

The following text is intended to give some background to the ongoing 129 trial [for criminal association] in Munich and to provide information about recent developments as well as to provide a general assessment of the whole situation.



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.

Latest developments and context concerning the 129 trial in Munich or: The persecution of anarchists and cigarette butts in the Bavarian-Christian kingdom

zlebigen, aber realen Lebens, auf dem Altar der
in Abstraktionen. Was ich predige ist also Revolte
Lebens gegen die Herrschaft der Wissenschaft.

#085

München
13. September 2021

Zündlumpen

Anarchistische »Ressourcenverschwendung und Umweltbelastung«

Latest developments and context concerning the 129 trial in Munich or: The persecution of anarchists and cigarette butts in the Bavarian-Christian kingdom

Original text in German

Neueste Entwicklungen und Hintergründe rund um das 129er Verfahren in München oder: Die Verfolgung von Anarchist*innen und Kippenstummeln im bajuwarisch-christlichen Königreich

2022

de.indymedia.org/node/234473

French translation

Derniers développements et contexte autour de la procédure §129 à Munich ou: Les poursuites contre des anarchistes et des mégots au royaume chrétien de Bavière

sansnom.noblogs.org/archives/14117

Translation and layout

No Trace Project

notrace.how/resources/#bavarian-christian

cannot establish an actual link between any of the now four accused persons and Zündlumpen, let alone the writing of articles. Main accusation: the accused are anarchists and allegedly know each other. The investigation direction, which the state pursues, is to construct any circumstantial evidence with hits of DNA traces! They try to find DNA traces of anarchists on printers or single issues of the Zündlumpen or only somewhere in a print shop and then present this as if they are part of the editorial staff of the Zündlumpen. This absurd construction is enough for the public prosecutor's office and the judiciary to wave through any repressive measure and any search and seizure. This investigative tactic has relevance for the entire Federal Republic: if the cops, judges and prosecutors working here succeed in making the mere accusation that a DNA trace found on a newspaper, a printing device or any object in a print shop is supposed to correspond to the fact that you allegedly printed, distributed or even who wrote the articles, then the possession of any anarchist newspaper is a potential crime. Fahrenheit 451 sends its regards!

The push to substantiate the publishing of a newspaper with DNA traces (like on cigarette butts in a print shop) is a repressive maneuver that concerns us all! The Bavarian state wants to suppress not only the existence of anarchist spaces and publications, but also the mere possession, reading and printing of anarchist newspapers.

These latest repressive advances in Munich concern all subversives, rebels, anarchists, anti-authoritarians and wild hearts. Because if it is a crime to read anarchist newspapers, then none of us are innocent!

Freedom for the printing machines and all prisoners worldwide!

Solidarity and greetings to all others affected by 129 proceedings!

Some anarchist bookworms from Bavaria

dozens and dozens of samples from printers and machines... and finally found a known DNA trace!

This DNA trace could supposedly be attributed to "Person 4", while at the same time ruling out that any other DNA trace was from Person 4. So person 4 is said to have smoked a cigarette in the print shop... and voilà, person 4 is now also part of the criminal organization. Because person 4 is also said to be an anarchist and known to the police. The ridiculous accusation of smoking a cigarette in a print shop was enough for a judge to grant a search warrant, which has not yet been enforced... [it was put into practice a few days after this text was published] and which again says that all anarchist printed matter, personal documents, printers etc. should be confiscated. Interesting: the cops always want to confiscate the WLAN routers in order to evaluate the MAC addresses stored in them.

The absurdity of it all

The police obviously have an enormous political motivation to break up spaces that are frequented and used by anarchists, which was also shown by their harassment and intimidation of the landlord of the anarchist library Frevel, who subsequently terminated the library's lease. The interaction of the Ministry of the Interior, the Secret Service for the Interior, the State Security cops, and the Bavarian Federal Police (LKA) has the effect that it is sufficient to be an anarchist, to be counted among a group of people, and to supposedly know people in order to be accused of a criminal organization. The Bavarian state is not afraid to create the image of a dictatorship when its henchmen confiscate any anarchist publication and printing equipment, nor to intimidate landlords in a Mafia-like manner and threaten to search their houses if they do not hand over rental contracts. The state is obviously concerned with stifling the presence of anarchist ideas, spaces, relationships, and practices. The legal aspect of this attempt is significant: the police

