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COUNCIL OF MINISTERS
OF THE GERMAN DEMOCRATIC REPUBLIC
Ministry for State Security
The Minister

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Directive No. 1/76

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OF THE GERMAN DEMOCRATIC REPUBLIC
Ministry for State Security
The Minister

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Directive No. 1/76

on the Development and Handling

Operational Cases (OV)

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The further shaping of the developed socialist society in the GDR, the all-round strengthening of the community of socialist states, the further implementation of the principles of peaceful coexistence and the struggle for the preservation and safeguarding of peace are taking place in a hard class confrontation with imperialism.

The reliable protection of social development and the all-round guaranteeing of the internal security of the GDR require of the Ministry for State Security the purposeful, concentrated and focused preventive prevention, uncovering and combating of all subversive attacks of the enemy.

An important prerequisite for the successful accomplishment of this main task is the continuous improvement of the development and handling of Operational Cases on the basis of focus-oriented political-operational groundwork to guarantee security and order in the respective area of responsibility.

Through the purposeful development and handling of Operational Cases, the effectiveness of hostile-negative forces is above all to be prevented preventively, the occurrence of possible damage, dangers or other serious consequences of hostile-negative acts is to be averted, and an essential contribution is thereby to be made to the continuous implementation of the policy of the Party and State leadership.

The heads of the operational service units are to concentrate their command and management activity on the development and handling of Operational Cases and to ensure that the operational forces and means, in particular the IM and GMS, are deployed and developed in a concentrated manner to accomplish these tasks. The heads at all levels of command are to use every opportunity for the targeted political-ideological education of the operational officers and for their Chekist qualification for a qualified development and handling of Operational Cases.

The tasks laid down in this Directive are to be accomplished in close connection with the implementation of the political-operational tasks laid down in other basic documents, such as Directives No. 1/68, 2/68, 1/70 and 1/71, and in the other official regulations.

In the command and management activity aimed at improving the development and handling of Operational Cases, in the preparation and conduct of all political-operational measures directed to this end, and in the keeping of case files, the provisions on guaranteeing conspiracy and secrecy are to be enforced consistently.

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1. The purposeful development of Operational Cases

1.1. The systematic, focus-oriented compilation of initial materials for Operational Cases of high security-policy significance

To accomplish the tasks assigned to the MfS by the Party and State leadership, initial materials for Operational Cases are to be developed above all for the safeguarding of political-operational focal areas and for the handling of political-operational focal points. This includes, where indications of hostile-negative acts outside previously identified political-operational focal areas become known, likewise developing these purposefully into initial materials for Operational Cases or clarifying them in some other way. It is to be ensured that all indications of hostile-negative acts are recognized in good time and handled in a concentrated manner.

The heads are to ensure that initial materials for Operational Cases are developed above all where

— hostile attacks can give rise to the greatest dangers to the internal security of the GDR;

— according to our findings the enemy will, with a high degree of probability, attack and can cause significant damage;

— hostile-negative acts, influences and dangers, as well as other phenomena that disrupt and impede social development, are to be combated offensively;

— conditions and circumstances favouring the harming of the GDR, or the misuse, exploitation and drawing of GDR citizens into hostile activity, are to be eliminated preventively.

The systematic development of initial materials for Operational Cases requires the thorough and comprehensive political-operational penetration of the political-operational focal areas. It must meet the following requirements:

1. The comprehensive deepening of knowledge of the security-policy significance of the political-operational focal areas, in particular with regard to their significance for the fulfilment of the tasks set by the Party and State leadership, and of the hostile attacks directed against the political-operational focal areas, or hostile-negative acts that have occurred there, in the past.

2. The identification of those areas, processes, groups of persons and persons within the political-operational focal area which have a significant influence on the planned realization of the priority social tasks, about which operationally significant indications exist, and which for other reasons are at the centre of expected hostile attacks.

3. Ensuring a constant overview of all operational materials, person-check files, Operational Cases and other political-operational

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work results connected with the political-operational focal area, in particular the results of clarifying the question "Who is who?" in the political-operational focal area, and their exact analysis.

In the political-operational penetration of the political-operational focal areas, the deployment of the IM and GMS is to be concentrated on recognizing and bringing to light

— indications of hostile-negative acts;

— persons or groups of persons in the political-operational focal areas on whom the enemy concentrates and through whom he tries to carry out his plans, intentions and measures, and the enemy's possibilities (routes, connections, contacts) of influencing these groups of persons and becoming effective;

— conditions and circumstances favouring the commission and concealment of hostile-negative acts;

— imperialist secret services and other hostile centres, organizations and forces that become active against the political-operational focal area;

— areas, processes, groups of persons and persons in the political-operational focal area that are of particular importance for guaranteeing security and order and for fulfilling the priority social tasks;

— indications of operationally significant incidents, dangers and matters, and of persons connected with them.

On the basis of the information thus obtained, the heads of the operational service units are to specify concretely to their subordinate heads and operational officers

— which areas, processes, groups of persons and persons having a significant influence on the fulfilment of the priority social tasks within the political-operational focal area are to be safeguarded on a long-term and continuous basis through the concentrated deployment of the operational forces and means;

— where and when initial materials are to be developed as a priority, and on which persons or matters, to ward off hostile-negative acts;

— where and when, if there are indications of the planning, preparation and commission of terrorist or diversion crimes, of anti-state trafficking in human beings, of unlawful departure from the GDR, of violent crimes or of serious military offences, immediate measures must be initiated to prevent them in good time;

— on the basis of which already consolidated and verified initial materials an Operational Case is to be opened;

— where, when and how information is to be passed on to other state and economic management bodies, enterprises, combines and institutions and to social organizations and forces so that effective preventive measures can be initiated.

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The political-operational tasks and measures required for the development of Operational Cases are to be included in the work plans of the service units in accordance with Directive No. 1/70.

To create the prerequisites for developing initial materials for Operational Cases, a continuous analytical assessment (stock-taking), related to the political-operational focal areas, is to be made of the effectiveness of the operational forces and means, in particular of the IM and GMS. In doing so, the following are to be established as a priority:

— which IM and GMS are available for the purposeful development of initial materials for Operational Cases;

— with which assignments the IM and GMS have been deployed to date, what possibilities exist and what political-operational results have been achieved by the IM and GMS to date;

— what concrete level has been reached in the planned qualification of the IM and GMS for developing initial materials for Operational Cases.

On the basis of these assessments, the heads of the operational service units are to determine

— how the operational forces and means, in particular the IM and GMS, are to be deployed for the preventive prevention and uncovering of hostile-negative acts;

— which measures must be initiated for the further qualification and profiling of the IM and GMS;

— how existing gaps in the safeguarding of the political-operational focal areas are to be closed, in particular through the targeted recruitment of suitable IM and GMS;

— how existing possibilities for the development of Operational Cases are to be opened up.

These determinations are to be included in the work plans and the handling concepts for the political-operational focal areas, and are to contain the necessary responsibilities and deadlines.

1.2. The qualified deployment of IM and GMS for the development of initial materials for Operational Cases

1.2.1. The directions of deployment of IM and GMS for the development of initial materials for Operational Cases

The heads of the operational service units and the operational officers are, in accordance with their responsibility and on the basis of the results of the political-operational penetration of the political-operational focal areas, to determine, organize and supervise the further person-related and matter-related deployment of the IM and GMS.

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The deployment of the IM and GMS is to be oriented towards obtaining and documenting such information and evidence as contains indications of hostile-negative acts. At the same time, preventive and damage-averting measures are to be carried out.

General directions of deployment of the IM and GMS are:

1. Detection and clarification of indications of the manifestations and effects of political-ideological diversion, of hostile contact policy/contact activity and of hostile base activity

To detect and clarify political-ideological diversion, the following above all is to be established with the IM and GMS:

— which means and methods are applied;

— through which channels it becomes effective;

— who belongs to its bearers and disseminators;

— what demonstrable effects there are, in particular among the target groups;

— which favouring conditions and circumstances exist and how they can be overcome.

To detect and clarify hostile contact policy/contact activity, the following above all is to be established with the IM and GMS:

— how operationally significant contacts are established, maintained and expanded, and which persons are deployed for this purpose;

— which persons already have operationally significant contacts, or about whom there are indications of this;

— in which areas operationally significant contacts are concentrated;

— what effects have occurred;

— which imperialist secret services, other hostile centres, organizations and forces are developing particular activities, and which methods they are applying;

— which return connections are used for hostile contact activity;

— which contact activities emanate from privileged persons.

To detect and clarify hostile base activity, the following above all is to be established with the IM and GMS:

— which imperialist secret services, other hostile centres, organizations and forces are striving to create hostile bases (individual persons or groups);

— which means and methods they apply in doing so, and how the step-by-step approach is carried out;

— in which persons there is particular interest, and where there are signs that the hostile approach is having an effect;

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— what characteristics these persons display, such as a hostile-negative attitude towards the GDR; certain personality traits such as careerism, egoism, corruptibility; a professional position and qualification that offer possibilities of bringing about decisions to the detriment of the GDR; official or private connections with persons in corporations and other institutions in the various spheres of society of the FRG, of other non-socialist states and of West Berlin, and with persons in state institutions of these countries or in the Senate of West Berlin, who act as organizers of hostile base activity in the GDR.

To uncover the criminal activity of the imperialist secret services in its entire breadth, the IM and GMS are to be tasked and instructed in a targeted manner within the framework of this direction of deployment. The possibilities of the IM and GMS are, moreover, to be used in a targeted manner to produce assessments of changes in the enemy's approach, his aims and interests, and thus to complete the picture of the enemy.

2. Detection and clarification of indications of intended, prepared, attempted or already committed anti-state acts and related serious crimes of general criminality, and of other hostile-negative acts

In doing so, attention is to be paid to those hostile-negative acts that the enemy deliberately keeps below the threshold of criminal-law relevance.

With the IM and GMS, information and evidence are to be obtained from which indications emerge of the violation of specific elements of criminal offences, such as

— crimes of treason and offences of betraying secrets;

— anti-state trafficking in human beings, unlawful departure from the GDR;

— crimes of sabotage or diversion, abuse of trust, breach of fiduciary duty to the detriment of socialist property, bribery, offences against public safety;

— terrorist crimes, weapons offences, offences against life or health;

— anti-state agitation, anti-state group formation and other criminal associations of persons, serious offences against state and public order, such as in particular rowdyism and riotous assembly.

3. Detection and clarification of operationally significant incidents

The IM and GMS are to be deployed as a priority, in conjunction with forensic, operational-technical and other means and methods, for

— establishing the causes;

— establishing indications of hostile-negative acts;

— establishing the damage and effects that have occurred, and whether the internal security of the GDR has been endangered;

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— establishing the movements of persons and verifying operationally significant persons;

— searches for persons and objects;

— procuring evidence or comparison material;

— participation in expert commissions.

4. Detection and clarification of operationally significant violations of security, order and discipline

The IM and GMS are to be deployed as a priority for

— identifying the persons responsible;

— clarifying the personality of the persons responsible or of suspected persons, and their motives and aims.

5. Detection and clarification of indications of organizers and instigators of anti-state activity in the area of operations who become active against the area of responsibility

Task-related and case-related political-operational work in and into the area of operations is to be ensured with suitable IM.

