

The German state tries to cover its tracks in latest far-right trial

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The so-called NSU 2.0 trial began at the Frankfurt Regional Court on February 15. Between August 2018 and March 2021, hundreds of threatening letters were sent to artists, lawyers, and politicians under the acronym NSU 2.0, which is a reference to the neo-Nazi terrorist group National Socialist Underground (NSU) responsible for the murder of nine immigrants and a policewoman.

The recipients were insulted and threatened with murder, among other things. Of particular concern is that the letters contained protected personal data about residential addresses and family members of those affected, which were known only to the police.

Already, a familiar pattern is emerging. Only one alleged individual perpetrator stands accused, 54-year-old Alexander M. from Berlin. He is charged by the public prosecutor with issuing threats, coercion and insults. The question of the background to the case and any accomplices—especially from the ranks of the police—is being hushed up. As in the Munich trial of the NSU, which had murdered nine immigrants and a policewoman between 2000 and 2007, the numerous clues and evidence pointing to the state apparatus, the police and the secret service are being ignored.

A look at the current facts clearly shows that (1) it could not have been a single perpetrator, and (2) at least one police officer must have helped suspect Alexander M. retrieve data from a police computer in Frankfurt. Despite this, the public prosecutor's office is not bringing charges against any police officers and remains silent about the reasons for this. The indictment does not even attempt to explain who was responsible for querying the database in the Frankfurt police station. It is claimed the investigations had simply led to no result.

On the first day of the trial, the 124-page indictment was read out. The defendant Alexander M. is accused of having written and sent a total of 116 threatening letters. People such as lawyer Seda Ba?ay-Y?ld?z, cabaret artist Idil Baydar and the then chairwoman of the Left Party parliamentary group in the Hesse state parliament, Janine Wissler, were written to via email, fax and SMS with the signoff "NSU-2.0."

Others affected were satirists and comedians Jan Böhmermann, Christian Erich, Caroline Kebekus, politicians Martina Renner (Left Party), Jutta Dithfurt (Ökolinx), Sawsan Chebli (Social Democratic Party, SPD), Bundestag Vice President Claudia Roth (Green Party), Katja Kipping (Left Party), Katrin Göring-Eckardt (Green Party), Karamba Diaby (SPD), as well as *taz* columnist Hengameh Yaghoobifarah, journalists Deniz Yücel and Anja Reschke, and publicist Michel Friedman.

Alexander M. is alleged to have committed 85 criminal offences, including 67 extreme libels, public incitement to commit crimes, incitement of the people, possession of child and youth pornographic writings and a violation of the Weapons Act.

It all began on August 2, 2018, when Ba?ay-Y?ld?z received an initial threatening letter, citing her correct address and the name of her young daughter: "In retaliation for 10,000 euros in fines, we'll slaughter your daughter." The lawyer had represented the family of the NSU's first murder victim, Enver ?im?ek, in the NSU trial from 2013 to 2018. All the letters are written in this vile tone.

The defendant faces five years in prison. He was arrested in his Berlin apartment on May 3, 2021, after the police had allegedly previously investigated him unsuccessfully for years. During the operation, he allegedly pulled out a blank pistol. Threatening letters were found on the computer of the unemployed computer scientist.

His background fits well with the crimes. In the past, he allegedly posed as a civil servant to get information from his former teacher. He was on right-wing extremist blogs, where he called himself "SS-Obersturmbannführer," among other things. His demeanour in the courtroom was also very aggressive: he repeatedly interrupted the judge and the prosecutor and held up two fingers to the press cameras.

The first witnesses to testify were Ba?ay-Y?ld?z and Mehmet Daimagüler, both lawyers for NSU victims. They reported how the threatening letters containing personal information and the possible involvement of police officers had put them under massive psychological pressure.

Over a dozen letters reached Ba?ay-Y?ld?z. Her parents and their dates of birth were also mentioned in them, and her new address, which was classified as secret, was posted on the internet. Unknown people walked around her house and took photos. The identities of these people remain unclear to this day. Ba?ay-Y?ld?z is clear that helpers at the police department were involved in at least the first letter.

Just 90 minutes before the first threatening communication was received on August 2, 2018, her data was queried on a police computer at the 1st Precinct in Frankfurt am Main. In total, 17 requests were made for data on the lawyer without official cause. Experienced investigators say that such extensive queries are very unusual. As a rule, they are made when the identity of the suspect is unknown after an arrest. Such a query, they say, takes about six minutes.