The following text is intended to give some background to the ongoing 129 trial [for criminal association] in Munich and to provide information about recent developments as well as to provide a general assessment of the whole situation. The proceedings became known on 26.04.22, when coordinated house searches took place in four apartments, the anarchist library Frevel and a print shop.¹

Before we explain what we know about the chronological course that the investigations took, we'll repeat the charges: the 129 criminal association case, including the 15 criminal offenses we are charged with (either calling for criminal acts, approving criminal acts, threatening, or both), relates to the accusation of having edited, written, printed, and distributed the anarchist newspaper *Zündlumpen*, published from May 2019 to September 2021. In short, the accused are alleged to be the *Zündlumpen* editorial staff, which in turn is alleged to be a criminal organization.

¹<https://de.indymedia.org/node/188585>

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lumpen also does. He is also said to be an anarchist and known to the police.

“Person 3” is accused of speaking French, which is supposed to suggest that she made translations from French for Zündlumpen. In addition, Person 3 is said to have been filmed once inside a church by a surveillance camera leaving a single copy of a Zündlumpen. She also allegedly ordered things from her bank account that could be used for printing things, among other things.

This construction allowed police, the public prosecutor's office and judges to finally initiate surveillance and other monitoring measures as well as to execute house searches in April 2022 that had already been planned for two months. The BfV was also given general authority for comprehensive surveillance measures over this period and beyond. During the house searches, all rooms were always searched, since it was claimed that anarchists would live everywhere, as they would be ready for violence and also would share property among themselves. The fact that some people seemed to live in the apartments who were not previously listed as roommates did not stop them from confiscating laptops, USB sticks, personal letters, etc. from them and taking handwriting samples. There was also a search warrant for the alleged partner of one of the residents, which was not executed.

A cigarette butt—voilà!

After the cops had raced away from the private apartments with dozens of boxes of stuff and all kinds of newspapers, brochures (in short, with all paper that appeared anarchistic) and had taken everything in the print shop that wasn't a chair or a trash can (i.e. tens of thousands of sheets of blank paper, all the machines, thousands of newspapers and books), they set about analyzing all the objects from the print shop for DNA traces, as if it had been a clandestine bomb laboratory. They took

often), the State Security cops now investigated three people for the formation of a criminal organization. The BfV provided some background information on the three defendants and put forward the theses that they are all anarchists and that they are all supposed to have connections to the library Frevel (which anyway is a very dangerous and criminal place). In addition, it becomes apparent that the BfV has constructed a fixed milieu of the Library Frevel, which was also the focus of surveillance measures. In this context, the BfV also mentions a number of unsolved crimes and arsons committed in Munich.

But what do the cops accuse the respective defendants of, or how did they come to be targeted?

“Person 1” of the investigation is accused of having rented a room in which Zündlumpen is supposed to have been produced (a so-called investigative hypothesis, i.e.: a mere assumption without circumstantial evidence). In addition, person 1 is said to be known to the police, to be an anarchist and to know other anarchists. The police found out about the existence of this print space through a coincidental phone call, after which a police patrol drove by the location because of a noise complaint... and other police officers are said to have found out through a control on the street that anarchist things are printed there a few days later. In addition, another cop is said to have seen Person 1 coincidentally once in the context of unrelated snooping around in the building in question, recognized him, and then inquired about the tenant to the landlord.

“Person 2” is accused of having studied computer science, which is said to be an indication that he has the professional skills to run a Noblogs blog, which presented the LKA's computer scientists with insurmountable hurdles to de-anonymization. In addition, person 2 is said to have pasted posters twice which are said to have been about similar things as the contents of Zündlumpen (e.g. IAA). In addition, person 2 occasionally writes stupid sayings and exclamations against police officers in the “subjects” of their bank account transfers, which Zünd-

How did it all begin?

