

Wien, 10. Juni 2009

To the Austrian Minister of Justice

I have recently been informed about the final reports of the police investigation into the animal advocacy movement in Austria. I understand that after more than two years of investigations, and with all technological means at the disposal of the police, including phone tapping, email surveillance, vehicle tracking, concealed informers and four extensive electronic tracking operations, as well as 26 house searches of activists' homes and 7 NGO offices, no direct evidence of any criminal activity has been found. The information presented on which the accusations are being based appears to fall into one of three categories: Personal opinions from private conversations, investigative work done by NGOs into the conditions in which animals are kept in and acts of civil disobedience. None of the aforementioned are criminal offences.

It is of great concern to me that Austria is attempting to criminalise legitimate campaigning practices. This would indeed be the case should the final reports be followed up with charges against a whole section of the movement of being a criminal organisation according to section 278a of the penal code.

NGOs in the country I live in have used the practices brought forward by Austrian police as evidence for many years to achieve improvements in society, indeed, many of the aspects which we regard as inherent in a progressive society can be traced back to just this kind of campaigning. Should Austria attempt to criminalise what in other countries is regarded as legitimate social activism, it will be widely seen as departing from the standards of tolerance expected today of liberal democracies.

I therefore ask you as the Minister of Justice in Austria to reconsider such a move. Any free democracy must allow space for protest and the free expression of dissent. A protest movement for such important issues as animal welfare and animal rights is an essential part of any modern society. The right to protest must be upheld and no person should be prosecuted without evidence of criminal wrongdoing. We are very concerned that in Austria, these basic principles of freedom, justice and democracy are being eroded. Yours faithfully

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