

FlüchtlingsRAT NRWe.V.

Newsletter **December 2016**

Dear Reader!

In the last month, some studies were published on issues such as the understanding of democracy of refugees, their values, as well as on right-wing extremism. As in many parts of the world, a growing political polarization of society is emerging in Germany. While on the one hand many people continue supporting and welcoming refugees, on the other hand there are more and more people who support new-right and right-wing populist opinions. In extreme cases, this can lead to violence against refugees and their supporters. The BAMF is currently interviewing thousands of refugees on the reasons for escaping their countries, their education level as well as their values. The results of this study can be a good means to fight prejudices about refugees. First results show that a very large majority of those seeking protection feel affiliated to the local democratic system and values and want to make a significant contribution to society. However, preconditions must allow for integration, which is not the case for training and education opportunities for young refugees in NRW. At a national press conference, we have therefore pointed out that far too many children and young people in NRW remain without access to education.

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Inquiry of refugees about their values, their education, their flight and arrival in Germany

The BAMF is conducting a study with 4.500 adult refugees, who came to Germany between the 01.01.2013 and the 31.01.2016. The study is cooperation between the BAMF, the *Institut für Arbeitsmarkt und Berufsforschung* (IAB) as well as the *Sozioökonomischer Panel* (SOEP) at the *Deutscher Institut für Wirtschaftsforschung* (DIW) in Berlin. The „IAB-BAMF-SOEP-study“ aims at gathering expertise on the values, the education, the professional biographies as well as the causes of flight and the refugees' experiences during their flight.

On November 11th the BAMF presented the results of the first part of the study. The answers of the 2.349 interviewees show striking similarities with those of the German citizen comparison group. 96% of the refugees endorse a democratic system and share local values more than the ones of their countries of origin. A difference arises concerning the topic „Equality between men and women“. 29% of the interviewees agree on the statement „If a woman earns more money than her partner, this will necessarily lead to problems.“ In comparison, 18% of people with a German citizenship agree with this statement.

The interviewees have a high desire for educational offers. Many put their priority on working first, and later they aim at investing into education and trainings. In their countries of origin 58% of the interviewees have visited a school for 10 years or longer – in Germany this applies to 88% of the population. 73% were employed on average 6,4 years before their flight. While many of the interviewees have little knowledge on the concrete possibilities to access the labor market in Germany, almost all show a strong motivation to work and to integrate into German society.

BAMF: IAB-BAMF-SOEP-Befragung von Geflüchteten. Flucht, Ankunft in Deutschland und erste Schritte der Integration (PDF, 0,7 MB)

Conference of the Ministers of the Interior (IMK) 2016 leads to strong criticism of deportation plans and the election of the „Minister of Deportation 2016“

The Ministers and Senators of the Interior of the federal and Länder governments have met on November 29th and 30th for this year's *Innenministerkonferenz* (IMK). It had been announced that the expansion and acceleration of deportations to Afghanistan and the so-called „safe countries of origin“ would be high on the conference's agenda. First press releases on the conference show that the Länder – mainly those led by the CDU – are pledging for further legal tightenings. According to Minister of the Interior Thomas de Maizière, first measures will be the creation of financial incentives for „voluntary“ returns, closer cooperation on identification systems between the federal government and the Länder as well as further bilateral agreements with countries of origin.

Several organizations took the IMK as an occasion to protest against the deportation plans of the German Minister of the Interior. In a press release of the 27.11.2016 Pro Asyl and the Flüchtlingsrat Schleswig-Holstein urge the Ministers of the Interior to create secure legal statuses with the right of family reunification instead of promoting deportations. Both organizations point at the precarious security situation in Afghanistan, especially for refugees that are forced to return. The government of Schleswig-Holstein has expressed doubts on the rightness of conducting deportations to the country and has committed to take a stance on this deportation practice. The Flüchtlingsrat NRW has positioned itself against deportations to Afghanistan in its press release of November 11th.

