

# EUROPEAN RACE BULLETIN

INSTITUTE OF  
**RACE**  
RELATIONS

## The integration debate

By Liz Fekete

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How have issues of immigration and asylum, integration and security been debated by the mainstream parties in regional and national elections? As 'illegal immigration' becomes a major electoral issue and governments promise policies of 'managed migration', political parties are setting targets for the removal of failed asylum seekers. Integration, security and identity are also being hotly debated, and new laws introduced that suggest that immigrants pose a threat to European security.	
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The IRR is carrying out a European Race Audit supported by the Joseph Rowntree Charitable Trust. Specific research projects focus on the impact of national security laws and the war against terrorism on race relations and the impact of the EU's new policy of 'managed migration' on refugee protection. The Institute of Race Relations is precluded from expressing a corporate view: any opinions expressed here are therefore those of the contributors. Please acknowledge IRR's European Race Audit Project in any use of this work. For further information contact Liz Fekete at the Institute of Race Relations, 2-6 Leeke Street, London WC1X 9HS. Email: [liz@irr.org.uk](mailto:liz@irr.org.uk)

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## **Preface**

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*The news that those who carried out the London bombings of 7 July were British-born has been greeted with shock and dismay in the Muslim community, and Tony Blair has promised Muslims that he will help them confront 'the perverted and poisonous' doctrines of Islamic extremism in their midst. At the same time, the government has made it abundantly clear that the bombings should not be allowed to drive a wedge between communities or lead to the stigmatisation of Muslims as terrorists – that if terrorism is to be defeated all communities must stand together.*

*The government has also announced a period of consultation before new anti-terrorist laws, aimed at tackling incitement to terrorism, are introduced. One proposal under consideration is for the deportation of Muslim clerics and other foreigners who have been granted indefinite leave to remain, but who have alarmed the police and the security services in their pronouncements.*

*Over the last few months, the IRR has been researching the impact, in other European countries, of similar deportations which have been used as an alternative to vigorous prosecutions under public order laws against those who incite hatred and violence. We are making this research, which was completed at the end of June, available now in order to contribute to the vital debate about how best to stamp out terrorism and preserve people's security while upholding democratic rights.*

*Our research shows that targeted measures aimed at one religious community only, and the bypassing of the ordinary rule of law, can lead to the perception in that community that its members are being excluded from European society and civil rights. Any law that discriminates between one section of citizens and another undermines democracy and can alienate the very community whose support is most vital to the stamping out of terror.*

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## **'Speech crime' and deportation**

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Throughout Europe, immigration reforms are being introduced which build in to citizenship and residence rights measures which constrain freedom of speech. If those constraining measures are breached, the punishment could be deportation.

There can be no reasonable objection to the deportation of a foreign national who incites violence and hatred, if a court rules that deportation is a proportionate response to that crime and if the deportation is in line with international law (in particular, the provision that no-one should be sent back to countries that practise torture, the death penalty or other degrading treatment or punishment). What is of concern, however, is the lack of transparency in the deportation procedure which evades due process.

The European Race Audit has analysed seventeen instances in which attempts have been made in France, Germany, Italy, Poland and the Netherlands to fast-track national security deportations utilising immigration laws. All the cases involve Muslims, none of whom has been formally accused of involvement in any terrorist offence. Thirteen of the cases involve Muslim clerics or religious leaders who have been deported, or threatened with deportation, because they have made statements that are alleged to be anti-western, unpatriotic and against democratic rights. Most of those deported are long-term European residents, who could have been charged under existing public order laws. (See pp11-12 for table of cases.)

### **Reforms to immigration law**

When anti-terrorist laws are grafted onto immigration law, the normal checks and balances are not available. There is no duty of disclosure, no legal aid available to the accused and none of the safeguards provided under criminal law.

In Summer 2004, France, Germany and Spain brought in significant changes to immigration and aliens' legislation so as to make it easier to deport foreigners even if the authorities had not accused them of any terrorist offence. Following the killing of Theo van Gogh in November 2004, the Dutch government announced that it would introduce new measures to deal with Muslim clerics who preached hate. In addition, both Germany and the UK have altered their immigration laws enabling

them to revoke citizenship from naturalised citizens deemed a public order threat. (In the UK this only applies to naturalised citizens with dual nationality.)

While the spur to such 'reforms' was different in each country (as outlined below), the legislation is remarkably similar in that it is not aimed at those accused of any specific terrorist offence or ordinary crime, but at those who have expressed opinions which can be interpreted as pro-violence, anti-western, illiberal or even simply offensive. In this way, then, the definition of terrorism is being extended to include 'speech crimes'. Such a radical departure is backed by the May 2005 Council of Europe convention on the prevention of terrorism. This requires *inter alia* state parties to criminalise direct and indirect public provocation of terrorism, recruitment and training for terrorism, and to either try or extradite persons accused of such crimes. The convention was agreed despite concerns from the Parliamentary Assembly and the Commissioner for Human Rights of the Council of Europe that the formulation could lead to an erosion of the rights to freedom of expression and freedom of association.

The French government has amended the 1945 foreigners law (which allowed for the expulsion 'in absolute emergency' of any foreigner deemed a threat to the security of the state or public safety) to include any foreigner who commits 'acts of explicit and deliberate provocation or discrimination, hatred or violence against a particular person or a group of people'.<sup>1</sup> The wording of the law was greeted with concern by Socialists and Communists who opposed it on the grounds that it was so vague that it could be used as a pretext to expel foreigners for a range of offences unrelated to the original intention of the Bill. The new German immigration law, which took effect on 1 January 2005, simplifies the procedure for the expulsion of foreigners who can now be expelled not just for any proven wrong-doing, but if there is an 'evidence-based threat prognosis'.<sup>2</sup> Proof that someone committed a crime is not needed. Again, civil libertarians criticised the vagueness of the law, pointing out that it provided no clear definition of a 'suspect' and that an expulsion order might be based on little more than 'speculation' or 'premonition'. Additional measures

The German states of Hessen, Saarland, Baden-Württemberg and North-Rhine Westphalia have all withdrawn German citizenship from individuals on account of their alleged close ties to un-constitutional groups. On 18 May 2005, the *Deutsche Presse-Agentur* reported that three naturalised men of Turkish origin were rendered stateless after a tribunal in Wiesbaden stripped them of their German nationality because they had failed to disclose at the time of their naturalisation that they were members of the Turkish organisation Milli Görüs. The German security services' listing of Milli Görüs as an unconstitutional organisation is extremely controversial. It is an organisation that does not advocate violence and its ideology is close to the moderate Islam practised by the Justice and Development party, the ruling party in Turkey which seeks to govern in cooperation with Turkey's secular establishment.

Another cause of concern for Germany's Turkish community is the government's current onslaught on German-Turks with dual citizenship. In 2000, a new citizenship law was introduced to revoke the possibility of Germans holding dual citizenship. It affected around 50,000 members of the country's two million-strong Turkish community. Organisations like the Association of Turkish Communities in Hamburg say that many people are not aware of the citizenship reform, and that the government has allowed no transitional period before the law came into effect. Now, interior minister Otto Schily has asked his Turkish counterpart for a list of all Germans of Turkish descent who have received a Turkish passport since 2000. Letters have been sent out to German-Turks asking them to report to the immigration offices if they have dual nationality. This has spread the fear that those who do voluntarily report may, find themselves deported.

to revoke citizenship from naturalised citizens linked to 'unconstitutional organisations' have also been introduced (see box). The Spanish reform enables the state to deport foreigners, including long-term residents, on the basis of suspicion that an outrage may be committed in the future against the security of the state. (There are no judicial controls over who is deported, and the state is under no obligation to furnish evidence against the accused.) In the UK, prior to the London bombing, the government had signalled its intention to bring in a new offence of 'glorifying or condoning terrorism'.

### The 'preachers of hate'

Across Europe, immigration law amendments came after intense media speculation about the so-called 'preachers of hate'. Thirteen of the seventeen cases involve Muslim clerics or religious scholars. The UK reform of its citizenship law came in the wake of the Abu Hamza case. New measures introduced in the Netherlands following the killing of Theo van Gogh came after the Dutch security services (AIVD) described the Al Forqaan mosque in Eindhoven as one of six mosques where anti-western values were preached.<sup>3</sup> The French law was introduced as a response to the case of Abdelkader Bouziane, an imam who appealed against deportation to Algeria. While Norway and Switzerland have not yet amended immigration laws, xenophobic and centre-Right parties there are pressing for 'reform'. In Switzerland, Jean-René Fournier (PDC-Christian Democrat), president of the Valais cantonal government, stated that he was in favour of expelling Muslims who 'do not respect our

values' which, he said, should be set out in a charter. He also wants Swiss citizenship withdrawn from 'fundamentalist Muslims'.<sup>4</sup> Responding to a Norwegian government White Paper on security, Progress Party leader Carl Hagen has demanded stronger measures against groups that publicly express views 'that frighten the Norwegian people'.<sup>5</sup>

But the country most utilising deportations via immigration reform is Germany. There, the government had been thwarted by the judiciary in its attempts to deport Metin Kaplan, the leader of the fundamentalist Caliphate State, who has already served a prison sentence in Germany for incitement to murder. The court had ruled that Kaplan's extradition to Turkey was unsafe, because evidence against him had possibly been obtained by the torture of his supporters by the Turkish police, and because he faced the threat of torture and degrading treatment if handed over to the Turkish authorities. (The German authorities finally succeeded in deporting Kaplan to Turkey in October 2004 after a higher court ruled that a written agreement obtained from the Turkish authorities would prevent him from being subjected to torture.)

Metin Kaplan's case allowed the centre-Right parties and the media to portray the Social Democrat-led-coalition government as soft on terrorism. Günther Beckstein, the Christian Social Union Bavarian interior minister, described the failure to deport Kaplan as 'one of the biggest disgraces for the secret services in years'.<sup>6</sup> There has also been a rash of media reports on the formation of Muslim enclaves and anti-German preaching conducted in some mosques, with calls

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for greater integration.<sup>7</sup> Beckstein, who is campaigning against Turkey's entry into the EU and has criticised Bavarian Turks for living in 'parallel societies', has stated that Germany's 'law on aliens takes too little account of our country's security situation'.<sup>8</sup>

The new German immigration law introduced the possibility of deporting 'intellectual incendiaries' or leaders publicly inciting hate, violence and terrorist acts. State premiers and officials do not have to seek the approval of the federal state before issuing deportation orders. This gives state premiers (such as Beckstein in Bavaria) a licence to deport aliens with virtually no judicial checks on their decisions. The state of Hessen reports that it deported ten imams in the first two weeks of February for 'preaching religious hatred'. North-Rhine Westphalia plans to deport 50 individuals, while a further twenty are under close surveillance.<sup>9</sup> Bavaria's Beckstein has confirmed a report in *Der Spiegel* (24.1.05) that he proposes to expel 100 Islamic extremists under operation 'Action Sweep Out' ('Aktion Kehraus').<sup>10</sup>

The German authorities have also been at the forefront of the campaign to introduce religious profiling across Europe in order to build up 'risk profiles' of Muslim communities and Islamic clerics in particular. Germany is not alone. A 2004 Dutch intelligence services report described Salafist mosques openly preaching anti-Western ideas as one of eight sources of threat to the Netherlands posed by 'radical Islam'.<sup>11</sup>

Immigration laws have always contained clauses that allowed for the deportation of foreign nationals on national security grounds. The French 1945 Foreigners Law has already been referred to. In the UK, the 1971 Immigration Act allowed for the deportation of foreign nationals if they were suspected of endangering national security or committing a serious criminal offence. Both laws avoided the normal checks and balances on the power of the state in the form of due process. What seems to be happening today, however, is an expansion of the definition of what constitutes a threat to national security. Today, espousing anti-western sentiments, questioning integration, voicing illiberal sentiments, advocating discrimination against specific groups in society all come under the definition of a 'national security' threat, warranting deportation.

