

RAXEN BULLETIN V – September and October 2006

1. THE “POLITICAL HEADLINES”

First German Islam Conference

On September 27, the Federal Ministry of the Interior hosted the first “German Islam Conference” which is meant to function as a kick-off meeting for a long-term communication process between representatives of the German government (on the federal, *Länder* and municipal levels) and representatives of the Muslim population in Germany.

The Conference and the future work in several working groups aim at promoting the integration process of Muslims (e.g. introduction of Islamic education), but also at combating racism, antisemitism and Islamic extremism. At the end of this up to three year lasting dialogue process mutual “agreements on the core questions of co-existence” should be signed by the German government and Muslim representatives.

www.bmi.bund.de/cln_028/nn_1018378/Internet/Navigation/DE/Themen/Deutsche_Islam_Konferenz/deutscheIslamKonferenz_node.html_nnn=true

Antisemitic incident in a secondary school in the federal state of Saxony Anhalt

In mid-October 2006, an antisemitic incident in a secondary school in Parey (Saxony-Anhalt) attracted a great deal of public and political attention. A 15-year old pupil was forced to carry a sign with an antisemitic slogan around his neck on the schoolyard; the sign read “I’m the biggest pig in town, I’m associated with Jews”. Such forms of racism were common during the Nazi regime and were directed against Germans who were befriended with Jews.

The suspects, six pupils of the same school, seem to belong to the right-wing milieu. The police and the public prosecutor started investigations due to incitement of the people and coercion.

The incident also re-ignited the public debate on the government’s strategy to combat right-wing extremism, xenophobia and antisemitism.

www.asp.sachsen-anhalt.de/presseapp/data/mi/2006/180_2006.htm (State Ministry of the Interior);
www.miteinander-ev.de/pdf/pe131006.pdf (NGO “Miteinander e.V.”)

Debate on struggle against right-wing extremism and xenophobia

An intensive political debate on how to combat right-wing extremism and xenophobia was triggered particularly by two incidents: the election success of the right-wing extremist party NPD in the state election in Mecklenburg West-Pomerania in September and by media reports (in mid-October) on the latest increase in the official number of right-wing crimes.

The federal programme against right-wing extremism and xenophobia will expire at the end of 2006; thus, the debate focussed on the shortcomings of the planned follow-up programme.

As a reaction to the growing criticism expressed by various academics, NGOs and leading politicians, the coalition parties finally decided to expand the annual funding budget of the follow-up programme from 19 to € 24 Mio and to provide continuous funding for the tried-and-tested “structural projects”, namely victim support organisations and mobile advisory teams.

Several politicians, the Central Council of Jews and other national NGOs also urged the government to develop a national action plan against right-wing extremism or to initiate a “democracy summit”.

www.spd.de/menu/1693068/ (SPD press news, 20.10.2006); tageszeitung 18.10.2006, p.2

www.zentralratjuden.de/de/article/1114.html (Central Council of the Jews; 20.10.2006)

www.bundesregierung.de/nn_1264/Content/DE/Artikel/2006/10/2006-10-24-aufstockung-des-etats-gegen-rechtsradikalismus.html (Federal Government 19.10.2006)

2. UPDATE ON LEGAL DEVELOPMENTS

Federal Anti-Discrimination Body installed at the Federal Ministry of Family Affairs

As required by section 25 of the General Equal Treatment Act (AGG), which came into force on August 18, 2006, the official **Federal Anti-Discrimination Body** was installed at the Federal Ministry of Family Affairs, Senior Citizens, Women and Youth. This body is in charge of all grounds of discrimination; complaints or concerns related to ethnicity, religion or “race”, however, are to be transferred to the Federal Commissioner for Integration provided the person concerned agrees.

The **duties** of the new body are described as follows (based on §§ 27-29AGG):

- Information, counselling and assistance in mediating conflicts; possibly referring to local support offers
- public relations
- measures to avoid discrimination
- conducting scientific studies
- presenting reports on a regular basis (every four years) to the German Parliament, including recommendations on how to eliminate and avoid discrimination

Furthermore, the new body is obliged by law to **cooperate** with

- those Commissioners of the Federal Government or the German Parliament who are in charge of related issues (e.g. Federal Commissioner for Integration, Federal Commissioner for the Disabled)
- non-governmental organisations and institutions which are engaged in the protection from discrimination at the European, national, federal state or regional levels.

