

# State prosecutors in Dresden, Germany, target anti-Nazi protesters

Martin Nowak  
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The state prosecutor in Dresden is systematically targeting opponents of Nazi groups, in a region that is one of the centres of right-wing extremism in Germany. Along with Mecklenburg-Pomerania, Saxony is the only state where the neo-fascist German National Democratic Party (NPD) is represented in the state parliament. The party also has representation in all city councils and many community councils. Saxony was the epicentre of the National Socialist Underground (NSU), a right-wing terrorist group responsible for at least nine murders between 2000 and 2006.

The trial against a youth pastor from the town of Jena, Lothar König, which began on April 4, is the high point of the campaign by the state authorities in Dresden. König has been accused of serious breach of the peace, obstruction of justice and resisting police officers. He supposedly incited demonstrators to attack the police at an annual demonstration against right-wing extremism in February 2011.

König, who is almost 60, has been involved for years in protests against the extreme right and Nazi groups. With his young followers, he supported protests in the 1990s against right-wing extremism and anti-immigrant chauvinism. At these events, he was known for opposing any sort of violence and intervening to de-escalate situations. His work among youth in Jena is well-regarded, and he has received awards from several anti-racist foundations.

As he has done every year, König travelled to Dresden on February 19, 2011, to demonstrate with a broad coalition of political parties, trade unions and victim-support groups against a march held by neo-Nazis to commemorate German victims of the allied bombing of the city during WWII. In his renovated Volkswagen (VW) bus with loudspeakers, nicknamed “Noisy”, he accompanied roughly 20,000

demonstrators, who protested against some 3,000 neo-Nazis.

In the course of the protest, clashes took place between demonstrators and the police, which according to police sources resulted in 118 severe injuries to officers. In reality, only eight police officers were hurt, while others suffered only minor injuries as they waded in against demonstrators.

Countless eyewitnesses and recordings have confirmed that König sought to de-escalate the situation, even when the police closed off all routes for the protesters. He used the loudspeakers on his vehicle to play music, show demonstrators where to go, and call for peaceful protest against the neo-Nazis.

Nonetheless, the state prosecutor has accused him of encouraging violence, either with declarations he apparently made or merely by his presence. According to officials, with the aid of “Noisy”, König acted as a “communications point and coordinator of violent acts.” “From his vehicle”, they claim, “he called upon leftists to commit violence.” The prosecutor alleges König’s vehicle issued a call to “cover the pigs with stones” and attempted to force a police vehicle off the road.

All of the available video and sound recordings of the demonstration directly contradict the accusations made against König by the state prosecutor.

In a video extract that the prosecution has used against him, König says, “Come on people. There are a lot of us here. Just move on. Go further on. The police have no shields, no weapons.” Then he turned his vehicle around and called for everyone to follow him.

The claim by the prosecutor that König called at this point for violence against the police is absurd. In an interview with *ZDF* television, Professor Martin Kutscha, an expert on constitutional law who had seen

the video, declared, “I have the impression that the pastor tried to encourage moderation among the demonstrators by turning his vehicle around and calling upon them to stay with his car, and certainly did not attempt to incite people to throw stones or something similar.”

The prosecutor is even trying to use the fact that König played music against him. The prosecutor’s office refers to the “aggressive and inflammatory” character of the music—i.e., “Paint it Black” by the Rolling Stones and “Kein Macht für Niemand” (“No Power for Anybody”) by the German group Ton Steine Scherben—which supposedly promoted violence.

The trial of König is such a blatant travesty of basic constitutional principles and democratic rights that no fewer than four human rights organisations have denounced it as a “political trial.”

The lead-up to the trial and the course it has run so far make clear that the prosecution of König is aimed at criminalising all opposition to the annual neo-Nazi march in Dresden.

The trial was first postponed from its original start date of March 19. The defence requested this after discovering just a few days earlier that there were up to 170 pages of documents and a CD in the evidence files of which they had not been aware. The prosecution and a spokesperson for the court falsely claimed that this was insignificant material.

The first day of the trial focused on the accusations against König. The defence argued that the indictment should not be read out at the start, stating it was vague and suggestive, and did not even contain a concrete charge. Nevertheless, the charges were read out, after which König and his defence lawyer gave statements in which they accused the prosecution of suppressing evidence, sloppiness, laziness and making allegations damaging to König.

The Dresden state prosecutor has initiated thousands of investigations targeting participants in demonstrations against neo-Nazis. The police collected data from more than a million mobile phones through illegal surveillance. Thousands of charges were brought against opponents of neo-Nazis, including 1,500 alone for alleged offences against a law covering demonstrations.

Special forces commandos have stormed and searched the homes of suspects, in some cases without

any permission, including König’s office in Jena. When König was away on a trip to the Alps, police officers broke into his home without any authorisation and confiscated a computer, some CDs and his VW bus, which was parked in front of the house.

The raid on August 10 of last year came just days after König gave an interview to the news magazine *Der Spiegel*, in which he criticised the authorities in Saxony, comparing their actions to the notorious Stasi security forces in the GDR (former East Germany), and denounced the police for their brutal methods.

The close ties between the authorities in Dresden and the extreme right are so evident that even the bourgeois press has published critical articles. *Der Spiegel* commented on the large-scale measures taken by the police against anti-Nazi demonstrators at the protest last year. “In fact, it seems like the authorities and the judiciary in Saxony seek to hound citizens who oppose the Nazis with full force, while the extreme right are able to do what they like”, noted the newspaper.

The Dresden district court intends to make an example of König. Just a few months before the beginning of his trial, another anti-Nazi protester, Tim H, was sentenced to 22 months imprisonment without bail for a severe breach of the peace, grievous bodily harm and verbal abuse. In this case, too, neither the court nor the prosecution was able to prove the alleged offences or even any general involvement in criminal activities on the part of the defendant.



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