



European Network Against Racism

ENAR SHADOW REPORT 2002

Talking "Race" in Germany

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1. Introduction

1.1. Talking ‘Race’ in Germany in 2001/2002

On 7 September 2001 at the World Conference against Racism in Durban, South Africa, the European Union made a statement on the use of the words ‘race’ and ‘racial’. They “...strongly reject (...) any implicit acceptance of such theories [AH: of superiority] or doctrines which could emerge from the use of the terms ‘race’ or ‘racial’ in the Declaration and Programme of Action of the World Conference¹”. This statement was the result of a lobbying process by European non-governmental organisations at the World Conference and highlights the difficulties when talking about the victim groups of racism in the European experience. The translation of ‘race’ into German as ‘Rasse’ is still practised in the translation of international documents about racism. This is problematic. The EU deals with it by adding explanatory paragraphs criticising the concept of ‘race’². Alternatively they talk about ‘ethnic’ differences, a term which is also widely used in German academic and public discourse. But this does not solve the problem that concepts such as ‘race’, ‘ethnicity’, ‘language’ or ‘culture’ have a tendency to be perceived as an essentialist category in Germany, representing the ‘Wesen’ (essence) of a ‘Volk’ (tribe) in academic and popular discourse. While concepts such as ‘xenophobia’ (Fremdenangst, Fremdenfeindlichkeit) and ‘hostility towards foreigners’ (Ausländerfeindlichkeit) are widely used in German academic and non-academic discourse, the concept of racism carries the stigma of colonialism and the Holocaust and it is rarely used for contemporary forms of discrimination. Racism as a scientific theory of social relations is well established in international academic discourse. The weakness of the discourse on racism inside and outside the academic sphere in Germany makes it rather difficult to talk about ‘race’ in German. This is one of the reasons why the authors wrote this report in English. In the public discourse racism is reduced to right-wing radicalism and is represented in the image of the ‘young skinhead’. Since the red-green (SDP/Green) government has been in power a great deal of financial support has been given to civil society for programmes fighting right-wing extremism. At the same time, the impact of budget cuts are seen at local level, where organisations shift their focus and apply for antiracist programmes to compensate for budget cuts in other areas³. But the concept of ‘right-wing extremism’ covers only one aspect of racism. It deals with everyday racism and neglects the complexity of racism as an institutional and social practice in contemporary societies.

Two events mark the political agenda in 2001/2002. In the city of Hamburg, the federal state elections took place on 29 September 2001, 18 days after the attack on the World Trade Centre in New York. The election results ended 44 years of Social Democrat rule in the city. Winner was a former Hamburg judge, who gained 19.4% of the votes for a populist, ‘foreigner-bashing’ and ‘higher security’ platform, taking New York’s former mayor Giuliani as a role model, as the Social Democrats had before. All other right-wing parties lost more than 5.9%⁴. A coalition was formed comprising the Christian Democrats (CDU, 26.2%), Free Democrats (FDP, 5.1%) and the Schill Party⁵ was formed. Two and a half months later, on 9 December 2001 Achidi John, a 19-year-old youth from Cameroon, was brought to the forensics department of Hamburg-Eppendorf University Clinic by the police. He was

¹<http://www.wusgermany.de/wusinf/wus-news/rassismus/rassismus.htm>

²See e.g. Directive 2000/43: http://europa.eu.int/comm/employment_social/news/2002/jan/2000-43_de.pdf

³http://www.bundesrechnungshof.de/bem2002/bemerkungen_2002.pdf

⁴<http://www.zeugen-der-zeit.de/2003/Maerz%2003/zeitzeugen.htm>

⁵Schill is the name of this judge. The public talks about the Schill Party. The party’s official name is Partei Rechtsstaatliche Offensive PRO.

suspected of drug dealing and of having swallowed the evidence. To obtain the evidence emetics have been administered to him. His circulation collapsed and he fell into a coma until 12 December, when his death was officially declared. This was the first death related to the use of emetics on suspected drug dealers. At the time of writing this report, the use of emetics is still practised in Hamburg. The irony is that this practice was introduced by the former Social Democrat senator for home affairs to gain votes on public security issues. The new government in Hamburg increased the enforcement of this practice. Achidi John was the 26th person in Hamburg on whom emetics have been used. Only qualified doctors are legally allowed to enforce the administration of emetics. The legal enforcement of emetic administration has been practised for ten years all over Germany and over 1,000 times. The city of Frankfurt was ordered to stop this practice by the courts because of human rights violations⁶.

Those two events highlight the impact of 11 September 2001 on German domestic policy. It has led to the reinforcement of a 'security' discourse by populist means and the slackening of human rights standards for extremely vulnerable victim groups, such as paperless migrants, asylum seekers and refugees. The perception of asylum seekers and refugees as 'drug dealers' by the public of Hamburg has a history and has shifted over the last 15 years from being the 'Kurdish' stereotype to the 'black asylum seeker'. The same shift can be seen in the understanding of the term 'terrorist'. It has shifted from being 'leftist' to become 'Muslim'. Members of such groups are automatically suspect in public spaces and can end up in custody. The effects of the privatisation of public spaces are similar. People disturbing the atmosphere for ordinary consumers are evicted from these privatised public spaces. This is best seen in the new marketing concept for German railway stations. The head of the Deutsche Bundesbahn introduced the new campaign 'Clean Station' and announced that all railway missions, for the homeless and people with drug problems, should be located outside the railway station⁷. For African asylum seekers publicly stigmatised as drug dealers, homeless people and people with drug problems, railway stations and the missions run by the Salvation Army are no longer publicly accessible places. For the structure of this report we have therefore focused very much on the accessibility for victim groups to public spaces.

1.2. Structure of the report

To obtain data about the situation of victim groups in Germany a variety of sources are available, but unfortunately their reliability is of varied quality. The access to reliable data about racist violence in Germany is therefore rather difficult. To solve this problem we looked at a wide range of information, using the internet as one source and telephone interviews with grassroots organisations as another. Where reliable data was lacking, we referred to individual cases published in newspapers, brochures and internet archives. According to the officially published statistics of the German Federal Bureau of Statistics⁸, the population of Germany was recorded as 82,440,300 in 2001. The majority (51.15%) are female. Finding statistical information to describe victim groups with various backgrounds more closely is rather difficult, because the central distinction of the statistical categories is one of 'German' and 'Ausländer' (Foreigners/Aliens). The 'foreigner' category is defined through non-German nationality and has its own laws (Ausländergesetze), the category 'German' itself shows no distinctive information referring to background and is preconceived as meaning 'ethnic' German. Statistically speaking, to become German means an individual losing their

⁶<http://de.indymedia.org/2001/12/12046.shtml>

⁷<http://www.zeugen-der-zeit.de/2003/Maerz%2003/zeitzeugen.htm>

⁸All data from: Statistisches Bundesamt Deutschland <http://www.destatis.de>
Hieronymus & Moses: iMiR - Institut für Migrations- und Rassismuskforschung

background and being subsumed into the category 'ethnic German'. 8.88% of the population were recorded as 'foreigners' in 2001. While some demographic data is available about 'foreigners', no reliable information about victim groups within the German population is available. With this report we try to use a variety of sources, different readings of publicly available statistical and empirical data, to map out the specific position of victim groups within German society. The dichotomy of German - Foreigner marks the difference between full citizenship and a complex set of residence permits, dividing the 'foreigners' into groups with different privileges and access to the German institutional, economical and social system. 15.2% of 'foreigners' are not categorised under any form of residence permit. All others share the following types of residency: residence permit temporary (27.1%), residence permit unlimited (32.46%), residence warranty [Aufenthaltsberechtigung] (12.85%), residence grant [Aufenthaltsbewilligung] (4.61%), residence warrant [Aufenthaltsbefugnis] (3.99%), temporary EU residence permit (6.76%), unlimited EU residence permit (8.47%) and toleration [Duldung] (3.76%). We can now better describe the dichotomy of 'Germans' and 'Foreigners' as a continuum ranging from paperless migrants, having no legal form of residency and therefore being totally excluded from citizenship, to the other end of the continuum where the German citizens entitled to full citizenship are positioned. In between those two extremes all other forms of residency are positioned according to the degree of rights they are granted.

