GAL, sympathy for ETA would rise markedly among Basques. And if Paris, either because of bilateral disputes with Madrid or because of a change of government in either capital, were to once again allow ETA to use France as a safehaven, the terrorists could begin to rebuild their infrastructure and restore their operational capability. [redacted]

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Thus, while continued tough police actions against ETA have general public support, Madrid will have to be careful not to go too far. If the government appeared to be seeking the physical elimination of ETA, public sympathy for the group could rise and political support for the Socialist Party, which has made electoral gains in Euskadi this year, could decline. Indeed, many of the acts of vandalism last summer against French property and symbols in Spain were undertaken spontaneously, according to press accounts, by Basque youths not affiliated with ETA. This suggests that a reservoir of latent sympathy could readily be tapped and, under the right circumstances, transformed into direct support for—or participation in—ETA's terrorist actions. [redacted]

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The central government's relations with the PNV will also be an important factor. The party would find it very difficult to cooperate with a Spanish government that appeared determined to crush ETA altogether. The PNV currently holds power as a minority government in Euskadi and, reluctant to lose any of its nationalist constituency by approving or condoning harsher actions against ETA, would not hesitate to appeal to the radical fringe of the party in order to maintain Basque political support. While the party welcomes a decline in terrorism, it almost certainly knows that—ironically—it has gotten more from autonomy because of ETA's pressure on Madrid. The Spanish government, for its part, missed a major opportunity to gain Basque assistance against terrorism when it rejected the PNV's offer in 1983 to help draft the new antiterrorism laws. [redacted]

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