OSCE ODIHR
HATE CRIME REPORTING

Information contained in this report was compiled as part of ODIHR's 2023 Hate Crime Report.
For more information, including on previous years' reporting, please visit: hatecrime.osce.org/germany

For more information about ODIHR's Hate Crime Report, visit: hatecrime.osce.org/our-methodology

1 2023

Summary

Germany regularly reports to ODIHR.

Germany has conducted victimization surveys to measure under-reported hate crimes. A recent crime survey report is available here. Close collaboration with civil society in the area of hate crime victim support has been established at the federal level, namely with the Weisser Ring civil society organization (CSO) and a number of specialized CSOs. The German government funds several organizations and projects to monitor hate incidents and assist hate crime victims, including the Competence Network Against Antisemitism (KOMPAS), and the Competence Network on Hate on the Net. The Federal Ministry of Justice and the Federal Victims' Commissioner are in regular contact with a number of victim support institutions and victims' representatives.

In 2021, ODIHR, together with Federal Ministries, organized a virtual study visit to Germany on strengthening co-operation between the Government and civil society on hate crime victim support. In 2023, the Federal Ministry of the Interior and Community of Germany, in co-operation with ODIHR and the EU Agency for Fundamental Rights, organized a hate crime data workshop to review the existing hate crime recording and data collection framework and identify gaps. Following the workshop, ODIHR and FRA prepared a report summarizing the main issues and measures to improve hate crime recording in Germany, as identified by workshop participants.

Hate crime data collection in Germany
Support for hate crime victims in Germany
Hate crime capacity building in Germany
Germany's hate crime legislation

ODIHR's Key Observation

ODIHR recognizes Germany's efforts to enhance hate crime data collection and recording, as well as efforts to address hate crimes online. However, based on the available information, it observes that Germany has not reported data on hate crimes

recorded by the prosecution and judiciary to ODIHR. In addition, ODIHR observes that Germany would benefit from raising awareness among and building the capacity of law enforcement and criminal justice officials to combat hate crimes.



