

Surveillance and Other Nuisances

An evaluation of the observation and surveillance of the three anarchists convicted in the so-called “Parkbank trial”.



No Trace Project / No trace, no case. A collection of tools to help anarchists and other rebels **understand** the capabilities of their enemies, **undermine** surveillance efforts, and ultimately **act** without getting caught.

Depending on your context, possession of certain documents may be criminalized or attract unwanted attention—be careful about what zines you print and where you store them.



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For the evaluation of sim cards, sim card identity and Pin Unlock Key (PUK) can be requested from the responsible network operator in the case of crimes of significant importance. The fact that some sim cards were registered in other or fictitious names was no obstacle to this. As the telephone numbers were generally stored under the actual (first) names in the personal contact directories of the cell phones, it was possible to identify almost all contact persons—regardless of whether they had registered their Sim cards under fictitious names.

The issuance of the connection and traffic data was ultimately ordered retroactively, to the extent that the data was still available at the providers. The decision on this came from the district court on July 15, 2019, so all in all very timely.

We had already mentioned that the communication via all mobile devices as well as the location data of person 3 were (officially) recorded for one month after the custodial reprieve. This also concerned the VoIP connection.

Ultimately, the cops had the retroactive connection data (contact number, time and duration). In terms of content, however, they could only access the text messages that were still on the cell phones. The cops focused their research on the week before the arrest. With comparisons of which SMS were deleted and which not, they gave themselves various hypotheses, for who would have conspiratively arranged themselves.

It should be mentioned in passing that the public prosecutor's office was eager to obtain a search warrant for the so-called belongings of person 2 in jail as well as a cell search. They had hoped to find RFID chips in certain items of clothing worn on the aforementioned July night, in order to arrive at great wisdom by tracing the chips. It remains unclear what findings this would have led to—no RFID chips were found in the clothing sighted and the application to search the cell was rejected by the relevant district court.

So much for an initial evaluation. We do not want to stir up panic, but hope to have informed and sensitized you.

Stay safe and good luck!

cops set in motion, what alleged facts they use and what they base their constructs on. Ultimately, these are aspects we have to pay attention to.

During the house raids, mainly laptops, cell phones and hard drives were taken, but also CD/DVD, USB sticks, sim cards, an iPod and a camera.

It turned out that names on room doors in shared apartments are a good idea. The cops took their cue from the name tags on the doors and only searched the rooms of those who were arrested that night, as well as the common areas.

Not all of the confiscated media was encrypted—travel reservations, flyer texts, brochures and so on were used by the authorities to support the narrative of the committed anarchists.

The data from encrypted laptops and hard drives was passed on from the forensics department to the BKA. The BKA failed to decrypt the data, and even a technician from Interpol, who was asked for help, saw no chance of obtaining the encrypted data (via Truecrypt, LUKS, etc.).

In the case of partially encrypted laptops, at least all “Internet usage traces” were extracted (from chats, webmail, backups, file sharing networks, web browsers, including deleted files). None of this data was classified as “criminally relevant”, but the recognizable use of programs such as TOR browsers and encryption software was classified by the cops as “indicative of conspiratorial communication”.

After evaluating the seized media, e-mail accounts, telephone numbers, including a VoIP number (Voice over Internet Protocol: technology to make phone calls over the Internet), and all IMEI numbers (International Mobile Equipment Identity: 15-digit serial number with which each endpoint device using the mobile communications network can be uniquely identified worldwide), both the inventory data and the traffic data (as defined in §§ 96 (1) and 113 b of the Telecommunications Act (TKG)) are queried from the providers. It is noteworthy that the cops did not even bother to request connection data from a left-wing provider, as they considered it hopeless to obtain information from there. All other sim cards and e-mail providers willingly provided information.

The cell phones were analyzed by special programs of the forensic department. At least the physical memory could be extracted.

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In this text, we will try to summarize the observation and investigation measures around the “Parkbank trial”, and to clarify some points that might be important for people with a heightened interest in privacy.

It should be emphasized at the outset that everything is based on the cops' files and our conclusions. The security apparatus is naturally reluctant to show its cards and, even in criminal proceedings, only discloses the parts of its reports that it believes are absolutely necessary. As expected, the release of the entire surveillance protocols, which was requested by the lawyers, was refused. Thus, our reports are also incomplete. Draw your own conclusions, but do not consider anything as established truth—we are telling a story here, which the cops have compiled in a file!

