

Acquittal for right-wing extremist Identitarian movement in Austrian court

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Seventeen members of the Austrian Identitarian Movement (IBÖ) were acquitted by the Graz District Court on all main charges in their case last Thursday. According to the court, the accused were not guilty of sedition, or the formation of or participation in a criminal association. Only two of the accused were convicted of minor charges. The ruling is yet to come into force.

The court's decision speaks volumes about the sharp rightward shift in Austria and throughout Europe. Seven months after the coalition government made up of the conservative Austrian People's Party (ÖVP) and the far-right Freedom Party (FPÖ) took office in Vienna, racists and neo-Nazis can present themselves to a court as "concerned citizens" and walk free despite employing methods akin to the Nazi SA.

The Identitarians are a right-wing extremist group that emerged 16 years ago in France and now maintains close connections to a network of far-right parties and militant neo-Nazi groups across Europe. They are notorious for their provocations, which often involve the intimidation of immigrants and political opponents with the use of physical violence. Two weeks ago, the Identitarians attacked a meeting of the International Youth and Students for Social Equality at the Technical University in Dresden.

In Graz, the defendants included 16 men and a woman, aged between 20 and 35. Among the accused was Martin Sellner, a leading figure within the Identitarians who has ties to leading German right-wing extremists like Björn Höcke, Andre Poggenburg and Götz Kubitschek, and also appeared at Pegida demonstrations in Dresden. The right-wing extremists were accused of spreading "radical xenophobic and Islamophobic ideology," as well as the selling of propaganda material online.

The state prosecutor based the charges on a number of stunts and attacks by the Identitarians in Austria over recent years. In April 2016, members of the Identitarians climbed onto the roof of the Green Party headquarters in Graz, unveiled a banner reading "Islamisation kills," and covered it with fake blood. In June of the same year, some of the defendants stormed into a meeting at the University of Klagenfurt, and in March 2017 others climbed on the roof of the Turkish embassy in Vienna.

The judge, who asked to remain anonymous, rejected the accusation that the Identitarians are a criminal association. His ruling states, "If an organisation's core activities are legal, it is not a criminal organisation, even if criminal offences arise out of them." Although the seditious material was "indisputable," the meaning of the content was ambiguous. The vast majority of the accused therefore had to be acquitted, according to the judge.

Cofounder Sellner provocatively portrayed himself during the trial as a harmless and blameless victim. He claimed that the founding of the Identitarians in Austria was like the formation of an NGO such as Greenpeace, and that they always stressed that they would "avoid using violence." In the period prior to the actions in question, there had been "no free debate" on Islamisation and open borders. "We have never used violence; our concern was how the debate could be started," he added.

In its ruling, the court largely adopted the defence's line of argument. The banner with the slogan "Islamisation kills," which the IBÖ displayed on the Green Party headquarters, was "not a criticism of Islam but of the Green Party's policy and radical Islamism."

The storming of the meeting at the University of Klagenfurt, which was described by witnesses as an

“invasion” and a “militant act,” was justified by the judge. Bernhard Lehofer, the Identitarians’ defence lawyer, declared that “a university has to withstand” the storming of a meeting. In the occupied lecture hall, the Identitarians portrayed an alleged stoning of an Austrian by women clad in burkas.

According to the judge, this action “referred to the dangers of political and radical Islam, and these existed in the autumn of 2016.” The only conviction he issued in this case was for one of the accused, who punched the university’s rector in the stomach after he asked him to state his name and show ID. The accused was fined €720 for causing bodily harm and duress.

In March, the initiators of a similar action were acquitted. In that case, IBÖ members disrupted a performance of Elfriede Jelinek’s “Die Schutzbefohlene” (The Wards) at the University of Vienna. The play critically examines European refugee policy. Two of the accused, including Sellner, were acquitted of a charge of bodily harm.

The only other conviction issued in the Graz trial was for an IBÖ member who spray-painted anti-immigrant slogans along 100 metres of road in the Styrian pilgrimage destination of Maria Lankowitz and veiled the icons on the roadside. “Integration = lies,” “remigration,” and “Identitarian Movement” were some of the slogans. The accused was issued a fine of €240 for property damage.

Like the ruling in the National Socialist Underground (NSU) trial in Munich two weeks ago, the Graz ruling expresses the ruling elite’s sharp shift to the right across Europe. The bourgeoisie is rearming in every country, paying for this by implementing massive attacks on the working class, and ruthlessly cracking down on refugees and immigrants. The Identitarians are implementing in concrete actions what the Austrian government and the EU are planning on a much larger scale: major attacks on refugees, the suppression of all left-wing opposition, and the return to policies that were last employed in Europe by fascist regimes in the 1930s.

An interview given by the new chief of general staff for the Austrian Army Robert Brieger last Wednesday to Morgenjournal on the broadcaster Ö1 makes clear that the Identitarians are marching in lockstep with the Graz District Court and Austria’s ruling elite. Brieger described “mass migration as the greatest current

threat” to Austria’s security. In addition, he called for a massive expansion of the defence budget by €800 million from the current €2.2 billion.

Defence lawyer Lehofer stated in defence of the right-wing extremists’ actions that “there is a parallel society here, and failed policies over 20, 30 years are responsible for this, not the Identitarians.” He defended his client, the IBÖ cofounder Sellner, by saying that his politics resembled those of Austrian Chancellor Sebastian Kurz, who has held the EU presidency since July 1. “I don’t see any great difference between what Mr. Sellner and Mr. Kurz are saying,” he stated.



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