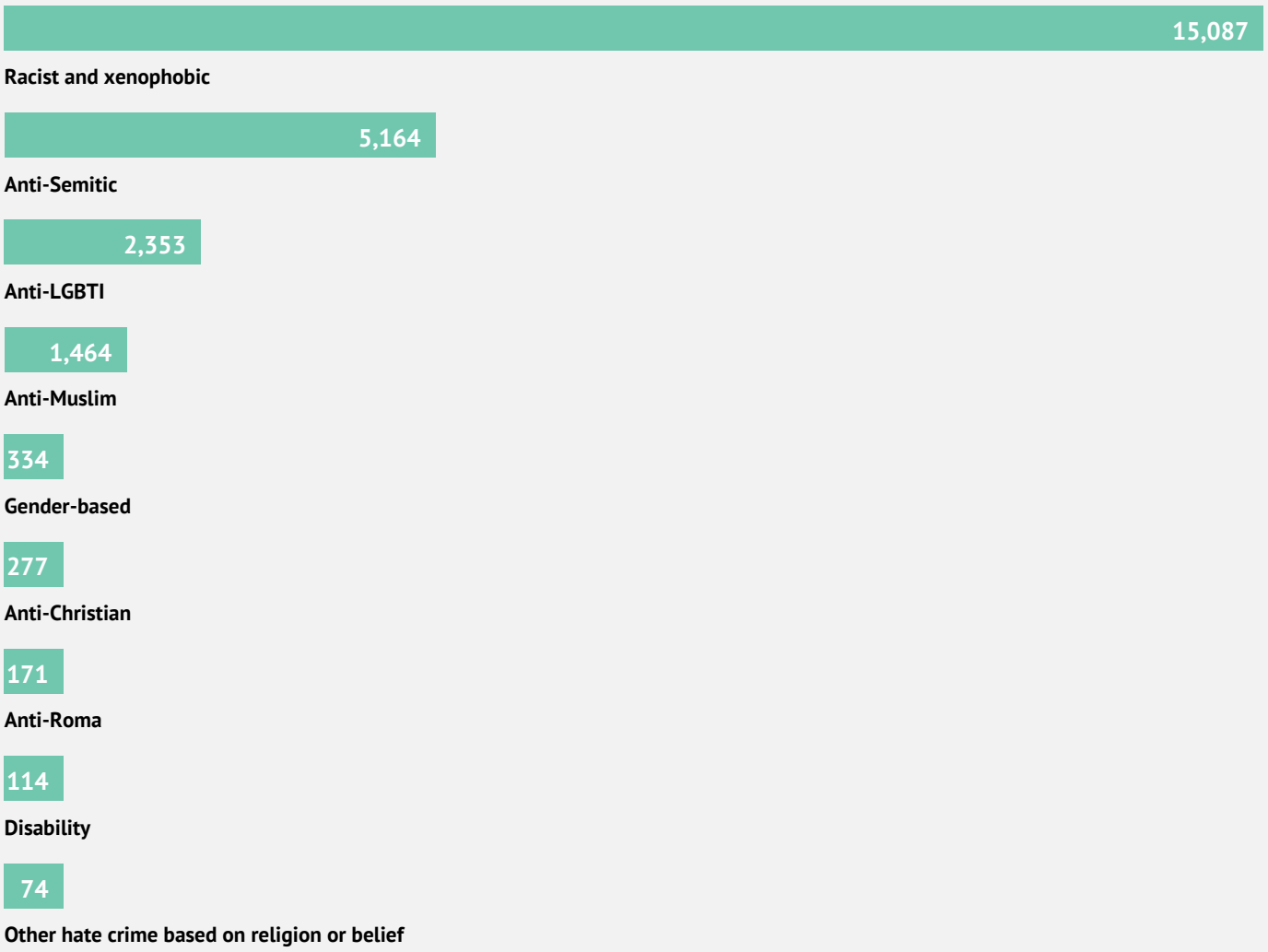
Official Data

The total number presented here and, in the breakdown, below may include offences, which fall outside the OSCE hate crime definition. A criminal incident with more than one bias motivation is registered under all relevant categories. Therefore, a single incident may be recorded under multiple entries in the breakdown below.

Year	Hate crimes recorded by police	Prosecuted	Sentenced
2023	17,007	not available	not available

Police data by bias motivation

The breakdown below may include offences that fall outside the OSCE hate crime definition. One criminal incident may be recorded with more than one bias motivation in the breakdown below.



Police data by type of crime

The breakdown below may include offences that fall outside the OSCE hate crime definition. One criminal incident may be recorded with more than one bias motivation in the breakdown below.



Other

This category includes crimes registered by the police that do not fall under other categories, and may include offences that are outside the OSCE hate crime definition.

2,021

Damage to property

This category includes cases of vandalism.

1,743

Physical assault

954

Threats/ threatening behaviour

319

Theft/ robbery

This category includes the criminal offence of aggravated theft, including cases of burglary.