Through a differentiated and targeted deployment of these IM, coordinated with the Main Administration for Reconnaissance or the main department responsible in each case — their constant, thorough verification being of particular importance — information is to be obtained as a priority on

— plans, intentions, measures, means and methods of the imperialist secret services and of other hostile centres, organizations and forces that are directed against the area of responsibility;

— persons deployed to realize the hostile plans and intentions of the imperialist secret services and of other hostile centres, organizations and forces, and the possibilities (routes, connections, contacts, etc.) misused or used for this purpose;

— methods and conditions for concealing hostile activity.

On the basis of these general directions of deployment, and taking account of the concrete political-operational situation in the area of responsibility and of the possibilities and abilities of the IM and GMS, it is to be determined in which concrete directions of deployment the respective IM or GMS is to be deployed.

1.2.2. The intensification of the deployment of IM and GMS and the recruitment of IM

To develop promising initial materials for Operational Cases, the intensification of the deployment of the IM and GMS is to be concentrated on:

— the continuous identification, and the person-related and matter-related use, of all operational possibilities available to the IM and GMS, and the targeted creation of new operational possibilities;

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— the targeted political-operational qualification of the IM and GMS, and their person-related and matter-related tasking and instruction;

— the development and deployment of expert IM (Experten-IM) who can help establish the causes of complicated matters and clarify them further;

— enabling the IM, in particular, to

detect and recognize operationally significant indications and matters,

react independently and correctly in all political-operational situations,

apply and master qualified operational legends capable of further development,

detect and secure evidence,

intervene directly in person to prevent damage, dangers or other serious consequences of hostile-negative acts.

For IM who can be deployed to develop initial materials for Operational Cases, the concrete deployment and the basic political-operational tasks and measures necessary for its realization are to be laid down in the planning documents, in the handling concepts for the political-operational focal areas and in the annual assessments of the IM pursuant to Directive No. 1/68.

Proceeding from the results of the stock-taking, and in order to further improve the work against the enemy and to close the gaps identified, IM are to be recruited in particular who have favourable prerequisites

— to penetrate the enemy's conspiracy, to clarify hostile-negative and wavering persons or groups of persons, to win their confidence and to keep them under effective control;

— to uncover hostile-negative acts;

— to recognize complicated incidents, matters and processes, to assess them correctly in operational terms and to contribute effectively to their clarification.

The heads of the operational service units are to ensure that

— it is laid down concretely where, and for the accomplishment of which tasks, which IM are to be recruited;

— in searching for, selecting and recruiting, the operational officers concentrate on persons who meet the stipulated requirements;

— the possibilities of the service unit for the qualified recruitment of IM are used comprehensively and imaginatively;

— those methods of recruiting IM are applied that are necessary in the light of the results of the background clarification.

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1.3. The targeted deployment of further operational forces, means and methods for the development of initial materials for Operational Cases

For the purposeful development of initial materials for Operational Cases, all other operational forces, means and methods are to be deployed expediently and sensibly in accordance with political-operational requirements, in conjunction with the targeted deployment of the IM and GMS.

This concerns in particular:

— operational inquiries and observations to establish and verify indications of hostile-negative acts;

— operational search measures, above all in cross-border traffic;

— the possibilities of Departments M, Postal Customs Investigation and 26 for detecting and clarifying hostile-negative connections;

— operational-technical and forensic-technical means and methods;

— the information stores of Departments M and Postal Customs Investigation, of the service units of Line VI on cross-border traffic, and the information stores of other service units;

— the possibilities of Main Department IX or of Departments IX of the District Administrations/Administrations within the framework

of preliminary investigations,

of investigations of incidents,

of examination actions pursuant to § 95 (2) StPO [Code of Criminal Procedure],

of participation in operational case handling,

of the use of special possibilities of investigative work.

The deployment of these forces, means and methods for the development of initial materials for Operational Cases is to be combined expediently with the deployment of the IM and GMS, or is to create the prerequisites for the targeted deployment of the IM and GMS.

Furthermore, they are to be used to verify, complete and consolidate the information from the IM and GMS and to obtain evidence.

1.4. The continuous political-operational assessment, targeted verification and analytical processing of the information obtained

All information obtained as a result of deploying the IM and GMS and other operational forces, means and methods for the political-operational penetration of the area of responsibility is to be continuously assessed for its political-operational and legal significance, verified, and further consolidated through qualified analytical work, in particular comparison work. All indications obtained in investigations of incidents, operational inquiries, political-operational security checks on persons, operational observations and the conduct of operational actions are to be included in this.

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1.4.1. Tasks in conducting meetings

The political-operational assessment, verification, analysis and consolidation of the information available and still to be obtained requires:

1. evaluation of the political-operational and legal significance

At the meeting it is to be established whether the information obtained contains indications of hostile-negative acts or of other acts endangering the internal security of the GDR.

It is to be established in particular to what extent the information obtained contains indications of

— persons or groups of persons who carry on a hostile-negative activity, have a hostile-negative attitude, or on whom the enemy concentrates or could concentrate;

— imperialist secret services, other hostile centres, organizations and forces that are active primarily against the area of responsibility;

— persons in the political-operational focal areas who are of particular importance for guaranteeing security and order and for fulfilling the tasks, and the enemy's possibilities of influencing these groups of persons and becoming effective;

— conditions and circumstances favouring the commission and concealment of hostile-negative acts;

— persons who, using their possibilities, decisively endanger security and order through their acts, including the non-fulfilment of duties;

2. checking for completeness, and political-operational measures for completion

At the meeting, all possibilities of the IM and GMS are to be used to obtain information that is as complete as possible, or to obtain indications as to the political-operational measures by which it can later be completed. The in-depth and comprehensive debriefing of the IM and GMS, with particular attention to objective reporting, demands that the operational officer receive and process the information in a qualified manner. An important aid in this respect are the 8 W-questions (when, where, what, how, with what, why, who, whom);

3. verification of truthfulness and of possibilities of creating evidence

Through targeted questioning of the IM and GMS it is above all to be clarified

— how they came into possession of the information;

— what relationships exist between the IM and GMS and the persons or matters named in the information;

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— who else has knowledge of the subject of the information;

— who could be questioned;

— which possibilities of creating evidence could be used;

4. determination of further political-operational measures

On the basis of the assessment of the information obtained, it is to be decided — as far as necessary and possible — which further assignments and instructions are to be given to the IM and GMS, or which immediate measures are to be initiated, e.g. in the case of indications of unlawful departure from the GDR, of anti-state trafficking in human beings, of terrorist attacks and acts, and of significant states of danger.

1.4.2. Tasks of the operational officers and heads in evaluating meetings

In evaluating meetings it is to be checked and documented whether the assignment was carried out and which further political-operational measures are to be laid down, in particular for the tasking and instruction of the IM and GMS.

In doing so, the following are to be ensured:

— comparison of the information obtained and its further verification.

It is to be checked whether the information obtained corresponds to the assignment and to the information requirement, and whether information on the person/matter is already available.

It is to be ensured that for this purpose, above all, the VSH card index and the edge-punched card index of the service unit and, where necessary, the central information stores of the MfS and the information stores of the other state organs are used;

— initiation of the political-operational measures required to meet the obligation to report immediately in the case of operationally particularly significant information, in accordance with the official regulations and instructions in force;

— decision on the utilization of the information.

It is to be ensured that all operationally significant information is recorded and prepared in such a way that its storage and continuous consolidation are made possible;

— decision on the political-operational measures to be initiated.

It is to be determined how the indications contained in the information are to be clarified and which political-operational measures are necessary for this. This decision relates in particular to the deployment of the operational forces, means and methods, the initiation of the operational person check (OPK), the opening of Operational Cases, the initiation of preventive, damage-averting measures, and the preparation of information for leading Party and State functionaries.

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1.4.3. Tasks of the evaluators

The evaluators are to ensure:

— the continuous comparison of all newly obtained information with the information already stored in the service unit, in particular on elements of offences, connections and particulars of persons, with the aim of identifying initial materials for Operational Cases;

— the complete recording and storage of all information obtained on persons and matters;

— systematic analytical work with the stored information in accordance with current political-operational requirements;

— the transfer to the responsible head, with concrete proposals for further handling, of information obtained as a result of the analytical work that can form the basis for developing initial materials for Operational Cases;

— the keeping of an overview of the results of the further political-operational work on the development of initial materials, and the continuous informing of the head of the service unit about the status of handling reached.

1.5. The initiation and use of the operational person check for the development of initial materials for Operational Cases

The heads of the operational service units are to ensure that the OPK is used or applied purposefully for the development of initial materials for Operational Cases and is integrated into this process.

Proceeding from the analysis of the operationally significant leads concerning persons, and on the basis of exact check objectives, such political-operational measures are to be laid down and carried out as are aimed at substantiating the suspicion of an anti-state activity. Preventive and damage-averting measures are to be carried out already in the course of handling the OPK. To make consistent use of the possibilities of the OPK for the development of initial materials for Operational Cases, the heads and officers are to accomplish the following tasks:

1. The OPK is to be concentrated on operationally significant persons and groups of persons, primarily in the political-operational focal areas. To this end, the heads are to implement and specify the orientations on persons or groups of persons given in the official regulations and instructions in accordance with the concrete political-operational situation in the area of responsibility.

Exact specifications are to ensure that, with the aim of developing initial materials for Operational Cases, those persons are checked in whose case there are actually operationally significant leads pointing to hostile-negative acts.

2. The IM and GMS are to be deployed purposefully to clarify the operationally significant leads concerning persons.

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For the purposeful handling of the OPK and for clarifying the operationally significant leads, the IM are to be deployed offensively, primarily by way of establishing confidential relationships.

The IM and GMS are — proceeding from the concrete content and character of the operationally significant leads actually available — to obtain:

— information clarifying the acts and the behaviour of the persons in their work, residential and leisure spheres from which further leads to a possible hostile activity emerge, e.g.

  on concrete violations of law or of duty,

  on statements and reactions pointing to hostile-negative attitudes and aims,

  on the dissemination of revisionist and anti-socialist theories,

  on repeatedly turning up at military installations,

  on discernible interest in facts, objects or research results to be kept secret, or in the manner in which the border is secured;

— information clarifying the extent and content of operationally significant connections and contacts, in particular

  with persons from non-socialist states and West Berlin,

  with persons who maintain connections and contacts with non-socialist states and West Berlin,

  with privileged persons staying in the GDR,

  with operationally significant persons with whom connections and contacts were made during official or private trips abroad,

  with persons or groups of persons within the GDR who are hostile-negatively disposed;

— information on the development of the personality and of its political attitude, above all with regard to their significance and effect for the current or expected actions or behaviour of these persons, e.g. on

  the origins and development of the persons and their attitude to the socialist state and social order,

  their behaviour during political high points and in situations of tension,

  the contradictory conduct of the persons in their work, residential and leisure spheres, and its causes,

  their concrete attitude to the performance of assigned tasks and legal duties,

  the traits of character and will that can have a promoting or inhibiting influence on a decision to behave in a manner not in conformity with society, and

  their circle of acquaintances, above all with regard to its influence on the development of the personality and of its political attitude and on the person's modes of behaviour.

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The heads of the operational service units are — proceeding from the check objectives — to ensure constant control over the results of the OPK, and are responsible for ensuring that, when the relevant prerequisites are met, the necessary decisions to open Operational Cases are taken in good time.

