




OPERATION LUXOR

Unravelling the myths behind Austria's
largest ever peacetime police raids

ACT-P | 
JUSTICE FOR CHILDREN VICTIMIZED BY POLICE

||| CAGE
Witness | Empower | Justice



In the ensuing weeks and months, the Austrian state exploited the tragedy to legitimise its crackdown on Muslims in Austria. A catalogue of failures on the part of the government in relation to the shootings have since come to light, and it has emerged that Interior Minister Karl Nehammer failed to act on the intelligence provided to him, in order to focus on Operation Luxor



A COMMUNITY PERSECUTED

A YEAR ON FROM OPERATION LUXOR

CAGE is an independent advocacy organisation working to empower communities impacted by the War on Terror policies worldwide. The organisation highlights and campaigns against such policies in hope to achieve a world free from oppression and injustice.

© Copyright 2021 CAGE Advocacy UK Ltd. All rights reserved.

Permission is given to duplicate this document for personal use only, as long as it is unaltered and complete. Copies may not be duplicated for commercial purposes.

-  CAGE Advocacy UK Ltd,
Premier Business Centre,
47-49 Park Royal Road,
London,
NW10 7LQ
-  +44 (0) 207 377 6700
-  contact@cage.ngo
-  www.cage.ngo


Witness | Empower | Justice

ACT-P is a community response to protect children's rights from violations by Police and government under the guise of counter terrorism in Austria.

ACT-P advocates for the protection of children's rights, the right to a fair trial and against institutional (anti-Muslim) racism and Islamophobia.

-  www.childrensrights.at


SUPPORTING CHILDREN TRAUMATISED BY POLICE



FOREWORD

FARID HAFEZ

One year following the brutal raids of the Operation Luxor that marked a peak of the anti-Muslim policies so far as perpetrated by the Austrian government, it is of utmost importance to take time to look back and revisit what has happened. I welcome this initiative of NGOs (or is it only one, CAGE?) to present a critical review of Operation Luxor, which has meanwhile been declared as illegal, while the investigations against all those affected people and One year following the brutal raids of Operation Luxor that marked a peak of the anti-Muslim policies perpetrated by the Austrian government, it is of utmost importance to take time to look back and revisit what has happened.

I welcome this initiative of CAGE and ACT-P to present a critical review of Operation Luxor, which has itself been declared unlawful - while the investigations against many of the affected Muslim people and institutions rendered suspects of 'terrorism' are still ongoing.

It is indeed telling that this initiative is coming not only from within Austria, but from outside, which reveals how dire the silencing of critique against anti-Muslim legislation and politics has become in Austria. Indeed, as an academic who has been monitoring and criticising these policies for the

past decade, I have always been aware that the present and future of these policies do not forecast the brightest future for Muslims, nor for the whole population in Austria.

But I had never thought that Muslim civil society actors as well as an academic like me would have to fear special forces breaking doors down and intimidating not only elder people, but also their children, on literally no grounds.

Operation Luxor left the Muslim community in Austria in a state of fear and impuissance, amidst a pandemic and lockdown. Following the militant attack in Vienna a week earlier, there was little space left to challenge such an operation.

The suspects were denied access to the investigative files (which was later again judged to be illegal) and thus had little to defend themselves. The suspects were left with frozen bank accounts, but had the chance to see who really stood by their side, and who hid away in silence. And apart from the personal journeys of self-knowledge and knowledge about one's community, it revealed the extent to which repressive means could be implemented by state authorities.

This should be a wake-up call, amidst larger corruption scandals that are currently unravelling within the Austrian government - where the Austrian justice system has proven to be the only check on those exercising power. It seems to me that it will still have to take some time, until larger audiences can understand that the raids that happened on November 9, 2020, are just another part of a larger puzzle in a changing political landscape, where politicians have seemingly manipulated the media and want to take hold of the justice system.

For the Austrian public, the first-year anniversary of the still-ongoing Operation Luxor could be a welcome opportunity to critically reflect upon the state of the rule of law, human rights and the role of the politics vis-à-vis Muslims in the country, especially by the current corruption-tossed political circles.

This is especially important given how much they have been influenced by media discourse that had initially reproduced state propaganda, before largely turning to critically covering this investigation after truths came to light.

Farid Hafez is a political scientist, editor of the European Islamophobia Report, and researcher at Georgetown University's The Bridge Initiative. He has published widely on Islamophobia in Europe and has been a harsh critic of Austria's recent Islam-related policies.



FOREWORD

ASIM QURESHI

Far too often, anxieties over rising 'authoritarianism' or 'illiberalism' across Europe have focused on the unvarnished oppression found in Viktor Orban's Hungary, or Andrzej Duda's Poland. Yet what we have increasingly seen is how the European 'mainstream' is coming together to drive a deeply repressive security agenda, animated by Islamophobia and the basest xenophobia.

The governments of recently-deposed Austrian Chancellor Sebastian Kurz - one-time saviour of Austria's Parliamentary rightwing - has spent the last few years making life for the country's Muslim population ever more intolerable, through a series of policies and incendiary proclamations.

It has used the Vienna attacks of November 2020 to accelerate this project of Islamophobia and securitisation, first through its 'Operation Luxor' and then with a spate of policies and interventions since.

This report is a comprehensive document on both Operation Luxor, and the architecture of oppression that the Austrian state has been developing in the name of combating 'Political Islam', such as its Documentation Centre on Political Islam.

For those that have been challenging counter-terror policies in places like Britain over recent decades, much of the framework and strategy deployed by the Kurz government will seem intimately familiar. But other developments foreshadow a darker turn in Austrian politics - validating the instincts of the country's far-right and other forces of reaction in Europe.

With Austria now attempting to mainstream and export its policy framework across Europe, is it vital that academics and activists across the continent redouble their opposition to this disturbing agenda and extend solidarity to Austria's Muslim population.

Operation Luxor: Unravelling the myths behind Austria's largest ever peacetime police raids is a vital and timely intervention on the deeply concerning developments taking place in Austria over the past year, ever since the Austrian state subjected the Muslim community to the largest post-war raids in the country's history.

I am glad that CAGE and ACT-P are able to shed a light on the situation in Austria as it unfolds before

us, and that this report gives the opportunity, for the first time, for survivors of Operation Luxor to describe their experiences one fateful night in November 2020.

Asim Qureshi is CAGE's Research Director

CONTENTS

1. INTRODUCTION	
1.1 TIMELINE	13
2. OPERATION LUXOR	
2.1 BACKGROUND: A SHOOTING IN VIENNA, GOVERNMENT COMPLICITY AND MASS ISLAMOPHOBIA	18
2.2 OPERATION LUXOR: POLICE STORM MUSLIM HOMES ACROSS AUSTRIA	19
2.3 THE AFTERMATH: STATE EMPLOYS DISTRACTION POLITICS TO AVOID ACCOUNTABILITY	26
2.4 THE PURPOSE OF OPERATION LUXOR AND THE ROLE OF EGYPT	27
2.5 THE IMPACT OF OPERATION LUXOR ON CHILDREN	35
2.6 SCAPEGOATING OF MUSLIM COMMUNITIES	41
2.7 OPERATION LUXOR MILESTONE: AUSTRIAN HIGH COURT RULES THAT RAIDS WERE UNLAWFUL AND DROPS TERROR ALLEGATIONS	46
3. INSTITUTIONS OF AUSTRIAN ISLAMOPHOBIA	
3.1 THE DOCUMENTATION CENTRE	47
3.2 THE DOCUMENTATION CENTRE'S 'EXPERTS'	49
3.3 THE ISLAM MAP	55
3.4 MEDIA RESPONSIBILITY AND COMPLICITY	57
4. POST LUXOR DEVELOPMENTS	
4.1 A CLIMATE OF HEIGHTENED ISLAMOPHOBIA	64
4.2 THE 'ANTI-TERROR BILL'	66
4.3 COUNTER EXTREMISM IN AUSTRIA	69
4.4 THE DISCURSIVE FRAMING OF MUSLIM CIVIL SOCIETY	72
4.5 COMBATTING "POLITICAL ISLAM"	74
4.6 REGULATING MUSLIM LIFE IN AUSTRIA	77
5. CONCLUSION	
5.1 RECOMMENDATIONS	80



EXECUTIVE SUMMARY

- In the early hours of 9th November 2020, the Austrian government carried out its largest wave of peacetime police raids in post-war Austria, against Muslim citizens of the country: codenamed Operation Luxor.
- The raids, overseen by Austrian Interior Minister Karl Nehammer, were carried out simultaneously at 70 homes across four federal states, mobilising 930 people including police officers, special unit agents and constitutional protection officials.
- To date, no-one affected by the raids has been charged for any offence, despite having their lives turned upside down - and Austrian courts have declared the raids unlawful, while rejecting the 'academic' rationale which formed the basis of the raids.
- Yet in the year since, legislative means to crack down on 'Political Islam' have continued apace in the country, including with the introduction of the draconian Anti-Terror Bill.
- The Austrian government's claims to be cracking down on so-called 'Political Islam' have served to create a very hostile environment for Muslims in the country, compounded by the work of the official Documentation Centre for Political Islam run by figures with connections to the far-right globally.
- This report documents developments around Operation Luxor, as the state narrative on the raids came undone, as well as maneuvers by the Austrian state over the past year. For the first time, we

document testimonies from individuals directly impacted by the raids of Operation Luxor.

- What this year-long campaign since November 2020 has obscured is deep failings on the part of the Austrian government to keep its citizens safe. It has emerged that foreign and national intelligence services, including the military, had warned the government beforehand of an expected attack on Austrian soil.

When attacks struck Vienna on 2nd November 2020, the government was reportedly too focused on preparing for Operation Luxor to deal with intelligence on this actual attack.

- Yet rather than reflect on this as a failing within the existing political system of Austria, the government has sought to grant itself greater powers to surveil and manage Muslims in the country.
- Institutions like the Documentation Centre for Political Islam, as well as its 'Islam Map' documenting the names and addresses of Muslim organisations in the country, are enabling Islamophobic attacks by the Austrian far-right with the tacit approval of the Austrian state.
- Alongside such institutions, Austrian media commentators have played a central role in legitimising the actions of the Austrian state, including with regards to Operation Luxor.

The entanglement of the Austrian media and the government was exposed in a major corruption scandal unveiled by the Office of the Public Prosecutor for Economic Affairs and Corruption, which culminated in the dramatic resignation of Sebastian Kurz as Austrian Chancellor in October 2021.

- In the context of counter-terrorism, Operation Luxor fits in with an international trend whereby the use of unilateral executive powers against those suspected of involvement in terrorism has increased, limiting judicial checks and eroding the rule of law and accountability.
- Despite facing a series of scandals and setbacks, the Austrian government seems determined to develop and export their draconian policies internationally.

This report provides a window into the realities behind the rhetoric and bluster of the Austrian government, and issues an urgent call for those inside and outside of Austria to firmly resist and oppose the country's troubling turn.

RECOMMENDATIONS

For the Austrian government:

- All open investigations against victims of the Operation Luxor raids must be dropped and the victims have to be fully vindicated by due process, especially after the higher regional court declaring Operation Luxor as unlawful.

- As demanded by Farid Hafez Support Committee, which consists of almost 350 experts we urge the political leadership in Austria, especially the Minister of Interior and the Minister of Justice, to appoint an independent investigative commission to investigate Operation Luxor and issue its findings¹.
- The Documentation Centre for Political Islam, which is financed and led by the government, should be closed.
- An official, formal public state commitment to investigate Operation Luxor, especially the human and children's rights violations and the violations of the right to a fair trial.
- Independent non-government external authority must be established to hold police misconduct to account
- To reject the draconian Anti-Terror Bill, and cease exporting its divisive campaign against 'Political Islam'.
- The resignation of public prosecutor Mag. Winklhofer and the dismissal of Documentation Centre 'experts' Heiko Heinisch & Nina Scholz, all of whom materially contributed to Operation Luxor.
- Stop harassing and terrorising its Muslim minorities and allow them to fully exercise their freedom of religion, freedom of opinion and freedom of speech as much as everybody else in the country.
- Support and fund psychosocial support for the children and adults impacted by Operation Luxor.
- Muslims are the only religious group in Austria where the intelligence service regularly meets with community leaders. We call for an end of the extraordinary means and state surveillance that the Austrian muslim community is currently subject to.

For civil society and NGOs

- Civil society and NGOs should extend immediate solidarity and support to those individuals and organisations impacted by Operation Luxor in their struggle for accountability and justice. In doing so, they should avoid legitimising state-sponsored binaries between 'good Muslims' and 'bad Islamists'.
- Oppose the Anti-Terror Bill as repressive and Islamophobic, and opening the door for a broader crack down across Austrian society. If it passes into law, Austrian civil society should campaign for its repeal.
- Organisations like CAGE² alongside UN Human Rights Rapporteurs³ have long documented the use of flawed 'science' in legitimising repressive 'counter-extremism' policies. Civil Society organisations in Austria should educate themselves, inform others and campaign forcefully against the counter-extremism policies now taking root in the country.
- Campaign for the closure of the Documentation Centre of Political Islam and its projects, including the Islam Map
- Challenge Austrian media and hold them to journalistic standards and ethics to stem the worrying trend of media-disseminated false information, of the media whipping up Islamophobia or of the media uncritically promoting the government line.

1 <https://www.supporthafez.com/open-letter/>

2 <https://www.cage.ngo/the-science-of-pre-crime>

3 https://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/43/46

For targeted communities in Austria

- Extend solidarity and support to those individuals and organisations impacted by Operation Luxor - the ostracisation of those targeted by such campaigns and policies can often serve as a compound in justice.
- To ensure that community leaders do not continue to serve as 'middlemen' with intelligence services or contribute to the securitisation of Muslim communities.
Mosque and community leaders should cease their practice of regular engagement with Austrian security services, which is not expected of other faith communities.
- Defend the right of Muslims in Austria to practice political freedoms, and challenge censorship of Islamic expression - rather than accepting 'second class citizen' status.
- Oppose the Anti-Terror Bill. If it passes into law, campaign for its repeal.
- Refuse the Austrian state's agenda criminalising Muslim communities, and nourish those networks within the community.



1.1 TIMELINE

🕒 JULY 2020

15 July: Documentation Centre for Political Islam established

In the early hours of 9th November 2020, the Austrian government carried out its largest wave of peacetime police raids in post-war Austria, against Muslim citizens of the country: codenamed

🕒 NOVEMBER 2020

2 November: Vienna attacks

ISIS sympathiser Kujtim Fejzullai kills 4 people and injures 23 in a shooting spree in Vienna, on the last evening before a COVID-19 lockdown was due to commence in Austria. Fejzullai, who was known to Austrian intelligence services, was shot dead at the scene by police.

After 2 November: Post-attack crackdown

Following the 2nd November attack, the Austrian government announces the closure of a mosque in the course of the investigations. The state-approved Islamic Religious Community (IGGÖ - officially representing Muslims in Austria) approves the government's decision and closes down the mosque, leading to the mosque itself turning to the court on its own.

9 November: Operation Luxor

Operation Luxor is carried out simultaneously at circa 70 homes across four Austrian federal states. It was carried out at 5am in a coordinated action mobilising 930 people including police officers, special unit agents and constitutional protection officials.

Luxor was the largest campaign of police raids in Austria since 1945, and targets exclusively Muslim citizens of Austria. Despite being framed in relation to the 2nd November attacks, it soon emerges that they had nothing to do with the attacks.

11 November: Anti-terror package announced

Austrian Chancellor Sebastian Kurz proposes the "Anti-terror package".

The package initially included the following

- 1) Making a criminal offence of 'Political Islam';
- 2) Facilitating the closure of mosques;
- 3) Powers to strip citizenship
- 4) Preventive detention;
- 5) Electronic ankle tagging

13 November: 'Joint statement by the EU home affairs ministers on the recent terrorist attacks in Europe'

The EU Council adopt a joint statement⁴ outlining a pan-European integrated approach to counter-terrorism, pushed by Austrian Chancellor Sebastian Kurz and French President Emmanuel Macron as a pan-European 'United Front' against 'Political Islam' or 'Islamism';

Proposals in the statement include

- Strengthening border control and deportation powers for member states to tackle 'extremists';
- Tougher regulation of social media to counter 'online radicalisation';
- The restriction of public funding for groups deemed to have violated 'the democratic order and values of European Member States';
- crackdowns on overseas funding for civil and religious organisations;
- undermining encryption and increasing cross-state data sharing.

🕒 DECEMBER 2020

11 December: Hijab ban overturned

Hijab ban for girls in primary school is overturned by the constitutional court in Austria, on the basis of selectively singling out an individual faith group for targeting.

16 December: Anti-Terror Bill expanded

Proposals in the Anti-terror package are refined and expanded.

In light of the ruling on the school hijab ban, the criminal offence for "Political Islam" is revised into the more generic "criminal offence against religious motivated extremism".

Integration minister Raab stressed that the revised offence was, however, still about fighting "Political Islam".

11 December: Hijab ban overturned

Hijab ban for girls in primary school is overturned by the constitutional court in Austria, on the basis of selectively singling out an individual faith group for targeting.

4 Council of the EU (2020): Joint statement by the EU home affairs ministers on the recent terrorist attacks in Europe. <https://www.consilium.europa.eu/en/press/press-releases/2020/11/13/joint-statement-by-the-eu-home-affairs-ministers-on-the-recent-terrorist-attacks-in-europe/> 02.02.2021

16 December: Anti-Terror Bill expanded

Proposals in the Anti-terror package are refined and expanded.

In light of the ruling on the school hijab ban, the criminal offence for "Political Islam" is revised into the more generic "criminal offence against religious motivated extremism".

Integration minister Raab stressed that the revised offence was, however, still about fighting "Political Islam".

🕒 JANUARY 2021

22 January: Police files

The victims of Operation Luxor and their lawyers are given access to police files on them and accusations against them.

🕒 FEBRUARY 2021

10 February: Commission of Inquiry report

Commission of Inquiry publishes final report stating that interior minister Karl Nehammer had been well informed about the attack on 2nd November beforehand - yet chose to prioritise Operation Luxor instead .

16 February: Interior Minister condemned

Since 16th February 2021 Austria has faced several lawsuits over official errors regarding the attack on 2nd November.

The BVT (Austrian intelligence/policing agency), which is under the direction of Nehammer stated they were 'too busy' preparing for Operation Luxor to focus on the intelligence.

17 February: Austria expanding cross-border collaboration

Following talks between Integration Minister Susanne Raab and European counterparts, she announces plans to work more closely with them against Political Islam.

With her Swedish counterpart, she also discussed ways to take action at the European level against extremism and the dangerous ideology of Political Islam. They also discussed the tasks of the Documentation Centre for Political Islam

24 February: Parliamentary question

In response to a parliamentary question about Operation Luxor, Nehammer states that "the success of the Operation was also recognised internationally, as evidenced by numerous congratulations from, among others, counterparts and representatives from Germany and Israel⁵."

5 Republik Österreich - Parlament (2021): Hintergründe der Aktion "Ramses/Luxor" gegen die Muslimbruderschaft am 9. November 2020. https://www.parlament.gv.at/PAKT/VHG/XXVII/AB/AB_04744/index.shtml 02.02.2021

🕒 MARCH 2021

8 March: Constitutional court cease dissolution of mosque

Austrian constitutional court ruled that the closure of the mosque is not lawful due to there being no evidence that the mosque had called for "jihad". Dissolution of the mosque is cancelled.