The institutional structure of the body has met some **criticism**: according to a parliamentary inquiry in mid-October, the German Lawyers’ Association doubts the independence of the new body due to its direct affiliation with the Federal Ministry, and the German Institute for Human Rights criticises that the term of office is directly linked to the parliamentary term.

During the first two months, some 250 people have addressed the new body with their complaints on discrimination or with queries concerning the new equality provisions.

www.bmfsfj.de/Kategorien/Ministerium/antidiskriminierungsstelle.html

www.bundestag.de/aktuell/hib/2006/2006_296/09.html; Tagesspiegel 22.10.2006

No ratification of the Convention on the Participation of Foreigners in Public Life intended

Within the framework of a parliamentary inquiry the federal government stated that due to legal concerns it does not intend to ratify the *Council of Europe’s Convention on the Participation of Foreigners in Public Life at Local Level* (No. 144, February 2, 1992).

According to the government, it is against the constitution to grant active and passive voting rights to third country nationals on the municipal level as it is requested by the Convention in question: The legal expansion of voting rights to third country nationals would require an amendment to the German Constitution, which is, however, impossible since such a change would touch on one of the unchangeable (according to Art. 79 (3) GG) principle of the Constitution (as laid down in Art. 20 (2) GG).

Germany, Bundestag printed matter 16/2882 (09.10.2006)

<http://dip.bundestag.de/btd/16/028/1602882.pdf>

3. RESEARCH

Research study on racism in German soccer stadiums

The two-year research project on “Changes in the behaviour of spectators in professional soccer”, conducted on behalf of the Federal Institute for Sports Sciences, analysed, among others, the manifestations of racist and xenophobic attitudes in German soccer stadiums.

According to the main findings, open forms of racism have become less common within the stadiums of the upper (i.e. professional) soccer leagues due to intensive countermeasures by the soccer associations and communication with their fan organisations. Racism, however, has not completely vanished: on the one hand, it occurs now in more subtle forms; on the other hand, in the lower (regional) leagues and in the vicinity of the stadiums soccer supporters still act out their racist or xenophobic attitudes more openly; moreover, racist and xenophobic incidents occur more openly in East than in West German stadiums.

Pilz, G. et al. (2006) Wandlungen des Zuschauerverhaltens im Profifußball, Schorndorf
www.bisp.de/cln_050/mn_15936/DE/Aktuelles/Nachrichten/2006/Praesentation_Pilz_12102006.html

Determinants of Attitudes towards Immigrants

The RWI, a German Economic Research Institute in Essen, published a research report on the “Determinants of Attitudes towards Immigrants“, based on a cross-country analysis of data from the European Social Survey. The results suggest that a high level of educational attainments positively affects the attitudes towards immigrants.

Covering 20 European countries, the study found that Swedes have the most positive attitudes towards immigrants whereas Greeks, Hungarians and Slovenians display the most negative attitudes. Germans are ranking on position 14.

Brenner, J; Fertig, M. (2006) Identifying the Determinants of Attitudes towards Immigrants - A Structural Cross-Country Analysis, Discussion paper No. 47, Essen (www.rwi-essen.de/dp)

NGO Report on discrimination in Berlin

The Berlin NGO *Turkish Council Berlin-Brandenburg* (TBB) has released a report on migrants' experiences of discrimination in Berlin which encompasses two main elements:

(1) A description of the counselling work of the antidiscrimination network of the TBB, including a list of 82 discrimination complaints (differentiated according to the context in which it occurred) and selected illustrative cases.

(2) The results of a survey among some 500 “migrants, refugees and people of colour” on their experiences with discrimination. According to the non-representative results of this survey, the labour market and public transportation appear as particularly vulnerable areas of discrimination.

Antidiskriminierungsnetzwerk Berlin des TBB (2006) Antidiskriminierungsreport Berlin 2003-2005. Wie steht es mit Diskriminierung in Berlin?, Berlin, available at: www.migration-boell.de/downloads/diversity/Antidiskriminierungsreport_Berlin_2003-2005.pdf

4. ANNEX

1 Statistical data and incidents on racist violence and crimes

1.1 Official Statistics

According to the (preliminary) official statistics of the Federal Criminal Office (BKA), the police registered 7,994 politically motivated (PMK) **right-wing crimes** between January and August 2006; this represents an increase by 21% compared to the first eight months of the previous year (6,605). Whereas the majority of these crimes were cases of propaganda offences (5761 crimes), 452 of these crimes were categorised as “violent crimes” (28% above the figures of the previous year). The number of those PMK right wing crimes which were deemed to have a **xenophobic background** increased even more drastically: Between January and August 2006, 1,367 such xenophobic crimes were registered – 49% more than in the comparable period in 2005 (920 such cases). 215 of these xenophobic right-wing crimes were categorised as **violent crimes** (57% more than last year when 137 such cases were registered in the comparable period). 147 persons were **injured** as a result of one of these xenophobically motivated crimes (+ 65% compared to last year’s figures: 89 persons) (see tab. 1).

