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## Bundestag Passes Law Designed to Combat Organized Crime, Rightwing Extremism

A modified version of a controversial revision of Germany's criminal code passed the Bundestag Wednesday (September 21) with strong bipartisan support, virtually assuring its approval by the upper house, the Bundesrat. When the new provisions go into effect, backers say, the government will be better equipped to combat organized crime and rightist violence.

In late May, the Bundestag approved the "war-on-crime law" (*Verbrechensbekämpfungsgesetz*) introduced by the governing Christian Democratic-Liberal coalition (CDU/CSU/FDP) (cf. TWIG 5/27/94, p.1). Among the provisions of the law were increases in the penalties for a number of offences, including incitement and distribution of neo-Nazi propaganda. It would also have allowed prosecutors to make use of evidence provided by the intelligence services in building cases against criminal organizations and terrorist groups. This package of changes in the criminal code subsequently failed, however, to win the approval of the SPD-dominated Bundesrat, whose members are selected by the governments of the sixteen federal states. At the time the Bundestag passed the law, the Social Democrats charged that its measures directed against organized crime were inadequate. The contested law was then sent to the mediation committee, whose members come from both houses. After long negotiations, the mediation committee arrived at a compromise version. When it came up for vote in the Bundestag this week, only the Greens and the Party of Democratic Socialism, along with a handful of Social Democrats, opposed it.

If, as expected, the Bundesrat votes to approve the anti-crime package this Friday (September 23), the changes in the criminal code could go into effect as early as December 1. The maximum punishment for bodily injury will be increased from three to five years' imprisonment. Distribution of constitutionally banned extremist propaganda, incitement, and denial of the Holocaust would also be punishable by up to five years' imprisonment. While wearing or displaying Nazi symbols has long been illegal, the new law will make wearing or displaying neo-Nazi symbols patterned on earlier Nazi models illegal for the first time. The new version of the anti-crime law allows the Federal Intelligence Service (*Bundesnachrichtendienst*) to pass information concerning terrorism, drug and weapons dealing, money laundering, and counterfeiting on to prosecutors. It also opens the way for prosecutors to request milder sentences for suspects in organized crime cases who provide the state with evidence.

According to a spokesperson for the Federal Ministry of Postal Services and Telecommunications, the new anti-crime law might also provide a legal basis for the Post Office to seize neo-Nazi materials sent to Germany from abroad. German officials, a spokesperson for the Federal Ministry of Foreign Affairs cited in the September 18 edition of the *Frankfurter Allgemeine Zeitung* said, have repeatedly asked American authorities for help in suppressing the flow of neo-Nazi publications produced in the U.S. to Germany. Production and distribution of such materials is illegal in Germany, but not in the United States. Up to now, the Foreign Ministry spokesperson said, the government has been essentially powerless to halt the import of neo-Nazi propaganda into Germany. If the revisions in the criminal code are, as anticipated, implemented later this year, the U.S. materials could be constitutionally prohibited, after which they could be confiscated by the Post Office. ■

## Germany and Russia Join Forces To Combat Atomic Smuggling

A cooperation agreement between Germany and Russia on combating international crime will shortly be ready for signing, leading representatives of the two nations announced Wednesday (September 21). Minister of State in the Chancellery Bernd Schmidbauer (CDU) and General Sergei Stepashin, the head of Russia's intelligence service, held two days of talks in Bonn this week to discuss joint efforts against

organized crime. While their talks touched on the problems of terrorism, international gangsterism, drug smuggling, and illegal migration, the primary focus of the German-Russian initiative is atomic smuggling, the illegal trade in radioactive materials.

In the first half of 1994, the German government announced earlier this

NOV 29 2000

continued on the next page

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