



*Provisional version*

## Counteraction to manifestations of neo-Nazism

### Report<sup>1</sup>

Committee on Political Affairs and Democracy

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<sup>1</sup> Reference to committee: Doc. 12661, Reference 3816 of 3 October 2011.

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<http://assembly.coe.int/extranet>.

## A. Draft resolution<sup>2</sup>

1. The Parliamentary Assembly unequivocally condemns the still growing manifestations of neo-Nazism (right-wing extremism) and the rise of neo-Nazi parties and movements in Europe, some of which have entered parliament at national or European level. This is not an isolated phenomenon, particular to some Council of Europe member States, but rather a problem with pan-European dimensions. It often lays dormant in society until the right conditions for emergence come about. It can thus only be effectively tackled on the basis of shared experiences and good practice among member States.
2. If popular disappointment over harsh economic conditions and frustration triggered by governmental failures to implement comprehensive migration policies may, in some cases, partly explain the rising popularity of neo-Nazi parties as a "protest vote", this only further enhances the responsibility of government representatives and democratic politicians who should stand up and unite themselves in defending democratic values. Neo-Nazis should not be ignored; they should not be turned to martyrs either.
3. Although symbols and structures of the past, such as party logos reminiscent of swastikas, are still being used, the strategies of neo-Nazi activists in the public arena are becoming progressively more sophisticated and thus more difficult to identify and counteract. The ever-increasing use of the Internet as the main platform for extremist propaganda and coordination makes monitoring and counteraction even harder.
4. The Assembly notes that the majority of young people who join extremist groups do so in their early teens or even before. Neo-Nazi parties also tend to develop programmes and structures that particularly attract children below the voting age, at schools or holiday camps.
5. The Assembly therefore believes that in the fight against neo-Nazism, the focus should be on prevention through education and awareness raising, and early reaction, at grassroots level, to any manifestations of neo-Nazism, whether violent or not, be it by organised groups or radicalised individuals. Identification of early signals should allow for timely action against radicalisation and stop neo-Nazi activities on the spot, before the problem spins out of control.
6. Experience has shown that, to be effective, timely action should be coordinated by the entire community and accompanied by the clear political message, at the highest level, that any manifestation of neo-Nazism, including hate crime and hate speech, cannot be tolerated in a democratic State governed by the rule of law. Victim support and exit support measures are also indispensable tools in counteracting neo-Nazism.
7. In the light of these considerations and referring to concrete examples of experiences and good practice in the explanatory memorandum, the Assembly calls on Council of Europe member States to:
  - 7.1. design cross-sectorial strategies to prevent and combat neo-Nazi ideology, including social, economic and cultural strategies to reduce the breeding grounds for this ideology;
  - 7.2. develop national action plans and appoint national coordinators against right-wing extremism to provide a framework for and coordination among public institutions at all levels and civil society initiatives;
  - 7.3. promote and support, through regular public funding, specific civil society initiatives and projects designed to prevent or combat neo-Nazism or other forms of racism, hatred and anti-Semitism, in the local arena and everyday life, including online;
  - 7.4. enhance research, in particular pedagogical, as well as international cooperation and exchange of good practice in the field of preventing and combatting neo-Nazism;
  - 7.5. continue to support, including through voluntary contributions, or start implementing (as appropriate) the Council of Europe campaign entitled "No Hate Speech Movement" involving young people all across Europe.

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<sup>2</sup> Draft resolution adopted unanimously by the committee on 4 September 2014.

8. More specifically, the Assembly calls on Council of Europe member States:
- 8.1. as regards prevention, to:
- 8.1.1. encourage and support, through public funding, joint and well-coordinated timely action against radicalisation by the entire community, including local police and all societal actors, such as: schools, the child-care services, parents' groups, mayors and relevant municipal departments, churches, trade unions and professional organisations, as well as civil society groups, including voluntary organisations, victim support groups, refugee councils and representatives from the youth population;
  - 8.1.2. specially train law enforcement officials in preventive action and provide and support preventive policing tools (such as "empowerment conversations") addressed mainly to teenagers, who show signs of radicalisation, and their families;
  - 8.1.3 ensure the continuing development of strategies and technologies to reduce the influence of social media on the recruitment to and promotion of neo-Nazism;
  - 8.1.4. ensure that any data, analysis and especially early signals made available by local actors and civil society are shared with public institutions and law enforcement forces engaged in the prevention or fight against neo-Nazism and receive quick and proper attention at political level;
- 8.2. as regards education, to:
- 8.2.1. enhance education for democratic citizenship and human rights awareness measures at schools, starting from the primary level, thus enabling children to stand up for democratic values from the outset; this should also include education against hate speech and in particular its online dimensions;
  - 8.2.2. enhance teaching of 20<sup>th</sup> century history and in particular the period around the Second World War;
  - 8.2.3. train teachers on human rights and democratic citizenship and also assist parents to actively support their children;
  - 8.2.4. support educational projects and teaching methods aimed at tackling antidemocratic ideologies, such as neo-Nazism as well as anti-Semitism, a phenomenon which goes well beyond neo-Nazi groups;
- 8.3. as regards law enforcement, to:
- 8.3.1. provide, and effectively implement, a comprehensive legal framework on hate speech and hate crime in line with the specific recommendations made by the Assembly in its Resolution 1967 (2014) on *A strategy against racism and intolerance* and those made by other Council of Europe bodies, notably the European Commission against Racism and Intolerance (ECRI) and the Commissioner for Human Rights;
  - 8.3.2 engage the criminal responsibility of party leaders and members, including members of parliament, who use hate speech or commit hate crime or any other criminal offence, reacting timely and effectively;
  - 8.3.3. train judges, prosecutors and law enforcement officials on hate crime and hate speech so that they can also identify crimes with a neo-Nazi background;
  - 8.3.4. ensure efficient cooperation and coordination, based on regular exchange of information, among the various law enforcement bodies;
  - 8.3.5. strike the right balance between the need to protect, on the one hand, the freedom of expression and right to privacy of members of extremist groups and, on the other, the fundamental rights of democratic groups wishing to react and prevent or block manifestations organised by extremists;

- 8.3.6. ensure accelerated proceedings in the investigation, prosecution and trial of cases of neo-Nazi violence by adolescents, in cooperation with the families of the offenders and civil society networks, so as to enhance the deterrent effect on other adolescents;
- 8.3.7. design strategies for police and intelligence services, including online policing, to face the special challenges raised by neo-Nazi hate speech online;
- 8.4. as regards victim support and witness protection, to:
  - 8.4.1. encourage victims of neo-Nazism and witnesses to speak up in line with the specific recommendations made by the Assembly in its Resolution 1967 (2014);
  - 8.4.2. enhance victim support measures, promote victim support groups and ensure regular public funding for this purpose;
  - 8.4.3. provide specific protection to illegal immigrants who have been victims of hate crimes until a judicial decision becomes final.
- 8.5. as regards exit support, to:
  - 8.5.1. design strategies and programmes to help and support those wishing to leave neo-Nazi movements, as well as their families, including by offering alternative ways of thinking, jobs or professional training;
  - 8.5.2. engage former participants in the neo-Nazi scene, with the necessary personal skills and motivation, in efforts to extricate others;
  - 8.5.3. promote and support, including through regular public funding, civil society exit projects.
9. The Assembly further urges:
  - 9.1. politicians, both at national and European levels, to take up the debate with neo-Nazis and expose them publicly by clearly and unequivocally challenging, rejecting and condemning neo-Nazi ideology and rhetoric;
  - 9.2. democratic parties to unite themselves around a “democratic consensus” and oppose, in bloc, neo-Nazi parties inside or outside parliament;
  - 9.3. national parliaments to:
    - 9.3.1. ensure that no public funding to parties promoting hate speech and hate crime;
    - 9.3.2. adopt codes of conduct including safeguards against hate speech and hate crime on whatever grounds.
10. The Assembly invites its members to join and support the activities of:
  - 10.1. the No Hate Parliamentary Alliance and all parliamentary groups who work towards the same objective;
  - 10.2. the national committees set up in the context of the Council of Europe No Hate Speech Movement.
11. To remember the victims of the tragic attacks of 22 July 2011, committed by a neo-Nazi in Oslo and on the island of Utøya, and enhance awareness, the Assembly fully supports the initiative by youth activists to make 22 July the European Day for Victims of Hate Crime.

**B. Draft recommendation<sup>3</sup>**

1. The Assembly refers to its Resolution... on Counteraction to manifestations of neo-Nazism (right-wing extremism) whereby it unequivocally condemns the still growing manifestations of neo-Nazism and the rising popularity of neo-Nazi parties in Europe.
2. Considering that this is not an isolated phenomenon, particular to some Council of Europe member States, but rather a problem with pan-European dimensions, often lying dormant in society until the right conditions for emergence come about, the Assembly believes it can only be effectively tackled on the basis of shared experiences and good practice among member States.
3. Therefore, the Assembly asks the Committee of Ministers to:
  - 3.1. consider possible ways for the Organisation to provide coordination among the various member States' efforts against right-wing extremism, in particular by ensuring exchange of experiences and good practice;
  - 3.2. support Council of Europe members States in their efforts against right-wing extremism through demand-driven cooperation programmes;
  - 3.3. bring to the attention of the governments of the member States the specific recommendations included in Assembly Resolution ... on Counteraction to manifestations of neo-Nazism.