15 March Austrian groups issue joint open letter

Austrian rights group Assisting Children Traumatized by Police (ACT-P) issue joint open letter, signed by leading Austrian rights groups, to Minister Nehammer and Vice-Chancellor Werner Kogler expressing deep concerns over Operation Luxor, identifying it as a state-sponsored racist and Islamophobic campaign.⁶

🕒 MAY 2021

7 May: Anti-Terror Bill re-introduced

The Anti-Terror Bill is spontaneously re-introduced via a press conference, after falling off the government agenda briefly.

The Act is introduced with complete lack of transparency, with no legal texts initially being made available.

15 May Christchurch summit

Kurz uses the international summit marking the second anniversary of the Christchurch mosque attack in New Zealand to promote his government's "decisive action against Political Islam"⁷

29 May: Islam Map introduced

The Documentation Centre together with minister Raab introduce the so called "Islam map" via a Press Conference. The map charted over 600 Muslim and 'Muslim-marked' organisations, associations, charities and identified their locations, including publishing private addresses, effectively marking out Austria's Muslims for attack.

🕒 JUNE 2021

3 June: Islam map temporarily withdrawn

Islam Map was temporarily taken offline following condemnations and numerous legal challenges.

15 June: Islam map re-published

17 June: BVT official sue senior officers

Austrian BVT officials (BVT) investigate and sue senior officers after the seniors claim that Luxor raids were 'politically motivated'. Since then the Federal Bureau of Anti-Corruption has been investigating the case. It was revealed that even minors were targeted on a list of the BVT.

⁶ ACT-P (2021): Open Letter: Seeking answers in regard to concerns with the preparation and commission of Operation Luxor (09/11/2020).

⁷ <https://www.childrensrights.at/open-letter> , 24.08.2021.

Thalhammer, A. (2021): Operation Luxor: Razzia laut OLG Graz rechtswidrig.

🕒 JULY 2021

7 July: Revised Islam Law

The reformation of the Islam law, which is part of the Anti-Terror Bill passed by the Austrian National Parliament, is passed with wide support by Austrian parties. For the first time in Austria's history, a religious law is passed against the will of the affected religious community.

20 July: European Commission publish report on Rule of law

Report notes its concerns about the steady erosion of the Rule of Law in Austria, explicitly stating: "Investigations into high level political corruption have intensified following recent political scandals".

🕒 AUGUST 2021

3 August: Court vindicates targets of Operation Luxor raids

Higher Regional Court of Graz (OLG) declare the police's actions during Operation Luxor, as unlawful⁸. The judgment also notes, among a series of violations conducted by the state in this operation, that the manner in which the cases were managed violated the right to a fair trial.

13 August: Survivor of Operations Luxor imprisoned in Egypt

One individual targeted by Operation Luxor is detained and possibly tortured in Egypt after going to visit family, suggesting complicity between Austrian and Egyptian security services.

🕒 OCTOBER 2021

11 October: Sebastian Kurz resigns as Chancellor

Sebastian Kurz resigns as Austrian Chancellor following police raids of government offices and his party's HQ, during a high-profile police probe into alleged corruption, bribery and breach of trust. He remains the chairman of the ÖVP party.

28 October: International conference on the fight against "Political Islam" in Vienna

Integration minister Susanne Raab gathers over 100 international "experts" to Vienna and organises an international conference with the title "Vienna Forum on Countering Segregation and Extremism in the Context of Integration".

🕒 NOVEMBER 2021

2 November: Court drops terror allegations of one target of Operation Luxor

After one year continuously fighting for justice, the court drops allegations of an Imam, who is also a family father, whose children have been traumatised as well during the raids and hindered from participating in online-schooling.

⁸ <https://www.diepresse.com/6016465/operation-luxor-razzia-laut-olg-graz-rechtswidrig> 02.02.2021

ORF (2021): Ermittlungen gegen Wiener Imam eingestellt. <https://wien.orf.at/stories/3128287/> 02.02.2021



2.

OPERATION LUXOR

2.1 BACKGROUND: A SHOOTING IN VIENNA, GOVERNMENT COMPLICITY AND MASS ISLAMOPHOBIA

On 2nd November 2020, ISIS sympathiser Kujtim Fejzullai launched a mass shooting in Vienna, Austria's capital. Four people were killed and 23 were left injured. Fejzullai was shot dead by the police at the scene.

In the ensuing weeks and months, the Austrian state exploited the tragedy to legitimise its crack-down on Muslims in Austria. A catalogue of failures on the part of the government in relation to the shootings have since come to light, and it has emerged that Interior Minister Karl Nehammer failed to act on the intelligence provided to him, in

order to focus on Operation Luxor¹⁰.

Despite being subsequently proven to have been entirely unrelated to the attack, the sweeping

Operation Luxor raids carried out a week after it were portrayed by politicians as a response to them, while legislative approaches to crack down on 'Political Islam' have continued apace in the country.

In the aftermath of the shootings, the Austrian media has played a key role in disseminating Islamophobic rhetoric, including by using Islamophobic and discriminatory language to describe the 2nd November attack and to legitimise the government's anti-Muslim policies¹¹.

A few days after the attack in Austria, around 60 Islamophobic hate-crime attacks on Muslims were

10 Al-Izzedin, N. (2021): Egyptian and Israeli complicity: The unfolding of a major crackdown on Muslims in Vienna. <https://www.cage.ngo/egyptian-and-israeli-complicity-the-unfolding-of-a-major-crackdown-on-muslims-in-vienna> 02.02.2021

11 For example:

Siffert, J. (2020): Terror in Wien: Was wir wissen - und was nicht. 02.02.2021

<https://kurier.at/chronik/oesterreich/anschlag-in-wien-was-wir-wissen-und-was-nicht/401085240>

Kronen Zeitung (2020): Anschlag in Wien: U-Haft für zwei Verdächtige. <https://www.krone.at/2303420> 02.02.2021

reported¹² alongside a government-led crackdown. For example, the apartment door of a Muslim family was plastered with newspaper articles from tabloid media about the attack¹³, two mosques were closed down by the government and the chilling Anti-Terror Bill, described below, was introduced.

Partly obscured by the deeply politicised response to the attacks were some more uncomfortable political realities for the Austrian state. Soon, national news reported that foreign and national intelligence services, including the military, had warned the government of the attacker as well. These warnings had included direct communications with the Interior Minister¹⁴ Karl Nehammer who is responsible for the Federal Office for the Protection of the Constitution and Combating Terrorism (BVT; Austrian intelligence/policing agency).

In the words of the opposition Social Democratic Party's (SPÖ) security spokesman Reinhold Einwallner, the government's priorities had been skewed by Operation Luxor: "A minister cannot, of course, be held responsible for a terrorist attack," Einwallner says "But he is responsible for setting priorities, which is the political responsibility"¹⁵.

In February 2021 the Commission of Inquiry into the 2nd November events published its final report, explicitly stating that Nehammer had been very well informed about the attack on 2nd November beforehand. According to the inquiry, Nehammer had been informed about Fejzullai's network meetings in Vienna, which were key for preparing

his attack.

The mother of a young woman killed by Fejzullai on 2nd November also filed a lawsuit, accusing the authorities of failure in prevention and demanding compensation of nearly €120,000¹⁶.

In addition, despite representing a failure of existing state institutions, the 2nd November attacks have spurred a power grab by the ÖVP-led Coalition government, through the introduction of sweeping 'counter-terror' laws which are set to subject Muslim communities in Austria to deeply intrusive and authoritarian control.

Meanwhile the Operation Luxor raids on 9th November, falsely depicted as a response to the attacks, have unveiled the deep ties of complicity between the Austrian state and its allies - namely Egypt - under the guise of 'countering terrorism'.

2.2 OPERATION LUXOR: POLICE STORM MUSLIM HOMES ACROSS AUSTRIA

On November 9th 2020, a week after the Vienna attacks, the largest peacetime police raids in Austria since 1945 were carried out against Muslims in Austria - launched on the pretense of cracking down on members of the Muslim Brotherhood in Austria.

Operation Luxor was carried out at 5am simultaneously at circa 70 homes across four Austrian federal states, in a coordinated action mobilising 930 people including police officers, special unit agents and constitutional protection officials.

12 Der Standard (2020): Über 60 Meldungen über antimuslimischen Rassismus seit Wien-Anschlag. <https://www.derstandard.at/story/2000121679402/ueber-60-meldungen-ueber-antimuslimischen-rassismus-seit-wien-anschlag> 02.02.2021

13 ibid

14 Equivalent to the Home Secretary

15 Gaigg, V.; Marchart, M.; Scherndl, G.; Schmid F. (2021): Verurteilter Jihadist vermittelte Terrorwaffe: U-Kommissionsleiterin kritisiert Ermittler scharf. <https://www.derstandard.at/story/2000128988133/verurteilter-jihadist-vermittelte-terrorwaffe-u-kommissionsleiterin-kritisiert-ermittler-scharf> 02.02.2021

16 Gaigg, V. (2021): Prozess nach Terroranschlag: Keine Einigung zwischen Opfer und Republik. <https://www.derstandard.at/story/2000126695889/terroranschlag-in-wien-prozess-um-schadenersatz-eroeffnet> 02.02.2021

The raids were highly militarised, with special forces, including the WEGA (SWAT forces), Cobra, Air Police, various observation units, explosives units and sniffer dogs all participating. Also present during the raids was Austria's Interior Minister, Karl Nehammer.

No arrests were made, despite extremely aggressive interrogations.¹⁷ Money and assets were confiscated, while bank accounts were frozen. In some cases, it was reported that even children's pocket money had been taken by police. Devices, including those owned by children for school and remote learning were confiscated, affecting their performance in school and even leading some to perform badly and fail studies.

After the trauma of the raids, not a single shred of evidence has been put forward to charge or arrest any one of those impacted by Operation Luxor¹⁸. What is clear, however, is that the raids had absolutely nothing to do with the Vienna attacks of November 2nd.

To compound matters, a few months after the raids the BVT's own officials sued BVT senior members for their accusation that Operation Luxor had been a politically-motivated campaign - suggesting divisions within the ranks of the intelligence agencies¹⁹.

Those accused and their lawyers were not granted insight into the files on them for almost three months, violating one of the most fundamental

human rights - the right to a fair trial. In August 2021 the higher court in Austria, when declaring the raids as unlawful, underlined the violations of the right to a fair trial - and vindicated those impacted by it.

In the context of counter-terrorism, Operation Luxor fits in with an international trend whereby the use of unilateral executive powers against those described as being involved in 'terrorism' - often simply on the basis of being politically active Muslims - has increased, limiting judicial checks and eroding the rule of law and accountability.²⁰

The only major actor absent during the raids was the Ombudsman which, under 148(a)(3) of the Austrian Federal Constitution Act has a statutory provision to observe and monitor the conduct of the bodies authorised to exercise direct administrative command and coercive power, including large-scale raids²¹.

This raises serious questions as to why Austria's main human rights body was not informed nor invited to observe the raids - and was therefore precluded from carrying out its sole obligation - while a government minister was present at the raids.

The extent of the human and children's rights violations remains worryingly unclear. But it has since come to light that the impacted victims had been subjected to extensive surveillance for one to one-and-a-half years prior to the raids²².

17 ORF (2020): Großrazzia gegen Muslimbrüder. <https://orf.at/stories/3189079/> , 24.08.2021.

18 Republik Österreich - Parlament (2021): Hintergründe der Aktion "Ramses/Luxor" gegen die Muslimbruderschaft am 9. November 2020.

https://www.parlament.gv.at/PAKT/VHG/XXVII/AB/AB_04744/index.shtml 02.02.2021

19 ACT-P (2021): Press release: Austrian officials investigate senior officers after revelations that Luxor raids which traumatised Muslim children were 'politically motivated'. <https://www.childrensrights.at/press-release> 02.02.2021

20 Choudhury, T. (2021): Suspicion, Discrimination and Surveillance: The impact of counter-terrorism law and policy on racialised groups at risk of racism in Europe. Project Report. European Network Against Racism, p. 29.

21 ACT-P (2021): Open Letter: Seeking answers in regard to concerns with the preparation and commission of Operation Luxor (09/11/2020).

<https://www.childrensrights.at/open-letter> , 24.08.2021.

22 Reibenwein, M. (2021): Operation Luxor: Planung für die Razzien dauerte 1,5 Jahre. <https://kurier.at/chronik/oesterreich/operation-luxor-planung-fuer-die-razzien-dauerte-15-jahre/401199163> , 27.08.2021.

Following what amounted to over 21,000 hours of surveillance, police authorities were well aware that those targeted were not in possession of weapons, nor any other dangerous objects at home, Police were also aware of the presence of children and babies in the family homes.²³

Fundamental and basic human rights such as the right to a fair trial and protection of children's rights were forcefully and deliberately denied from innocent citizens. It should be stressed that under UN rights conventions these two rights are granted to

everybody in a healthy, well-functioning democracy, irrespective of what a person is charged with - or in the case of Operation Luxor, are merely accused of.

Fundamental and basic human rights such as the right to a fair trial and protection of children's rights were forcefully and deliberately denied from innocent citizens. It should be stressed that under UN rights conventions these two rights are granted to everybody in a healthy, well-functioning democracy, irrespective of what a person is charged with - or in the case of Operation Luxor, are merely accused of.

In the ensuing weeks and months, the Austrian state exploited the tragedy to legitimise its crackdown on Muslims in Austria. A catalogue of failures on the part of the government in relation to the shootings have since come to light, and it has emerged that Interior Minister Karl Nehammer failed to act on the intelligence provided to him, in order to focus on Operation Luxor .

After the trauma of the raids, not a single shred of evidence has been put forward to charge or arrest any one of those impacted by Operation Luxor . What is clear, however, is that the raids had absolutely nothing to do with the Vienna attacks of November 2nd.

23 Al-Izzedin, N. (2021): Police brutality against Muslim children under the pretext of counter-terrorism in Austria. <https://www.cage.ngo/police-brutality-against-muslim-children-under-the-pretext-of-counter-terrorism-in-austria> , 27.08.2021.

Case: “I saw my mother begging police to let her get her baby”

When Fatima first learnt about police raids years earlier, her father had warned her that they may one day come for them, since the Islamophobic agenda the government was following was becoming very explicit.

On the day of the attack in Vienna on November 2nd, this was a thought that caught up with Fatima. Islamophobia would increase in Austria - of that much she was certain. Would the police also use it as a pretense to raid her home now?

The day before the raid her brother had had a birthday gathering at the home, with family and relatives. Fatima described that period just before the raid as very surreal - a world removed from what was to follow.

“There were 30 police officers in the house”

The first thing she remembered of the day of the raid was her mum entering saying that “the police are here”. At the other end of the hallway were officers with bulletproof vests and military-style guns pointed at Fatima .

Everything felt like it was moving in slow motion: she could tell they were shouting, but couldn't hear what they were shouting about. In hindsight, what she found most perplexing was how focused she was in the midst of chaos.

She heard her mother begging the police to let her go back into the bedroom to “get her baby”. She didn't realise that the gun was pointed at her mother; was just waiting at that moment for them to pull the trigger and fire a shot.

There were a total of 30 police in the house, including special forces, spread out across the living room - with a further 20 stationed outside, barricading the street

Fatima was annoyed that people were constantly stepping on the prayer mat. It annoyed Fatima so much that they apologised to her for it - yet the primary problem remained: that they were there in the first place. Then the policemen picked up the prayer rug because she didn't stop talking to them about it.

To distract her younger brother, Fatima started talking about a cartoon -

but he soon saw through her effort and began crying. "Are our parents going to be arrested now?" he asked. When Fatima confessed that she didn't know, he responded by asking "if they take our parents away, will I have to go to the children's home?" .

It was then that Fatima realised that her brother had been contemplating this for a while, perhaps before the raid. She comforted him, saying "No, for sure not, we have many relatives who are there" and that "no matter what, we will remain a family". It was at this point that he calmed down and stopped crying.

Stealing dignity

The raiding officers afforded the family little dignity.

When Fatima was escorted to the bathroom by a policewoman, the policewoman turned away but listened while she was in the bathroom. Fatima felt like a guard dog was accompanying her the whole time.

During the raid officers left the front door open - in the dead of winter - to the point that Fatima found herself both shivering and sweating. She wondered to herself whether it was an intentional psychological tactic to leave them disoriented.

After a while Fatima's father asked "Can my kids go put some clothes on". The children were only allowed to go to change one-by-one, accompanied by police officers.

When Fatima went to her room the accompanying policewoman seemed bemused at how normal the room was. This angered Fatima, who up to that point had kept communication with the officers at a minimum - to avoid 'giving them a reason' to take action against her.

Fatima spoke to the officer's confusion: "This is a totally normal room, right?", she asked caustically. The woman nodded in surprise, at which point Fatima's pent-up frustration burst out: She had come from Bosnia when she was 5 years old and since then had been wracked by an identity crisis, fuelled by Austria's Islamophobic politics, to the point that she kept asking herself alternately "Do I belong here? Am I Austrian?".

Fatima was enraged. "I'm from here, my friends are here, I live here and I'm trying to live my life here like every other person here - after all that you storm into our house in the middle of the night and why? Because you think you're going to find something, I don't know what. And you

don't even bother enough to try to ask for the things you are apparently searching for.”

Following this, the woman went quiet, and Fatima started crying.

After all they had put her through, she was expected to feel as if she belonged in Austria, as if things were ‘normal’ for her as a Muslim in Austria.

Steeling herself for another raid

The officers left Fatima’s father’s study upturned - he was learning Arabic, and this was a matter of great interest for the officers. They bagged and photographed everything in the room, alongside all the mobile phones in the house.

Then her father had to go to the police station for a ten-hour long interrogation, and the family were left clueless about his fate. It was only after the officers left that all Fatima’s fatigue and sadness came crashing down on her. She felt as if a tank had run over her.

Fatima’s relatives and community were supportive of her and the family, which Fatima describes as being crucial, especially right after the home invasion.

Looking back, she was so grateful that she was not alone. The silence and air inside was so suffocating and stifling, she didn't know what to do, she could do nothing at that moment. She was grateful that relatives were there, that they talked. She slept in the living room with the voices in the background. It gave her comfort that she was not alone.

For the first night after the raid, she could not go to her room or sleep in it. She slept in the living room and was haunted by vivid nightmares, to the point that she kept herself awake because she kept hearing voices and footsteps.

Fatima was on edge and exhausted from lack of sleep, and she convinced herself that there would be a second raid.

She went into the living room and waited for the second raid to happen until 3 or 4 in the morning. It was at that point that she realised they were not coming, and fell asleep - for a few hours, but no more.

It took a long time until she could sleep in her own room. She has then

slept on the couch of the 12 year-old brother.

One more thing has stayed with her from the raid: a sense of panic whenever she sees police on the street. It has improved somewhat since, but was intense in the first months after the raid.

Whenever a policeman approached her on the street or near the house, she started crying and couldn't breathe. And it didn't stop until the policemen left.

2.3 THE AFTERMATH: STATE EMPLOYS DISTRACTION POLITICS TO AVOID ACCOUNTABILITY

Given the timeframe of Operation Luxor, which was carried out exactly one week after the Vienna attacks on November 2nd, Austrian Interior Minister Nehammer exploited the attack for political gains and used it to enable serious encroachments and infringements on fundamental human rights that was part of the operation.

This was done by constantly linking these two events in his speeches²⁴: Nehammer disingenuously projected Operation Luxor - which was planned long before the November attack occurred, and was completely separate from it - as being a state response to the attacks. Nehammer even contradicted himself; he is also recorded officially conceding these two events were unconnected to each other.²⁵

On the very next day after the 2nd November attack, Austrian mainstream newspapers reported that Slovakian security offices had warned Austrian authorities of the 2nd November perpetrator, a warning that was left ignored.

