

Hamburg: Social Democrats and Greens plan new police law

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22 November 2019

The red-green (Social Democratic Party-Green party) Senate in Germany's city-state of Hamburg is seeking to agree on a controversial police law before the state election due on February 23, 2020.

Hamburg already has one of the most draconian police laws in Germany, permitting "preventive detention" for up to 10 days. This clause of the law was used in 2018 in more than 7,000 cases. The police law also allows so-called source telecommunications monitoring, where the state secretly implants trojan malware into computers or cell phones in order to monitor communications, both before and/or after encryption. At the end of 2018, Hamburg also set up a surveillance system that massively infringes on the basic democratic rights of the population.

In July 2017, one of the largest police actions in the history of the German federal republic took place in Hamburg, aimed expressly at discrediting "left-wing extremists." During the G20 summit, police used extreme force against demonstrators. "Individual acts of violence, often carried out by undercover police and intelligence officers, were deliberately blown out of all proportion and used to criminalise any opposition to the ruling establishment or capitalism," the WWSW reported at the time.

The police collected more than 30,000 photos and videos and evaluated them with facial recognition software to search for demonstrators across Europe—a search that continues today. In cooperation with the *Bild-Zeitung*, the police and public prosecutor's office illegally published photos and videos of demonstrators. Prior to any trial or judgement, these people were subjected to public harassment, jeopardising both their personal security and their future employment.

Responsibility for these civil-war-like police operations, recalling the tactics of the worst forms of

police state, lies first and foremost with the then-mayor of Hamburg, Olaf Scholz, (Social Democratic Party, SPD) who is the current vice chancellor, finance minister and favourite in the impending election for the SPD presidency.

The "modern" police law planned by the red-green Senate will extend the powers of the police even further. The new law will permit police to use electronic ankle bracelets to monitor so-called "threats" around the clock. In common with other police laws, the new Hamburg law uses the vague term "imminent danger." This means that persons who have committed no crime, but are considered by the police to be potentially dangerous, can be forced to wear an electronic ankle bracelet for up to three months.

In addition, paragraph 49 of the red-green bill allows automated data analysis on a large scale. Extensive databases can be analysed automatically to facilitate the "preventive combatting" of crimes or to avert threats—including for "issues of significant value." Surveillance software can then be used to allow police databases to research "relationships or connections between individuals, groups of people, organisations, institutions, objects and property."

Such systems are very susceptible to error and can be highly indiscriminate. In addition, anyone related to a "threat" must fear negative consequences, because no concrete information is available about what data is actually collected. Consequently, anyone suspected of being in the wrong place at the wrong time could end up being a suspect, whose entire data is stored and analysed.

The automated data analysis has been criticised by lawyer Anna Luczak from the Republican Lawyers Association (RAV) as "incompatible with the image of mankind in Basic Law." "It makes possible the creation

of personality profiles without grounds or the evaluation of relations between different groups of citizens.”

Another problem is the avoidance of deletion periods in the police database. Basically, data is stored for 10 years and then deleted. Now, with the new law, the deadline for deleting new entries in the police database will be extended by a further 10 years.

The Police Act also undercuts the power of the state data protection officer, who in future will no longer be able to issue orders but only pronounce ineffective warnings or complaints.

Following the G20 summit in Hamburg, the “Special commission Black Block” has collected a huge amount of video and images. Around 3.6 terabytes plus additional police data of 9.9 terabytes have been stored. Hamburg has been using the German surveillance software “Videmo 360” for facial recognition for some time. In the course of importing raw data, the software analyses all faces contained therein and saves each face as a known or unknown identity of the person in another database.

The new police law is a far-reaching attack on fundamental democratic rights and signals a further step towards a police and surveillance state. It is directed against the working class and youth and is aimed at suppressing all forms of social and political protest.



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