Chapter 2 of this report describes victim groups according to their access to German citizenship. We regard people with no identification papers (paperless migrants) as the most vulnerable group, because they are outside any legal protection. Asylum seekers and refugees have some legal status. This legal status improves for third-country nationals and EU citizens. German citizens have full citizenship, which does not protect them from racist experiences, if they are members of a victim group. In Chapter 3 we focus on three specific aspects in which racism is visible or hidden in the German context: institutional or structural racism, economic discrimination and everyday or situational racism. Chapter 4 looks at the victims' perception of racism and racist violence. The last two chapters provide information on service providers and draw some conclusions.

2. Description of victim groups according to their access to citizenship in Germany

2.1. Paperless migrants

The emergence of illegal migrants is the effect of the European border regime. Now widely now referred to as 'Fortress Europe', critics talk about the disregard for human rights experienced by people entering Europe 'illegally', such as the lack of health care, education and a minimum income. This situation has already been lamented by a number of NGOs at a UN conference which said that paperless migrants do not have access to general health care, even though Germany has signed the relevant UN resolutions⁹. At German borders 28,560 people were found to enter Germany illegally in 2001. At the eastern borders eight people died and 19 were injured resisting police controls. Unfortunately, Germany does not collect data relating to paperless migrants and neither statistics documenting these incidences, nor statistics on the deaths of refugees within the borders of the European Union, are available¹⁰. Having no legal residency status, no means of identification, no access to health care (due to the doctors' obligation to report migrants without papers to the authorities) and no social services, this group of migrants is the one with no rights at all. They try to survive in the informal economy, the so-called 'shadow economy'. There is no reliable data¹¹ on how large this group was in 2001/2002, although older estimates speak of 200,000 people living permanently illegally in Germany¹². An estimation by a priest for non-German-speaking parishes speaks of 1.3 million illegal migrants in 1998 living permanently in Germany¹³. The German Federal Bureau of Investigation speaks of 500,000 illegal female prostitutes and estimates the whole illegal population at about 1.5 million¹⁴. Estimates for the labour market speak of 8,909 million German illegal workers and 1,149 million foreign illegal workers¹⁵.

2.2. Asylum seekers and refugees

The number of asylum seekers crossing Germany's borders in 2001/2002 reached a new low. Only 78,564 people, fewer than there have been since 1978, claimed asylum in 2001, the Ministry of the Interior disclosed. In 1999 there were still 95,113 claims for asylum, in previous years the number has always been over 100,000. This means a decline of more than 17.4%¹⁶. Nevertheless the debate over the number of migrants entering Germany continues, often at a level where they are expounded as a problem and as a threat to the German economy, to the Germans' standard of life and generally to the German way of life. The survey of a Dresden newspaper interviewing 500 people shows that 18% sympathise with the

⁹<http://www.zeugen-der-zeit.de/2003/Maerz%2003/zeitzeugen.htm>

¹⁰http://www.bundestag.de/aktuell/hib/2002_093/02.html

¹¹ANLAGE 1 zum Statement von Jörg Alt SJ zum Themenschwerpunkt Zuwanderung und Asyl anlässlich der Anhörung der Unabhängigen Kommission Zuwanderung am 26./27. April 2001: www.joerg-alt.de/Vortraege/01-04-26A1.doc

¹²Schneider, Friedrich (2002): Schattenwirtschaft und illegale Beschäftigung in Deutschland, Österreich und der Schweiz: Fluch oder Segen? <http://www.economics.uni-linz.ac.at/Members/Schneider/SchattIllegBeschD,Oe,CH.pdf>

¹³Sievekings, K. (1998). Maßnahmen gegen illegale Migration auf europäischer und nationaler Ebene. epd-Dokumentation 8/1998. S. 22-30.

¹⁴BND (Bundesnachrichtendienst) (1998). Illegale Migration. Pullach, Az. 32F-0933/98

¹⁵Schneider, Friedrich (2002): Schattenwirtschaft und illegale Beschäftigung in Deutschland, Österreich und der Schweiz: Fluch oder Segen? <http://www.economics.uni-linz.ac.at/Members/Schneider/SchattIllegBeschD,Oe,CH.pdf>

¹⁶http://www.nadir.org/nadir/periodika/jungle_world/_2001/03/11b.htm
Hieronymus & Moses: iMiR - Institut für Migrations- und Rassismussforschung

statement that Germans have to “take it into their own hands to see that ‘foreign infiltration’ (Überfremdung) does not rise, if the state does not act”. 13% believe that ‘foreigners’ come to Germany “to abuse our social system” and eight percent agree that because of foreigners they feel increasingly like a “stranger in their own country”¹⁷.

2.3. EU-Citizens or third-country nationals with other legal status

EU citizens have freedom of movement, but social and political participation is restricted to them. All migrants from countries, where ‘guest workers’ have been recruited live under special agreements, which allow them to stabilise their residency. Since the reform of the nationality law¹⁸ in 2000, which made it easier for ‘foreigners’ to become German citizens, it is obvious that the ethnic dichotomy of German - Foreigner no longer reflects the different situations in which victim groups find themselves. While there was an increase of naturalisations in 2000, the number of naturalisations decreased in 2001, only 2.43 % (in 2000: 2.57%) of all ‘foreigners’ eligible for German citizenship have chosen to become German citizens. The small numbers show that the new nationality law is not suitable nor accepted by the vast majority of the migrant population.

Another group of migrants who are practically without rights are the mostly Polish seasonal workers, who are not necessarily illegal but are issued temporary work permits which are valid for a maximum of three months. The workers have to leave immediately on expiry of their contracts, leaving them without the chance to take legal action in the event of their contract having been breached¹⁹. The pay for this seasonal work is only a fraction of the regular wages in Western Europe, but the workers accept these bad conditions and work long hours for fear of not having any work at all. Reports say that every year the pay is less and that employers look for a cheaper workforce to increase profits. The German Foreign Office (Auswärtiges Amt) states that, in 2001, 261,133 Polish workers could be employed in Germany as seasonal worker for the harvest²⁰. Other sources put the figure at 286,000²¹. All in all 90% of seasonal workers working in Germany are Polish. No figures are available for illegal workers, but estimates say that there are as many illegal workers as there are legal ones²².

