

## Annex to question 8c

Data collected by the *Land* justice administrations on proceedings concerning right-wing extremist/xenophobic criminal offences in the Federal Republic of Germany

### Total number of investigation proceedings instituted under section(s) ... of the Criminal Code (absolute figures)

Year	86, 86a	125, 125a	130, 131	211, 212	223 et seqq.	306 et seqq.	Other offences	Total
2013	13,120	112	2,813	7	611	52	3,578	20,293
2014	11,833	141	2,506	5	603	41	2,698	17,827
2015	13,576	149	5,735	12	846	102	4,211	24,631
2016	12,907	351	8,122	16	1,029	129	5,317	28,527
2017	12,386	77	5,465	10	619	67	4,074	22,698

### Of these cases: Number of investigation proceedings instituted under section(s) ... of the Criminal Code – anti-Semitic motives – (absolute figures)

Year	86, 86a	125, 125a	130, 131	211, 212	223 et seqq.	306 et seqq.	Other offences	Total
2013	244	0	338	0	13	0	96	691
2014	308	0	347	0	5	0	113	773
2015	1,145	4	779	0	27	1	127	2,083
2016	1,059	4	1,229	0	37	1	99	2,482
2017	645	0	1,076	1	25	4	107	1,858

In addition to criminal prosecution statistics, police statistics under the Criminal Police Reporting Service for Politically Motivated Crime, and the statistics recorded by *Land* justice administrations on the number of proceedings launched on account of right-wing extremist/xenophobic criminal offences, Germany is currently in the process of introducing a new system to record the number of criminal proceedings launched because of hate crime. These statistics, gathered by the *Land* justice administrations, include information on different types of offence, such as homicide, bodily harm (separate listing of bodily harm perpetrated in office), defamation and arson, which are then categorised according to motive (anti-Semitic, anti-Muslim, anti-Christian,

xenophobic and anti-disability offences, offences perpetrated due to sexual orientation/identity). The statistics also reveal whether offences were committed “by means of the internet”.

In these new statistics, criminal offences are classified as hate crime if, upon assessing the circumstances of the offence and/or the attitude taken by the perpetrator, there are indications that the offences were directed against a person on the basis of that person's actual or ascribed/assumed nationality, ethnic origins, skin colour, religion, beliefs, physical or and/or psychological disability or impairment, sexual orientation and/or sexual identity, political position, political views and/or political involvement, external appearance, or status in society, and if the offence is causally related to this or is committed in this context against an institution, object or premises.

Collection of these justice-system data on hate crime first began in selected *Länder* on 1 January 2018; as of 1 January 2019, the same system of statistical recording was supposed to be applied in all of the *Länder*. The data from the *Länder* are collated by the Federal Office of Justice for publication as a nationwide statistic. The first set of statistics to be published will likely cover the results of the 2019 reporting period. This publication will then constitute the first full collection of statistical data on hate crime for the whole of Germany. The Federal Government will communicate these data to the Committee as soon as possible following publication.