

# **Police powers and presence for the G8 summit**

## **What to expect and how to protect yourself**

In 2006, the regional parliament of the German state of Mecklenburg Vorpommern (hereafter M-V), where the G8 will take place, passed a new Security and Public Order Act which increased the powers of the police during protests. Officially, the Act was passed in the name of the fight against terrorism and organised crime, but as the timing of this legislation as well as Genoa, Gleneagles and the World Cup have shown, these legal and executive powers are predominantly used to police demonstrations at summits and football events. They include: red zones, restriction of movement, huge police presence, police encircling of demonstration, mass arrests and arbitrary banning order issued against individuals from public places for the duration of the protests.

Given this proliferation of police instruments and strategies, it is important that anyone planning to come to the G8 protests informs him/herself and takes these into account when preparing actions, travel and communication before, during and after the summit. Not all of the following police practices will necessarily be applied (to you); exaggerated security laws are also literally a power game, so please do not be intimidated by the list below. Past summits, from Genoa to Gleneagles, have shown that successful protest actions are always possible, even under martial-law-type police presence.

At the end of this text you will find various guides on how to deal creatively with police repression and what you should (not) do in case you get arrested. Please use the links at the end of this page to the various self-help and solidarity booklets in English. The symbol § following each heading in the text below refers to the relevant Article of the Security and Public Order Act from M-V, detailing the relevant measure.

### **1. Identity checks (§29)**

... mean that you have to show your identity document (ID card, passport). They can be carried out by the police "to prevent immanent danger in a particular situation". As the police can decide what an "immanent danger" is, identity checks have become a routine measure, particularly at police control spots, "hot spots", areas around hospitals, official buildings and on public transport systems. If you cannot show an identity card, you will be taken to the police station.

### **2. Fingerprinting etc. (§31)**

The verification of an alleged culprit's identity and collection of personal data through photo and fingerprinting is called 'Erkennungsdienstliche Behandlung' in Germany. According to existing law, this includes: handprints, fingerprints, photos, measuring external features and making voice recordings. However, the police usually only take photos and make fingerprints.

### **3. Interrogations and the information you have to provide (§28)**

As in the whole of Germany, persons have to give the following and NO OTHER information to the police:

- first and last name,
- date of birth
- place of birth

- place of residency
- nationality.

If you refuse to give this information you'll be fined.

#### **4. Police stop and search (§27a)**

The police can stop persons and vehicles

- within 30 km of the external border (e.g. in Heiligendamm and Rostock)
- at international travel spots (e.g. train stations and airports)
- and "for the preventative fight against crime of considerable importance" (e.g. breach of the police, bodily harm etc.)

#### **5. Searching persons (§53-54)**

The police can search you in order to confiscate objects, giving the reason that the search is intended to protect yourself (!) or the police officer, the definition of 'protection' is at the discretion of the police. They are allowed to search on your body, through your clothes as well as all other objects worn by you, such as rucksacks. Usually, the search can only be carried out by a same-sex officer, unless there is an "imminent danger", in which case any officer can carry out the search.

#### **6. Searching objects (§57-58)**

Pretty much all objects carried by you, near you or near official buildings can be searched.

#### **5. Banning orders (§52)**

This is an annoying measures which the police can use widely. In M-V, orders that ban people from certain places can be given with regard to a place, for a region within a local authority or even for a whole district. They can last up to 10 weeks. IT IS POSSIBLE THAT BANNING ORDERS WILL BE PASSED FOR A WHOLE CITY SUCH AS BAD DOBERAN DURING THE G8. The order does not have to be given in writing, the only restriction is that the banning order cannot restrict access to your own home.

If you do not follow the order, you can be taken into police custody.

#### **6. Police custody (§55-56)**

Next to issuing banning orders, the police can take people into custody if they "are in a condition that is visibly outside their own control" (e.g. drunk) or if there is "an imminent danger for security or public order" (which can be very widely defined indeed). So-called preventative arrests can be made to "prevent" criminal offences, also if a person invites others to commit these in form of BANNERS or FLYERS. They can also arrest you if you are carrying weapons or OBJECTS that the police believe can be used as weapons or for committing criminal offences.