1.6. The cooperation of the operational service units in the development of initial materials for Operational Cases

The Main Departments/independent Departments are to exert influence and contribute to ensuring that Operational Cases of high security-policy significance for the implementation of the policy of the Party and State leadership are developed. To this end, the cooperation of the operational service units of the MfS is to take place according to the following principles:

1. On the basis of my official regulations and instructions and those of my deputies, the heads of the Main Departments/independent Departments and the heads of the District Administrations/ Administrations are to specify, in particular in the plan orientations or plan targets,

— where current or prospective security needs are developing;

— where in the political-operational focal areas, or for the handling of which political-operational focal points, Operational Cases are to be developed;

— on which concrete hostile attacks, and on which means and methods of hostile activity, political-operational work is to be concentrated as a priority;

— where which operational forces and means are to be deployed and created as a priority;

— which operational methods are to be applied to develop Operational Cases of high security-policy significance.

2. In accordance with my Order No. 299/65, the Main Departments/ independent Departments are to prepare feedback information and, after appropriate confirmation, pass it to the District Administrations/ Administrations and
— where necessary — to other Main Departments/independent Departments.

This feedback information is to provide orientation in particular on

— new plans, intentions and measures of the imperialist secret services and other hostile centres, organizations and forces;

— new and expected directions of attack, and means and methods of hostile activity;

— new possibilities and points of approach used by the adversary to organize hostile activity;

— proven operational forces, means and methods for the development of initial materials for Operational Cases.

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3. The Main Departments/independent Departments are to concentrate their direct practical support to the District Administrations/ Administrations in the development of Operational Cases on:

— the determination and political-operational penetration of the political-operational focal areas and the determination of the political-operational focal points;

— the development and improvement of political-operational groundwork in the political-operational focal areas;

— the political-operational and criminal-law assessment of initial materials for Operational Cases of high security-policy significance;

— the coordination of political-operational measures, the deployment and creation of suitable operational forces and means, and the drawing up of joint concepts for the development of initial materials and for the handling of Operational Cases of high security-policy significance;

— the application of operational methods, in particular operational legends and combinations;

— the improvement of analytical and comparison work in the political-operational focal areas;

— the coordination of cooperation with central state organs and institutions, in particular with the organs of the MdI and the Customs Administration of the GDR.

4. These political-operational tasks and measures laid down for the Main Departments/independent Departments are to be implemented by the specialist departments of the District Administrations/ Administrations in accordance with the concrete situation in the area of responsibility, and realized in cooperation with the District/Object Service Units.

5. The obtaining of information on operationally significant persons and matters for the development of initial materials for Operational Cases is to be coordinated systematically between the operational service units in accordance with the concretely defined responsibilities and operational possibilities.

The information obtained is to be brought together at the responsible service units so that initial materials can be developed in good time. The arrangements for cooperation are — where necessary — to be laid down in coordination agreements. The heads of the Main Departments/ independent Departments and District Administrations/ Administrations are to ensure that the necessary managerial prerequisites for this exist and that all operational possibilities are used comprehensively.

6. Main Department IX or Departments IX of the District Administrations/Administrations are to be involved in the development of initial materials for Operational Cases, while fully preserving the responsibility of the operational service unit concerned, where legally complicated problems exist, in particular as a result of new forms of hostile activity.

Main Department IX or Departments IX of the District Administrations/Administrations are to give the operational service units differentiated

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guidance for the political-operational and criminal-law assessment of initial materials and for the opening and further handling of Operational Cases, above all for obtaining the necessary evidence.

7. The service units of Lines VI and VIII as well as Departments M, Postal Customs Investigation and 26 and the special radio services of the MfS are to use all existing possibilities purposefully and consistently, in accordance with their responsibility and with the specific information requirements set by other operational service units, for the development of initial materials for Operational Cases. The flow of information required for this is to be organized systematically between the above-mentioned service units and other operational service units.

8. The measures required to realize the cooperation of the operational service units of the MfS in the development of initial materials for Operational Cases are to be included in the relevant planning documents.

1.7. The use of the possibilities of the DVP and other organs of the MdI, as well as of other state and economic management bodies, enterprises, combines and institutions and of social organizations and forces, for the development of initial materials for Operational Cases

1.7.1. Use of the possibilities of the service branches of the DVP and the other organs of the MdI for the development of initial materials for Operational Cases

Observing the official regulations in force in the service branches of the DVP and in the other organs of the MdI, operational cooperation and mutual support are to be enforced according to the following principles:

1. The operational service units of the MfS responsible for counter-intelligence work in the DVP and in the other organs of the MdI, and the service units of Line IX, are to ensure that all information on hostile-negative acts is made accessible continuously and in good time to the responsible service units of the MfS. In accordance with political-operational necessities, suitable measures for further handling or clarification are to be initiated within the MfS and in operational cooperation with the DVP and the other organs of the MdI.

2. The operational service units of the MfS responsible for counter-intelligence work in the DVP and in the other organs of the MdI are to exert influence on the targeted deployment of the forces, means and methods of the DVP and the other organs of the MdI to detect indications of hostile-negative acts, in particular in the

— investigation of offences of general criminality;

— control of selected groups of persons;

— processing of applications for release from GDR citizenship, for resettlement in non-socialist states and West Berlin, and for marriage with persons from non-socialist states and West Berlin;

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— safeguarding of objects of importance to the national economy;

— safeguarding of firearms, essential parts of firearms, ammunition, explosives, poisons and radioactive materials;

— safeguarding of the border areas on the state border with the FRG and West Berlin;

— guaranteeing of security and order on and along the transit routes;

— handling of the application and approval procedure for exits and entries, and of the control of entries by persons from non-socialist states and West Berlin, of their stay in the GDR and of the contacts made in this connection.

3. In the investigation of incidents, in particular of anonymous and pseudonymous threats of violence, violent crimes, fires, accidents and disruptions, a coordinated procedure for obtaining initial materials for Operational Cases is to be ensured.

1.7.2. Use of the possibilities of other state and economic management bodies, enterprises, combines and institutions, and of social organizations and forces

To use the possibilities of other state and economic management bodies, enterprises, combines and institutions and of social organizations and forces for the development of initial materials for Operational Cases, effective mutual support is to take place between these and the responsible operational service units in accomplishing the specific tasks assigned to them.

This is to be ensured through

1. support for the heads or responsible functionaries of state and economic management bodies, enterprises, combines and institutions and of social organizations in guaranteeing security, order and discipline, developing the socialist consciousness of the working people and further raising mass vigilance. To this end, the operational service units, in accordance with my basic instructions on the information activity of the MfS towards leading Party and State functionaries and while preserving conspiracy and secrecy, are to transmit to them information on

— new or expected hostile attacks, and basic knowledge of the picture of the enemy, in accordance with political-operational requirements;

— influences and effects of political-ideological diversion, of hostile contact policy/contact activity and of hostile base activity;

— existing conditions and circumstances favouring the endangering of security and order;

— existing dangers and damage that has occurred;

— factors and phenomena impeding social development as a whole,

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observing the prescribed forms. This information must, among other things, be suitable for enabling the necessary measures to increase security, order and discipline to be initiated and carried out. In addition, targeted public-relations measures are to be carried out in accordance with the political-operational situation while preserving conspiracy and secrecy;

2. the continuous opening up and use, by the responsible operational service units, of the possibilities of the state and economic management bodies, enterprises, combines and institutions and of social organizations and forces for the development of initial materials for Operational Cases, in particular

— in procuring and securing information and evidence on operationally significant persons, incidents and matters;

— for the security-policy assessment of complicated processes and matters, in particular through the targeted involvement of expert and expert-opinion activity;

— to create evidence usable in criminal proceedings on the basis of unofficial information and evidence;

— to uncover, restrict and eliminate conditions and circumstances favouring offences, dangers and damage or the causes of damage; identification of the possibilities of hostile-negative forces (routes, connections, contacts) for carrying out hostile-negative acts;

— to achieve greater effectiveness in the deployment of the IM and GMS, in particular through the application of operational legends and combinations and of other operational means and methods;

3. the utilization and expansion of the specific possibilities of the security officers, officers on special assignment and IM in key positions for actively influencing the realization of cooperation in the development of initial materials for Operational Cases.

1.8. The political-operational and criminal-law assessment of initial materials and the prerequisites for opening Operational Cases

The political-operational and criminal-law assessment of initial materials is to create the prerequisites for well-founded decisions on opening Operational Cases, including the determination of the necessary measures. On the basis of the information and evidence obtained, the political-operational and criminal-law assessment must always proceed from the premise that the opening, handling and conclusion of Operational Cases is to make an offensive contribution to implementing the policy of the Party and Government in the class confrontation with imperialism, to achieve a high security-policy benefit, and to change the political-operational situation in the area of responsibility for the better. The political-operational and criminal-law assessment is therefore always to be carried out as a unity.

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1.8.1. Requirements for the political-operational and criminal-law assessment of initial materials for Operational Cases

1. To bring out their political-operational significance, initial materials are to be assessed according to the following questions:

— What aims are being pursued with the presumably hostile acts? In what way are security and order in the area of responsibility being endangered?

— What is the significance of the areas, processes, groups of persons and persons attacked for the development of the GDR and for socialist integration?

— Which plans, intentions and measures of the imperialist secret services and of other hostile centres, organizations and forces are discernible, and which new aspects become visible overall in this connection?

— Were the initial materials developed in the political-operational focal areas or for the handling of political-operational focal points, and what concrete relationships exist to these?

— Do the initial materials give rise to new political-operational focal points, or to the need to define identified political-operational focal points more precisely?

— How are the class-struggle situation and the concrete political-operational situation in the area of responsibility influenced by the presumably hostile acts?

— What position and what influence do the suspected persons have, and what possibilities do they have of causing damage and dangers?

— What connections and contacts do they maintain with operationally significant persons inside and outside the GDR?

— What means and methods of committing and concealing the offence are applied by the suspected persons?

2. With regard to criminal responsibility, initial materials are to be assessed according to the following questions:

— Through which acts of the suspected persons have which elements of offences possibly been violated?

— What information and evidence is available on the objective and subjective requirements of the elements of the offences violated? (What has already been proved, and what not yet?)

— What stage of development and what forms of participation are present?

— Can the person under investigation have committed the presumed offence?

— What grounds for the cancellation or exclusion of criminal liability may exist?

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3. For the further purposeful handling of the initial material, the following are to be examined:

— Which operational forces and means are available for further handling, which are needed, or which have to be created?

— With which other service units of the MfS and with which state and economic management bodies, enterprises, combines and institutions and social organizations and forces is cooperation or joint action to take place, and for what purpose?

— Which further sources and stores of information are to be used for further handling?

— Which immediate measures are necessary, in particular for securing evidence, preventing damage and changing the political-operational situation?

4. Main Department IX or Departments IX of the District Administrations/Administrations are to be involved where it is necessary from the outset to draw fully on the expertise or on the means and possibilities of investigative work, e.g.

— in the case of legally complicated problems;

— where it is necessary to carry out measures under criminal procedure and to involve the public prosecutor;

— in the case of specific problems of proof such as securing traces, arrangements for documentation, etc.;

— where from the outset complicated problems of withdrawing IM arise that will have to be continued in the investigation;

— where the matter contains information and evidence of planned or prepared violent crimes such as assassinations, hostage-taking, abductions or terrorist crimes;

— in the case of specific offences such as smuggling of persons in transit traffic;

— where diplomats or other privileged persons, or persons in important professional or social positions, are or may be involved in the commission of the offence.