2.3.1. Second and third generation of migrants born in Germany

In this group we mainly find people who have been recruited as ‘guest workers’, as well as their children and grandchildren. With little data available on the size of this victim group, we can only look at some more demographic data which is available for the category of ‘foreigners’. 21.37% of ‘foreigners’ are born in Germany. Turkish nationals are the biggest group (1,947,938), followed by people from the former Yugoslavia²³ (1,085,765), from Italy (616,282), Greece (362,708) and Poland (310,432). 45.21% of all ‘foreigners’ born in Germany have a Turkish background, 13.45% can be associated with the former Yugoslavia and 11.15% have an Italian background. The highest ratio of people born in Germany in comparison to the total of people in each nationality are Turkish nationals (36.3%) followed

¹⁷http://www.nadir.org/nadir/periodika/jungle_world/2001/02/11b.htm

¹⁸Kritik staatsangehörigkeitsrecht

¹⁹Le Monde Diplomatique, Deutsche Ausgabe, April 2003

²⁰www.auswaertiges-amt.de/www/de/laenderinfos/laender/laender_ausgabe_html?type_id=14&land_id=136

²¹www.isoplan.de/aid/2001-3/statistik.htm

²²Le Monde Diplomatique, Deutsche Ausgabe, April 2003

²³Former Yugoslavia: all new republics are summarised. Yugoslavia was one of the main origins of “guest workers” in the 1960s and early 1970s.

by the Dutch, the stateless and undefinables. It is this group of migrants born in Germany, which the new nationality law is targeting.

Discriminatory language uses 'Fidschis' for migrants from Vietnam and other people of South East Asian background, regardless of their nationality. 'Kanaken' is used to discriminate against people of Turkish, Arab or North African background²⁴.

2.4. German citizens

Once migrants become German citizens their migrant background disappears statistically and they can no longer be traced. Data requesting ethnic background is not collected officially because of the German experience with the use of such statistics for genocide in National Socialist Germany.

2.4.1. Afro-Germans

Again there is no data available for this victim group, because of the controversy of collecting data on ethnic backgrounds. Afro-German is the name that black people who were born or have lived in Germany for a long time gave themselves after having been unsatisfied with the names that they were given by others²⁵. The situation of the Afro-German community in the former GDR has adapted to the situation in the West. Most of them have German passports, speak German without an accent and feel at home in Germany, although they experience racism²⁶. Discriminatory language assaults them as 'Bimbos' and 'Niggers' regardless of their background or nationality²⁷.

2.4.2. Migration of ethnic Germans to Germany

According to the German Ministry of the Interior, 98,484 ethnic German migrants, including their relatives with a permit for entry, moved to Germany in 2001, compared to 95,615 in 2000. The number of ethnic German migrants is restricted by law to a maximum of 100,000 per year - a practice which proved successful according to the Commissioner for Ethnic Germans. A significant decline of 22% in applications for admission was registered in 2001, with only 83,812 ethnic Germans applying, compared to 106,895 people in 2000. The low figures can be ascribed to better living and working conditions for the ethnic Germans in Russia. The German government has been providing aid to the discriminated and unprivileged German minority there: they grant loans to small businesses thereby securing jobs and further vocational and language education and training. Young people, in particular, benefit from the government's policy of aid²⁸.

Between 1945 and 1949, nearly 12 million German refugees and people who had been expelled flocked to the territory of today's Germany. They were either German nationals who had lived in areas intermittently under German jurisdiction prior to 1945, or ethnic Germans from other parts of Russia, Poland, Czechoslovakia, Hungary and Yugoslavia. About two thirds of these refugees settled in the western part of the country. Their acceptance and integration was eased by two factors: their ethnic origin and the post-war economic boom²⁹.

²⁴<http://www.kamalatta.de/opferperspektive/Opfergruppen.htm>

²⁵<http://www.berlinonline.de/berliner-zeitung/archiv/.bin/dump.fcgi/1999/0129/feuilleton/0010/>

²⁶<http://www.tzschoeckel.de/black9.htm>

²⁷<http://www.kamalatta.de/opferperspektive/Opfergruppen.htm>

²⁸<http://www.isoplan.de/aid/2002-1/statistik.htm>

²⁹<http://www.migrationinformation.org/Profiles/display.cfm?ID=22>

Between 1945 and the construction of the Berlin Wall in 1961, 3.8 million Germans moved from East Germany (the German Democratic Republic or GDR) to West Germany (the Federal Republic of Germany or FRG). In fact, obstacles like the Berlin Wall failed to completely stem this flow and migration from the GDR totalled nearly 400,000 between 1961 and 1988. This immigration was welcomed economically by the FRG's expanding industrial sector and politically as a rejection of the GDR's communist political and economic system. At the end of the 1980s, the immigration of 'Aussiedler' (ethnic Germans, as distinct from East Germans) from places beyond Eastern Europe rose dramatically. Up to that point, virtually all Aussiedler had come from Eastern Europe, where they had managed to stay, despite systematic expulsions in the aftermath of the Second World War. Between 1950 and 1987, about 1.4 million such Aussiedler migrated to West Germany. Most of them came from Poland (848,000), while another 206,000 arrived from Romania, and 110,000 immigrated from the Soviet Union following the German-USSR rapprochement of the late 1970s and 1980s.

2.4.3. Migrant minorities³⁰

The next focus will be the periods when the largest groups of migrants and refugees entered Germany. All the figures cited here refer to the numbers of people who came to Germany in these specific periods and still reside in Germany in 2001/2002. Large numbers of people have left Germany in the meantime either voluntarily or through deportation. The original numbers of people who entered the country in those years were significantly higher. The biggest group arrived between 1986 and 1991 (1,150,696). This time span includes the breakdown of the Eastern Bloc and the recruitment of Vietnamese guest workers in the former GDR. The second largest group immigrated before 1971. Of this group 1,099,866 people lived in Germany in 2001 and 'guest workers', who were recruited up until 1973, are included. Between 1997 and 2001 the war in Kosovo escalated and resulted in many of its 979,819 people coming to Germany. In the years between 1971 and 1976 Germany stopped the recruitment of guest workers (1973) and family (re-)unification was at its height due to the uncertainties the families faced after recruitment ended. In these five years 719,355 people came to Germany. Between 1991 and 1993, during the time of the second Gulf War and the war in the former Yugoslavia (Slovenia, Croatia and Serbia), 681,839 people entered Germany.

The largest age groups among migrants in 2001 have been 20-to-40-year-olds (40.6%) and those aged 6 to 14 (10.1%)

³⁰All data from the Federal Bureau of Statistics: Statistische Bundesamt Deutschland: <http://www.destatis.de>
Hieronymus & Moses: iMiR - Institut für Migrations- und Rassismussforschung

2.4.4. National minorities

German Sinti and Roma

The Sinti people have traditionally lived in Germany since the 14th/15th century. The Roma came to live in Germany later. All through their history the Sinti and Roma had to deal with discrimination, they were excluded from specific economic sectors and banished and driven away from cities and regions in which they wanted to settle. Sinti, when trying to settle in their home regions, were driven away until the 1900s. During the Second World War, the Sinti and Roma of Germany and in the occupied territories were exposed to persecution and genocide. Hundreds of thousands were murdered and their cultural heritage was largely destroyed. Of the 40,000 registered German and Austrian Sinti and Roma, 25,000 had been murdered by May 1945. Today there are an estimated 70,000 German Sinti and Roma living in Germany. Again specific numbers are not available, as statistical data is not gathered according to ethnic criteria in Germany. The majority of German Sinti and Roma live in the capital cities of the former West Germany and they differ from other national minorities in their more dispersed settlement areas. Children of German Sinti and Roma grow up bilingually, speaking Romani and German. However, no provision is made in the curriculum of the German state school system for the teaching of Romani³¹.

