



American ideals. Universal values.

## EXECUTIVE SUMMARY



# Germany Conflicted

## The Struggle Between Xenophobia and Tolerance

February 2017



**ON HUMAN RIGHTS**, the United States must be a beacon. Activists fighting for freedom around the globe continue to look to us for inspiration and count on us for support. Upholding human rights is not only a moral obligation; it's a vital national interest. America is strongest when our policies and actions match our values.

Human Rights First is an independent advocacy and action organization that challenges America to live up to its ideals. We believe American leadership is essential in the struggle for human rights so we press the U.S. government and private companies to respect human rights and the rule of law. When they don't, we step in to demand reform, accountability, and justice. Around the world, we work where we can best harness American influence to secure core freedoms.

We know that it is not enough to expose and protest injustice, so we create the political environment and policy solutions necessary to ensure consistent respect for human rights. Whether we are protecting refugees, combating torture, or defending persecuted minorities, we focus not on making a point, but on making a difference. For over 30 years, we've built bipartisan coalitions and teamed up with frontline activists and lawyers to tackle issues that demand American leadership.

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COVER: AP Photo / Martin Meissner

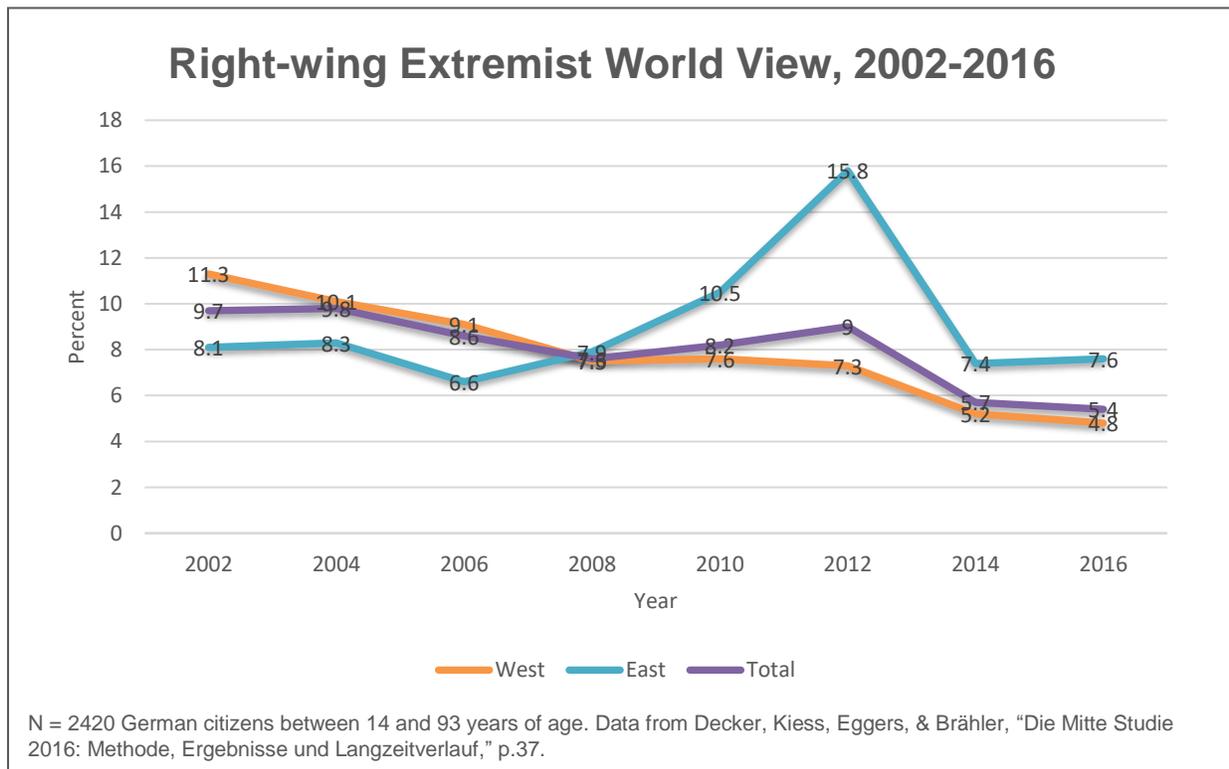
## Executive Summary

Germany is at a tipping point as it heads into important national elections in 2017. Hate crimes, particularly those associated with xenophobia, have increased drastically—from 5,858 cases in 2014 to 10,373 in 2015.<sup>1</sup> From 2014 to 2015 crimes against asylum refugee shelters, including violent attacks, more than quintupled.<sup>2</sup> Police reported three hundred crimes against asylum shelters in the first quarter of 2016, exceeding the total number in 2014 and on par with the elevated levels of 2015.<sup>3</sup>