## Expanding national security crimes

France has stated explicitly that reform of immigration law was necessary to deal with those who, through speech, espouse anti-western and anti-Enlightenment values, with the (then) interior minister Dominique de Villepin declaring that 'Today, one can no longer separate terrorist acts from the words that feed them'.<sup>12</sup> Clerics have been expelled because they are Salafists 'proselytising in favour of a radical form of Islam'. Abdelkader Yahia Cherif, an imam in Brittany was expelled to Algeria in April 2004, because he was alleged to have, amongst other things, rejoiced over the Madrid bombings. Orhan Arslan, a preacher at the An-Nour mosque in Mulhouse (Haut-Rhin) was expelled in January 2004 for 'making anti-Semitic and anti-western comments'. Similarly, Midhat Güler, director of a Paris mosque, was accused of inciting hatred of western societies and Israel in sermons and allowing Islamic newspapers that glorified jihad to be circulated in a prayer room. The deportation of Abdelkader Bouziane, the imam at the Al-Forquan mosque in the largely immigrant suburb of Vénissieux, in April 2004, came after the newspaper *Lyon Mag* published an interview with Bouziane which quoted him as saying that the Koran authorised men to beat their wives and that the stoning of women was permissible. The expulsion was justified on the grounds of 'defending crime' and 'direct provocation against the integrity of a person without leading to any effect'.

In Germany, Muslim clerics are also being deported for a variety of speech crimes. In February 2005, in Bremen, a 43-year-old Egyptian imam (name unknown) was identified in the media as a 'preacher of hate'. Even though the Public Prosecutor's Office confirmed that it had no evidence upon which to base a prosecution, he was deported, it seems, because he had called on Muslims to defend their religion against the 'evils of imperialism'.<sup>13</sup> The Berlin constitutional court ordered that Yakup Tasci, imam of the Mevlana mosque in the Kreuzberg district, should be deported on the grounds that he represented a serious danger to public safety. It cited a public speech in which he was said to have glorified Islamic martyrs in Iraq and Jerusalem and, in the form of a poem, suggested suicide attacks in Germany.<sup>14</sup> Another case is that of Salem El R., the imam of the Al-Nur mosque in Berlin, who was

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alleged to have made inflammatory speeches in which he said 'May God protect the mujaheddin in Chechnya, Palestine and Iraq' and 'May God let a tornado sweep away the enemies of Islam, smash them and destroy them.'<sup>15</sup>

Dutch interior minister Rita Verdonk also wants to use immigration law to facilitate speedy deportations of 'undesirable aliens' who pose a threat to public order and national security. Three imams, who security services accuse of 'contributing to the radicalisation of Muslims in the Netherlands', 'recruiting or tolerating the recruiting of Muslims for Jihad' and 'using their sermons to urge Muslims to isolate themselves from Dutch society', have appealed against a decision to rescind their residence rights.<sup>16</sup> The Iskender Paso mosque in Rotterdam (not listed by the AIVD as a hotbed of terrorism) has threatened to sue *De Telegraaf* over a story that its imam had been deported for preaching hate. It seems that the person expelled was not the imam (he led Friday prayers the day after his reported expulsion), but a volunteer at the mosque who had been taken into custody for not having a valid residence permit.<sup>17</sup>

### **Litigation not expulsion**

The question is whether there is credible evidence that these Muslim clerics and religious teachers posed a real threat to national security. And, if they did, was it legitimate for the state to deport them? Unfortunately, the systems that are being put into place across Europe to allow for deportations makes it impossible to answer such questions.

Another problem stems from the fact that the authorities are not suggesting that the nature of the threat these individuals posed is direct, in that they were carrying out, or preparing to carry out physical acts of violence. What they were accused of is the more indirect offence of threatening national security through inflammatory speeches and sermons. And it is because their offences related to words rather than deeds that the issue of 'credible evidence' is so crucial.

The normal solution to crimes relating to incitement would be for charges to be made under existing public order laws. But these Muslim clerics are being excluded from the ordinary rule of law and enclosed within a parallel, shadow criminal justice system that has a lower standard of proof and greater punishment for those deemed guilty. This parallel criminal justice system, to date, has

only applied to Muslims. Youcef Mammery of the Marseilles Council of Muslims identifies working-class, badly-educated Muslim communities as the real target of these measures, adding that 'There are very orthodox people in all religions, who live life on the margins of modern society.'<sup>18</sup> The French Coalition Against Islamophobia, the Union of French Islamic Organisations and the Human Rights League have all condemned the hot-tempered rhetoric of badly-educated Muslim clerics, but they also defend their right not to be discriminated against, and to be afforded the same access to justice as preachers from other communities. Mammery adds that 'extreme doesn't necessarily mean dangerous'. Pointing to the case of Bouziane, he said that the imam 'wasn't very clever but it wouldn't be fair to say he was dangerous'. He argues that litigation, not expulsion, is the answer to any alleged public order offences.<sup>19</sup>

Clerics deemed a threat to European values are denied access to the protection of the European Convention of Human Rights which guarantees the right to a fair trial; to be presumed innocent until proven guilty according to law; to be informed promptly and in detail of the nature and cause of an accusation; to examine or have examined witnesses. In France, the state issues a deportation order and the legality of that order is subsequently decided upon by an administrative tribunal (as opposed to a criminal court). Here, the evidence cited against the accused is provided either by the security services or takes the form of submissions based on, or including, newspaper articles.

### ***The role of the media***

The evidence presented often seems to be based on little more than newspaper articles which quote inflammatory (or merely offensive) statements made by the clerics or simply regurgitate the views of unnamed security sources. The clerics have no opportunity to defend themselves against any possible misrepresentation of their views. Abdelkader Yahia Cherif was accused by the French intelligence services of rejoicing over the Madrid bombings; they cited comments made during a sermon and in a newspaper interview. His lawyers dispute the allegation that he 'rejoiced' at the Madrid bombings, stating that what he actually said was that there was no 'absolute proof that Islamists were involved in either the September 11 or the March 11 attacks'.<sup>20</sup> Abdelkader Bouziane's lawyers challenge whether the content of a published interview (the newspaper quoted

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Bouziane as saying that the Koran authorised violence against women, including stoning for adultery) actually reflected his views, pointing out that the interview lasted ninety minutes, that the imam speaks poor French and that his comments were seriously distorted.<sup>21</sup> (The security services had also provided evidence that Bouziane, following military intervention in Iraq, called during a sermon for a jihad against American interests in France. But it should be pointed out that when sermons are delivered in Arabic, the evidence cited by the intelligence services is not direct speech but a translation.) In respect of Bouziane's views on political violence, his lawyers argued that the *Lyon Mag* journalist accurately represented his views, quoting him as saying that he did not want 'to raise his voice, strike or attempt to assassinate anyone in order to convert people to Islam' and that 'it is a great sin to plant a bomb because Allah is angered when innocents are killed'.

In the case of the Berlin cleric Yakup Tasci, it would seem that the media actively sought a deportation order on the grounds that he was a 'preacher of hate'. For despite the earlier accusations against him (see above), the senator for internal affairs only supported Tasci's deportation for 'seriously endangering public safety and order' and placing in danger the 'peaceful coexistence between Germans and non-Germans' after a German television station had sent journalists undercover into the Berlin mosque and filmed the cleric criticising Germans for being useless and unclean. (He had suggested that Germans were dirty as they allowed sweat to gather under their armpits which they did not shave.) Lawyers for Tasci have appealed on the grounds that some of the statements ascribed to him by the Aliens Office were either wrongly interpreted or taken out of context, while others were never made at all.<sup>22</sup>

The same factors seem to be at play in Italy where Muslims have also been deported following newspaper stories. Abdel Qader Fadlallah Mamour, an imam in Turin, was deported to Senegal hours after giving an interview to a newspaper in which he warned that if Italian troops were not pulled out of Iraq, there could be a bomb attack in Rome, and boasted knowing Osama bin Laden.<sup>23</sup> In April 2005, Abdul Karim al-Tibsi, a teacher of Arabic and Islam at the Islamic Centre in Rome and a member of the Union of Arab Communities in Italy, was

expelled after he led prayers in memory of Sheik Ahmad Yassin, the Hamas spiritual leader assassinated by an Israeli missile attack in Palestine.<sup>24</sup>

#### ***Evidence based on secret intelligence***

Nor does untested evidence presented by the security services really constitute 'credible evidence'. In France, administrative tribunals have not been provided with wiretap evidence, witness testimony or other material evidence to justify the deportation of the accused. Instead, evidence takes the form of confidential notes issued by the intelligence services, commonly known as 'notes blanches' (because they are not signed or dated and do not cite sources). In the case of Abdelkader Bouziane, classified documents submitted by the interior minister linking Bouziane to extremist groups were actually thrown out (one piece of evidence was a 'confidential note' from the intelligence services made during a sermon by the imam in November 2003) and the court ordered that Bouziane (who had already been expelled to Algeria) was free to return to France on his own volition. (He has now been expelled for a second time after the Supreme Administrative Court quashed the earlier verdict.) In the case of Midhat Güler, the only security service evidence was a 'note blanche' which did not even implicate Güler in terrorist acts but accused him of inciting hatred of western societies and Israel in his sermons and of other vague offences. The deportation to Algeria of Yousef Mahlili, an imam from Bilbao who moved to Mourenx to preach in a town close to the French-Spanish border, was based on a security service assessment that his sermons had become increasingly radical and critical of Spain following the Spanish decision to send troops to Iraq. (The Spaniards facilitated his deportation by rescinding his residence permit.)<sup>25</sup>

In Germany, too, it was the evidence of an agent from the Office for the Defence of the Constitution which led to the deportation of the Berlin imam Salem El R., for making inflammatory speeches. But the *Berliner Morgenpost* (10.5.05) observed that when the imam had testified in a Berlin district court in the course of a trial of alleged terrorists, he gave every impression of moderation and had also attempted to become a German citizen.

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### ***No right of appeal***

A fair system would also establish a meaningful right of appeal prior to deportation, in accordance with the Universal Declaration of Human Rights and the European Convention on Human Rights which guarantee the right to effective remedy against interference with rights. The French, Italian and Dutch systems are working in such a way that the individual is deported prior to appeal. (Abdelkader Bouziane's lawyers launched a successful appeal from abroad.) Although a regional court in Lazio ruled Abdel Qader Fadlallah Mamour's deportation illegal, as he had merely expressed what amounted to 'personal views', he had already been deported to Senegal and the Italian interior minister ruled out the possibility of any return.<sup>26</sup> In June, the Dutch interior minister Rita Verdonk told three imams to leave the country voluntarily, or be expelled. They have a month to appeal but they cannot stay in the Netherlands pending the outcome of any appeal.<sup>27</sup>

The German immigration reform, which established that suspects could be expelled on the word of the interior minister alone, has set up a special panel within the Federal Administrative Court in Karlsruhe as the sole court of appeal. The German system of appeal seems to work along the lines of the Special Immigration Appeals Commission (SIAC) in the UK. Formally a 'superior court of record', SIAC is the sole court of appeal for foreigners living in Britain whom the home secretary wants to deport on national security grounds, when some of the evidence against them is considered too sensitive to be disclosed in open court. Hence, much of the SIAC proceedings are carried out in secret session. Since the Anti-Terrorism Crime and Security Act (2001) the Commission has fallen into disrepute and is regarded as little more than a 'rubber stamp' for decisions already made by the home secretary.