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<sup>3</sup> Draft recommendation adopted unanimously by the committee on 4 September 2014.

## **C. Explanatory memorandum by Ms de Pourbaix-Lundin, rapporteur**

### **1. Scope and objectives of the report**

1. The present report originates from a motion for a resolution, tabled in June 2011 by Mr Kosachev and other colleagues, on Counteraction to manifestations of neo-Nazism and xenophobia (Doc. 12661). Following my appointment as rapporteur in November 2011, two further motions for a resolution were formally included in my mandate, namely one on Measures to combat the rising popularity of right-wing extremism, xenophobia and anti-Semitism in the Council of Europe's member States (Doc. 13103, tabled by Mr Montag and other members of the Assembly in January 2013) and one on The rise of neo-Nazi parties in Europe: the need to develop legal principles to defend pluralist democracy and human rights (Doc. 13332, tabled by Mr Triantafyllos and other members of the Assembly in October 2013).

2. During the first discussion at the Committee on the subject of my report, in September 2013, I proposed - and the Committee approved - that my report be limited to the measures to counteract manifestations of neo-Nazism and avoid reference to the more general problem of xenophobia and thus duplication of work done by other Council of Europe bodies. In particular, the European Commission against Racism and Intolerance (ECRI), a body composed of independent experts, has the special mandate to monitor problems, inter alia, of xenophobia and anti-Semitism in all Council of Europe member States.<sup>4</sup> Also, the Assembly has recently debated the report of Mr Gunnarsson on A Strategy to prevent racism and intolerance in Europe and has adopted Resolution 1967 (2014) and Recommendation 2032 (2014). I therefore propose to adapt the title of my report and limit it to "Counteraction to manifestations of neo-Nazism".

3. As I also stated to the Committee already in September 2013, the purpose of my report - which would otherwise be too long and vague - is further limited to presenting examples of good practice when it comes to measures to prevent people, especially young ones, from joining neo-Nazi organisations (whether political parties, social movements or subculture groups) and/or measures aiming at helping people leave such organisations.

4. For the purpose of collecting such good practice, I carried out fact-finding visits to Greece from 25-26 November 2013 and to Germany from 13-15 May 2014. I also planned to carry out a visit to the Russian Federation but this visit had to be postponed. I also organised two exchanges of views, one in Paris in September 2013 and one in Stockholm in March 2014, during which participants presented measures and good practice developed in Sweden and Norway.<sup>5</sup> A questionnaire had been sent earlier (April 2012) to all the heads of parliamentary delegations.

5. A further axe was added to my report during my visit to Germany, namely victim support measures. Indeed, many interlocutors, notably from civil society groups specialised in the field, convincingly argued on the importance of victim support measures in parallel to exit measures. If it is with no doubt important to offer people the choice of and support in leaving neo-Nazi organisations, it is even more important to help those who have been victims of neo-Nazis - and the latter category is apparently larger than the former one. There is also a symbol in focusing policies on victims rather than on perpetrators.

6. A final exchange of views on anti-Semitism was organised in Strasbourg in June 2014 in the context of the preparation of my report, although - as I said - this issue is not the main focus of my report. As anti-Semitism is a wider scourge than neo-Nazism raising specific challenges, I believe that a separate Assembly report should specifically deal with anti-Semitism.

7. I wish to make clear that my report does not intend to describe or analyse the situation with respect to the presence of neo-Nazi parties or organisations in all or some Council of Europe member States or refer to one or another particular neo-Nazi party in Europe. My report is on "counteraction", i.e. measures to combat neo-Nazism, and, as I explained above, my particular focus is on preventive, exit and victim assistance measures. By presenting examples of good practice which can inspire governments, parliaments as well as

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<sup>4</sup> See, for instance, the [2013 Annual Report of ECRI](#), listing the main trends in 2013.

<sup>5</sup> More specifically, the exchange of views in Paris was held with Mr Robert Örell, Director of EXIT Fryshuset, Stockholm, and Mr Hans Martens, Chief Executive, European Policy Centre, Brussels, while the hearing in Stockholm brought together Ms Birgitta Ohlsson, Minister for European Affairs and Democracy of Sweden, Mr Hans J. Røsjorde, State Secretary, Ministry of Justice and Public Security of Norway, Mr Thomas Hammarberg, Human Rights Advisor and former Commissioner for Human Rights of the Council of Europe, and Mr Christer Mattsson, Head of Department, Municipality of Kungälv, Sweden.

civil society in all Council of Europe member States, I wish to contribute constructively and practically to the fight against neo-Nazism in Europe, rather than engaging in any specific country analysis.<sup>6</sup>

8. As regards my visits to Greece and Germany, aimed precisely at collecting good practice and not discussing the individual situation in any of these two countries, they were both most efficiently organised by the Chairpersons of the Greek and German parliamentary delegations to the Assembly, Ms Dora Bakoyannis and Mr Axel Fischer respectively. I am also particularly grateful to the Secretaries of the two Delegations, namely Ms Voula Syrigos and Mr Michael Hilger. Both visits included all meetings I had suggested, both with authorities and civil society representatives.

9. Regarding my visit to Greece, I would mention as a particular highlight my meeting with the Minister of Public Order and Citizen Protection, Mr Dendias, who is our former colleague in the Assembly and former Chairperson of the Migration Committee. He was a key person to meet as he has been instrumental in the recent criminal prosecutions launched against leaders and members of the “Golden Dawn”, the Greek neo-Nazi political party. I am also grateful to the Speaker of the Hellenic Parliament, our former colleague, Mr Vangelis Meimarakis, who despite his heavy schedule received me at the Parliament. The meeting with the Mayor of Athens, Mr Kaminis, former Ombudsman of Greece, as well as with the two Deputy Ombudsmen of Greece, Mr Karidis and Mr Moschos, were also particularly informative.

10. As regards my visit to Germany, I was particularly happy to exchange views with various representatives of the authorities, including our colleague in the Bundestag, Dr Ute Finckh-Krämer, as well as civil society representatives in Berlin, at both federal and state level, but also in Potsdam, the capital of the *Land* of Brandenburg, and in Schwerin, the capital of the *Land* of Mecklenburg-Vorpommern, one of the two *Länder* which count members of the National Democratic Party of Germany (NPD) among the MPs of their parliaments (together with Saxony). I am grateful to Dr Hans-Georg Maaßen, Director of the Federal Office for the Protection of the Constitution, for a particularly interesting discussion including on issues of terminology and definition.

## 2. Defining neo-Nazism

11. How can one define neo-Nazism? For the purpose of my report, I would like to share the definition that Dr Hans-Georg Maaßen proposed to me made mainly by reference to ideology or set of beliefs.

12. The basis and constant reference point for the neo-Nazi scene is historical National Socialism with its characteristic ideological elements of racism, anti-Semitism, social Darwinism, chauvinism and anti-pluralism. The Neo-Nazis’ goal is an ethnically homogenous dictatorial State. In the “national community” which they seek to establish and which excludes people from other cultures and those who are described as “worthless” because of disabilities, sexual orientation or social marginalisation, there is no room for individual rights, diversity of opinion or pluralism. Individuals are supposed to submit to the preordained general will. Historical facts are reinterpreted in a revisionist manner up to and including Holocaust denial. From the point of view of neo-Nazis, ethnic diversity and a pluralist society threaten the existence of their own people. Constitutional democracy as a whole is rejected as an “occupying regime”.

13. Neo-Nazism, referred to also as “right-wing extremism”, is thus to be distinguished from other forms of the radical right, including racist, nationalist, xenophobic or populist parties or movements, which do not however embrace the ideology of National Socialism (fascism). The rise of such parties in several member States, including their presence in parliament, at national or European level, or even in government coalitions, is an extremely worrying development referred to in the ECRI 2013 Annual Report as one of the main trends in 2013.<sup>7</sup> However, to the extent that such parties cannot be defined as neo-Nazi, they fall outside the scope of the present report.

<sup>6</sup> Relevant information on specific countries is available in the country reports prepared by the [Council of Europe Commissioner for Human Rights](#) as well as [ECRI](#). Among many other publications offering country analyses, see for instance: “Right-Wing Extremism in Europe: Country analyses, Counter-Strategies and Labor-Market Oriented Exit Strategies” (<http://publication.fes-gegen-rechtsextremismus.de/book.php>), edited for Friedrich-Ebert-Foundation by Ralf Melzer and Sebastian Serafin, Forum Berlin, Project on “Combating Right-Wing extremism”, Berlin, 2013; a thematic situation report on “Racism, discrimination, intolerance and extremism: learning experiences in Greece and Hungary”, published by the European Union Agency for Fundamental Rights (FRA) in 2013 (<http://fra.europa.eu/en/theme/racism-related-intolerances>).

