

**1. THE “POLITICAL HEADLINES”**

*Attempted racist murder in Potsdam*

In the early morning of April 16, a 37-year-old German of Ethiopian origin was brutally attacked in Potsdam (Brandenburg). Yelling racist insults at the victim, the two perpetrators beat the victim so hard that he suffered life-threatening injuries. The police categorised the crime as attempted murder. The Federal Attorney took over the investigations; he assumes a xenophobic motivation. In the meantime, two suspects have been arrested.

*Press release (PR) Federal Attorney 20.04.2006; Police Brandenburg 17./18.04.2006;*

*Legal experts condemn naturalisation questionnaire as discriminatory*

Legal experts came to the conclusion that the naturalisation questionnaire applied in Baden-Württemberg since January 2006 is discriminatory and against the law. According to a legal expertise of the Max-Planck Institute for Comparative Public Law and International Law commissioned by the mayor of Heidelberg, the questionnaire represents a violation of the UN Convention against racial discrimination. The lawyer Kiliç, member of the migration expert committee of the Council of Europe, concluded that the questionnaire violates the constitutional ban of religious discrimination and the right of equal treatment.

*Stuttgarter Zeitung 20.03.2006*

*Public debate on stricter integration provisions*

The heated debate on the integration of young migrants got increased attention when the problems of violence at a school in Berlin became public. At this school more than 80% of the pupils have a migration background. Conservative politicians called for stiffer sanctions, including the possibility of expulsion, for migrants who refuse to take part in measures of integration. The Bavarian state government announced its plans to introduce pre-school language courses for children of migrants. Organisations like the *Interkultureller Rat* and the German Human Rights Institute criticised that such measures could become counterproductive when proposed in a tone of threats and in an atmosphere of fear.

*PR Interkultureller Rat 05.04.2006. PR BMI 06.04.2006, FR 08.04.2006, c, Bavarian bill  
[www.stmuk.bayern.de/imperia/md/content/pdf/aktuelles/gesetzentwurf\\_bayeg\\_04\\_06.pdf](http://www.stmuk.bayern.de/imperia/md/content/pdf/aktuelles/gesetzentwurf_bayeg_04_06.pdf)  
(27.04.2006)*

## 2. UPDATE ON LEGAL DEVELOPMENTS

### *Federal government is preparing a bill on Equal Treatment*

The federal government is currently working on the bill of a “General Law on Equal Treatment” which aims at transposing four EU anti-discrimination directives, among those the Race Equality and the Employment Equality Directive. Both coalition parties, the Conservatives (CDU/CSU) and Social Democrats (SPD), made concessions to overcome their disagreement concerning the content of a future anti-discrimination law. According to most recent statements, the bill will cover all causes of discrimination in the sphere of labour law as required by the directive 2000/78/EC and expand the protection against discrimination in civil law. Besides from ethnic origin and “race” (in accordance with 2000/43/EC) – disability and age will be protected in civil law, but not religion and sexual orientation. Consensus has not yet been reached on issues like the special status of churches as employers restricting the recruitment to its own religious denomination and the extent to which trade unions and work councils can get engaged in legal proceedings.

The bill is expected to be introduced into the legislative procedure before the summer break. The opposition party of the Greens called upon the parliament to condemn the government’s plans to exclude certain social groups (particularly religious groups or gays and lesbians) from the protection against discrimination in the sphere of civil law.

In late February 2006, the European Court of Justice ruled that Germany has breached EU law by not transposing the EU Employment Equality Directive 2000/78/EC into national law in time. The directive should have been transposed by December 2, 2003. In April 2005, Germany was already found guilty of not transposing the EU Race Equality Directives 2000/43/EC.

*Frankfurter Allgemeine Zeitung (FAZ) 01.03.2006, p. 13*

*European Court of Justice 23.02.2006 C-43/05; available at: <http://lexetius.com/2006,154> (18.04.2006)*

*Parliamentary motion of the Greens: printed matter 16/957 (15.03.2006); available at: <http://dip.bundestag.de/btd/16/009/1600957.pdf> (18.04.2006)*

### 3. RESEARCH

#### *Annual report of the commissioner for the armed forces identifies increase in xenophobic incidents*

On March 14, the 47th Annual Report (2005) of the commissioner for the armed forces was presented in the German Parliament. According to the report, in 2005 147 “incidents” with a suspected right-wing extremist or xenophobic background were registered within the military service – predominately propaganda offences, but also some cases of racist insults and even violence. In 2004, 134 right-wing extremist or xenophobic incidents were registered.

