

RAXEN BULLETIN
Germany
May– July 2010

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 as well as for experts from non-governmental organisations (NGOs), think tanks and intergovernmental organisations (IGOs).

This RAXEN Bulletin was compiled by the *European forum for migration studies* (efms) within the framework of the RAXEN project, commissioned by the EU Agency for Fundamental Rights (FRA).

1. UPDATE ON POLICY DEVELOPMENTS

Equality body presents ambitious work programme for the upcoming years

In April 2010, the German equality body, *Antidiskriminierungsstelle des Bundes* (ADS), presented its ambitious work programme for the next years. The ADS announced a new long-term strategy aiming at continuously enhancing the nationwide landscape of specialised support offers for victims of discrimination; first concrete steps have already been taken (e.g. meetings with core actors). This 'strategy for a discrimination-free society' also includes information campaigns to strengthen the awareness of the right to non-discrimination. Another central element of the ADS work programme is to launch a pilot project to test the feasibility of standardised recruitment procedures using anonymous CVs. Five large companies have agreed to participate in this one-year trial project and will test new application schemes with anonymous CVs, without a photo of the applicant, his/her name, date and place of birth and marital status. The results of the project are expected for fall 2011.

Similarly, the new North Rhine-Westphalia state minister of labour and integration announced the implementation of new recruitment procedures for the public service sector using anonymous CVs.

http://www.antidiskriminierungsstelle.de/SharedDocs/Downloads/DE/aktuelles/bericht_ueber_schwerpunkte_und_arbeit_der_ads.pdf?__blob=publicationFile (12.04.2011)
www.dw-world.de/dw/article/0,,5763964,00.html

New integration award for 'projects for and with Muslims' within the context of the re-launch of the German Islam Conference

In July 2010, the federal Minister of the Interior, de Maizière, announced the new Integration Award 2010, calling upon governmental and civil society organisations to present their 'projects for and with Muslims'. With this award, the Ministry of the Interior (BMI) seeks to give grants of between 1,000 and 5,000 EUR to innovative, sustainable initiatives that aim at strengthening the societal participation of Muslims, and redressing prejudices. The projects, which will be selected and awarded in November 2010, are expected to be thematically related to the agenda of the German Islam Conference (DIK), a discussion platform of governmental representatives, Muslim communities and other experts, coordinated by the BMI.

The DIK, initiated in 2006, was re-launched with a new work programme in May 2010. One of the main Muslim organisations, the Central Council for Muslims (ZMD), decided to not participate, arguing that the DIK is not suitable to address the most pressing issues. According to the ZMD, the work programme does not pay sufficient attention to Islamophobic developments and fails to provide a road map to the recognition of Muslim organisations as a statutory religious denomination.

http://www.deutsche-islam-konferenz.de/cln_117/nn_1994760/SubSites/DIK/DE/BisherigeErgebnisse/Integrationspreis/Preisverleihung/preisverleihung-node.html?_nnn=true (12.04.2011)
www.zentralrat.de/15833.php

2. UPDATE ON LEGAL DEVELOPMENTS AND AWARENESS-RAISING CAMPAIGNS

Equality body ADS published compilation of antidiscrimination court cases

In late May 2010, the German equality body ADS published a comprehensive compilation of selected German court rulings in the sphere of anti-discrimination legislation. This overview seeks to provide useful information on anti-discrimination litigation and is supposed to assist victims of discrimination – in combination with other sources of support – in deciding on which measures to take against unequal treatment. Organisations that provide support and counselling to victims of discrimination can search for court rulings in similar cases of discrimination, which can help them develop an effective strategy to claim their right to non-discrimination.

The ADS announced that this compilation of court cases will be updated on a regular basis. The head of the ADS, Christine Lüders, called upon the courts in Germany to submit relevant verdicts in the sphere of anti-discrimination.

www.antidiskriminierungsstelle.de/ADS/Service/pressemitteilungen,did=140774.html

Berlin Senate is drafting the first integration law on state level

The Berlin Senate is in the process of drafting the nationwide first state legislation specifically for the integration and participation of immigrants. On 15 June 2010, the cornerstones of the bill were discussed in the Senate and subsequently passed on to numerous organisations, including 110 migrant associations, for further comments.

The core goal that shall be pursued by the new law is to ensure equal participation of migrants in all areas of life and to redress any form of disadvantageous treatment. The bill aims to introduce numerous new regulations and amendments to existing laws. The recruitment of migrants into the public service sector shall be promoted by officially recognising intercultural competence as a key skill in the recruitment decision and by explicitly encouraging migrants to apply for vacancies. Several amendments aim to strengthen the political and social participation of immigrants, e.g. in local integration committees or in institutions of the education system. Moreover, religious diversity shall be considered more than before, for instance, by an amendment to the State Burial Law in order to permit Islamic burials without coffins.