1.8.2. Political-operational and criminal-law prerequisites for opening Operational Cases, and the decisions required of the heads

Operational Cases are to be opened if there is a suspicion that

> crimes under Chapter One or Chapter Two of the StGB [Criminal Code] — Special Part — or an offence of general criminality that has a high degree of danger to society and is closely related to crimes against the state, or for whose handling the MfS is responsible in accordance with my official regulations and instructions,

have been committed by one or more known or unknown persons.

Suspicion of one of the above-mentioned offences exists when, from verified unofficial or official information and evidence, it can be concluded with probability, on the basis of an objective, factual, critical and offence-related assessment, that one or more elements of offences have been violated.

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The existence of suspicion is to be derived from the totality of all verified information and evidence on the objective and subjective circumstances of the offence, including the personality of the perpetrator. All incriminating and exonerating indications are to be taken into account.

To bring out the suspicion of a violation of objective elements of an offence, verified information and evidence must as a rule be available in particular on those objective circumstances of the offence from which findings can be derived

— on the possible direction of attack, on the objects and areas, social relations, phenomena and processes attacked,

— on the manner of commission, on the means and methods used in committing and concealing the offence,

— on the consequences brought about or intended by the act, such as material and non-material damage or states of danger,

— on the causal connection between the act and the consequences brought about,

— on the place and time of commission of the offence, with particular regard to the class-struggle situation and the political-operational situation,

— on contacts and connections of the suspects with imperialist secret services and other hostile centres, organizations and forces, in particular in the case of crimes against the state.

To bring out the subjective elements of an offence, verified information and evidence must as a rule be available in particular from which it can be concluded that such subjective circumstances of the offence exist as:

— culpable action in the form of intent or negligence;

— culpable violation of legal duties;

— culpable bringing about of consequences;

— the motives underlying the offence and the aims pursued with the act;

— criminal responsibility of the suspect, or capacity for guilt in the case of suspected juveniles.

To bring out the suspicion, essential aspects of the personality of the suspects and of its development must as a rule have been clarified, such as in particular:

— a hostile or negative attitude towards the socialist state and social order;

— professional and social position and qualification;

— personality traits such as greed, talkativeness, careerism, etc., which can be points of contact for imperialist secret services and other hostile centres, organizations and forces;

— deviation from behaviour in conformity with society, or from generally customary social or individual modes of behaviour or habits;

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— connections, contacts and relationships with other persons inside and outside the GDR that can have a negative influence on the development of the personality and thus on the commission of the offence.

At the time of the decision to open an Operational Case, it is not necessary for verified information and evidence to be available on all objective and subjective circumstances of the offence. What is required is verified information and evidence from which offence-related findings on the suspicion that an offence has been committed can be obtained.

Particularly suitable information and evidence include, among other things,

qualified and verified IM, observation and inquiry reports; information from Departments M, PZF [Postal Customs Investigation] and 26 and from the special radio services; operationally significant documents that have been seized or copied, crime-scene reports or forensically secured traces or instruments of crime; statements of detainees, convicted prisoners and witnesses; records of questioning; expert assessments; indications, communications and reports from state and economic management bodies, enterprises, combines and institutions, social organizations and forces, and from citizens of the GDR and of other states.

In the political-operational and criminal-law assessment of the initial materials, and in the examination of the political-operational and criminal-law prerequisites for opening Operational Cases carried out in that process, the established knowledge and experience regarding the enemy's directions and objects of attack, plans, intentions and measures, and forces, means and methods, specific modes of commission — in particular those of camouflage and concealment — as well as information on the political-operational situation in the area of responsibility and on the personality of the suspects, are to be processed thoroughly and analytically and related to the facts contained in the initial material, so that a decision with a sound political-operational basis can be taken.

The decision to open Operational Cases is taken

in the Main Departments/independent Departments by the head/deputy,

in the District Administrations/Administrations by the head/Deputy for Operations.

For confirmation of the opening of an Operational Case, the following are to be submitted to the responsible head:

— the decision to open,

— the opening report,

— the first operational plan.

The opening report is to contain:

— the results of the political-operational and criminal-law assessment of the initial material,

— the substantiation of the political-operational and criminal-law prerequisites for opening,

— the aims to be achieved in the Operational Case.

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For the handling of persons of foreign nationality or of GDR citizens in special positions and functions, consent is to be obtained:

— in the case of privileged persons and the staff of foreign missions in the GDR, and of accredited correspondents, from the head of Main Department II,

— in the case of citizens of fraternal socialist states, from the security organs of those states, through Department X via the responsible main departments,

— in the case of GDR citizens in special positions or functions, such as deputies of the People's Chamber and of the district and county assemblies, nomenklatura cadres of the state apparatus, of the Party and of other social organizations, in accordance with the nomenklatura, from me, my responsible deputies, or the head of the District Administration/Administration or of the responsible main department.

Central Operational Cases (ZOV) and associated sub-cases (TV) are to be opened if

the areas, processes or persons attacked and the suspected persons belong to the area of responsibility of several Main Departments/ independent Departments or District Administrations/ Administrations, or of several service units of one Main Department/ independent Department or District Administration/Administration, and cooperation of these service units therefore becomes necessary, or if, owing to the scope and complexity of the hostile activity, the concentration of the operational forces and means of several service units is necessary.

Decisions on opening Central Operational Cases and sub-cases are taken by me or by my responsible deputies.

The opening of further sub-cases to already existing Central Operational Cases is to be decided in agreement between the head of the Main Department/independent Department or District Administration/ Administration conducting the Central Operational Case and the head of the Main Department/independent Department or District Administration/Administration in whose area of responsibility the sub-case is to be conducted.

The opening of Central Operational Cases and sub-cases that are to be conducted exclusively within the area of responsibility of one Main Department/independent Department or District Administration/ Administration is decided by its head.

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2. The purposeful handling and the conclusion of Operational Cases

2.1. The political-operational objectives of handling Operational Cases

The political-operational objectives of handling Operational Cases consist in:

— furnishing, through an offensive, concentrated and offence-related handling, the evidence necessary to prove the urgent suspicion of one or more crimes against the state or of an offence of general criminality;

— restricting or preventing as far as possible and in good time — beginning with and throughout the entire handling — the identified or expected effects harmful to society of the anti-state activity or other offences;

— establishing, proving and as far as possible restricting or eliminating, already during the handling, the conditions and circumstances that trigger or favour an anti-state activity or other offences;

— clarifying comprehensively and continuously the plans, intentions and measures of imperialist secret services and of other hostile centres, organizations and forces, and preventing their realization in good time and effectively through appropriately targeted political-operational measures.

It is to be ensured that these general political-operational objectives are realized in the Operational Cases. To this end, concrete, offence-related and realizable aims are to be laid down for each Operational Case in the opening report and in the operational plans.

2.2. Work with operational plans

The operational plan is the fundamental and binding document for the rational, effective and concentrated management and conduct of the handling of Operational Cases.

The operational plan is to be drawn up on the basis of the concrete political-operational and criminal-law assessment of the initial materials or Operational Cases and of the versions [hypotheses] formulated in that process.

The operational plans are to contain determinations on:

— the aims to be achieved in the Operational Case and the stage aims derived from them;

— the necessary information and evidence to be obtained, above all to prove the urgent suspicion, and the political-operational tasks and measures required to obtain them;

— the operational forces — in particular unofficial collaborators — and operational means to be deployed for this purpose under a legend;

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— the most expedient operational-tactical procedure and conduct of the operational forces in obtaining proof, whereby a well-coordinated and combined deployment of the operational forces, means and methods must be ensured in a manner that can be realized and controlled, and priority is to be given to such proven political-operational measures as the introduction of IM, the breaking out of IM candidates, and operational legends and combinations;

— political-operational measures for effectively restricting the hostile-negative acts, for eliminating favouring conditions and circumstances as far as possible, and for preventing damage;

— effective cooperation with other operational service units, or any necessary joint action with state and economic management bodies, enterprises, combines and institutions and with social organizations and forces;

— any necessary deployment of temporary working groups;

— the deadlines and responsibilities for the realization and control of the political-operational measures.

The heads are to ensure that every Operational Case is handled on the basis of an operational plan corresponding to the current status of handling. The operational officers are to be guided and supervised in drawing up operational plans.

The heads are to ensure the realization, in content and on schedule, of the political-operational measures laid down, the continuous political-operational and criminal-law evaluation of the information obtained, and the preparation of interim assessments (status reports) and of the political-operational tasks and measures arising from them.

When new findings on the hostile-negative acts emerge, or conditions in the handling of Operational Cases change, new operational plans are to be drawn up in good time or the existing ones are to be made more precise.

Operational plans are to be confirmed:

— in the Main Departments

by the heads of the departments or their deputies;

— in the independent Departments

by the heads of the sub-departments/sections or their deputies;

— in the District Administrations/Administrations

by the heads of the departments, District/Object Service Units or their deputies.

In the case of Operational Cases that are personally guided and supervised by a superior head, the operational plans are to be confirmed by that head.

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2.3. Work with IM

The main forces for the handling of Operational Cases are the IM, since they can penetrate the enemy's conspiracy most comprehensively, unmask it to a large extent, exert targeted influence on the suspected persons and obtain such information and evidence as ensures an offensive, offence-related handling of Operational Cases. The targeted deployment of the IM is to create the prerequisites for the effective use of the operational means and methods.

The continuous improvement of work with IM in accordance with Directive No. 1/68 is the decisive prerequisite for the successful handling of Operational Cases.

The possibilities of the GMS are to be used in a targeted manner, within the framework of the basic tasks laid down for them in Directive No. 1/68, to accomplish the tasks set out below for work with IM.

2.3.1. The directions of deployment of IM for a successful, qualified and offensive handling of Operational Cases

General directions of deployment are:

1. Obtaining information and evidence to prove the urgent suspicion of offences

The IM are to obtain information and evidence (incriminating and exonerating)

— on the objective elements of the offence, such as modes of behaviour, the manner in which the offence was committed, means and methods of preparation, commission and concealment, the place and time of the acts (scene of the offence, place of discovery, place where the consequences occurred), the harmful effects, the causality between act and consequences, and further offences planned or already prepared;

— on the subjective elements of the offence, such as culpable non-observance of legal duties, the attitudes and stances of the suspected persons towards their breaches of duty, motives for their acts, aims pursued, attitudes towards the harmful effects, and circumstances that could exclude or diminish culpable action;

— for the comprehensive clarification of the personality, in particular its political development, its attitude to the socialist state in the past and present, its conduct in public and in the work, residential and leisure spheres, its professional qualification and position, its connections with other persons inside and outside the GDR, habits of life and traits of character.

2. Assessment and expert evaluation of complicated matters by expert IM (Experten-IM), in particular for obtaining and evaluating evidence

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Expert IM (Experten-IM) are to be deployed for the examination, expert assessment and evaluation of operational information and materials, in particular with regard to their value as evidence. Where necessary, they may also be deployed in expert commissions. In particular, they are to obtain information and to establish and evaluate evidence that provides information on

— causes of incidents, the extent of the harmful effects, the causal connection between acts and consequences, the qualification of the suspected persons, the dangers brought about and harmful effects still to be expected;

— legal duties, their violation by the suspected persons, and the objective possibilities of complying with them.

