

## Working Session 12

### Combating hate crimes and ensuring effective protection against discrimination

Warsaw, September 29, 2015

#### **The urgent need for security, sovereignty and defensible borders**

The Annotated Agenda for this session rightly focuses on the extreme escalation of the refugee inflow to our countries, and rightly notices that even the first step of dealing with the migrants is a severe financial liability to our countries. So, while BPE previously focused on issues of democracy, citizens' rights and protecting the secular state, recent developments have caused an urgent need to focus more on the harder aspect of security and the profound risks of massive immigration. While we will need to use some harder words than previously, and challenge some of the premises given in the Annotated Agenda, BPE remains firmly committed to the founding principles of the OSCE: Working for the security and freedom for citizens of the OSCE participating States.

First of all, it is a clear principle of international law and of OSCE that every nation has the right to live within well-defined and secure borders. However, even that principle seems to be crumbling under the pressure of immigration. The lofty ideal of the Schengen system was that the external borders of the Schengen area would be strongly defended against illegal immigration, in order that internal border control could be eliminated. This system has already collapsed, with Hungary and several other member states making independent efforts to defend their national borders. Given the current security situation and the lack of external border control, this is a logical protective move.

One security issue of particular concern is the fact that the Islamic State has declared that it will send warriors and would-be terrorists along with the immigrants currently entering our countries. These radical Islamists are to be sent here in order to establish and strengthen terrorist networks, and to organize terrorist attacks on our institutions, media and non-Islamic organisations. The recent terrorist attacks on “Charlie Hebdo” in Paris, on an art and freedom conference in Krudttønden, Copenhagen, and on a Copenhagen synagogue demonstrate clearly the kind of attacks the Islamic State and their supporters have in mind. This threat is a cause of severe insecurity, in the here and now.

Given the worsening security situation and the declared intentions of several Islamic organisations, we are faced with some very difficult dilemmas. The ideal situation, as outlined in the Annotated Agenda, would be that terrorism, severe forms of discrimination and other human rights problems cannot rightly be associated with any particular religion. The reality, unfortunately, is different: According to the statistics at the statistics web site The Religion of Peace, almost 27,000 lethal terrorist attacks have been committed in the name of Islam since September 11<sup>th</sup> 2001. This is an atrocity, and the severest of security problems.

And while there is no doubt that the majority of Muslims are peaceful and do not intend to commit terrorism, a worrisome minority of Muslims *does*. According to a 2013 PEW survey, 32 percent of Muslims have a positive view of the violent anti-Semitic organisation Hamas. Even in Turkey, which is usually considered a relatively secular Muslim country, 16 percent of Muslims polled support the use of suicide bombings in support of Islam. This public support of terrorism should be a topic of major concern, in OSCE and elsewhere.

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Considering the facts on the ground, any rational and unbiased analysis of the security situation leads to the conclusion that the politically correct policy of abstaining from profiling must be abandoned. This was pointed out as early as 2006 by the Serbian-American political scholar Serge Trifkovic in his seminal book *Defeating Jihad*, but we have not yet found the courage to do so. We urgently need to discriminate between the dangerous and the benign, between friends and enemies of democracy, between constructive and destructive behaviour. Profiling is a necessity for our security, now.

Another radical consequence of the migration wave is that citizens in European countries are now being evicted from their homes by the authorities. As an example, the German city of Nieheim recently used Eminent Domain to evict Bettina Halbei from her home in order to accommodate the newcomers. While the evictions are being battled in court to challenge their legality, the approach as such is certain to increase resentment and the risk of hate crimes against immigrants. Conversely, abstaining from such practices would contribute significantly to the prevention of hate crimes.

Related, the ongoing migration crisis has the potential to dramatically increase the problems of discrimination and intolerance. However, these problems must be analysed with great caution, for in contrast to [http://hatememe.wikia.com/wiki/Definition](#) (which always require a base offence to have occurred. If there is no base offence, there is no hate crime. ) ☐ contains an explicit criminal element, discrimination and intolerance do not. It is thus unfortunate to treat criminal and non-criminal phenomena as if they were of equal severity, which they are not.

In fact, there are many situations where discrimination is just and proper, for example:

- Discriminating citizens from non-citizens,
- Discriminating the qualifications of job applicants, or
- Discriminating the innocent from the guilty in judicial proceedings.

Further, here we are not talking about overt discrimination based on race or religion as used to be seen in South Africa (against blacks) and which is still the case against non-Muslims in countries such as Iran and Saudi Arabia. And if we discuss potential discrimination against individuals rather than groups, it becomes very difficult to demonstrate proof that undue discrimination has taken place. The fundamental principle that one is innocent until proven guilty must also be respected in matters of potential undue discrimination.

There was a time when Great Britain had the most respected police force anywhere, known to be effective, polite, and possessed of great professional skill in discriminating the important from the benign. However, developments over the last decade have resulted in some unfortunate consequences of the battle against 'racism' and 'discrimination'. In fact, this battle has led to a situation where police and other authorities fail to properly protect vulnerable individuals and groups, out of fear of being accused of 'Discrimination' or being branded 'Racist'.