For simplicity, we refer to the defendants here as Person 1, 2, and 3, in the order that they enter the stage.

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During the course of the investigation, there was a second raid of Person 3's home to obtain handwriting samples and DNA.

Bicycles, Surveillance and GPS

The topic of bicycles is a major part of the surveillance. This is simply because the suspects move around a lot on bicycles. We continue to believe that for people who have a great need for privacy, the bicycle should be the means of choice for getting around in big cities. Tails in cars are easier to shake off, speed can be adjusted, public transit can be used in between, and it is easier to spot any pursuers.

However, there are a few things to keep in mind here: it is always worthwhile to plan enough time for detours, observations and reassurances. Who hasn't experienced it: plans are tight, stress arises and we let our guard down. Routine is a pernicious thing—it gives us security, but it also gives us a false sense of security. We all have our preferred methods and habits. To question them and to change them again and again makes it much more difficult for possible persecutors.

It remains unclear whether the “authorized” tracking of bicycles by GPS devices has taken place. In the observation decision for person 1, this is explicitly requested (“GPS monitoring for a bicycle”) and thus it seems to be possible, at least in the world of ideas of the LKA. Furthermore, however, no indications can be found in the protocols. We—and certainly others—would be immeasurably pleased to receive practical findings on this subject. Until then, however, we can only advise you to check your bikes regularly, change them or get fresh ones. Leave your own bikes standing around in the open as little as possible.

Laptops, telecommunication and subsequent investigations

The investigative procedures of the cops described below will not surprise most of you. However, we mention them to remind you of what the

According to the observation report, person 1 and 2 leave the apartment a little later, at 23:16, and are followed from there, on a more or less direct route, to a green area on Fruchtallee. There, at 23:50, the cops briefly lose contact after the bicycle lights are turned off.

At 11:57 p.m., the cops spot two people in a park on Eppendorfer Weg and decide to detain them, probably out of fear of losing the target again. It is then that person 3 is also encountered.

What follows is common knowledge: search, arrest, identification treatments, in the same night several house raids at the respective registered addresses and residential addresses. ("Possibly existing motor vehicles" were also in the search warrant, by the way).

A "body swab" was also requested from person 1 for the use of police dogs, in order to use it to find out where person 1 was within the allotment garden within an hour. In the custody cell, a skin swab was then taken by order of the public prosecutor's office ("imminent danger").

However, the use of a sniffer dog in the allotment garden site was called off because the cops had meanwhile found out that a plot had been registered to person 1, thus saving them the time-consuming search.

Following the arrests, as expected, parts of the personal environment as well as person 3, who was spared from arrest, were surveilled by LKA forces. The surveillance was initially scheduled for a month (longer-term surveillance: 09.07.2019-15.08.2019), as well as the determination of cell phone and location data of person 3. The cops were primarily concerned with recording all contacts.

Here there were both video recordings from an angle on the entrance area of the residence of the person 3 and other footage, presumably made by the cops wearing civilian clothes. In the course of the surveillance other people who met person 3 during this time were themselves further pursued.

Officially, all surveillance was carried out during the day sometime between 7:00 and 20:00 for a maximum period of 8 hours. In addition, acoustic surveillance of Person 3 outside the apartment was ordered from about 17.07.2019 until 17.08.2019, because, according to the cops, they conducted conversations in person and not over the phone.

A first theory and preliminary observations

To begin the story, we need to go back a bit further: in connection with the then upcoming OSCE meeting and in preparation for the G20 Summit, a sizable group of people attacked the Hamburg Fair on Nov. 26, 2016.

The Hamburg police leadership was subsequently in a frenzy. Due to the close proximity, a connection with the LIZ (Libertäres Zentrum) was established. Person 1 was at that time a member of the board of the association belonging to the LIZ and as such registered in the association register. Based on so-called police intelligence, he was, according to the wording in the files, "believed to have contributed to the action, which required being familiar with the environment and intensive preparation," but actual involvement was not proven. As further evidence, the cops claimed alleged international contacts of person 1 as well as interest in anti-repression work.