<sup>7</sup> See pp. 7-8 of the ECRI report quoted in footnote 1 above.

14. In spite of a shared basic ideology, the neo-Nazi scene is not homogenous, with elements of ideology varying within the different groups of individuals. Especially among younger neo-Nazis, worldviews are dominated by anti-American, anti-capitalist and anti-imperialist – and hence also to some extent anti-globalisation – attitudes. The scene ranges from groups of a kind of subculture through to an increasing number of groupings which are open to ideological variants of National Socialism and the adoption of new forms of behaviour to activists and groups who continue to seek the restoration of historical National Socialism. It should also be stressed that neo-Nazism often lays dormant in society until the right conditions for emergence come about, for instance economic or social crisis conditions.

15. From the viewpoint of organisation, one can in general terms distinguish three main categories: (a) groups that try to win public office, organising themselves through political parties and electoral campaigns; (b) groups that do not nominate candidates for public office but rather try to mobilise support through larger social movements with which they identify; (c) smaller groups or subculture milieus which operate relatively independently from parties and larger social movements, are not formally organised and are usually more inclined to use violence.<sup>8</sup>

16. As regards the targets of neo-Nazis, these typically include foreigners, including migrants and asylum seekers, Jews, Roma, homosexuals, representatives of the State (police officers, judges, public prosecutors) and often also journalists.

17. In more recent years, Neo-Nazism has taken on many different forms and shapes. The days of the “typical Nazi-Skinhead”, easily identifiable, are long gone. Strategies of neo-Nazi activists in the public arena are becoming increasingly sophisticated.

18. Some other factors have also changed. For instance, in a worrying development, the number of neo-Nazi women has recently increased significantly. The phenomenon of entire neo-Nazi families is also increasing.

19. Neo-Nazis also try to inject their ideology into apparently harmless contexts, thus working on socially or politically relevant issues without revealing their political background, such as: campaigns against child abuse, practical solidarity to elderly persons or victims of flooding, environmental issues etc.

20. Right-wing extremists try to disseminate their ideology using demonstrations and concerts. Music with right-wing extremist lyrics continues to play an important role, serving in particular to recruit new supporters, strengthen identification with the milieu and mobilise public demonstrations.

21. Neo-Nazis increasingly use the Internet as the main platform for dissemination of propaganda, communication and coordination worldwide.

22. Finally, I would like to underline that assessing the appeal of neo-Nazism on the basis of electoral results alone can be misleading. In some member States, election results of neo-Nazi parties may be low, yet neo-Nazi attitudes may be quite widespread through the general population. Non-partisan manifestations of neo-Nazism can be equally or even more dangerous than the rise of neo-Nazi parties, as the former can escape public attention and State control easier than the latter.

23. This fact has been dramatically demonstrated for instance by the politically motivated mass murders committed on 22 July 2011 in Oslo and on the island of Utøya in Norway by an individual who was not an active member of any extremist group, or the series of anti-immigrant murders committed in the early 2000s by the German terrorist group “National Socialist Underground” (NSU), uncovered only in November 2011. In Germany, election results of the neo-Nazi NPD remain weak and in Norway even the number of individual right-wing extremists is low in comparison to most other European countries. On the other hand, in countries where neo-Nazi parties have recently gained important electoral support, such as the case of Golden Dawn in Greece, this does not necessarily correspond to ideological grounds; at least for a large percentage of voters, it can be rather interpreted as an expression of popular disappointment and protest against harsh, albeit necessary, austerity measures and increasing unemployment (having reached up to 60% among the young people), following consecutive years of economic recession, as well the result of frustration following consecutive governments’ failure to implement adequate migration policies. It is thus clear that the discussion over the counteraction of neo-Nazism cannot be limited only to political parties but it must embrace the whole range of society.

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<sup>8</sup> See “Right-Wing Extremism in Europe”, quoted above, in footnote 3.



### 3. Focus on prevention

24. I firmly believe that in the fight against neo-Nazism the focus should be on prevention, rather than on repression. Identification of early signals should allow for timely action against radicalisation.

25. My interlocutors in Germany, as well as government representatives from Norway and Sweden who participated at the Committee hearing in Stockholm, shared their countries' experience in preventive action. Relevant strategies include national action plans and programmes, community action, preventive policing, educational projects and civil society initiatives. Some examples are listed below.

#### 3.1. National action plans and programmes

26. Our interlocutors in Berlin informed us of several plans, programmes and strategies which are being implemented at both federal and State level to prevent and combat extreme right-wing, xenophobic and neo-Nazi ideologies, as well as of relevant institutions. Focus is put on prevention rather than on sentencing, as, in the fight against right-wing extremism, repression and sentencing alone are not considered to be the most effective means. In this respect, federal and state authorities rely largely on civil society. Federal programmes such as Civitas, XENOS and Entimon were developed to subsidise, by public funds, activities on civil society aimed at preventing right-wing extremism and developing a democratic culture of tolerance.

27. In the State of Berlin, an integrated cross cutting plan to strengthen a democratic urban culture has been implemented since 2008. "Democracy – Diversity – Respect: The Berlin State Plan against Right-Wing Extremism, Racism and Anti-Semitism" provides a framework for civil society initiatives and state institutions. The overall objective is the vision of a cosmopolitan city of diversity, respect and human dignity, marked by a culture of mutual recognition and antidiscrimination.

28. In Greece, representatives of the General Secretariat of Youth presented to me policies and programmes aimed at combatting discrimination, violence and fascism. Thus the IRIS project "Combatting Stereotypes and Discrimination: actions promoting Participation, Inclusion and Diversity" was designed as a partnership between public institutional bodies and civil society with the aim to working in synergy so as to ensure maximum impact and to capitalise on experience already gained from working the field of combatting discrimination.

29. In Norway, a new action plan against violent extremism was presented in May this year. It focuses on spreading knowledge about the phenomena and informing municipalities of good practice to face the relevant challenges. Inspired by the Finnish precedent, it also aims at facing the threats online and the use of internet as an arena of radicalisation<sup>9</sup>.

30. In Sweden, following research on violent extremism for several years, the first National Action Plan to Safeguard Democracy from Violence-Promoting Extremism was launched in 2011. Having mobilised 65 million Swedish kronor (some 8 million Euros) over a two-year period (2012-2014), the action plan focuses on prevention, identification of early signals of radicalisation and enhanced cooperation as well as support for leaving extremist groups. It aims at engaging civil society, faith-based communities, schools, social services and law enforcement, as well as promoting research and in-depth international cooperation. Minister Ohlsson, who launched this Action Plan, told us that her further objective was to improve national and local coordination regarding preventive work and establish, for this purpose, a national coordinator responsible for the continued prevention of all forms of violence-promoting extremism.<sup>10</sup>

#### 3.2. Community strategies and preventive policing

31. All our interlocutors in Germany, as well as the speakers the Committee exchanged views with from Norway and Sweden, insisted on the importance of timely reaction by the entire community to combat and further prevent extreme right-wing violence and/or the emergence of a new neo-Nazi group in a municipality or region. Participants in this process may include the police, but also schools, the child-care service, mayors and relevant municipal departments, voluntary organisations, churches, victim support groups and

<sup>9</sup> See also the Chair's conclusions of the conference organised in Oslo on "Right wing extremism and hate crime" on 14-15 May 2013, <http://www.rehc2013.org/>.

<sup>10</sup> Sweden is also currently leading a pan-European Union project against right-wing extremism. The project is aimed at identifying successful measures at all levels in a number of ten selected European countries: Sweden, the United Kingdom, the Netherlands, Finland, Denmark, Germany, Poland, Hungary, Slovak Republic and Norway. Funded by the European Commission for a two year-period (2012-2014), the project aims at identifying measures taken at the policy level and by civil society and gather good practice in prevention and response to far-right extremism.

representatives from the youth population (youth and sports clubs). Experience has shown that when not counteracted in a timely manner by the police and the various societal actors together, the problem may spin rapidly out of control. To quote some successful examples:

32. In Germany, in the *Land* of Mecklenburg-Vorpommern (one of the two *Länder* where the neo-Nazi NPD party is represented in parliament), a double strategy of prevention and repression is being implemented through the Land programme “*Jointly promoting democracy and Tolerance*”. We were told that, in a welcoming development, mayors increasingly assume a central role in the promotion of democratic values and in the defence against extremist tendencies; they often function as key figures in local action committees and are active in networks. Action against right-wing extremism is jointly promoted by various societal actors, such as churches, trade unions, the Federation of Business Associations or the tourism board. All these societal actors further cooperate with the police, prosecutors, and regional centres in regional counselling networks. The areas where further action is recommended by the *Land* government include: the development of sustainable civil society structures in the economically underdeveloped regions of the *Land*, especially in rural areas; political and civic education within and outside schools; the strengthening of democratic offers at the municipal level (municipal prevention committees etc.) and the further training of leaders at the municipal level in facing right-wing extremist challenges.

