

Final Declaration, Justice Summit, 17 March 2016

"Germany is experiencing a wave of politically motivated violence that is threatening the civil peace of our society. Last year, for example, the number of arson attacks on refugee accommodations increased dramatically. It is up to all of us, as a society, to fight these developments with great determination, and to do everything in our power to counter hatred, violence and all forms of extremism, xenophobia, anti-Semitism and terrorism. Action must be taken at all levels of government and by the whole of civil society.

The Justice Ministers of the Federation and the *Länder* agree that the judicial authorities at all levels have a particular part to play by demonstrating consistency and resolve in criminal prosecution and the execution of sentences. Xenophobia, extremism, anti-Semitism and terrorism have no place in Germany.

1. Politically motivated crime must be recognised and prosecuted as such. Those *Länder* that have created **special divisions** within their prosecutors' offices to fight politically motivated crime have had positive experiences in doing so. Moving forward, such specialised prosecutors in particular can continue to play an even greater role in ensuring that such offences are investigated more effectively.
2. We promote the **exchange of information** among the *Länder* and with the Office of the Federal Prosecutor General to ensure that extremist and terrorist networks are identified at an early stage. To this end, the responsible authorities have developed common criteria for the early identification of politically motivated violence. We welcome the regular exchanges of information among the Federal Criminal Police Office, police authorities, prosecutors and the domestic intelligence community on *modi operandi* and types of offences.
3. Extremist offences, such as attacks on refugee accommodations, are often the result of radicalisation over the longer term, which starts on social networks with the criminal utterances and calls to violence made on these platforms. In order to ensure that **hate crime on the Internet** is prosecuted effectively, the Federal Ministry of Justice and Consumer Protection will provide clear and easy-to-understand information explaining how to report Internet hate crime to the authorities. This information will be made

available online. Prosecutor's offices will act expeditiously in examining and pressing charges in reported cases where the necessary requirements are met. The effective prosecution of hate crime on the Internet requires a legal situation which includes the power to launch an adequate response to hate propaganda that infiltrates Germany from beyond its borders. This is why the application of sections 86 and 86a of the Criminal Code to offences committed abroad should be facilitated.

4. In a state governed by the rule of law, the **availability of sufficient human resources** within the judicial authorities at federal and *Länder* level is essential for providing a rapid and effective response to extremism and terrorism. To that end, we are examining current personnel resources and whether additional staff are required.
5. Meaningful **figures** on criminal proceedings concerning phenomena in the area of political crime, and on developments in this area, are important in establishing how many offences are actually pursued by law enforcement, how many cases are prosecuted, and how the courts rule in such cases. We will therefore work to ensure that statistical variables are coordinated and implemented within existing IT systems; the federal authorities will support the *Länder* in coordinating these efforts. The statistics on right-wing extremist and xenophobic criminal offences collected by the Federal Office of Justice will be made available and published in a more up-to-date form.
6. We welcome the *Land* of Berlin's invitation to join a cross-*Länder* working group on the **collection of statistical data regarding hate crime**. We want light to be shed on the dimensions of hate crime and trends in this area. We will support the working group in order to combat hate crime together even more effectively. In addition to statistics, **reports** by the public prosecutors' offices to the *Land* justice administrations constitute an important source of information with the potential to reveal the scale of politically motivated crime as well as existing difficulties encountered by investigating authorities.
7. Arson attacks on refugee accommodations constitute crimes of the most serious kind. It is therefore a matter of utmost priority that they be solved and the perpetrators

convicted. This is why we are in favour of **offering rewards** for the provision of information used to identify and apprehend the perpetrators.

8. Effective measures to combat extremist criminal offences also include the **systematic enforcement of prison sentences**. We therefore advocate the immediate execution of such prison sentences once they become final and binding.
9. Comprehensive **prevention and rehabilitation/disengagement work** is an effective and lasting means of combating right-wing extremism. Many such programmes already exist. These must be expanded and their funding secured in the long term.
10. Extremism **in prisons** is a growing burden. The *Länder* have already implemented a range of programmes in the field of "deradicalisation," and these should be maintained on a permanent basis. In addition, the federal authorities will organise workshops with experts.
11. In the near future, the *Länder* will submit recommendations for action in dealing with **radical Islamist inmates in prisons**. These recommendations aim to achieve structured cooperation between prisons, law enforcement authorities and the security agencies, as well as demanding continual training for prison officers and focusing on the targeted involvement of civil society organisations in order to support deradicalisation processes. We will further intensify and optimise cooperation in this area. The federal authorities will convene an expert hearing on Muslim chaplains in prisons as preparation for "Islamic spiritual welfare work in public institutions", the topic of the 2016/2017 German Islam Conference.
12. We want to support judges and prosecutors in ensuring that the judicial sector can also react accordingly to the surge in xenophobic crime and crime motivated by hatred. The *Länder* welcome the efforts of the Federal Ministry of Justice and Consumer Protection to develop special **further training modules** with the assistance of an external project operator and in close cooperation with the *Länder*."