

## ARBITRARY ACT BY THE POLICE IN DRESDEN COURT RULING: SEARCHING OF LEFT PARTY OFFICES WAS UNLAWFUL

*Police authorities of Dresden, Germany, exceeded their authority and used disproportional force when searching the head office of the Left Party and arresting some of its party members. The Local District Court of Dresden later found the police action to be unlawful. The Left Party in Germany is a party with members elected to the German national parliament as well as to parliaments on the single state level and to many local governments. However, in some states the party is under the surveillance of the Federal Office for the Protection of the Constitution: the intelligence bureau is investigating the conformity of some of the party members with the German constitution. The author portrays in this article the Left Party's perspective on the incident in Dresden.*



**Max Kretschmar**  
1967 (Dresden/Germany),  
study of Communication  
Science, Philosophy, and  
New History, Master of Arts,  
Technische Universität Dres-  
den, Germany. He is currently  
working as PR-consultant for  
the parliamentary group "Die  
Linke" in the city council of  
Dresden.

On February 19th 2011 a masked and armed special force team of the Saxon State Investigation Bureau (LKA) raided the "Meeting House", head office of the Left Party in Dresden. Many doors were cut, kicked down or otherwise forcibly opened. The whole house was searched including the offices of the Left Party as well as a lawyer's office. The raid caused damages of more than 5.600 Euros. 20 people were taken into preventive custody including two absolutely respectable members of the Left Party, Bernd T. and Dr. Frank U., who volunteered for hotline and office services in the party's office. They were treated as if they were criminals. The police recorded all their personal data and held them in a prison cell for the whole night. Both the Left Party and the two party members did not accept the treatment and called attorney André Schollbach, who represented their legal interests

in court. At the Local Trial Court he successfully requested that both the searching and the police identification procedure were judged unlawful. The Local District Court in Dresden filed the following resolution on the matter (document number: 270 Gs 662/11): "The searching of the offices of the Left Party, 1st Floor, Großenhainer Str. 93, 01127 Dresden, on 19/02/2011 was legally wrong. [...] Thus it is clear that the search warrant and the recording of the applicant on 19/02/2011 were unlawful."

Furthermore the Trial Court Dresden stated the order that the searching of the office of attorney Thomas Grundmann was illegal, too. Dr. Martin Abend, president of the Saxon law society, commented on this: "Unfortunately only afterwards, but still: with this decision, the Public Prosecution Office and the investigators were brought back in line. The prosecution as well as the police caused harm to the constitutional democracy."

Rico Gebhardt, chairman of the Left Party in Saxony commented on the proceeding of the prosecution office in Dresden: "Anyone who politically misuses the authority of the state in order to pounce on offices of the biggest opposition party, as happened in the evening of February 19th, forfeits his respect."

Lawyer Andre Schollbach explained: „The Saxon judicial authorities were clearly acting beyond their competences by raiding the 'Meeting house'. We would appreciate if the judicial authorities were to take this ruling as an opportunity to pay more and adequate attention to constitutional laws in the future." ■



© Maximilian Kretschmar | Under police surveillance:  
exercising the right to demonstrate.



© Sascha Gläthe | After the peaceful resistance, the police raid the office of the Left Party in Dresden, February 2011.



© Max Kretzschmar | Mobilization against right-wing extremism.



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## NEWSTICKER +++

*Adora Daguia (53) is a member of a local farmer organisation in Don Carlos, Bukidnon. The Farmers apply for land-titles. She has nine children.*

*The following case shows how former landowners try to make people brittle and how they manage to destroy their livelihood.*

- + 1988 - move-in at Barangay Sinangguyan
- + 1988 - starts cultivation of a three hectares fallow field
- + 2003 - first dislocation of her house by members of another farmer organisation affiliated with the land owner
- + 2004 - multiple involuntary dislocations of Adora's house
- + 2005 - application for land-title; achieves one hectare
- + 2005 - again dislocations of the house; 100 armed security guards of the former land owner are around; the police does not react to this harassment
- + 2005 - her own land gets bulldozed by a third organisation; she cannot cultivate her land anymore
- + 2006 - big problems to feed her children
- + 2011 - again bulldozing of her land
- + 2011 - scared that her house will be moved again
- + 2011 - sum-up of financial loss: 100.000PHP
- + 2011 - very helpless situation, lost much money, does not feel save anywhere

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