Contrary to the enormous increase in the number of xenophobic right-wing crimes, the figures on politically motivated **antisemitic** crimes, published within the framework of quarterly parliamentary inquiries, show a declining tendency. In the first half of the year 2006, the police registered 460 PMK right-wing crimes with an antisemitic background (in the first half year of 2005: 604); this represents a decrease by 24%. In the first six months of 2006, seven cases of these 460 antisemitic crimes were registered as **violent crimes**; four people were injured as a result of one of these crimes (comparable period 2005: eleven people injured).

www.petra-pau.de/16_bundestag/dok/down/2006_zf-rechtsextreme-straftaten.pdf

www.petra-pau.de/16_bundestag/dok/down/2006_zf_antisemitische_straftaten.pdf

1.2 Unofficial Statistics

According to the latest (unofficial) semi-annual statistics of the victim support organisations (funded within the framework of the federal programme CIVITAS) in East Germany, compiled and released by the organisation *Opferperspektive*, 391 cases of right-wing attacks were registered in the first six months of 2006 in Eastern Germany (including Berlin). In 129 of these attacks, the organisations assume a racist motivation; in two cases an antisemitic motivation is assumed.

<http://www.opferperspektive.de/Home/567.html>

1.3. Cases of racism, xenophobia and antisemitism

1.3.1 Selected cases of xenophobia and antisemitism in the area of soccer

During the last few months, several cases of xenophobic, racist and antisemitic insults in soccer stadiums attracted public attention. The most significant are presented in the following:

On September 26, 2006, very harsh **antisemitic threats** were shouted at soccer players of the only Jewish sports club in Berlin, TuS Makkabi, during a **regional soccer game**. According to a representative of the club, a group of some ten people, supporters of the opponent team VSG Altglienicke, shouted slogans such as “synagogues must burn”, “Auschwitz is here again” and “Gas the Jews”. The referee and the representatives of the other soccer club stated that they have not heard these slogans. In the meantime, the public prosecutor has started investigations. Not much is known about the perpetrators, but it is assumed that they are from the right-wing milieu:

according to a soccer magazine, they also shouted “NPD (an extremist right-wing party) rules here”.

In mid-October, the Berlin Soccer Association BFV ruled that the game must be repeated and that the coaches of the soccer club VSG Altglienicke have to attend the BFV seminar on racism. Furthermore, the referee received a life-long suspension, i.e. he lost his entitlement to work for the BFV.

www.fr-aktuell.de/in_und_ausland/politik/aktuell/?em_cnt=987575

www.sportgericht.de/sportrecht-newstext-7381-.html&newsthema=0209&newsthematext=Rassismus

During the soccer game FC Halle vs FC Sachsen *Leipzig* in the North-East **upper regional league** on October 1, 2006, the Leipzig soccer player Ogungbure, who is of Nigerian origin, was insulted in a **racist** way (by imitating the sound of monkeys) by fans of the FC Halle soccer team. Furthermore, some of the fans displayed the Hitler salute. In the meantime, the soccer club of FC Halle was sentenced by the regional Soccer Federation NOFV to pay a fine of € 2,000.

<http://www.sportgericht.de/sportrecht-newstext-7358-.html&newsthema=0209&newsthematext=Rassismus>

On September 16, 2006, **racist and xenophobic insults** were yelled at two players of dark skin during a soccer game between the two **premier league** soccer teams TSV Alemanian Aachen and Borussia Mönchengladbach. At first the player Kahé (Mönchengaldbach) was insulted in a racist way, and after that the same happened to the Aachen player Sichone. The soccer club of Aachen was sentenced by the German Soccer Association (DFB) to pay a fine of € 50,000; Borussia Mönchengladbach has to pay € 19,000.