24

Arson

24

Desecration of graves

15

Disturbance of the peace

11

Homicide

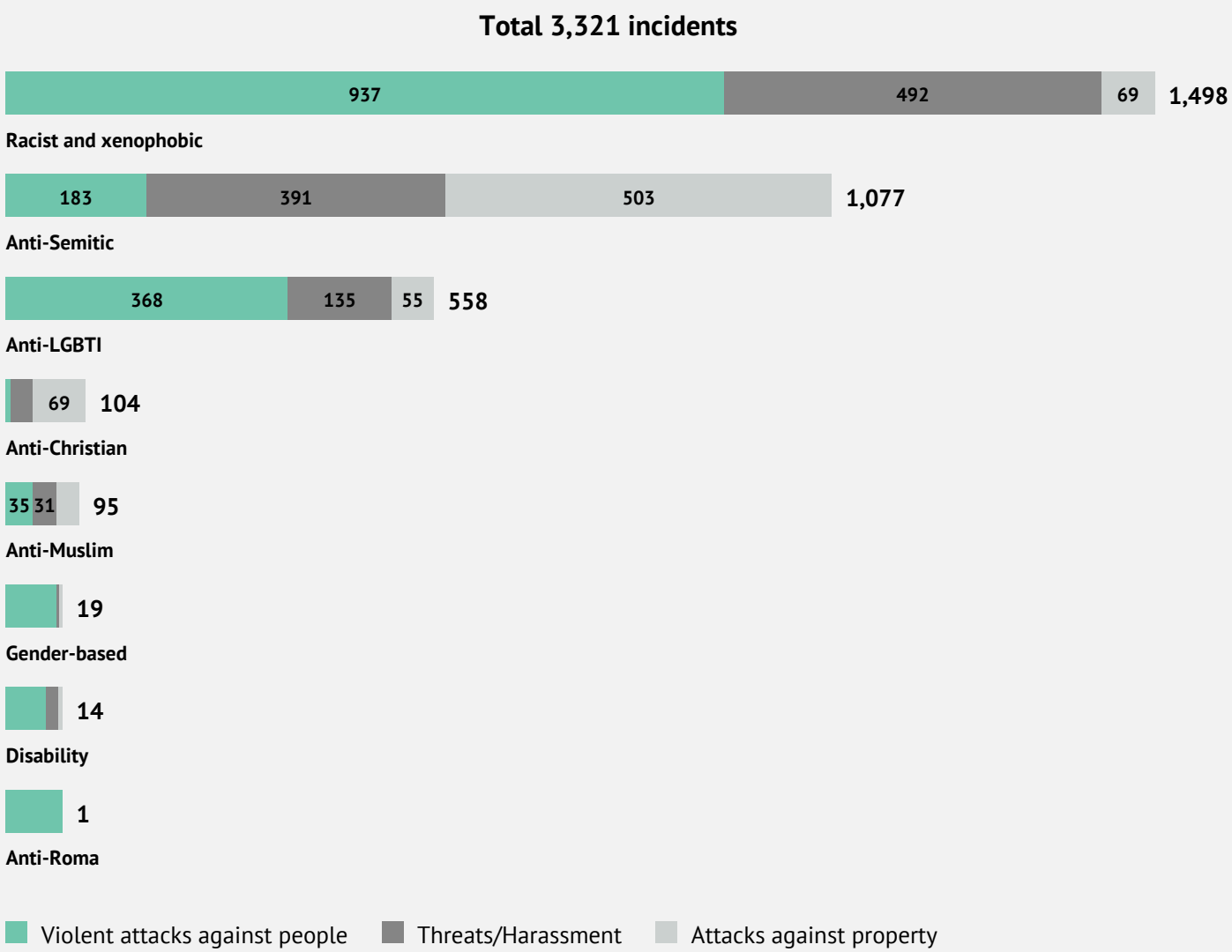
This category includes attempted homicides

National Developments

In 2023, the Ministry of Justice published a key issue paper on legal protections against digital violence. The German Government worked closely with civil society organizations (CSOs) to deliver projects on this issue including one by HateAid that deals with new developments in the field of digital violence. The 2023 project focused on new forms of digital violence, including deepfakes, phishing and shadow banning. Germany's Federal Ministry of Justice and the departments of justice of the Länder participated in a working group on the topic of "Online services for reporting hate crime / hate comments for citizens", which examined measures to improve online reporting of hate crimes.
In June 2023, the Federal Ministry of the Interior and Community of Germany, in co-operation with ODIHR and the EU Agency for Fundamental Rights, organized a hate crime data workshop o review the existing hate crime recording and data collection framework and identify gaps. The workshop brought together representatives of agencies directly involved in hate crime recording in Germany, including: police officers responsible for hate crime recording and investigations from the Criminal Police Offices of the German States (Länder) (LKA); representatives of the German Federal Criminal Police Office (BKA); representatives of the Federal Ministry of Interior; representatives of the Federal Ministry of Justice; prosecutors from Berlin state; representatives of other state institutions; and two civil society organizations (RIAS and MANEO). Following the workshop, ODIHR and FRA prepared a report summarizing the main issues and measures to improve hate crime recording in Germany, as identified by workshop participants.

In line with the Network Enforcement Act (Netzwerkdurchsetzungsgesetz, NetzDG), social media companies are required to install notice and takedown mechanisms for illegal online content, including hate speech. Following complaints by users, the providers must remove illegal content immediately. To enforce the NetzDG, the Federal Office of Justice can issue regulatory fines in response to any systemic breaches against the provisions of the NetzDG. Consequently, in 2023 the Federal Office of Justice opened two formal proceedings against the social media company 'X'. However, the proceedings were suspended as the provisions of the NetzDG may not be in line with the law of the European Union (in line with the European Court of Justice ruling on the compliance of the Austrian Kommunikationsplattformen-Gesetz with the principle of control in the home Member State (Article 3(4) and (5) of Directive 2000/31/EC) (Judgment on 9 November 2023, C-376/22)).