This was then also confirmed in December 2020 - that even authorities within the Austrian military had warned the government of the attacker as well. The Austrian army and intelligence services, who were responsible for observing the early release of the perpetrator Kujtim Fejzullai on probation,

reported their suspicions to the Interior Minister Nehammer, who is responsible for the Federal Office for the Protection of the Constitution and Combating Terrorism (BVT). It was revealed that Nehammer had failed to act upon these suspicions on time.²⁶

Terror arrests, especially raids, often attract media attention and serve as a visible indicator that something is 'being done'.²⁷ Even after Nehammer's failure to prevent the attack, he instrumentalised the attack to justify Operation Luxor and his presence during the raids. After the raids, Austria's Interior Minister Nehammer proudly revealed at a press conference that he was "present during the action taken against Political Islam" - i.e. Operation Luxor - and praised the supposedly good investigative work²⁸.

Nehammer deliberately used the same terminology when describing the perpetrator of the November 2nd attacks and the victims and survivors of Operation Luxor raids as being "terrorists".²⁹ This ensured that Operation Luxor, its events, its narrative and its human rights abuses received little to no outcry, even from civil society and social movements in Austria.

His deception gradually unraveled, however.

On the 10th February 2021, the Commission of Inquiry published a final report stating very clearly that Nehammer was well informed about the attack on 2nd November beforehand. He was made aware

24 Press conference (2020): ZIB Spezial: Anschlag in der Wiener Innenstadt Razzien bei Muslimbruderschaft. https://www.youtube.com/watch?v=KII_DM-riP4 02.02.2021

25 ORF (2020): Großrazzia gegen Muslimbrüder. <https://orf.at/stories/3189079/>, 24.08.2021.

26 Der Standard (2020b): Moschee und Verein werden nach Anschlag geschlossen, acht Männer in U-Haft. <https://www.derstandard.at/story/2000121496755/anschlag-in-wienschliessung-Von-radikalen-moscheen-angeordnet>, 11.08.2021.

27 CAGE (2020): 20 Years of TACT: Justice Under Threat Executive Summary. <https://www.cage.ngo/20-years-of-tact-justice-under-threat-executive-summary>

28 Thalhammer, A. (2021): Operation Luxor: Razzia laut OLG Graz rechtswidrig. <https://www.diepresse.com/6016465/operation-luxor-razzia-laut-olg-graz-rechtswidrig> 02.02.2021

29 Press conference (2020): ZIB Spezial: Anschlag in der Wiener Innenstadt Razzien bei Muslimbruderschaft. https://www.youtube.com/watch?v=KII_DM-riP4 02.02.2021

of the perpetrator's network meetings in Vienna, which were key for preparing for the attack on 2nd November.

Important passages in the report were redacted when presented to the public.

The redacted text reads:

'The BVT has been aware of this terror cell and the danger it poses for quite some time. On the one hand, this results from a meeting between representatives of the German Federal Police and representatives of the BVT one day before the observation (15.7.2020),

On the other hand, the BVT reported in a (later) letter to the HNA (military intelligence services) that

'at least since the beginning of June 2020" there have been indications of "structures in Kosovo linked to the so-called 'Islamic State' which, among other things, are supposed to represent a 'gateway to Europe'" and whose participants would only wait for a command from a higher leadership level of the 'IS - [external office]'" in order to "become operationally active"³⁰.

Since 16th February 2021 the Austrian state has faced several lawsuits over official errors regarding the Vienna attack. The mother of a young woman who was murdered by the attacker has filed a lawsuit against the Republic on the accusation that

"The authorities could have prevented the attack from taking place by acting accordingly. Only due to omitted and wrong actions of the BVT and the

LVT (...) [the attacker] was able to commit the assassination on [2nd November 2020]".

When faced with key questions, the BVT stated that they had been too busy with preparing for Operation Luxor to focus on the intelligence. The official response to the complaint was what the investigative commission had already stated in its report: The threat emanating from the 2nd November attack was regarded as less significant and less dangerous than the individuals targeted by Operation Luxor - this despite the targeted individuals not having since been found guilty of any crime.

However, instead of authorities being held accountable for such grave failures, the attack in Vienna on November 2, 2020, was manipulated for the purposes of fear-mongering and the creation of a suspect community - and has served to validate Operation Luxor, even when they were completely separate operations³¹.

2.4 THE PURPOSE OF OPERATION LUXOR AND THE ROLE OF EGYPT

Given the non-existent relationship between the Vienna attack and Operation Luxor - as underlined by criminal justice expert Ingeborg Zerbes³², who lead on the commission of inquiry and its official report on the 2nd November attack - the question then arises: what was the actual purpose of Operation Luxor?

30 ZackZack (2021): Nehammer schwärzt und vertuscht: Vor Endbericht der U-Kommission zum Terroranschlag. <https://zackzack.at/2021/02/09/nehammer-schwaerzt-und-vertuscht-vor-endbericht-der-u-kommission-zum-terroranschlag/> 02.02.2021

31 Koalition gegen antimuslimischen Rassismus (2021): Partizipation ist kein demokratisches Scheinelement, sondern ein Menschenrecht. https://diekoalition.at/assets/pdf/Koalition%20gegen%20Antimuslimischen%20Rassismus_Partizipation%20ist%20kein%20de-mokratisches%20Scheinelement%2C%20sondern%20ein%20Menschenrecht.pdf , 11.08.2021.

32 Gaigg, V.; Marchart, M.; Scherndl, G.; Schmid F. (2021): Verurteilter Jihadist vermittelte Terrorwaffe: U-Kommission sleiterin kritisiert Ermittler scharf. <https://www.derstandard.at/story/2000128988133/verurteilter-jihadist-vermittelte-terrorwaffe-u-kommissionsleiterin-kritisiert-ermittler-scharf> 02.02.2021

What has emerged is a story of deep complicity between the Austrian state and Egypt³³.

Raids on alleged members of the Muslim Brotherhood served the purpose of cracking down on vocal Muslim activists in Austria. But it also signalled support for the Egyptian state in its campaign of brutality against domestic opposition.

According to the case files on Operation Luxor, the reasoning behind the terror raids in Austria stemmed from the accusation that the target individuals had been trying to bring about the fall of the Egyptian regime³⁴ - therefore the Austrian state mobilised their own police apparatus to support Egypt in their fight against the Muslim Brotherhood.

This underscores the deeply problematic fact that Austria and Egypt are aligning in their fight against what they call "terrorism" - while the latter is governed by a brutal leader responsible for mass crimes against his people.

In the search warrant issued by the Graz city public prosecutor's office, the suspicion of 'terrorism' is predicated on the declaration of the Muslim Brotherhood as a whole to be a terrorist organisation, much like Egypt's Al Sisi did after the military coup in 2013 - and therefore implicating any groups deemed to be linked to the Muslim Brotherhood too.

In the search warrant for a house raid, the following is stated:

"Regarding the Muslim Brotherhood, the Hasm movement [the Egyptian group Harakat Sawa'd Misr] and Hamas as well as the persons, associations and societies designated by these organizations, reference is made to the previous reports of the State Office for Constitutional Protection and Counter Terrorism Styria as well as reference to the expert opinion (Part 1) by the expert Mag. Heiko Heinisch and Dipl.pol. Nina Scholz. In their report, the experts responded to the questions asked in the report about the formation, organization, field of activity and the goals of the Muslim Brotherhood".³⁵

No concrete evidence after one and a half year in depth surveillance and raids were put forward for any of the accusation. So a conspiracy theory was invoked instead.

The report by Heiko Heinisch and Nina Scholz - members of Austria's official Documentation Centre of Political Islam, (detailed later) - mentioned in the warrants was a deeply ideological exercise. It posited that almost all Muslim institutions belong to the Muslim Brotherhood, whose ambition it alleged is to infiltrate society as well as take over the world.³⁶

The conspiracy theory that the Brotherhood is trying to completely infiltrate institutions and

33 Izzedin N. (2021): Egyptian and Israeli complicity: The unfolding of a major crackdown on Muslims in Vienna. <https://www.cage.ngo/egyptian-and-israeli-complicity-the-unfolding-of-a-major-crackdown-on-muslims-in-vienna> 02.02.2021

34 Thalhammer, A. (2021): Von der Grazer Moschee in Kairos Gefängnis. <https://www.diepresse.com/6020724/von-der-grazer-mos-chee-in-kairos-gefangnis> 02.02.2021

35 Original: "Zur Muslimbruderschaft, der Hasm Bewegung und der HAMAS sowie den von diesen organisationen bestimmten personen, vereinen und Gesellschaften wird auf die bisherigen Berichte des Landesamtes für Verfassungsschutz und Terrorismusbekämpfung steiermark und das Gutachten (Teil 1) der sachverständigen Mag. Heiko Heinisch und Dipl. pol. Nina Scholz verwiesen. In ihrem Gutachten nahmen die sachverständigen zu den ihnen im Gutachtensauftrag gestellten Fragen über die Entstehung, die organisation, den Tätigkeitsbereich und die ziele der Muslimbruderschaft Stellung".

36 according to Heinisch&Scholz Operation Luxor report also an aricle here : <https://www.addendum.org/news/iggoe-praesident/>

become a political reference point becomes even more damaging when every public actor, whose identity is or can be perceived as Muslim, is identified as a 'member of the Muslim Brotherhood'. Farid Hafez has underlined that the Muslim Brotherhood has become a stand-in for politically or socially active Muslims at large, and is used to delegitimise any Muslim political actors.³⁷

Therefore organisations raided during Luxor included RAHMA Austria (humanitarian aid organisation in Austria), IRPA (Institution for Islamic Religious Education) and the Anas Schakfeh non-profit foundation. Every Muslim-led institution as well as every person, who can be identified as Muslim, is subjected to smears and allegations of belonging to the Muslim Brotherhood, and therefore of being 'terrorists' by association.

The thinktank reports cited to support these assertions, and the designations themselves, are more about controlling Austrian Muslims than national security. They have facilitated and anti-Muslim sweep targetting any Muslim-led institution or public figure, especially those who are vocal in their politics.

This ties in to a disturbing pattern, in the way that wealth among Muslims targeted by Operation Luxor has been used to render them suspicious in the public eye.

The more affluent individuals that have been physically and emotionally impacted by Operation

Luxor, have been further targeted because of their wealth, and are suspected of engaging in insidious and criminal behaviour.

For example, mainstream media initially incorrectly reported that €25 million in cash had been found in the survivors' family homes³⁸ - a considerable sum, insinuating that Muslims who are financially thriving and well-off in society must be involved in illicit activity.

Shortly after, it turned out to be false news and that it was not cash, but rather mostly real estate capital which had been found.³⁹ In actuality, the sum of cash amounted to €200,000 in total. Interior Minister Nehammer stated that the single largest amount of cash found in a household had amounted to around €100,000 – and yet continued to state that

*"if such a sum was seized from an Imam or a mosque, that was a 'clear indication' for investigators that the money was being used in terror financing".*⁴⁰

The dangers of this Islamophobic, guilt-by-association strategy - as well as the connection between Austrian and Egyptian security services - was laid bare when mainstream media outlet Presse reported that one of the survivors of Operation Luxor in Austria, ended up incarcerated when he went to visit his family in Egypt⁴¹. This happened after the higher court in Austria announced the Operation Luxor raids as having been unlawful under Austrian law.

37 Hafez, F. (2019): Islamophobe Denkfabriken. Strategien der systematischen Diffamierung und Delegitimierung muslimischer zivilgesellschaftlicher AkteurInnen am Beispiel der Denkfabrik 'European Foundation for Democracy', in: Jahrbuch für Islamophobieforschung.

38 Der Standard (2020): Operation Luxor: Verdächtige aus IGGÖ-Umfeld und Barfunde von 25 Millionen Euro. <https://www.derstandard.at/story/2000121611503/operation-luxor-verdaechtige-aus-iggoe-umfeld-und-ein-barfund-von>, 24.09.2021

39 Kocina, E. (2020): Warum ein Imam 100.000 Euro im Safe hatte <https://www.diepresse.com/5896900/warum-ein-imam-100000-euro-im-safe-hatte>

40 Kurier (2020): Operation "Luxor": Über 20 Millionen Euro Vermögen sichergestellt. 02.02.2021 <https://kurier.at/chronik/oester-reich/operation-luxor-ueber-20-millionen-euro-vermoegen-sichergestellt/401097669> 02.02.2021

41 Thalhammer, A. (2021): Von der Grazer Moschee in Kairos Gefängnis. <https://www.diepresse.com/6020724/von-der-grazer-moschee-in-kairos-gefängnis> 02.02.2021

Given the treatment of alleged Muslim Brotherhood members and dissidents in Egypt under the al-Sisi dictatorship, there are grave concerns that the individual has been subject to torture.

The individual's lawyer believes that the man only ended up on an Egyptian security list due to inquiries from the Austrian authorities. The client's lawyer, Wolfgang Schlegl, suspects that Cairo was told by Vienna why the government wanted the data on his client - namely because they suspected that he is a member of the Muslim Brotherhood. His lawyer continues stating that:

"It should be noted that in Egypt guarantees of the rule of law do not exist in the form known to us and that already the denunciation of a person as a Muslim Brother - without further evidence - is sufficient to prosecute this person."⁴²

Presse reported that the lawyer had stated that prior to this his client had never had any problems in Egypt. This leads us to seriously question the complicity of the Austrian state in blacklisting, torture and unlawful detention - and demand to know why the Austrian government is not protecting individuals, who are at risk of torture, including by not extending their visa - thus forcing him to return to Egypt in the first place.

Nehammer disingenuously projected Operation Luxor - which was planned long before the November attack occurred, and was completely separate from it - as being a state response to the attacks.

The dangers of this Islamophobic, guilt-by-association strategy - as well as the connection between Austrian and Egyptian security services - was laid bare when mainstream media outlet Presse reported that one of the survivors of Operation Luxor in Austria, ended up incarcerated when he went to visit his family in Egypt

Case: The imam who refuses to be silenced

Bilal is a mosque imam.

Ever since the passage of the 2015 Islam law in Austria he had felt uneasy about his fate in the country, especially as a known figure.

A deeply unpleasant experience with Austrian police had only exacerbated that feeling. After contacting police about a fire at his apartment, he was himself accused by them of starting it. During the 4-5 years that the case dragged on, he was interrogated about his khutbas, and about why he was preaching against Egyptian President al-Sisi and Syrian President Bashar al Assad.

“My first thought was whether my wife was still alive”

On the night of Operation Luxor, Bilal and some others came together to discuss Austria's Islam Law. He went to sleep late and shortly before 5am was woken to voices and noises that he had never heard before.

The first things he thought were "Did my wife die? Are the attackers who see the mosque as too 'liberal' coming for us?"

Bilal called out his son's name, before entering the living room door, when he finally realised what was happening.

There, he was shocked at the sight of Cobra officers with laser pointers aimed at him. He quickly closed the living room door before the officers tore through it, shouting at everyone to put their hands up.

An officer moved to grab Bilal and he tried to resist. Then he felt the sensation of being thrown in the air and then pushed to the ground. Once on the ground, the officers kicked his feet and one pressed into his ribs with their knee.

Bilal screamed that his ribs hurt, and was so afraid for his life that he recited the Shahadah.

The police officers turned his head to the side so that they could take a picture of his face, while he was laying down.

At this point, none of the gun-wielding officers had identified themselves.

To this day Bilal can feel their fingerprints on his neck, and pain in his ribs.

The officers were no less heavy-handed to Bilal's family. They all had their weapon safety off, ready to fire. They treated Bilal's 21-year old son as brutally as they had Bilal, while his 19-year old daughter was pushed onto her bed with an officer's gun barrel.

The experience caused Bilal's wife to faint.

The lead officer treated the family in a way that was calculated to humiliate them.

Bilal was not allowed to go to the bathroom or to pray. When he asked the children in Arabic if they were okay, the officers shouted at him, and then began threatening him.

Bilal got up and shouted back, and the officers left him alone.

After 40-50 minutes of rummaging through the home, one officer finally presented a search warrant which they tried to pressure Bilal to sign. He refused.

He told them “If you want me to answer these questions, get a theologian who can understand”

A policeman gave Bilal something to wear and said "get dressed and come with me".

He wondered to himself what his neighbours would think, seeing him being taken away by 30-40 police officers.

Minister of the Interior Karl Nehammer was waiting downstairs. There were police cars everywhere. An armed officer sat next to him, with his gun trained on Bilal.

At the station, Bilal thought he was being arrested. The police told him to call his lawyer, but he didn't have a mobile on him. They gave him a phone and he called his other son who lives away from home. Within an hour his son came to find Bilal crying and in pain.

Shockingly, once Bilal's son arrived, the LVT officer admitted that he knew Bilal is not a terrorist, is not dangerous, and does not belong to any terror organisation.

They called Bilal's lawyer and proceeded to a 10 hour long interrogation, during which Bilal was offered nothing to eat. They asked questions about his family, about his ideology and about Islam.

He told the officer: "You are not competent enough to understand my answers. If you want me to answer these questions, get a theologian who can understand."

The officer tried to persuade Bilal to have a 'private conversation'. Bilal told him: "The Quran is law for me and all that is written in it and your interpretation of it is a Western one and you do not understand".

The official wanted to know: what does Bilal prioritise more: the Shari'a or Austrian law. He asked specifically about female circumcision, about whether it would be okay to kill someone who left Islam, about homosexuals and whether his daughter could marry a non-Muslim.

They also presented photos of Bilal at a demonstration against al-Sisi, and asked him about his view on Israel.

For Bilal the whole operation was and still is a clear case of intimidation.

He continues to speak out against injustice

After the raid, Bilal preached about his experiences during a khutba at the mosque.

Not one person came up afterwards to ask how he was doing.

He is stalked by a sense of uneasiness, caused by the lack of closure.

Bilal's eight-year old daughter was with her mother during the raid, and didn't even cry as it unfolded. It was only after the raid was over that she broke down. Since then, she has begun to wet the bed.

Bilal's 19-year old son and 16-year old daughter were hit the hardest.

Bilal had already lived with the thought that a raid might happen, before Operation Luxor even took place. Bilal describes it as a reassurance and confirmation that he is on the right side of justice, to find himself in opposition to a government like this one.

He preaches the same way he preached before Operation Luxor - his mosque is the only mosque that talks about social issues, political and social aspects.

Bilal is firm in his convictions, and fears none but Allah.
In his words,

“Operation Luxor is an extension of actions coming from the Arab region to erase any kind of Islamic identity. It is all about targeting active actors and minds that spread a correct Islamic understanding, and to smash them just so that later you can do anything you want to do with Muslims at large”.

2.5 THE IMPACT OF OPERATION LUXOR ON CHILDREN

During the Operation Luxor raids, Austrian constitutional and international children's rights were knowingly contravened and violated by officials under the directive of Nehammer.

Knowingly, since the long-term surveillance of the targets meant that police authorities had time to collate enough information prior to the raids to determine that they were not in possession of weapons, and that police were aware of the presence of children and infants in the homes.

ACT-P documented that in total, 62 children and babies between the ages of 10 days and eighteen years old were victimised by the Operation Luxor raids. Children affected by the raids reported an excessive use of force and violence perpetrated by police officers and agents, some of which are recounted in the case studies featured in this report.

Article 2.2 of the UN Convention on the Rights of the Child states that:

*'States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members.'*⁴³

While Article 3.1 dictates that: 'In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary

consideration.'