<http://www.sportgericht.de/sportrecht-newstext-7305-.html>

On September 9, 2006, fans of the soccer team Hansa Rostock shouted **racist insults** at the soccer player Gerald Asamoah (Schalke 04), who also plays for the German national team, during a game between Schalke 04 (premier league) and the amateur team of the club Hansa Rostock. Meanwhile, the club of Hansa Rostock was sentenced by the German Soccer Association (DFB) to pay a fine of € 20,000.

<http://www.sportgericht.de/sportrecht-newstext-7254-.html>

1.3.2 Further antisemitic incidents

Besides the two antisemitic incidents presented above in section on “political headlines” and the incident during the soccer game (see 1.3 of this section), the police registered further antisemitic crimes, typically cases of smearing of swastikas and Stars of David.

In early September, the police in **Brandenburg** reported about smearing and antisemitic slogans written on the walls of several public buildings in the cities of Teuplitz, Schwerin, Groß Köris and Klein Göris. No suspects have been caught for the time being.

In mid-October, three Stars of David and a swastika were smeared at the door of the **Documentation Centre on NS Forced Labour** in the district **Berlin-Schöneeweide**. The State Security unit of the police started its investigations.

Press release Berlin Police 18.10.2006

Press release Brandenburg Police 05.09.2006

1.3.3 Further xenophobic incidents

In the following, we present a list of selected – assumedly xenophobic – incidents.

On September 6, 2006, someone of a group of several drunken men threw a firecracker at a **girl with dark skin colour** and her eleven year old classmate in the **Magdeburg**. After that one of those who threw the firecracker, a 64-year old man, insulted the girl in a racist way. When the eleven year old boy addressed the man, the boy was **knocked down** by the drunken man. The police arrested the perpetrator, who admitted the incident, and started investigations due to incitement of the people (§130 StGB), insult (§185 StGB) and bodily harm (§223 StGB).

http://www.volksstimme.de/vsm/nachrichten/sachsen_anhalt/?em_cnt=154926&

On September 25, 2006, a 22-year old **German with dark skin colour** was insulted in a xenophobic way and **attacked with a knife** by a 23-year old suspect in **Trier** (Rhineland-Palatine). The victim was injured and received medical treatment in the hospital. Two suspects, who were both drunk and on drugs when they attacked the young man, were caught by the police; although they do not seem to belong to the right-wing milieu, the police registered the crimes as xenophobic.

<http://www.swr.de/nachrichten/rp/-/id=1682/mid=1682/did=1568284/pmq4et/index.html>

On October 10, 2006, a **37-year old man from Cameroon** was insulted in a xenophobic way and **injured with a bicycle chain** by another man in the **Berlin** city district of Spandau. Shortly after the attack, the police arrested a 23-year old suspect who was recognised by a witness and the victim himself. The suspect has been known to the police due to former violent offences; he does, however, not seem to belong to the right-wing milieu. The State Security unit of the police started investigations due to serious bodily harm (§224 StGB) and insult (§185 StGB).

Press release Berlin Police 12.10.2006; www.berlin.de/polizei/presse-fahndung/archiv/48787/index.html

On the weekend between October 20 and 23, a 40-year old employee of the **Deutsche Bundesbahn** (German Federal Railway) of **dark skin colour** was insulted in a xenophobic way, punched and kicked by four drunken neo-Nazis in a train from Wittenberg to Dortmund (NRW). The 16- to 21-year old suspected perpetrators were caught by the police.

taz. 24.10.2006, p. 7

3. Important upcoming events

On December, 4 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 “The Impact of the Media on the Integration Process in Europe and the United States”

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**Tab. 1: Politically motivated right-wing crimes
(January -August 2006)**

	Criminal acts			
	Total number		of which xenophobic criminal acts	
		of which violent crimes		<i>among those: violent crimes</i>
January	807	54	107	18
February	953	43	183	17
March	915	28	139	11
April	814	55	133	25
May	1,177	88	201	43
June	1,235	67	240	39
July	1,048	50	200	29
August	1,045	67	164	33
Total	7,994	452	1,367	215
<i>previous year (I-VIII 2005)</i>	<i>6,605</i>	<i>353</i>	<i>920</i>	<i>137</i>
<i>Changes compared to previous year (I-VIII 2005)</i>	<i>+21%</i>	<i>+28%</i>	<i>+49%</i>	<i>+57%</i>

Source: BMI (preliminary data)