

German Interior Ministry attacks press freedom

By Gregor Link
11 June 2019

At the beginning of April, the *World Socialist Web Site* described a bill federal Interior Minister Horst Seehofer submitted to the cabinet for approval, an Intelligence Services “Enabling Act.” This assessment has now been fully confirmed. The harmlessly titled bill “For the Harmonization of the Secret Service Law” hides a comprehensive attack on fundamental democratic rights.

The law “removes the remaining restrictions on the activities of the secret services, which were anchored in the constitution and laws of the Federal Republic after the terror of the Third Reich,” we warned. It undermined basic rights, such as postal and telecommunications secrecy and the inviolability of the home.

Meanwhile, more details and plans have become known. For example, the current bill allows the intelligence agencies to secretly spy on journalists and their editors. The secret services would be permitted to hack the servers, computers and smartphones of publishers, broadcasters and freelance journalists.

This would remove editorial confidentiality, which enables journalists to protect their sources. Reporters Without Borders (ROG) warns that the prohibition on “seeking the identity of a journalistic source through searching editorial offices could be circumvented digitally via an online search.” This would mean “media workers and their sources lose the basis for a trusting cooperation,” said ROG CEO Christian Mihr.

In an online search, the authorities would use “Trojan” programs. These exploit security vulnerabilities, using programs the authorities usually purchase on the black market, which are infiltrated into the target system, and, unnoticed by the user, enable the remote viewing of files, programs and messages on a device. They can also manipulate the device.

According to the bill, this would be possible without those involved having committed a crime. It is enough if it involves a “political process” that is “of concern to the intelligence service.” Judicial approval is not necessary—the domestic intelligence service itself would weigh up whether its interests outweighed the right to editorial secrecy. Only the so-called G-10 parliamentary commission, which meets in secret, would control these decisions.

Reporters Without Borders points out that such online raids would be just the tip of the iceberg. Other measures included in the draft law that allow the secret services to spy on journalistic work include monitoring encrypted communications between media workers and sources, retrieving travel data for research trips and establishing international databases accessible to both intelligence agencies and law enforcement agencies.

In a statement, the German Journalists Association (DJV) describes the “secret digital spying on editorial staff, journalists and their sources” as an attack on journalists’ right to refuse to testify and notes, “The secret service would become a further authority, after state attorneys and other authorities that can practically decide themselves on the proportionality of monitoring journalists.”

Press freedom is currently under attack worldwide. Its harshest expression is in the prosecution of Wikileaks founder Julian Assange. As WSWs has long warned, his persecution and imprisonment have created a precedent for the criminalization of journalism.

Just last week, police raided the Australian Broadcasting Corporation (ABC) editorial offices, and the home of a News Corp Australia editor, and confiscated around 10,000 documents, including notes, drafts, minutes of meetings and e-mails. In both cases, the authorities were seeking the origin of information

about war crimes committed by Australian military personnel in Afghanistan and the surveillance plans of the secret services.

Under the guise of the new secret service law, the uncovering of state crimes and preparations for dictatorship in Germany is now to be criminalized. Although the grand coalition—comprised of the Christian Democrats (CDU/CSU) and Social Democrats (SPD)—lost its majority in the European elections, and is further weakened by the crisis of the SPD, it is pushing forward the rearmament of the state apparatus. This is directed against the entire population.

The federal and state interior ministers will discuss plans in Kiel from June 12 to 14, allowing the security authorities to have comprehensive access to all types of electronic devices. Home assistance systems such as Amazon's "Alexa," digital voice assistants such as Apple's "Siri" and Google's "Assistant," as well as "smart" televisions, refrigerators, lawn mowers, alarm systems and cars, will be bugged to provide law enforcement with insight into every aspect of daily life. Even gaming platforms will in future be infiltrated by the secret service.

While the intelligence agencies have been able to read normal SMS messages and listen in to landline phones for many years, according to news weekly *Der Spiegel*, Interior Minister Seehofer (CSU) wants to ensure that even encrypted chats and phone calls can be read and intercepted in future. To this end, messenger services such as WhatsApp and Telegram would be obliged to record the communications of their customers and provide them in unencrypted form to the authorities. Providers who do not comply with this would be banned by the Federal Network Agency for Germany.

Increasingly, state circles are openly calling for the formal abolition of the separation of powers between the police and intelligence services, which has long been ignored in practice. The legal separation of these powers had been enshrined in Germany's post-war constitution to prevent a resurgence of Hitler's Secret State Police (Gestapo).

For example, on the 70th anniversary of the Basic Law, as the post-war constitution is called, Torsten Voß, head of the Hamburg state secret service, called for a weakened "modified separation law." In Mecklenburg-Pomerania, Interior Minister Lorenz

Caffier (CDU) demanded a rethinking of the separation rules at a meeting of the East German secret service authorities in Schwerin. These are regarded as "sometimes a huge obstacle" for the machinations of the authorities.

Hamburg state Interior Minister Andy Grote (SPD) was also open to the weakening of the separation rules, stating that it would enable the targeting of Muslim children more efficiently.

The moves to return to a police state and dictatorship in Germany do not spring solely from the brains of a few interior ministers. The unprecedented attacks on the basic democratic rights of the working class are a global phenomenon, in which the ruling classes everywhere are reacting to growing social and political resistance to social inequality and militarism.

To contact the WSWWS and the
Socialist Equality Party visit:

<http://www.wsws.org>