In the course of the cops' actions in the aftermath of the attack on the trade fair, other people in the association's structure were also visited at their workplaces and homes, and in some cases attempts were made to engage people in conversation and stir up uncertainty by means of presumably fictitious connections.

As a result, person 1 was more or less regularly "preventively" surveilled starting in March 2018, at the latest. Three of these surveillance operations, from the entire period up to the arrest, made it into the file, which were used to justify further surveillance measures. We assume that there were more recordings within the first "measure". It is now known from other court proceedings that the method of preventive surveillance was also used against other people. Also, the surveillance measures were apparently oriented essentially on data that appeared particularly relevant to the authorities.

In the surveillance reports, person 1 is attributed a conspiratorial behavior, which was, among other things, determined by the use of various bicycles.

Furthermore, the cops repeatedly emphasize that Person 1 had connections in the scene and would frequent places like the LIZ, the Infoladen Schwarzmarkt, and the Rote Flora. (Person 1 would have, for example, attended a general meeting at the Flora after the nationwide house raids in connection with the G20 Elbchaussee actions).

At the latest, after a surveillance operation on the night of March 16/17, 2018, the cops also suspected participation in militant actions, since— from the perspective of the repressive authorities—a temporal connection could be established with the coming and goings of Person 1's apartment (with several people) and broken windows in the city. However, as far as is known, this was not enough for an “initial suspicion”, which would have enabled a concrete investigation. However, this may also have been a tactical decision by the cops to avoid having to reveal the surveillance.

It remains unclear how exactly the surveillance took place, but it is clear that there was video surveillance of building entrances. During this period, person 2 also came into focus as a roommate and contact person.

Based on these “findings”, a longer-term surveillance operation of person 1 was ordered for six months, from 9.11.2018 to 8.5.2019. Thereby, “criminal acts of considerable importance” were predicted in relation to upcoming summits and the campaign “united we stand”.

During this long-term surveillance, (almost) the entire surveillance arsenal was used: the surveillance of residence and other locations, such as LIZ and the Infoladen Schwarzmarkt, the technical surveillance of (electronic) means of communication and, with regard to bicycles, the use of GPS was approved.

The Infoladen was demonstrably under video surveillance from a building on the opposite side of the street for a longer period of time.

One day before the end of the surveillance period, the same authority, SOKO Schwarzer Block, applied for an extension of the measures for another six months. The request for an extension was justified, among other things, by the upcoming G20 summit in Biarritz. The cops also claimed that their assumptions regarding “involvement” and “international contacts” had been confirmed—an alleged trip to a part of France far away

from Biarritz was sufficient for this. The cops also used the narrative of international participation in the Black Block at the Elbchaussee during the G20 summit.

And so, person 1 was finally also surveilled on July 7, 2019.

A summer night in July

The surveillance on 07.07.2019 began, according to the police report, in the early evening hours in front of the apartment of the persons 1 and 2. At 7:02 p.m., both were observed entering their apartment. The reason for the fact that the surveillance took place at this time was the upcoming anniversary of the G20 summit and the actions the police anticipated against.

We assume that in this context there were far more surveillance operations in the city and pretty much everything from cops, LKA etc. was mobilized. Driven by their disgrace from the militant campaign against the G20 meeting the years before, they still wanted to catch some leads.

At 9:26 p.m., Person 1 leaves the apartment with a bicycle and from then on is followed by bicycles and presumably passenger cars. At 9:39 p.m., person 1 enters a gas station, fills up gasoline in a canister and pays.

The very next morning, the cops ask the person in charge of the gas station to give them the video recordings of the cameras in the outside area as well as in the store. Although some of the 14 video cameras were not in operation, it must always be taken into account that recordings are made and stored. Due to the wide angle of the cameras, wearing a baseball cap does not provide sufficient protection.

After the stop at the gas station, Person 1 is escorted further to an allotment garden, where the cops lose sight of him from 9:47 p.m. to 10:48 p.m.. The cops apparently wait out the hour and resume pursuit as Person 1 exits the allotment through the same entrance. The cops watch Person 1 dispose of a trash bag in a trash can, which later turns up as evidence in the files, is tested for DNA, and so on. They then accompany Person 1 to his apartment, which he enters at 11:04 pm.