

RAXEN Bulletin (1)

German NFP

Debate on the anti-discrimination bill in the German Parliament¹

During the first reading of the anti-discrimination bill in the German Parliament (Bundestag) on January 21, 2005, representatives of the government described their draft as a “balanced compromise” and “important political sign for the society”. The Federal Commissioner for Migration, Refugees and Integration called it an “important step towards a culture of equal treatment in Germany”. The opposition parties, the Christian Democrats (CDU) and the Liberal Party (FDP), disapproved of the draft because it exceeds the minimum standards required by the EU Directives on equal treatment: for instance, the provisions in the draft prohibits discriminatory treatment in the sphere of civil law not only on the grounds of “race” and ethnic origin – as required by the EU directives – but also on the grounds of religion, belief, age, disability, and sexual orientation. Furthermore, the opposition parties criticised that the provisions in the draft were too bureaucratic. Representatives of employers` associations also rejected the draft arguing that it would have a too far-reaching restriction of the freedom of contract.

After the first reading in the Parliament, the draft was transferred to the parliamentary committees for further discussions.

Notorious right-wing extremist sentenced to nine months in jail for inciting people to anti-Semitic sentiments²

After eleven months of court proceedings, the neo-Nazi Horst Mahler, a former member and lawyer of the extreme right-wing party NPD (German National Democratic Party), was sentenced to nine months in prison (without probation) for inciting people to anti-Semitic sentiments. The District Court in Berlin found him guilty of having distributed a paper to journalists in Berlin more than two years ago in which he had described the hatred towards Jews as “something completely normal” and as a “sign of mental health”.

During the court proceedings, Mahler repeated his anti-Semitic agitation and, according to the chief judge, tried to re-evaluate “blatant anti-Semitism in an intellectual way”, which might serve other right-wing extremists as a source of

¹ Source: Die Welt (22.01.2005); die tageszeitung (taz) (22.01.2005), p.2; Nürnberger Nachrichten (22.01.2005); ZDF heute (TV) (21.01.2005); press release Federal Commissioner for Migration, Refugees and Integration 21.01.2005

² Source: taz Berlin lokal (11.01.2005), p.21; Berliner Zeitung (BZ) (13.01.2005); Frankfurter Rundschau (FR) (13.01.2005), p.4

“intellectual justification”. As a consequence of his anti-Semitic statements in the court, Mahler was accused again of agitation of the people.

Court proceedings: Defendant accused of attempted murder of Kenyan asylum seeker³

On January 4, 2005, the court proceedings against a 28 and a 30-year-old defendant, who are accused of having attacked two asylum seekers in front of a discotheque in July 2004, started at the District Court in Potsdam (Brandenburg). In the opinion of the Federal Prosecutor, the 28-year-old main defendant, a former staff sergeant in the German army, injured the throat of one of the Kenyan asylum seekers “to a potentially life-threatening degree” by using a broken bottle. According to the victim support association Opferperspektive, he tried to kill the asylum seeker. He is now accused of attempted murder with xenophobic motives; such motives, however, were denied by the defendant himself. The second defendant is accused of bodily injury; he has already confessed that he slapped the victim.

Two women, one of them a member of the German army, intervened and protected the asylum seeker who was lying on the ground, and, by doing so, was able to prevent a further escalation of the situation.

Attack on two Indonesians with irritant gas in Berlin⁴

In the night of the 17-18 January, two Indonesians were insulted and attacked by two unknown young persons in a tram in Berlin. According to the police, the two victims were reading a newspaper when the two perpetrators addressed them with the question as to whether they were able to read the newspaper at all. Then they grabbed the newspaper and sprayed irritant spray in the Indonesians’ faces. The victims had to be treated in an ophthalmic hospital.

The State Security department of the Berlin police started the investigations since it cannot be ruled out that the crime was motivated by xenophobia.

Neo-Nazi march in Magdeburg 60 years after the destruction of the city by the Allies⁵

On January 16, 2005, about 1,000 neo-Nazis took part in a march through Magdeburg - many of them carrying black flags – to commemorate the

³ Sources: press release Opferperspektive e.V. 03.01.2005; Märkische Allgemeine Zeitung (04.01.2005); Rundfunk (Broadcasting) Berlin-Brandenburg (04.01.2005); taz (04.01.2005), p.6

⁴ Sources: www.welt.de (19.01.2005), BZ (20.01.2005), taz Berlin lokal (20.01.2005), p.28

⁵ Sources: FR (17.01.2005); taz (17.01.2005), p. 7; Die Welt (17.01.2005)

destruction of the city 60 years ago by the Allies in World War II. Simultaneously, some 1,500 people followed the call of an “Alliance Against Right Wing” organized by democratic parties, trade unions, associations against right-wing extremism and several artists to take part in various activities against the neo-Nazi demonstration. They also commemorate the victims of the war, however, stressing that these “victims were victims of German fascism”.

It is expected that right-wing extremists will continue to misuse such anniversaries, for example, the bombing of Dresden on February 13, 60 years ago, during the next few months for their political propaganda.

Extreme right-wing party NPD provoked a scandal in the parliament of Saxony⁶

On January 21, 2005, representatives of the extreme right-wing and xenophobic party NPD, provoked a scandal in the state parliament of Saxony by leaving the parliament during an official minute’s silence in commemoration of the victims of the Nazi regime. In the subsequent parliamentary debate, NPD representatives described the bombing of Dresden by the Allied Forces as “bomb holocaust” and “cold-blooded planned, industrial mass murder”. As a reaction to this incident, the Central Council of Jews in Germany declared that it is a “perfidious relativisation of the Holocaust at the expense of all victims” to compare the bombing of Dresden to the Holocaust genocide. The chairman of the Central Council, Paul Spiegel, stated that right-wing extremism has reached a “new and dangerous quality”.