Germany has been a leader within Europe on the refugee crisis, maintaining a welcoming policy toward those fleeing violence and persecution. However, the uneven implementation of this policy has exacerbated existing social divides. Because the German government failed in important ways to adequately prepare the country to receive refugees, many in Germany perceive that the situation has spiraled out of control.

New far-right parties and movements such as the Alternative for Germany (AfD) and Patriotic Europeans against the Islamization of the West (PEGIDA) have emerged in the past few years by capitalizing on Euroskepticism and xenophobic fear. Supporters of these groups' ideologies are primarily responsible for a surge in hate crimes. In 2015 the Ministry of the Interior reported that right-wing extremists committed 90 percent of all hate crimes—including 96 percent of xenophobic hate crimes—91 percent of antisemitic hate crimes, and 98 percent of racist hate crimes.<sup>4</sup> While hate crimes committed by left-wing extremists increased from 94 in 2014 to 96 in 2015, hate crimes committed by right-wing extremists increased from 4,983 to 9,426.<sup>5</sup> Those on the far-right were also responsible for 90 percent of the offenses against asylum shelters.<sup>6</sup>

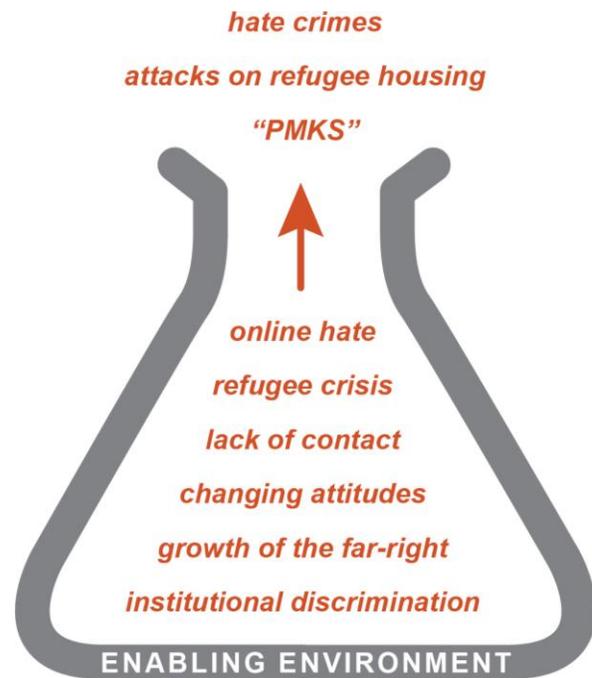
As support for far-right movements grow along with expressions of hatred, Germans' acceptance of inclusive, liberal democracy is perhaps counterintuitively becoming more widespread. Several factors explain this complicated and



seemingly contradictory state. Germany's post-World War II history continues to inform and give shape to current trends. The connective power and relative anonymity of the Internet has proved a powerful force for degrading Germany's longstanding postwar taboo against publicly espousing xenophobic, ultra-nationalist, and racist views. AfD, PEGIDA, and likeminded groups have both benefitted from and contributed to evolving social mores, resulting in a climate in which Germans who nurture intolerant views in private are now more willing to express them publicly. Thus, while surveys do not show a greater portion of Germans evincing intolerant views, those who do hold such views are becoming more connected, public, politically active, tech-savvy, and accepting of violence. Institutional discrimination, a persistent problem, also gives a green light to hatred, catalyzing violence.

