

RAXEN BULLETIN
January – April 2008

The information provided in the RAXEN bulletins feeds into the FRA Bulletin. The FRA Bulletin offers a snapshot overview on developments in the EU, which are relevant to FRA's mandate and work. Its purpose is to provide factual up-to-date and accurate information for policy-makers (European Commission, Member State governments, members of European/national parliament) as well as for experts from non-governmental organizations (NGOs), think tanks and intergovernmental organizations (IGOs).

1. UPDATE ON POLICY DEVELOPMENTS

Interim Results of the German Islam Conference

On 13 March 2008, the Federal Ministry of the Interior (BMI) presented an interim conclusion of the consultation processes within the framework of the German Islam Conference (DIK). The DIK was launched by the BMI in September 2006 as an official platform for discussions between the German state and Muslim communities and individuals. In its interim report, the DIK calls, among others, for a nationwide introduction of Islamic education as a regular subject at school; the constructions of mosques is described as an 'important step towards integration of Islam'. Furthermore, the empirical study Muslim Life in Germany, which has been launched to gain quantitative insights into the Muslim population, should be further enhanced in the future. Following a recommendation of the DIK working group *Security and Islamism*, a Clearing Body was installed at the Federal Office for Migration and Refugees (BAMF). This body is commissioned to coordinate and support cooperation activities between police and Muslim organisations on local or regional level; a nationwide network of contact persons at the security authorities and at Muslim organisations is envisaged.

BMI, press release, 13.03.2008 (available at:

www.bmi.bund.de/cln_012/nn_122688/Internet/Content/Nachrichten/Pressemitteilungen/2008/03/DIK_3_Plenum.html (10.04.2008)

Manual for teachers: recommendations on Islam in the educational system

In early February 2008, the North-Rhine Westphalia (NRW) State Commissioner for Integration released a manual which aims to assist teachers and other educators in dealing with specific religious requirements of Muslim students and parents. The manual provides theological and practical overview information on various issues ranging from Islamic dietary rules, religious holidays, the understanding of family and gender roles to school excursions, sport and swimming lessons, Islamic education and the work with parents. Every chapter concludes with 'possible proposals for solutions'.

L. Kaddor; J. Nieland (2008) Herausforderungen und Chancen in Bildungseinrichtungen.

Grundinformation zum Islam und Anregungen zum Umgang mit muslimischen Kindern,

Jugendlichen und Eltern, Düsseldorf: NRW State Commissioner of Integration; available at:

www.integrationsbeauftragter.nrw.de/pdf/muslimische-schueler171207.pdf (21.04.2008)

2. UPDATE ON LEGAL DEVELOPMENTS AND AWARENESS-RAISING CAMPAIGNS

Courts confirm legal ban of headscarves for Muslim teachers in Baden-Württemberg and North-Rhine Westphalia

On 14 March 2008, the *Verwaltungsgerichtshof* [State Administrative Court, VGH] Baden-Württemberg held that a teacher who wears a piece of headwear for religious reasons during class violates the state school law (Ref. 4 S 516/07). The law, amended in early 2004, bans teachers from expressing their belief or religion in a way that is suitable for endangering the neutrality of the state. The claimant, a Muslim teacher of German origin who had been covering her head for religious reasons – though not with a traditional Muslim headscarf – since 1995, was ordered by the school authority in December 2004 to take off her headpiece during class. In 2007, the Administrative Court (VG) in Stuttgart ruled that this order constituted a violation of the principle of equal treatment since there were also nuns teaching with their habits in a public school in Baden-Württemberg. In the subsequent appeal trial, the VGH did not follow the reasoning of the VG and ruled that the claimant's refusal to take off their headpiece is a violation of Sec. 38 (2) of the state school law. The VGH did not permit appealing against the decision.

In another second instance 'headscarf trial', the State Labour Court (LAG) Düsseldorf (NRW) confirmed the preceding ruling of the labour court according to which a Muslim teacher is obliged to take off her hat which she was wearing instead of a Muslim headscarf (Ref. 5 Sa 1836/07; 10.04.2008). According to the LAG, the teacher expressed her religious belief by wearing the hat, which fully covers her hair and ears. The school authority's order was considered in compliance with the General Equal Treatment Act (AGG) due to the specific occupational requirements of teachers. The claimant was given the opportunity to appeal against the ruling.

Press release: VGH Baden-Württemberg 18.03.2008; online available at:

<http://vghmannheim.de/servlet/PB/menu/1218216/index.html?ROOT=1153033>

Press release: LAG Düsseldorf 10.04.2008; online available at: [www.lag-](http://www.lag-duesseldorf.nrw.de/beh_static/presse/mitteilungen/940_10_08.pdf)

[duesseldorf.nrw.de/beh_static/presse/mitteilungen/940_10_08.pdf](http://www.lag-duesseldorf.nrw.de/beh_static/presse/mitteilungen/940_10_08.pdf)

3. RESEARCH

Study examines extreme right-wing violent crimes in Berlin between 2003 and 2006

In February 2008, the Berlin State Administration of the Interior released a study on right-wing violence in Berlin, compiled by the State Department of Internal Security. The study, a follow-up report of a study covering the years 1998 to 2003, presents core findings obtained through an examination of 300 criminal offences registered by the police as extreme right-wing violent crimes in Berlin between 2003 and 2006. The publication contains information on, amongst others, the type of offence, the suspects and the victims.

