

# **Panel Discussion on Horizontal and Vertical Cooperation on Internal Security and Crime German Case**

**Delhi, January 2016**

# Task of the State Police Forces

- **Ordinary police (States have legislative and executive power!)**
  - General protection and prevention
  - Enforcement (not concerning administrative offenses)
  - Road Traffic, Rivers
  - Criminal Investigation (criminal investigation police)
  - Support of other state police forces, subordinated to the requesting state
- **State Office of Criminal Investigation (serious and organized crimes)**

# Task of the Federal Police

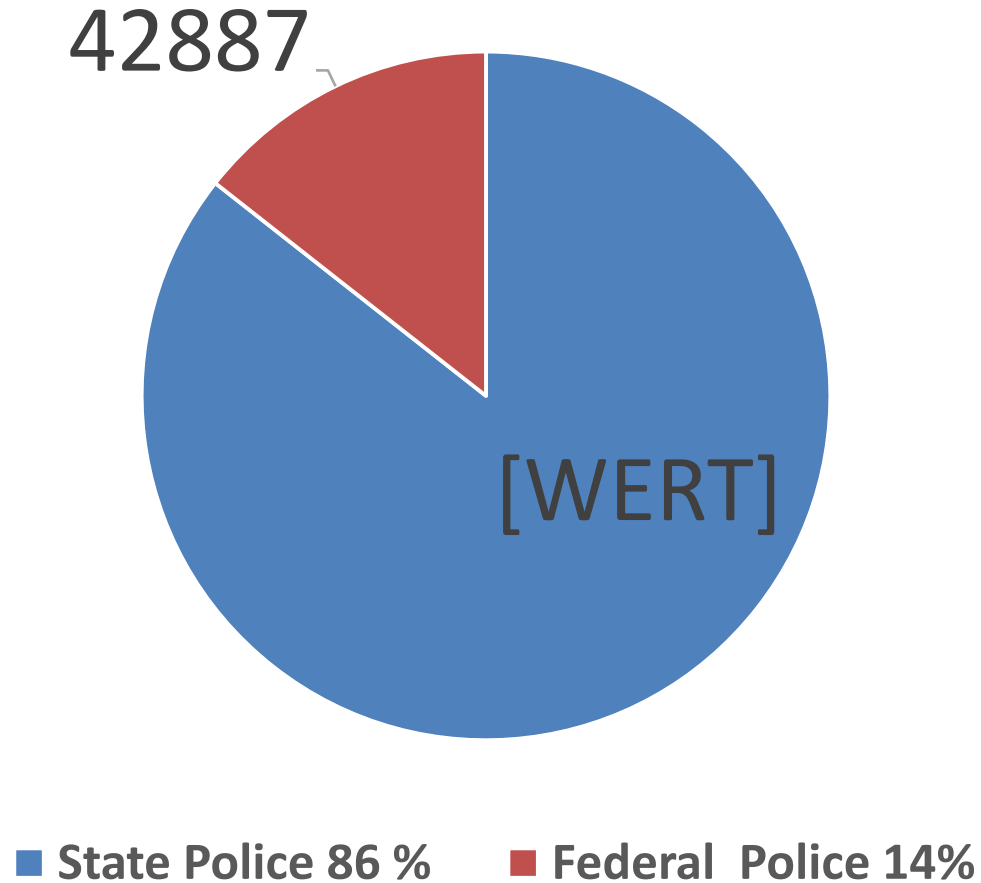
**Federal Police (special police of the Federation, originally special paramilitary border protection force)**

- **Border protection**
- **Federal Railways (trains, tracks and stations)**
- **Air security, airports and protection in air planes**
- **Support of state police forces, subordinated to the requesting state**
- Protection of federal constitutional bodies in Germany and federal institutions abroad
- Internal protection of the constitutional order, external protection, state of defense, war
- High seas police (outside national territory)
- International police support (i.e. UN or EU missions)
- Intelligence concerning radio communication

# Tasks of the Federal Office of Criminal Investigation

- **International terrorism, national security**
- **Coordination with and between the respective states offices**
- **Central agency for police inquiry and information especially international and interstate crime**
- **Coordination of police data collection**
- **International police cooperation against international crime**
- **Personal protection at federal level (representatives of federal constitutional bodies, federal witnesses)**

# Total Police Personnel



# Offices of the Protection of the Constitutional Order

**Internal secret service without police functions** (no right of criminal investigation, to arrest or use force, for criminal prosecution they have to inform the police or public prosecutors )

- Gathering of intelligence concerning threats against the constitutional order and existence of Federation and States
- Counter-intelligence
- Counter-sabotage

## **Federal Office and 16 State Offices**

- Cooperation, sharing of information
- Common databases

# Important Bodies of Coordination

- **Federal Council and its committees concerning federal legislation (i.e. criminal law, where Federation has concurrent legislative power)**
- **Conferences of Minister Presidents with Federal Chancellor (very important issues like state security, immigration), 2 times a year & extraordinary meetings**
- **Permanent Conference of Ministers of the Interior**
  - 16 state ministers, federal minister permanent guest without vote
  - yearly rotating chair, unanimity
  - 2 ordinary meetings yearly , special meetings on demand
  - specialized subcommittee for police and security, head of departments (state police presidents plus president of the Federal Office of Criminal Investigation)

# Organization of the German Judiciary

## Ordinary Jurisdiction:

- 646 Local Courts (minor cases)
- 115 District Courts (normal cases)
- 24 Higher regional courts (court of first instance for state security cases and court of appeal)
- Federal Court of Justice (court of last instance)

**All courts are state courts except the Federal Court of Justice**



# Organization of Public Prosecutor

- **Office of state public prosecutor at district courts**, ordinary prosecutor
- **Office of state public prosecutor at regional courts**, prosecutor concerning state security (i.e. terrorism, treason, high treason, espionage) and acts against international criminal law), appeal cases, superior and supervisory authority of offices district state prosecutor
- **Office of federal public prosecutor office at Federal Court of Justice**, supreme prosecutor concerning state security and appeal cases

**Thank you for your attention!**