3. Initiation and realization of damage-averting and preventive measures

The IM are to be deployed for the

— obtaining of information on existing conditions and circumstances favouring hostile-negative acts and on their exploitation by the enemy, and on damage and effects caused or to be expected from hostile-negative acts;

— direct prevention of hostile-negative acts, in particular those of great danger to society, such as terrorist acts and other violent crimes;

— preparation of concrete measures to restore or maintain security and order and to initiate damage-averting and preventive measures in accordance with their possibilities, while preserving conspiracy;

— political-operational control of the effectiveness of the measures initiated by the other security organs or by the state and economic management bodies, enterprises, combines, institutions, social organizations and forces concerned, for establishing the reaction of suspected persons and for securing possible evidence.

4. Clarification of imperialist secret services and other hostile centres, organizations and forces

Suitable IM are to be deployed to clarify identified or possible connections of the suspected persons with imperialist secret services and other hostile centres, organizations and forces.

These IM are to be deployed above all for

— proving the hostile activity — creating and securing unofficial and official means of evidence;

— the fullest possible identification and clarification of the imperialist secret services and other hostile centres, organizations and forces, of their plans, intentions, measures, means and methods, and of the persons drawn by them into the hostile activity or whose involvement is intended;

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— restricting and eliminating the hostile possibilities of exerting influence and the conditions and circumstances favouring them, in particular in political-operational focal areas.

5. Realization of other necessary political-operational measures for handling Operational Cases

The IM are to be deployed to accomplish the manifold tasks required for handling Operational Cases, such as for

— comprehensive control of the suspected persons in the spaces in which they move (work, residential and leisure spheres);

— creating the prerequisites for the introduction of IM or the breaking out of persons from hostile groups, and for operational legends and combinations;

— making possible the deployment of operational technology, of forensic-technical means and methods, of operational observation and of conspiratorial searches;

— preparing the deployment of expert commissions, and procuring written materials and other documents for evidentiary purposes from a wide variety of establishments and institutions.

On the basis of these general directions of deployment, the concrete directions of deployment of the respective IM for handling the Operational Case are to be laid down. In doing so, the specific conditions of deployment and the relationship between the IM and the suspected persons that is required to accomplish the political-operational tasks are to be taken into account.

2.3.2. Drawing up the requirement profile for the IM to be deployed in handling Operational Cases

For the successful handling of Operational Cases, high demands are to be made of the IM to be deployed.

The IM must

— hold such a professional or social position and possess such specific personality traits as are of interest to the persons under investigation;

— be capable of bringing themselves inconspicuously into the field of vision of the persons under investigation, establishing contact with them and gaining their confidence;

— be, as far as possible, the intellectual equals or superiors of the persons under investigation;

— accomplish the tasks assigned to them reliably and honestly, with initiative and perseverance;

— have sufficient and concrete knowledge of the picture of the enemy and of the essential requirements of the elements of the offences to be clarified,

— be familiar with the basic rules of conspiracy for combating the enemy, master qualified work with operational legends, and react correctly to verification measures by the enemy;

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— possess such powers of judgement and reaction that in certain situations they can take operationally correct and rapid decisions within the framework of their assignment and their line of conduct;

— be distinguished by courage, steadfastness, readiness for action, loyalty and firm ties to the MfS, so as to accomplish the tasks of combating the enemy successfully and to be armed against hostile-negative influences;

— possess specialist knowledge to the extent required — in accordance with the specific nature of the offence.

In accordance with these requirements, a realistic requirement profile is to be drawn up for every IM to be selected and deployed for handling an Operational Case. This is to be done taking into account the intended direction of deployment, the information and evidence to be procured, the specific nature of the offence, the relationship required with the suspected person, that person's personality, and the specific conditions of deployment.

The requirement profile is the basis for the selection of the IM or IM candidates and for their case-related political-ideological and political-operational education and qualification.

In selecting and deploying the IM, it is to be laid down which essential prerequisites they must absolutely possess, and which are to be instilled in them in the preparation for their deployment and in the course of cooperation to accomplish concrete tasks in the Operational Case.

Those IM are above all to be included in the shortlist who obtained the initial material, who already have contacts or points of contact with the suspected persons, and such IM as have already been deployed successfully outside their locality.

2.3.3. The introduction of IM into the handling of Operational Cases

The introduction of IM into the handling of Operational Cases is to be aimed at

bringing qualified, verified IM, suited to the political-operational tasks to be accomplished in the respective Operational Case, into contact with the suspected persons with the objective of gaining their confidence, in order to obtain in good time information and evidence on planned, prepared or committed hostile-negative acts and on the means and methods of the suspected persons and of those behind them, and to create the prerequisites for preventing or restricting the hostile-negative acts.

In introducing IM, the following principles are to be applied:

— The introduction of IM is to be carefully prepared already at the beginning of the handling of Operational Cases.

— The number of IM to be introduced into the handling of an Operational Case is always to be determined according to the concrete political-operational requirements and conditions for proving the hostile

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activity, the quality of the IM available, and in the interest of successful work and of guaranteeing conspiracy and secrecy.

— Contact is to be established and the relationships consolidated in such a way that the interests, in particular the anti-state interests, are appealed to so that the initiatives for maintaining and consolidating the relationships are taken by the suspected persons, and the introduced IM win their confidence through tactically clever, natural, credibly motivated conduct attuned to these persons.

— The introduction of the IM is to be regarded as successful only when concrete results towards realizing the objective of the Operational Cases have been obtained, such as information and evidence on

planned, prepared or already committed offences,

connections of the suspected persons with imperialist secret services and other hostile centres, organizations and forces in the area of operations,

hostile-negative attitudes, aims and motives underlying the operationally significant acts and omissions of the suspected persons.

In preparing and realizing the introduction of IM, the following above all are to be ensured:

— the careful selection of IM suitable for introduction who have prerequisites and abilities corresponding to the requirement profile drawn up, or in whom these can be created at short notice;

— the drawing up of operational legends capable of expansion and development that enable the IM to be introduced to influence the suspected persons offensively, and of the necessary lines of conduct and the operational combinations required for establishing and consolidating the contacts;

— the careful preparation of the selected IM, in particular attuning them to the personality and the ways of thinking and behaving of the suspected persons and to the concrete conditions of deployment, the learning of the operational legends and necessary lines of conduct, the imparting of necessary knowledge of the concrete picture of the enemy, the specific nature of the offence and the possible modes of commission, and preparation for verification by the suspected persons;

— the creation of the necessary prerequisites for the introduction of the IM, such as temporary release from professional or social tasks, the creation of suitable situations and opportunities for making contact, the procurement and covering of documents, materials and the like.

After concrete political-operational results have been achieved, efforts are to continue intensively to consolidate the confidence of the suspected persons in the introduced IM. Through the conduct of the IM and the application of suitable operational legends and combinations, facts are to be created vis-à-vis the suspected persons which they, in their own terms, regard as proofs of reliability and trustworthiness.

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In selecting the IM, in the process of introduction and in work on the Operational Case, the possibilities of their later withdrawal are to be borne in mind constantly and created systematically.

The heads of the operational service units are to guide and actively support the operational officers in selecting the IM to be introduced and in preparing and carrying out the political-operational measures required for their introduction.

2.3.4. Breaking persons out of hostile groups

Breaking out is to be aimed at

recruiting persons from hostile groups for unofficial collaboration, in order thereby to penetrate the conspiracy of the group and obtain information and evidence on planned, prepared or committed hostile acts and on the means and methods of their procedure, and to create points of contact and prerequisites for the necessary paralysing and restriction of the hostile acts or for the dissolution of the groups.

Breaking out, as an offensive method, is necessary, or is to be examined, in particular when

— owing to the suspicion that an offence of high danger to society has been committed, rapid clarification is absolutely necessary,

— there are no or only slight prospects of success for the introduction of IM;

— contradictions or differences exist, or can be created, between the suspects that offer favourable conditions for recruitment.

Breaking out is to be thoroughly prepared. This requires above all:

— the analysis of the Operational Case, in particular

of the group structure, such as the positions and activity of the individual group members, the intensity and extent of the mutual relationships of the group members, the efforts of suspects to withdraw from the group and their motives for doing so, and the character of the personal relationships,

of the extent and intensity of the offences and of the evidence available on them.

In doing so, taking all risk factors into account, those persons are to be identified who are objectively in a position to obtain the necessary information and evidence and in whose case there are favourable possibilities for conspiratorial contact, recruitment and unofficial collaboration;

— the further clarification and verification of persons who come into the shortlist for breaking out, in particular with regard to their suitability for unofficial collaboration. The emphasis here must be on

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basic ideological, moral and characterological attitudes that determine action, such as the attitude to socialist society, the attitude to the activity of the MfS, the attitude to the hostile activity, and the attitude to, or ties with, persons and groups of persons;

personality traits such as will, reliability, discipline, etc., which help to determine typical modes of reaction;

personality traits from which the effectiveness of the existing compromising material can be inferred, or which can be the basis and starting point for creating effective compromising material through operational combinations;

— the selection of the person to be broken out;

this is to take place as a result of the conscientious and expert analysis of the Operational Case and of the further targeted clarification and verification. That person is to be selected as candidate with whom the greatest political-operational effectiveness can be achieved, in accordance with the concrete objectives of the respective Operational Case and taking into account a justifiable risk, and who offers the appropriate prerequisites for collaboration with the MfS.

The political-operational measures required for making contact or for recruitment, and the operational-tactical procedure, are to be laid down in the proposal for breaking out.

This is to contain:

— the results achieved in the handling and the assessment of the political-operational situation in the Operational Case;

— the necessity and the objective of breaking out;

— the recruitment plan — place and time, manner of recruitment, use of compromising material, versions of the candidate's reactions and the corresponding decision variants of the MfS, verification measures during recruitment, targeted control measures immediately after recruitment, fall-back legends, first tasking and instruction, responsibility;

— the risk factors and the political-operational measures arising from them for the further handling of the Operational Case.

In the case of persons against whom offences can already be proved, or against whom the urgent suspicion of having committed offences is established in the course of questioning, the responsible investigation department is to be consulted before recruitment.

The proposal for breaking out is to be confirmed by the heads/deputies of the Main Departments/independent Departments or of the District Administrations/Administrations. The heads of the operational service units are to give particular support to the preparation and conduct of the breaking out.

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Once the proposal has been confirmed, the candidate may be brought in conspiratorially for questioning. This is to be conducted in such a way that, until the pledge is signed, the possibility of carrying out other political-operational measures, including criminal prosecution, remains open. The decisions required for this are to be obtained from the head authorized to confirm.

In accordance with political-operational requirements, it is also possible to carry out the recruitment under suitable operational legends which ensure that the candidate does not recognize the actual intentions and aims of the MfS. After the IM recruited under a legend has proved himself and been verified accordingly, the IM is to be deployed for handling the Operational Case.

After the breaking out has taken place, political-operational measures to verify the IM are to be stepped up. Hostile-negative attitudes are to be broken down systematically, purposefully and in an individually differentiated manner.

The principles of breaking out from hostile groups are to be applied analogously in recruiting persons who are not themselves hostilely active but who maintain direct close personal relationships with suspects, or persons from negative groupings.