And Article 16.1 affirms that: 'No child shall be subjected to arbitrary or unlawful interference with his or her privacy, family, home or correspondence, nor to unlawful attacks on his or her honour and reputation.'

These were completely breached when Muslim children were criminalised and traumatised by the state-sponsored police raids of Operation Luxor.

The case of Finance Minister Gernot Blümel on 11th February 2021 shows that house searches have to be carried out in accordance with children's and human rights laws. When his house was searched by police on suspicion of being implicated in bribery, he was able to call his wife beforehand and ask her to go for a walk so that the child would not be woken up.⁴⁴ The families of Operation Luxor were afforded no such luxury.

According to Austrian advocacy group ACT-P, a community response to protect children's rights from violations by police and government under the guise of counter-terrorism in Austria, 93.8% parents reported⁴⁵ that their children suffered psychological trauma during the raids even showing early signs of post-traumatic stress disorder (PTSD) as a result of the raids. Parents have also reported that their children had started screaming and crying in the middle of the night, and have had to leave school.

81.3% reported that they could identify serious behavioural changes in their children, including issues such as nightmares, sleeping difficulties, as well as depression and anxiety amongst both children and parents as a result of the raids. This is

43 United Nations Convention on the Rights of the Child (1989): <https://www.ohchr.org/EN/professionalinterest/pages/crc.aspx>

44 Graber; Schmid (2021): Wie die Hausdurchsuchung bei Gernot Blümel ablief. <https://www.derstandard.at/story/2000124614675/wie-die-hausdurchsuchung-bei-gernot-bluemel-ablief>

45 ACT-P (2021): Open Letter: Seeking answers in regard to concerns with the preparation and commission of Operation Luxor (09/11/2020).

aside from the significant risk of long-term emotional and mental distress for affected children. 80% of the impacted parents reported that psychological violence was used towards their children during the police raids, which means that these children have a greater chance of suffering long-term psychological and traumatic effects. In addition to this, children internationally are also indirectly impacted by the Islamophobic campaign. Orphans were denied essential humanitarian aid as a result of Operation Luxor, since one of Austria's major Muslim-led charity organisations - RAHMA, which provides humanitarian aid to the vulnerable people in Austria and internationally - was raided as well.

According to communications with staff at RAHMA, since the raid, about 1050 orphans have been made destitute in various countries in Africa, Asia and Europe⁴⁶. Rahma has not been able to send aid to another 900 orphans since the beginning of this year. The orphans' data was also seized. 220 students who depend on the student sponsorship/scholarship have been denied assistance.

At a Press Conference of RAHMA Austria with the title "Operation Luxor blocks humanitarian aid"⁴⁷, the charity's third-party auditor Friedrich Baldinger reported that:

"[His] auditing firm has been carrying out all audits necessary for obtaining the donation deduction and awarding the donation quality seal since 2014. We feel addressed by the raids as well, since when

*we examine the association, we also check if money laundering and terror financing is present".*⁴⁸

Baldinger stated that there were no indications at all of terrorist financing or any illegal activities and that these accusations were completely groundless. Baldinger was convinced that the suspicion of terrorist financing would collapse as soon as the authorities had taken a serious look at the management of the charity association RAHMA Austria.

The same girl, suffering from a heart condition mentioned above, reported that all her devices had been confiscated and therefore she could not participate in distance-learning in school and consequently failed a subject. Additionally, she could not tell her teacher what had happened, due to her fear of being rejected, as a consequences of the terror-framing of the raids, which has been underpinned by Islamophobic public campaigning. Children reported to us that they do not feel safe in their own homes when alone anymore. Whenever they undress or use the bathroom they feel observed. A feeling of constant paranoia accompanies them. Whenever they pass by a police officer on the street they suffer from panic attacks. This has also affected their relationship with Austrian police personnel.

Most worryingly, not a single affected child was offered state-supported psychological care and due to financial constraints as a result of confiscation of bank accounts, assets and cash, it has been impossible for them to pursue private

46 Personal communication between author and head of RAHMA

47 In German:Wirtschaftsprüfungsgesellschaft, die die Prüfungen durchführt hat bei dem Verein, zuständig unter anderem für das Spendengütesiegel. Wlr fühlen uns durch die Polizeirazzia angesprochen, weil bei den Prüfungen, wir uns auch Gedanken müssen, ob Geldwäsche und Terrorfinanzierung vorliegt.
https://www.facebook.com/watch/live/?v=751451658801893&ref=watch_permalink

48 RAHMA Austria (2020): Operation Luxor blockiert humanitäre Hilfe.
<https://www.rahma-austria.at/de/medien/pressemitteilungen/673-operation-luxor-blockiert-humanitaere-hilfe> 02.02.2021

psychological care themselves.

In the absence of adequate and dignified state response to the violence imposed on the affected children, the advocacy organisation ACT-P has been working towards ensuring affected children are signposted and examined for psychological care.

Despite not a single bit of evidence of money-laundering or illegal activities being found or even reported, affected families are struggling to sustain themselves financially. Even purchasing essential food items has proved to be difficult with families refused access to their own personal finances

In a short documentary the daughter of Dr. Farid Hafez⁴⁹ speaks of her experience after being exposed to the violent raids.⁵⁰ She tells the public

about a recurrent violent dream. This dream involves her mother being violently beaten by Austrian police and the murder of her father by the same police that entered her home during the raid. Such are the long-lasting effects and aftermath of such a campaign for affected children

ACT-P, publicly condemned the criminalisation of children by the raids and the violation of their rights. On March 15, 2021, it issued a joint open letter, signed by leading Austrian rights groups, to Interior Minister Nehammer and to Vice-Chancellor and the then-Justice Minister Werner Kogler expressing concerns with Operation Luxor.

49 Unterstützungskomitee Farid Hafez (2021): <https://komiteehafez.at/wer-ist-farid-hafez/> , 24.08.2021.

50 After the Raid (2021): <https://www.youtube.com/watch?v=xrxVltSZaFY> 02.02.2021

Case: From one end of a police operation to the other

Ali knew that Austrian police didn't have a good name - that they had a 'Nazi tendency'. Nevertheless Ali, who is an Imam, had co-operated with the police as a mediator when called upon by them, to settle heated disputes.

He had found his own experiences broadly positive.

A year before the raids someone from the BVT unit contacted him and told him that his life was in danger, and that a foreign government was after him. They advised and assisted him in securing a firearm for self-defence.

Forcing his 16 year-old son to lie on the floor at gunpoint

Just before 5am, Ali heard a crash that sounded like the ceiling collapsing. Expecting an explosion, he ran down to his door to find people hammering his apartment door with a battering ram.

His first thoughts were: How are the children? and What could I do against these people.

It felt like a James Bond movie. He looked out of the door peephole and saw guns pointing back at him, as officers continued to hammer the door.

Ali called out for them to stop. But the officers, whom he was familiar with on account of his mediator work, were untrained and uncaring. They didn't even manage to break down the door - eventually, Ali opened it for them.

A sweaty officer with an assault rifle, fingers shaking on the trigger, yelled "hands up" at Ali. At that moment Ali's life lay in the hands of this officer, shakily clutching his gun unpredictably.

Ali's 16 year-old son was made to lie on the ground with his hands on his back and guns pointed at him. The police even forced his son to put his hands on his back, enraging Ali even more. He was wondering how he could protect his son; whether he should jump on the officer's back, and whether his fellow officers would fill him with bullets.

“We are going after the moderates to keep them weak”

Ali was given nothing to eat until 12am the next day.

The chief in charge of the search claimed that the raid had to be carried out because Ali ‘had a gun’ - which the BVT themselves had advised him to get. In reality, the raid order turned out to be a search for money.

During the raid, Ali emphasised to officers that he had worked for the Austrian state himself: “We have protected the country”. “Why us?” he continued “Why not criminals?”

The fact that Ali ended up being persecuted by the Austrian state already spoke volumes, hence he knew the answer as to why this was happening. "We want extremism, because we are going after the moderates, which keeps the moderates weak and mute and give room to the extremists", responded an officer.

From the name of Operation Luxor Ali is sure that foreign countries were involved in coordinating the operation. He is certain that the Egyptian government had a role to play - something underscored by the fact that “Operation Luxor” was initially codenamed “Ramses”.

In most cases, the raids lasted from eight hours up to 16 hours. If not awakened by the noise made by the loud shouting by police during the raids, children reported being torn out of sleep and awoken to heavily armed and masked police officers standing over their beds.

In one case, a young boy reported being woken up by a heavily armed police officer standing in front of his bed shouting, "Target person spotted". Said police officer had his face covered with a balaclava and carried a gun.

The boy stressed that

"he was wearing a mask too, so I only saw his eyes. At the beginning my first thought was that he was the terrorist...my mother came and tried to calm me down, but I was shaking so badly that my teeth chattered. I couldn't stop. I was afraid, panic, shock ... everything. I wake up and someone points the gun at me and screams."

Another boy reported that after being woken up by a police officer, the officer pointed a gun at him while he was forced to lie on the floor at gunpoint for over half an hour. During the entire time, no explanation of what was happening was provided to him. Every time he tried to look up, the police officer would force his head down again with the tip of the gun.

Another affected child with heart disease reported that the stress and fear she experienced during the raids triggered breathing difficulties.

The same girl who was victimised by the raids stated that

"I never felt so unsafe, especially in my own home. The police refused to allow me to use the toilet with the door closed, forcing me to use the toilet with police officers watching. These raids destroyed my life."

This is an indisputable abuse of police authority and deprivation of the child's inalienable rights to privacy and dignity, enshrined in national and international law. The older daughter told us that, unlike her sister, she was allowed to use the toilet while closing the door, underlining the arbitrary abuse of power of the police. Most harmful to her was the way the police chose to storm their house, again with no explanation of who was invading their home and on what grounds.

Children also reported to us that they were detained in their room or in the garden in extreme cold at 5am and were not allowed to move nor see their parents, who would have helped provide the children with comfort and closure during such a traumatic event. Children's bedrooms, books and hanging pictures were completely destroyed.

To add insult to injury, these violent raids occurred during Austria's membership to the UN Human Rights Council for the period 2019-2021, where a set priorities of combating racism and discrimination, protecting minorities and upholding children's rights were established⁵¹. The priorities clearly did not apply to Austria itself.

Children were threatened with guns, patted down and interrogated. In short, Muslim children were treated as criminals. We must understand that normalising the traumatisation of children belonging exclusively to one single religious minority, is the result of structural, institutional and systemic racism - in this instance, manifesting as Islamophobia.

Operation Luxor was a product of a racist and Islamophobic political campaign, otherwise it could have not been possible.

51 Permanent Mission of Austria in Geneva (2021): AUSTRIA Member of the UN Human Rights Council for the term 2019-2021. <https://www.bmeia.gv.at/oev-genf/issues-and-responsibilities/human-rights/human-rights-council-2019-2021/>, 24.08.2021

2.6 SCAPEGOATING OF MUSLIM COMMUNITIES

The moves to augment counter-terrorism in Austria since the November 2020 attacks can be seen, in part, as a classic exercise in scapegoating - to mask the government's failure to prevent the attacks.

Despite the damning failures of the Office for the Protection of the Constitution, the government has announced an additional €125 million in public funding for police and security agencies. This will fund artificial intelligence, equipment, armored vehicles and infrastructure. The ÖVP-Green government has not presented plans to create truly independent control of the police or the Office for the Protection of the Constitution.⁵²

The proposed powers of the Anti-Terror Bill are a deeply political maneuver by the Austrian government, and out of step with the needs of Austrian society. The Bill was introduced to the Austrian Parliament on 7th May 2021. That same week two femicides occurred in the country, bringing attention to the fact that Austria is the only EU country where more women are murdered than men, according to the latest figures on murders and homicides from 2017.⁵³

As underlined by Mahsa Ghafari the ruling ÖVP and Minister Raab in particular are known for denying Austria's own problem with sexism, and have instead projected it as something foreign imported into the country by migrants. Raab has stated that "there is no patriarchy in Austria, that these values are brought in by migrants, and that Austrian women killers are "copycats" ".

This argument serves exclusively to stir up racism towards and rejection of migrants⁵⁴ - and further highlights the ruling government's policy of diversion.

52 Koalition gegen antimuslimischen Rassismus (2021): So schränkt das Anti-Terrorpaket Grundrechte ein. <https://mosaik-blog.at/anti-terror-paket-antimuslimischer-rassismus/> , 11.08.2021.

53 Hagen, L., Ruep, S. Scherndl, G. (2021): Femizide in Österreich: Land der toten Frauen. <https://www.derstandard.at/story/2000126439940/femizide-in-oesterreichland-der-toten-frauen> , 11.08.2021.

54 Ghafari, M. (2021): Wie die ÖVP rassistische Politik mit Frauenmorde macht: <https://mosaik-blog.at/frauenmord-oevp-rassismus-gewaltschutz/> ,11.08.2021.

Case: The new Austria: From trail-blazer to accused 'terrorist'

Dr. Hamza is a well-regarded academic within Austria and abroad, specialising in Islamophobia. He previously had had no major issues with police in Austria - so much so that in less turbulent times, he had once been invited by the BVT as an expert adviser himself on issues pertaining racism.

But that has changed as the situation in the country has grown more tense for Muslims.

One officer sang "The times they are a-changing"

On the day of Operation Luxor, he was woken by strange noises outside his home at 5am.

He expected to encounter burglars, perhaps. Instead, he was confronted with heavily-armed officers at the front door aiming guns at him.

The armed officers burst into the home so loudly that they were heard by neighbours down the road. They took away mobile phones and data devices, and demanded that Hamza stand against the wall.

The officers refused to show any search warrants despite Hamza requesting it of them 15 times. When confronted by Hamza as to why they were doing this, they simply deferred, saying "We bear no responsibility".

Hamza's reminder to him that this was the very justification used by the Nazis in the country decades earlier fell on deaf ears. One officer responded with lyrics from the Bob Dylan song: "The times they are a-changing"

Hamza and his wife sent their children back into a room to read a book during the raid, and Hamza's wife tried to calm the children. They now suffer from sleep disorders, and are in therapy to deal with the aftermath of the raids.

But the woman officer who was supposedly responsible for taking care of children was even more unpleasant than the other police officers.

As the raid was nearing its end, another officer taunted Hamza's wife, telling her that "It could be much worse."

Home is no longer a place of solace

After the raid, Hamza and his family were left to clean up the mess left behind: broken glass, broken doors, and more. Yet the emotional damage has persisted long after the physical had been dealt with.

Hamza and his family no longer find solace in their home. Hamza could not sleep for two months after the raid and all the positive associations he had with his home have been torn apart.

In February, when Hamza finally got access to the allegations against him, he learnt that he had continued to be monitored for months after the raid.

For the most part, Hamza's immediate friends and associates have been helpful - paying visits and lending material support where they could. With his devices and bank account frozen, Hamza was forced to borrow from his friends to get by, which he found difficult, and at times overwhelming.

Decided to leave Austria to seek a better life

Yet Hamza feels that politically, he and his family were left to shoulder the burden alone.

This was compounded by the fact that some of his friends were themselves subject to raids as part of the operation as well, and one neighbour who chose to spread rumours about Hamza.

However, many people were supportive of the family, especially the children.

Hamza had sensed that the situation for Muslims in Austria had been deteriorating. He thinks that there is a chance that in the next ten years it will become even more untenable for Muslims.

He resents the close connection between the security apparatuses and the Muslim community, highlighting how other religious communities in Austria are not subject to such surveillance.

For himself and his family, the idea of leaving Austria has become more compelling: he feels it is impossible for him to rebuild a life in the country and has thus left the country.

2.7 OPERATION LUXOR MILESTONE: AUSTRIAN HIGH COURT RULES THAT RAIDS WERE UNLAWFUL AND DROPS TERROR ALLEGATIONS

At the beginning of August 2021, the Higher Regional Court of Graz city (OLG) vindicated survivors of the Luxor Raids by declaring the police's actions, which were under jurisdiction of Nehammer, as unlawful⁵⁵.

Among a series of violations conducted by the state in this operation, the judgment also noted that the manner in which the cases had been managed violated the survivors' right to a fair trial. Furthermore, the judge and Senate President David Greller rejected the stated rationale of the raids by stating that:

"The results of the proceedings on record do not, in the view of the Court of Appeal, currently support the suspicion that the Muslim Brotherhood was regarded, during the relevant period (...), a largely homogeneous group worldwide, so that

every member, regardless of where he or she is or how he or she acts within the framework of a mass movement consisting of millions of people, [is] a member of a terrorist organization".

The Graz Regional Court did not see sufficient grounds for suspicion for house searches⁵⁶. The judge accepted the collective complaint issued by 9 out of 30 impacted by Operation Luxor. This ruling discredited the main justification for the raids - including all measures that had been taken under the pretext of 'counter terrorism'. According to the ruling, any supposedly suspicious situation prior to the raids was not sufficient for a raid in all nine cases, which is why the raids were declared as unlawful.

On 2nd November 2021, almost one year after the Operation Luxor, the allegations against one of the targets were dropped.

Questions must therefore be asked of the role that various institutions in Austria played in enabling, legitimising or otherwise creating the political conditions for Operation Luxor - given that they were so clearly ideologically-driven.

At the beginning of August 2021, the Higher Regional Court of Graz city (OLG) vindicated survivors of the Luxor Raids by declaring the police's actions, which were under jurisdiction of Nehammer, as unlawful

55 ACT-P (2021): Press release: Ruling by Austrian High Court vindicates victims of Operation Luxor: ACT-P demands immediate intervention of Ombudsman. <https://www.childrensrights.at/press-release-02.02.2021>

56 Kurier: Großrazzia bei Muslimbruderschaft war rechtswidrig. <https://kurier.at/chronik/oesterreich/grossrazzia-bei-muslimbruederschaft-war-rechtswidrig/401461918>, 24.08.2021.

3. INSTITUTIONS OF AUSTRIAN ISLAMOPHOBIA

3.1 THE DOCUMENTATION CENTRE

On July 15, 2020 the "staatliche Dokumentationsstelle für den politischen Islam" (the state-run Documentation Centre for Political Islam; henceforth the Documentation Centre) was established under the pretext of 'counter-extremism', stating that the highest priority is to battle so-called "Political Islam".

The Centre is financed by public funds, but there are no public control mechanisms nor any transparency with regards to the hiring process of staff, their qualifications, or work practices available on it.

Its stated aims include the

"Creation of an overview map of problematic networks and associations in Austria that can be attributed to Political Islam. The aim is to make visible structures, actors, and goals of the

representatives of this dangerous ideology. Financial, organizational and ideological connections (abroad) are also to be investigated and disclosed⁵⁷".

Provided with half a million euros in funding under the jurisdiction of Integration Minister Susanne Raab, the tasks of the Documentation Centre are diverse. In addition to conducting and publishing basic scientific research, it is supposed to examine Muslim associations, or as Raab put it, produce the "mapping of associations".

In this way, organisations with "dangerous ideologies" or possible influences from abroad can be tracked down. The government would look at which associations are "good partners" for the authorities and which ones are not. This reflects the international coordinates of Operation Luxor itself, in particular its connection to Egyptian politics.

This also feeds into a general suspicion of Muslim

57 Bundeskanzleramt (2020): Integrationsministerin Raab: Dokumentationsstelle Politischer Islam nimmt Arbeit auf. <https://www.bundeskanzleramt.gv.at/bundeskanzleramt/nachrichten-der-bundesregierung/2020/integrationsministerin-raab-dokumentationsstelle-politischer-islam-nimmt-arbeit-auf.html>

civil society actors within Austria, whereby it is widely assumed that they would pursue hidden agendas by lying to the public and society by trying to disguise their activities.⁵⁸ All of these measures were legitimised under the pretext of fighting "Political Islam".