Zündlumpen was given the immeasurable honor of having its first accusation assigned to it by the Bavarian-Christian viceroy, Dr. Joachim Hermann himself. To explain: since the beginning of time, the disciplined CSU [governing conservative Bavarian party] man Joachim has been commander-in-chief of his equally disciplined executive authorities, for Joachim is Bavarian Minister of the Interior. Joachim watches over the Bavarian police, not known for their leniency, as well as the Bavarian borders and the Bavarian constitutional protection. With Joachim it is clear that when it comes to borders, he wants them closed, when it comes to refugees, he doesn't want them, when it comes to police officers, he wants tens of thousands of new ones, when it comes to “security”, Joachim wants to invest billions of euros, when Joachim talks about a black person, he calls him “a wonderful negro” and when it comes to left-wing extremism, Joachim sees a “growing danger” year after year when he presents the secret service report. So it was Joachim himself, the majestic highness of the green armada, who suddenly felt threatened by Zündlumpen. When Zündlumpen, making reference to some statements made by Joachim about dangerous Zündlumpen, basically wrote that one would indeed stand historically and purely theoretically on the side of the murderers of kings etc., Joachim Hermann personally made an accusation for “threat”.

Everyone knows that the repressive authorities in Bavaria are annoying and old-school, even Dr. Joachim's rapping son Jakob aka Jaggy Jackpot: “Lots of jobs, lots of cops, that's Bavaria, bro. / That means I hold the weed by my balls, bro.” So Zündlumpen is guilty of lese-majesty, this time in the form of threat—the start of a large-scale investigation whose political motivation could not be clearer or more symbolic given this prelude.

First investigations

After this first report, however, Zündlumpen continued to diligently collect accusations. The most recent was after March 2020, when everything was revolving around Covid, when Zündlumpen recommended that it would be best to spit on police officers in the event of a Covid infection. A tremor went through the social media networks of the cops. In Erfurt, Lüneburg and Cologne, accusations of incitement to commit a crime were filed, and the respective public prosecutors' offices forwarded them to Munich. At about the same time, posters appeared in Munich whose originals had appeared in Zündlumpen, and the fact that these were put up did not escape the attention of the police either. Some obedient citizens also occasionally got hold of Zündlumpen in their hands or mailboxes, which provoked them to such an extent that they immediately called the cops. As time went by, the reports concerning Zündlumpen piled up on the desk of the criminal police officers for left-wing extremism (State Protection).

The first steps of the investigation were as follows: trying to identify the IP address of author of the Zündlumpen blog on noblogs. No results. Then the LKA tried to analyze the printed image of the captured Zündlumpen issues: these were apparently printed with an inkjet printer. Then the recovered Zündlumpen issues were analyzed for DNA, which again yielded no results.

A further step was then to file a complaint against Zündlumpen for instructing people to commit crimes, since in a subsequent issue (during the curfew at the time) it explained how to switch off street lamps. This explanation was then linked by the Munich State Security to a number of cables that were cut in Internet and telephone boxes in Munich. Since power cables were cut, which lay open afterwards, an investigation was opened for “sabotage endangering the state”. For these boxes sabotaged on 31.12.2021 which interrupted Internet and

telephone lines, the police investigated a little bit and came up empty handed. Apparently, the cops could not take any traces from the boxes, because in view of the open lines, a Telecom employee always had to come first to repair the box. The investigative strategies used by the cops did not provide any evidence, such as inquiries at supra-regional police stations as to whether something similar had happened before, as well as the posting of calls for witnesses or the analysis of possible routes of the perpetrators. The State Security was in active contact with Telecom Security regarding this matter and wanted to suggest whether it would be possible to introduce an alarm system in the event of disturbances, which would immediately inform the police. However, Telecom Security rejected this idea because they thought that there would be too many disturbances.

Thus, at that time, several accusations and investigations were already being conducted against Zündlumpen, all of which did not lead to any results. The discontinuation of the investigation was considered... but then the Office for the Protection of the Constitution (BfV) [Germany's federal domestic intelligence agency] intervened...

Tada!

...and then the investigations “suddenly” proceeded against three accused, which the police conjured out of the hat after an intermezzo with the BfV. It is not surprising that this passing on of information obviously took place in a very “unregulated” and “non-transparent” manner (the fact that the BfV in particular works in a relatively “non-transparent” manner is no longer a secret, at least since the National Socialist Underground scandal). Incidentally, three people are the minimum number needed to legally constitute a criminal organization. While the BfV provided some analyses of Zündlumpen's ideology (insurrectionary anarchism), radicalism and proximity to violence as well as language (the word for cop, “Bulle”, is used so and so