### ***Guilt by association***

For the security services, an indicator of 'threat' is that a suspect has associated with other suspected wrong-doers or their associates. This is very much in accord with post-September 11 counter-terrorism measures which extended the definition of terrorism from concrete acts of extreme violence to 'any form of support' for terrorism, 'active or passive'. In a court of law, the chances of a successful prosecution based on association with a suspected wrong-doer without any corroborative evidence of 'conspiracy to commit acts preparatory

to violence' would surely be slim. But fast-track deportations of foreigners via immigration reform bypass the courts and due process.

It is true that an administrative tribunal can provide some checks. In the case of Abdelkader Bouziane, for instance, the French administrative tribunal refused to accept as evidence classified documents submitted by the interior minister which linked Bouziane to extremist groups. But the deportations of other Muslim clerics have been justified on the vague grounds of association with terrorists. Abdelkader Yahia Cherif, who was seeking political asylum in France at the time of his expulsion to Algeria, was accused of 'active relations with national or international Islamic movements that are in relation with organisations advocating terrorist acts'.<sup>28</sup>

When crimes of association are created, whole communal, friendship or political networks can become stigmatised as 'associated with terrorism'. Midhat Güler, a sewing supplies salesman and director of a Paris mosque, was accused by the security services of being an associate of the Cologne imam Metin Kaplan, and founder of the Caliphate movement in France. But his lawyers deny the accusations, saying that while Güler knew Metin Kaplan, he was merely a family friend, and Güler had no political link with him or with the Caliphate State.<sup>29</sup> In Bremen, an imam of Egyptian descent who had condemned the 'evils of imperialism' (see above) was accused by the security services of links with a Turkish national currently held at Guantanamo Bay and with a German-Lebanese citizen who, at the age of 17, hijacked a bus in Bremen.<sup>30</sup>

### **Residence rights curtailed**

The Muslim religious leaders deported under these provisions have not come recently to Europe; nor were they, like Louis Farrakhan entering Europe from outside for a limited speaking tour. Most of the cases involve Muslims who have lived in Europe for years, decades even, and many have children born here. (Abdelkader Bouziane had lived in France for twenty-five years on a renewable residence permit; Midhat Güler had lived in France since 1976; Abdul Karimn al-Tibsi had been legally resident in Italy for 12 years.) As such they should enjoy residence rights, including freedom of speech and assembly. As such they were entitled to safeguards enshrined in the European Convention of Human Rights, which protect the right to family

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and private life. These state that expulsion, which separates someone from his or her family and severs links they have built up in the country of residence, must be justified by a pressing social need (ie it must be proportionate to a legitimate aim such as protecting national security or prevention of crime or disorder). The European Court of Human Rights has in the past protected from deportation immigrants who have served prison sentences for serious crimes on the grounds that deportation would be disproportionate (a form of double punishment) and a violation of the right to family life. In the cases where Muslim clerics have been denied due process, we would never know whether the principle of 'proportionality' was adhered to.

### **Political pressure**

Some of the other cases we have documented seem to be linked to the need to satisfy the demands of international partners in the International Coalition Against Terrorism.

Since 2001, the US has been pressing the European Commission to ease the laws on extradition of terrorist suspects and 'explore alternatives to extradition including expulsion and deportation'. Two deportations from Germany to Lebanon, and one from Germany to Jordan appear to have happened after pressure from the US and Israel. The two Lebanese men, long-term residents in Germany, were linked to Hizbollah. An unnamed representative of Hizbollah, who had lived in Germany for twenty years on a renewable residence permit, was told that he had to leave the country because he was 'a member of an organisation that supports international terrorism'.<sup>31</sup> (Only the military wing of Hizbollah, which had seven seats in the Lebanese parliament, was on the EU list of terrorist organisations. Nevertheless, in its latest annual report, Germany's domestic security agency cited 850 members of Hizbollah living in Germany as constituting a threat.)<sup>32</sup> A German court refused to countenance the unnamed man's appeal on the grounds that Hizbollah was 'waging a war with bomb attacks against Israel with inhumane brutality and against citizens'.<sup>33</sup> Fadi Madi, a member of the International Movement Against American and Zionist Globalisation and Supremacy, has also been deported to Lebanon following the revocation of his visa in September 2004. Madi, who was deported for his 'anti-Israel and anti-US stance', had been an organiser of a conference

planned to take place in Berlin in October 2004 which the Simon Wiesenthal Centre in Israel had lobbied the German government to ban. Subsequently, an investigation was launched by the German authorities into Fadi's 'membership of questionable organisations'.<sup>34</sup> The final case that merits a mention involves the deportation of an unnamed Jordanian national living in North-Rhine Westphalia who was expelled on the grounds that he had formerly been head of the Al-Aksa group (as this organisation has only recently been banned it seems that the law was applied retrospectively). He was also suspected of collecting donations in Germany to support the Palestinian group Hamas and by so doing had violated Germany's 'spirit of seeking understanding among peoples'.<sup>35</sup>

The deportation of ten Pakistani students from Cyprus in July 2005 may well have been carried out by the Cypriot government in order to appease its US allies who had just issued a warning that foreign interests on the island could be the target for attack. There was widespread consternation when the ten young men, described by the college director as 'excellent students', were arrested and linked in the media to al Qaida. But the interior minister refused to comment on the arrests, citing national security.<sup>36</sup>

The case of Abdul Karim al-Tibsi may have involved pressure from Algeria – another key ally in the International Coalition Against Terrorism. As previously noted, Abdul Karim al-Tibsi was deported from Italy after an Arab journalist published an article alleging he had terrorist links. (It is not unknown for the Algerian security services to spread disinformation about its dissidents via a steady trickle of accusations in the press emanating from unnamed security sources.) The deportation to Yemen of Ahmed Ammar, a student studying for a doctorate on Islamic law in Poland, may also have been ordered for political reasons. The Polish internal security agency refused to give details of Ammar's alleged crimes, save citing a general threat to national security. But Ammar contended that the deportation order was due to his opposition to the war in Iraq, and the presence of Polish troops there.

And, domestically, too, fast-track deportation procedures are now politically expeditious. Public criticism is mounting that Europe's new anti-terrorist laws are anti-democratic and violate international human rights standards. In the UK, criticism focused until recently on the detention

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**Muslims have been asked to commit to patriotism, peace at home, war abroad, modernity, secularism, integration, anti-sexism, anti-homophobia, tolerance and monogamy to name but a few. Most of these things are excellent and should be fought for vigorously on principle. But Muslims are not being asked to sign up to them because they are good or bad in themselves but as a precondition for belonging in the west at all. The fact that these values are still being contested in the rest of society is, it seems, irrelevant. No other established community is having its right to live here challenged in a comparable way.**

Gary Younge, *Guardian* 21.1.05

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without trial of foreign nationals, while in other European countries human rights groups have criticised the fact that terrorist suspects have been deported on national security grounds to countries like Egypt, Algeria, Morocco and Turkey. Such extraditions being in violation of the principle of non-refoulement whereby foreign nationals cannot be extradited to a state where they risk persecution, the death penalty, torture or other degrading treatment or punishment.

Extradition is a lengthy process with inbuilt legal safeguards. Crucially, it gives time for lawyers and human rights activists to challenge the state's case against the accused. But deporting someone via immigration laws removes the accused from the safeguards of the criminal justice system. It could also be argued that such deportations merely displace the problem of terrorism – for those deported for speech crimes can, if they are so inclined, go on to incite violence against western targets and western tourists abroad.

Of course, there is an apparent logic to the argument that, following the Madrid and London bombings, the pronouncements of fundamentalist Muslim clerics are so dangerous that reforms are needed to allow for deportations. But any law that discriminates between one section of citizens and another undermines democracy and can alienate the very community whose support is most vital to the stamping out of terror.

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## Table of deportation cases

Country	Background	Accusation	Expulsion details
<b>France</b>			
	<b>Abdelkader Yahia Cherif</b> , imam in Brest, Brittany seeking asylum at time of deportation.	Proselytising in favour of a radical form of Islam. Active relations with national or international Islamic movements that are related to organisations advocating terrorism.	Expelled to Algeria in April 2004.
	<b>Abdelkader Bouziane</b> , imam of al-Foquan mosque in Vénisseux, Lyon. Lived in France for 25 years on a renewable residence permit.	Initial accusation was of 'defending crime' and 'direct provocation against the integrity of a person without leading to any effect'.	First deported to Algeria on 21 April 2004, but allowed to return to France after a successful legal challenge. Supreme Administrative Court then overturned the ruling, and Bouziane was deported again to Algeria in October 2004.
	<b>Midhat Güler</b> , director of Paris mosque, had lived in France since 1976.	That Güler was the founder of the Caliphate State in France and associate of Metin Kaplan, the imam of Cologne. Further accused of preaching hatred and violence against the West in a Muslim prayer room in Paris.	As far as we know the case is still ongoing – and he is under house arrest.
	<b>Yousef Mahlili</b> , imam in Mourenx, in possession of a Spanish residence permit.	That his sermons had become increasingly radical and critical of Spain following the Spanish decision to send troops to Iraq.	Expelled from France to Morocco on 6 May 2004 after the Spanish revoked his residence permit.
	<b>Orhan Arslan</b> , imam in Mulhouse.	Membership of the extremist Caliphate State, making anti-western and anti-Semitic statements in sermons.	Expelled to Turkey in January 2004.
<b>Germany</b>			
	<b>Unnamed imam</b> of Egyptian origin preaching in Bremen.	Preaching hatred and violence, and calling on Muslims to defend their religion against the 'evils of imperialism'. The imam was further accused of having links with a Turkish national currently imprisoned at Guantanamo Bay and with a German-Lebanese citizen who hijacked a bus in Bremen in 2003.	Bavarian authorities expelled the imam (presumably to Egypt) in February 2005.
	<b>Yakup Tasci</b> , imam of Mevlana mosque in Berlin. A Turkish national, he had lived in Germany for 34 years.	Expulsion order cites 'seriously endangering public safety and order' and 'putting in danger peaceful coexistence between Germans and non-Germans'.	Appeal lodged with Supreme Constitutional court. Tasci says that he will leave the country voluntarily if appeal fails.
	<b>Fadi Madi</b> , Lebanese national in possession of German residence permit.	Membership of questionable organisation (ie Hizbollah).	Deported to Lebanon following the revocation of his residence permit in September 2004.