33. In Potsdam, capital of the *Land* of Brandenburg, our interlocutors informed us of the success of the so-called “*Brandenburg model*” to combat extreme right-wing violence and hate crimes.<sup>11</sup> A combination of specially trained, proactive and sensitised police employing innovative social strategies, committed prosecution agencies and preventive public policies has led to the decline of violent crimes in the *Land* which in the past had experienced the highest rate of homicides related to extreme right or racist attacks. “Mobile special units against violence and anti-foreigner violence” (MEGA) ensure a primarily preventive function, implementing effective independent intelligence and systematically collecting and exchanging all kinds of information on members of the extreme right scene, its gathering points, organising patterns and structures.

34. Among the lessons to be learnt from Brandenburg is that when dealing with extreme right-wing violence, especially by adolescents, it is important to act quickly. Accelerated prosecution by special prosecution departments and close cooperation between prosecutors, judges, police officers and investigators facilitate a quick arraignment. This has a deterring effect on others as well. Police cooperation with families of offenders and civil society networks has also been developed. Police forces support and coordinate crime prevention actions and measures against violence in local forums promoting tolerance and within other civil society initiatives. The representatives of the Action Alliance against Violence, Right-Wing Extremism and Xenophobia in Brandenburg told us that the network brings together representatives of sport and youth clubs, school directors, judges, trade unions, churches, NGOs, refugee councils and victim support groups. When it started operating back in 1997, State administration also participated. As it was proven difficult to reach consensus on all matters, the state administration later left but continued to fund the network. What is even more important, the *Land* authorities have given high priority to the prosecution of crimes related to the extreme right and have not tried to play down the problem, thus providing a clear political mandate to both the police and the relevant civil society initiatives.

35. Similar examples can be drawn from experience in Norway where preventive policing has, *inter alia*, played a major role in responding to violent and extremist groups. It is in particular worth mentioning the “empowerment conversation” tool which has been run by local preventive police officers in Norway since 1998: both the young person (under 18 years old) and his or her parents are obliged by law to meet at the police station if the police are informed that the individual is engaged in unlawful activity. During such “conversations”, the young person and his or her parents are informed of what he or she is about to enter and how this may destroy his or her future. The local police officers seek dialogue with minors who have not yet committed any criminal offence and they offer help to get the minor out of the extremist and/or criminal environment if the person is motivated to do so. In the latter case, the police can also seek the assistance of the municipal services. The warning and the access to help that it enables often suffice to dissuade some young people from joining or remaining within violent or extremist milieus.<sup>12</sup>

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<sup>11</sup> See “Taming Uncivil Societies: Violent Rightist Extremism, Police Responses, and Preventive Public Policy in East Germany” by Lars Rensemman, Christophe Kopke and Gideon Botsch in *Policing: a Journal of Policy and Practice*, vol. 3 n° 3 2009.

<sup>12</sup> See also *Right-Wing Extremism in Norway: Prevention and Intervention* by Katrine Fangen and Yngve Carlsson in “Right-Wing Extremism in Europe”, quoted above, in footnote 3.

36. Experience in Norway has also shown that the formation of parents' groups can be useful. On the one hand, many new recruits to extremist groups are still young enough to listen to what their parents say, especially when such groups establish common reasonable rules governing their children's attire, music and outdoor activities. On the other hand, in forming such groups parents can support each other in their resolve not to turn their backs on their children, even those who hold offensive attitudes or even commit violent crimes. If rejected by their parents, children will have no other alternative than to seek care and attention from members of extremist groups. An outsider with appropriate knowledge and experience will normally assist parental groups as facilitator. Moreover, experience in Norway has shown that parents' mobilisation as "night walkers" can prevent violence.<sup>13</sup>

### 3.3. Education for democratic citizenship and awareness raising measures at schools

37. Education at schools is considered as one of the most efficient tools to prevent and combat right-wing extremism by fostering democracy and tolerance. This is the more so as statistics show that the majority of youngsters who join extremist groups do so in their early teens or even before. It is also to be noted that neo-Nazi parties tend to develop programmes and structures that specifically target children, below the voting age, at schools or holiday camps. Therefore, the role of schools is extremely important, in particular in signalling the unacceptability of ideologies that dehumanise immigrants, refugees, Jews, Roma or homosexuals, thereby delegitimising violence against them.

38. Studies have shown that there is a clear correlation between students' attitudes and the number of lessons dedicated to democracy and human rights. In other words, when it comes to attitudes, it really matters how much a student has worked on issues such as human rights within a historic context.

39. Thus, for instance, during our visit to Germany we were informed that in all types of schools in Berlin, awareness-raising measures introduce pupils to democratic values and attitudes from a very young age and enable them to stand up for them from the outset. They are carried out in the classroom and in specific projects for the various age groups. Measures are also designed to help parents support actively their children with learning. For children, they provide guidance and help them to take control of their own learning processes.

40. *Education for democratic citizenship* starts in primary school for children as of 5 years old and covers a range of areas, including human rights and peace education, the prevention of violence, gender equality education, intercultural education and social learning, with a view to tackling antidemocratic ideologies such as right-wing extremism and anti-Semitism. The pupils develop skills for living together in tolerance and for a democratic communication culture, for instance through the establishment of class councils, school parliaments and forms of cooperative learning and mediation. The main projects in primary schools are "[Hands for Kids](#)" and in secondary schools "[Hands across the Campus](#)".

41. Technical reports of the Berlin Department for Education, Youth and Science, in cooperation with the Berlin-Brandenburg Institute for Education and Media, regularly inform teachers about relevant topics, such as: "*Strengthening democracy – Combating right-wing extremism*", "*Action! Combating Nazis*" and "*Respect: School classes sign the Berlin Commitment*".

42. Similarly, in Norway, education in citizenship at schools is expected to prevent radicalisation. Schools educate students in the values of democracy, teaching them to interact with one another in respectful ways and enabling them to develop multicultural understanding, ethnical sensitivity and social competence. Also, the Benjamin Award (named after young Benjamin Hermasen, victim of a racist murder in 2001) is given each year to a school that has made a great effort to carry out anti-racist and anti-discriminatory work.

43. In Sweden, the 2011 national action plan has provided, among other things, for 22 workshops for classroom use on democracy, tolerance and human rights. Discussions focus on values, norms and group pressure.

44. A particular project developed in the municipality of Kungälv in Sweden, the "Tolerance Project" was presented to the Committee during the meeting in Stockholm by Mr Christer Mattson, Head of Department from the municipality and teacher. The project, commonly known as the "Kungälv model", is a teaching method that can be practiced at school and is addressed to young people with an intolerant world view. It is a long-term project that was initiated in 1995 following the brutal murder of a 14-year old boy in Kungälv by four neo-Nazis. A key part of the Tolerance Project is the future. It is implemented alongside regular education, focusing on good results in schoolwork, since completing the compulsory nine-year school system

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<sup>13</sup> Idem.

and continue on to upper secondary school is a motivation to leave destructive environments. Students with widely different backgrounds sit down together, get to explore human coexistence and gain an understanding of the value of participating in a democratic community with the help of teaching and reflection. Thus, the Kungälv model results in increased tolerance and reduces racism and intolerant attitudes among young people in the municipality.

45. Mr Mattson explained how influential the trips are that the students undertake to the concentration camps in Auschwitz under the model. They normally change their world view afterwards. I particularly wish to refer to Mr Matsson words when he said that what mattered really was not necessarily to convince young people of democratic values; we simply need to “plant the seed of doubt”. The success of the project is proven by the fact that, whereas Nazi groupings had existed in Kungälv from before the Second World War, no neo-Nazi recruitment exists today in the municipality, unlike in neighbouring municipalities.<sup>14</sup>

46. In Greece, the two Deputy Ombudsmen I met insisted on the importance of education for democratic citizenship and human rights awareness, for both pupils and parents, as well as on the need to train the teachers in the fight against neo-Nazism, especially as Golden Dawn members are very active at schools.

#### **4. Examples of civil society initiatives to prevent or combat neo-Nazism**

##### *4.1. The Mobile Counselling against Right-wing Extremism in Berlin (MBR)*

47. As of 2001, the Mobile Counselling Team against Right-wing Extremism (MBR – *Mobile Beratung gegen Rechtsextremismus in Berlin*) has been offering counsel and support to anyone in Berlin willing or needing to become active against right-wing extremism, racism and anti-Semitism. The team's sense of mobility refers to its readiness to meet the people that ask for support in the places they work or live. Thus, their added value is that they place themselves and the process of counselling and consultation in the everyday reality of those already committed or those willing to become involved. Typical client groups of MBR have been youth groups (especially those targeted by extreme right-wing violence and dominance), citizen's action groups, NGOs, teachers, social workers, as well as civic authorities and politicians at the municipal and federal state level. The MBR also works with landlords and has drafted model terms for contracts so as to avoid renting property to neo-Nazi organisations.