When Operation Luxor was carried out on the 9th November 2020, the newly established Documentation Centre and its experts played a crucial role. The Centre's appointed 'experts' Heiko Heinisch and Nina Scholz were invited and paid to write a study preparing the ideological ground for carrying out Operation Luxor (see below). The public prosecutor in Graz, Mag. Johannes Winklhofer gave the order for recruiting them.

This 'expert' opinion provided the basis for the raids. Yet in terms of content, the opinion was itself the outcome of an assessment of completely erroneous and false information - a fact which has now been confirmed by the Higher Regional Court of Graz⁵⁹.

Overall, every act of political participation of Muslims, which in a healthy democracy should be elevated, promoted and protected, is according to the opinions/studies of Heiko Heinisch, Nina Scholz and Lorenzo Vidino, an attempt of the Muslim Brotherhood to effectively take over the world.

This 'expert' opinion provided the basis for the raids. Yet in terms of content, the opinion was itself the outcome of an assessment of completely erroneous and false information - a fact which has now been confirmed by the Higher Regional Court of Graz

58 ibid.

Gaigg, V.; Marchart, M.; Möseneder, M.; Schmid, F. (2021): Gericht erklärt Razzien gegen Muslimbrüder teilweise für rechtswidrig <https://www.derstandard.at/story/2000128650481/gericht-erklart-razzien-gegen-muslimbrueder-teilweise-fuer-rechtswidrig> 02.02.2021

59 Thalhammer, A. (2021): Operation Luxor: Razzia laut OLG Graz rechtswidrig.

<https://www.diepresse.com/6016465/operation-luxor-razzia-laut-olg-graz-rechtswidrig> 02.02.2021

3.2 THE DOCUMENTATION CENTRE'S 'EXPERTS'

In order to legitimise the Documentation Centre, Susanne Raab brought several 'experts' to the podium. These included the academic Lorenzo Vidino, who in addition to being referenced 35 times in the search warrants of Operation Luxor, had become known for publications on the Muslim Brotherhood - as well as for being cited in 2011 mass murderer Anders Breivik's manifesto.

Others included Heiko Heinisch, a historian whose work was used for the report on which the Operation Luxor raids were based. Many of Heinisch's publications have been co-authored alongside Nina Scholz, who also serves as part of the Documentation Centre.

While neither Heinisch nor Scholz have any expertise in Islam, Islamic history or Muslims in Europe, Heinisch has turned to writing primarily on these topics⁶⁰.

Another 'expert' used for the Documentation Centre is Islamic scholar and professor of Islamic Religious Education, Mouhanad Khorchide, who supported the initiative of closure of Muslim mosques in 2018. He argued that that the mosques broke the law⁶¹ and noted approvingly that the

United Arab Emirates, Egypt, and Saudi Arabia had already successfully realised the supposed threat of Political Islam and systematically closed down mosques of the Muslim Brotherhood, while Austria had missed the problem⁶².

Lorenzo Vidino is an Italian-American academic who has ties to far-right hate groups in the US and has been on record advocating the 'Great Replacement' theory⁶³ - the idea that white Europeans were facing replacement by non-white migrants, which in effect legitimised discredited anti-Muslim conspiracy theories promoted by American far-right circles for several decades.

Vidino, who was also cited in Anders Breivik's manifesto, is also cited 35 times in the house search warrants of the terror raids. In the ideological reasoning for the Operation Luxor raids, the state prosecutor relied heavily on Vidino as an "expert witness".⁶⁴

Vidino has published articles on the supposed threat of Shari'a and 'Islamist extremism,' in his role as senior policy advisor for the European Foundation for Democracy (EFD).

In 2017, he published a report entitled *The Muslim Brotherhood in Austria*⁶⁵ which 'accused nearly every Muslim organisation in Austria of ties to the Muslim Brotherhood'⁶⁶.

60 Bridge Initiative Team (2021): Factsheet: Heiko Heinisch. <https://bridge.georgetown.edu/research/factsheet-heiko-heinisch/> 02.02.2021

61 Metzger, I. (2018):, Experte: Moscheenschließung 'goldrichtig, aber falscher Zeitpunkt'<https://kurier.at/politik/inland/islamexperte-khorchide-moscheenschliessung-goldrichtig-aber-falscher-zeitpunkt/400048451> 02.02.2021

62 Mayr, P. (2018): Islamforscher: 'Indirekte Wahlkampfhilfe für Erdoğan', <https://www.derstandard.at/story/2000081735281/islamforscher-khorchide-das-war-indirekte-wahlkampfhilfe-fuer-erdogan> 02.02.2021

63 Ahmed, N. (2021): BORIS JOHNSON AIDE Supervised Anti-Muslim Conspiracy Thesis Inspired By 'White Genocide' Believer. <https://bylinetimes.com/2021/03/19/boris-johnson-aide-supervised-anti-muslim-conspiracy-thesis-inspired-by-white-genocide-believer/> 02.02.2021

64 Wilflingseder, K. (2021): Islamfeindliche Raab-Konferenz soll von ÖVP-Debakel ablenken. <https://linkswende.org/islamfeindliche-raab-konferenz-soll-von-oevp-debakel-ablenken/> 02.02.2021

65 Vidino, L. (2017): *The Muslimbrotherhood in Austria*. This study was realized in cooperation with the University of Vienna, Institute of Near Eastern Studies and with support from the Austrian Integration Fund (ÖIF) and the Bundesamt für Verfassungsschutz und Terrorismusbekämpfung (BVT). <https://extremism.gwu.edu/sites/g/files/zaxdzs2191/f/MB%20in%20Austria-%20Print.pdf> 02.02.2021

66 Bridge Initiative Team (2021): Factsheet: Lorenzo Vidino <https://bridge.georgetown.edu/research/factsheet-lorenzo-vidino> 02.02.2021

A year later, Vidino served as the only source for the BVT's annual report, which pathologised activities like Islamic education in public schools and religious teacher training as "Islamist" threats and strategies to create a "counter-society" in Austria'.⁶⁷

The EFD is 'an anti-Muslim, Brussels-based think tank linked to the Washington, D.C.-based Foundation for the Defense of Democracy'⁶⁸. The EFD's staff include individuals connected to NATO⁶⁹, Austrian armed forces⁷², Swedish intelligence forces⁷³ and the Italian Ministry of Defence⁷⁴.

A characteristic of most of the academics on the EFD team is their focus on the Muslim Brotherhood and its alleged influence in almost every Muslim civil society organisation that plays a significant role in their respective nation-state.⁷⁵

A study by Sarah Marusek on transatlantic Islamophobia networks and funding, concluded by listing the EFD among other neoconservative think tanks such as the Henry Jackson Society (HJS) in

London, and pro-Israel organisations like NGO Monitor in Jerusalem and UN Watch in Geneva - noting that the Washington DC-based FDD has both organisational and financial ties to EFD.⁷⁶

Heiko Heinisch is one of several academic advisers of the Documentation Centre.

Heinisch, together with previous collaborator Nina Scholz, was hired by the Graz public prosecutor Winklhofer to write the study which was used to justify Operation Luxor.

In August the senior judge of the Higher Regional Court of Graz rejected the reasoning for the raids and stated:

"The assumptions of suspicion must not be exhausted in conjecture and speculation, but must be derived from an evaluation of accessible evidence".

The Austrian Integration Fund (ÖIF), which plays a major role⁷⁷ in supporting the anti-Muslim policies

67 ibid

68 ibid

69 European Foundation for Democracy (2018): Francesco Bergoglio Errico <https://www.europeandemocracy.eu/author/francesco-bergoglio-errico/> 02.02.2021

70 European Foundation for Democracy (2018): Alessandro Boncio <https://www.europeandemocracy.eu/author/alessandro-boncio/> 02.02.2021

71 European Foundation for Democracy (2018): Lorenzo Marinone <https://www.europeandemocracy.eu/author/lorenzo-marinone/> 02.02.2021

72 European Foundation for Democracy (2018): Alessandro Boncio <https://www.europeandemocracy.eu/author/alessandro-boncio/> 02.02.2021

73 European Foundation for Democracy (2018): Dr. Magnus Norell <https://www.europeandemocracy.eu/author/dr-magnus-norell/> 02.02.2021

74 European Foundation for Democracy (2018): Lorenzo Marinone <https://www.europeandemocracy.eu/author/lorenzo-marinone/> 02.02.2021

75 Hafez, F. (2019): Islamophobe Denkfabriken. Strategien der systematischen Diffamierung und Delegitimierung muslimischer zivilgesellschaftlicher AkteurInnen am Beispiel der Denkfabrik 'European Foundation for Democracy' in: Islamophobia studies yearbook, 7-31

76 Marusek, S. (2017): The Transatlantic Network: Funding Islamophobia and Israeli Settlement, in: What is Islamophobia?, ed. N. Massoumi, et al., 186–214.

77 Bridge Initiative Team (2020): Factsheet: Austrian Integration Fund (Österreichische Integrationsfonds, ÖIF). Bridge: A Georgetown University Initiative. <https://bridge.georgetown.edu/research/factsheet-austrian-integration-fund-osterreichische-integrationsfonds-oif/>, 25.08.2021.

of the ruling ÖVP⁷⁸, has both financed research conducted by Heinisch, and promoted him on panels.

As noted by the Bridge Initiative, the ÖIF 'has a history of producing anti-Muslim research and promoting Muslims who support anti-Muslim legislation'⁷⁹. Following the publication of his 2017 report⁸⁰, the ÖIF organised a panel⁸¹ titled "What Role Mosques Play for the Integration of Muslim Immigrants in Austria" [sic].

During the discussion, Heinisch claimed: "In more than a third of the mosques we investigated, the integration of Muslims into society is actively counteracted. We see fundamentalist tendencies, open nationalism and a rejection of the Austrian majority society and its values"⁸².

In January 2018, the ÖIF organised a panel⁸³ titled "Muslims have to live according to Europe's existing values and laws," which featured among others Nina Scholz. It also included Mouhanad Khorchide, now another member of the Documentation Centre who has claimed

dismissively that the aim of critics of the term 'Political Islam' is "firstly to establish a victim status for Muslims and secondly to immunize themselves from any form of criticism"⁸⁴. And finally it featured now-Integration Minister Susanne Raab, under whose jurisdiction the Documentation Centre sits.

During the panel Khorchide claimed⁸⁵ that "in mosques [...] young Muslims are asked to be either good Muslims or Europeans." Nina Scholz argued: "There are women who call themselves feminists and defend the veiling of women as female self-empowerment. These women are usually close to conservative Islamic associations and the Muslim Brotherhood and lobby for their cause"⁸⁶.

During the November 2nd 2020 attacks in Vienna, two Austrians of Turkish descent saved the life of a policeman. Instead of commending their bravery Heinisch denounced⁸⁷ them as Erdogan-sympathisers and Turkish nationalists by also writing "they are right-wing extremists and their Facebook accounts are creepy"⁸⁸. This set the tone for mainstream media to defame the two individuals.⁸⁹

78 Bridge Initiative Team (2020): Factsheet: Sebastian Kurz. Bridge: A Georgetown University Initiative. <https://bridge.georgetown.edu/research/factsheet-sebastian-kurz/>, 25.08.2021.

79 ibid

80 Heinisch, H; Memedi, I. (2017); Die Rolle der Moschee im Integrationsprozess. ÖIF Forschungsbericht. https://www.integrationsfonds.at/fileadmin/content/AT/Fotos/Publikationen/Forschungsbericht/Forschungsbericht_Heinisch_Die_Rolle_der_Moschee_web.pdf

81 Österreichischer Integrations Fond (2018): ÖIF-Podiumsgespräch zu Moscheen und Integration: „Verbreitung des politischen Islam verhindern“. <https://www.integrationsfonds.at/newsbeitrag/oeif-podiumsgespraech-zu-moscheen-und-integration-verbretung-des-politischen-islam-verhindern-3486>, 25.08.2021.

82 ibid.

83 ÖIF Press Release (2018): ÖIF-Diskussion zu Islam in Europa: „Muslime müssen in Europa geltende Werte und Gesetze leben.“ https://www.ots.at/presseaussendung/OTS_20180123_OTS0166/oeif-diskussion-zu-islam-in-europa-muslime-muessen-in-europa-geltende-werte-und-gesetze-leben 25.08.2021.

84 Khorchide, M (2020): Sind wir nicht schon längst auf den Politischen Islam hereingefallen? <https://www.diepresse.com/5898835/sind-wir-nicht-schon-langst-auf-den-politischen-islam-hereingefallen> 02.02.2021

85 ibid.

86 ibid.

87 Heinisch, H (2020) Twitter: <https://twitter.com/HeikoHeinisch/status/1323651722888290304> 02.02.2021

88 ibid

89 Scherndl, G.; Lorenz, L. (2020): Wie die Helfer vom Schwedenplatz auf Kritik reagieren. <https://www.derstandard.at/story/2000121433325/wie-die-helfer-vom-schwedenplatz-auf-kritik-reagieren>, 24.08.21

Case: He returned to find his Qur'an torn

Ahmad and his wife Sarah had never had any major experiences with police in Austria before. Other than facing some instances of racism and the occasional traffic stop, they had no reason to question the Austrian state and their place in the country.

Since Operation Luxor, that has changed entirely.

Sarah was awake when the police arrived. After unsuccessfully trying to break in through the door, the officers had to ring the doorbell to get in the house.

When Sarah opened the door she was greeted by a gun pointed at her chest. The officer pressed it against her, forced her into the kitchen and demanded that she sit down - digging the gun into her chest to ensure she did.

The special unit officers then stormed the house, bursting into the children's rooms to wake them and force them to the kitchen. For hours, the entire family remained there, inches away from the officers' gun barrels.

Sarah had begged the officers not to wake their 14 year-old son upstairs in this way, as she feared for his already fragile mental health. To this day, the boy has no clear memory of what happened that night. It's very hard for him to remember anything about it.

The officer's phone had a far-right symbol on it

The police searched the house for four hours, between 5am and 9am. Electronic devices were taken, including a brand new laptop, nearly all phones and a USB with medical records of her son - despite the family's pleas.

Officers also brought in a dog that was trained to search for money. The search seemed inconsistent - officers took Sarah's purse with around €200 in spare change, but left other money behind. Occasionally an officer would come through to the kitchen and ask if they had a place where money was stashed

The family's experiences with the specialist unit officers were deeply unpleasant.

They recall a female officer who made condescending comments during the raids, complaining that the house 'wasn't clean enough' for her standards. When she took Sarah's purse, she said she would also 'love to have that much money'.

Another officer had a phone cover with a far-right symbol on it.

When they asked the officers why they didn't ring the bell and tried to break in at first, they responded by telling them that they hadn't found the doorbell and were prepared to break in through the window if needed.

Officers told them they had drone pictures of the house explicitly made for them. They knew every entry point.

Following the raid, one of the boys returned to his room to find his Qur'an torn.

He couldn't tell if it was intentional or not - but every other book in the room had been left untouched.

The interrogation had nothing to do with the case, but rather his religion

After the special unit had secured the house, regular police officers entered.

Each family member was left with two police officers watching them and a gun pointed at them.

The police officer in charge of Ahmad took him to the police station for questioning.

Even he was clearly uncomfortable with the way the raid had unfolded - he advised Ahmad to get a lawyer for the questioning session. Police at the station questioned Ahmad for three hours, after a search of his workplace.

Five months later in April, he came in for a scheduled interrogation.

Questions included whether he 'wakes his children up for morning prayer' and if he sends them to the mosque. They asked whether he believed 'homosexuals should be murdered according to Shari'a', and if his daughter was allowed to marry a Christian. And whether his wife was forced to wear the hijab - despite the fact that she doesn't wear one. They also asked specifically about his role as a community leader, and showed pictures from particular events.

After some time Ahmad's lawyer put an end to the interview. Though the interviewer was polite, it was clear that most of the questions had nothing to do with the case, but focused instead on Ahmad's religion.

No trust or respect left for the police or the state

The family were left deeply scarred by the raid. For weeks after they couldn't stand loud noises, like the sound of doors being slammed. Everything had to be quiet for them to feel safe at home.

The family have sleep problems and don't feel safe around others. Sarah was in complete shock, and still requires intensive therapy, while the children's grades have suffered.

The affair has taken a huge financial toll on the family, as they had to pay for a lawyer, had to buy new phones and laptops so they could continue with online school and exams.

Since the raids, neither Ahmad nor Sarah have any trust or respect for the police or state. They have seen the dark side of Austria, and see it as reminiscent of a dictatorship.

Like others impacted by Operation Luxor, the family are considering whether it is time to leave Austria.

Life for the family has changed since the Operation Luxor raids.

Ahmad is more conscientious about everything. He now pays attention to data security, something he had never considered in the past. And he is more focused on his deen.

Ahmad sees it as an attempt to intimidate them. But since seeing the farce of the interrogation process, he is more confident in their ability to beat the Austrian state in the case.

3.3 THE ISLAM MAP

The most chilling example of Austria's overarching policy of guilt-by-association and targeting of Muslims was unveiled on 29 May 2021 when the Documentation Centre, together with Integration minister Raab introduced the so called "Islam Map" via a press conference while backing it up with several studies produced by the academics of the Documentation Centre, including Heiko Heinisch

The map charts over 600 Muslim and 'Muslim-marked' organisations, associations, charities and identified their locations; this included publishing home addresses. The Islam Map charts the origins and ideologies of Muslim associations, but also their structures and networks, and connections abroad within the framework of the flawed "research" discussed above.

Therefore the Map effectively invited Islamophobic attacks on Austria's Muslims, and marked them out as hyper salient in Austrian society. Following the publication of the Map a number of listed institutions were attacked by Neo Nazis. To compound matters further the idea of the Islam Map is shared by the far-right group "Die Identitären" - with the Austrian government deciding to put it into practice.

The Islam Map was built under the leadership of Ednan Aslan, a professor of Islamic religious education of Vienna University who has published studies which have proven to be completely unacademic, but have nonetheless been used to build the case for Islamophobic state policies.

This proved to be the case with his so-called "kindergarten study" in 2017, which was used to

close Islamic kindergartens and criminalise Muslim kindergarten children. With the help of media leaks and more rigorous academic examination, this study was revealed to be political propaganda.⁹⁰

Aslan's Islam Map has existed since 2012 and is therefore not a new project. The Documentation Centre provided financing to update it.

The official stated aim of Islam Map was "to give an overview of these associations and to identify those that could be classified as "Political Islam" ". During the Press Conference used to introduce the Map, it was stated that it was introduced as part of "Integration work" since, according to Aslan, the "majority of Muslims ultimately suffer from radical tendencies".⁹¹

After the publication of the "Islam Map" the rector of the University of Vienna, Heinz Engl, immediately distanced himself from it, "especially [the call] for reporting 'information on individual associations or mosques' ". The University of Vienna called on the Documentation Centre to remove their logo from the website.⁹³

Moreover, the Council of Europe, the Bishops' Conference, the Protestant Church and Green Part coalition partners protested against the "Islam Map" and demanded an end to the criminalisation of Muslims and an end to the politics of diversion built at the expense of Muslims⁹⁴.