<b>Country</b>	<b>Background</b>	<b>Accusation</b>	<b>Expulsion details</b>
	<b>Unnamed representative of Hizbollah</b> with residence rights in Germany where he had lived since 1985.	Membership of an organisation that supports international terrorism.	His appeal was refused and as far as we know he has been deported.
	<b>Salem El R.</b> , imam of Al-Nur mosque in Berlin with residence status in Germany.	Making inflammatory speeches.	In May 2005, the imam was denied re-entry at Berlin's airport and sent back to the Lebanon. The rescinding of his residence rights was made possible on the technicality that he was registered with the police as living at the Al-Nur mosque which the police claimed was a bogus address. On that basis they deleted him from the register so his residence status lapsed.
	<b>Unnamed man</b> , a Jordan national, living in North-Rhine Westphalia.	Formerly head of the Al-Aksa group which is now banned in Germany. Collecting donations in Germany in support of the Palestinian extremist group Hamas, thereby violating the country's spirit of seeking understanding among peoples.	
<b>ITALY</b>			
	<b>Abdel Qader Fadlallah Mamour</b> , imam in Lazio and regularised worker of (presumed) Senegalese origin. Wife and children are Italian.	Public nuisance and danger to national security.	Expelled to Senegal in December 2003 even though Senegal claims he is not a Senegalese citizen. Regional court later annulled the deportation order.
	<b>Abdul Karim al-Tibsi</b> , member of the Union of Arab Communities in Italy, legally resident in Italy for twelve years.	No details available, though al-Tibsi was deported after an Arab journalist claimed he was a member of a terrorist organisation.	Deported to Algeria in April 2004.
<b>NETHERLANDS</b>			
	<b>Three imams (unnamed)</b> all of whom preached at the Al Fourqaanmosque in Eindhoven and were in possession of renewable residence permits.	Undesirable aliens who threaten national security and public order and 'contribute to the radicalisation of Muslims in the Netherlands'.	In June 2005, the immigration and integration minister Rita Verdonk told the three imams to leave the country voluntarily, or be expelled. They were given a month to challenge the order, but they cannot stay in the Netherlands pending the outcome of the appeal.
<b>POLAND</b>			
	<b>Ahmed Ammar</b> , had lived in Poland for thirteen years and was studying for a doctorate in Islamic law.	Threat to national security, safety and public order.	Expelled to the Yemen after he was denied an extension of his visa.

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## Immigration, integration and the politics of fear

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**The EU needs migrant labour, particularly skilled labour, and this is reflected at a member state level in the increasingly public debate over 'managed migration'. Politicians of all political persuasions are advocating that legal routes for migrants be opened up for the highly-skilled. The same politicians, however, promise the electorate a package of reform to deal with 'illegal immigrants', 'fraudulent asylum seekers' and to limit the access of both migrants and asylum seekers to the welfare state.**

In the past year, in both regional and national elections mainstream parties have exploited issues of immigration and asylum, integration and security. And a similar trend may be found when the German and Norwegian general elections take place in the Autumn. In 2005, general elections are also due to take place in Austria, the Czech Republic and Italy, while the French presidential elections will take place in 2007.

### **'Illegal immigration' – a major electoral issue**

While there are differences between the centre-Right and centre-Left approaches to irregular migration, these are not based in real differences of opinion on immigration, on morality or on concerns about race relations. Rather the differences revolve around which party can the more efficiently manage the phenomenon of irregular migration. This was very much the case in the UK general election in May 2005. The home secretary Charles Clarke announced a five-year strategy for immigration and asylum which offered identity cards (now the subject of legislation) as a way of targeting illegal immigrants, illegal working and 'health tourism'.<sup>1</sup> Clarke was accused of pandering to prejudice when he linked immigration to 'those trying to abuse our hospitality and place a burden on our society'.<sup>2</sup> In response, the Conservatives – who appointed the infamous Australian political strategist Lynton Crosby as its campaigns director – put up posters all over the UK declaring 'It's not racist to impose limits on immigration'. The Conservatives further highlighted the issue of border controls promising that should the Conservatives come to power they would test immigrants from outside the EU for HIV, tuberculosis and other diseases. Conservative leader, Michael Howard, justified the proposal by pointing to Health Protection Agency data which purportedly showed that 75 per cent of heterosexuals with the HIV virus in the UK were infected in sub-Saharan Africa.<sup>3</sup> Howard also claimed that Britain could face a spate of race riots

if immigration got 'out of control' and the public lost faith in the system,<sup>4</sup> and refused to disassociate the Conservative party from Bob Spint, a Conservative candidate in Castlepoint, who issued an election advertisement stating 'What bit of "send them back" don't you understand Mr. Blair'.<sup>5</sup> For its part, the UK Independence Party launched its immigration manifesto pledge under the slogan 'We want our country back'. The whole tenor of the election campaign led the Archbishop of Canterbury, Rowan Williams, to point out that it is 'racist to whip up anxiety over immigration'.<sup>6</sup> The Jewish Council for Racial Equality, the Churches Commission for Racial Justice and the Muslim parliament issued a joint press release calling for an end to the use of xenophobia in electioneering.<sup>7</sup>

The centre-Right Danish political parties, which had ruled Denmark in coalition since 2001, also stamped their anti-immigration credentials onto the February 2005 general election campaign. The Danish prime minister Anders Fogh Rasmussen was actually first propelled to power in 2001 on the basis of his promise to crackdown on asylum seekers. In the run-up to the February 2005 Danish general election, at which he was re-elected, he accused his main challenger, Social Democrat Mogens Lykkesøft, of being soft on immigration in contrast to the government which had presided over a fall of around 80 per cent in the number of asylum seekers arriving in Denmark.<sup>8</sup>

Following the No vote in the French referendum on the EU constitution, the reconstituted French cabinet was quick to blame the No vote on fears over immigration. In May the (then) French interior minister Dominique de Villepin (now prime minister following a cabinet reshuffle) announced that an independent immigration control service would be created to coordinate the immigration functions of the police, gendarmerie, local authorities and various government departments.<sup>9</sup>

Already immigration is dominating the run-up to the German general election. The CSU's Günther Beckstein told the *Welt am Sonntag* newspaper that the centre-Right parties would conduct its

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forthcoming election campaign on an anti-immigration platform (this has been denied by the CDU deputy leader Christoph Böhr). Voters could choose between a policy of 'massive immigration' if they voted for the SPD/Green coalition, or one 'without immigration, but with extensive family policies, life-long work and permanent education' if they voted for the CDU/CSU. CDU politician Wolfgang Bosback (seen as a likely candidate for federal interior minister if the centre-Right come to power) says that a future Conservative government would prioritise 'the quality of immigrants rather than the quantity'.<sup>10</sup>

Research showing that anti-immigration themes prove most receptive in communities with very few immigrants is borne out in Germany where the neo-Nazi National Democratic Party (NPD) has found a receptive audience in rural areas where there is no connection between the high proportion of immigrants and unemployment. Stephan Siegmund, leader of the Lutheran church in the Königstein parish, an NPD stronghold, says this kind of hostility towards foreigners is not new and that in our 'East German past, there was also a latent racism'.<sup>11</sup>

### ***Feminist influences***

Some centre-Right feminist politicians are developing the theme that strong immigration controls are essential to protect the rights of western women. In this they may be influenced by the Norwegian journalist Hege Storhaug whose book *Human Visas* (endorsed by Bertel Haarder, education minister in the Danish cabinet) argues that strict controls on immigration are the best way to protect European values and Muslim women's rights.<sup>12</sup> Foremost amongst feminists advocating strong immigration controls is the Dutch interior minister, Rita Verdonk, a former prison governor nicknamed the 'iron lady'. Verdonk argues that immigration controls directed at non-EU countries (principally Turkey and Morocco) are necessary to stem the tide of 'young females who are not allowed to go on the street, who do not get the same chances as Dutch women'. 'We Dutch women fought for equal rights. What I will not allow, and will do my utmost to prevent' is the return 'to the time when women were inferior to men'.<sup>13</sup> Interestingly enough, her concern over women's rights does not seem to extend to immigrant women. Verdonk not only refused to allow six Moroccan women to re-enter the Netherlands after they had been abandoned in

Morocco by their husbands who confiscated their passports, but she misinformed parliament, stating categorically that none of the abandoned Moroccan women had Dutch children living in the Netherlands. It later emerged that four of the women had Dutch children. Verdonk has admitted that she knew this at the time she assessed their case, and cannot explain how she came to 'mistakenly' inform parliament otherwise. Unrepentant at that time, Verdonk has stated that she will re-examine the issue on a case by case basis but she cannot agree with the argument that the women stranded in Morocco would necessarily be better off if allowed to stay permanently in the Netherlands.<sup>14</sup>

### **Asylum: targets for removal**

The numbers of asylum seekers entering Europe has long been an electoral issue – but now a number of political parties are vying with one another as to how many failed asylum seekers they can promise to remove. At the same time, though, the issue of forced deportations is threatening to break the electoral consensus on asylum – with an increasing number of politicians speaking out against the inherent human rights abuses, particularly when children are deported.

Despite the fact that asylum applications to most EU countries are falling, government ministers are announcing in parliaments dominated by anti-immigration sentiment targets for removal. The press then duly blazon such targets, while anti-immigration and extreme-Right parties urge yet higher targets and the removal of ever-increasing numbers. This new 'culture of targets' is particularly disturbing as it completely ignores humanitarian issues such as the impact of returning asylum seekers to war zones, or to countries that practise torture, as well as legal issues surrounding the proportionate use of force to effect a removal. These issues are discussed further in the IRR's report *The Deportation Machine: Europe, asylum and human rights*.

In the UK, home secretary Charles Clarke's five-year strategy for immigration and asylum (see above) included a pledge to step up the rate of removal of failed asylum seekers. Funds have been set aside to expand the capacity of immigration removal centres and increase the resources of police officers used to carry out deportations. With the Conservatives' anti-immigration election campaign masterminded by the Australian

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strategist Lynton Crosby, what emerged during the election campaign was (in the words of Sir Bill Morris) a 'bidding war' to see who could be the nastiest to asylum seekers.<sup>15</sup> The European Commission Against Racism and Intolerance also pointed out that the government's constant changing of asylum policy was creating a 'negative climate of opinion concerning asylum seekers and refugees'. It accused the government of deliberately attempting to deter asylum seekers from coming to the UK.<sup>16</sup>

In France, in June, one of the first declarations of the new interior minister Nicolas Sarkozy was a promise to increase the expulsion rate for 'clandestine immigrants' by fifty per cent. 'France can only remain generous if those who are here in violation of our rights and our laws are returned home' he said.<sup>17</sup> In future, asylum seekers will have to complete a dossier within five days; forms must be filled out in French and interpreters paid for by the asylum seekers themselves.<sup>18</sup>

In Denmark, the February 2005 general election was, like its 2001 counterpart, dominated by the issue of asylum. The Danish People's Party (DFP) set the lead in Autumn 2004 when it threatened to withdraw its support for the annual budget bill and for troops in Iraq unless there was a programme to speed up the repatriation of failed Iraqi asylum seekers. In attacking Iraqis generally, Kjaersgaard said that it was 'unreasonable that Danish soldiers jeopardise their lives while Iraqi men smuggled into Denmark are refusing to go back'.<sup>19</sup>

In fact, the 'Danish model' (as it is evolving) has set alarm bells ringing amongst refugee rights activists across Europe who fear the detrimental impact of the Danes' increasing influence on EU asylum policy. Denmark has one of the toughest criteria in Europe for qualification for refugee status (this has led to a 43 per cent drop in accepted asylum claims). Now, under pressure from the DFP, the Liberals are advocating ways of linking development aid to repatriation agreements for those failed asylum seekers who, at the moment, cannot be repatriated from Denmark to their home countries as conflicts are still ongoing, they lack travel documents, or for other reasons.