48. The motivation to act against discriminatory and anti-democratic tendencies depends on the extent to which people are aware of such problems, be it within their immediate surroundings or throughout society. The purpose and long-term goal of the work is to drive back right-wing extremism by defending democratic ideals and nurturing a democratic culture in the local arena and everyday life. Thus, MBR supports democratic youth culture in Berlin's periphery and works with a number of self-organised youth groups. City districts that have benefited from the support of MBR have established lasting community action networks. People have learnt how to keep an eye on the local situation and are able to act promptly, stopping neo-Nazi activities on the spot.

##### *4.2. The ENDSTATION RECHTS initiative and the Stork Heinar project in Mecklenburg-Vorpommern*

49. When the NPD entered the first German State parliament after the elections in Saxony in 2004, German society was caught by surprise. For the State elections in Mecklenburg-Vorpommern in 2006, a second electoral success of the NPD was expected. In reaction to the aggressive propaganda of the NPD, fuelled mainly by xenophobia, the Social Democratic Youth founded the initiative “ENDSTATION RECHTS” (“final destination right”) which focused on anti-NPD campaign dealing with slogans and ideology of the neo-Nazi party and delivering information about the candidates. Following the electoral success of the NPD (which obtained 7,3% and entered the State parliament), ENDSTATION RECHTS was transformed into an online news portal which provides up-to-date information about modern extremist strategies and activities and additionally about ongoing counter-measures.

50. “Stork Heinar” is a specific project, run by volunteers and financed by private donations. It was developed in 2008 as a reaction to the ongoing success of the clothing company “Thor Steinar”, which was (and is) very popular with people on the extreme right edge of society and plays with Nordic mythology as well as the name of SS General Felix Steiner (“Division Thor Steinar”). The goal was to establish a humorous democratic counteroffer that satirises slogans of neo-Nazis and raises awareness of subcultural racist,

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<sup>14</sup> See a socioeconomic study on “The price for Tolerance”, conducted by Eva Nilsson Lundmark and Ingvar Nilsson, showing the economic benefit of the municipality by promoting the Kungälv model, at <http://www.teskedorden.se/wp-content/uploads/2014/05/Intoleransenspris-Eng.pdf>.

xenophobic, homophobic or revisionist tendencies expressed by wearing certain clothing and listening to relevant music. These lifestyle elements are often used by extreme right-wing ideologists in order to recruit new followers and commit them to their anti-participatory world view. Thus, Stork Heinar started as a parody of Nazi-ideology. Using irony, the stork has established itself as a stereotype figure in the fight against neo-Nazis.

51. On Facebook, “Stork Heinar” reaches a regular audience of over 85 000 people. Meanwhile, a person in a costume of the stork accompanied by a pseudo militarily costumed brass-band brings actions against neo-Nazis to the streets, playing march-music with fun texts. In the ongoing fight against neo-Nazism and racism, irony seems to be one of the sharpest swords one can lead into battle. Right-wing extremists seem unable to deal with this approach.

52. Stork Heinar’s main goal is to attract, inspire and develop democratic participation – especially among younger people – by giving proper information about current neo-Nazi strategies and offering everyday possibilities for taking up a democratic attitude and rejecting neo-Nazi propaganda, for instance, by simply wearing a “Stork Heinar” shirt or “decorating” neo-Nazi labels with “Heinar” stickers. It can thus attract, in the struggle for democracy, young people who would otherwise be indifferent or unwilling to join a party or a long-term initiative. Its experience with schools also shows that younger people can be more attracted to democratic ideals simply through a different educational approach, one based on parody and satire, humour and creativity.

53. During my visit to Schwerin, I saw how Stork Heinar posters posted just next to NPD posters would dilute the neo-Nazi message and demonstrate its nonsense. I was happy to hear that following the local elections in the Mecklenburg-Vorpommern *Land* end of May 2014, the NPD lost 35% of its seats in municipal councils.

## **5. Law enforcement and effective implementation of laws on hate crime and hate speech**

54. In the fight against neo-Nazism, efficient cooperation and coordination between the various law enforcement bodies is crucial.

55. For example, our interlocutors in Berlin told us that close cooperation between the offices for the protection of the Constitution (intelligence services) and the police was instrumental in the Federal Public Prosecutor’s decision to initiate several investigations on suspicion of forming a terrorist organisation.

56. According to the 2013 Annual Report on the Protection of the Constitution, the challenge for the intelligence services is to “identify those who may be about to take to heart the motto of the NSU: ‘deeds not words’” and this within a milieu made up of “persons espousing irrational arguments, violent fantasies and apocalyptic images”. Similarly, the Norwegian Police Security Service’s Annual Threat Assessment of 2013, after noting that extreme right-wing groups are still small and consist of loose networks, argues that the main challenge is to identify the potential extremists who are not part of the organised far-right (similar to Breivik), as such individuals are difficult to detect.

57. With reference to the NSU case, our interlocutors in Berlin referred to the 1 000-page report of the special parliamentary enquiry committee on the NSU which was published in December 2013 and *inter alia* insisted on the need for more efficient cooperation and coordination between the various law enforcement bodies. The Chief of Police in Berlin, Mr Klaus Kandt, and the Director of the Office for the Protection of the Constitution, Mr Bernd Palenda, told us that many lessons had been drawn from the NSU case.

58. At the same time, the representative of the State of Berlin drew attention to the difficulty in striking the right balance between the need to protect the freedom of expression and the right to privacy (data protection) of extremists and the fundamental rights of democratic groups which wished to react and, for instance, prevent or block manifestations organised by the extremists.

59. Effective and strict implementation of legislation on hate crime and hate speech is also an indispensable tool in combatting neo-Nazism. But relevant laws, even if they exist in most Council of Europe member States, are not effectively implemented in all of them. Failure in implementing effectively such laws may not only result from lack of political will but may be simply due to lack of knowledge and experience in identifying crimes with a racist background, special training on hate crime and hate speech is therefore necessary for judges, prosecutors and the police.

60. Mr Gunnarsson's report on *A strategy to prevent racism and intolerance in Europe* (Doc. 13385) contains an in-depth analysis of the concepts of hate crime and hate speech, as well as an overview of the relevant case law of the Strasbourg Court, work done by other Council of Europe bodies, notably the ECRI, and information from the ground. I refer to Resolution 1967 (2014) for specific recommendations to the member States in the fight against hate crime and hate speech.

61. For my part, I wish to stress that, to reinforce the deterrent effect of action by the law enforcement bodies, individual sanctions should be accompanied by a clear message delivered by politicians and independent institutions, such as Human Rights Ombudsmen, but also civil society organisations and the media (including social media) that hate crime and hate speech cannot be tolerated in a democratic State based on the rule of law. The whole of society must react at an early stage, before such phenomena get out of proportion and cannot be controlled. Many of my interlocutors in Greece have for instance argued that the hate crimes and numerous manifestations of hate speech committed by MPs and supporters of the Golden Dawn would not have taken place if both the State and the society as a whole had reacted at an early stage.

62. Following an initiative by the youth activists involved in the Council of Europe's No Hate Speech Movement (see below), a petition has been launched for making 22 July the European Day for Victims of Hate Crime<sup>15</sup>. The petition is addressed to national parliamentarians, including members of the Assembly, and members of the European Parliament. The initiative has recently received the support of the National Support Group for the victims of the 22 July attacks in Norway as well as of several ministries and other bodies. As stated in the petition, which has so far received more than 3 500 signatures, the initiative aims at remembering victims of hate crime and those who have lost their lives in such attacks, showing solidarity towards those targeted, raising awareness and educating the general public about hate crime and its consequences on society. I personally believe this initiative is excellent and should receive the full support of our Assembly.

## **6. Combatting neo-Nazi hate speech online**

63. The Internet is increasingly used by right-wing extremists as a communication platform and for the purpose of disseminating extremist propaganda, but also for coordinating activities. It guarantees rapid dissemination and enormous reach coupled with extensive creative freedom. Material can be published anonymously; therefore extremist opinions are expressed openly and unashamedly.

64. The online manifestation of hate speech makes it more difficult to monitor, measure and counter. It is also difficult to estimate and monitor its impact as a lot of it happens in an individual way and sometimes also anonymously. The impact is usually noticed only when the damage is already done, especially in the case of children and young people who are targets of hate speech combined with cyberbullying.

65. Online hate speech raises specific challenges for police and intelligence services who need to get online and involve in dialogue to try to identify persons who are radicalised or in the process of radicalisation. Let's not forget, for instance, that the Internet played a central role in both Anders Breivik's radicalisation process and his actual planning of the offences.

66. But beyond policing online, awareness raising measures and education in combating and preventing the consequences of hate speech are necessary. Children and young people need to be educated as to their civic responsibilities online, as well as offline. It is also important that citizenship and human rights education programmes consider also the online dimensions of hate speech.

67. The Council of Europe is concretely contributing in the fight against online hate speech through its No Hate Speech Campaign. I will refer briefly to the campaign as I believe that it is of crucial relevance in the counteraction to neo-Nazism and merits full support of the Parliamentary Assembly and all member States.