Aslan asserts that the map is in no way intended to document "Political Islam" in Austria. He reported being under police protection following threats in the wake of the map presentation.⁹⁵ Yet those

90 Klenk, F (2017): Ednan Aslans fremde Federn. <https://www.falter.at/zeitung/20171011/ednan-aslans-fremde-federn/b3f2d14cb8> 02.02.2021

91 ORF (2021): Dokumentationsstelle legt „Islamlandkarte“ vor. <https://orf.at/stories/3214948/> , 11.08.2021.

92 Der Standard (2021a): Muslimische Jugend will wegen der Islamlandkarte klagen. <https://www.derstandard.at/story/2000127017305/muslimische-jugend-will-wegen-der-islamlandkarteklagen> , 11.08.2021.

93 ibid

94 MJÖ (2021): Offener Brief: Forderung der Löschung der „Islam Landkarte“ <https://www.mjoe.at/stehtauf/en/2021/06/14/offener-brief-forderung-der-loeschung-der-islam-landkarte/> 02.02.2021

95 Der Standard (2021a): Muslimische Jugend will wegen der Islamlandkarte klagen. <https://www.derstandard.at/story/2000127017305/muslimische-jugend-will-wegen-der-islamlandkarteklagen> 11.08.2021.

targeted and impacted by the Islam Map, who have been increasingly experiencing Islamophobic attacks were not offered any support or protection. Instead, police played down one of the four mosques attacks conducted by neo-Nazis, even after the mosque requested police protection.

The "Islam Map" was introduced after the the Documentation and Advisory Centre Islamophobia & Anti-Muslim Racism released statistics, noting 1402 cases of anti-Muslim racism in Austria in 2020 - an increase of about 33%.⁹⁶ These statistics underline that where politicians articulate and amplify hate against a specific group, they can increase the risk of racism and Islamophobia.

The most chilling example of Austria's overarching policy of guilt-by-association and targeting of Muslims was unveiled on 29 May 2021 when the Documentation Centre, together with Integration minister Raab introduced the so called "Islam Map" via a press conference while backing it up with several studies produced by the academics of the Documentation Centre, including Heiko Heinisch

The map charts over 600 Muslim and 'Muslim-marked' organisations, associations, charities and identified their locations; this included publishing home addresses. The Islam Map charts the origins and ideologies of Muslim associations, but also their structures and networks, and connections abroad within the framework of the flawed "research" discussed above.

96 Marchart.J; Sulzbacher.M (2021): Uni Wien distanziert sich von "Islam-Landkarte" und untersagt Logoverwendung. <https://www.derstandard.at/story/2000126984340/uni-wien-distanziert-sich-von-islamlandkarteund-untersagt-logoverwendung> , 11.08.2021.

97 N Parveen (2019): Boris Johnson's burqa comment "led to a surge in anti-Muslim Attacks"'. <https://www.theguardian.com/politics/2019/sep/02/boris-johnsons-burqa-comments-led-to-surge-in-anti-muslim-attacks> , 11.08.2021.

3.4 MEDIA RESPONSIBILITY AND COMPLICITY

Alongside institutions like the Documentation Centre, media commentators have played a central role in legitimising the actions of the Austrian state, including with regards to Operation Luxor.

Basic journalistic ethics should require journalists and media editors to very critically scrutinise the role of authorities and introduce fact-based narratives to all events and prevailing public narratives. Yet the Austrian media have been very deliberately amplifying and spreading a misleading and dangerous narrative - such as the myth of the €25 million "haul" (mentioned above), which turned out to be a false claim.

One media outlet, Exxpress also helped legitimise the raids by interviewing Amir Zaidan, an Islamic scholar who was invited by police in course of the Operation Luxor investigations and who chose to provide a testimony against those targeted by Operation Luxor. Zaidan dismissed criticism of the raids as such: "In no way do I call that Islamophobia"⁹⁸. Following the decision of the higher court declaring the raids as unlawful, the article was taken offline.

Another mainstream media outlet Krone Zeitung is facing a lawsuit by one of the targets of Operation Luxor, since their publishing of an article, stating that "despite raids: Muslim Brotherhood sees himself as a victim" - with the headlines also stripping away the presumption of innocence⁹⁹. The wide political approval of anti-Muslim laws is therefore also reflected in media coverage about Muslims.

The fact that Austrian media are far more willing to defer to power than hold it to account was evident in the shift in coverage after the higher regional court declared Operation Luxor to be unlawful.

Following this, the mainstream media finally began to report in a way that did not smear the targets of Luxor as terrorists. Headlines covering the court decision included: "Fight against Political Islam: an embarrassment: Court declares parts of Nehammer's large-scale raid against Muslim Brotherhood illegal"¹⁰⁰.

The media is an influential sphere through which politics and cultural projects - including Islamophobia - can be either challenged or disseminated and further strengthened.

It should therefore be assessed on the basis of whether it actively plays its purported role of holding power to account.

The entanglement of the Austrian media and the government was exposed in a major corruption scandal unveiled by the Office of the Public Prosecutor for Economic Affairs and Corruption, which culminated in the dramatic resignation of Sebastian Kurz as Austrian Chancellor in October 2021.

As of writing, Austrian state prosecutors are investigating an allegation that taxpayers' money was used to fund Kurz's rise to power, with investigators focusing on alleged embezzlement, breach of trust and corruption through advertisements. Underlining the significance of the allegations, under Section 153 of the Austrian Criminal Code, the crime of embezzlement is

98 Beig, S (2021): Islamwissenschaftler Amir Zaidan warnt im eXXpress-Interview vor den Muslimbrüdern in Österreich und nennt sie mit Namen <https://web.archive.org/web/20210722043922/https://exxpress.at/insider-packt-aus-ueber-geheime-fuehrungsriege-der-muslimbrueder/> 02.02.2021

99 ORF (2020): Großraza gegen Muslimbrüder. <https://orf.at/stories/3189079/>, 24.08.2021.

100 Rauscher, H (2021): Kampf gegen den politischen Islam? Eine Blamage. <https://www.derstandard.at/story/2000128661867/kampf-gegen-den-politischen-islam-eine-blamage> 02.02.2021

"punishable by imprisonment for a term of one to ten years. For such crimes, one used to be deprived of "civil rights," i.e. the right to vote and eligibility to stand for election¹⁰¹.

The accusation is that the pollster manipulated polls for the daily newspaper Österreich with the aim of giving Sebastian Kurz (ÖVP) an advantage.¹⁰² When Kurz took over the ÖVP in 2017, it was at a low in the polls. He seized all power within the party by changing its constitution. And if the accusations prove to be true, those polls were subsequently manipulated by Kurz's inner circle, apparently in exchange for millions in media funding from the Ministry of Finance.

The tabloid media in Austria are particularly powerful; they can promote or destroy careers. This much has been clear since the Ibiza affair¹⁰³ in which disgraced former Austrian Vice Chancellor Heinz-Christian Strache imagined what could be achieved if only the Kronen Zeitung paper would promote his party, the far-right FPÖ¹⁰⁴.

Föderl-Schmid underlines that according to a study by "Medienhaus Wien", more than half of the money spent on advertising ended up in three tabloid media outlets: Österreich, Kronen Zeitung and Heute. At these outlets, the owners are simultaneously editors-in-chief or managing directors. She further states that this may be one reason why the question of the separation of

commercial advertising and reporting is not always taken very seriously¹⁰⁵.

In total, the agency of the polls manipulator is said to have received €100,700 in this way in 2016, and €83,000 in 2017. According to investigators at Österreich, the studies prepared for the ÖVP include, for example, a survey on [then-Chancellor and social democrat (SPÖ) Christian] "Kern as a pizza delivery boy¹⁰⁶", as part of a dirty campaign.

Other alleged fictitious surveys/polls gauged approval ratings in the event of a Coalition break up/rupture, the assessment of Sebastian Kurz and Christian Kern, or tax policy issues. This is also said to have been settled via the Ministry of Finance, according to documents of the Public Prosecutor's Office for Economic Affairs and Corruption (WKStA)¹⁰⁷.

With a co-optation of a formerly far-right anti-Muslim and anti-immigrant politics, Kurz's ÖVP distracted the electorate, based on equally falsified and commissioned "studies", from what was really going on behind the scenes. Süddeutsche - a German newspaper media outlet who also revealed, alongside Der Spiegel, the Ibiza Affair which brought down the FPÖ - reported that, the media painted Kurz as a rising star, come to help the down-and-out party of old men to rise to the top; this falsified content was used to manipulate public opinion - paid for with taxpayers' money¹⁰⁸.

101 Prantl, H (2021): Österreich erlebt durch Kurz einen dreifachen GAU. <https://www.sueddeutsche.de/meinung/prantls-blick-kurz-oesterreich-1.5435597> 02.02.2021

102 Al-Youssef (2021): Meinungsforscherin B. ist frei – aber weiterhin belastet. <https://www.derstandard.at/story/2000130453851/meinungsforscherin-b-ist-frei-aber-weiterhin-belastet> 02.02.2021

103 The Ibiza affair led to the downfall of Sebastian Kurz's first coalition government with the FPÖ, with then Vice-Chancellor Strache exposed as offering government contracts in return for favourable news coverage. More about the Ibiza scandal: <https://www.theguardian.com/world/2019/may/20/austria-ibiza-scandal-sting-operation-what-happened-why-does-it-matter>

104 Föderl-Schmid, A. (2021): Wechselseitige Begünstigung. <https://www.sueddeutsche.de/politik/oesterreich-politik-korruption-kurz-oevp-1.5434235> 02.02.2021

105 Ibid

106 Schweitzer, F (2021): Twitter: <https://twitter.com/fschweitzer/status/1445734540866199552?lang=ar> 2.02.2021

107 Al-Youssef (2021): Meinungsforscherin B. ist frei – aber weiterhin belastet. <https://www.derstandard.at/story/2000130453851/meinungsforscherin-b-ist-frei-aber-weiterhin-belastet> 02.02.2021

The investigations into the scandal included - ironically - a police raid of the ÖVP offices. While Kurz showed no remorse in the days following the exposure of the scandal, he then vacated his role as Chancellor on 9th October. This occurred after investigative journalists from the weekly investigative magazine Falter exposed conversations in which Kurz and his close circles expressed themselves in the most condescending and insulting manner toward former party leaders whom they pushed from power to take complete control over the party.

Despite Kurz resigning from the chancellorship, the ÖVP remains in power with Alexander Schallenberg, a former diplomat who has no experience in domestic politics, Kurz has appointed as successor a Chancellor loyal to him. Kurz thus effectively remains a shadow chancellor, and continues to determine the fate of Austria's politics, and could feasibly return to his position as Chancellor¹⁰⁹.

The latest scandal fits in a pattern whereby the governing ÖVP has repeatedly used dubious studies to validate Islamophobic sentiment for the purposes of policy making. This was evident in the debunked 'kindergarten study' authored by Ednan Aslan¹¹⁰ - and more recently through the government positing the unscientific and unsubstantiated relationship between "extremism" and "terrorism" in order to legitimise the

introduction of the Anti-Terror Bill.

As Pirker outlines the relationship between politics and the media requires comprehensive legal regulation, especially where money passing between political figures and organisations, and the media is concerned¹¹¹.

What weighs heavily is that Kurz has done everything he can to discredit the rule of law and the separation of powers in Austria; these two democratic principles have so far been the only check on his government's draconian policies.

For reasons of personal gain, he has attacked the judiciary and questioned its independence - undermining confidence in the rule of law. In light of the current findings, it also becomes clear why the Kurz-led government proposed last spring to ban house searches of authorities¹¹² and to ban media from quoting from investigation files¹¹³.

If the ÖVP had managed back then to successfully introduce these bans, these very corruption revelations that have led to Kurz's downfall would have been punishable as a crime¹¹⁴.

108 Prantl, H (2021): Österreich erlebt durch Kurz einen dreifachen GAU.

<https://www.sueddeutsche.de/meinung/prantls-blick-kurz-oesterreich-1.5435597> 02.02.2021

109 Förderl-Schmid, A. (2021): Wechselseitige Begünstigung. <https://www.sueddeutsche.de/meinung/oesterreich-sebastian-kurz-ruecktritt-kommentar-1.5435127> 02.02.2021

110 Read more about the kindergarten study here: <https://www.falter.at/zeitung/20170704/islam-kindergarten-studie-kurz-leak> 02.02.2021 and: <http://linkswende.org/rassismus-als-naehrboden-fuer-mehr-rassismus/> 02.02.2021

111 Pirker, H (2021): So sind wir. <https://www.news.at/a/leitartikel-so-12258241> 02.02.2021

112 Förderl-Schmid, A. (2021): Wechselseitige Begünstigung. <https://www.sueddeutsche.de/meinung/oesterreich-sebastian-kurz-ruecktritt-kommentar-1.5435127> 02.02.2021

113 ZackZack (2021):Aufpassen! Justizreform: ÖVP will Pressefreiheit einschränken

<https://zackzack.at/2021/02/24/aufpassen-justizreform-oevp-will-pressefreiheit-einschraenken/> 02.02.2021

114 Prantl, H (2021): Österreich erlebt durch Kurz einen dreifachen GAU.

<https://www.sueddeutsche.de/meinung/prantls-blick-kurz-oesterreich-1.5435597> 02.02.2021



Case: Insulted by police then smeared by the media

Aisha, a project manager at a university, and her husband Omar live in Austria

On the night of the raid, Omar's cousin, who was sleeping downstairs in the bedroom, awoke just in time to see police trying to break through the glass patio door with a battering ram.

The cousin as well as Omar's 15-year-old son were pulled out of the house and had to hold out in the cold on the terrace/patio with their hands up, threatened with weapons by Cobra units, until the first floor was fully searched.

Between 30 and 40 officers of the Cobra unit stormed in, with red laser sights darting across the house.

One officer charged up the stairs and yelled at Aisha to put her hands up. She did not respond, because she could not understand what was happening, or that she was the target.

As she was looking for clothes to wear, she was constantly surrounded by two officers.

At the same time as Aisha's home was being raided, her husband Omar, who was staying in another apartment in a different city, was woken to the sound of fake explosions and also raided.

Aisha's daughters were terrified by the raid: her 17-year-old daughter started screaming hysterically. Her eight-year-old was crying too. Her four-year-old retreated into near silence.

All doors were thrown open by officers. Despite the biting cold in November, it took them more than an hour to close the doors.

The police officers were very aggressive, searching everything.

As is documented in the police files, a search warrant was not provided until two-and-a-half hours into the raid, and on top of that Aisha was not informed of her rights.

During the search, an officer asked her: "Why do you actually speak German so well?"

"That's the breed of them"

Alongside the Cobra unit, the police brought women officers to handle the children in the home - something they were later criticised for in public. But this didn't stop the officers' treatment of the children being just as heavy-handed.

Officers spoke derisively about Aisha's children, saying: "That's the breed of them".

Photos of everything were taken, and the children's savings books were snatched. Their electronic devices were all confiscated, depriving them of the ability to engage in online schooling during the pandemic.

Aisha's 13-year-old son was grabbed by the neck and dragged down by a Cobra officer. Her eight-year-old nephew and 12-year-old niece, who had been visiting, were threatened and questioned about their family living in London. Aisha is furious that her niece was questioned without her consent or presence.

When her eight-year-old daughter wanted to go to the bathroom, one of the women officers walked in as she was getting undressed. To avoid a similar encounter, the four-year-old didn't use the bathroom for hours until the officers had left.

Officers spared no sympathy for the family.

When Aisha went to make a sandwich for her children, an officer demanded that she "put the knife down".

The whole family was threatened with weapons for five hours as they huddled together.

At the same time, one of the women accompanying the unit was joking and laughing with an officer.

Fear, confusion and small acts of resistance

Following the raid, Aisha's home was declared by the media as the "old terror villa", and people have photographed the family in the street and in the supermarket.

The family were left deeply confused by the raids. Like many others impacted by Operation Luxor, the children are undergoing therapy. The children are very sensitive when strangers park in front of their house now. Their devices were finally returned two months later - despite having been laying around untouched by police since the beginning of the year.

Aisha states that the community is very much led by fear, very strongly.

Despite this, their story includes small acts of resistance.

When police demanded to take the fingerprint of Omar after his raid, he was defiant.

Having been born and raised in Iraq, he knew better than to give in to authorities easily:

"The only way for you to get my fingerprint is for you to cut off my finger and put them there", he told them.

4. POST LUXOR DEVELOPMENTS

4.1 A CLIMATE OF HEIGHTENED ISLAMOPHOBIA

Muslims' everyday experiences of Islamophobia in Austria have barely been acknowledged by society. The Anti-Terror Bill, described below, was put together a few days after Operation Luxor and presented on the 11th November, drawing on and operating within a climate of heightened Islamophobia.

The institutionalisation of Islamophobia has also emboldened the street forces of the Austrian far-right. A few days after the release of the Islam Map in May 2021 four mosques were attacked by a far-right group. Neo-Nazis are open about their hatred of Islam: they proudly placed a sign outside a Muslim institution saying "Caution: you are close to political Islam. Mosques were vandalised with "der Fuhrer ist zuruck" (translated as 'the Fuhrer is back')"; and an anonymous individual fired warning shots at two Muslim women, which went viral in Austrian mainstream media.

This thread of Islamophobia has run through developments in Austria in the year since the Vienna attacks, and adopted varying guises – while the accountability of politicians for not acting upon intelligence provided prior to the shootings, has not been attained, sending a devastating message to the families of the victims.

Instead, the proposals of the Anti-Terror Bill have taken on a clearly Islamophobic bent, through their emphasis on "Political Islam" being the problem. This approach is part of a larger trend with the expansion of the concept of terrorism to include non-violent extremism.¹¹⁵ Such policies and programmes are a means of forcefully limiting the space in which it is possible to be Muslim and clamps down on Muslim social and political life, censoring Islamism and their use of Islamic religious expressions on any level¹¹⁶.

But there have also been instances of the Austrian government adopting a more paternalistic Islamophobia, whereby security measures are being presented as being for the good of Muslims themselves.

115 Hafez, F. (2019): Islamophobia Studies Yearbook: Islamophobe think tanks, p.13.

116 ibid

Integration minister Raab repeatedly emphasised at the press conference in May 2021 that she was "concerned with protecting the worshippers". The differentiation of "trusted" Muslims exists in contrast to "suspect" Muslims, with the latter being further divided into victims "at risk of radicalisation", and those who are deemed dangerous and "risky". This mirrors the tendency to divide 'good Muslims' from 'bad Muslims' that is reproduced in British counter-extremist policies¹¹⁷.

The cornerstone of the Austrian state's reaction to the 2nd November attacks lie in the proposed Anti-Terror Bill and the development of 'counter-extremist' measures designed to combat 'Political Islam'.

117 CAGE (2011): Good Muslim Bad Muslim: A response to the revised PREVENT strategy report.
<https://www.cage.ngo/product/good-muslim-bad-muslim-a-response-to-the-revised-prevent-strategy-report>
02.02.2021

4.2 THE 'ANTI-TERROR BILL'

In the case *Klass v Germany* from 1979, the European Court of Human Rights acknowledged that repressive counter-terrorism measures could undermine or destroy democracy "on the ground of defending it"

The Court also cautioned that "States may not, in the name of struggle against espionage and terrorism, adopt whatever measures they deem appropriate".¹¹⁸

On 11 November 2020, nine days after the November 2nd attack and two days after Operation Luxor, then-Austrian Chancellor Sebastian Kurz proposed the "Anti-Terror package", which originally included the following proposals¹¹⁹:

1. Political Islam:

"In the fight against Political Islam – the ideological basis behind it a criminal offense called "Political Islam" will be created in order to be able to move against those who aren't terrorists but are preparing the ideological breeding ground for them", Kurz declared.¹²⁰ Muslims who are socially active are therefore viewed as either already-dangerous or at constant risk of becoming dangerous. Introducing a criminal offense called "Political Islam" also underlines that ideology alongside identity will be the driving motives for criminalisation.

