

Germany: Daimler screening workers for terrorist links

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The magazine *Der Spiegel* has reported that the Daimler corporation has been comparing the names, addresses and birth dates of all its 280,000 employees worldwide with data on European Union (EU) and United States terrorist lists in order to contribute to “the fight against terrorism”. Daimler’s works council explicitly supports this arrangement.

In line with a “company agreement” between the corporation and its works council last year, Daimler began comparing the data on December 1. In the future this screening of the workforce will be conducted every three months. The lists are to be retained for six years. According to Daimler, management staff comes under a separate but similar regulation.

Employees who show up on one of the terrorist lists are to be “released”, that is, fired. According to *Der Spiegel* the company agreement stipulates that, “No financial compensation will be granted and any other benefits will be denied.” Those affected will probably not simply be dismissed, but escorted from the workplace under arrest, because “relevant authorities” are to be informed “whenever necessary”.

Additionally, anyone who applies for a job at Daimler will also have their data matched with the terrorist lists.

Christine Hohmann-Dennhardt, a Daimler board member responsible for legal affairs and judge in the First Senate of the Federal Constitutional Court from 1999 to 2011, told *Der Spiegel* that “personal rights (are) guaranteed” in the screening of employee and job applicant data. She said that everyone was “conscious of the responsibility” and would handle the data carefully.

Nothing could be further from the truth as there is absolutely no transparency about whose name appears on any of the terrorist lists. These lists are created by the secret service agencies. They decide who is a

“terror suspect”, despite the fact that so many “suspects” can end up on such lists simply because of a similarity of names. According to the *Intercept*, the US government’s so-called “Terrorist Screening Database” (TSDB) lists a total of 680,000 people. It is unclear why some 280,000 of these people have been put on the list.

The implementation of the systematic screening of employees of one of the world’s largest corporations was secured through the management’s close cooperation with the Daimler works council and IG Metall trade union. The transformation of a trade union into a factory police force monitoring workers has rarely been so crassly evident.

The corporation claims that it is only complying with legal requirements when it extensively screens its applicants and employees. “The EU and the US have enacted mandatory legislation accompanied by corresponding sanctions lists in order to combat terrorism,” a company spokesman said, adding, “Daimler is therefore appropriately concerned to comply with the legal sanction provisions of state legislature. According to these provisions, we are required to report listed persons (to the authorities), as are other companies.” The spokesman went on to state that the company’s agreement was only a way of enabling Daimler to put new international laws into practice at an early stage.

Following the attacks in the US on September 11, 2001, the “anti-terror laws” undermined fundamental democratic rights in the US and EU countries, including Germany, and led to the expansion of a vast surveillance apparatus. Since then, corporations have agreed to involve themselves in state intelligence operations, which include keeping their employees under surveillance.

German corporations, operating globally and seeking to obtain a certificate introduced in 2004 that eases customs requirements, have to confirm they use the EU and US suspected terrorists lists to monitor their employees and business partners. The customs authority then awards companies, on request, the status of “Authorised Economic Operator” (AEO). Whether and, if so, to what extent Daimler also screens its “business partners” is unknown.

From 2004 to 2010, relevant regulation did not differentiate the types of employees in the screening. Since 2010, however, employees being screened are required to be those working in an area relevant to security concerns. A matching of the whole workforce with terrorism lists is therefore not required, and a security check once a year would generally be sufficient.

A survey by *Southwest Radio* in the state of Baden-Württemberg showed that only the Bosch corporation in Stuttgart admitted to screening its employees. However, sampling is carried out there once a year and not all employees are checked.

Michael Peters, works council chairman at the Daimler subsidiary Mercedes plant in Bremen, told *Radio Bremen* that workforce screening has been a routine procedure for many years, not only at Daimler, but also other German companies.

Peters expressly welcomed the agreement with Daimler. In his view, it would regulate how the employees’ data would be compared to the international anti-terrorist data.

Works council members have obviously watched for years as workers have been spied upon, without raising the slightest protest. Now they express self-importance because their services are “sought after” by the company and the state.

Daimler Stuttgart headquarters works council chairman Jörg Spies praised the company agreement, saying he saw it as a “beacon of light for the protection of employees”.

He also stressed the real task of the works council: to iron out any doubts about the legality of the spying. According to Spies, there should be no doubt that all laws and regulations concerning the implementation of the programme will be observed. He thus confidently cited a mid-2012 decision of the Federal Fiscal Court, which declared a vetting of employees to be admissible,

if the data is appropriately protected.



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