

Austria External Briefings: May 2022

Operation Luxor

Court rules against dropping Operation Luxor case against Farid Hafez

- [The Criminal Court of Graz has decided against discontinuing the proceedings against Farid Hafez](#), one of the survivors and targets of the police raids in November 2020 known as Operation Luxor.

[The allegations](#) which come from the public prosecutor's office in Graz accuse Hafez of terrorist financing, membership in a terrorist organization and money laundering.

The [suspicion](#) is based on phone surveillance, but so far nothing substantial has emerged in the course of the developments against him.

- [According to the Criminal Court of Graz](#), the list of criteria for determining who is to be qualified as a member of the Muslim Brotherhood corresponds to someone who locates "Islamophobia", Islamophobia, in Western societies. The Criminal Court of Graz has made the argument that 'Islamophobia' is a term instrumentalized by the Muslim Brotherhood, as a propagandistic strategy to emphasise the victimhood of Muslims in the west.

Labelling the Muslim Brotherhood as terrorists, and conflating Muslim advocacy groups with affiliation to the Brotherhood, has been a central plank of the Austrian government's attack on Muslim civil society, including for Operation Luxor.

Yet even the Higher Regional Court in Graz found that due to the ["diversity" of the Muslim Brotherhood](#), it is highly speculative to argue that any alliance could be considered terrorist activity, which weakens a key element of the state's rationale around Operation Luxor.

- This decision by the Criminal Court of Graz brazenly criminalises Muslim activism and intellectualism in Austria while simultaneously serving as means to silence any Muslim opposition to the status quo and the ruling government.

Farid is a well-known political scientist has been researching Islamophobia and is known for the Islamophobia reports, for which he acts as editor or co-editor, such as the "Yearbook for Islamophobia Research" and the "European Islamophobia Report". His account of the 2020 raid is recounted in our report [Operation Luxor: Unravelling the myths behind Austria's largest ever peacetime police raids](#)

Graz public prosecutor wants to investigate three suspects in Operation Luxor and a Muslim activist for 'coercion'

- The Graz public prosecutor Johannes Winklhofer plans to [investigate three suspects raided in Operation Luxor and a Muslim activist for 'coercion'](#) because they chose to defend themselves legally against statements of a controversial prosecution witness.
- [Winklhofer](#) is leading the investigations into one of the largest and probably most controversial proceedings in Austria: Operation Luxor. As part of the operation, dozens of raids against the members of the Muslim community took place in the name of fighting so-called "political Islam".

As yet none of those targeted have been arrested or found guilty. On the contrary, there have already been setbacks in the operation as the higher regional court in Graz declared the raids illegal.

- Winklhofer's plan to investigate the three suspects and the Muslim activist raises the prospect of Muslims in Austria being punished or even prosecuted because they threaten or intend to use permissible legal means to defend themselves.

National Developments

Allies of disgraced former Chancellor step down from ministerial roles, signalling shifting balance within ruling party

- Agriculture Minister Elisabeth Köstinger and Economy Minister Margarete Schramböck, both close allies to disgraced former Chancellor Sebastian Kurz, have [stepped down](#).
- This is an effort for Karl Nehammer, the current Chancellor and leader of the ruling rightwing ÖVP party to signal a distancing from Kurz's ÖVP and [a return to the old-school ÖVP](#) and its 'Christian democratic' values.
- Nehammer himself was responsible for overseeing Operation Luxor, and Susanne Raab the ÖVP Minister for Integration is still in position.

Raab is responsible for the racist [Islam Map](#) and has been involved in many measures against Muslims in Austria; therefore it is safe to argue that despite Nehammer's rebranding little is expected to change federal level regarding the Islamophobic measures which have taken place under Kurz's tenure.

Local governments back down on the headscarf ban in kindergartens, while federal government maintains it

- Although the headscarf ban for elementary school students introduced in 2019 under the ÖVP-FPÖ coalition government was [lifted by the Constitutional Court \(VfGH\)](#), the headscarf ban in kindergartens still applies.
- Now [federal states are demanding an end to the headscarf ban](#) citing the Constitutional Court's (VfGH) ruling as an argument. In fact, Salzburg and Tyrol have already removed it from the state laws or are planning to do so. Meanwhile, the [federal government continues to back the headscarf ban](#).

This move indicates the continuity of the current course regarding Muslim issues by the Federal government.