The Danish minority, the Sorbian people and the Frisians

The Danish minority lives in the north of Germany near the border with Denmark (Schleswig-Holstein) and numbers approximately 50,000 people. All people belonging to this minority speak German, they understand Danish and most speak the language as well. The Danish minority have their own newspaper, their own library system and their own schools and kindergartens. Mostly they organise themselves in clubs and associations as their status as a minority allows them to live independently of Germans³².

The Sorbs, also called Wends, are a small population of Slavic people who have lived in the Lusatia region of Germany since the 7th century. There are about 60,000 Sorbian people, two thirds of whom still live in Lusatia in East Saxony. All Sorbs speak German, but nowadays only two thirds of them speak the Sorbian language and only one third of Sorbs use their language on a day-to-day basis. Only in some regions the use of the Sorbian language extends to the church, work and family life. The Sorbs maintain their traditions, their language and national identity, but not in a way that interferes with their social surroundings and life in society. In the former GDR the Sorbs were supported and had a specific role, as most of them were farmers. After reunification most Sorbs lost their jobs, as farmers and started leaving Lusatia. Job and career prospects are particularly poor for young Sorbs in their home regions³³.

The Frisians live in the north of Germany in Schleswig-Holstein and in the north-west of Lower Saxony. The Frisians number 50,000-60,000, which is a third of all people living in that region³⁴.

³¹<http://text.bmi.bund.de>

³²Ibidem

³³Ibidem

³⁴Ibidem

2.4.5 . Religious minorities³⁵

Muslims

By far the largest religious minority in Germany in 2001/2002 were Muslims, with a total of 3,200,000. Within this group the largest proportion are the Sunnis (2,200,000) and the Alevi (340,000). Other groups are the Iranian Imamites and the Turkish Shi'ites (170,000) as well as a number of mosque associations with a total of 168,500 members.

Orthodox Christians

There are 915,000- 935,000 people who are associated with Orthodox Christian churches in Germany, the largest group (450,000) belong to the autocephalous and autonomous churches of the ecumenical patriarch of Constantinople, a “dignitary given first honour in the Eastern Orthodox Church”³⁶. The second largest congregations are those of the Serbian Orthodox Church (200,000) and the Romanian Orthodox Church (80,000-100,000). The other 185,000 people belong to smaller orthodox churches and congregations.

Jews

There are approximately 180,000 Jews in Germany, 100,000 of whom belong to a Jewish congregation. The remaining approximately 80,000 are without associations to a congregation³⁷. Since the collapse of the Soviet Union, thousands of Jews have made Berlin their home. In early 1989, there were about 200 Jews in East Berlin and about 6,000 in West Berlin attached to synagogues. In 1999 12,000 Jews were members of synagogues in Berlin³⁸.

Buddhists

There are between 105,000 and 115,000 Buddhists living in Germany, among whom the biggest group are Buddhists from Vietnam. This group came to Germany either as refugees from the Vietnam war in the mid-1970s (‘Boat People’) or were recruited as contract-workers for the former GDR from 1976 until its collapse in 1989. The others are made up of Buddhists from Thailand (25,000) and other Asian countries (20,000-30,000).

Hindus

There smallest religious minority in Germany are the Hindus with a total number of 92,500 - 93,500. Most of them are Tamil Hindus from Sri Lanka (45,000) followed by Indian (35,000-40,000) and Afghan (5,000) Hindus. The remaining 7,500 are German Hindus.

2.4.6.

³⁵REMID. Religionswissenschaftlicher Medien- und Informationsdienst e. V.
http://www.remid.de/remid_info_zahlen.htm

³⁶<http://www.m-w.com>

³⁷REMID. Religionswissenschaftlicher Medien- und Informationsdienst e. V.
http://www.remid.de/remid_info_zahlen.htm

³⁸http://www.migrationint.com.au/news/russia/sep_1999-12mn.html

2.4.7. Other victim groups

Trafficking

According to official statistics from the Federal Bureau of Investigation a total of 987 victims of trafficking have been recorded in 2001 (6.6% more than 2000). The gender of 12 victims was unknown; the other 975 were all women. In CEE states³⁹ there was a decrease of 74 cases, from 755 in 2000 to 681 in 2001. Amongst these states there was an increase of 100 cases from Belarus and a decline of 67 cases from Russia. The rest of Europe shows a decrease of 14 cases, from 26 in 2000 to 12 in 2001. An increase of 23 cases is reported from Africa. From Asia a decrease of four cases is reported (from 49 to 45) and from America an increase of four cases (from 16 to 24). The highest increase is seen in the group of persons of unknown origin. An increase of 122, from 51 cases in 2000 to 173 cases in 2001, is reported⁴⁰. Most of these people work as sex workers in the prostitution sector.

Disabled people

There are only a few reported cases of attacks on disabled people. It is suspected that there is a high number of unreported cases, because institutions for disabled people tend to hide such attacks⁴¹.

Homeless people

Like attacks on people from anti-racist subcultures, attacks on homeless people are not recorded in official crime statistics⁴². A future intention to do so was not voiced in 2001/2002.

Gay, lesbian and transgender people

Similar to other victim groups, no reliable data is available about the situation of gay, lesbian and transgender people. The study, *Violence against lesbians*, showed that in 78% of 87 interviews lesbians reported experience of psychological or physical violence. The anti-violence project 'Unschlagbar' ('Unbeatable') has reported 100 cases since 1993, but this is due to the fact that the project's helpline can only take calls twice a week⁴³.

Members of alternative subcultures

Looking at other victim groups being attacked by right-wing individuals or groups, it is conspicuous that they target punks, hip hoppers, goths and hippies. Those are popular styles of German subculture and have a leftist or anti-racist image. They are labelled as 'Zecken' (ticks) and 'undeutsch' (not having a German attitude) and are recognised because of their appearance. An anti-racist or political statement on a jacket makes them identifiable as political enemies⁴⁴.

³⁹CEE (Central and Eastern European) states are: Bulgaria, Estonia, Republic of Yugoslavia, Latvia, Lithuania, Republic of Moldova, Poland, Romania, Russia, Slovakia, Slovenia, Czech Republic, Ukraine, Hungary and Belarus.

⁴⁰<http://www.bka.de/lageberichte/mh/2001/mh2001.pdf>

⁴¹Ibidem

⁴²<http://www.sopos.org/aufsaeetze/3cd2d74e56292/1.phtml>

⁴³http://frankfurt.gay-web.de/lesbennetz/text_Ueberfaelle.htm

⁴⁴<http://www.kamalatta.de/opferperspektive/Opfergruppen.htm>

3. Specific areas

3.1. *Institutional racism*

Physical threats

There are numerous documented incidents which can be related to institutional racism. Once again the paperless migrants are affected the most as they are the victim group which suffers most under the current situation. The shocking aspect of their plight is the inaccessibility to basic healthcare. As doctors are under obligation to report paperless patients to the police or immigration authorities, most are too scared to seek medical help or try to do so with identification ‘borrowed’ from someone with a residence status. It is quite significant to point out that there is no statistical data available about the number of refugee deaths within the European Union and in incidents involving refugees at Germany’s borders. The data obtainable on such incidents was gathered from local police forces because of a specific request in the Bundestag by a member of parliament to provide figures. Eight people died probably by drowning, trying to cross Germany’s eastern borders and a total of 19 were injured, one had a gunshot wound and the others were bitten by dogs. All incidents occurred when the victims resisted police arrest or were trying to flee.⁴⁵

Suicide

On 3 December 2001 a 42-year-old man hanged himself in the attic of a residential house. Five days later a 17-year-old died in the same way. He strangled himself in a police cell with his shoelaces. On 15 December a 32-year-old jumped out of the window of a moving train and died immediately. All these men had in common the fact that their asylum claims had been rejected and they would have had to leave the country⁴⁶.