For the effective handling of Operational Cases in which hostile groups are handled that carry out their hostile activity on behalf of secret services or other hostile centres, organizations and forces, re-recruitments [turning of agents] are to be carried out as far as possible. At the same time, this is to create, within the framework of the handling of Operational Cases, the prerequisites for the offensive handling of the imperialist secret services and other hostile centres, organizations and forces.

2.3.5. Basic questions of cooperation with the IM during their deployment for handling Operational Cases

Qualified cooperation with the IM, in particular concrete person-related and matter-related tasking, instruction, reporting and evaluation of the reports, must constantly be directed towards the offensive realization of the political-operational aims of the Operational Cases.

In tasking and instruction, the following principles are to be observed.

— The tasking of the deployed IM is to take place in particular on the basis of the concrete directions of deployment laid down for them.

— The deployed IM are to receive the information necessary for fulfilling their assignments while conspiracy and secrecy are guaranteed. In accordance with political-operational requirements, the aim of their deployment is to be concealed from the IM by a legend, in particular from IM whose reliability has not yet been fully proved.

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— For the fulfilment of their assignments, the IM are to receive lines of conduct that allow them, in the interest of achieving optimum results, to react relatively independently and appropriately to the situation. They are to be equipped with operational legends that make possible the targeted fulfilment of the assignments given and the necessary latitude for adapting to unforeseen situations or reactions of the suspected persons.

— The IM must know as precisely as possible the concrete conditions under which they are to carry out their assignments.

— The IM must be certain that the MfS is doing everything to guarantee their security and conspiracy.

— The assignments, lines of conduct and operational legends of the IM deployed in an Operational Case are to be carefully coordinated with one another, in order to achieve a high political-operational effectiveness of all IM, to make their verification possible, and to rule out the danger of the IM being deconspired [exposed] to the suspected persons or to one another.

— The assignments, lines of conduct and operational legends are to be so designed that the IM can be withdrawn at any time. Socialist legality is to be observed consistently. The IM must not act as provocateurs or incite offences. Apparent participation in offences of suspected persons may take place only to the extent that is unavoidable for realizing the aims of the handling. It requires thorough examination and the confirmation of the head of the service unit.

— A stable line of communication is to be guaranteed with the IM deployed in the Operational Case that corresponds to the specific requirements of handling the respective Operational Case and enables the IM to make immediate contact with the MfS.

Concrete, truthful reporting, covering all details significant for the handling of the Operational Case, is to be ensured on the carrying out of the assignments given to the IM and on the political-operational results achieved.

After the meetings, the further and thorough evaluation of the information obtained is to take place immediately.

In this, the following above all are to be brought out:

— Are there indications of hostile-negative acts that are subject to the obligation to report immediately or that require immediate measures to be initiated?

— What can possibly be used as evidence, or what indications are there of where and under what circumstances evidence could be secured?

— Which political-operational measures arise from the information of the IM for the further handling of the Operational Case, or for tasking and instruction?

— Are there signs of a breach of conspiracy and secrecy, and what consequences arise from this for the handling of the Operational Case?

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— Are there contradictions in the information of the IM with respect to persons, descriptions of persons, accounts of situations, successes or failures, results achieved, reactions of suspected or other persons, or contradictions with information already available, and what can be the causes of this?

2.4. Work with operational legends and operational combinations

2.4.1. Principles for drawing up and applying operational legends in handling Operational Cases

The aim of applying operational legends is the effective deployment of the IM and of other forces, means and methods for the offensive handling of Operational Cases, in particular

— penetrating the enemy's conspiracy by inducing suspected persons, through motives, reasons, explanations and statements supplied to them, to give away indications of their hostile-negative intentions, acts and connections;

— guaranteeing the conspiracy and secrecy of the aims, intentions and measures as well as the forces, means and methods of the MfS.

The heads of the operational service units are to ensure that creative work with operational legends for accomplishing the manifold political-operational tasks of handling Operational Cases in their area of responsibility is constantly and systematically improved.

In drawing up and applying operational legends, the following principles in particular are to be applied:

— The bases for drawing up operational legends are the concrete objective pursued with the application of the operational legends, the analysis of the Operational Case, and thorough knowledge of the personality of the target persons, including their particularities, peculiarities and habits.

— Operational legends must be suited to appealing to the interests of the target persons that determine their behaviour, so as thereby to have an effect on their behaviour.

— Operational legends must be built largely on natural and verifiable foundations, correspond to the usual habits of life, and be as uncomplicated and credible as possible.

— The effective application of operational legends presupposes thorough knowledge of the possibilities, abilities, qualities and political-operational experience of the IM or of the persons who are to work with the operational legends. They must suit their respective bearer and be capable of development and expansion. Before they are applied, they are to be discussed with the IM to be deployed and, on this basis, made more precise where necessary.

— The application of operational legends, the results achieved with them and any complications that arose are to be documented exactly.

— The schematic and repeated application of operational legends is to be avoided.

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2.4.2. Principles for drawing up and applying operational combinations in handling Operational Cases

The aim of applying operational combinations is the offensive, accelerated handling of Operational Cases, in particular

— acting on the suspected persons with complex, mutually conditioning and complementary, coordinated political-operational measures in order to induce them to react in ways that allow conclusions to be drawn about anti-state activity carried out or planned, and that make it possible to secure or document the corresponding evidence;

— the accelerated and effective accomplishment of other complicated political-operational tasks while preserving conspiracy regarding the aims, intentions and measures, forces, means and methods of the MfS.

The heads of the operational service units are to exert influence so that, through the targeted application of qualified operational combinations, a higher quality of handling of Operational Cases is achieved in their area of responsibility. They are to give the operational officers the necessary guidance and support in drawing up and carrying out operational combinations.

Operational combinations are to be applied in particular:

— in complicated recruitments, for bringing IM into contact with the persons under investigation; for introducing IM into the handling of Operational Cases, for breaking persons out of hostile groups, for bringing IM together, for verifying deployed IM and for withdrawing IM from the handling of Operational Cases;

— for obtaining compromising or otherwise significant operational material, including the procurement and documentation of necessary comparison materials;

— for preparing the application of, and for applying, operational-technical and forensic-technical means and methods;

— for securing evidence usable in criminal proceedings, or for creating it on the basis of unofficial evidence and information;

— for preventing planned offences;

— for identifying unknown perpetrators;

— for ensuring conspiratorial arrests and searches;

— for the disinformation of the adversary.

In drawing up and applying operational combinations, the following principles in particular are to be applied:

— A prerequisite for carrying out operational combinations is the availability of sufficient and verified information on the matter or on the suspected persons, and its thorough analysis.

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On this basis, the respective operational combination, including its objective, is to be drawn up and the right moment for carrying it out determined. In doing so, well-founded versions of the possible reactions of the suspects to the measures of the MfS are to be worked out and evaluated in political-operational terms.

— The operational combinations, including their objective, are to be discussed by the responsible heads and operational officers. The schematic and repeated application of operational combinations is to be avoided. A justifiable relationship between effort and expected benefit is to be ensured, proceeding from the premise that the results are the decisive criterion of the value of operational combinations.

— The main component of the operational combinations must be the targeted deployment, under a legend, of reliable, proven, experienced IM suited to the accomplishment of the intended tasks, which is to be coordinated exactly with the application of other operational means and methods.

  The selection, preparation and deployment of the IM are to take place in accordance with the principles and rules of Section 2.3. of this Directive.

— Operational combinations are to be built largely on natural circumstances and conditions. Circumstances brought about artificially must be adapted to the actual conditions, build on them, appear natural and withstand possible verification. These requirements are to be applied analogously to the operational legends to be used within the framework of operational combinations.

The direct preparation and conduct of the operational combinations is to take place on the basis of the plan to be drawn up.

The plan, structured according to the logical sequence of events and to be coordinated with the service units involved, is to contain:

— the aim of the operational combination;

— a brief account of the matter necessary for understanding the operational combination;

— the concrete political-operational tasks and measures;

— the complex interaction of the political-operational measures, coordinated in time;

— determinations on the deployment of the IM, their assignments and lines of conduct, and determinations on the communication system;

— the responsibilities and deadlines.

It is to be confirmed:

— in the Main Departments by the heads of the departments or their deputies;

— in the independent Departments by the heads of the sub-departments/sections or their deputies;

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— in the District Administrations/Administrations by the heads of the departments, District/Object Service Units or their deputies.

In the case of Operational Cases that are personally guided and supervised by a superior head, the plans are to be confirmed by that head.

In cases of particular political-operational significance, the plans are to be submitted for confirmation to me or to my deputy responsible in each case.

Tight, unified management of the conduct of the operational combinations is to guarantee the continuous assessment of the status of execution of the respective operational combination, the continuous, effective and smooth interaction of the forces involved and the means applied, and the confident mastering of any complications that may arise.

The results of the operational combinations are to be evaluated thoroughly. It is to be ensured that favourable conditions that have arisen are used purposefully and offensively for the further operational handling of the suspected persons, that the causes of failures are fully uncovered, and that the measures necessary to overcome them are carried out.

2.5. The targeted deployment of further operational forces, means and methods, and the involvement of forces of other state and economic management bodies, enterprises, combines and institutions and of social organizations and forces, in handling Operational Cases

The purposeful handling of Operational Cases requires, in conjunction with the deployment of the IM and work with operational legends and combinations, the expedient deployment of all other forces, means and methods available to the MfS, and the use of the possibilities of other state and economic management bodies, enterprises, combines and institutions and of social organizations and forces.

Their differentiated deployment is to be combined expediently with the deployment of the IM and is to be directed in particular at

— creating the prerequisites for the targeted and effective deployment of the IM;

— verifying and completing the information obtained by IM and with other operational forces, means and methods;

— obtaining evidence of the hostile acts of suspected persons.

Decisions on their deployment are to proceed from:

— the political-operational requirements, taking into account the effort involved in relation to the results to be expected;

— the official regulations and instructions in force in each case for the deployment of these forces, means and methods.

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For the handling of Operational Cases, the following forces, means and methods in particular are to be deployed:

— operational inquiries and observations by forces of the service units of Line VIII and of the case-handling service unit;

— operational searches for persons and objects, involving the Search Coordination Group or the possibilities of the service units of Line VI, the DVP and the organs of the Customs Administration of the GDR;

— conspiratorial searches, in particular for establishing and documenting evidence;

— operational means of Departments M, Postal Customs Investigation and 26, in particular for establishing, clarifying and documenting hostile-negative connections and intelligence means and methods;

— operational means and methods of the service units of Line IX and of other lines, such as the specialists in handwriting and typescript tracing and the specialists of the service units of Line XVIII for handling fires and disruptions;

— possibilities of the special radio services of the MfS;

— operational-technical means for the surveillance of persons and premises and of communications links;

— forensic-technical means and methods;

— special operational-technical means and methods of the Operational-Technical Sector, e.g. for preparing investigation reports, expert reports and expert opinions;

— use of the information stores of the service units of Line VI on cross-border traffic and of the information stores of other service units.

To obtain the information required for handling Operational Cases, the possibilities of the DVP, the Customs Administration of the GDR, other state and economic management bodies, enterprises, combines and institutions and social organizations and forces are also to be used purposefully.