Of the six officers who had access to the police computer during that time, none supposedly remembered who had used it. Nor did anyone remember any supposed calls from outside. Everyone has remained silent ever since.

After a search on September 11, 2018, State Criminal Office (LKA) investigators confiscated a phone from the officer under whose account the query had been made. A right-wing extremist Whatsapp chat group was found on the phone. In it, six police officers and a private person exchanged pictures with Nazi images (including swastikas and Adolf Hitler) and vicious jokes about Jews, people with disabilities and refugees. According to the *Süddeutsche Zeitung*, the Frankfurt police did not inform the LKA about the chat group.

On October 25, 2018, a house search of Johannes S., one of the officers of the 1st Precinct, found a “museum-like” room filled with Nazi memorabilia. This officer was the focus of the investigation for a long time; he was suspected of having made the database query on August 2, 2018.

As it turned out, he had falsified his alibi, according to which he was on an operation at the time of the query. However, this took place 48 minutes later, which would also make him a possible sender of the first threatening communication to Ba?ay-Y?ld?z. A phrase that Johannes S. used in the right-wing extremist chat (“I’ll rip your head off and shit down your neck”) is also frequently found in the threatening letters. Police officer S. is also familiar with anonymous surfing and the so-called Tor network, which is needed to access the darknet.

On the same evening that Ba?ay-Y?ld?z received the first threatening letter, an anonymous call for violence against her was also posted on the de.indymedia.org platform, also giving her private address. A later letter even used her new address, which was classified as secret, suggesting that another database query must have occurred later. If there had been another telephone inquiry, the LKA would have been notified, but that never happened.

Martina Renner (Left Party), a member of the Thuringia state parliament active against right-wing extremism, also testified at the trial. She reported the psychological effects that the threats of violence had on her, “to the point that you dream about it.”

Although Renner received a total of 11 threatening NSU 2.0 letters, as well as numerous other right-wing extremist threats, the LKA in Berlin and Thuringia downplayed the letters and spoke of an “abstract threat.” Renner had to take private security measures. She said she had not wanted to turn to the Hesse LKA because of their involvement in far-right scandals: “They weren’t the first port of call when it came to confidence-building measures.”

Children’s nurseries were also put on alert and courts evacuated because the NSU 2.0 had sent bomb threats.

Ba?ay-Y?ld?z and four other recipients of threatening letters protested on Twitter before the trial began: “For us, it’s a scandal that the investigation was conducted against an alleged lone perpetrator.”

Alexander M., who testified on the second day of the trial, denied the allegations against him. Regarding the prosecution theory that he had retrieved the data from the police computers using a false identity, he said, “That I obtained any amount of top-

secret data from the police computers via phone calls would be a unique nonsense in German legal history.”

According to him, the threatening letters came from a far-right chat group on the Darknet, which he had participated in since 2019. “I was sure that police officers were also involved there because of the extensive insider knowledge and many official secrets, but I can’t prove it,” the defendant said. After he had contradicted the claim that there was a Jewish world conspiracy, he was expelled from the group in the summer of 2020, he said. Nevertheless, he said he has the identities of some chat participants, which he could provide to the court. In return, however, he wanted to be included in the witness protection program.

It would appear Alexander M. was involved in issuing the threatening letters, but that he wrote them alone, without any collaborators, is completely unlikely. The central question that the prosecution is avoiding in the trial is: How did the Berlin right-wing extremist (or other perpetrators) obtain protected data from the Frankfurt police? In addition, data was also retrieved from police stations in Wiesbaden, Berlin and Hamburg.

The answer of the police, claiming M. pretended to be an official in telephone calls, is absurd. The public prosecutor’s office mentions only briefly in passing that there were also investigations against police officers, but it was allegedly not possible to find out who had made the computer query on August 2, 2018.

After the indictment of Alexander M., Hesse Interior Minister Beuth had declared the police exonerated: “According to everything we know today, no Hesse police officer was ever responsible for the NSU 2.0 threats.” In response to an inquiry from the Deutsche Presse-Agentur, the state Interior Ministry reiterated: “Hesse police officers were at no time the senders of or participants in the NSU 2.0 series of threatening emails.”



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