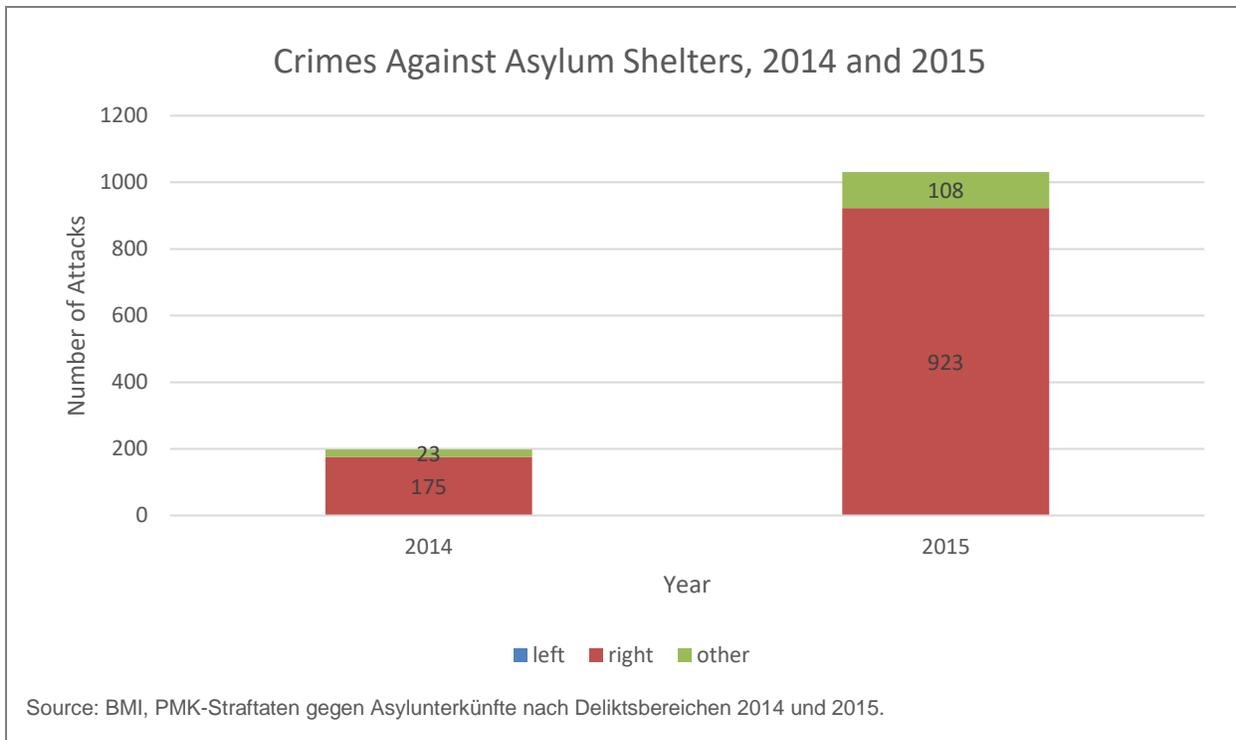
While Germany's history makes it unique, its struggle against xenophobia-fueled illiberalism is increasingly representative of trends buffeting Europe and the United States. Across the Atlantic—in societies roiled by social change, globalization, and terrorism—demagogic leaders and far-right movements are magnifying and leveraging hatred toward ethnic, racial, and religious minorities. Evidence of this trend can be seen in France where Marine LePen's anti-Islam, anti-refugee, and anti-European Union (E.U.) positions have contributed to a cycle of violence there, and in the recent U.S. presidential race that fueled hatred, helping lead to a surprising victory for President Donald Trump.

