German authorities press charges in Lübcke murder case

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Last week, German prosecutors formally charged the alleged murderer of Kassel district president Walter Lübcke (Christian Democratic Union, CDU) in the Higher Regional Court in Frankfurt.

The neo-Nazi Stephan Ernst is accused of having shot Lübcke in cold blood on the terrace of the CDU official's home on the evening of June 2, 2019. His associate, Markus Hartmann, is charged with being an accessory to the crime, German federal authorities explained in a press release.

Ernst initially confessed to the crime, but withdrew his confession several days later. In January, Ernst then accused Hartmann of having fired the fatal shot, which the latter denies. The evidence against Ernst is overwhelming. His DNA was found on the murder weapon, the ammunition in it and on Lübcke himself. According to the investigators, they have not found any traces of Hartmann's presence at the scene of the crime.

The indictment states that the "decisive factor in the crime" was Ernst's "nationalist attitudes, which was supported by racism and xenophobia." In 2015, Ernst and Hartmann were present at a town hall meeting in Lohfelden, Hesse at which Lübcke defended housing refugees. During the course of the following two years, Ernst is said to have decided to murder Lübcke. The authorities accuse him of base motives and malice aforethought.

"It was also important to him to use the murder to send a publicly noticed signal against the current state order, which he rejected," writes the prosecutor. The assassination therefore endangered the security of the Federal Republic.

The authorities consider Ernst to be fully culpable. A forensic psychiatrist could not find any evidence of diminished responsibility. Since Ernst has a tendency to commit serious crimes, as the prosecution states, the conditions for preventive detention are met, i.e., for imprisonment beyond the 15-year maximum sentence.

The 322-page indictment accuses Ernst not only of the murder of Lübcke, but also of another attempted murder. Prosecutors suspect him of having attempted to murder Ahmad E., an Iraqi immigrant, in the Kassel suburb of Lohfelden on January 6, 2016. Ernst is said to have approached the asylum seeker from behind on a bicycle and stabbed him in the back with a knife. The victim was seriously injured.

The lengthy police search for a perpetrator was unsuccessful, but during investigations into the Lübcke case suspicion focused on Ernst. They found a DNA trace, which presumably originated from the Iraqi, on a folding knife, which police seized in the basement of Ernst and his family's house.

Ernst is also considered a suspect in another attack, but here the evidence is insufficient for an indictment. In February 2003, a shot was fired through the kitchen window of a teacher who was actively fighting right-wing extremists, and only just missed him. The police found the name and a photo of the teacher on a USB stick in the basement of Ernst's house.

Hartmann is primarily accused of aiding and abetting the murder of Lübcke (both defendants are also accused of violating the weapons law). The indictment claims Hartmann put Ernst in contact with the arms dealer from whom he bought the murder weapon. And he is said to have given Ernst psychological aid in committing the murder, "among other things, by joint shooting exercises in forests and shooting clubs in the years 2016 to 2018."

Hartmann instructed the alleged Lübcke assassin in the "handling of firearms, also including the later murder weapon," according to federal authorities. Hartmann also gave his associate "encouragement and assurances for his deed" by taking part in various demonstrations of a right-wing character.

Hartmann is not alleged to have been aware of the plan for the attack on Lübcke, but he had thought it possible, from July 2016 at the latest, that Ernst could assassinate a politician because of the government's refugee policy. Hartmann had "accepted this with approval" and thus strengthened Ernst's will to kill Lübcke.

As was already the situation in regard to the neo-fascist National Socialist Underground (NSU), which committed 10

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murders and several attacks and bank robberies between 2000 and 2007, the case of Ernst and Hartmann raises the question of how much state authorities knew about or how deeply they were even involved in the plans. And as in the Munich NSU trial, it is not to be expected prosecutors and the court will pursue this angle.

Ernst has been known to the authorities as a right-wing criminal for decades. He has been brazen in his views and offences since 1989, having spent several years in prison. In 1992, when he was less than 20 years old, he committed an almost fatal knife attack on a Turkish Imam in Wiesbaden, as well as a pipe bomb attack on a refugee shelter in Hesse.

In the court proceedings at the time, reports *Der Spiegel*, an expert diagnosed him with a "severe mental abnormality," which led to a reduced capacity for guilt. A psychologist from Wiesbaden certified Ernst in 1994 as "sociopathic," according to the magazine.

Released from prison, Ernst immediately re-joined the right-wing extremists. For years, he and Hartmann were active in the Kassel neo-Nazi scene, whose hard core never consisted of more than 50 people. This circle demonstrably had contacts with the NSU, which murdered the young Halit Yozgat in Kassel in 2006.

The Hesse State Office for the Protection of the Constitution [German secret service] alone had at least seven Confidential Informants (CI) in this relatively small neo-Nazi scene around 2006. The Hesse secret service officer Andreas Temme, who had the nickname "Little Adolf" in his home village and had private relations with the Hells Angels, was familiar with these informants. Temme was at the crime scene during the murder of Yozgat. Investigation documents of the Central Franconian Police Headquarters from 2006, about which the *Redaktions Netzwerk Deutschland* (RND) reported at the beginning of the year, also show connections between Temme and earlier NSU murders.

In a detailed analysis, the anti-fascist research website Exif shows numerous links, parallels and personal continuities between the brutal murders of Yozgat and Lübcke.

The case of Hartmann stands out, writes Exif. He is originally from Rudolstadt, the same area in Thuringia as the NSU. Hartmann was active in the ultra-right extremist scene there; by 2006, he was already in Kassel. He was even questioned by the police during the investigation of the Yozgat killing. The investigators noticed he had often clicked on an internet site that reported on the murder case. Hartmann claimed to have known the murder victim "fleetingly." The police then dismissed the lead as irrelevant.

When Hartmann and Ernst, together with several hundred neo-Nazis, attacked a rally of the German Federation of Trade Unions in Dortmund three years later, on May 1, 2009, both were arrested for the last time. The Dortmund District Court sentenced Ernst to seven months' suspended imprisonment. Hartmann got off without punishment.

From then on, both continued to move in the right-wing scene, but were no longer prosecuted, leading the secret services after the murder of Lübcke to claim the two had disappeared from their radar screen.

This is demonstrably false.

According to Exif, statements made by Cornelia Zacharias of the Attorney General's Office (GBA) at a meeting of the "Committee for Internal Affairs and Homeland Affairs" on January 15, 2020, suggest that Hartmann was or is an informant. At this meeting, the current status of the investigation into the Lübcke murder case was reported. When asked whether Hartmann had been an informant for any agency, Zacharias replied that she knew, but was not authorized to give information about the matter. "Before that, however, when asked whether Stephan Ernst had been an informer, a representative of the GBA had said bluntly that his agency could rule this out," Exif writes.

If Hartmann was an informant, the question also arises as to when he was placed on the secret service payroll. In 2006, when Yozgat was murdered? Do Hartmann and Temme, who was responsible at the secret service for CIs in the right-wing scene, know each other, and if so, for how long? Because the civil servant Temme, over whom the Hesse state government holds its protective hand, was transferred to the government agency headed by Lübcke after the NSU murder of Yozgat.

Did Lübcke know things about these right-wing extremist connections that proved to be his undoing? Were there reasons other than his appearance at the town hall meeting in Lohfelden that tipped the scales and led to his murder? Who besides Ernst and Hartmann were involved in the murder plans? These are all questions that are more than justified taking into account the crimes of the NSU and the involvement of the secret services in them.

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