Control

Asylum seekers and refugees are under ever closer observation by the state. The Ministry of the Interior announced that it was going to use a computer program which would facially identify so-called ‘bogus’ asylum seekers. The method is being introduced to target refugees and asylum seekers who throw away their passports and claim to be from an unsafe country to ensure that they will not be deported.⁴⁷

Assault

Germany’s treatment of *asylum seekers and refugees* has not gone unnoticed in the United Nations and in March 2001 the Anti-discrimination Board criticised Germany for racially motivated police assaults, lack of training for civil servants and discrimination of refugees.⁴⁸

Exclusion from health care

The accommodation in hostels or camps for asylum seekers and refugees is often overcrowded and only minimal health and medical care is provided. Furthermore asylum seekers and refugees are obliged to be registered in the German ‘foreigners’ database. NGOs

⁴⁵http://www.bundestag.de/aktuell/hib/2002_093/02.html

⁴⁶http://www.berlinet.de/ari/doku/Presse/010202_freitag.htm

⁴⁷http://www.nadir.org/nadir/periodika/jungle_world/_2001/24/11b.htm

⁴⁸<http://www.zeugen-der-zeit.de/2003/Maerz%2003/zeitzeugen.htm>

criticised the German refugee policy at the UN conference. People without legal residence in Germany do not have access to general health care, even though Germany signed the relevant UN resolutions. The regulations for ‘foreigners’ were also causes for racist exclusion and marginalisation in a social context⁴⁹.

Right-wing subculture and police forces

The hostile climate which migrants encounter in some areas is due to the fact that there is a right-wing infrastructure, which is ideologically supported by wider society, including the police force. The consequences were experienced by the Sendilmens, a family of Turkish background.

“For some years now the Sendilmens’ Turkish kebab shop in the precinct is regularly attacked by neo-Nazis. “They always come at the weekend”, says Adem Sendilmen, they call the police and they do nothing. The officers smoke cigarettes with them. The family has given up reporting incidents to the police. “We have never had any success reporting such incidents. They have significantly damaged us financially”, says Selda Sendilmen. The police officers do not want to recognise right-extremists in the attackers. All members of the Sendilmen family were this week ordered to appear at the local court. The charge is criminal assault, they were said to have provoked the youths thereby starting a brawl. The SSS⁵⁰ is a group which is not unknown to the police. The group is to be made illegal by the Saxon Ministry of the Interior. Last year the police found extensive weaponry and right-wing propaganda material during various house searches. According to the spokesperson for the local police, no police officers from the city took part in these searches. Obviously the residents and their skinheads are too involved with each other”⁵¹.

Public authority offices and the judiciary

“After a racist attack two of the suspects were not arrested until the end of last week. The local court did not want to make a decision about the complaint from the state attorney’s office which has demanded their arrest. The two are said to be part of a knife attack on the 20-year-old man of German and Mongolian descent on 26 December 2001”⁵².

On 23 July 2001 the Minister for Social Affairs of North Rhine-Westphalia presented a study into everyday racism. Of the 400 cases of discrimination in North Rhine-Westphalia in the past three years, 60% took place in public authority offices. Turkish citizens are most often affected. The second largest group are migrants with German citizenship. The right passport does not protect migrants from discrimination. According to the report by Amnesty International ‘Racism and the Judiciary’, justice encourages racism instead of protecting minorities⁵³.

Abuse in the army

The number of right extremist offences in the German army escalated in 2001/2002, the Ministry of Defence stated. Overall 196 suspicious cases were reported, among them 11 violent racist acts. In one case a now discharged lance corporal was said to have hit a coloured private and called him a ‘coconut picker’. The lance corporal is said to have told the private: “You should be standing against the wall like the ‘Kanaken’ [a derogatory term used to

⁴⁹Ibidem

⁵⁰SSS: Skinheads Sächsische Schweiz

⁵¹JungleWorld, Deutsches Haus, 08/2001

⁵²JungleWorld, Deutsches Haus, 03/2001

⁵³<http://www.zeugen-der-zeit.de/2003/Maerz%2003/zeitzeugen.htm>

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describe non-white people, originally meaning a human being] and Turks and shot in the back of the neck like you would have been in Adolf's times",⁵⁴.

3.2. Economic discrimination

German Green Card

1 August 2001 marked the first anniversary of the German 'Green Card' initiative. The programme was designed to streamline and speed up the process of bringing in non-EEA⁵⁵ nationals to work as internet professionals in Germany and thus help to make up the shortfall of qualified workers in this sector. By 20 July 2001, 8,556 GGCs⁵⁶ had been issued by the regional German employment offices: this amounts to about 150 per week. The German government estimates indicate that a Green Card holder indirectly 'creates' 2-3 new jobs in the country's internet sector. More than 80 per cent of the companies which have recruited staff abroad via the Green Card scheme believe that this has helped them to increase competitiveness⁵⁷.

To be awarded a German Green Card, the candidate must have a valid job offer in information technology (IT) or telecommunications, with either a minimum annual salary of DM 78,000 (39,880 euro) and an IT-relevant university degree, or a salary of DM 100,000 (51,123 euro) if they do not hold a relevant degree. A GGC can then be obtained within one week from the moment that a complete application is lodged at a German employment office (timescales may vary slightly from region to region). Green Cards are considered to be permits to work, are employer specific and should not be confused with the US Green Card system of permanent residency. This means that the old system of 'guest worker' recruitment from the 1950s and 1960s is applied now to skilled professionals. To bring in thousands of people willing to work and help to further Germany's economy and then send them home when enough German specialists have been trained does not really encourage highly skilled professionals to invest in the personal living perspective. The restriction to the 'German' economical perspective' excludes the perspective of the 'Other' and can be considered as a racist practice.

Green cards by country of origin and by region in Germany

India (1,657), former USSR countries (1,125), Romania (702), Czech Republic /Slovakia (534), former Yugoslavia (496), Hungary (308), North Africa (274), Bulgaria (260), South America (194), Pakistan (127) other (2,327)⁵⁸. The highest number of Green Cards has been issued in the south-west of Germany: Bavaria (2,318), Hesse (1,777), Baden-Württemberg (1,537) and North Rhine-Westphalia (1,146). In Hamburg (266), Berlin (256), Saxony (188), Rhineland Palatinate (171) and Lower Saxony (106) a medium number of Green Cards were issued. The lowest number was issued in structurally weak regions of the West and the East: Schleswig-Holstein (69), Saarland (75), Brandenburg (35), Thuringia (31), Bremen (15),

⁵⁴JungleWorld, Deutsches Haus, 13/2001

⁵⁵European Economic Area: It is a separate entity, and came into being on 2 May 1992 by agreement between the EC and the member states of the European Free Trade Area. It gives the same movement rights within the area to both EU nationals and the nationals of Iceland, Liechtenstein and Norway. Taken together, the EEA is made up of the Member States of the EU and the countries of Iceland, Liechtenstein and Norway (<http://www.iasuk.org/advice/ViewADocument.asp?ID=83&CatID=16>)

⁵⁶GGC: German Green Card

⁵⁷http://www.workpermit.com/news/german_green_card.htm

⁵⁸<http://www.intelliget-it.ro/statistics.php>

Saxony-Anhalt (8), Mecklenburg-Western Pomerania (6)⁵⁹.