While causation remains difficult to establish, the words and actions of political leaders correlate in key instances with increases in hate crimes. For example, xenophobic and Islamophobic rhetoric by pro-Brexit campaign leaders in the United Kingdom resulted in a 58 percent spike in hate incidents immediately following the referendum as reported by the British National Police Chiefs'



Council.<sup>7</sup> A similar trend appears to be taking shape in the United States. From November 9 to December 12, 2016 the Southern Poverty Law Center documented 1,094 incidents of hateful harassment or intimidation, many by perpetrators who made references to Trump.<sup>8</sup>

Germany's response to this challenge will reverberate beyond its borders. The country is the continent's most powerful economic force and the foremost champion of the E.U. and its ideals. As such it serves as an important bulwark against opponents of the European project—including authoritarian leaders in Russia and Hungary and neo-fascist groups across the continent. Germany has led the region through the refugee crisis, financial emergencies, and shakeups within the E.U. that threaten the body's structure and inclusive vision. As chair of the Organization for Security and Cooperation in Europe (OSCE) in 2016, Germany prioritized the fight against antisemitism, intolerance, and extremism—often in the face of significant Russian obstructionism—and it has taken important related steps at home.



Yet this mounting challenge to German democracy requires a more aggressive and comprehensive response, one that relies on institutional coordination, collaboration with civil society, public engagement, and the support of allies and international organizations. It is in the urgent interest of the U.S. government to help its important economic, political, and military ally succeed in this effort—and to accept similar support in return. Germany and the United States have common experiences and much to learn from each other. They should continue to share practices on addressing national issues within the framework of federalism and across geographical divides. And given preliminary indications that the Trump Administration may seek to abandon the United States' traditional role as a government dedicated to supporting voices of tolerance and inclusion, Germany must maintain a strong role in advancing these issues even as the United States and other nations struggle to do so.

Both countries are also facing crises arising from racism and discrimination in law enforcement and

criminal justice. In the United States groups and movements like Black Lives Matter and Campaign Zero have advocated for policy changes to address high rates of fatal police shootings, disparities in sentencing, and discriminatory policing. Meanwhile institutional racism is also the subject of conversations in Germany in the wake of the National Socialist Underground's racially motivated crimes and the failure of government to identify and prosecute the perpetrators.

This report—grounded in qualitative and quantitative research and analysis—is the product of a partnership between Human Rights First and an expert research team from the University of Munich. On the ground research included a wide range of in-person interviews with government officials, civil society representatives, members of the media, and academic, technological, and legal experts. This report's goal is to inform policymakers and urge action both in the United States and Germany. Such action would benefit each country, their alliance, and the transatlantic relationship more broadly—at a critical time.

This report explores the causes and catalysts of the increases in politically motivated crimes and hate crimes within the context of shifting social attitudes, the refugee crisis, the growth of far-right groups, and institutional discrimination. At the same time, this report seeks to add context and clarity to a vexing contradiction that these negative trends occur against a backdrop of an increasingly tolerant and rights respecting German society. This report's findings include:

- Germany maintains a large majority that believes in being an inclusive society as well as an influential and extreme minority that supports hate and violence. Many in Germany have answered the moral call to support refugees. Yet voices espousing hate and violence have also grown louder. There is increasing polarization between these irreconcilable views.
- Shifting attitudes reinforce institutional discrimination, which in turn fosters violence and impunity. This institutional discrimination undermines law enforcement's ability to effectively respond to hate crimes.
- The far-right has tapped into the public's fears. Parties like the Alternative for Germany (AfD) both capitalize on and contribute to xenophobic attitudes. Those committing hate violence use the language of the far-right to legitimize their actions.
- In 2015 the police registered 1,031 crimes against asylum shelters, compared to 198 in 2014—meaning offenses quintupled. Violent crimes against asylum shelters increased from 28 in 2014 to 177 in 2015. Ninety percent of crimes against asylum shelters were committed by those with a right-wing extremist background.<sup>9</sup>
- There was a dramatic rise in hate crime in 2015, particularly by right-wing extremists. While hate crimes committed by the left

increased from 94 in 2014 to 96 in 2015, hate crimes on the right increased from 4,983 to 9,426. Right-wing extremists were responsible for 90 percent of all hate crimes, including 96 percent of xenophobic hate crimes, 91 percent of antisemitic hate crimes, and 98 percent of racist hate crimes.<sup>10</sup>