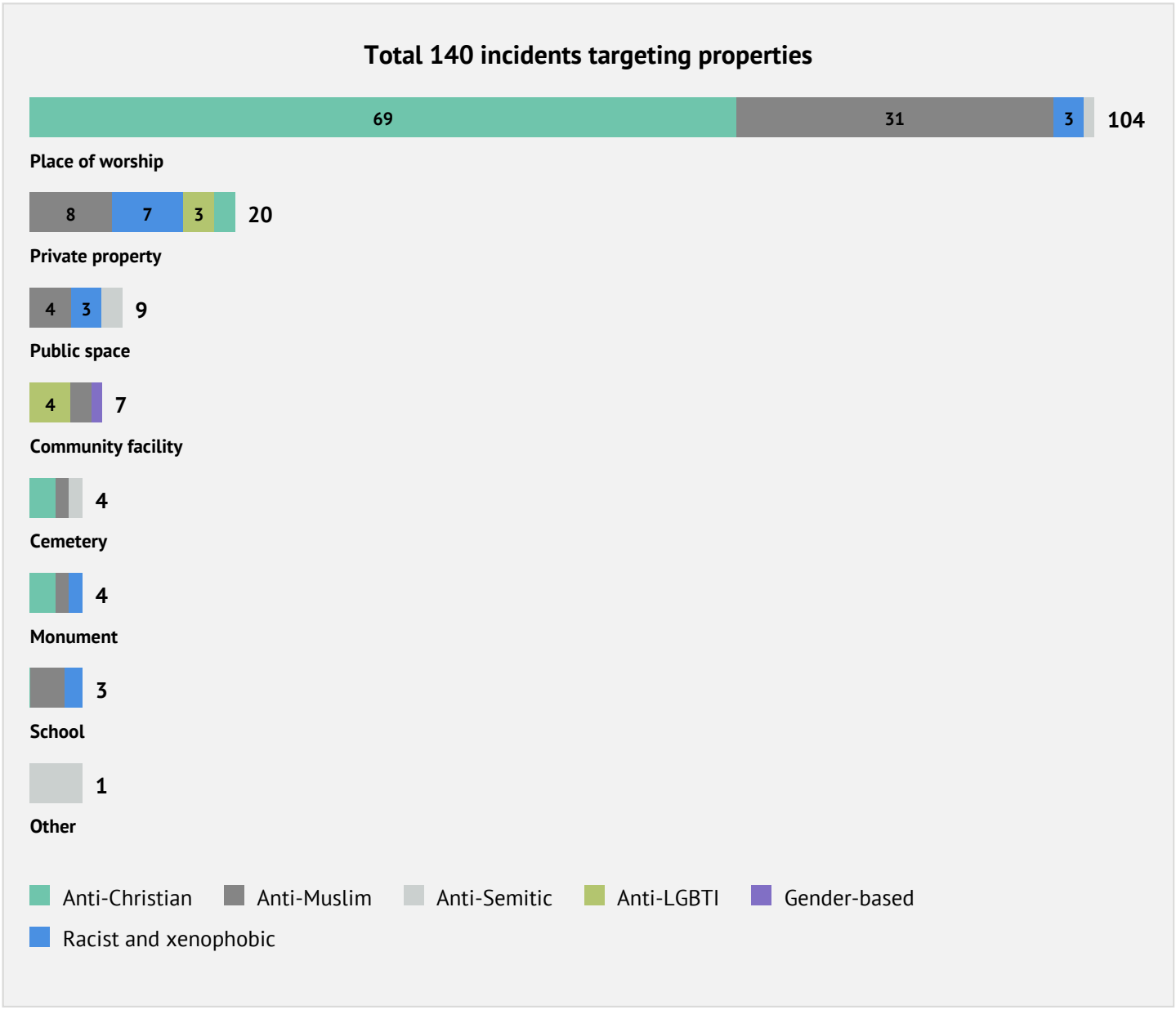
Incidents reported by civil society



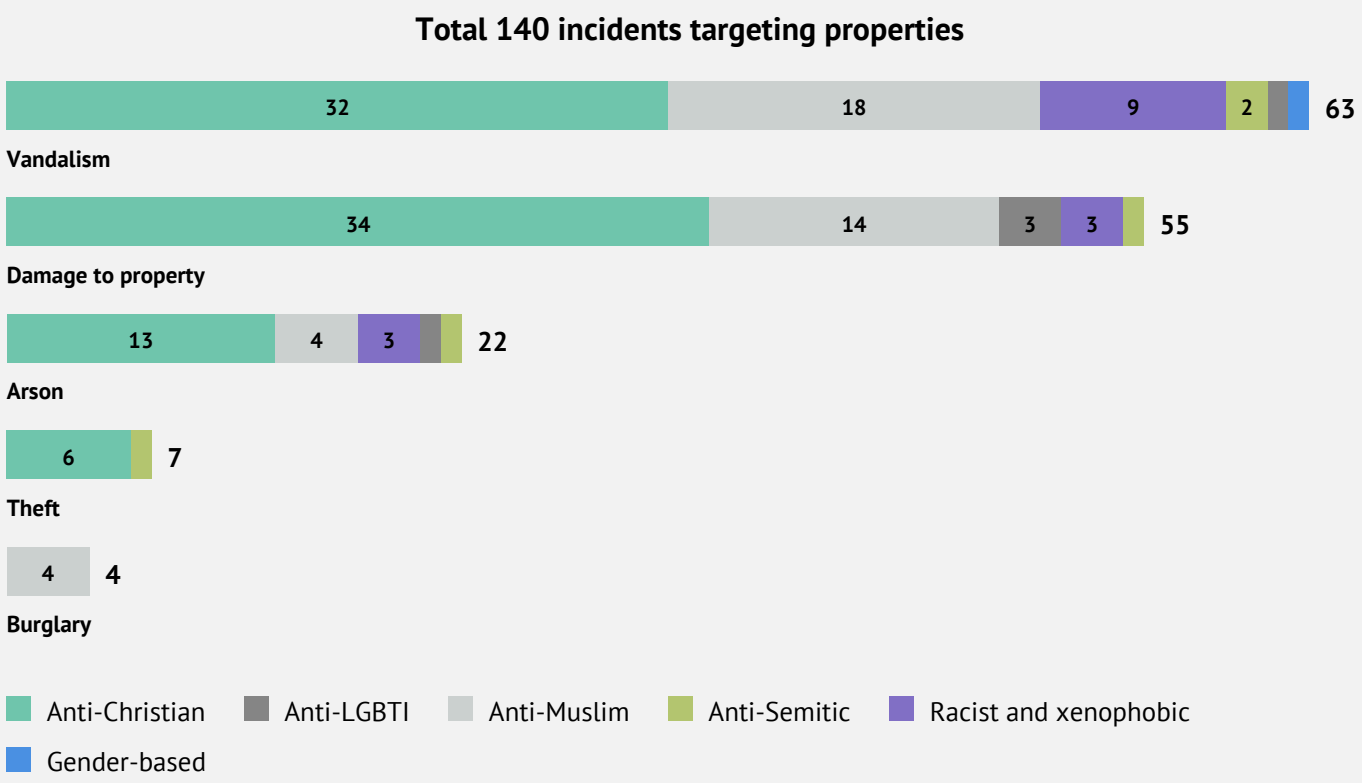
Please note that the total number of incidents may be lower than the sum of incidents presented in the breakdown chart above, as some incidents involve multiple bias motivations.

In addition to incidents submitted with detailed descriptions, this chart includes the following incidents reported as statistics: 279 anti-LGBTI incidents reported by MANEO; 750 anti-Semitic incidents reported by the Federal Association of Departments for Research and Information on Antisemitism (RIAS); 318 anti-Semitic, 1,437 racist and xenophobic, 245 anti-LGBTI, and 14 disability hate incidents reported by the Association of Counseling Centers for Victims of Right-wing, Racist and Antisemitic Violence in Germany (VBRG).

Targeted properties



Type of property attack



View civil society incidents for Germany, 2023