Berlin Senate Administration for Integration, Labour and Social Affairs; press release 16.06.2010, available at: www.berlin.de/landespressestelle/archiv/2010/06/16/299535/index.html; more information on the bill is available at: www.berlin.de/lb/intmig/partizipationsgesetz_berlin.html (15.07.2010)

3. RESEARCH

Open Society Institute published two city reports on the situation of Muslims

The Open Society Institute (OSI) released two new reports on the situation and experiences of Muslims in Berlin and Hamburg, both compiled within the scope of the OSI programme *At Home in Europe*. Both studies are based on, among others, detailed interviews with 100 Muslim and 100 non-Muslim residents of the multi-ethnic neighbourhoods Berlin-Kreuzberg and Hamburg-Mitte respectively.

Muslims in Berlin

The findings of the Berlin study indicate that Muslims feel a strong sense of belonging to their neighbourhood, where the culturally diverse environment makes them feel welcome and safer than in other neighbourhoods, where "they often feel alienated and excluded". This is underscored by a high level of perceived discrimination – also on the grounds of their religion: 74 percent of Muslims stated that they have experienced religious discrimination at least once. Almost 90 percent of all respondents feel 'considerable racial and religious prejudice within society'. The report illustrates such figures with numerous qualitative statements from Muslim interviewees about their experiences of exclusion and discrimination in education, the access to housing and the labour market. Wearing a headscarf is particularly regarded as an almost insurmountable obstacle when trying to secure employment.

www.soros.org/initiatives/home/articles_publications/publications/berlin-muslims-report-20100427

Muslims in Hamburg

The Hamburg study came to the conclusion that, despite the local administration's efforts and successes in enhancing integration, Muslims continue to face discriminatory barriers based on their ethnicity and religion. Visible religious symbols, such as a Muslim headscarf, are perceived as a potential exclusion criterion when applying for jobs, for instance, in the area of public service. Both Muslim (81 percent) and, even more so, non-Muslim respondents (91 percent) feel a very or fairly high level of racial prejudice in Germany; especially Muslims (60 percent) stated that the extent of such prejudices has increased over the past five years.

www.soros.org/initiatives/home/articles_publications/publications/muslims-hamburg-20100629

4. OFFICIAL AND UNOFFICIAL STATISTICAL DATA

Office for Internal Security publishes annual statistics on right-wing extremist crimes for 2009

According to the latest annual report of the Federal Office for Internal Security [*Verfassungsschutzbericht*; VerfS], the police recorded 19,468 politically motivated right-wing crimes (2008: 20,422) in 2009. 18,750 of these crimes were categorised as right-wing extremist – 5.8 per cent less than in 2008, when a historic peak was recorded. The number of right-wing extremist crimes deemed as violent dropped from 1,042 to 891 in 2009 (-14.5 per cent). 81.5 per cent of all right-wing extremist crimes were registered as either propaganda offences (13,280; 2008: 14,262) or as cases of incitement against the people (1,997; 2008: 2,173).

In 2009, 351 of the 891 right-wing extremist violent crimes were deemed as xenophobic crimes (2008: 395); these 351 crimes include, among others, one case of racist homicide, two cases of attempted homicide, seven cases of arson and 321 cases of bodily harm (2008: 361).

The VerfS report also presented information on the number of right-wing extremist crimes, committed with an anti-Semitic background. In 2009, 1,502 such crimes were registered, slightly more than in 2008, when 1,477 such crimes were recorded (+1.7 per cent). The number of right-wing extremist, anti-Semitic offences deemed as violent crimes decreased from 44 in 2008 to 31 in 2009.

The regional distribution of registered right-wing extremist violent crimes shows large differences between the individual states (*Länder*): Whereas the total number of such crimes is highest in North Rhine Westphalia (2009: 163) and lowest in Hamburg, Hesse, Saarland and Bremen, the figures per capita indicate a significantly different picture: In Brandenburg, Saxony-Anhalt and Mecklenburg Western-Pomerania, Schleswig-Holstein and Saxony the number of registered violent right-wing extremist crimes is between 2.74 and 2.00 per 100,000 inhabitants, while the police in Baden-Württemberg, Bavaria and Hesse recorded less than 0.5 such crimes per 100,000 inhabitants in 2009.

Germany/Bundesamt für Verfassungsschutz, *Verfassungsschutzbericht 2009*; available at: www.verfassungsschutz.de/de/publikationen/verfassungsschutzbericht/ (14.07.2010)