Other EU countries are, indeed, showing signs of being influenced by the 'Danish model'. The Belgian interior minister was criticised after announcing that he would visit Denmark to study its immigration policy.<sup>20</sup> Legislation currently being debated in Switzerland permits cuts in

development aid to countries which refuse to take back rejected asylum seekers. And the re-elected Danish Liberal prime minister Anders Fogh Rasmussen has urged his British counterpart Tony Blair (who currently holds the EU presidency) to use the Danish example as a model for the UK government's five-year plan on immigration and asylum.

### ***Electoral consensus broken***

Policies of forced deportations of failed asylum seekers are not going unchallenged. As human rights abuses intensify, public protests increase – and such is the strength of feeling that opposition political parties are breaking with the political consensus to back anti-deportation campaigns. In Ireland and Sweden, opposition has coalesced around the issue of the deportation of vulnerable children. Public protests supported by churches, schoolchildren and the opposition Labour party forced the Irish minister of justice Michael McDowell to bring back to Ireland the repatriated Nigerian student, Olukunle Eluhanla.

Swedish opposition parties are demanding an end to the deportation of asylum-seeking children who have lost the will to live (the phenomenon of the so-called 'apathetic children') and five Swedish political parties – the Christian Democrats, the Liberals, Left Party, Centre Party and Greens which together hold 150 seats in the 349 parliament – have joined forces to demand an amnesty for asylum seekers who sought asylum before the end of 2004.<sup>21</sup>

In the Netherlands meanwhile, political pressure could force the resignation of interior minister Verdonk who is accused of repeatedly misinforming parliament about the deportation of failed asylum seekers to the Democratic Republic of Congo (DRC). In June, a special session of parliament was convened, after the current affairs programme Netwerk broadcast a report which suggested that Congolese authorities had official documents provided by the Dutch with information about failed asylum seekers, including statements they made against Congo and its authorities. During the special parliamentary session, Verdonk was forced to announce a temporary halt of deportations to DRC and the formation of an independent inquiry to investigate the claims against her department. Verdonk's future is surely in jeopardy, as she had previously assured parliament that the Congolese authorities were not informed about asylum requests made by Congolese

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people being deported from the Netherlands.<sup>22</sup> The refugee organisation Inlia has demanded public access to a government report detailing a 2002 agreement between the Netherlands and the DRC concerning the return of rejected asylum seekers. Some parliamentarians have alleged that the document outlines an agreement in which Dutch authorities hand over the statements of asylum seekers to Congolese diplomatic authorities in the Hague when a travel document application is lodged during the deportation of Congolese nationals. Since 2003, according to statistics, the Netherlands has deported seventy-two failed asylum seekers to the DRC.<sup>23</sup>

### ***Demonisation of protest***

A knock-on effect of this new European-wide 'culture of targets' for removal of failed asylum seekers is a hardening of government attitudes to protests from asylum seekers or migrant workers. These protests, including increasing suicides and incidents of self-harm, are described as 'emotional blackmail' and negotiated settlements to potentially tragic situations are ruled out. The French government has refused to negotiate with a wave of sans-papier hunger strikers. Dominique de Villepin declared that 'When it comes to illegal immigration, the rule has to be firmness.'<sup>24</sup> Alberto Fernández Diaz, president of the Popular Party on Barcelona City Council, advised the government not to be 'blackmailed' by immigrant sit-ins, and to act with 'firmness'.<sup>25</sup> And in March 2005, Austria passed new immigration legislation which allowed hunger-striking asylum seekers to be forcibly fed.<sup>26</sup>

Not surprisingly, it is the Dutch interior minister Rita Verdonk who has reacted most aggressively to the protest of asylum seekers and refugee support organisations to her policies. She seems to have been stung by the successful television protest campaign '26,000 gezichten' (26,000 faces) in which film-makers had attempted to introduce a human dimension to the current debate by presenting five-minute documentaries focusing on individual asylum seekers whose claims have been rejected by the Dutch government. Verdonk has introduced an extraordinary measure, approved by parliament, whereby the personal details of failed asylum seekers, presumably contained in confidential interior ministry files, can be released if these asylum seekers, in her view, have exaggerated their cases in the media. Despite objections from the Data Protection Agency, parliament ruled that Verdonk's plan was

acceptable if the intention was to correct inaccuracies but that the plan should not place asylum seekers' lives at risk. The Dutch government has also written to the humanitarian relief organisations ICC Novib and Plan Nederland to say they are not allowed to allocate government funds towards the 26,000 faces project. (The organisations had actually supported the project, but using finances raised independently and not allocated by the government.)<sup>27</sup>

### **Managed migration and EU enlargement**

The next French presidential election is due in 2007, and already there are signs that 'selective immigration' (the term is that of the ruling UMP) could become a central issue.<sup>28</sup> Following the referendum on the EU constitution, the French cabinet was reconstituted in June. Introducing a package of reforms on immigration and asylum, the new administration argued that the No vote for the EU constitution reflected voters' concerns about immigration and unemployment, issues which were fanned by the extreme-Right. For the new prime minister de Villepin immigration is 'an area where the French have not stopped calling on us.'<sup>29</sup> At the same time as promising to expel illegal entrants (see above) de Villepin announced that, in future, French immigration policy would be tied to economic needs with the introduction of a quota system for immigrants with professional skills. This would operate in a similar way to the Canadian system, with immigrants assessed according to their education, language skills, age, work experience and 'capacity to adapt'. The new interior minister Nicolas Sarkozy characterised this as a movement away from 'immigration by submission' to 'immigration by choice'.<sup>30</sup>

How will the Socialists respond to the new 'managed migration' agenda? Malek Boutih, a former president of SOS Racisme and now a high-ranking official in the Socialist Party, has written a position paper – yet to be endorsed by the party as a whole – which presents the case for a quota immigration system based on France's needs and ability to welcome foreigners. It has been criticised for reflecting the FN's programme of national preference.<sup>31</sup>

### ***Protection of the labour market***

While the economies of EU countries are dependent on unskilled migrant workers, particularly from eastern Europe, political parties are prepared to

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exploit public fears that eastern European workers will take jobs from indigenous workers at a lower pay, thereby bringing down wages as a whole. In fact, prior to the expansion of the EU in May 2004, government fears over public hostility to eastern European workers led most of the fifteen member states to impose restriction on free movement of workers from the eight new eastern EU states – the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia and Slovenia. In most cases, countries chose to extend existing restrictions which require job seekers to obtain work and residence permits for a ‘transitional period’, most commonly two years. In Austria, the ‘threat’ posed by eastern European workers has long been exploited by the Freedom Party. Since the Jörg Haider orchestrated split (see section on developments within the extreme-Right), the newly formed Alliance for Austria’s Future has been highlighting the effect of low wage migrant workers from eastern Europe on the Austrian economy.<sup>32</sup>

New immigration laws have either been introduced, or are about to be introduced in most European countries. The background to these laws is the debate over ‘illegal immigration’ as well as the EU criticism of the decision of the Spanish government to provide migrant workers an opportunity to legalise their status through a limited amnesty. In introducing new immigration legislation, the French and Greek governments made clear their opposition to regularisation of migrant workers, *aka* the Spanish amnesty model. The Greek prime minister Costas Karamanlis, highlighting the loss of social security revenue that arises from illegal work, promised that in future legal routes of labour migration would be established through Greek consulates, and a combined residence and work permit.<sup>33</sup> In an article by French prime minister de Villepin in *Le Figaro*, the French prime minister specifically attacked the idea of a Spanish-style amnesty on the grounds that amnesties create ‘new pressures and new arrivals’.<sup>34</sup>

In fact, the Spanish Socialist government cited its desire to manage the labour market as the basis for its amnesty as it would allow the government to take control of the black economy, and raise the extra taxes needed to pay social security and pensions. The Socialists’ arguments were dismissed by the centre-Right parties which accused them of opening the floodgates, and putting Spain out of step with Europe. Ana Pastor, a spokesperson for the Popular Party, said the amnesty had been exploited

by illegal immigrants from all over Europe; it was nothing more than a ‘campaign of massive illegalisation’ which would attract immigrants in their droves to Spain.<sup>35</sup> An editorial in *El Mundo* supported the opposition’s arguments and stated that ‘On the horizon one can detect new avalanches of migrants – encouraged by this process – who could bring with them problems of crimes and integration’. On the other hand, *El País*, defended the Socialists on the grounds that ‘amnesties are justifiable because they are the only way to deal with situations that are humanely and socially unsustainable and which harm the economy’.<sup>36</sup>

On a local level, the issue of immigration also provoked a political row in the Canary Islands with the Socialist Party calling for the resignation of Larry Alvarez, the Popular Party’s vice president of the Island Council of Gran Canaria on the grounds that he was racist, xenophobic and ‘irresponsible on a matter as complex as immigration’. Alvarez had accused the Spanish government of ‘abandoning the Canaries’ to its fate in the face of irregular immigration.<sup>37</sup>

In Germany, where the federal elections have been brought forward a year to September 2005, the decline in the ruling Social Democrats’ popularity has been attributed in part to the centre-Right’s exploitation of the ‘visa scandal’ that surrounded foreign minister Joschka Fischer.<sup>38</sup> His actions were the main focus of a parliamentary inquiry into allegations that the SDP/Green coalition government had broken the Schengen Accord by letting in illegal immigrants (principally Ukrainians) under a relaxed tourist visa regime between 2000 and 2003. The Christian Democrats and the Christian Social Union had demanded the parliamentary inquiry, accusing Fischer of overseeing a visa system which was left open to exploitation by people smugglers who brought in women for prostitution, drug dealers and workers seeking illegal employment. In June 2005, the Constitutional Court upheld a challenge by opposition parties and ruled that the parliamentary inquiry into Fischer’s visa policies should resume. As Fischer and other foreign officials may have to undergo politically-damaging questions in nationally-broadcast parliamentary hearings during the run up to the federal elections in September, it is safe to say that the visa scandal, and the labour/migration theme, will remain prominent electoral issues in Germany.