2.6. The application of measures of Zersetzung [decomposition]

2.6.1. Objectives and areas of application of measures of Zersetzung

Measures of Zersetzung are to be directed at provoking, exploiting and intensifying such contradictions or differences between hostile-negative forces as will fragment, paralyse, disorganize and isolate them, and thereby preventively prevent, substantially restrict or completely stop their hostile-negative acts, including their effects.

Depending on the concrete situation among hostile-negative forces, the attitude of certain persons in whom suitable points of contact exist is to be influenced in such a way that they abandon their hostile-negative positions and further positive influence becomes possible.

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Measures of Zersetzung may be directed both against groups, groupings and organizations and against individual persons, and may be applied as a relatively independent type of conclusion of Operational Cases or in conjunction with other types of conclusion.

The heads of the operational service units are to ensure that, where it is politically and operationally necessary, measures of Zersetzung are applied as a direct component of the offensive handling of Operational Cases.

Measures of Zersetzung are to be applied in particular:

— where, in the handling of Operational Cases, the necessary evidence of the existence of a crime against the state or of another offence has been obtained, and the respective Operational Case is, for political and political-operational reasons and in the interest of realizing a higher social benefit, not to be concluded with criminal-law measures;

— in connection with the conduct of criminal-law measures, in particular for smashing hostile groups and for restricting or stopping the mass effect of hostile-negative acts;

— for the effective preventive combating of anti-state activity and other hostile-negative acts, such as

  to prevent negative groupings from becoming effective in an anti-state manner,

  to restrict the effectiveness of politically subversive views or of damage-causing acts,

  against organizers and wire-pullers of anti-state activity in the area of operations;

— against persons, groups of persons and organizations from which activities emanate for spreading or intensifying political-ideological diversion and other subversive measures against the GDR.

2.6.2. Forms, means and methods of Zersetzung

The measures of Zersetzung to be carried out are to be determined on the basis of an exact assessment of the results achieved in handling the respective Operational Case, in particular of the points of approach obtained and of the individuality of the persons under investigation, and depending on the objective to be achieved in each case.

Proven forms of Zersetzung to be applied are:

— systematic discrediting of the public reputation, standing and prestige on the basis of interlinked true, verifiable and discrediting information and untrue, credible, irrefutable and thus likewise discrediting information;

— systematic organization of professional and social failures in order to undermine the self-confidence of individual persons;

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— purposeful undermining of convictions in connection with particular ideals, role models, etc., and the creation of doubts about personal prospects;

— creating mistrust and mutual suspicion within groups, groupings and organizations;

— creating, or exploiting and intensifying, rivalries within groups, groupings and organizations through the targeted exploitation of the personal weaknesses of individual members;

— keeping groups, groupings and organizations occupied with their internal problems with the aim of restricting their hostile-negative acts;

— spatially and temporally preventing or restricting the mutual relationships of the members of a group, grouping or organization on the basis of applicable legal provisions, e.g. by tying persons to their workplaces, assigning workplaces located far apart, etc.

In carrying out measures of Zersetzung, reliable, proven IM suited to accomplishing these tasks are to be deployed as a priority.

Proven means and methods of Zersetzung are:

— bringing in or deploying IM under a legend as couriers of the headquarters, confidants of the leader of the group, superiors, emissaries of responsible agencies from the area of operations, other liaison persons, etc.;

— the use of anonymous or pseudonymous letters, telegrams, telephone calls, etc.; of compromising photographs, e.g. of meetings that took place or were feigned;

— the targeted spreading of rumours about particular persons of a group, grouping or organization;

— targeted indiscretions, or feigning that counter-intelligence measures of the MfS have been exposed;

— summoning persons to state offices or social organizations on credible or implausible grounds.

These means and methods are to be applied creatively and in a differentiated manner, expanded and developed further in accordance with the concrete conditions of the respective Operational Case.

2.6.3. The procedure for drawing up and carrying out measures of Zersetzung

The prerequisite and basis for drawing up effective measures of Zersetzung is a thorough analysis of the Operational Case, in particular to identify suitable points of contact such as existing contradictions, differences or compromising material.

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On the basis of the results of the analysis, the concrete objective of the Zersetzung is to be laid down exactly.

In accordance with the objective laid down, the measures of Zersetzung are to be thoroughly prepared and planned. The IM deployed or to be deployed for handling the respective Operational Case are — as far as necessary, and while preserving conspiracy — to be involved in the preparation.

The plans for carrying out measures of Zersetzung require confirmation by the head of the respective Main Department/independent Department or District Administration/Administration.

Plans for carrying out measures of Zersetzung against

organizations, groups, groupings or individual persons in the area of operations,

persons in significant central social positions or with international or mass influence,

and in other cases of particular political-operational significance, are to be submitted for confirmation to me or to my deputy responsible in each case.

The conduct of the measures of Zersetzung is to be managed in a unified and tight manner. This includes the continuous unofficial monitoring of their results and effect. The results are to be documented exactly.

Further political-operational control measures are to be laid down and carried out in accordance with political-operational necessity.

2.7. The withdrawal of IM from the handling of Operational Cases

2.7.1. Aims and principles of withdrawal

Withdrawal is to ensure that

— the conspiracy of the IM deployed in the Operational Case is guaranteed and they are preserved for further work against the enemy, or even better possibilities are created for this;

— through the use and creation of favourable circumstances, conditions or situations, the enemy is lastingly diverted from the IM and looks for, and finds, the causes of his exposure in connections intended by the MfS;

— the fact and the manner of deployment of the IM are kept conspiratorial and secret from the persons under investigation, their surroundings, hostile agencies and the public, so that the personal security of the IM is guaranteed and their confidence in the MfS is further consolidated.

The withdrawal of the IM is to be regarded and enforced as a constant and offensive task in all Operational Cases. It is to be prepared and planned as early as possible.

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In accordance with the status of handling, withdrawal is to be realized continuously and purposefully, above all through well-thought-out tasking, instruction and provision of legends for the IM. On the basis of the exact reporting of the IM, all indications that are or may be of significance for withdrawal are to be brought out and used carefully. Proceeding from the specific nature of the Operational Case, the following are to be assessed or determined:

— the further political-operational deployment and the most essential tasks of the IM to be withdrawn;

— the character, concrete content and depth of the relationship of trust between the IM and the suspected persons, the circumstances and conditions under which the IM obtained the operationally significant information and evidence of an anti-state activity or other offence, and the nature and extent of the IM's apparent participation in offences;

— the character and evidentiary value of the evidence obtained, and thus the state of the evidence as a whole;

— the possible use of third persons, or the creation of favourable circumstances, to divert attention from the IM to be withdrawn.

The heads are to ensure that the withdrawal of the deployed IM is guaranteed in the course of the handling and conclusion of Operational Cases.

2.7.2. Variants of withdrawal

Proven variants of withdrawal are:

— organizing the apparently chance finding or discovery of means of evidence;

— the deployment of IM to induce witnesses of punishable acts to file a report or make a communication to the protection and security organs or to reliable official forces;

— initiating measures under criminal procedure on account of the commission of offences of general criminality, and exploiting knowledge of violations of legal norms outside criminal law, in order thereby to obtain evidence of anti-state activity;

— the application of Zersetzung in order to divert attention lastingly from IM to be withdrawn;

— the dissemination of evidentiary facts among a wider circle of persons;

— the questioning of suspects pursuant to § 95 (2) StPO;

— the arrest of persons under investigation following a prior interrogation of third parties.

These variants are to be applied creatively, singly or in combination, proceeding from the concrete conditions of the respective Operational Case.

Confirmation of the concrete procedure for withdrawal and of the political-operational measures required for it is the responsibility of the competent heads. They are to ensure that the necessary coordination with the investigation department and other specialist departments takes place.

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2.8. The conclusion of the handling of Operational Cases

2.8.1. The aim of concluding Operational Cases, and the types of conclusion

The conclusion of Operational Cases must always serve the political interests of the GDR. The political-operational prerequisites required for this are to be created, or used to the maximum, during the handling and at the conclusion. The heads are to ensure that, already during the handling of Operational Cases, all possibilities of strengthening the GDR, e.g. of supporting measures in foreign policy, foreign trade, and in the economic and scientific-technical fields, are recognized in good time and used purposefully.

The aim of the conclusion must consist in:

— proving and stopping as comprehensively as possible the anti-state activity or other offences present and already identified;

— eliminating as far as possible their concrete causes and favouring conditions and circumstances by exerting influence on the competent state and economic management bodies, enterprises, combines and institutions and social organizations;

— effectively preventing further hostile-negative acts, and initiating or strengthening measures to guarantee or restore security and order in the area concerned;

— guaranteeing internal security in the area of responsibility to the maximum, and thereby helping to implement the policy of the Party and Government as a whole.

Types of conclusion of Operational Cases are in particular:

— institution of preliminary proceedings with or without detention,

— re-recruitment [turning],

— application of measures of Zersetzung,

— recruitment,

— use of the case material as compromising material vis-à-vis corporations, enterprises, institutions and state organs of the FRG, of other non-socialist states or of West Berlin,

— initiation of specific measures against privileged persons,

— transfer of material on offences of general criminality to other protection and security organs,

— public exploitation, or transfer of material to leading Party and State functionaries combined with proposals for preventive measures to guarantee security and order.

For each conclusion of a case, those types of conclusion, or also partial conclusions, are to be laid down that yield the greatest security-policy benefit.

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In guiding and supervising the handling of Operational Cases, the heads are, taking account of the applicable legal provisions, to examine continuously whether the political-operational objectives have been realized with the necessary quality and to the necessary extent, in particular through proof of the urgent suspicion of an offence, or whether existing or threatened states of danger, such as planned terrorist crimes, violent border breakthroughs or hostage-taking, make conclusion necessary.

The Main Departments or Departments of the District Administrations/ Administrations are to support the case-handling service units in concluding Operational Cases. This is to take place in particular through active participation in obtaining evidence and in deploying the operational forces and means, and through the joint determination and realization of the type of conclusion that is most expedient in political-operational terms.

2.8.2. The political-operational and criminal-law assessment of Operational Cases to be concluded

At the stage of concluding Operational Cases, a concentrated examination and evaluation of the entire material is to be made from political-operational, criminal-law and criminal-procedure points of view, in order to judge the prerequisites for conclusion and to determine the type of conclusion.

For this purpose it is necessary — in particular having regard to the concrete class-struggle situation or political-operational situation —

— to penetrate the case material analytically in order to establish its political-operational and criminal-law significance;

— to bring out whether the material obtained in the Operational Case fulfils the elements of an offence, the character and extent of the offence, its consequences harmful to society, the means and methods of its commission and concealment, and the aims pursued with the offence (objective and subjective requirements, forms of participation, stages of development);

— to assess the state of the evidence in incriminating and exonerating respects (evidence usable in criminal proceedings and unofficial evidence, direct and indirect evidence, evidentiary value, possibilities of proof);

— to examine the possibilities of withdrawing the IM, or the status of the political-operational measures already initiated for this;

— to judge the suspect as comprehensively as possible, and the content and extent of his connections.

As a result of this assessment, the heads are to propose or decide with what objective the specific Operational Case is to be concluded, which type of conclusion has the greatest social effectiveness, or what political-operational benefit can be achieved with it for the further work against the enemy and for the ideological offensive of the Party.