- The Internet provides a platform for hatred and extremism. It has also contributed to the spread of misinformation about refugees, which has influenced public opinion.
- The response by the German government, while welcome, has strategic and conceptual problems. Moreover, the government does not fully acknowledge the extent of institutional discrimination, weakening its response. And while Germany has led on the refugee crisis, it did not adequately prepare communities to receive refugees.

This report's recommendations seek to promote greater transatlantic cooperation. Germany and the United States must work together to ensure that tolerance and human rights remain a bedrock of their democracies. Key recommendations include:

- **Counter extremism and promote tolerance:** The U.S. and German governments should continue to prioritize the fight against antisemitism, Islamophobia, and other forms of intolerance and develop common strategies to confront these problems. That a growing majority in Germany supports a liberal democracy is an under-touted fact—and a reason for hope. That narrative of why protecting and nurturing Germany's leadership as a liberal democracy as a source of its strength needs to be told in a more compelling manner.
- **Address institutional racism:** Germany should implement recommendations to bolster training for law enforcement on racial

discrimination and hate crimes, and create external accountability mechanisms. As institutional discrimination also persists in American law enforcement, the U.S. and German governments should seek to share best practices.

■ **Strengthen responses to hate crime:**

Resources to protect communities from hate crime should be increased to match the increased threat.

■ **Prioritize refugee policy and integration:**

The German government should seek to restore society's confidence in its ability to manage the refugee crisis and integrate

refugees and migrants in a way that is inclusive, safe, and rights-respecting.

Germany's steadfast leadership in maintaining a humane refugee policy will be ever more important as the United States navigates a political transition where refugee policy has been a lightning rod.

- **Fight hate online:** Government, technology companies, and civil society in both the United States and Germany should continue to work together to counter the spread of misinformation, intolerance, and extremism online. ■

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## Endnotes

- <sup>1</sup> Bundesministerium des Innern (BMI) [Federal Ministry of the Interior], *PMK-Straftaten im Bereich Hasskriminalität 2014 und 2015* (May 2016), [http://www.bmi.bund.de/SharedDocs/Downloads/DE/Nachrichten/Pressemitteilungen/2016/05/pmk-2015-hasskriminalitaet.pdf;jsessionid=3EDD248DAB8A83AB41911ED9C0E83DED.2\\_cid373?\\_\\_blob=publicationFile](http://www.bmi.bund.de/SharedDocs/Downloads/DE/Nachrichten/Pressemitteilungen/2016/05/pmk-2015-hasskriminalitaet.pdf;jsessionid=3EDD248DAB8A83AB41911ED9C0E83DED.2_cid373?__blob=publicationFile).
- <sup>2</sup> BMI, *PMK-Straftaten gegen Asylunterkünfte nach Deliktsbereichen 2014 und 2015* (May 2016), [http://www.bmi.bund.de/SharedDocs/Downloads/DE/Nachrichten/Pressemitteilungen/2016/05/pmk-2015-straftaten-gegen-asylunterkuenfte.pdf?\\_\\_blob=publicationFile](http://www.bmi.bund.de/SharedDocs/Downloads/DE/Nachrichten/Pressemitteilungen/2016/05/pmk-2015-straftaten-gegen-asylunterkuenfte.pdf?__blob=publicationFile).
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- <sup>5</sup> *Ibid.*
- <sup>6</sup> BMI, *PMK-Straftaten gegen Asylunterkünfte nach Deliktsbereichen 2014 und 2015*.
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- <sup>9</sup> BMI, *PMK-Straftaten gegen Asylunterkünfte nach Deliktsbereichen 2014 und 2015*.
- <sup>10</sup> BMI, *PMK-Straftaten im Bereich Hasskriminalität 2014 und 2015*.



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