<http://dip.bundestag.de/btd/16/008/1600850.pdf>

#### *Research Report on „Images of Strangers“ in school books*

Researchers at the University of Frankfurt have analysed the way how migrants are presented in Bavarian and Hessian school books. In March 2006, the results of the study were published. According to the main findings, migrants are still presented – in a problem-oriented and simplifying way – as strangers. School books often just reproduce images of migrants as they are created by the mass media.

*Höhne, T., Kunz, T. and Radtke, F.-O. (2006) Bilder von Fremden. Was unsere Kinder aus Schulbüchern über Migranten lernen sollen. Frankfurt: Goethe-Universität*

## 4. ANNEX

### 1. Statistical data on racist crimes and selected incidents

#### 1.1 Official data

##### *Latest nationwide PMK/right-wing statistics: January 2006*

According to the official (preliminary) statistics, in January 2006, 807 **politically motivated right-wing crimes** (PMK/right-wing) were registered in Germany, among those 603 propaganda offences and 54 violent crimes. 53 people were injured as a result of these crimes. 107 PMK right-wing crimes were deemed as motivated by xenophobia, among those 30 propaganda offences and 18 violent crimes. 26 people were injured as a result of these xenophobic attacks.

Compared to January 2005, an increase of PMK right-wing crimes can be observed, particularly concerning the number of extreme right-wing violent crimes (January 2005: 39). The number of xenophobically motivated crimes remained on a continuously high level (January 2005: 106) – although the number of people injured as a result of xenophobic attacks was much lower in January 2005 (ten injured people) than in January 2006.

Source : [www.petra-pau.de/16\\_bundestag/dok/down/2006\\_zf-rechtsextreme-straftaten.pdf](http://www.petra-pau.de/16_bundestag/dok/down/2006_zf-rechtsextreme-straftaten.pdf)

##### *State Offices for the Protection of the Constitution published their annual reports*

Several federal states have released their annual statistics on extreme right-wing and right-wing extremist crimes and activities registered in 2005. We will briefly present the figures for Bavaria, North Rhine-Westphalia (NRW) and Brandenburg; what they all have in common is the significant increase of right-wing crimes:

In **Bavaria**, the figures on right-wing extremist *violent* acts rose from 42 in 2004 to 77 in 2005; 23 of them were deemed as xenophobic and five as anti-Semitic. The number of “other neo-Nazi, anti-Semitic and racist crimes” (mainly propaganda offences) increased from 1,468 in 2004 to 1,540 in 2005, among those 176 xenophobically motivated crimes.

*Bayern, State Office for the Protection of the Constitution, Verfassungsschutzbericht 2005, pp. 25, 147, 151*

In North Rhine-Westphalia, 2,545 politically motivated right-wing crimes were registered in 2005, which represents a significant increase of 16.7% (+ 365 cases) compared to previous year (2004: 2180). This increase is mainly due to the growth of registered propaganda offences (2005: 1805; 2004: 1489), but extreme right-wing violence also increased from 132 (2004) to 144 (2005). Regarding the motivation of all PMK crimes registered in NRW in 2005, 212 such crimes were categorised as anti-Semitic (2004: 226), 199 of them being registered in the area of PMK/right-wing, eight in the area of PMK/foreigners and one in the area of PMK/left-wing (four cases: no specific area).

Furthermore, 611 *xenophobically* motivated crimes were registered in 2005, i.e. an increase of 10.7% (+ 59) compared to 2004. The number of violent acts deemed as xenophobic, however, decreased by 10.0% (-9 cases).

*NRW, State Office for the Protection of the Constitution, Verfassungsschutzbericht 2005, pp. 132-135*

In **Brandenburg**, the number of registered PMK/right-wing crimes increased drastically compared to previous years: Whereas 987 such crimes were registered in 2004, the number rose to 1,294 in 2005. The number of violent extreme right-wing crimes dropped slightly to 97 cases (2004: 105). 138 of the 1,294 PMK/right-wing crimes were categorised as xenophobic and 126 as anti-Semitic. Among the 97 violent PMK/right-wing crimes 31 were committed with a xenophobic and eight with an anti-Semitic motivation.