2. Greater regulation of Muslim institutions

Simplifying the process of shutting down Islamic faith associations or mosques deemed to play a role in 'radicalisation' as deemed by the state, and a proposed online platform

enabling the public to report potential violent activities.

A central register of imams (known as the Imams register) would also be created.

3. Citizenship stripping:

The ability to strip Austrian citizenship from individuals convicted of terrorism.¹²¹

4. Preventive detention:

Plans for post-imprisonment preventive detention for people convicted of terror offences. This means that prisoners would be held, perhaps indefinitely, until they have been deemed to be 'deradicalised' - therefore expanding the regime of incarceration.

5. Electronic ankle tagging:

Enabling the monitoring of recently-released prisoners with an electronic ankle bracelet or a wristband.

For a number of months discussion of the Anti-Terror package waned, and it appeared briefly to have been discarded.

But on 7th May 2021, the Austrian government decided, without any notice or transparency, to introduce the package as a formal Parliamentary Bill via Press conference. The Council of Ministers (Ministerrat) adopted the package less than a week later and sent it to the National Council (Nationalrat) without much resistance or media attention.¹²² The lack of attention paid to public and civil society opposition to the law raised serious democratic questions, and indicates the highly politicised nature of the policy.

After the revision of the Bill, the proposal for Preventive detention was removed from the Bill,

118 *Klass and Others v Germany* App no 5029/71 (ECtHR 1979) para 49.

119 Bundeskanzleramt (2020): Bundeskanzler Kurz: Terrorismus und politischen Islam mit allen Mitteln bekämpfen, <https://www.bundeskanzleramt.gv.at/bundeskanzleramt/nachrichten-der-bundesregierung/2020/bundeskanzler-kurz-terrorismus-und-politischen-islam-mit-allen-mitteln-bekaempfen.html> 11.08.2021

120 Ibid.

121 Bundeskanzleramt (2020): Bundeskanzler Kurz: Terrorismus und politischen Islam mit allen Mitteln bekämpfen, <https://www.bundeskanzleramt.gv.at/bundeskanzleramt/nachrichten-der-bundesregierung/2020/bundeskanzler-kurz-terrorismus-und-politischen-islam-mit-allen-mitteln-bekaempfen.html> 11.08.2021

122 Bekaempfen.html 11.08.2021

but remains part of the ÖVP-Green Party Government programme 2020-2024¹²³. This is ostensibly to 'prioritise' those who supposedly pose a great danger due to their previous history i.e. people who cannot be deported because they do not have suitable documentation.

In addition to amendments in the area of criminal law, there will also be changes to the existing Symbols and Citizenship Act and the Islam Act (see below).¹²⁴

As of October 2021, the current iteration of the Anti-Terror Bill includes few major changes from the initial draft.

Its provisions include:

- The criminal offence of Religious motivated extremism.
- Reformation of the 2015 Islam law, enabling overnment monitoring of the finances of recognised Islamic communities, and the ability to shut down mosques
- Establishment of the Imams Register
- The possibility of abolishing the legal personality of Islamic institutions.
- Tightening of the citizenship law with the possibility to revoke Austrian citizenship
- Enhanced conditionalities upon release from prison, including restrictions on movement and work
- Other symbols will also be banned, especially those movements such as Hezbollah and Hizb ut-Tahrir.

The proposals of the Anti-Terror Bill include a tightening up of the Citizenship law.

Under this law, individuals with dual citizenship can have their Austrian citizenship withdrawn - as we have seen in Britain too, with the increasing use of citizenship stripping powers¹²⁵ over the past decade. It is important to point out that Austria's citizenship law is among the most restrictive in the world.¹²⁶

Further to this the government invented a so-called 'Imams register'. Under it, each officially-recognised Muslim religious community must state precisely who is preaching in their mosques¹²⁷. The primary reasoning used by the government is to combat and target 'hate preachers'. While Raab stated that: "This is not an attack on Muslims and Muslim women", she in the same breath highlighted that "We need to crack down on hate preachers". The implication of her statements are to encourage hyper-surveillance, which in turn justifies extensive data collection in compliance with the state's political agenda.

Susanne Raab stated that "we must be able to close mosques more quickly" on the basis that religious freedom could be abused to advance 'dangerous ideologies, extremism and terrorism'.¹²⁸ Questioning those involved in running mosques or community organisations, affirms Muslims' position as a suspect community, and confirms that in the case of Muslims, 'transparency' is a precondition to belonging within society.

123 Koalition gegen antimuslimischen Rassismus (2021): So schränkt das Anti-Terrorpaket Grundrechte ein. <https://mosaik-blog.at/anti-terror-paket-antimuslimischer-rassismus/>, 11.08.2021.

124 Der Standard (2020): Nehammer warnt vor Gefahr des Rechtsextremismus. <https://www.derstandard.at/story/2000122797292/nehammer-warnt-vor-gefahr-des-rechtsextremismus>

125 Gaigg, V., Marchart, J. (2021): Antiterrorpaket: Regierung hält an Straftatbestand und elektronischer Überwachung fest. <https://www.derstandard.at/story/2000126463927/regierung-haelt-an-neuem-straftatbestand-und-elektronischer-ueberwachung-fest>, 11.08.2021.

126 CAGE (2019): Citizenship Deprivations: What you need to know. 02.02.2021 <https://www.cage.ngo/citizenship-deprivations-what-you-need-to-know>

127 Der Standard (2021): Österreichs Staatsbürgerschaft zählt weltweit zu restriktivsten, kritisieren Experten. <https://www.derstandard.at/story/2000126733399/oesterreichs-staatsbuergerschaftsrecht-zaehlt-weltweit-zu-restriktivsten-kritisieren-experten>, 11.08.2021.

128 Choudhury, T. (2021): Suspicion, Discrimination and Surveillance: The impact of counter-terrorism law and policy on racialised groups at risk of racism in Europe. Project Report. European Network Against Racism, p. 17.

The government tightened the Islam law, which was first introduced in 2015 and granted the government financial monitoring of mosques - whereby not only mosques, but also associations and foundations behind mosques must disclose their financing.

The newly-amended Islam Act will also allow state authorities to dissolve Islamic institutions¹²⁹ based on the "protection of public safety, public order, health and morals or protection of the rights and freedoms of others".¹³⁰

While any act concerning a church or religious community is traditionally amended in consent with the respective church or religious community, that did not happen in this case.¹³¹ This is the first time in Austria's history that a religious law has been passed against the will of the religious community concerned. Remarkably, all of the non-rightist opposition parties supported the vote too.

The provisions of the Act trace the key areas of focus for Austrian counter-terrorism: namely, a strident emphasis on policing and regulating Muslim political, social and religious life in Austria, the expansion of 'hard' policing powers, and ideological management akin to 'counter-extremism' policies in Britain and elsewhere.

129 Bundeskanzleramt (2021): Integrationsministerin Raab: Gemeinsam unsere Gesellschaft gegen extremistische Ideologien verteidigen. <https://www.bundeskanzleramt.gv.at/bundeskanzleramt/nachrichten-der-bundesregierung/2021/05/integrationsministerin-raab-gemeinsam-unsere-gesellschaft-gegen-extremistische-ideologien-verteidigen.html> , 11.08.2021.

130 Hafez, F (2021): How Austria is dismantling civil liberties under the guise of 'anti-terrorism' <https://www.middleeasteye.net/opinion/how-austria-dismantling-civil-liberties-under-guise-anti-terrorism> , 20.09.2021

131 ORF (2021): Neues Islamgesetz: Mehr Kontrolle und harte Strafen. <https://religion.orf.at/stories/3204086/> , 20.09.2021

132 Hafez, F (2017): Austrian Muslims Protest Against Austria's Revised "Islam Act." *Journal of Muslim Minority Affairs*. p. 267-283 , <https://www.tandfonline.com/doi/full/10.1080/13602004.2017.1379693> , 20.09.2021

133 Omar Al-Rawi (2021): Twitter: <https://twitter.com/oalrawienna/status/1412680748776275970>

4.3 COUNTER EXTREMISM IN AUSTRIA

"At the moment we have to deal with two major challenges. Firstly, with the COVID-19 pandemic and, secondly, with the need to fight even more decisively against terrorism and radicalisation in Austria and Europe,"

- Former Austrian Federal Chancellor Sebastian Kurz, 2020¹³³

The aim of the Anti-Terror Bill is not to identify individuals who were actively preparing or

engaging in acts of violence - as that would be a matter for police investigation and prosecution through the regular criminal justice system. Rather, its emphasis on targeting the ideology of 'Political Islam' mirrors the approach taken by other politicised 'counter-extremist' programmes like Britain's Prevent.

As in Britain and elsewhere, anti 'extremism' is a means for the Austrian state to punish individuals for what they think and believe and not what they act upon. It expands the sphere of policing into the social and cultural life of Muslims in Austria.

Austrian definition of 'extremism'

"The term extremism comes from the Latin word "extremus" and means "extreme". Extremism therefore denotes a political, religious or ideological attitude directed "towards the extreme". A total change of the social order system is strived for.

The use of violence and coercion in extremism is a legitimate means of achieving this goal. The present strategy refrains from naming individual forms of extremism and thus underlines the need, when implementing prevention and deradicalisation measures, not to focus solely on individual forms of extremism, but to always keep extremism in all its manifestations in mind.¹³⁴

British definition of 'extremism'

"Extremism" is vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs.

We also include in our definition of extremism calls for the death of members of our armed forces, whether in this country or overseas.'

133 Bundeskanzleramt (2020): Bundeskanzler Kurz: Terrorismus und politischen Islam mit allen Mitteln bekämpfen, <https://www.bundeskanzleramt.gv.at/bundeskanzleramt/nachrichten-der-bundesregierung/2020/bundeskanzler-kurz-terrorismus-und-politischen-islam-mit-allen-mitteln-bekaempfen.html>

134 As per the working definition in the Austrian Strategy for the Prevention of Extremism and Deradicalisation 2019. BNED (2021): Österreichische Strategie Extremismusprävention und Deradikalisierung https://www.bvt.gv.at/401/files/Strategie/767_Strategie_Extremismuspraevention_und_Deradikalisierung_publikation_210x297mm_DE_WEB_20190115.pdf, 20.08.2021.

The definition is couched in nominally neutral language - as Integration minister Susanne Raab claims, "It is not a fight against religion, against the religious community: this is a common fight against terror. We want to protect the practice of religion, because we will not tolerate an erosion of our democratic rights in Austria".¹³⁵

Yet despite this, their overwhelming focus is on Muslims - as Raab also stated during her speech when she introduced the new bill as she kept highlighting that "obviously it's still about Political Islam" and continues with "We can explicitly target Political Islam and Shari'a"¹³⁶, " We want to know which imams are preaching in which mosques (...) those who do not comply will face sanctions."¹³⁷.

What unites these policies is that they aim to facilitate the use of methods beyond the use of coercion available under criminal law, or of military force, under the guise of combating "extremism". This component of the counter-terror approach, signalled a broadening of the focus beyond criminal justice to an examination of the factors that underpin support of and recruitment into terrorism. It was introduced after the Madrid and London bombings, when the EU adopted its first and overarching Counter-terrorism Strategy.

Prevent, one of the four pillars of this strategy, lies at this core of this approach, with a strategic objective of stopping "people from turning to

terrorism by tackling the factors or root causes which can lead to radicalisation and recruitment". It was exported to Austria, underlining the proliferation of national, European, and global policies addressing "radicalisation"¹³⁸

As CAGE has long-argued, a major criticism of this approach to countering political violence is the focus of flawed radicalisation theories on the role of ideology and theology as a cause of violence¹³⁹¹⁴⁰. This approach is reflected in the European Commission description of radicalisation as "the phenomenon of people embracing opinions, views and ideas which could lead to acts of terrorism".

Thus radicalisation places individuals views and opinions under scrutiny and sees ideology as incipient violence. As McCauley and Moskalenko write: "Individuals with radical ideas are 100 times more common than individuals involved in radical action; targeting ideas rather than actions multiplies the enemy by a factor of a hundred".¹⁴¹ This approach legitimises and makes draconian measures as Operation Luxor possible in the first place.

The emphasis of individual psychology in radicalisation theories is also criticised for shifting the focus from the wider societal and political context and the role of state actions and policies that generate political violence.

135 Bundeskanzleramt (2020): Integrationsministerin Raab: "Wir werden die Aushöhlung unserer demokratischen Rechte nicht dulden". <https://www.bundeskanzleramt.gv.at/bundeskanzleramt/nachrichten-der-bundesregierung/220/integrationsministerin-raab-wir-werden-die-aushoehlung-unserer-demokratischen-rechte-nicht-dulden.html> , 20.08.2021.

136 Pressekonferenz: Regierung beschließt Antiterrorpaket (2020): https://www.youtube.com/watch?v=3_UiRZeCP0
137 *ibid*.

138 Choudhury, T. (2021): Suspicion, Discrimination and Surveillance: The impact of counter-terrorism law and policy on racialised groups at risk of racism in Europe. Project Report. European Network Against Racism, p. 18.

139 CAGE (2014): The PREVENT strategy: A cradle to grave police-state report <https://www.cage.ngo/prevent-strategy-cradle-grave-police-state>

140 CAGE (2016): The 'science' of pre-crime: The secret 'radicalisation' study underpinning PREVENT. <https://www.cage.ngo/the-science-of-pre-crime> 02.02.2021

141 McCauley, C. and Sophia Moskalenko, S.: Friction: How Radicalization Happens to Them and Us (Oxford, OUP, 2017), p. 274.

Rik Coolsaet stated in 2016 that “Even 12 years after its inception, radicalisation remains ill-defined, complex and controversial. The same questions of a decade ago are still being asked today.¹⁴² In the case of Austria, the Government has failed to define what “religious motivated extremism” is or present a plausible account of what causes it to exist –both of which would presumably be necessary in order to counter it.¹⁴³

In the EU counter-radicalisation strategies foreign policy is not mentioned as a relevant factor in radicalisation. Rather than becoming a way to bring root causes of political violence back into policy debates, radicalisation soon settled as “the single most important “root cause” of terrorism within Europe.¹⁴⁴ The persistent lack of consensus on the drivers of radicalisation helps to explain why deradicalisation programmes tend to be a blend of objectives of all kinds, from cohesiveness to repression to counter narratives.¹⁴⁵

Very little policymaking in Europe around CVE (Countering Violent extremism) constitutes ‘evidence-led policy’ - rather it is deeply politicised. In this way, European counter-radicalisation policies targeted Muslims, and in so doing enabled and embedded institutional racialised suspicion of Muslims.¹⁴⁶

Arun Kundnani and Ben Hayes state that, under the CVE banner, policy-makers at national and international levels have carried out engagement

and outreach; capacity building and development aid; education and training; messaging and public relations campaigns; surveillance partnerships between policing and non-policing agencies; and targeted ideological interventions on individuals.¹⁴⁷ These ideological interventions were also clearly visible during the events of “Operation Luxor”.

During, and after Operation Luxor, the survivors of the raids were interrogated by the police. Furche, an alternative Austrian media outlet reported that the questions asked during the interrogation of several suspects seem to be more appropriate for an examination of attitudes than for a suspicion of terrorism.

For example, the Federal Office for the Protection of the Constitution was interested in “how many friendships were maintained with autochthonous (native) non-Muslim Austrians”, “what do you think about dialogue around Israel”, or questions including whether or not the females present “wore the hijab”, and what they thought about marriage of underage girls and what they understood by the term “Islamophobia”.

That is to say, individuals were asked questions which have nothing to do with ascertaining whether they intended to commit violence, but rather those that are inherently ideological in nature, and underlined the association of Islam with violence and suspicion of Muslims as incipient extremists and potential terrorists.

142 Coolsaet, R. (2016): ‘All Radicalisation is Local’: The Genesis and Drawbacks of an Elusive Concept, Egmont Paper 84 (Royal Institute for International Affairs, Brussels, 2016), p. 5.

143 Kundnani, A. and Hayes, B. (2018) *The Globalisation of Countering Violent Extremism Policies: Undermining human rights, instrumentalising civil society.* Amsterdam: Transnational Institute. Online. www.tni.org/files/publication-downloads/cve_web.pdf

144 Rik Coolsaet and Tanguy de Swielande, ‘Epilogue: Zeitgeist and (De-)Radicalisation’ in Rik Coolsaet (ed.), *Jihadi Terrorism and the Radicalization Challenge in Europe* (Ashgate Publishing Company, Farnham, 2008) 159.

145 Coolsaet, R. (2016): ‘All Radicalisation is Local’: The Genesis and Drawbacks of an Elusive Concept, Egmont Paper 84 (Royal Institute for International Affairs, Brussels, 2016), p. 5.

146 Choudhury, T. (2021): *Suspicion, Discrimination and Surveillance: The impact of counter-terrorism law and policy on racialised groups at risk of racism in Europe.* Project Report. European Network Against Racism, p. 20.

147 Kundnani, A. and Hayes, B. (2018) *The Globalisation of Countering Violent Extremism Policies: Undermining human rights, instrumentalising civil society.* Amsterdam: Transnational Institute. Online. www.tni.org/files/publication-downloads/cve_web.pdf

4.4 THE DISCURSIVE FRAMING OF MUSLIM CIVIL SOCIETY

States including Austria are increasingly blatant and direct when it comes to the Islamophobia within their 'anti-radicalisation' efforts in - as illustrated by the vocabulary the government is using by explicitly targeting and through directly naming Muslims and so-called "Political Islam" as the problem.

Susanne Raab stated during the press conference introducing the Islam Map that:

*"At the outset, one thing is very important to me to emphasize: one must distinguish, always, between Islam as a religion and the political, extremist ideology of political Islam, which is a danger to coexistence, which is a danger to integration, which counteracts and endangers our values, our constitutional state and our basic democratic order."*¹⁴⁸

In addition to allowing governments to make disingenuous claims that they are merely targeting 'Islamists' rather than Muslims per se, the 'moderate'/'extremist' and 'Islam'/'Islamism' dichotomies reinforce the perception that the problem of political violence lies with Islam and among Muslims; and the need to work very selectively with Muslim organisation makes Islam in the eyes of the government both 'the cure and cause of radicalisation'.¹⁴⁹

As Tufyal Choudhury points out "crucially both 'extremist' and 'moderate' Muslims are objects of policing and policy - they exist on a continuum; both are the objects of state intervention and control"¹⁵⁰.

However, the European Commission against Racism and Intolerance (ECRI) has already observed "a dangerous 'normalization of Islamophobic prejudice" as "Islam and Muslims continue to be associated with radicalization, violence and terrorism".¹⁵¹

Despite investigators not putting forward a single evidence of "terrorist financing" after extensive surveillance and house raids, Karl Nehammer already framed the narrative and justification for Operation Luxor using this reasoning, which was later ruled by Austria's High Court to be false.

This leads us to another example of how Muslims are constantly subjected to general suspicion. Muslims are constantly placed with the burden of proof; to "prove that they are good" solely for the fact they are Muslim. This leads us to question: is a person who possesses cash at home suspected of "terrorist financing", or is this only the case with Muslims? Is everyone subjected to interrogation on national media to prove and provide track records and documents, or only Muslims?

In another example of this, a victim of Operation Luxor was targeted as a result of phone call surveillance which recorded the person - an Islamic teacher - pursuing lawful real estate ventures in Vienna. The individual was accused of terror financing and of promoting the structure of Hamas by buying real estate.