In the meantime, however, the SDP/Green coalition government has responded to the drop in

its electoral support due to the 'visa scandal' by promising that it will better police the labour market and clampdown on low-wage eastern European workers who are circumventing EU labour laws by becoming 'self-employed contractors' in Germany. This move is tied up to the Social Democrats' loss of support amongst blue-collar workers, and was specifically cited by Schröder at an election rally in North-Rhine Westphalia. In the event, the SDP, which had ruled North-Rhine Westphalia, Germany's most populous state, for almost four decades, experienced a haemorrhaging of support in the 22 May poll. The opposition parties had blamed east European workers for bringing down the wages of German workers in construction and slaughterhouses. German butchers are said to be unemployed because butchers from eastern Europe declare themselves self-employed in order to work in the slaughterhouses at a much lower rate than German nationals who also demand greater protection in such dangerous and dirty work.<sup>39</sup>

In Switzerland, the issue of labour migration was also an important topic, particularly after the government was presented with an 80,000-strong petition – orchestrated by the Swiss People's Party (SVP), the Campaign for an Independent and Neutral Switzerland, the Swiss Democrats, the Freedom party and the Lega dei Ticinesi – calling for a referendum on the question of whether the Swiss labour market should be opened up to the new members of the EU.<sup>40</sup> The petitioners had opposed Swiss entry into the Schengen and Dublin Accords which was approved at referendum on June 5 by 55 per cent of voters. (The SVP cabinet member Christoph Blocher broke cabinet ranks, and the principle of collegiality, whereby cabinet ministers are expected to present a united front once they have agreed a common position, to oppose the Schengen and Dublin Accords.) Political analysts believe that the SVP might have reduced support for the No vote, by linking the referendum to fears about immigration, unemployment and crime. The SVP was accused of playing on people's fears after it issued campaign literature stressing rising crime and job losses due to an influx of immigrant labour.<sup>41</sup>

As in Switzerland (where the SVP is now divided on the issue of labour migration), the issue of 'managed migration' is leading to schisms in Denmark between the Conservatives, Liberals and the Danish People's Party (DFP). The Liberals want

to introduce a point system to attract more educated foreigners to Denmark but the DFP oppose this.<sup>42</sup>

In Italy, where a general election will take place in 2006, the Northern League has been campaigning on the issue of the protection of the Italian business class. At his first speech at the annual Northern League congress after suffering a stroke, Umberto Bossi attacked the EU for failing to defend the businessmen of northern Italy from the impact of Chinese textile and shoe imports. He called for tariffs to be introduced.<sup>43</sup>

### ***Protection of the welfare state***

Arguments about the need to protect the labour market also extend to defending the welfare state – from immigrants. This is particularly the case in the Netherlands where there is growing concern that the reform programme of the Dutch interior minister Rita Verdonk institutionalises racism and discrimination. The Dutch cabinet is considering introducing reforms to limit immigrants' access to social security and old age pensions. The cabinet is also investigating the possibility of forcing would-be immigrants to take out insurance to guarantee a sufficient pension; they would have to pay a lump sum prior to gaining permission to enter the Netherlands.<sup>44</sup>

Other reforms, particularly reforms to residence rules aimed at discouraging 'underprivileged risk youth' from the Antilles from entering the Netherlands, are even more controversial. The main rationale given by interior minister Rita Verdonk for the reform of residence laws so as to permit discrimination against young people from the Netherlands Antilles (who as Dutch citizens have a right to live in the mother country) is the young people's so-called propensity to crime (discussed at greater length in the section on crime and insecurity). However, it should be noted that Verdonk, in arguing that it is legally permissible to impose separate entry procedures on a specific group of people, in this case Antillean and Aruban 'risk youths', has defined the risk they supposedly constitute as that of turning to crime or abusing the welfare state.<sup>45</sup>

Equally worrying is the fact that Verdonk has given her backing to a plan by Rotterdam Council to establish separate lists for native and immigrant primary schoolchildren in order to manufacture a 'better ethnic mix'. The Education Inspectorate and the education minister Maria van der Hoeven have described the plan as 'potentially illegal'. According

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to Rita Verdonk Rotterdam Council's plan amounts to a 'positive contribution' to education.<sup>46</sup>

Other political leaders justify the introduction of yet more asylum legislation on the basis of protecting the welfare state. The DFP leader Pia Kjaersgaard, whose position was considerably strengthened in the February 2005 general election, has called refugees, asylum seekers and immigrants a financial burden, while Danish citizens, primarily the elderly, are targeted for welfare cutbacks. The Swiss asylum law, approved by the Senate but rejected by the Federal Court in Lausanne – seeks to extend existing restrictions to welfare benefits to all those whose asylum requests have been turned down, including those still going through the appeal process. According to justice minister Christoph Blocher, social assistance has provided too great an incentive to rejected asylum seekers to remain in the country. But Switzerland's highest court has ruled that refusing social aid to rejected asylum seekers goes against the constitution. Blocher first threatened to amend the constitution, but later announced that while Switzerland would let 'nobody die of hunger' he had other measures in mind to achieve the same effect (ie reducing asylum seekers' access to the welfare state). In an interview with the *Sonntags Zeitung* and *Le Matin Dimanche* he announced the formation of a special commission, chaired by Hermann Weyeneth.<sup>47</sup> Public opposition to Blocher's latest assault on asylum rights showed itself in Bern on national refugee day in a demonstration against the xenophobia of political parties. Former Cabinet minister (Socialist), Ruth Driefuss called on the thousands assembled to 'remind our parliament and our government of their responsibilities'.<sup>48</sup>

### **Integration, security, identity, patriotism**

Issues relating to the broad themes of integration, security, identity and patriotism are also being hotly debated across Europe and influencing electoral politics. Alarming, 'foreigners' from non-EU and largely Muslim regions of the world, are being stigmatised as a security threat and berated by political parties for a perceived failure to integrate. This is fostering an anti-foreigner climate and legitimising the creation of xeno-racist laws, to the detriment of all communities of immigrant origin, whether overseas visitors, long-term residents or European citizens.

### **No to Turkish entry into the EU**

The tenor of the debate surrounding Turkey's entry into the European Union is influencing this anti-foreigner climate. That Turkey, as a Muslim country, has no place in Christian Europe has long been a central tenet of the extreme-Right. In the May and June referendums on the EU constitution in France and the Netherlands, the extreme-Right deliberately muddied the waters over the EU constitution by linking acceptance of the constitution to approval of Turkish entry into the EU. Central to the French FN's No vote campaign was a television broadcast that posed Turkey's entry into the EU as a threat to Europe's Christian values. And at an FN May Day rally in Paris, demonstrators held French flags and banners reading 'Turkey + Constitution; no, I'll keep France' and 'Chirac, Turkey, treason'.<sup>49</sup> Jean Marie Le Pen attempted to stir things up at a meeting of the Hellenic Front in Athens in January 2004 by arguing that Turkey's membership of the EU would threaten 'the very existence' of Greece. Turkey would increase its settlement in Cyprus and begin to colonise Greek islands in the south-eastern Aegean.<sup>50</sup> Meanwhile, in the Netherlands, Geert Wilders who has formed his own electoral List, went on a two-week tour in the run-up to the referendum on the EU constitution. He visited twenty-two cities to promote the view that Dutch sovereignty was under threat. Acceptance of the EU constitution, Wilders argued, would mean that a Muslim country with a population of 70 million would have more power in EU than the Netherlands, which would suffer the further indignity of mass Muslim immigration.<sup>51</sup>

The Belgian Vlaams Belang (Flemish Interest) is also targeting Turkish entry into the EU in its campaign literature, as is the Freedom Party which plastered Vienna with posters featuring a picture of FPÖ leader Heinz-Christian Strache with the words 'Vienna shouldn't be Istanbul' and Strache 'says what the Viennese people think'.<sup>52</sup> In Italy, though, the AN leader Gianfranco Fini – possibly a contender for the leader of the centre-Right when Berlusconi retires – has broken ranks with the traditional extreme-Right to urge the AN to ditch racism and back Turkey's entry into the EU, on the grounds that Turkey 'does not represent an attack on our identity'.<sup>53</sup>

While the centre-Right parties do not argue with one voice on the question of Turkish accession, the danger is that under pressure from

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the extreme-Right, a centre-Right anti-Turkish platform will emerge. The German Christian Democrats have made it a manifesto pledge to campaign against Turkey's entry into the EU. Speaking after a meeting in the Alpine location of Wildbad Dreuth, attended by the French Gaullist Nicolas Sarkozy, the CSU leader Edmund Stoiber said that neither he nor his French colleague would entertain the idea of forging a political union with countries of 'a different structure'.<sup>54</sup> Like the Vlaams Belang in Belgium, and the Geert Wilders List in the Netherlands the Danish People's Party is attempting to shape the centre-Right agenda by running advertisements featuring pictures of mosques underneath the headline 'Welcome 70 million Turks into the EU'.<sup>55</sup>

### **Citizenship and the attack on dual nationality**

The debate over security, has, since, September 11, led to a tightening of citizenship laws, the erosion of family reunification rights and an attack on the principle of dual nationality. The threat posed by the dual nationality of Turks and Moroccans has been debated in recent months (see lead article) in the Netherlands, Germany and Switzerland. The Dutch government has introduced legislation removing the right to dual nationality, unless immigrants can prove that giving up citizenship of their native country would cause significant problems. And, in October 2004, following the death in Amsterdam of the Moroccan youth Ali El Bejjati (see below), Geert Wilders called for even more restrictions, arguing that the government should strip criminals with dual citizenship of their nationality.<sup>56</sup>

Meanwhile, the Swiss People's Party argues that a 1992 law which allows for dual nationality should be revoked (about one million Swiss citizens would be affected).<sup>57</sup> Already, Switzerland is cited as a country with one of the lowest naturalisation rates in Europe. The practice whereby citizenship applications were decided by the popular vote, via secret ballots at a communal level was banned in 2003 by the Federal Court following the so-called Emmen precedent (97 citizenship applications were refused en masse in a secret ballot in the commune of Emmen, near Lucerne). But it is still difficult for foreigners to be naturalised, with the electorate recently ruling out parliament-backed proposals to make it easier for young foreigners to become citizens. Now, the Swiss People's Party has announced that it will seek a referendum on the

Federal Court ruling. The Swiss National Science Foundation has found that where the Swiss People's Party is active in local politics, the success rate for citizenship applications drops by five per cent (its research also shows that where citizenship applications are decided by secret ballot procedure, the refusal rate is 23 per cent higher than when other procedures are adopted.)<sup>58</sup>

In Germany, the right to hold dual nationality was abolished in 2000, affecting an estimated 5,000 of the 2 million strong Turkish community. In the run-up to regional elections in North-Rhine Westphalia, interior minister Otto Schily announced that, in order to identify those with dual nationality and stop them from voting, he had asked his Turkish counterpart for a list of all Germans of Turkish descent who had received a Turkish passport after 2000. The government also sent out letters to German-Turks asking those with dual citizenship to surrender their Turkish passports. The Association of Turkish Communities in Hamburg asked the government to be more 'flexible' in its approach. The Association pointed out that many German Turks were unaware of the citizenship reform and that fear was spreading amongst the Turkish community that, if they reported, they would be deported.<sup>59</sup>

### ***Xeno-racist legislation***

All this is contributing to a climate around Europe whereby all things foreign are equated with threat, with the Swiss, Dutch, Danish and French governments, in particular, introducing legislation which reflects the 'immigrant-threat' scenario.

Switzerland has introduced a new aliens law which makes it harder for those with temporary residence permits to bring family members into the country, and the Netherlands, too, has tightened the criteria for family reunification. The Danish Liberal Party's integration spokeswoman Irene Simonson has the support of the DFP in sponsoring a bill to make it easier for social workers to place immigrant children whose parents 'forbid them to integrate into Danish society' into foster care on the grounds that the child's 'best interests are not being served by raising them to be hostile to Danish society.' The system must step in and remove these children, so they can be raised in foster care 'according to democratic values'.<sup>60</sup> In France, the League of Human Rights has warned that changes to the civil code risk scapegoating foreigners. In June, the government announced an amendment to the civil code whereby, in future,

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marriages conducted abroad will not automatically be recognised, with a prosecutor appointed to decide whether the union is genuine.<sup>61</sup> Already, a circular had been issued to mayors instructing them to toughen the requirements for 'visits on French soil'. These included hefty pre-payments as security for visitors who did not have health insurance. And the provision of suitable accommodation space, which used to be a requirement for family reunification, has now been extended to family visits.<sup>62</sup>

In this climate, the extreme-Right and anti-immigration parties (particularly the DFP) are constantly pressing for even more legislation targeting foreigners.