### *6.1. The Council of Europe's No Hate Speech Campaign<sup>16</sup>*

68. The No Hate Speech Movement is a Europe-wide campaign, devised by young people in the Council of Europe, to raise awareness of hate speech online and to combat it. A campaign of campaigns, the No Hate Speech Movement has national campaigns growing all across Europe involving young people online and offline, with a special focus on human rights education, including in schools. Its goal is to make the Internet a safe space for human rights for everyone, everywhere.

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<sup>15</sup> See petition: <http://blog.nohatespeechmovement.org/petition/>.

<sup>16</sup> See the Campaign's website at [www.nohatespeechmovement.org](http://www.nohatespeechmovement.org). I am grateful to the Council of Europe Youth Department for the briefing it provided me on the campaign which I used to draft the relevant section.

69. The campaign seeks to reduce the acceptance of hate speech online as “normal” and inevitable. Awareness-raising is the very first step. With that comes the mobilisation of public authorities and civil society to take action and to call for action. It is particularly targeting school communities and has developed an educational manual – “Bookmarks”. It also offers the possibility for young people to build their own projects, act as peer educators and develop an ownership of the Internet space. In addition to education, it is also calling for ways to monitor and respond to online hate speech at national level (as there needs to be a contextualisation of the responses).

70. Started on 22 March 2013, the campaign will run through until the end of March 2015. It is now being implemented in 39 member States (see list: <http://www.nohatespeechmovement.org/national-campaign-committees>). The campaign has highlighted that there is a need for clear normative guidelines for combating hate speech at national and European level.

71. I believe that we should support its implementation in all member States and also call for voluntary contributions as funding is lacking. Involving parliamentarians at the national level in the national campaign committees would also be a great added value.

72. In this respect, it is worth noting that a No Hate Parliamentary Alliance has been proposed by our Committee on Equality and Non Discrimination as a follow-up to Assembly Resolution 1967 (2014) on *A strategy to prevent racism and intolerance in Europe*. The proposed Alliance will consist of a network of parliamentarians committed to undertaking a firm and proactive stand against racism, hatred and intolerance and to participating in a number of activities in their respective countries. A Charter of commitments for membership has been approved which each member should agree to and sign upon joining the Alliance. The Charter includes a commitment to support and participate in the work of the national committees of the Council of Europe “No Hate Speech Movement”.<sup>17</sup> For my part, I wish to call for support of the proposed Alliance and encourage colleagues to join and support its activities.

#### 6.2. *The Amadeu Antonio Foundation and the “No-nazi.net” project*

73. “No-nazi.net” is a model project operating as of 2011 mostly at a national level, under the umbrella of the Amadeu-Antonio-Foundation<sup>18</sup> in Berlin. It is based on the simple understanding of the importance of the internet for young people and also the knowledge that the web is the main platform for right wing extremist propaganda. A team of five people regularly monitor what is happening in the right-wing extremist scene in Germany and internationally, and support a network of volunteers who monitor and combat hate speech online. Furthermore, they develop and test educational tools and modules for online education of human rights and democratic values to find, train and support young activists online. Among these tools, one can find blogs, videos, graphics, quizzes, texts, links etc. Most of them are available for the short-term but are aimed at a long-term engagement of the young activists, and supporting them on a long-term basis.

74. The team tries to make contact with young people on the internet who show signs of a radicalisation process in their expressions. In contrast to traditional offline pedagogical work, the No-nazi.net project faces the challenge of establishing a link with its target audience, in the absence of face to face communication. In addition to the work with young people, they have established a strong partnership with companies and organisations like Facebook, Google and smaller national providers in Germany. Many teachers and youth workers use their material to learn more and teach others about right wing extremism and other forms of group-focused enmity online.

75. The Amadeu Antonio Foundation is in contact with the Council of Europe Youth department (responsible for the European Campaign “No Hate Speech Movement”).

### 7. **Combatting anti-Semitism**

76. During the hearing on anti-Semitism we held in Strasbourg in June 2014, a month after the tragic murder of four Jews in the Jewish museum in Brussels, Dr Gideon Botsch, from the Moses Mendelssohn Centre for European Jewish Studies at the University of Potsdam in Germany, referred *inter alia* to the specific challenges raised by anti-Semitism in the context of radical nationalism and xenophobic right-wing extremism<sup>19</sup>. Neo-Nazi organisations in particular, but also other right-wing groups, regularly propagate

<sup>17</sup> See Doc. AS/Ega/Inf (2014) 10 and Doc. AS/Ega/Inf (2014) 17.

<sup>18</sup> For more details see: <http://www.amadeu-antonio-stiftung.de>, including reference to the most recent and very interesting project entitled “*Overlooked and Underrated: Women in Right-Wing Extremist Groups in Germany*”.

<sup>19</sup> For the full speech of Mr Botsch please refer to document AS/Pol/Inf (2014) 20.

militant anti-Semitism, which can also be expressed in anti-Jewish slogans, damage to Jewish property and violent assault. Some such anti-Semitic nationalist groups are now even represented in the European Parliament. There are also youth sub-cultures – for example in certain football fan circles or music scenes – in which anti-Semitic lyrics or songs or anti-Semitic symbols are very common. This radical, nationalist anti-Semitism provides the basis for the denial or relativisation of the National Socialist murder operations against the Jews during the Second World War.<sup>20</sup>

77. Dr Botsch underlined *inter alia* that hostile anti-Semitic acts are more frequent when Arab-Israeli tensions in the Middle East increase – with the tragic climax in the so-called Second Intifada in the early 2000s, but also in the context of military conflict in the Lebanon, in the Gaza Strip etc. This trend seems to have been confirmed following the recent escalation of the conflict between Israel and Palestinians in Gaza as reports from a number of European countries indicate a rise in attacks against Jews in the last couple of months. Such attacks and hostile acts are, as a general rule, unprovoked, and are more frequently directed against the Jewish community or individual Jews than against the institutions of the State of Israel.

78. In the context of both the positive and negative experiences in countering right-wing extremism, which the Moses Mendelssohn Centre has been studying, and by taking as example the German federal *Land* of Brandenburg (see also above), Dr Botsch suggested the following action for combating anti-Semitism:

79. *First*, in order for anti-Semitism to be clearly and unequivocally rejected in politics and society, there must be an anti-anti-Semitic consensus. *Second*, there must be unequivocal solidarity with the victims of anti-Semitism, which must not be accompanied by any sort of expression of understanding for the perpetrators, no matter how justified it might seem. I would add that this is all the more relevant in times of escalation of tension in the Middle East, as at the present. *Third*, there must be an awareness and recognition of anti-Semitism as a social and political problem for Europe, at all levels and in all of its forms. *Fourth*, the problem must also be regularly and comprehensively documented and empirically researched, and the results should be published in regular reports. *Fifth*, coordinated and decisive measures are required to counter anti-Semitism: through the prevention of anti-Semitic offences and acts of violence as well as legal, administrative and material penalties; by promoting civil society's anti-anti-Semitic initiatives with the aim of making anti-Semitism as well as right-wing extremism, xenophobia and other forms of discrimination a cross-cutting issue; finally, through appropriate educational measures in both a curricular and non-curricular context as well as in adult education.

## **8. Measures to protect victims of neo-Nazism and witnesses**

80. As I already mentioned, many of my interlocutors in Germany insisted that I should pay special attention to the need to enhance victim support measures. Empowering victims also has a strong deterring effect.

81. Six victim support groups in former Eastern Germany (the first one was created in Brandenburg) and in Berlin and some smaller groups in former Western Germany have helped several thousands of victims of right-wing extremism, as well as witnesses in cases which eventually were brought to courts. It must be understood that neo-Nazis are part of the local society in the regions where they are strong. They are for instance integrated within local sport clubs. This is why it is often more difficult for the police to identify them than for civil society groups. Offering assistance and support to victims encourages others to speak up and counteract the perception of impunity.

82. But such civil society initiatives are still dealt with as “model projects” and lack regular funding. This should be changed and regular funding should be ensured. It is particularly important to focus on victims rather than on perpetrators.

83. Among various examples of victim support structures in Berlin, one could quote:

- the *Berlin Victims' Commissioner*, appointed for the first time in October 2012 with a view, *inter alia*, to coordinate and improve cooperation between the various support organisations and also to give greater political weight to victims' concerns;<sup>21</sup>

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<sup>20</sup> See also the survey on Discrimination and Hate Crime against Jews in EU member States: Experiences and Perceptions of anti-Semitism, funded by the European Union Fundamental Rights Agency and published in November 2013 at <http://fra.europa.eu/en/publication/2013/discrimination-and-hate-crime-against-jews-eu-member-states-experiences-and>.

<sup>21</sup> For more details see: <http://www.berlin.de/sen/justiz/opferbeauftragter/startseite.php>.