Further, MINORS (YOUNGER THAN 18) can be taken into custody if they have "eluded the person in charge of the custody" and be "transferred to the youth welfare office" (in German: 'Jugendamt').

#### **7. Access to property and house searches (§59-60)**

As a preventative public order measure, the police can enter your home. Officially, they need a search warrant issued by a judge, but in case of "imminent danger" this judicial sanction can be given retrospectively. During searches, you have the right to

- be present (in every room, so they can only search one room at a time in

your presence)

- be told the reason for the search
- receive instructions by the police about your available legal remedies
- receive a signed notice by the police IF YOU ASK FOR IT, detailing the responsible authority, reason, time and date of the search as well as all the names of all persons present.

N.B. BY LAW, YOU DO NOT (AND SHOULD NOT) SIGN ANYTHING YOURSELF

## **8. Informants, undercover officers, observation, secret surveillance (§33)**

The use of informants (people who are not the police but are paid to pass on information to them) and undercover officers (police who use a false identity to find out about political scenes) is legal in M-V. The police can also put you under observation, follow you around and use undercover observation technology (microphones, cameras).

## **9. Equipment and weapons of the police (§102)**

Police "equipment" includes in particular shackles, water cannons, technical barriers, dogs, horses, vehicles, gas (CN, CS and pepperspray) and explosives (which may not be used against persons). Weapons include batons, pistols, revolvers, shotguns and machine guns. The typical weapons used are batons, but Gothenburg and Genoa have shown that the state is also prepared to use guns.

## **10. Police officers duty to identify themselves? (--)**

Nope: in M-V there is no obligation for the police to identify themselves, which makes it difficult to link criminal acts to specific police officers.

**New police powers introduced for the G8 in June 2006:**

## **11. CCTV (camera) surveillance of public places (§32)**

...is legal if it is necessary for the police to fulfil its duties or at places where at least 2 criminal acts (ANY offence) have taken place. Therefore, EXPECT TO BE FILMED.

## **12. Automatic car number plate recognition (§43a)**

Will take place, in particular at motorway exits and slip roads, access roads etc. EXPECT YOUR CAR NUMBER PLATE TO BE RECORDED IF YOU ENTER THE PROTEST REGION IN A CAR. The regional government has announced that it wants to collect this information to COMPARE THE DATA with existing databases, such as the "violent offenders" data bases which are notoriously arbitrary, we should expect this data to be compared with the Schengen Information System as well.

## **13. Preventative interception of telecommunications (§34a)**

EVERYONE can be intercepted in the name of prevention. This includes content (telephone conversations, SMS text messages, mailbox recordings, e-mails, saved e-mails) and so-called traffic data (numbers of other people you have been in contact with). This is not a simple log of who we've called and when we called them, but police uses this data to CREATE A MAP OF HUMAN ASSOCIATIONS and more importantly, a map of human ACTIVITY AND INTENTION.

Further, the police in M-V now has the technological capability to use so-called IMSI (International Mobile Subscriber Identity) catcher, which simulates a mobile base station and thereby puts itself in the path between your phone and your real GSM network, recoding ALL MOBILE PHONE

COMMUNICATION. The police can therefore collect numbers you phone, numbers that phone you, the number of the phone itself, the SIM card number, the length of time of the call. Telecommunications Service Providers in Germany ARE OBLIGED PASS ON TRAFFIC DATA OF THE PAST 6 MONTHS TO THE POLICE. IMSI catchers can also INTERRUPT PHONE COMMUNICATION. The police apparently applied this method during the anti-nuclear Castor protests to stop people from communicating with each other, when they encircled by police, for example.

The police can ascertain your location without IMSI catchers as well, by using so-called "silent SMS text messages". The only safe way to circumvent mobile phone surveillance therefore remains to SWITCH OFF THE PHONE AND TAKE THE SIM CARD AND THE BATTERY OUT, preferably before entering a new GSM area. This way the police can only ascertain your last location at which your phone was switched on.

#### **(Mobile) phone - yes or no?**

Because of the high surveillance risks connected to (mobile) phones, you should ask yourself how you will use the (mobile) phone in the run-up to the summit. Although PGP might provide some privacy in e-mail contact, there are only the two extremes of NO PHONE AT ALL or EXPECT TO BE INTERCEPTED EVERYWHERE. Most people will choose a path inbetween, but please abstain from using the phone to discuss political issues or to make appointments.