In most cases the victims and the perpetrators did not know each other; the victims were attacked because they were perceived as representatives of a certain “enemy group”. 58 per cent of the right-wing attacks happened on the street; further 25 per cent specifically in the vicinity of train stations or in public transport; only three cases were registered in schools. 49 per cent of all cases of right-wing violent crimes were committed with a xenophobic motivation.

Berlin / Senatsverwaltung für Inneres und Sport (2007) Rechte Gewalt in Berlin. 2003 bis 2006. Berlin; available online at:

www.berlin.de/imperia/md/content/seninn/verfassungsschutz/stand2005/rechte_gewalt_2003_bis_2006_.pdf

Longitude study on anti-Semitic, Islamophobic and xenophobic attitudes

In January 2008, the results of the sixth round of the longitude survey *Gruppenbezogenen Menschenfeindlichkeit* [Group-focussed Enmity; GMF] conducted by the Interdisciplinary Institute for Conflict and Violence Research (University of Bielefeld) were published. The core aim of the GMF survey is to analyse the level and development of, among others, xenophobic, anti-Semitic and Islamophobic attitudes in the German society. The latest survey among 2,000 persons continues to show a strong prevalence of xenophobic attitudes, though with a slightly decreasing tendency compared to previous years: one quarter of the interviewees fully agreed that ‘there are too many foreigners living in Germany’ (2004: 30.1 per cent). Islamophobic attitudes remain on a high level: 29 per cent of the interviewees fully or rather support that Muslims should be prohibited to immigrate to Germany (2004: 24 per cent).

The latest survey results were published together with numerous essays on related issues (e.g. Islamophobia and Islam-critical viewpoints, medial discourse on Islam) and with several cases studies (e.g. on policing right-wing crimes).

W. Heitmeyer (ed.) (2008) Deutsche Zustände. Folge 6, Frankfurt/Main: Suhrkamp

4. Official / unofficial statistical data

Official statistics on extreme right-wing, xenophobic and antisemitic crimes in 2007

The Federal Ministry of the Interior (BMI) released the latest annual statistics on politically motivated (PMK) right-wing crimes, which show a slight decrease compared to the historical peak in 2006. In 2007, the police registered 17,607 such **extreme right-wing** crimes (2006: 18,142). Whereas 67.9 per cent of these crimes were cases of propaganda offences, 1,054 cases were categorised as violent crimes (2006: 1,115), mainly bodily harm. 1,197 persons were injured as a result of these right-wing crimes (2006: 1,296). The number of extreme right-wing crimes deemed **xenophobic** decreased from 3,294 in 2006 to 2,866 in 2007; 440 of them being categorised as violent crimes (2006: 511). In 2007, 1,561 of all extreme right-wing crimes were deemed **antisemitic** (2006: 1,662), which constitutes a slight decrease of 6.1 per cent. The number of extreme right-wing antisemitic crimes categorised as violent, however, increased to 61 (2006: 44).

BMI press release 10.04.2008; available at:

www.bmi.bund.de/cln_012/nn_122688/Internet/Content/Nachrichten/Pressemitteilungen/2008/04/Entwicklung_politisch_motivierte_Kriminalitaet.html (11.04.2008)

Victim support organisations present unofficial annual figures on right-wing violence

In **Saxony-Anhalt**, the two victim support organisations in Magdeburg and Dessau registered 151 cases of extreme right-wing violent acts (2006: 178), most of them cases of bodily harm (125). 26 per cent of these 151 cases were categorised as *racist* violence (i.e. directed against migrants, refugees, afro-Germans).

In **Brandenburg**, 137 right-wing motivated acts of violence (among those 99 cases of bodily harm) were counted by the organisation *Opferperspektive*; in 64 of these 137 incidents, racism is assumed to be the main motive of the perpetrators, with the main victim groups being migrants and refugees. One attack was deemed antisemitic.

The organisations *RAA Sachsen* and *AMAL* counted 306 violent acts with an extreme right-wing background in **Saxony** for 2007 (2006: 208); 79 of these attacks were directed against migrants.

In **Berlin**, the organisation *ReachOut* registered 112 right-wing, racist and/or antisemitic attacks or threats during 2007 (2006: 166). In 39 of these cases the victims have been attacked with a racist motivation; in six cases *ReachOut* assumed an antisemitic background.

Mobile Opferberatung (29.01.2008): www.mobile-opferberatung.de/index.php?bc=737

Opferperspektive (25.02.2008): www.opferperspektive.de/Home/684.htm

AMAL Sachsen (22.02.2008): <http://www.amal-sachsen.de/news.php?article=534>

ReachOut (13.02.2008): www.reachoutberlin.de/index.php?name=News&file=article&sid=481