Immigration Bill

On 4 July 2001, an Immigration Commission appointed by the Minister of the Interior called for the admission of 50,000 newcomers a year, that is 50,000 more foreigners than currently arrive via family reunification and as recognised asylum seekers. These additional immigrants would include 20,000 foreign professionals a year admitted as settlers on the basis of a point system (plus family members), 20,000 foreign professionals admitted with five-year work permits and 10,000 foreign trainees and foreign graduates of German universities, who could receive two-year visas and then make the transition to settler status. The Commission concluded that the goals of German immigration policy should be to attract highly qualified foreigners to Germany to cushion the impacts of demographic changes in the country. The Commission emphasised that new programmes were needed to speed up the integration of foreigners once they were in Germany⁶⁰.

On 13 December 2001, the Immigration Bill had its first reading in the Bundestag (lower house of the German Parliament). Minister of the Interior, Otto Schily, said he was willing to compromise, but a Christian Democratic Union leader opposed the law, saying: "This law would completely change German society within a few years." The CDU/CSU raised 79 objections to the bill; Schily promised to study them carefully⁶¹. By spring 2003, when this report was written, no immigration law has yet been adopted by the two parliamentary chambers.

Exclusion from the free market

Other forms of institutional racism combined with economic discrimination include the general living conditions of refugees and asylum seekers. The voucher system, the implementation of which is up to the authorities in the administrative districts and which can replace cash allowances since 1997, and the residence duty, which means that any refugee/asylum seeker who, once dispersed there, leaves his/her administrative district and is caught will be prosecuted and fined, mean immense social exclusion for the victimised people. The residence duty, in particular, can have disastrous consequences, as the fines imposed by the court cannot be paid because the refugees/asylum seekers have very little cash. After a few such incidences and the non-payment of fines, the people are often imprisoned instead and then have a criminal record. The voucher system in turn increases hostility and racism among the German public, as using the vouchers immediately identifies the person as an asylum seeker or refugee and makes him/her vulnerable to abuse. Also, since there are no nationwide rules or guidelines about the implementation of this law, some districts only give out vouchers valid for certain shops, so that discrimination is even more obvious and likely. The President of the Parliament of Lower Saxony has defended the system of giving out vouchers to asylum seekers. The request by the NGO, Lower Saxony League Against Racist Laws, to return to cash payments from the associations of local authorities was denied. Orders from the government of Lower Saxony to the communes are to make payments to asylum seekers only in vouchers or on chip cards from 1998 onwards⁶².

⁵⁹Ibidem

⁶⁰http://www.bmi.bund.de/dokumente/Artikel/ix_46876.htm

⁶¹http://migration.ucdavis.edu/mn/archive_mn/jan_2002-10mn.html

⁶²JungleWorld, Deutsches Haus, 07/2001 :

http://www.nadir.org/nadir/periodika/jungle_world/2001/07/11b.htm

Impoverishment of Asylum Seekers

As the policies impoverishing refugees have continued for years, PRO ASYL has criticised the fact that the benefits received by asylum seekers instead of social assistance have not been adapted to the increased costs of living in 2001/2002. The amounts of so-called basic benefits, which are far below the standard of other benefits, have therefore remained unchanged since the Act on Benefits for Asylum Seekers came into effect on 1 November 1993. The law may be the only social assistance act not being adapted to increased costs of living, although the wording of the Act makes provision for such increases. Since 1993 the normal amounts of the Federal Social Security Act have been raised by approximately 6.8%. The allowance for members of the Federal Parliament has been raised from DM 11, 300 (5778 Euro) to DM 13,800 (7056 Euro) per month *between* 1995 and 1 January 2001 alone (average rate of increase per annum: approx. 3.5%; rate of increase of benefits for asylum seekers in comparison, both under the black-yellow (CDU/FDP) as well as the red-green (SDP/Green) government: 0%)⁶³.

Labour market

According to the German Industrial Relations Law (Betriebsverfassungsgesetz, BetrVerfG §75) in companies which have workers' councils, the employer and the workers' councils have to monitor that nobody is treated unequally because of their origin, religion, nationality, background, political and trade union activities. Nevertheless, such discrimination still occurs. A postman was not allowed to wear wide trousers and a turban because of clothing regulations in the company. At the same time jeans, also forbidden by the clothing regulations, have been allowed. In another company non-German workers have been excluded from the composition of stable teams. They were always assigned temporary workers or new colleagues. In both companies right-wing propaganda and newspapers have been distributed⁶⁴.

Housing

Cases of discrimination and racism in the housing sector are hard to find. Problems relating to discrimination and racism are not taken seriously and the victims are declared as hypersensitive and psychotic. Employees of housing companies tend to assess the statements of their fellow Germans as being more credible than those of people who are not part of the hegemonic culture⁶⁵.

3.3. *Everyday racism*

Reliable data about verbal and physical attacks on racist grounds is not available. Some newspapers keep a chronology of right-wing attacks, where criminal reports are collected. Everyday racist acts by 'ordinary' citizens are therefore rarely documented.

Verbal and physical attacks

One of the most vulnerable victim groups is the Vietnamese community, formed by former GDR contract workers and their networks in the east of Germany. Their counter parts in the

⁶³<http://www.proasyl.de/presse01/jan08.htm>

⁶⁴Both case happened before 2001. Recent cases have not been available. Bund gegen ethnische Diskriminierung in der Bundesrepublik Deutschland (BdB) (ed.) (2001): Die Realität der Anderen. Fünf Jahre Erfahrung in der Antidiskriminierungsarbeit. Berlin, p. 37-38

⁶⁵BdB (2001): p. 38-40

west, the so called 'Boat People' fleeing Vietnam after the war, are well established⁶⁶.

*"At New Year 2001 skinheads attacked a group of Vietnamese people and injured two men. The police said the right-wing extremists threw fireworks at the Vietnamese who then retreated into their house. The skinheads forcefully entered the flat and attacked two men with bottles. The attackers were arrested"*⁶⁷.

Certain days like the birthday of the 'Führer' (Adolf Hitler) on 20 April is a day of risk for people belonging to a victim group. Often the attacks follow a pattern of a group reinforcing its group norms by inflicting harm on a stigmatised outsider.

*"Three right-wing extremists between 16 and 19 years of age battered a 47-year-old Algerian man on his bike on 20 April. The man sustained injuries to his face. On the arrival of the police, the three attackers fled on to a tram with a group of 25 youths. The group was trying to prevent the perpetrators' arrest."*⁶⁸

But physical attacks go hand-in-hand with verbal attacks and are not only restricted to the eastern part of Germany. Second or third generation migrants are often victims in the west. Conflicts arise about the issue of the enforcement of rules in everyday life.

*"On 17 February 2001 two drunks battered a German of Turkish descent. The victim crossed the street at a red traffic light to catch a tram. The men abused him with racist chants and kicked him. The victim was taken to hospital with face and leg injuries."*⁶⁹

Rules and norms related to public behaviour are often enforced verbally. Religious symbols like a head scarf can trigger imposing non-Muslim identity as a general norm for everybody.

*"On a bus Germans told a 26-year-old Egyptian woman to take off her head scarf. When she refused, the three men and one woman insulted the woman by saying, among other things, that they are living off the Germans' pension. When they got off the bus the perpetrators showed the Nazi salute"*⁷⁰.