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On the conclusion of Operational Cases, the case-handling service unit — in coordination with the competent specialist departments — is to prepare a final report. This must set out the essential political-operational and criminal-law results achieved, in particular the evidence created and the status reached in clarifying the grounds for suspicion and in withdrawing the IM, and must substantiate the proposal for conclusion and the type of conclusion to be chosen. The final report must show the further political-operational measures envisaged, such as initiation of the OPK, travel bans, etc., concerning the persons recorded in the Operational Case. The final report must make possible the rational retrieval of the information obtained for future political-operational work.

The final report and the proposals it contains are confirmed

in the Main Departments/independent Departments by the heads or their deputies,

in the District Administrations/Administrations by the heads of the District Administrations/Administrations or their Deputies for Operations.

2.8.3. The realization of the conclusion of Operational Cases and the conduct of political-operational measures after the case has been concluded

The conclusion of Operational Cases is to be prepared and carried out in such a way that the intended objective is achieved with high quality. The operational-tactical procedure required for this, in particular for obtaining further means of evidence, for preventing damage and for eliminating favouring conditions and circumstances, is to be laid down and confirmed by the heads.

The institution of preliminary proceedings is to be proposed and substantiated by the investigation departments to the head of the Main Department/independent Department or District Administration/ Administration. The institution of preliminary proceedings is ordered by the head of Main Department IX or of the District Administration/ Administration.

The conduct of preliminary proceedings is the responsibility of the investigation department and is to take place in strict compliance with the legal provisions applicable to them, in particular the StPO. When preliminary proceedings are instituted, the case-handling service units and competent specialist departments are to determine with the investigation department in particular:

— the manner of the arrest or detention and of the search and seizure;

— circumstances to be borne in mind in political-operational terms in the first interrogation, so as to achieve a rapid readiness to testify;

— the political-operational measures necessary for controlling the suspected persons in preliminary proceedings without detention;

— the immediate verification of statements and other measures for obtaining and securing further evidence usable in criminal proceedings, and the flow of information on all questions concerning the preliminary proceedings;

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— the continuation of the withdrawal of the IM;

— political-operational measures to prevent damage and to establish the reactions of the imperialist secret services and of other hostile centres, organizations and forces, of the wire-pullers, instigators, accomplices, relatives, etc.

Where necessary, such decisions are also to be taken for other types of conclusion.

For all types of conclusion, consultations with the investigation department are to be held as a matter of principle. The tasks to be accomplished on the basis of a division of labour with and after the conclusion of Operational Cases to guarantee security and order and to eliminate favouring conditions and circumstances must be at the centre of these. The heads of the case-handling service units are to make appropriate arrangements for this together with the competent Party leaderships and the state heads, and to exert influence to ensure that the necessary measures are worked out and carried out.

The measures initiated are to be monitored or supported through the deployment of operational forces and means, in order to guarantee realization of the aims pursued even after the conclusion of the case.

The conduct of measures under criminal procedure or of legal sanctions, and the increased involvement of the public prosecutor within the framework of supervision of legality, is the responsibility of the investigation department or is arranged by it. The transfer of materials to other protection and security organs, other state and economic management bodies, enterprises, combines and institutions and social organizations is to take place in accordance with my basic instructions on the information activity of the MfS towards leading Party and State functionaries.

All materials from the areas of the Main Departments/independent Departments, and particularly significant operational materials from the areas of the District Administrations/Administrations, are to be submitted to me for decision.

The results of important political-operational measures in connection with the conclusion of Operational Cases are to be documented in the Operational Cases.

2.8.4. Political-operational and criminal-law grounds for discontinuing the handling of Operational Cases

The handling of Operational Cases is to be discontinued if

— the grounds for suspicion that led to the opening of the Operational Case have been clearly and demonstrably refuted, and thus neither offences nor other violations of law have been committed, or the prerequisites for criminal prosecution no longer exist (such as limitation, death of the suspect, lack of criminal responsibility), or

— there are at present objectively no possibilities of clarifying the grounds for suspicion.

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The heads of the service units conducting the Operational Cases are to ensure that the grounds for discontinuing Operational Cases are examined conscientiously, that necessary preventive measures, or measures serving the observance/restoration of legality, are initiated or arranged, and that final reports are prepared. The decision on discontinuation is taken by the heads authorized to decide on the opening and conclusion of Operational Cases. They are at the same time to examine whether, regarding violations of law, shortcomings, abuses, etc. that have been established, public exploitation or the transfer of material to leading Party and State functionaries should take place.

Operational Cases that have been filed are to be reassessed, and examined for the need to resume handling, by the service unit that handled the respective Operational Case or in whose area of responsibility the person falls — in particular when new operationally significant facts concerning the person and the matter become known, and in the event of changes in the political-operational situation and the security requirements resulting from them.

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3. Fundamental tasks of the heads in improving the development and handling of Operational Cases

3.1. Analysis of the development and handling of Operational Cases in the area of responsibility, and determination of the necessary measures

The results achieved in the development and handling of Operational Cases in the area of responsibility are to be assessed continuously and in connection with the preparation of the annual analysis.

The aims and tasks of improving the development and handling of Operational Cases are to be included in the work plans of the heads in accordance with Directive No. 1/70.

The analytical activity is to evaluate in particular:

— the obtaining of initial materials for Operational Cases and their security-policy significance;

— the quality of the evidence obtained, in particular the political-operational value and usability of the unofficial and official means of evidence obtained for effectively combating the enemy;

— successful conclusions of Operational Cases in accordance with the types of conclusion listed in Section 2.8., and the security-policy effect achieved thereby;

— results achieved in clarifying the secret services and other hostile centres, organizations and forces and their plans, intentions, measures, means and methods;

— results achieved in the preventive defence against, or restriction of, planned hostile-negative acts, and in preventing damage and maintaining or restoring security and order;

— the effectiveness of the deployment of the operational forces, means and methods, and the handling time expended in relation to the social benefit achieved;

— the grounds for discontinuing Operational Cases;

— identified weaknesses in the handling of Operational Cases and in the preventive prevention of damage and dangers, and identified causes of the non-realization of objectives laid down for the development and handling of Operational Cases;

— changes in the number and in the security-policy significance of Operational Cases compared with the previous year;

— the effectiveness of measures carried out to improve the handling of Operational Cases;

— the work performed by the heads and operational officers in the development and handling of Operational Cases, the results of cooperation with other service units, and joint action with other organs.

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The findings and experience gained in the development and handling of Operational Cases and through the thorough evaluation of concluded Operational Cases are to be stored carefully and used continuously for planning and organizing political-operational work, in particular for

the further improvement of the development and handling of Operational Cases, and

the systematic, case-related qualification and development of the operational officers

[are to be used continuously].

Every concluded Operational Case is to be assessed for its suitability for training the operational officers.

The operational Main Departments/independent Departments are responsible — while ensuring the necessary coordination — for the central preparation of suitable Operational Cases for training purposes, in close cooperation with the Main Department Cadres and Training and the Law School (Juristische Hochschule) Potsdam.

Outstanding achievements of operational officers in the development and handling of Operational Cases, and valuable contributions by other service units, are to be duly recognized.

3.2. Ensuring continuous influence on the purposeful development and handling of Operational Cases in the area of responsibility

The heads are to ensure continuously that promising initial materials are developed primarily in the political-operational focal areas and for the handling of political-operational focal points, and that the Operational Cases — in particular those of high security-policy significance — are handled swiftly and with high quality.

This requires in particular:

— ensuring control and an overview of the development of initial materials for Operational Cases;

— differentiation of the Operational Cases in the area of responsibility according to their security-policy significance;

— determination of the deployment of the operational forces, concentration of the most qualified operational forces on the Operational Cases of high security-policy significance, deployment of temporary working groups in accordance with political-operational requirements;

— determination of responsibility for guiding and supervising the operational officers responsible for handling the Operational Cases, determination of personal supervision and guidance in Operational Cases of high security-policy significance;

— timely and careful decisions on opening, on the measures required for swift handling, and on concluding Operational Cases;

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— exact supervision of the carrying out, to the required quality and on schedule, of the political-operational measures laid down in the operational plans;

— support for the operational officers in selecting and deploying the IM and in drawing up and applying operational legends and combinations;

— organization of cooperation and of the necessary consultations with the service units of Line IX;

— organization of the necessary cooperation with other service units and of joint action with other organs;

— ensuring the continuous evaluation of the information obtained in the process of developing and handling Operational Cases on the adversary's procedure, in particular on new plans, intentions, means and methods and objects of attack, and on dangers and effects arising. Immediate informing of the competent service units and the competent Party and State organs, and initiation of the necessary preventive measures;

— ensuring the conduct of necessary political-operational measures after the conclusion of Operational Cases, such as guaranteeing the security of the IM, supervising the conduct of measures to eliminate favouring conditions and circumstances, further control of the connections of the persons handled in the Operational Case, and the like.

The heads of the Main Departments/independent Departments and District Administrations/Administrations are, on their line or in their area of responsibility, to support the operational service units effectively in handling Operational Cases of high security-policy significance, in particular through

— continuous guidance and supervision of the handling;

— the deployment of qualified, experienced operational officers and IM;

— the deployment of special forces and means.

The heads of the service units handling Central Operational Cases are, in cooperation with the heads of the service units handling sub-cases, to ensure that all necessary political-operational measures are coordinated and carried out exactly and that the necessary information relationships are realized.

3.3. Organization of cooperation with the security organs of the fraternal socialist states

Where, in the development and handling of Operational Cases, cooperation with the security organs of the fraternal socialist states is necessary, the heads of the operational service units are to address requests to the security organs of the fraternal socialist states

— for the conduct of political-operational measures by the security organs of the fraternal socialist states,

— for the joint conduct of political-operational measures,

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— for the consent of these security organs to the involvement of citizens of these states in the handling of Operational Cases or in unofficial and official collaboration

to Department X, after coordination with the head of the service unit in charge in each case.

The transfer of political-operational indications on persons and matters obtained in the process of developing and handling Operational Cases, for whose further evaluation and handling the security organs of the fraternal socialist states are responsible, is to take place analogously.

Requests for legal assistance to the security organs of fraternal socialist states (arrest, search, interrogation, search for and securing of other evidence under criminal procedure) are to be coordinated in good time with Main Department IX.

Requests for searches [wanted-person notices] are to be initiated via the Search Coordination Group after coordination with Main Department IX, and transmitted to Department X.

Requests for arrest require my confirmation.

Requests concerning the deployment of operational technology or operational observation by the security organs of fraternal socialist states, and requests in other cases of particular political-operational significance, require confirmation by me or by my deputy responsible in each case.

4. Final provisions

4.1. The registration of Operational Cases, the recording of persons and objects on the basis of Operational Cases, and the keeping of case files are to take place in accordance with the 1st Implementing Regulation to this Directive.

4.2. This Directive is to be kept personally by the heads of the operational service units. A record is to be kept of its inspection.

4.3. This Directive enters into force with effect from 1. 1. 1976.

Mielke
Colonel General

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Corrigendum

It should read:

Page 36 1st indented paragraph, penultimate line: „Persönlichkeit“ [personality];

Page 36 4th indented paragraph, penultimate line: „besitzen“ [possess];

Page 50 Item 2.7.2., 2nd dash, 1st line: „strafbarer“ [punishable];

Page 51 1st dash: „unterbinden“ [stop].

[Translator's note: the corrections refer to words in the German print; they have been applied in this translation.]

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