German government expands surveillance and police state measures

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The German government is swiftly pressing ahead with the construction of a police and surveillance state. At the centre of this stands the so-called “Security Package 2.0” and the amendment of the Federal Police Act. Both greatly expand the powers of the security authorities and are directed against the vast majority of the population.

“Security Package 2.0” was passed by the federal cabinet at the end of April 2026. It bundles together three interrelated draft laws to strengthen “digital investigative powers” and authorises the Federal Criminal Police Office (BKA, similar to America’s FBI) and the Federal Police (primarily responsible for border control, airport security, and railway policing) to carry out automated data analysis, biometric internet matching and the “testing and training” of AI systems. Toward this end, the BKA Act and the Federal Police Act are being amended.

The new Section 98e of the Code of Criminal Procedure (StPO) allows investigative authorities to network existing police databases and search them automatically for connections. The Federal Bar Association criticised that this would allow far-reaching movement and personality profiles to be created.

The new section also permits biometric data, such as photographs from criminal proceedings, to be automatically compared with publicly available images from the internet, allowing a person’s whereabouts to be determined within a short space of time. The analysis software in question could include the controversial Gotham system from the US company Palantir, which state police forces in Hesse, North Rhine-Westphalia, Bavaria and Baden-Württemberg are already using.

Palantir was co-founded by the American right-wing extremist and JD Vance supporter Peter Thiel. The company has never made a secret of its hostility to democracy and is therefore subject to massive public criticism. Critics assume that under the draft law, the data used for biometric matching could also be transmitted to private providers and abroad. This is the basis for mass surveillance of the entire population.

In several cities, AI-supported video surveillance is already underway. In Frankfurt am Main, a pilot project for biometric real-time facial recognition has been launched; in Mannheim and Heidelberg, the police are using intelligent video analysis; in Hamburg, it is being trained; and in Berlin, the General Security and Order Act was correspondingly tightened at the end of 2025.

The package has not yet been finally passed. After the cabinet decision, the Bundesrat (upper chamber of parliament) did not lodge any objection on 12 June, so the final decision in the Bundestag (lower chamber of parliament) after the summer recess is considered certain. Civil rights organisations are rightly warning of “instruments of mass surveillance” and consider the package to be unconstitutional, thereby making clear the scale of the measures.

The “modernisation of the Federal Police Act” passed by the Bundestag on 10 July must also be seen in this context. With the votes of the governing Christian Democrats (CDU/CSU) and Social Democrats (SPD), police powers were drastically expanded.

In future, the Federal Police will be permitted to stop and search any person without specific cause in weapons and knife prohibition zones—particularly at railway stations. Drones may be used for surveillance and reconnaissance, and in border areas, vehicle licence plate scanners will be deployed across the board. The security authorities’ focus here is above all on refugees. Pre-trial deportation detention can now be

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applied for directly from the competent court, bypassing the local immigration authorities. The aim is the faster and more ruthless deportation of refugees.

To locate individuals, the Federal Police will in future make greater use of “silent SMS” and so-called IMSI-catchers. While a silent SMS forces a mobile phone to disclose its location without the user’s knowledge, an IMSI-catcher simulates a mobile phone mast and sucks up the data from all smartphones in range of a given cell tower. Thousands of users thus automatically come under scrutiny. When evaluating video material, biometric recognition systems can in future be used in real time to identify “wanted persons” at railway stations and airports.

Particularly controversial is the so-called “preventive telecommunications surveillance,” including so-called source telecommunications surveillance (Quellen-TKÜ) and biometric video surveillance. Under the pretext of combating “people smugglers” and alleged “extremists,” the police are permitted to smuggle spyware onto mobile phones in order to intercept on-device encrypted messages, such as those on WhatsApp. To this end, the security authorities exploit known security vulnerabilities to install so-called “state trojans.” Officially, online searches are to remain excluded, which is a complete farce. Once the trojan is in the system, it has access to all passwords and data.

The amendment of the Federal Police Act further extends police powers. In any case, the police laws of the federal states are already fundamentally incompatible with existing laws and the constitution. The Supreme Court is currently examining whether the Bavarian Police Act is constitutional. Under that law, the police can already impose far-reaching restrictions on fundamental rights in the event of an “imminent danger.” In effect, this places everyone under general suspicion. The police can, practically without restriction, intervene in fundamental rights at any time, even without specific suspicion, let alone an actual crime having been committed. Through identity checks, observation, video surveillance and the monitoring of electronic and telephone communications, a person can be investigated to see if they could pose a concrete threat. Furthermore, the Bavarian police can, on judicial order, take persons into “preventive detention” for up to two months in order to prevent crimes or even administrative offences. The constitutional complaint is also directed against the possibility for the police to use explosives such as hand grenades, even if bystanders are endangered by doing so.

This year, several laws have already been passed that restrict democratic rights and allow the security authorities to operate virtually without constraint. The law on strengthening cybersecurity, passed in May, grants the BKA and Federal Police new powers for “cyber defence.” The BKA is even permitted to launch active counter-attacks (”hack backs”) and infiltrate the digital systems of the presumed attacker. This carries the danger that security vulnerabilities will be deliberately kept open. And finally, a law on “reducing bureaucracy” in the portfolio of the Interior Ministry, passed by the Bundestag in May and the Bundesrat in June, lowers the barriers to the use of telecommunications surveillance. Until now, only the BKA’s departmental head could apply for such measures—in future, effectively any employee can do so.

These massive attacks on fundamental democratic rights coincide with Germany’s vast rearmament programme and the escalation of the war against Russia. To finance both, draconian cuts are being made to health, care, pensions and education. At the same time, jobs are being destroyed on a massive scale in the factories, forcing hundreds of thousands into unemployment. Popular opposition to this is growing. The government and the establishment parties’ only response to this is the curtailment of fundamental democratic rights and the criminalisation of any opposition.

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