Becoming a victim of racist attacks is not only a question of visual difference in skin, eye shape or a religious symbol, but also one of being part of the abstract group of 'foreigners', even if one holds German citizenship.

*"On 28 May 2001 two 14-year-old pupils battered a 14-year-old ethnic German ('Aussiedler') from Russia so badly he had to go to hospital. The police stated that the secondary school pupils attacked their victim in the school grounds, kicked him and called him a 'foreigner'. He sustained head injuries as well as bruises on one hand."*⁷¹

A very tragic case, where a hostile racist attack in conjunction with other incidents in a more hostile surrounding environment can lead to a delay of basic medical help and can cause death.

"On 26 June the driver of a mini van verbally attacked a group of refugees outside their hostel. Just before this he had run over a six-year-old Iranian girl who lay on the ground with serious head injuries. Because the ambulance, which had been called immediately, did not

⁶⁶Beuchling, Olaf (2003): Vom Bootsflüchtling zum Bundesbürger. Flucht und Exil im sozialen Selbstbild vietnamesischer Migranten in Hamburg, in: Angelika Eder (Hg.), unter Mitarbeit von Kristina Vagt: Wir sind auch da! Über das Leben von und mit Migranten in europäischen Großstädten (Forum Zeitgeschichte, Bd. 14), Hamburg 2003 (erscheint Ende Juni), S. 189-209.

⁶⁷Jungle World, Deutsches Haus, 03/2001

⁶⁸JungleWorld, Deutsches Haus, 19/2001

⁶⁹JungleWorld, Deutsches Haus, 10/2001

⁷⁰JungleWorld, Deutsches Haus, 12/2001

⁷¹JungleWorld, Deutsches Haus, 24/2001

arrive promptly a Colombian doctor drove the girl to the local hospital in a private car. On the way there the girl was handed over to the arriving ambulance which took the girl to hospital. The girl was later moved to a hospital in Berlin where she died the next day.”⁷²

Anti-Semitism

On 24 April 2002 the Minister of the Interior presented the report on intelligence for 2001. Of the 374 registered right extremist crimes more than half (53%) had a xenophobic background and 18 an anti-Semitic background⁷³. Anti-Semitism is associated with right-wing extremists and often with the desecration of Jewish cemeteries. In June 2001 gravestones at a Jewish cemetery in Hohenems were destroyed and in August the Jewish cemetery in Hillersleben was vandalised⁷⁴.

“Two unknown delinquents defiled a Jewish memorial in Berlin on the night of 13 March. A police patrol noticed just before midnight that an area of approximately two square metres had been smeared with excrement.”⁷⁵

Recent developments in Germany show that anti-Semitism is not an issue of the past and the obsession of an extreme fringe, but a phenomenon which reproduces itself through generations and re-articulates itself in a modern form. Israel as the suspected fatherland of the Jews becomes the target.

“Two secondary school pupils (aged 15 and 18) hung an anti-Semitic banner with the slogan ‘You Jews should be gassed, go back to your own country’ from a moving bus, which was on the way back from a class trip to Italy. Only when overtaking drivers on the motorway in Bavaria gesticulated was the coach stopped and the banner discovered. The headmaster reported the incident to the police.”⁷⁶

The federal election campaign of the Free Democratic Party in North Rhine Westphalia tried to mobilise for the first time the votes of naturalised Muslims through the use of a modernised anti-Semitism in the context of the Israeli-Palestinian conflict.

3.3.1.1. Homophobia

Despite the fact that homosexuality is legal in Germany, homophobic attacks do occur.

“On 3 July two homosexual men were attacked near the Berlin Müggelsee by a group of violent right extremists. One of the victims had to be admitted to hospital unconscious and with a broken jaw. The attackers were able to flee.”⁷⁷

There is little known about the profile of the perpetrators due to the fact that anti-gay acts are rarely reported and victims are reluctant to talk about them⁷⁸.

3.3.1.2. Hegemonic culture (Leitkultur)

According to the Council of Europe Germany has failed in fighting racism. The Minister of

⁷²JungleWorld, Deutsches Haus, 30/2001:

⁷³http://www.bmi.bund.de/dokumente/Pressemitteilung/ix_81291.htm

⁷⁴<http://afi.looplabor.org/asbsp.htm> more in: <http://www.jewishgen.org/cemetery/w-europe/gerpub.html>

⁷⁵JungleWorld, Deutsches Haus, 13/2001

⁷⁶JungleWorld, Deutsches Haus, 30/2001

⁷⁷Ibidem

⁷⁸Gewalt gegen Schwule. Die Opfer schweigen. Senatsverwaltung für Jugend und Familie Berlin, Referat für gleichgeschlechtliche Lebensweisen

http://www.senbjs.berlin.de/familie/gleichgeschlechtliche_lebensweisen/veroeffentlichungen/doku_03.pdf

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the Interior rejected this criticism from the European Commission against Racism and Intolerance (ECRI). The ECRI report attested serious racially motivated incidents in Germany and criticised explicitly the concept of ‘Leitkultur’⁷⁹.

Ever since 19 October 2001, when the leader of the Christian Democratic Union/Christian Social Union (CDU/CSU) parliamentary group in the Bundestag (the lower chamber of the German parliament), used the term ‘Leitkultur von Deutschland’ (leading, dominant or hegemonic culture of Germany) to describe what immigrants coming to Germany might aspire to, the debate and controversy surrounding this term has been enormous. Indeed, there has been a veritable uproar, at least among Germans, who have debated this term with a veracity that has hardly dissipated in over a month. “Foreigners coming to live in Germany should follow our ways” is the concept of Leitkultur. And to make matters worse, while the leader of the CDU/CSU parliamentary group stood by his words, the President of the Central Council of Jews in Germany, posed this question to the 200,000 people gathered at the ‘We Stand Up for Humanity and Tolerance’ demonstration held in Berlin on 9 November 2001⁸⁰: “*What’s all this talk of Leitkultur? Does German Leitkultur include hunting down foreigners, burning synagogues and killing the homeless?*” While the current debate has remained on German territory, and may well have deeper implications within Germany, many European nations live by this same leitmotiv - that their own culture is superior, something from which others (foreigners and tourists from America) should benefit.⁸¹.

⁷⁹<http://www.diezeitzeugen.de/2001/August01/monat07/monat07.htm>

⁸⁰Symbolic date for German history: 1918: Declaration of the Republic; 1936: organised pogrom against Jewish population; 1989: Fall of Berlin Wall.

⁸¹<http://www.ce-review.org/00/42/mrozek42.html>

4. The victim's perception of racism and racist violence

German public discourse on racism is still focused on the young right-wing perpetrator, since the pogroms at the beginning of the 1990s in the aftermath of German reunification. Over the last decade youth workers have been busy concentrating on the perpetrators and their re-socialisation. All forms of discrimination are reduced to this image. The perpetrators act in a public climate which is supportive of their ideological issues, but disapproves of the means they use. The victims disappear and get no public support. If they are represented in public discourse they are stigmatised as 'criminals', 'drug dealers' and 'social spongers'. The more marginal their social position is and the less they have access to full citizenship, the more invisible and vulnerable they are⁸². All too often, the victims of the crime are forgotten about completely. The destruction of the victims' everyday life goes unnoticed and they are left alone to cope with their new life; the physical restrictions of movement and their fears - not forgetting coming face-to-face with their aggressors in the courtroom. They feel threatened and insecure for a long time after the incident. The silence and indifference of the majority allows the aggressors to feel that they act in the interest of the majority. This is exactly the function of racism – creating a superior group identity through the submission of another. Both the perpetrator and the victim live in fear. Our own research shows that this kind of social relationship involves a transfer of power from the victim to the perpetrators' group and freezes the hierarchical power relationship between the different social actors. The silence of the victims is the consequence of this.