On mainstream media, he rejected the accusations, and stated that he did not receive any dubious financial injection for the planned purchase of a plot of land. He had financed his own house with an

148 Pressestatements zur Präsentation der Dokumentationsstelle Politischer Islam (2020):

<https://www.youtube.com/watch?v=INb1HzZrFVQ>

149 Brown, K. (2018): Introduction: Radicalisation and Securitisation of Muslims in Europe. 7 Journal of Muslims in Europe, p. 139.

150 Choudhury, T. (2021): Suspicion, Discrimination and Surveillance: The impact of counter-terrorism law and policy on racialised groups at risk of racism in Europe. Project Report. European Network Against Racism, p. 22.

151 Council of Europe (2019): European Commission against Racism and Intolerance, 'Annual Report on ECRI's Activities Covering the Period from 1 January to 31 December 2018' (Strasbourg, p. 10)

official loan from the bank, and his lawyer assured him that this can be proven by means of the land register and bank information.

He has only had financial problems since the raid. The individual in question is, according to his own statements, also an integration ambassador for the government-initiated school visitation campaign "Together Austria". He has been on leave of absence since December. Since then he has only received his basic salary.¹⁵²

In summary, innocent citizens are perceived as suspects and criminals, through the securitisation of Muslim identities and religious practices, which under counter-extremism policy, are perceived as indicators of "radicalisation", and sources of suspicion and fear.

This leads to individuals marked as Muslim being forced in a position to prove to society that they are "good Muslims" - one of the recurrent features of structural Islamophobia today, and hence a core objective of the 'Documentation Centre' as well.

152 Seeh, M. (2021): Anti-Terror-Razzia: Religionslehrer wehrt sich. <https://www.diepresse.com/5997294/anti-terror-razzia-religionslehrer-wehrt-sich> , 24.08.2021

4.5 COMBATTING "POLITICAL ISLAM"

On November 25th 2020 in a press conference, the Documentation Centre against anti-Muslim hatred (as distinct from the Documentation Centre for Political Islam) underlined that there is no standardised, scientifically recognised definition of the term of "Political Islam"¹⁵³, rather it is a collective term for groups with different ideological points of view - particularly, politically active Muslim organisations.

As a result, there is a danger that "all Muslims can be placed under general suspicion, observed by the executive, persecuted and even threatened in their existence"¹⁵⁴, that would be tantamount to criminal convictions. To sum it up, the fight against so-called "Political Islam" is in reality a fight against mosques, headscarves and Islamic educational institutions.¹⁵⁵

In 2018, the Government's argument that the headscarf is a symbol of the ever-recurring spectre of "Political Islam" was also rejected. In March of that year, the then-ruling ÖVP-FPÖ coalition announced a headscarf ban in Kindergarten and primary school. These initiatives were intended to form the basis for extending a headscarf ban to universities and the civil service. However, before this could be tackled, the constitutional court declared that the ban was unconstitutional¹⁵⁶.

After the "headscarf ban" for girls in primary school

was lifted by the constitutional court on December 11th 2020, the coalition negotiators were aware that referring to only one religion could lead again to an overruling by the constitutional court.

Accordingly, the Government decided to rename the proposed criminal offence in the Anti-terror package from "Political Islam" to "religious motivated extremism". Arguably, this term is even broader than "terrorism" or "counter violent extremism", since its official crime is a "belief-crime" or "thought" crime.

Despite the press release on the revised Anti-Terror Bill being published on the Chancellor's website, it stated that the offence of Political Islam is central even though it had been formally revised to "religiously motivated extremism".

The ban would be specifically directed against "religiously motivated extremist associations that aim to replace the essential elements of the democratic constitutional order with a religiously based social and state order". Anyone who founds, participates in, leads or otherwise supports such an association will be punished.¹⁵⁷

Despite already-existing laws, Integration minister Susanne Raab stressed a need for an explicit regulation which targets "a criminal act aimed at establishing a new, religiously-based social order, where our values and our social- and state-based order replaced by religious-based order, namely scharia (shari'a)".¹⁵⁸ It also contributes to the

153 Dokustelle, Islamfeindlichkeit&anti-muslimischer Rassismus (2020): Stärkung des pluralistischen Rechtsstaates statt Einschränkung von Menschenrechten: Ein offener Brief an die Regierung <https://dokustelle.at/publikationen/stellungnahmen> 02.02.2021

154 Ibid

155 Hafez, F. (2021): Die ÖVP gegen den „politischen Islam“: Ein Verfassungswidriger Kreuzzug. <https://mosaik-blog.at/politischer-islam-oevp-verfassungsgerichtshof/> 02.02.2021

156 ibid .

157 Bundeskanzleramt (2020): Integrationsministerin Raab: "Wir werden die Aushöhlung unserer demokratischen Rechte nicht dulden". <https://www.bundeskanzleramt.gv.at/bundeskanzleramt/nachrichten-der-bundesregierung/220/integrationsministerin-raab-wir-werden-die-aushoehlung-unserer-demokratischen-rechte-nicht-dulden.html> , 20.08.2021.

158 Pressefoyer nach dem Ministerrat (2020): <https://www.youtube.com/watch?v=kgJ20pblckU> 02.02.2021

securitisation of questions of identity and belonging, on the false assumption that maintaining a distance from or rejection of Western culture represents a risk of terrorism.¹⁵

Then-Austrian chancellor Sebastian Kurz explained that there are two major goals of the Anti-Terror Bill. Firstly, consistent action against terrorists and dangerous persons, and secondly, decisive action against the ideology of Political Islam, which in the state's view forms the basis for terrorism¹⁵⁶.

"In the fight against Political Islam and the ideological basis behind it, we will create a criminal offence of 'Political Islam' in order to be able to take action against those who are not terrorists but who create the breeding ground for it," emphasised Kurz in a statement since removed¹⁶⁰.

Yet even after the criminal offence was revised and adjusted from "criminal offence Political Islam" to "criminal offence of religious motivated extremism", Susanne Raab repeatedly stated that it was primarily about "Political Islam".

While these linguistic changes reflect an attempt to dilute any stigmatisation of Muslims, they nevertheless reveal how some laws formulated in "neutral" language in their final version, explicitly targeted Muslims and Islam when they were first developed or proposed.¹⁶¹

In order to justify the need for hyper-surveillance of Muslims and Islam, the argument that "the authorities have to know what is happening in mosques" is put forward. By fixating over what Muslims are doing in their mosques, Muslims who attend mosques are being framed as objects of suspicion. This feeds into wider societal suspicion of mosques, prayer rooms and even the very act of Islamic prayer.

On 28th October 2021, Susanne Raab hosted an international conference on the fight against "Political Islam" in Vienna, gathering over 100 international 'experts, including Program Director for Extremism at George Washington University, Lorenzo Vidino and state representatives. Invited to the premiere were the Danish Minister for Integration, Mattias Tesfaye, the Assistant Minister for Citizenship at the French Ministry of the Interior, Marlène Schiappa, and the Flemish Deputy Prime Minister and Minister for Integration, Bart Somers, present at a working meeting was also the EU Counter-Terrorism Coordinator, Ilkka Salmi of Finland¹⁶².

At the conference, Raab introduced a five-point plan/programme against "Political Islam" and stated that "With the new 'Vienna Forum' we have created a European exchange in the fight against Political Islam in Europe. Because Islamism is a phenomenon that is on the rise".

159 ibid

160 Bundeskanzleramt (2020): Bundeskanzler Kurz: Terrorismus und politischen Islam mit allen Mitteln bekämpfen, <https://www.bundeskanzleramt.gv.at/bundeskanzleramt/nachrichten-der-bundesregierung/2020/bundeskanzler-kurz-terrorismus-und-politischen-islam-mit-allen-mitteln-bekaempfen.html>

161 Choudhury, T. (2021): Suspicion, Discrimination and Surveillance: The impact of counter-terrorism law and policy on racialised groups at risk of racism in Europe. Project Report. European Network Against Racism, p. 37.

162 Arends, J. (2021): Raab bildet internationalen "Schulterschluss gegen politischen Islam" <https://kurier.at/politik/inland/raab-bildet-internationalen-schulterschluss-gegen-politischen-islam/401787416> 02.02.2021

The five-point plan/programme included¹⁶³:

1. Strengthening cooperation of specialists: In order to develop joint solutions against 'Islamists'.
2. Exchange of best practice: Sharing experiences and insights; Minister Raab will visit her counterparts in the coming months.
3. Strengthen cross-national cooperation in research: Using solid and comprehensive knowledge to tackle actors, networks as well as the ideology behind them.
4. Attracting more countries to the fight against 'Islamism'
5. Developing the 'Vienna Forum': To develop the forum as a centre of competence against 'Islamism', to be held annually.

163 Kurier (2021): Österreich geht mit anderen EU-Ländern gegen politischen Islam vor.
<https://kurier.at/politik/inland/oesterreich-geht-mit-anderen-eu-laendern-gegen-politischen-islam-vor/401787020>
02.02.2021

4.6 REGULATING MUSLIM LIFE IN AUSTRIA

On the official website for Austrian Chancellor, the press release "Federal Chancellor Kurz: Fight terrorism and Political Islam with all means", reinforces the association of Islam with terrorism that underpins Austrian counter-terror policies.

The text proceeds: *"terrorism and the ideology behind it must be fought with all means"*¹⁶⁴ - equating and conflating "terrorism" with "Political Islam", and intertwining the fight against "Political Islam" as fighting the "ideology of terrorism". Both these are terminologies which have not been adequately defined but still have tremendous consequences for how Muslims are able to engage Austrian society. Under the pretext tackling "Political Islam", draconian, unlawful measures have been enacted, which criminalise much of Muslim social involvement and expression in Austria.

As Choudhury points out: "The enactment and implementation of counter-terrorism policies have securitised Muslim identities and religious practices as indicators of potential radicalisation and sources of suspicion and fear"¹⁶⁵. Moreover, making distinctions between Islam as a faith and "Political Islam" allows policymakers to argue disingenuously that they are focusing on a political ideology and not a religion per se or its adherents.

The approach to combating 'Political Islam' through the proposed Anti-Terror Bill follows a number of cases in Austria where attacks on Muslim civil life were constrained by the courts.

In June 2018, the then-governing coalition of the ÖVP and the far-right FPÖ (Freiheitliche Partei

Österreichs - Freedom Party of Austria) presented a measure against "Political Islam", by deciding to close a mosque (Kultusgemeinde). This was justified as they accused the officials of the official Islam community to which the mosque belonged as violating the "positive basic attitude towards the state and society in Austria". In February 2019, the Vienna Administrative Court overturned this measure on technical grounds.¹⁶⁶

During the course of the investigation into the 2nd November 2020 attack, the Minister of the Interior and the Minister of Integration (both members of the ÖVP) planned to close a mosque. This was done under the pretext of fighting "Political Islam" which the then-Chancellor Kurz personally declared was "the basis of [terrorism]".

As Minister of Integration Susanne Raab explained, there was no evidence of criminality relevant to the closure - nevertheless, she declared that action had to be taken due to "imminent danger" that the mosque supposedly presented.

The state-approved Islamic Religious Community (IGGÖ - officially representing Muslims in Austria) approved and closed the mosque, which led to the mosque turning to the courts. The court ruled that the closure of the mosque was not legal due to there being no evidence that the mosque had called for "jihad", and they presented the sermons of the last few years as proof¹⁶⁷.

Importantly, As Hafez well noted the defence of the rule of law in Austria has come in large part from the constitutional court, which has thus far served as the primary guarantor of rights in the midst of rampant unequal treatment in Austria¹⁶⁸.

164 Ibid.

165 Choudhury, T. (2021): Suspicion, Discrimination and Surveillance: The impact of counter-terrorism law and policy on racialised groups at risk of racism in Europe. Project Report. European Network Against Racism, p. 45.

166 Hafez, F. (2021): Die ÖVP gegen den „politischen Islam“: Ein Verfassungswidriger Kreuzzug. <https://mosaik-blog.at/politischer-islam-oevp-verfassungsgerichtshof/> 02.02.2021

167 ibid

168 ibid



5. CONCLUSION

A Community Persecuted: A year on from Operation Luxor is being published one year after the Operation Luxor raids, which were the largest police raids in Austria since the second World war, and were directed exclusively at one religious minority in Austria, Muslims.

Operation Luxor was an illegitimate, politicised policing operation that led to widespread violations of human rights and children's rights in Austria, to appease foreign governments in their campaign against the Muslim Brotherhood, but which impacted almost 1000 homes and large numbers of innocent individuals, including women and children.

Narratives from the experiences of racialised minorities have been particularly important in providing evidence of individual and systemic discrimination in the context of counter-terror policies. This report has sought to fill a gap, by focusing on a region whose counter-terror policies are less well-known than Britain's.

The raids were one of numerous attacks on Muslim

citizens in Austria last year. This report focuses on the development of 'counter-terror' policies in Austria over the last year, disguised under the pretext of combatting "Political Islam".

Policy measures introduced in the year since Operation Luxor portend a wider crackdown on Muslim civil, social and political life in the country - as well as civil freedoms more broadly.

The Anti-terror Bill heralds a shift towards adopting more of the censorious and repressive 'counter extremism'/'counter terrorism' agenda that is all too commonplace in Britain, as well as ushering in a sweeping set of draconian policing powers, honed on Muslims. Opposing the Bill should be on the agenda of every rights organisation in Austria.

Despite the ambiguous framing, the outcome of Austria's campaign against could not be any clearer: what is disguised as a fight against 'Political Islam' is in fact a fight against any form of Muslimness or Muslim identity within the country. That much has been made evident by the range of

targets thus far - mosque closures, hijab bans, and the proposed sharia ban, to name a few.

Austria joins a number of countries on the continent who are taking a sharp turn towards visceral racism, xenophobia and Islamophobia to shore up domestic support - as has increasingly become the case in Emmanuel Macron's crackdown on Muslims in France¹⁶⁹, as well as the more well known despotism of Viktor Orban's Hungary and its ilk.

Nonetheless, the explicit emphasis on Muslims in Austria is stark and chilling. The existence of state-funded institutions like the Documentation Centre for Political Islam and the Islam Map are deeply troubling, and indicate a government more preoccupied with subsidising racism than tackling social problems. Opposing these must be central to anti-Islamophobia and anti-racist organisations in Austria and beyond.

169 CAGE (2021): Global coalition urges European Commission President to investigate France at the European Court of Justice for systematic rights violations against Muslims and imposition of discriminatory 'Imam's Charter' <https://www.cage.ngo/global-coalition-urges-european-commission-president-to-investigate-france-at-the-european-court-of-justice-for-systematic-rights-violations-against-muslims-and-imposition-of-discriminatory-i> 02.02.2021

5.1 RECOMMENDATIONS

The governing ÖVP in Austria has managed successfully to fundamentally reshape the state's politics towards Muslim communities by introducing the terminology of 'Political Islam' into the public discourse. The ÖVP has also been using institutions such as the Documentation Centre to produce knowledge that supports their narrative, in order to criminalise Muslimness and Muslim communities, which is seeping in to the work of the domestic intelligence agency and subsequently police operations¹⁷⁰. This discursive shift has enabled numerous laws and policies to be introduced, with the only check on government power thus far amounting to interventions by the courts.

In light of the mounting violation of human and children's rights during Operation Luxor, and the sharp ratcheting up on draconian and deeply Islamophobic policies in Austria, there is a need for organisations within Austria and outside to challenge the worrying direction of travel in the country.

Based on discussions and consultation with activists in Austria we propose the following recommendations:

FOR THE AUSTRIAN GOVERNMENT:

- All open investigations against victims of the Operation Luxor raids must be dropped and the victims have to be fully vindicated by due process, especially after the higher regional court declaring Operation Luxor as unlawful.
- As demanded by Farid Hafez Support Committee, which consists of almost 350 experts we urge the political leadership in Austria, especially the Minister of Interior and the Minister of Justice, to appoint an independent investigative commission to investigate Operation Luxor and issue its findings¹⁷¹.
- The Documentation Centre for Political Islam, which is financed and led by the government, should be closed.
- An official, formal public state commitment to investigate Operation Luxor, especially the human and children's rights violations and the violations of the right to a fair trial.
- Independent non-government external authority must be established to hold police misconduct to account
- To reject the draconian Anti-Terror Bill, and cease exporting its divisive campaign against 'Political Islam'.
- The resignation of public prosecutor Mag. Winklhofer and the dismissal of Documentation Centre 'experts' Heiko Heinisch & Nina Scholz, all of whom materially contributed to Operation Luxor.
- Stop harassing and terrorising its Muslim minorities and allow them to fully exercise their freedom of religion, freedom of opinion and freedom of speech as much as everybody else in the country.
- Support and fund psychosocial support for the children and adults impacted by Operation Luxor.
- Muslims are the only religious group in Austria where the intelligence service regularly meets with community leaders. We call for an end of the extraordinary means and state surveillance that the Austrian muslim community is currently subject to.

170 Hafez, F. (2021): *Surveilling and Criminalizing Austrian Muslims: The Case of 'Political Islam.'* Insight Turkey 23, no. 2. P. 11–22. <https://www.insightturkey.com/commentary/surveilling-and-criminalizing-austrian-muslims-the-case-of-political-islam>

171 Support Hafez (2021): *International Statement Opposing Use of Counter-Terrorism Powers to Target Islamophobia Expert.* <https://www.suporthafez.com/open-letter/02.02.2021>

FOR CIVIL SOCIETY AND NGOS

- Civil society and NGOs should extend immediate solidarity and support to those individuals and organisations impacted by Operation Luxor in their struggle for accountability and justice. In doing so, they should avoid legitimising state-sponsored binaries between 'good Muslims' and 'bad Islamists'.
 - Oppose the Anti-Terror Bill as repressive and Islamophobic, and opening the door for a broader crackdown across Austrian society. If it passes into law, Austrian civil society should campaign for its repeal.
 - Organisations like CAGE¹⁷² alongside UN Human Rights Rapporteurs have long documented the use of flawed 'science' in legitimising repressive 'counter-extremism' policies.
 - Civil Society organisations in Austria should educate themselves, inform others and campaign forcefully against the counter-extremism policies now taking root in the country.
 - Campaign for the closure of the Documentation Centre of Political Islam and its projects, including the Islam Map
 - Challenge Austrian media and hold them to journalistic standards and ethics to stem the worrying trend of media-disseminated false information, of the media whipping up Islamophobia or of the media uncritically promoting the government line.
- For targeted communities in Austria

FOR TARGETED COMMUNITIES IN AUSTRIA

- Extend solidarity and support to those individuals and organisations impacted by Operation Luxor - the ostracisation of those targeted by such campaigns and policies can often serve as a compound injustice.
- To ensure that community leaders do not continue to serve as 'middlemen' with intelligence services or contribute to the securitisation of Muslim communities. Mosque and community leaders should cease their practice of regular engagement with Austrian security services, which is not expected of other faith communities.
- Defend the right of Muslims in Austria to practice political freedoms, and challenge censorship of Islamic expression - rather than accepting 'second class citizen' status.
- Oppose the Anti-Terror Bill. If it passes into law, campaign for its repeal.
- Refuse the Austrian state's agenda criminalising Muslim communities, and nourish those networks within the community.

CAGE (2016): The 'science' of pre-crime: The secret 'radicalisation' study underpinning PREVENT. <https://www.cage.ngo/the-science-of-pre-crime> 02.02.2021

OHCHR (2020): Human rights impact of policies and practices aimed at preventing and countering violent extremism Report of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism. https://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/43/46 02.02.2021

IIICAGE
Witness | Empower | Justice

ACT-P | 
ASSISTING CHILDREN TRAUMATISED BY POLICE