#### **14. 'Profiling': data comparisons with public institutions (§44)**

Under Germany's anti-terrorist legislation, law enforcement can demand from public and private authorities (e.g. universities, but also e-bay!) to disclose all personal data relating to a 'profile' of suspects (e.g. above 24 years-old, male, of Arab origin). They can then compare this data with police data banks.

#### **15. Compulsory blood samples (§53, 4)**

Under the name of HIV prevention, the M-V police can now take blood samples, in case of "immanent danger", again, the danger is defined by police, judge's orders given retrospectively. It is LIKELY THAT POLICE WILL TAKE BLOOD SAMPLES IN CASE OF INJURIES involving bodily fluid, that means also in cases of demonstrators being beaten up by the police. We can expect that the DNA will be taken up in the German DNA databank, IF YOU HAVE A BLOOD SAMPLE TAKEN AND YOU HAVE HIV OR HEPATITIS, THIS INFORMATION WILL MOST LIKELY BE TAKEN UP IN THE GERMAN FEDERAL POLICE DATABANK INPOL.

#### **16. Video recording from within police vehicles (§32, 4)**

The police can film you when stopping you or your vehicle, although they are supposed to delete this film material after the event, this is not the case if it can be used to 'solve crimes'.

#### **17. Cross-border police cooperation (EU law)**

During the last decade, we have seen the development of an informal European police apparatus that has legalised the (almost) limitless exchange of personal data between police forces and dubious judicial cooperation methods that weaken the rights of the accused (applied, for example, during the Genoa and Gothenburg trials). International protesters will therefore face a particular arsenal of data collection and travel restriction methods: from the Schengen Information System to the reinstatement of internal border controls, travel bans and the Eurodac fingerprint database, BEWARE of anyone

planning to cross your travel plans. The measures that can be expected to be applied (also) for this summit, can be summarised as follows:

Before the summit

- Exit and entry bans
- personal visits or phone calls by the police to let you know they are watching
- reporting obligations (at the police station) for potential suspects
- confiscation of passports
- observation activities
- preventative arrest
- internal border controls (the suspension of the Schengen agreement)
- data exchange between German and other EU or non-EU police forces

During the summit we can expect:

- Police controls long before the actual summit region
- mobile and stationary video surveillance with a zoom function
- telephone interception
- presence of foreign police forces at the summit to help German police to identify foreign activists but foreign police will also observe and can even arrest activists from their countries
- banning orders
- preventative arrests (for the duration of the relevant police regulations)
- speed trials, in particular in the case of international protesters
- the use of (stricter) foreigner regulations in case of international protestors (deportations)

And what will actually happen?

Only the next few months will show how the new police arsenal will actually be applied in practice. It remains important that even under this 'brave new world' order, we should not refrain from protesting and resisting. Please do not only read this section about methods of repression, but also read that on creative protest, including the guidelines on how to deal with police aggression.

**The above is a summary and free translation of a legal advice booklet written in August 2006 by:**

Rote Hilfe Greifswald

c/o Klex

Lange Straße 14

17489 Greifswald

greifswald@rote-hilfe.de

German full-text version:

[http://www.gipfelsoli.org/Repression/RH\\_Greifswald\\_Flyer\\_S0G.pdf](http://www.gipfelsoli.org/Repression/RH_Greifswald_Flyer_S0G.pdf)

**Other English language sources on (anti)-repression:**

Pepperspray, CS & Other "Less-Lethal" Weapons Used by Rioting Police to Suppress Dissent when Politricks & Television fail to do so:

[http://gipfelsoli.org/Repression/autonomedical\\_collective.pdf](http://gipfelsoli.org/Repression/autonomedical_collective.pdf)

'Solidarity : A Rough Guide' by Starhawk

(Organiser la solidarité en cas de répression [www.starhawk.org](http://www.starhawk.org)):

[http://gipfelsoli.org/Repression/solidarity\\_starhawk.html](http://gipfelsoli.org/Repression/solidarity_starhawk.html)

A small glossary of (criminal) legal terms for solidarity campaigns:

<http://gipfelsoli.org/Repression/Uebersetzungen.html>