A representative survey by the Federal Ministry of Labour in 1996 about the situation of foreign workers and their families in Germany interviewed 1,000 people over the age of 15 of Turkish, Italian, Greek and former Yugoslavian background about their experience of everyday racism in the preceding year⁸³. Nearly every fourth person of Turkish background and every fifth person of a background from former Yugoslavia reported that they had been insulted and assaulted. Nearly three quarters of all interviewees reported that they have not had such experiences. They also asked whether they had been refused entrance to a pub or a disco, been excluded by insurance companies or been denied housing, employment or educational training because of their 'foreign' origin. About three quarters answered no. Between 8 and 10% said that they had been refused entry to a pub or a disco and 6-9% answered that they had been discriminated against by landlords. No recent studies are available.

A study in North Rhine Westphalia by the Centre for Turkish Studies (Zentrum für Türkeistudien) concludes that experiences of discrimination have increased. In 2000 91% of the migrants interviewed considered xenophobia as an important social and political problem. In 1999 only 76% voiced this opinion⁸⁴. One quarter reported that they had experience of discrimination themselves. The younger the interviewees were, the more experiences they had of discrimination. This is due to the fact that second and third generation young people have more contact with the German population and therefore experience more prejudice and individual discrimination. Second and third generation young people have developed a variety of identities in which their belonging to German society is expressed, while their parents, the first generation of migrants, have been silenced. They are born and brought up in German society and, like their fellow Germans, they have internalised democratic rules and values. In

⁸²<http://d-a-s-h.org/pipermail/dash-forward/2002-October/000004.html>

⁸³<http://www.drehscheibe.org/leitfaden-artikel.html?LeitfadenID=138>

⁸⁴Ibidem

popular culture and in the media those new cultural identities are becoming increasingly visible and represented. They expect equal treatment and tend to take individual and structural inequalities much more seriously than their parents or grandparents⁸⁵.

5. Information on service providers

Many organisations involved in counselling migrants do good social work, but they do not explicitly tackle the issues of discrimination. While the headquarters of such large organisations (often linked to churches or trade unions) insist that they have worked in the field of anti-discrimination for a long time, it shows that on a local level, it is very difficult, because there is little awareness about racist discrimination and the perspectives of victims. This is due to their employment policies, which excludes migrants from entering the organisations and their hierarchies. The churches, for example, opposed an anti-discrimination law to be introduced in 2002 with the argument that they want to stick to the practice of employing people of their own religion. There is no nationwide structure for operating anti-discrimination offices in Germany. Only in the states of North Rhine-Westphalia, Berlin and Brandenburg are there grassroots organisations which are trying to establish such an infrastructure.

These non-governmental organisations have put a lot of effort into organising anti-discrimination offices in their area. They have done a great deal of work, but politically this kind of infrastructure is not wanted, according to the Antiracist Information Centre, ARIC, which operates in North Rhine-Westphalia and Berlin. ARIC worked on a project which created a blueprint for a database for the documentation of reports about discrimination. On 10 December 2001 initiatives for anti-discrimination offices in North Rhine-Westphalia published a statement on the draft for a civil anti-discrimination law calling for the inclusion of administration, police and the judiciary in the law and banning all forms of institutional discrimination occurring because of the 'Alien Laws' (Ausländergesetze)⁸⁶.

In December 2001 The League Against Ethnic Discrimination in the Federal Republic of Germany (Bund gegen ethnische Diskriminierung in der Bundesrepublik Deutschland - BDB) published a report about five years of experience in working in the field of anti-discrimination in Berlin and Brandenburg⁸⁷. This report provides a deep insight into daily work with victims of racism. People who have experience of racism themselves are involved in supporting the victims and documenting discrimination over a longer period of time. The association Victim Perspective supports victims of right-wing violence in Brandenburg. Victim Perspective wants to break through the silence and isolation of victims. They help victims to develop a perspective for their life after the attack and gather ideas of how victims may be supported, as well as methods for depriving right-wing beliefs of their traditional breeding-ground. They want to give a strong voice to the victims' perspectives in public discussions. They offer counselling for victims, legal advice, help in finding witnesses to the attack, accompany and support victims with applications to government agencies during the official course of action ECRI (they accompany victims during the court case, provide psychological help if victims are suffering from a crisis because of the attack and they contact local groups and initiatives who will support the victim after the attack⁸⁸.

⁸⁵Ibidem

⁸⁶<http://www.antirassismus-telefon.de/linksadgesetz.php#stellung>

⁸⁷Bund gegen ethnische Diskriminierung in der Bundesrepublik Deutschland (BdB) (ed.) (2001): Die Realität der Anderen. Fünf Jahre Erfahrung in der Antidiskriminierungsarbeit. Berlin, p. 37-38

⁸⁸<http://www.opferperspektive.de>

6. Conclusion

We conclude this report with another reference to the World Conference Against Racism in Durban, South Africa. In the programme of action of the Declaration of Durban some principles for data collection in relation to discrimination and racism are set out. It has become obvious in this report that knowledge about acts of discrimination is poor in Germany. Existing reports, surveys and statistics do not reflect the social situation in Germany adequately. According to §§ 44/92(a,b)/94 of the Durban Plan of Action all measures and data collection have to be in consultation with the victims and respect human rights and fundamental freedoms (§§ 44/92(a)/95). A regular monitoring process (§§ 74/92/92(b)/95) and data collection based on qualitative and quantitative research to support the fight against racism (§§ 44/94/176) has been developed⁸⁹.

Germany ratified all these international conventions and declarations⁹⁰. We therefore must ask questions about the areas in which action needs to be taken to improve the situation of the victims and about how to get a broader picture of a society's racist configuration.

Despite the historical experience of ethnic data collection and its social consequences, Germany has agreed to an international model which requires such data to monitor racism on an international scale. In this report we have seen that discrimination and racism exist in different fields but the full scale of these experiences is not represented in the official statistics and surveys. As already mentioned, international research shows that 'identities' are not fixed categories, which can be attributed to a person and then be counted, but a field of changing, multiple and intersecting identities. It depends on the situation whether someone is Turkish, German, gay, male or female. It is more the relationship between the different identities and the manner in which they are produced which needs to be examined.

A democratisation of data collection and evaluation would need an infrastructure at a grassroots level, which reflects the needs of the area's population. On the other hand it requires an effective methodological approach to transform this everyday experience of victims into a reliable picture which can be compared to other situations and countries. This body must be independent because, as we have seen, the state is the biggest perpetrator, but investigations into institutional racism clearly need more than independence and impartiality. The positive projects mentioned in this report all suffer from the lack of political will to combat racism and this goes hand-in-hand in times of neo-liberalism with a lack of funding and bringing together a wide range of social expertise. Racism is not considered to be a major issue in Germany; it is something we have learned to live with.

⁸⁹See National Focus Points of the European Monitoring Centre (EUMC), launched Feb. 2001 and completed June 2001

⁹⁰Addy, David Nii (2003): www.institut-fuer-menschenrechte.de
Hieronymus & Moses: iMiR - Institut für Migrations- und Rassismussforschung

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