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Press release

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Secret police networks must be relentlessly exposed

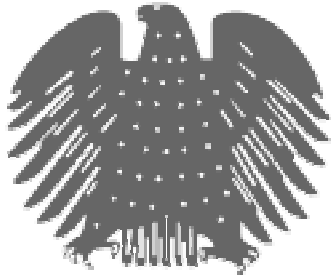
“When police forces and intelligence services engage in international cooperation, parliamentary oversight is the loser. The increasing significance of undercover police networks is making this situation far more critical.” These comments were made by Bundestag Member Andrej Hunko in response to the Federal Government’s answer, which is now available in English, to his Minor Interpellation.

The purpose of the interpellation, a written parliamentary question, was to heighten awareness of the following little-known police structures:

- the Cross-Border Surveillance Working Group (CSW), comprising mobile task forces on surveillance techniques, drawn from 12 EU Member States and Europol;
- Europol’s analysis work file entitled *Dolphin*, which entails the surveillance of left-wing activists in areas such as animal rights and anarchism;
- the Remote Forensic Software User Group, which was created by the *Bundeskriminalamt*, the German Federal Criminal Police Office, to promote sales of German Trojan software abroad.
- the European Cooperation Group on Undercover Activities (ECG), comprising spy chiefs from Member States of the EU and from countries such as Russia, Switzerland, Turkey and Ukraine;
- the International Working Group on Undercover Policing (IWG), comprising spy chiefs from European countries as well as from countries such as the United States, Israel, New Zealand and Australia;

Mr Hunko went on to say:

“One of the main parts of the interpellation focused on the undercover activity of British police officer Mark Kennedy, whose infiltration of European leftist movements exemplifies police cooperation conducted beyond the bounds of parliamentary oversight. It remains unclear under whose orders the undercover investigator was operating during the years of his activity.”



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Kennedy used his infiltration of the Icelandic environmental movement to worm his way into leftist circles from Finland to Portugal through the information events he staged. The Icelandic police are stubbornly rejecting requests from the Minister of Justice to release full details of his activity into the public domain, claiming that disclosure would prejudice British security interests. Even though Members of the Icelandic Parliament have a right to ask questions on police matters, they are not being given any information.

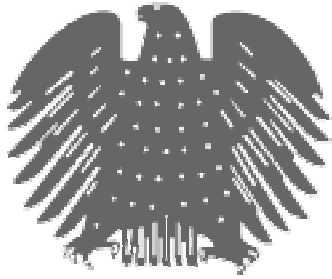
The exposure of the British police officer, by contrast, has been the focus of deliberations in the European Cooperation Group on Undercover Activities (ECG), of which Iceland is not a member. The Federal Government has not revealed the substance of German and British contributions to this discussion. The remit of the ECG, which meets behind closed doors, includes the creation of false identities and the examination of legal frameworks in the countries that send and host undercover agents.

Foreign police officers must obtain authorisation before entering the territory of a sovereign state. They must not commit any criminal offences during their stay. Kennedy, however, sought to impress activists in Berlin by setting fire to a refuse container. Arrested by the police, he even concealed his true identity from the public prosecutor. This is illegal, as the Federal Government has indicated now.

Last year, Germany, together with Britain, urged the European Commission to exempt cross-border undercover activities from a planned new directive establishing a European Investigation Order. This would also make parliamentary oversight of such activities even more difficult.

The necessity of this parliamentary oversight is illustrated by the government use of software to hack into personal computers. In 2008, the German Federal Criminal Police Office established a cross-border Remote Forensic Software User Group with a view to helping police forces in other countries to introduce German spyware.

The Federal Criminal Police Office has also sent delegations to Canada, Israel, the United States and other countries to discuss Trojan programs with police forces and intelligence services. Although the German supreme court had imposed rigid limits in 2007 on the widespread practice of searching entire computer systems, representatives of the Criminal Police Office travelled to the United Kingdom and other destinations to 'share experience' on that practice.



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Even in the national context it is difficult to detect illegal practices on the part of police forces and intelligence services. Securing judicial convictions for criminal offences is even harder. How much more, then, must the increasingly cross-border nature of police cooperation muddy these waters.

This is why the activity of undercover police networks must be relentlessly exposed. This applies especially to cooperation with the private business sector, which became just as blatant in the case of spyware as it had been in the criminalisation of animal-rights activism, to the benefit of British companies such as Gamma International, GlaxoSmithKline and AstraZeneca.

I call on the UK Government to disclose all information regarding the activity of Mark Kennedy in Germany and to inform all interested parties retrospectively of his activity. This is the only way in which key questions can be answered, such as whether he had sexual relations on false pretences with targets or contacts in Germany, as he did in the UK.

I must assume in any case that the use of British undercover agents to infiltrate left-wing movements was unlawful, because no police officer is allowed to spend years investigating activists in the absence of any specific grounds for suspicion or any other defined investigative objective."

Download the answer to the parliamentary question concerning secretly operating international networks of police forces (in English): http://www.andrej-hunko.de/start/download/doc_download/236-concerning-secretly-operating-international-networks-of-police-forces

Download the answer in German (*International im Verborgenen agierende Netzwerke von Polizeien*): <http://dipbt.bundestag.de/dip21/td/17/098/1709844.pdf>