

# State racism in Austria

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On May 19 Imre B., a 35-year-old immigrant from Yugoslavia, was shot and killed by a police officer in the Vienna suburb of Penzing. Together with his companion Lajos S., Imre B. was stopped in his car by police officers in the course of a drug raid. Responding to the officers' demands, the two unarmed men raised their arms, whereupon Imre B. was shot down. No trace of drugs was found either in the car or on the persons of the two men.

Despite the attempts on the part of the state to hush up the affair, some details of the case became known to the public. The officer responsible for the shooting had not used his official police weapon, but rather his own gun. Because of this "mistake", as the chief of the Vienna police chose to call it, disciplinary proceedings have been undertaken against the officers.

At a reconstruction of the events, the policeman who fired was unable to explain why the shots had gone off. He was forced to withdraw a previous version of events, wherein he claimed his gun fired because the victim pushed the car door against him. Experts were able to definitely rule out such an occurrence based on the line of entry of the bullets. This did not prevent the Vienna police chiefs from allowing the officers involved in the shooting to interview witnesses to the incident—in effect, allowing the officers to investigate themselves.

Since the circumstances surrounding Imre B.'s death remained unclear, making it impossible to rule out culpable homicide or even murder, the victim's relatives decided to lodge a complaint with the Independent Administrative Senate in Vienna. At the end of August this regional court gave its verdict. It turned down the complaint.

The justification for the decision read as follows: "It can reasonably be maintained that Austrian law does not correspond to the requirements of the European Convention for the Protection of Human Rights and

Basic Freedoms in regard to the killing of a person by state organs." Thus, in black and white, the Independent Administrative Senate declared its opinion that the right to life is, in general, not sustainable and must take second place to the requirements of the state.

The death of Imre B. and the recent court decision are by no means unique. In May 1999 the Nigerian asylum seeker Markus Omafuma died while being deported from Austria. He suffocated after his arms and legs were restrained and tape was placed across his face. In this case the judge also ruled against the plaintiffs—relatives of Omafuma.

The judgements in the cases of Imre B. and Markus Omafuma provide a virtual stamp of approval for the brutal and arbitrary procedures of the police. They expose the real political conditions that exist in Austria, where a build-up of the police powers of the state have served to intensify xenophobia.

In April of this year the Austrian government, consisting of the conservative Austrian Peoples Party and the ultra-right Freedom Party, decided to considerably expand the powers of the police, military and secret services with a number of new laws. One of these laws provides a legal basis for the so-called "expanded investigation of danger." Within the framework of such an "expanded" investigation the police are empowered to observe groups prior to their undertaking any punishable offences.

The new law is so vague that virtually anybody could be deemed to be connected to groups under investigation. The selection of people to be placed under observation is entirely within the purview of the investigating police officers.

In addition, the Austrian army has been given the task of intervening in the sphere of "organised crime" and "political terrorism", under conditions where the government has laid down very broad and general criteria for defining these terms.

One example of the intensified activity of state forces is the establishment of a special intervention force (SEK) by the Vienna police. This unit, which as of the end of August was continuing to be tested out, has already been the subject of much criticism. Members of the unit accompanied a protest demonstration directed against the prestigious Vienna Opera Ball and attacked a number of demonstrators.

The head of the SEK, officer Georg Rabensteiner, had already been publicly criticised for the killing of a mentally disturbed man in the Vienna subway, as well as his harsh and unjustified actions against black Africans. Other members of the SEK are renowned for their racist remarks.

On May 3 and May 4, just a few weeks before the shooting of Imre B., two asylum seekers died—one in a youth prison, the other at a police station. Only after the cases were inadvertently made public was it announced that both victims had died from drug use. But even were this the true cause of death, the culpability of the police and prison officials would remain, since they apparently failed to provide necessary medical help.

In general there has been a marked increase in xenophobic attacks on the part of the Austrian police. In connection with drug offences, foreigners, especially blacks, are assumed to be suspicious and are often beaten, insulted and humiliated in the course of their investigation. Such attacks have increased since the carrying out of “Operation Spring” last year.

In the course of this operation, which was conducted under the previous government and its social democratic interior minister, camps for refugees and asylum seekers were searched for “drug barons”, ostensibly for the purpose of combating a “Nigerian drug Mafia.” Over 200 suspects were arrested and some of them remain in jail and under investigation. This action was accompanied by a racist campaign led by Jörg Haider's Freedom Party, which is part of the new government. Haider demanded tough action against what he termed “fake asylum seekers.”

Daily expressions of xenophobia on the part of the state, combined with an intensified attack on social reforms, provide fertile soil for the growth of the ultra-right. According to a report by the Austrian Interior Ministry for the year 1999, the number of racist and anti-Semitic incidents rose by 33.6 percent compared to the previous year.



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