**Attack on foreigners' voting rights:** In the run up to national and regional elections, anti-immigration parties are arguing for restrictions on foreigners' voting rights. With an eye on the advance of the Radical Liberal Party, which almost doubled its share of the vote in the 2005 general election, the Danish People's Party has called for changes to the law which gives immigrants from outside the EU and from Nordic countries voting rights in local elections after three years residence in Denmark. 'Let's be honest', said DFP leader Pia Kjaersgaard, 'The Radicals are not just café latte-sipping people from the creative class. To a large degree, it is also composed of immigrants, and one could fear the result of the upcoming local elections in large cities, where there are large concentrations of immigrants that the Social Liberals pander to.' The Liberal Party integration minister Rikke Hvilshøj has rejected the DFP proposal, arguing that the right to vote in local elections is a good way for people to learn about democracy.<sup>63</sup> The Belgian extreme-Right, equally concerned about foreigners' voting rights, have extended the attack to include Muslims per se. Leader Felip Dewinter has accused mainstream political parties of pandering to the Muslim vote by advocating tolerance, 'while we are saying – the new political forces in Europe are saying – no, we should defend our identity.'<sup>64</sup>

**Attack on language rights:** Again, it is the Danish People's Party which has been most aggressive in its demands. In January 2005, it called for special legislation to ban representatives of the government and public institutions from communicating in languages other than Danish. DFP immigration spokesperson Peter Skaarup told the daily newspaper *Politiken* that he wanted to

ensure that every public document, poster, brochure, sign, work regulations and wage agreement was only printed in Danish. Skaarup was incensed that a recent information pamphlet, issued by the energy company Copenhagen energy, was translated into Arabic. 'People should be forced to speak Danish if they want to live in Denmark', he said.<sup>65</sup>

The Christian Democrats in Germany seem to be completely ignorant of research that shows that children who start school speaking only their mother tongue perform well (and in many cases outstrip their peers), in a positive educational environment. CDU politician Wolfgang Bosback asked local authorities to take more measures to make sure foreign children can speak German when they start school. 'When a child starts school without being able to speak German, they have from the outset no chance.'<sup>66</sup>

### Civil rights organisations formed

Restrictions in immigrant rights are increasingly seen as a threat to civil rights and organisations representing settled immigrant communities are fighting back. No more so than in the Netherlands where Moroccan and Turkish groups have set up the new action committee 'Genoeg is genoeg' (Enough is Enough). It argues that the government's integration policies, as well as limits on family reunification and dual nationality, hit at the principle of equal rights for all Dutch citizens. Policies are increasingly 'discriminatory and racist' and give rise to a greater rift between 'us and them', said a spokesperson.<sup>67</sup> In April, in Switzerland, the first nationwide meeting of The Forum for the Integration of Migrants took place. The Forum launched its own integration charter, based on a 'tolerant secularism' open to intercultural dialogue, and calling on the government to introduce citizenship laws based on place of birth, the right to vote and equal access to housing, employment, as well as social rights.<sup>68</sup>

There are also signs that influential media figures are searching for more responsible ways of reporting immigrant issues. In April, in Germany, after a meeting of public broadcasters to discuss responsible broadcasting Fritz Pleitgen, director of WDR said that 'Honour killings and arranged marriages make more of a splash in the media than differentiated depictions of normal life among migrants.'<sup>69</sup>

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## The integration debate

New forums such as these are attempting to swing the integration debate away from cultural arguments (the threat posed by immigrants of different cultures) towards arguments based on social justice and equal rights. But in so doing they are up against extreme-Right and anti-immigration politicians as well as sections of the media which popularise the view that people from an Islamic background pose a specific threat to integration. The argument is that immigrant communities which fail to integrate into the dominant host culture pose a threat to security; unless they are forcibly assimilated they must leave Europe.

### *Immigrants blamed for crime*

Decidedly illiberal debates about forced integration are helped by the tenor and tone of the media debate about immigrant crime, and the way in which influential politicians seek to influence that debate. For some strange reason, interior ministers and other prominent politicians feel a need to pronounce on individual crimes if the suspect is an immigrant. This not only constitutes undue political interference in the judicial process but substitutes trial by media for the rule of law. The intervention of politicians can also embolden racist organisations to commit hate crimes against immigrant communities.

The death of Ali El Bejjati, a nineteen-year-old youth of Moroccan origin, became a cause celebre in the Netherlands. El Bejjati had stolen a woman's handbag in an immigrant area of Amsterdam and the woman responded by driving her car into his moped, and crushing the young Moroccan against a tree. Young Moroccans viewed her actions as racially motivated and there were demonstrations. The case was the front-page news in the Dutch press for a week. *De Telegraaf* carried an article saying it was the young man's own fault and Geert Wilders was called on for his views, leading immigration minister Rita Verdonk to comment that the woman had not committed murder and the death would never have happened if the youth had not stolen the bag. But surely it is for the criminal justice system, and not the interior minister, to decide on what charges should be levelled against the woman involved in Ali El Bejjati's death?<sup>70</sup>

Another example of the crime-immigration-integration debate in the Netherlands, and how it results in xeno-racist laws, is provided by the example of the special measures adopted to

discourage 'underprivileged risk youth' from the Antilles entering the Netherlands (see above). Under the proposal, young people aged between 16 and 24 arriving from the Antilles could be deported if they had neither found a job nor signed up for studies three months after their arrival (judges would also be given authority to deport Antillean youths who have committed crimes). The measures have been angrily rejected by the Antilles parliament with its prime minister pointing out that only 350 Antilleans cause problems out of a total population of 130,000 resident in the Netherlands. But Verdonk dismisses talk of discrimination as nonsense and says the measure is a proportionate response to 'youngsters that think that when they get off the plane scooters and mobile phones will be waiting for them.' The president of the consultative body of Caribbean Dutch Nationals, Roy Pieters bemoans the fact that 'All Dutch are equal but some are more equal than others.'<sup>71</sup>

But it is the Northern League in Italy that is most adept at taking up individual crimes, sensationalising them and making pronouncements that test the limits of incitement laws. In June, in the northern town of Besano, two Albanians were arrested after an Italian bartender, Claudio Meggiorin, was stabbed to death allegedly while trying to stop a fight. The Northern League offered a reward for the capture of Meggiorin's murderers and the minister for institutional reform and devolution, Roberto Calderoli (NL) proposed that foreigners put up bail to enter the country because Albanians and 'other races' were more prone to violence than Italians and 'have habits that are very different to ours'. Following the killing of Meggiorin there were demonstrations in which members of neo-Nazi organisations, such as Blood & Honour, Viking Inter 1984 and the Ragazzi della Skinhouse sang the national anthem with raised salutes, chanted anti-immigrant slogans and roamed the streets of the nearby city of Varese looking for immigrants to attack (at least one Albanian and one policeman were injured). Again, Calderoli felt a need to respond. He said the anti-immigrant violence was understandable. 'It's not right and we don't instigate it, but in cases like these the idea of fixing things on one's own is normal.' He further promised to crackdown on illegal immigration.<sup>72</sup> The case took another twist after newspapers named the dead Italian bartender as a member of the neo-Nazi Blood & Honour, a

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football hooligan and the son of prominent Northern League activists. Whereupon Northern League justice minister Roberto Castelli went on Radio Padana to express distaste for the media which was dirtying Meggiorin's name.

The AN as well as the Northern League has responded to high profile rape cases, which involve, among others, Moroccan suspects, by launching anti-foreigner campaigns. An AN poster depicts Sophia Loren in her Oscar-winning role in *Two Women*, a wartime drama in which Loren and her screen daughter are raped by Moroccan soldiers after taking refuge in a church. Blazoned across the posters are the words 'mai piu' (never again).<sup>73</sup> Meanwhile, the Northern League has responded to the rape cases by drafting legislation which would make rape punishable by chemical or surgical castration and increased jail terms.

### **Exploiting popular stereotypes**

Politicians in Germany, the UK and Italy have also attempted to gain electorally by exploiting stereotypes of Gypsies/Roma and eastern European migrants as criminals. In Germany, this surfaced around the 'visa scandal' while in Italy and the UK, the Northern League and the Conservative Party respectively have been accused of fostering anti-Roma/anti-Gypsy sentiment for electoral gain. The Conservative Party in the UK had issued a manifesto pledge to criminalise trespass onto land by travellers, and to review the Human Rights Act so as to give local people a say in the allocation of sites. In response the Gypsy Council threatened to report Conservative leader Michael Howard to the police for inciting racial hatred. 'People who claim it's racist to raise the issue of the small minority of travellers who are openly abusing our planning system are wrong', argued Howard. 'It's not. It has nothing to do with race. It's about common sense. And it's about making sure people abide by the law.'<sup>74</sup>

The German centre-Right, in making its case against Joschka Fischer for mishandling visa applications, stands accused of demonising eastern European migrants as illegal immigrants, prostitutes, car thieves and Mafiosi. It is a mode of argument, argues David Gordon Smith, editor of *Expatica News*, that comes close to 'open racism'. 'Illegal immigrants are, by their nature, very hard to profile' he says, and in 'the absence of hard data, they become a mirror for a society, reflecting its prejudices. The caricaturing of Ukrainian immigrants as prostitutes and villains is a crudely

populist move on the part of the opposition parties'.<sup>75</sup> Smith's point was also made by Fischer during his evidence to the parliamentary inquiry when he pointed out that there was no statistical proof that crime committed by Ukrainians in Germany had risen as a result of immigration.<sup>76</sup>

The German police trades union has also added its voice to the immigrant/crime debate, suggesting a programme of compulsory integration of immigrants. In an interview in the *Neue Osnabrücker Zeitung*, spokesperson Konrad Freiberg said that a considerable amount of the deplorable rise in violent crime is perpetrated by foreigners and that a new 'foreign proletariat' represented a danger to internal security. Freiberg demanded that integration be made a legal obligation – that immigrants be taught German and the basics of democracy and culture – and that if these practical measures did not ease integration, the law should provide for deportation.<sup>77</sup>

Furthermore, in Italy, anti-Gypsy racism is providing an 'electoral bonanza' for politicians, according to the European Roma Information Office (ERIO).<sup>78</sup> In Lombardy, an anti-Gypsy campaign took root in the media and was fanned by leading politicians following the conviction of two Roma women for attempting to kidnap a child. (The women, it seems, had actually been begging but had been advised by their lawyer to plead guilty so as to obtain a reduced sentence.) *The Corriere della Sera* and the *La Padania* newspapers took exception to the judge's decision to suspend the sentences of the convicted women, and launched a campaign against the 'Gypsies who are stealing young Padanians' under the headline 'Take your hands off our children'. After the president of the National Association of Socialists made a public statement implying that Roma steal children and sell their body parts, Roberto Maroni, NL minister of employment instructed the judge who heard the case to consider a change in occupation. ERIO also alleges that the mayor of Lecco, and other leading politicians made anti-Gypsy statements and point out that not one major Italian politician condemned the anti-Roma violence which occurred on 29 January 2005 when ten young Italians set fire to a camp in via Aveta de la Ercolano, 10 km from Naples.<sup>79</sup>