*Brandenburg State Ministry of the Interior, press conference, 27.02.2006*

## *1.2 List of selected incidents*

### *Cases of bodily harm with (assumedly) xenophobic background*

The following list of (assumedly) xenophobic, right-wing attacks represents only a very limited selection of such criminal acts. In the aftermath of the attempted murder of a 37 year-old German of Ethiopian origin in Potsdam (see above), the national newspaper *die tageszeitung (taz)* released a chronicle with 28 assumedly xenophobic attacks since January 2006 – pointing out that the list is not exhaustive (*taz 21.04.2006, p. 3*).

On March 7, 2006, a 24-year-old African was insulted and attacked by several perpetrators in **Halle** (Saxony-Anhalt). The police assumes a racist motivation. Two suspects, a 26-year old man and a 17-year old girl, were caught by the police. The State Security started its investigations (*taz 09.03.2006, p.7*).

On March 18, 2006, a 28 year-old man from Macedonia was harassed by a group of about ten young men in a bus in **Cottbus** (Brandenburg). After the victim got off the bus, the group followed him and knocked him down. The Macedonian managed to flee back into the bus. The police assumes a xenophobic motivation and categorises the attack as “severe bodily harm”. A few days later the suspected perpetrators were caught, five of them are known to the police as “right-wing oriented” (*PR Police Brandenburg/Cottbus 19.03.2006/24.03.2006*).

In **Hagenow** (Mecklenburg-West Pomerania), a 24-year old immigrant from Russia was dragged out of a car and knocked down by some ten right-wing oriented men. The victim had to be taken to hospital. In the meantime, the police has caught several suspects. In the aftermath, friends of the victims wanted to take revenge. The police, however, managed to prevent the fight between the two groups (*PR Police Mecklenburg-West Pomerania, PD Schwerin 03.04.2006*)

#### *Racism and soccer: Cases of racist insults*

Two racist incidents related to soccer have received a lot of media attention during the period under analysis:

In late March, the black soccer player of the national team, Patrick Owomoyela, took legal action against the right-wing extremist party NPD. The NPD had produced a **booklet for the World Cup** which showed on its front page a German soccer player in the typically white German soccer shirt with the number 25 (Owomoyela's number); the slogan underneath reads: "WHITE. Not only a soccer shirt colour. For a real NATIONAL team!". The judges agreed with Owomoyela's lawyer that the picture represents an "unbearably racist insult" and ruled that the booklet must not be distributed.

In March 25, 2006, another racist incident related to soccer happened during the **soccer game Hallesche FC vs. FC Sachsen Leipzig** in the fourth division. The fans of Halle constantly yelled racist insults at the Nigerian player of Leipzig, Ogungbure. After the game he was physically attacked and spat at. The incident attracted a lot of nationwide and even international attention (e.g. of the General Secretary of FIFA) especially because the victim reacted by showing the Hitler salute.

*FR 07.04.2006, p. 22, tagesschau.de 20.04.2006 Spiegel online 30./31.03.2006 and 03.04.2006; Tagesspiegel 30./31.03.2006, 20.04.2006*

#### *Selected cases of anti-Semitism*

Typical cases of anti-Semitic crimes are smearings at Jewish property, memorials or synagogues or the desecration of Jewish graveyards or cemeteries.

Anti-Semitic slogans were smeared at the wall of the synagogue in Amberg (Bavaria) in mid April; the state security unit of the police has not finished its investigation yet (*Jüdisches Forum 17.04.2006; verified by the Police Amberg responding to a NFP inquiry*).

On March 11/12, 2006, the Jewish memorial in Berlin Spandau and the memorial plaque for a synagogue (Berlin-Tiergarten) have been smeared with anti-Semitic parables. Nazi symbols had been smeared on both memorials several times before. (*taz Berlin 13.03.006, p. 21*).

#### *Announcement of upcoming event*

On 14<sup>th</sup> July 2006 the European Forum for Migration Studies is going to continue the series of seminars "Transatlantic Discourse on Integration" supported by the German Marshall Fund with an expert-workshop about "Integration on Housing" in Berlin.

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