- the *ReachOut Victim Counselling Centre*, a counselling centre for victims of right-wing extremist, racist and anti-Semitic violence in Berlin. Since 2002, it has photographed crime scenes, published news about attacks and displayed the photographs in exhibitions. Clients are offered legal expertise and psychological support, as well as escorts for going to the police or to courts. In an interview, team members speak about this unusual type of publicity work, attacks in the eastern and western parts of the city and why talking is the first step to recovery;<sup>22</sup>
- the *WEISSER RING e.V.*, the only victim support network operating throughout the country, since its establishment in 1976.<sup>23</sup>

## 9. Measures to help people leave neo-Nazi movements: the exit projects

84. The idea of using former participants in the neo-Nazi scene (“dropouts”) who possess the necessary personal qualities and motivation to extricate others was launched in Norway in 1997 and adopted the following year in Sweden with the establishment of EXIT Sweden, staffed by former right-wing extremists. The latter have helped young people by building personal relationships with them and have thereby created a network of “defectors for defectors” (Swedish Crime-Prevention Council, 2011). The Swedish project has also provided assistance to Norwegian right-wing extremists wanting to quit the milieu and has served as an inspiration for similar efforts in Germany as well.

85. During our Committee meeting in Paris September 2013, we had discussed with the Director of the Swedish EXIT project (EXIT Frysguset). Mr Örell was in his early teens when he became involved in a white power movement. For him, seeking belonging, protection and a sense of purpose, rather than ideological grounds, are the main reasons why many young people become involved in white power groups all across the world. Most people leave neo-Nazi or white power movements before they are adults. Those staying after they are 20 years old are the main problem. The organisation he is leading has a wide network, including former members of neo-Nazi groups and professional social workers. The NGO is engaged in preventive work, such as art and counselling for parents, and helps youngsters disengage from criminal gangs.

86. Mr Örell insisted on two messages. One addressed to the society: “it is possible to understand and respond to white supremacy environments if you have proper knowledge of radicalisation and the relational networks”. The second one addressed to the people in the movement: “it is possible to get out. Society will take you back. You can make that change.”

87. During our visit to Berlin, we had a very interesting exchange of views with Mr Bernd Wagner, criminologist and former police detective, co-founder (together with former neo-Nazi leader Ingo Hasselbach) of the federal initiative “*Exit-Germany: We provide Ways out of Extremism*”<sup>24</sup> and his collaborators, including Mr Christian Ernst Weißgerber, a former prominent neo-Nazi who shared with us his experience in getting in and out of neo-Nazism.

88. Founded in 2000 and being the first to start such an endeavour in Germany, against the backdrop of previous work on right-wing extremism started already in the 90’s, Exit-Germany is an initiative assisting individuals who wish to leave the extreme right-wing movements and start a new life. Relying on the values of individual freedom and dignity, Exit-Germany has helped some 500 individuals leave neo-Nazism (“dropouts”). Only in 12 cases have the persons concerned returned to similar extremist structures. For Exit-Germany, “*Exit is completed after a critical reflection, reassessment and successful challenge of the old ideology took place. Exit means more [...] than just simply leaving a party or a group. It is more than changing the aesthetics of expression or to refrain from violence. An Exit is successful after the basic ideologies and purposes of the previous actions were resolved.*”

89. To help people turn their back on right-wing extremism, Exit-Germany conducts personal dialogues and works on the biography of those who wish to leave and the reasons why they became neo-Nazis. It offers help in case there is any danger or threat of physical assault or persecution and, if need be, it also visits Dropouts in prisons and works together with them to resolve their old worldviews and to reassess their past including any committed crimes. The organisation also helps dropouts to develop new skills and insights by strengthening everything that promotes one’s life. It works together with the Dropout to recreate personal relationships and reorient him or her in everyday life, such as in school or at work, and offer him or her

<sup>22</sup> For more details see: <http://www.reachoutberlin.de>.

<sup>23</sup> For more details see: <https://www.weisser-ring.de/internet/weisser-ring/index.html>.

<sup>24</sup> See <http://www.exit-deutschland.de/EXIT/Navigation/Ueber-EXIT/About-EXIT-Germany/About-EXIT-Germany-E1287.htm>.

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alternative ways of thinking while making clear that leaving right-wing extremism does not mean one cannot continue to criticise today's society. It establishes contacts with former right-wing extremists and helps facilitate discussions with people who bear original experience from dictatorships. The Exit process may take from one to three years as an average, but can also take up to 7 or 8 years in some cases. Some 30 to 40 people are accompanied through the process per year.

90. The structure offers counselling to teachers, policemen, institutions, individuals and anyone who is in need of advice and help. It also counsels families affected by right-wing extremism. By creating new scenarios, it provides opportunities and resolves helplessness and fear. A unique feature of EXIT-Germany's structure is the "Workshop of Former Right-Wing Extremists" – Dropouts who assist with research and practical solutions using their one-of-a-kind insights and knowledge. It is of utmost importance that those who left speak up publicly and encourage others to leave.

91. When talking to us, Mr Weißgerber quoted purely ideological reasons for initially becoming a neo-Nazi and actually a prominent one as he was among those who prompted the change in style of both doing politics and clothing. However, he progressively became suspicious of the use of terms such as "Volk" or "Nation" and started alienating himself. One year later, he made contact with Exit-Germany and engaged himself in the Exit process together with a friend. The members of the team he met knew how to deconstruct his ideological background and de-radicalise him. But once he started distancing himself openly from the neo-Nazi milieu, he was stigmatised, lost friends and had even been threatened. Exit-Germany helped him also in this respect. He admitted that it could have been harder to leave neo-Nazism if he had not been going through this process with a friend.

92. For Mr Wagner, the approach to fight neo-Nazism should be cross-sectorial and target, on the one hand, ideology and, on the other, the structure of neo-Nazi movements. Education at schools was also for him one of the most efficient tools.

93. Also in Germany, the "Exit to Enter" programme specifically focuses on providing exit support in the labour market. Established under the auspices of the federal government's XENOS – Integration and Diversity programme and part of its National Integration Action Plan, the Exit to Enter programme combines schemes and ideas designed to help individuals leave the far-right scene and either join the workforce or receive the job training and skills that would enable them to do so.<sup>25</sup>

## 10. Brief overview of measures to deal with neo-Nazi parties

94. I recall that in a separate motion which has been brought under my mandate, Mr Montag and other members of the Assembly specifically referred to the phenomenon of rising popularity of "*parties with xenophobic, racist and anti-Semitic elements in their programmes, including the Greek party Chrysi Avgi [Golden Dawn] and the Hungarian party Jobbik, and politicians who assert fascist and neo-Nazi views and use racist language*" (see Doc. 13103 and above, chapter 1).

95. Mr Montag notes that, in this context, symbols and structures of Nazi and fascist parties from the past, such as party logos reminiscent of swastikas, are again being used and groups of thugs who attack immigrants formed. Major concerns over the rise of neo-Nazi parties in Europe are also raised in a third motion tabled by Mr Triantafyllos (see Doc. 13332 and above, chapter 1).

96. As Mr Montag rightly points out, parties promoting neo-Nazi ideology were previously only able to gain a small proportion of votes. Yet they have now managed to get into parliaments or the European Parliament.

97. The Council of Europe Commissioner for Human Rights has also repeatedly drawn attention to this worrying phenomenon, calling for action by the national political leaders and the European community and noting the additional danger that such parties may also strengthen their position at European level through alliances. It is, for instance, a fact - quoted in the 2013 Annual Report on the Protection of the Constitution - that the German neo-Nazis view the success of the Greek Golden Dawn party as "a signal to all nationalist groups" showing that "the sleeping masses can still be aroused when the conditions are right". Whereas the German NPD party suffered a severe loss in the recent German county elections, it succeeded in entering the European Parliament for the first time a development which has shocked many.

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<sup>25</sup> See *Labor-Market Oriented Exit-Support Work to Combat Right-Wing Extremism: the XENOS special programme "Exit to Enter" (Ausstieg zum Einstieg)* by Petra Boumaiza in "Right-Wing Extremism in Europe", quoted above, footnote 3, pp. 307 – 325.

98. In a welcome development, the fourth trimester of 2013 saw important government and judicial steps to dismantle one of most notorious neo-Nazi parties in Europe, the Golden Dawn.

99. Although this is not my main focus, as I have explained at the beginning of my report, I wish to share briefly the discussions I had in both Greece and Germany regarding issues related to legal measures against neo-Nazi parties and some thoughts, as well as an example of parliamentary practice drawn from the *Land* of Mecklenburg-Vorpommern, one of the two German *Länder* (together with Saxony) where the NPD is represented in the parliament.

#### 10.1. Legal measures

100. Both in Greece and in Germany, my talks turned inevitably around the issue of whether or not the banning of the neo-Nazi parties present in these two countries was the right path to follow. In both cases the issue was of topicality.

