

# Press Release

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**Higher Regional Court (OLG) Frankfurt/Main: Juvenile sentence of two years on probation for Deday A.**

The 5th Senate (State Security Senate [Staatsschutzsenat]) of the Higher Regional Court (OLG) Frankfurt/Main has sentenced the 20-year-old Iraqi citizen Deday A. for the preparation of a serious violent offence endangering the state, for the recruitment of supporters for a foreign terrorist organisation („Islamic State“) and for the procurement of instructions for the preparation of a serious violent offence endangering the state.

Following the main hearing, the Senate has established the following facts:

Since December 2017 the latest, the radicalised defendant plotted an attack in Germany in order to kill or injure persons of non-Muslim belief. For this purpose, he got hold of black powder which he extracted from Chinese fireworks and kept in the premises of his parents. He planned to construct an explosive device with the intent to ignite it in an unknown place at an unknown point of time. His aim was to kill many people of non-Muslim belief.

Furthermore, in the time period from 23 December 2017 until 10 January 2018, Deday A. contacted an unknown person, who acted on Facebook under the user name „Shakir Kurdi“. The defendant requested this person to join the „Islamic State“ in Syria or in Iraq as a member and to commit a suicide attack as a martyr.

On 11 February 2018, Deday A. sent a video to his chat partner „Diba“ (not identified) via the messenger service Telegram. The video contained propaganda material of the terrorist organisation „Islamic State“ including an instruction for building small arms from commercially available materials, in particular a single-shot rifle of the caliber 12/70. The defendant aimed at strengthening or evoking the willingness of „Diba“ to commit a serious violent offence endangering the state using the selfbuilt rifle.

The defendant was held in pre-trial detention since 13 February 2018 to the present day. The order of pre-trial detention against the defendant was revoked by the Court.

The judgement is not yet final. The defendant and the Attorney General (Generalstaatsanwaltschaft) have respectively the right of appeal against the judgement to the Federal Court of Justice (BGH).

**Higher Regional Court (OLG) Frankfurt/Main, judgement of 9 September 2019,  
5 – 2 O Js 23/18 – 4/18**

In the course of the trial, it turned out that the defendant was not (as maintained) 18, but 20 years old. Nonetheless, he was sentenced under juvenile criminal law by the Senate.

**English version: Dr. Charlotte Rau**