An example: In several British cities (Rotherham alone has 1,400 victims), so-called grooming gangs ☐ have operated by the thousands using a variety of illegal means such as rape and drugs. The authorities have been informed repeatedly about these activities, but when it was found that the perpetrators were mainly 'Asian' men (which in this context means men of Pakistani origin), the problems were pushed aside due to their being politically inconvenient. Fortunately, British authorities are now shouldering their responsibilities and are taking action against these gangs, pre-empting any risk of civil unrest against groups of Asian descent. Upholding the law impartially, even if this hits a particular ethnic group particularly hard, is what is needed in order to dismantle undue discrimination and

intolerance.

Another tricky example, with a less fortunate outcome, can be found in the Swedish city of Malmö. This city, which took in many Jewish refugees during World War II, used to have a large and vibrant Jewish community, but this has been in systematic decline over recent decades, due mainly to harassment, discrimination and intolerance from immigrants of Middle Eastern origin. While the Jewish community has undertaken private efforts for their protection, Swedish authorities have done little to address the problems or systematically identify the perpetrators or their motivations. When confronted with the issue, Malmö mayor Ilmar Reepalu simply stated that he found it unfortunate, but saw nothing he could do about it. In this case, the declared efforts against discrimination and intolerance failed to prevent a large-scale ethnic cleansing of an anti-Semitic nature. Even today, there is no sign that the Swedish authorities intends to stop this war of attrition against an ethnic minority.

However, the gravest security threat inside the OSCE participating States clearly come from radical Islamic organisations, which to a great extent are permitted to operate freely, despite their intended goal of replacing democracy and secular law with Islamic rule and Sharia. The emergence over the last two years of an aggressive and openly criminal Islamic State has changed our security situation significantly, and the security implications of radicalized Islamists returning from brutal battles in Syria and Iraq must not be underestimated.

While the majority of moderate Muslims are rightly disturbed by seeing their religion used to justify extensive crime, murder and even genocide against the Christian population in the Middle East, the number of Muslims in OSCE pS that declare themselves ideologically in support of the Islamic State should be a cause of deep concern, and a call to action against the problem. Even traditional anti-Semitic terrorist groups such as Hamas, Hezbollah and Al-Qaeda are struggling with the yet more radical challenge from the Islamic State, all competing for support within radical Islamic circles.

The year 2015 began with three lethal terrorist attacks on European soil, one in Paris and two in Copenhagen. The attacks targeted the secular tradition of satire and mockery, the freedom of artists to express themselves, and the Jewish community. All three attacks constitute hate crimes of the worst kind, and all were motivated by the same ideology: a radical interpretation of Islam. In order to prevent future hate crimes of a similar grave nature, we need the courage to confront the root cause of the problem, brushing aside lesser fears of being accused of 'discrimination' or 'intolerance'.

September 30<sup>th</sup> 2015 marks the tenth anniversary of the publication by the Danish newspaper *Jyllands-Posten* of the famous Mohammed cartoons. These cartoons were exploited by radical Islamists and Islamic organisations in the Middle East and Europe to instigate severe riots, and resulted in one of the greatest foreign policy and security challenges in Europe since World War II. These events should have led to more systematic and exhaustive security measures against Islamist organisations likely to instigate similar crises, but this has largely not been the case.

Even after Ahmed Akkari, one of the key instigators of the original crisis, publicly regretted his actions and warned in his book that largely all Islamic organisations are primarily political in nature, there has been no full-scale effort to monitor, infiltrate and possibly dissolve radical Islamic organisations in the OSCE participating States. This situation sets the stage for a radical escalation of hate crimes (terrorism) in the not very distant future. A renewed financial/economic crisis could become the trigger of such a destabilizing situation.

In the current state of affairs, radical organisations (primarily Islamic) are able to spread their

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intolerant, hateful and anti-democratic ideology largely with impunity. Bürgerbewegung Pax Europa considers this situation highly dangerous, and notes that it is aggravated by a severe lack of due diligence on part of our authorities. For the sake of our own security and the stability of our democracies, it is time to cut through the confusion, leave behind airy ideals of abolishing 'discrimination' and 'intolerance', and concentrate on the basic task at hand: re-establishing peaceful and secure democracies.

For, as OSCE has made clear on many occasions:

*OSCE States have agreed through their human dimension commitments that pluralistic democracy based on the rule of law is the only system of government suitable to guarantee human rights effectively.*

Bürgerbewegung Pax Europa thus recommends:

- That border and internal security be significantly strengthened by participating States.
- That participating States abstain from violating fundamental rights of their citizens, such as freedom of expression and assembly or property rights, in order to accommodate foreigners.
- That solid policing, including the use of relevant profiling, remain a top priority.
- That the quality of policing must never be impaired by a struggle against 'Discrimination'.
- That organizations seeking to destroy democracy and secular society be controlled or dissolved.

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