The incident in the state parliament in Saxony reanimated the debate on the question of how to deal with right-wing extremist parties. Some politicians argued in favour of legal action to ban the NPD, the majority, however, called to fight right-wing extremism and anti-Semitism with political means.

Two extreme right wing parties agreed on an alliance for upcoming elections⁷

The leaders of two extreme right-wing parties, both under observance by the Office for the Protection of the Constitution, Voigt (NPD) and Frey (DVU) decided to build up a “new German Front of the People” together and agreed on closer cooperation for several upcoming elections in Germany. At a DVU party convention on January 16 in Munich, they signed an agreement that the DVU will not run for the federal election in 2006, but the NPD will include 15

⁶ Source: Spiegel-online (21.01.2005, 22.01.2005, 27.01.2005); Süddeutsche Zeitung (22.01.2005); taz (22.1.2005), p.7; Tagesschau (TV) (21.1.2005); press release of the Central Council of Jews in Germany 21.1.2005

⁷ Sources: Frankfurter Allgemeine Zeitung (17.01.2005), p.2; FR (17.01.2005); taz (17.01.2005), p.7

members of the DVU on its “open election list” – a procedure which is not illegal in Germany. Vice versa, the NPD will abandon its plans to run for the elections of the EU-Parliament (2009) and will put seven of their candidates on the election list of the DVU. Similar agreements were reached for several state elections in Germany.

With this alliance, the two extreme right wing parties aim at combining their political forces in order to receive enough votes in the elections to send their own representatives to the EU, the Federal, and the State Parliaments.

At the party convention, Voigt and Frey both agitated against foreigners and described the “repatriation of foreigners” as one core element of their political agenda.

Central Council of Jews in Germany worried about “new quality” of anti-Semitism⁸

The Chairman of the Central Council of Jews in Germany (Zentralrat der Juden in Deutschland), Paul Spiegel, complained about a “new quality” of anti-Semitism in Germany. In particular, he referred to the success of the NPD, an extreme right wing party (see above), at the state elections in Saxony (9.2 per cent of the votes), to the increasing number of desecrations of Jewish cemeteries and to public statements such as the recent sermon of the Catholic Archbishop Meisner in which he compared abortions with the Holocaust.

In January 2005, several incidents of damaging Jewish cemeteries and memorials were reported. In Dortmund, for instance, extreme right-wing slogans and symbols (swastikas and SS runes) were discovered on several gravestones in a Jewish cemetery.

Latest official statistical data on extreme right-wing crimes: November 2004⁹

The annual statistics on politically motivated criminality has not yet been released; however, there are new data available for November 2004 (Table 1 in the annex): The data show that during the first eleven months of the previous year, 7,154 crimes were registered in the field of “politically motivated criminality - right-wing” (comparable period of 2003: 6,454), including 433 violent crimes (comparable period of 2003: 496). 1,320 offences were deemed as xenophobic, including 203 violent crimes. In the comparable period of 2003,

⁸ Sources: FR 08.01.2005; Hamburger Abendblatt 11.01.2005; taz Ruhr (11.01.2005), p.4

⁹ Sources: German Parliament, printed matter BT 15/4459 (03.12.2004); data for November 2004 available at: www.petrapau.de/15_bundestag/dok/down/2004_zf-rechtsextreme-straftaten.pdf (20.01.2005)

“only” 1,199 xenophobic offences were reported, 278 of them were categorized as violent crimes.

From January to November 2004, the number of people injured as a result of a crime registered as “politically motivated crime – right-wing” amounted to 336 (Table 2 in the annex), compared to 387 injured people in the same period of 2003. 164 of the injured people in 2004 (January to November) were victims of xenophobic crimes (same period of 2003: 186).

Unofficial data on extreme right-wing and racist violence in Brandenburg¹⁰

The victim support association Opferperspektive e.V. has published its (unofficial) annual statistics on extreme right-wing and racist violence (2004) in the state of Brandenburg. In the year 2004, the association registered 134 acts of extreme right-wing violence, which is an increase by 13 per cent compared to the previous year with “only” 119 such acts. 76 of these violent acts in 2004 were deemed to be racially motivated, the rest was directed predominately against non-right-wing citizens, but also against homeless and handicapped persons. Most of the 134 acts of violence were categorized as bodily injury (107), followed by eleven cases of arson.

In 2004, the number of persons who have been injured by extreme right-wing violence amounted to 174 – according to Opferperspektive, the highest number ever registered in Brandenburg (2003: 154). The number of racially motivated acts of bodily injury has grown most significantly from 40 (2003) to 55, i.e. an increase of 35.5 per cent.

¹⁰ Source: press release Opferperspektive e.V. 12.01.2005

Annex

Table 1: Politically motivated criminality – right-wing: Criminal acts and violent crimes 2004 (January - November)

	Criminal acts		of which xenophobic criminal acts	
		of which violent crimes		of which violent crimes
January	554	29	94	14
February	587	45	102	25
March	679	30	125	17
April	687	44	128	19
May	740	56	151	27
June	567	34	119	18
July	572	36	106	22
August	741	37	115	20
September	609	38	124	24
October	738	48	144	17
November	680	36	112	19

Source: Criminal Investigation Registration Service – politically motivated criminality

Table 2: Politically motivated criminality - right-wing January – November 2004: Injured people

	Injured people as a result of "politically motivated criminality - right-wing"	The number of which were injured as a result of xenophobic crimes
January	30	14
February	39	20
March	14	8
April	45	14
May	45	21
June	24	14
July	20	13
August	32	21
September	30	18
October	30	6
November	27	15

Source: Criminal Investigation Registration Service - politically motivated criminality