### **Muslims equated with terrorism**

The most pervasive and destructive aspect of the integration debate, though, surely comes from the demonisation of Muslims per se as the source of

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terrorism and threat to national security. It is this anti-Muslim racism that poses the biggest threat to an inclusive society based on equal rights and underpins many of the xeno-racist laws described above. In Denmark in April, Queen Margrethe II was quoted in her official biography calling on her fellow countrymen and women 'to show our opposition to Islam regardless of the opprobrium such a stance provokes abroad'.<sup>80</sup> In Germany, according to *Islam Online*, Dieter Klinger, a police director, told a forum on Islam in the Emden church that Muslims were trying to dominate politics in the country and that mosques were used to incite violence and promote terrorism. Klinger warned that the growing role of the Muslim community in Germany posed a threat to the country's Christian society.<sup>81</sup> In a lecture given at the Spanish Communication Sciences Faculty of Ramón Llull University, Jordi Pujol, former president of the Generalitat and founder president of Ciu said that in general Muslim immigrants showed 'resistance' and even 'rejection' when integrating into European societies because they 'do not fully value the kind of civilisation we offer them'.<sup>82</sup>

The demonisation of Muslim women who wear the headscarf continues in France and in certain German states where the wearing of the headscarf at school and by representatives of public bodies has been banned either in the name of secularism, or in the name of integration. In Italy, neither Forza Italia or the AN support such a ban, but Northern League politicians are increasingly making populist statements and laws. NL reforms minister Roberto Calderoli asserts that Muslim women who cover their faces in public should be reported to the police and fined. Pordenone NL mayor Enzo Bortolotti has issued an order prohibiting the wearing by Muslim women of veils, burkas or head coverings in public places on security grounds. This has led to the prosecution of Pio De Angelis, a regional councillor for the Rifondazione Comunista, who had been sentenced to 20 days imprisonment and 100 Euro fine for taking part in a leafleting initiative opposing the ban. He was prosecuted under a 1931 law that prohibited gatherings outside the town hall of Azzano unless three days notice was given.<sup>83</sup>

### **An alternative debate**

But as the integration debate stigmatises Islam, and denies the civil rights of Muslim women, there

are increasing attempts to outline an alternative to compulsory integration based on civil rights, respect for cultural diversity and an inclusive secularism. In France, Esther Benbassa, who is an expert on minorities affairs, has called for secularism to be reshaped in order to protect the rights of minorities. She warned that the principles of the French revolution may become extinct if France failed to live up to the challenges posed by a multicultural society.<sup>84</sup>

In the Netherlands, too, where the 'Stop the Witchhunt' campaign was launched following the killing of Theo van Gogh, there is evidence of a shifting debate. There is criticism of the media for the disproportional coverage it gives to politicians like Geert Wilders, who have built their reputations solely on the basis of hostility to Islam. A review in *Expatica News* reveals that the widest coverage given to Wilders and his anti-Muslim views have been in left-leaning papers such as *De Volkskrant* and *NRC Handelsblad*. These are now shifting to the Right, while the conservative *De Telegraaf* has actually been more critical of Wilders' postulating. Even the head of the Dutch security services, the AIVD, is concerned that the radicalisation of young Muslims is partly caused by the negative portrayal of Islam in the Netherlands. Van Hulst argues that the way to counter this is to make Muslims feel more welcome.<sup>85</sup> His view is reiterated by Amsterdam mayor Job Cohen who is doing much to foster dialogue with the Muslim community. Cohen has called for the debate about Muslims and extremism to be conducted 'in a more balanced way' and criticised the current aggressive debate in part driven by the emergence of a hard-core right wing for alienating the majority of Muslims who had integrated and done well in the Netherlands.<sup>86</sup>

It is hard, however, to see how mutual respect between Muslims and the government can be fostered in the Netherlands while Rita Verdonk remains interior minister. In response to criticism that new anti-terrorist legislation could lead to an 'us and them' situation in the Netherlands, as well as discrimination, Verdonk said that she had never received any reports of discrimination against Muslims at the workplace. The anti-racism agency LRB said that it provided evidence of anti-Muslim bias at work, to which Verdonk responded that while such claims are often made, there is no evidence ever produced to substantiate them.<sup>87</sup>

And moves on the headscarf are not going all one way. In many countries, including UK, there is

incomprehension at state bans on the headscarf. And in Belgium, there has been widespread discussion of the case of a Flanders businessman Rik Vannieuwenhuysse in Ledegem, who supported the right of employee Naima Amzil to wear the headscarf to work only to receive bullets in the post and death threats in the name of a far-Right organisation (the husband of a woman who worked with Ms Amzil has since been arrested). Support for Ms Amzil (who offered to take her headscarf off in order to calm things down) and Mr Vannieuwenhuysse came from the Flemish Union of Medium Sized Businesses and the Belgian King, who invited the pair to the palace to discuss the racist harassment they were experiencing. The interior minister launched an inquiry to establish who was behind the death threats amidst anger that the government was not doing enough.<sup>88</sup>

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## **Developments within extreme-Right and anti-immigration parties**

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### **New European alliances**

With the next European Parliament elections due in 2009, anti-immigration parties are attempting to unite under one banner. The Vlaams Belang (Belgium), the Northern League (Italy), the Freedom Party (Austria), the Front National (France) and the NieuwRechts (Netherlands) met in Antwerp in December 2004 to discuss the possibility of a joint list to fight the European elections. Other, more openly extreme-Right parties are also advocating the formation of a European National Front. These parties include the Nationale Allantie (Netherlands), the Forza Nuova (Italy), the Nacionala Speka Savieniba (Latvia), the NOP (Poland), Slovenska Pospolitosk (Slovakia), Narodni Sjednoceni (Czech Republic), La Falange (Spain) and the National Democratic Party (Germany).<sup>1</sup>

In a separate development, Felip Dewinter, the leader of the Belgian Vlaams Belang (Flemish Interest) has joined forces with Hilbrand Nawijan, a former Dutch minister of immigration and integration and member of the List Pim Fortuyn, to launch a think-tank on immigration. The Marnix van St. Aldegonde, named after a former mayor of Antwerp who fled the Netherlands to escape persecution, was launched at the former home of Pim Fortuyn to emphasise the Dutch cultural heritage in Europe.<sup>2</sup>

### **Danish anti-immigration party strengthened**

The February 2005 Danish general election has left the Danish People's Party (DFP) in a stronger position than ever before. Since 2001, Denmark has been governed by a coalition government of the Liberal Party of Denmark (Venstre) and the Conservative People's Party which, though officially excluding the xenophobic DFP, in fact relies on it for support. The DFP increased its share of the vote from 12 to 13.3 per cent. The elections have left the Lib-Con-DFP axis with approximately 54 per cent of the vote and ninety-six seats in the 179 seat parliament. The DFP upped its number of seats by five and now has twenty-four seats in parliament as compared to the Conservatives' eighteen.

### **Gains for extremists in regional and local elections**

In various elections in 2004/5, small extreme-Right parties made significant breakthroughs. In Germany, in September 2004 the neo-Nazi National Party of Germany (NPD) won 9.2 per cent of the vote in regional elections in Saxony, its best result in six years. (However, in February 2005, it did not fare nearly so well in Schleswig-Holstein where it secured just two per cent of the vote.) The NPD has forged a pact with the German People's Union (DVU) in time for the federal elections in September. However, Germany's electoral law is such that there will be no joint list.

There was a surprising breakthrough in Switzerland for the Party of Nationally Orientated Swiss (PNOS) which won 21 per cent of the vote in the April 2005 elections for the commune of Günsberg, northern Switzerland. The PNOS already has a councillor in the town of Langenthal, canton Bern, but this is the first time a rightwing extremist has been elected to serve on the Günsberg commune. The PNOS was founded in 2000 and is particularly active in central Switzerland and Basel. A 2004 federal government report on extremism characterises the PNOS as a xenophobic party with links to attacks on foreigners, gays and Jews. The youth section of the PNOS is believed to be cultivating links with the extreme-Right in Germany.<sup>3</sup>

In the Netherlands, the new party of Geert Wilders, the Geert Wilders List, is predicted to win seats in the Dutch parliament at the next general election. In Belgium, support for the Vlaams Belang (VB) in Flanders, particularly Antwerp, is said to be growing. There are fears that the Flemish Liberal Democrats (VLD) may be tempted to form an alliance with the VB. However, Jean-Marie Dedecker, one of the VLD's most right-wing senators has ruled out an offer from the VB to form a coalition to fight municipal elections in 2005 on the grounds that the VB must change its cultural and immigration policies and adopt a realistic economic programme.<sup>4</sup>

In the UK, the British National Party (BNP) contested a greater number of seats than ever before in the May 2005 UK general election, but failed to make the political breakthrough it

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predicted. The party contested 119 seats and won none, and received 192,746 votes; this translates as 0.74 per cent of the national vote.

### **Losers on the extreme-Right**

As part of Berlusconi's House of Freedom alliance, the Alleanza Nazionale (AN) and the Northern League experienced substantial losses in April regional elections across Italy, where Berlusconi's coalition were defeated in eleven of the thirteen regions contested (holding on to power only in Veneto and Lombardy). Its most stunning defeats were in Lazio, the region around Rome, and the southern region of Puglia, both of which had been strongholds of the hard right.<sup>5</sup> Overall, Berlusconi's coalition lost seven per cent of the popular vote.<sup>6</sup> The new list of the Alternativa Sociale(AS), headed by former AN member Alessandra Mussolini, and also comprising the far-Right Forza Nuova (FN) the Sociale Fiamma Tricolore and the Fronte Sociale Nazionale, also fared poorly (gaining 1.64 per cent of the national average vote) after it was accused of breaching electoral regulations in the run-up to elections for the Lazio regional council which includes Rome.<sup>7</sup>

An even greater decline in electoral support has been experienced by the Austrian Freedom Party, which saw a dramatic decline in its support in southern Austria in elections in Spring 2005. Since then, the party has split with Jörg Haider, his sister Ursula Haubner (currently minister of health) and Hubert Gorbach (vice chancellor and minister for infrastructure and transport) founding a new party, the Alliance for Austria's Future (BNÖ). In fact, all Freedom Party cabinet ministers have

defected to the BNÖ which means that the Conservative-led coalition is now in alliance with the new party which is led by Hubert Gorbach until the Autumn 2006 general election (Austria takes over the EU presidency in January 2006). But the BNÖ is already mired in a corruption scandal after the accounts of the Freedom Party appeared to show that Jörg Haider used public money to hire private jets on a weekly basis, amass large bills on electioneering and run up expenses more than double that of the party's four top officials combined.<sup>8</sup>

The French Front National is also bogged down in internal problems as several prominent members, including Le Pen, are facing prosecution for hate crimes. Bruno Gollnisch, a university lecturer in Japanese civilisation and international law at the Jean-Moulin University in Lyon was suspended from his post in February 2005 by the education ministry. This followed remarks made in October 2004 in which he questioned whether the Nazis had in fact used gas chambers in the Holocaust.<sup>9</sup>

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