

German government tightens anti-terror laws

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On Wednesday last week, the German cabinet approved a further tightening up of anti-terrorism laws. Throughout Europe, the terrorist attacks in Brussels and Paris are being used as a pretext for constructing a police state, as happened in the US following the 9/11 attacks in 2001.

In his official statement on the draft legislation, Interior Minister Thomas de Maizière boasted about building a veritable surveillance state: “We have introduced mass data retention, we have strengthened the federal police and Federal Criminal Bureau, we have agreed to new regulations in Europe for the exchange of passenger data and information between police authorities.”

This is “all good,” de Maizière continued. Nevertheless, “following the attacks in Brussels, Paris and Istanbul,” the German government has “asked where there are still security gaps and what needs to be done in order to safeguard our people even more.” He added threateningly, “Knowledge is power. And we want to powerfully oppose terrorist organisations and this includes sharing our knowledge with each other.”

The draft legislation, which the interior minister wants to quickly push through parliament, contains three core points: the intelligence service and Federal Police will be granted more powers; the exchange of data with foreign intelligence services will be expanded; and communication using prepaid mobile phones will be subject to increased control and monitoring. The summary of the draft legislation also states, “Gaps in penal law covering support for the continued operation of banned organisations” will be closed.

If one studies the details of the 39-page draft, it becomes clear how far the measures go. Among other things, the laws covering the operation of the domestic Secret Service, the Foreign Intelligence Service (BND), the Federal Police, state access to Internet data, the law

covering voluntary associations, the Federal Criminal Bureau (BKA), telecommunications and the penal code are all to be amended.

In addition, “The basic right of telecommunications secrecy (Article 10 of the constitution), in accordance with Article 5, will be restricted.” This means that “In case of emergency, data collection may be started on the day the application is made before the control measure is agreed.” In other words, in the future, it will be “legal” to start listening in without any form of court order.

The powers of the Federal Police are also to be extended. The modified Article 3 of the Police Act states: “With the insertion of the number 4 in section 28 paragraph 2, the Federal Police, as almost all police forces of the country and the Federal Criminal Bureau, are empowered to operate undercover agents within their jurisdiction to protect public safety and not only for law enforcement purposes.”

Like the BKA, the Federal Police will, in certain cases, be able to secretly record audio and video in private dwellings “without the knowledge of those affected.”

The amended Telecommunications Act stipulates that buyers of prepaid mobile phone must present their identity card, passport or “other valid official document containing a photograph of the holder.”

At the same time, the telecommunications service provider will be obliged under Section 111 (requests for information by the security authorities), “to immediately store the phone number and other subscriber line ID, the name and address of the subscriber, their date of birth, the address of the connection, the device number and the date of service commencement.”

To facilitate the networking of the secret services, the draft states, “For the cooperation with foreign public authorities that are entrusted with intelligence tasks

(foreign intelligence agencies), for researching attempts or activities that relate to specific events or groups of people, the Federal Office for the Protection of the Constitution [as the domestic Secret Service is called], can set up shared data files.” Likewise, it can “utilise joint data files that are created by foreign intelligence services.”

Whereas the close collaboration of the German Foreign Intelligence Agency (BND) with America’s National Security Agency (NSA) was regarded as a scandal, this is now to be officially allowed by the domestic secret service.

Given these plans to massively increase state powers, it is hard to avoid the impression that the “disruption of a suspected terrorist cell” in the German city of Düsseldorf announced the following day arrived just on cue for the government and media.

On broadcaster ARD, BND chief Gerhard Schindler pushed for measures to finally deal with “the problems.” These lay “not in the exchange of information, but in the acquisition of information. We need a stronger penetration of terrorist networks with human resources and we need better monitoring of terrorist communications.”

In fact, the circumstances surrounding the arrest of three Syrian citizens by German security authorities last Thursday remain unclear. According to the official statement by the Attorney General’s Office, the four accused “planned to carry out an attack in Germany on behalf of the foreign terrorist group ‘Islamic State of Iraq and Syria (ISIS).’” But the same statement also says, “There is no evidence that the accused had already initiated the concrete implementation of their attack plan.”

While politicians and the media are stirring up a permanent hysteria about terrorism, it has become clear that the state of emergency proclaimed in France and Belgium does not serve the struggle against Islamist terrorist networks. Rather, the extensive increase in state powers is directed against the growing resistance of workers and youth. The French government is using its emergency powers to disperse occupations, ban peaceful demonstrations and threaten long prison terms for protesters who are opposing the reactionary El Khomri labour reforms.

The increase in state powers in Germany has the same aim. The first anti-terrorism legislation in Germany was

introduced by the then-Social Democratic Party-Green Party government parallel to the introduction of the Hartz welfare and labour reforms. The tightening up of terror laws heralds even harsher attacks on the working class.

In its edition last Wednesday, the conservative daily *Die Welt* warned that the German economy was losing “its competitiveness” and Germany its “attractiveness.” The main reason identified by the newspaper was the weak “economic performance in relation to capital—a trend which is mainly due to the higher cost of labour.”



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