

# CoE Report: Policing Regarding Hate Speech and Racism in Germany



**Thomas Wahl**

## News

On 17 March 2020, the European Commission on Racism and Intolerance (ECRI) – an independent monitoring body of the Council of Europe specialised in the fight against discrimination, racism, xenophobia, and intolerance – published a [report on Germany](#). The report focuses on the following three topics:

- Effective equality and access to rights;
- Hate speech and hate-motivated violence;
- Integration and inclusion.

First, the ECRI welcomes positive developments in Germany in a number of fields, e.g., the 2018 Network Enforcement Act, which obliges large social network providers to remove hate speech in clear cases within 24 hours. The most serious and open forms of hate speech have disappeared from the large social media platforms. The police services of several *Länder* are working intensively with civil society to improve the detection and recording of hate crimes. The police have improved their hate crime statistics.

However, the ECRI has several concerns. Regarding the cooperation between the police and civil society, for example, hate crime offences are still considerably underreported. Evidence of online hate speech is not systematically transmitted to the police and prosecution services. The report also found strong evidence for extensive racial profiling by the police. In general, the public and political discourse has become increasingly xenophobic and there is a high level of Islamophobia.

The ECRI made a series of recommendation to the German authorities, including the following:

- The authorities should standardise the reporting of online hate speech on social media platforms and ensure that evidence of such speech is systematically transmitted to the police;
- The police should, together with civil society, analyse evidence for hate crimes, initiate studies about the investigation of hate crime, and publish hate crime reports;
- The police and intelligence services should implement measures to prevent radicalisation and help extremists exit racist, homo- and transphobic groups;
- Training of police, prosecutors, and judges on hate crime should be intensified;
- The police of the Federation and the *Länder* should commission and participate in a study on racial profiling with the aim of eliminating this form of institutional racism;
- Germany should establish a coherent system of organisations that provide victims of discrimination with effective support, including legal assistance throughout the whole country.

### AUTHOR

**Thomas Wahl**

Senior Researcher  
Max Planck Institute for the  
Study of Crime, Security and  
Law

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The report was drafted in December 2019 and takes into account the situation up to 19 June 2019. The ECRI will conduct an interim follow-up to the recommendations no later than two years after publication of the report.

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