101. In fact, I visited Greece only two months after the government crackdown against the Golden Dawn started on 28 September 2013, triggered by the murder ten days earlier on 18 September 2013 of a popular hip hop artist, Pavlos Fyssas, by a Golden Dawn supporter. This tragic murder came on the top of numerous previous incidents of involvement of members of the Golden Dawn, including MPs, in some of the most hideous cases of hate speech and brutal, physical violence over the last couple of years. As the Minister of Public Order and Citizen Protection, our former colleague, Mr Dendias, explained to me what allowed for action in the tragic murder of the artist was the fact – missing in previous cases – that a direct link could be established between the crime and an MP from the Golden Dawn and consequently also the party itself and its leaders. The party leaders and some of its members were thus criminally prosecuted for a series of criminal acts, ranging from murder and bodily harm to money laundering, bribery and participation in a criminal organisation. The prosecution also covered Ms Eleni Zaroulia, former member of the Greek delegation to our Assembly.

102. In a separate welcome development, the Greek parliament passed a law suspending the public financing of the Golden Dawn (reportedly amounting to 1,2 million euros per year).

103. The government crackdown on the Golden Dawn and the suspension of its public financing were welcomed by both the Council of Europe Secretary General and the Commissioner for Human Rights. The latter, in his earlier report on Greece, had advocated that the Greek legislation be reviewed to provide for the banning of the Golden Dawn. For a series of historical, legal but mainly political reasons, authorities have preferred to act on the basis of criminal law against party leaders and members rather than against the party itself. I was told that leading constitutionalists and most political parties were also against the banning as such.

104. I wish to summarise their main political arguments, as they are equally valid for other countries: (a) the fear that if banned, Golden Dawn would continue to operate outside the parliament. It could simply go underground and thus become more dangerous. (b) Banning will not do away with the party's presence in the political field. As previous experiences in other countries have shown, it will be replaced by a less explicitly extremist party with a different name and risk obtaining support from less extremist voters whilst continuing to promote extremist positions. (c) Last but not least, banning could divide democratic parties and politicians and thus would weaken the front against the Golden Dawn.

105. I was personally convinced by the arguments of my Greek interlocutors and believe that, at this stage, the political system should not get involved in on-going criminal proceedings and judicial handling of the cases. Judges and prosecutors should be allowed to continue their work unhindered by political considerations. This approach was also supported by the Council of Europe Secretary General during his visit to Greece in October 2013.

106. In Germany, a motion to ban the NPD party was filed with the Constitutional Court in December 2013 by the Federal Council (the *Bundesrat*), the only body in the country which can proceed to a party ban. A similar motion failed in the past because a qualified minority of the Court found that the NPD lacked the requisite "distance from the State" as a result of domestic intelligence services having infiltrated the party.

107. Because of the party funding system in Germany, I was told that citizens find it scandalous that a party such as the NPD benefits from State budget funding due to its representation in democratic institutions it aims at abolishing. The party receives an annual amount of 1,7 million euros, which it applies also for activities against the constitutional order. I understand that the current German law does not allow for the

suspension of public funding as long as the party itself is not banned. Also, after the scandal of the NSU, the idea of banning the NDP has surfaced again.

108. The Director of the Office for the Protection of the Constitution, Dr Maaßen, told me that if the party is banned it will be stigmatised and this could discourage people to join. The lack of public funding would also make it more difficult for the party to recruit new members and would restrict its ability to achieve its goals.

109. However, political parties in Germany seem to be divided over the issue of banning of the NPD. Only the Left party (*Die Linke*) is unanimously in favour of banning, other parties are split or against. In any event, banning the party risks enhancing underground action and will not solve the problem of the local associations, called "Kameradschaften", which are the most dangerous. Some argue that it could be better to take up the fight against them rather than banning them. Arguments similar to those I heard in Greece against banning were also advanced by many of my German interlocutors.

110. From a legal point of view, both the Strasbourg case law and the Venice Commission guidelines on the *prohibition and dissolution of political parties and analogous measures*, adopted by the European Commission for Democracy through Law (Venice Commission) in 1999<sup>26</sup> consider that the prohibition of a political party may only be justified in exceptional circumstances. This does not exclude the criminal responsibility of party leaders and members, including members of parliament, who commit hate speech or hate crime or any other criminal offence.

111. In my view, as a politician and not a lawyer, even if compatible with the European Convention of Human Rights (and the Venice Commission guidelines), banning of a political party as such should remain the last resort when no other action is sufficient to counteract the negative consequences of its actions. In any event, banning alone is not sufficient to counteract manifestations of neo-Nazism by political parties for the reasons mentioned above, especially the fact that parties may reappear under different names or continue to act underground. As my colleague Mr Gunnarsson also noted in his report that the question which is important to keep in mind is why the electorate votes for Golden Dawn and the issue to address is rather "the root causes".<sup>27</sup> The electoral success of the Golden Dawn in the May 2014 local and European Parliament elections also reinforces the value of the argument. It further confirms my belief that focus should be on prevention and timely action should be primarily directed towards individuals, whether leaders or members of such parties, including engaging the criminal responsibility of those who commit hate crime, hate speech or any other criminal offence.

112. In this context, I would like to conclude by recalling the position expressed by the former Commissioner for Human Rights, Mr Thomas Hammarberg, during our hearing in Stockholm which was largely shared by the members of our Committee. For him, it was essential to take up the debate with neo-Nazi movements, whether or not they are represented in parliaments, and publicly expose them: "*We should not ignore them, we not turn them into martyrs either*", he had said and I fully agree with him.

#### 10.2. *An example of parliamentary practice: "the Schwerin agreement"*

113. In Schwerin, the capital of the *Land* of Mecklenburg-Vorpommern, we had a very interesting discussion with Mr Julian Barlen, member of the *Land* parliament and spokesperson on right-wing extremism for the SPD parliamentary group. In addition to the information Mr Barlen and his collaborators gave us on various initiatives aimed at fighting right-wing extremism in Germany in general and in their *Land* in particular, Mr Barlen also informed us of the measures that democratic parliamentary groups agreed upon when five members of the NPD entered for the first time in 2006 the *Land* parliament.

114. In presenting us the "Schwerin agreement", Mr Barlen insisted on the fact that these measures were decided to demonstrate unity among the democratic forces against a party which "opposes the Federal Republic of Germany's system of liberal democracy" (as quoted in the above-mentioned 2013 Annual report on the Protection of the Constitution) and openly aims at abolishing the system of parliamentary democracy. He recalled that the experience shown by the fall of the Weimar Republic had displayed that the lack of unity among the democrats at the time was partly responsible for Hitler's seizure of power. Thus, the 65 parliamentarians of the four democratic parliamentary groups represented to the *Land's* parliament decided the following tactical measures:

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<sup>26</sup> See Doc. CDL-INF (2000) 1, adopted by the Venice Commission at its 41<sup>st</sup> plenary session, Venice, 10-11 December 1999. See also Resolution 1754 (2010) on Fight against extremism: achievements, deficiencies and failures and Doc. 12265.

<sup>27</sup> See Doc. 13385, para. 66.

- only one parliamentarian from the democratic parliamentary groups counters any motion brought in by the NPD. This means that NPD-originated motions are not only rejected but are countered by a substantive analysis of the inhuman ideology of the right-wing extremists;
- every motion brought in by the NPD is rejected unanimously by the democratic parliamentary groups. As the NPD is not seen as a “normal” political party, it is denied the usual interaction;
- the democratic parliamentarians only participate in discussion rounds and information events if no NPD representative is invited. The democratic forces thus defend themselves against putting the NPD on equal footing and gradually legitimising it.

115. It is worth noting that such an approach based on “democratic consensus” and on not treating the NDP as a “normal” party is also shared by civil society organisations in areas where the NDP is not represented in parliament.

116. Following the county elections in May 2014 in the *Land*, the NDP suffered a severe loss of 35%, it is no longer represented in the Schwerin county council and it no longer forms its own faction in any of the county councils. This has been seen as an important victory of the democratic forces in the *Land*.

## 11. Concluding remarks

117. Right-wing extremism is a problem with pan-European dimensions. The struggle against it must be intensified throughout Europe.

118. If fascism and Nazism are part of Europe’s darkest history, they must not be part of Europe’s future.

119. We need to concentrate efforts on prevention, rather than a heated coordination when the damage has already been done.

120. For this purpose, after presenting some examples of good practice, I propose a preliminary draft resolution addressing a series of recommendations to the Council of Europe member States, national parliaments, political parties and politicians in general focusing on prevention, through education and awareness raising, and timely joint societal reaction to signs of radicalisation. Victim support, witness protection and exit support measures are also suggested.

121. I also propose that the Assembly unequivocally condemns the rise of neo-Nazi manifestations and neo-Nazi parties. I stress the primary responsibility of government representatives but also of us all as democratic politicians to stand up and unite ourselves in defending the democratic values. We could thus jointly oppose neo-Nazi ideology and political parties advocating such ideology whether inside or outside parliaments.

122. Last but not least, in a preliminary draft recommendation, I propose that the Council of Europe plays a coordinating role to ensure exchange of experiences and good practice among member States in their efforts against right-wing extremism, for instance as part of the strategy against racism, hatred and intolerance in Europe which has been proposed by Assembly Recommendation 2032 (2014) “A strategy to prevent racism and intolerance in Europe”. This could be done through the appointment of a special coordinator or otherwise, taken into account budgetary restraints.