As every year the organization Jugendliche ohne Grenzen (JoG) awarded the title „Minister of Deportation“. Since 2006, the award is given to a Minister of the Interior who promotes harsh and unfair deportations in its Bundesland. This year's Minister of Deportation is Brandenburg Minister of the Interior Karl-Heinz Schröter. JoG chose Mr Schröter because „violent attempts to deport women have repeatedly happened in Brandenburg“.

In addition to the „Minister of Deportation“ award, JoG has awarded the so-called *Initiativenpreis 2016* to reward initiatives that support young refugees. The winners are the Multikulturelle Zentrum Trier, Refugee Welcome Box Saarland und the LGBTI Refugees Network Saarland.

Pro Asyl und Flüchtlingsrat Schleswig-Holstein: Vor der Innenministerkonferenz (IMK) in Saarbrücken. Flüchtlingsorganisationen kritisieren Abschiebungspläne für AfghanInnen (27.11.2016)

Jugendliche ohne Grenzen: Gala-Abend & Wahl des Abschiebeministers (30.11.2016)

Schule für alle! – School for all! : Press Conference of the Flüchtlingsrat NRW and the initiative „Schulplätze für alle – School places for all“

On November 17th the Flüchtlingsrat NRW and the Cologne-based initiative „Schulplätze für alle – School places for all“ have pointed at the precarious situation of refugee children and youths in NRW who should be required to attend school. Following inquiries, it can be assumed by the end of July 2016, 7-8% of over 90.000 refugee children and youths did not attend school. On the one hand because municipalities lack school places and are thus unable to offer refugee children the possibility to visit school. As an example, in Cologne this affects 300 youths between the age of 16 or 17 and 104 refugee children in the age of 10 to 15. The other main reason, is the fact that refugee children and youths living in the so-called *Landesaufnahmeeinrichtungen* (reception camps administered by the Land) generally do not visit schools. According to school law, children and youths are by law required to attend school only once they were allocated a municipality – meaning after 3 to 6 months in a *Landesaufnahmeeinrichtung*.



At the end of July, this affected 4.500 children and youths aged from 6 to 18 years. More than the half of these children and youths stayed in a *Landesaufnahmeeinrichtung* for longer than 3 months without the possibility to enjoy school education. In addition, people coming from the so-called „safe countries of origin“ can stay permanently in a *Landesaufnahmeeinrichtung* without attending school during all their stay in Germany. Educational offers are mostly dependent on voluntary work by local refugee supporters.

At the Press conference, the organizations have repeatedly pointed at the campaign „Schule für alle! – School for all!“ which demands mandatory school education as well as a discrimination-free school access for all refugee children and youths. The campaign-website continues welcoming persons and organizations who want to joint the campaign and stand-in for these demands.

SCHULE FÜR ALLE – Das Recht auf Bildung kennt keine Ausnahme

ZEIT ONLINE: Tausende Flüchtlingskinder warten auf Unterrichtsplatz (17.11.2016)

Flüchtlingsrat NRW conference: „schlechte Bleibeperspektive – Kritik am politischen Konstrukt der Bleibeperspektive“

Many people – involved both in theoretical and practical refugee work – came to the University of Applied Sciences Dortmund on November 19th to join our conference „schlechte Bleibeperspektive! – Kritik am politischen Konstrukt der Bleibeperspektive“. Among the 90 participants there were representatives of refugee initiatives, municipal employees, employees of the welfare associations, representatives of refugee law clinics as well as people engaged in cultural work. This mix of participants and speakers allowed for new perspectives and insights.



In the morning, experts from refugee counselling and lawyer Nizaqete Bislimi analyzed the actual asylum situation and reported on the consequences of legal tightenings on their day-to-day work with refugees. The focus of their reports was the classification of refugees into those with a "good prospect to remain" and those with a "bad prospect to remain", depending on their country of origin. This classification of refugees into clusters has gained momentum since fall 2015 starting with the so-called Asylpaket I.

In the afternoon, workshops discussed the topics political action and outreach, critical perspectives on return counselling, voluntary work to promote the right to remain for all refugees, deportations as well as discourses about the *Bleibeperspektive* (prospect to remain) in the media. The focus of the workshops was the development of counter-strategies to the discrimination of refugee groups from the so-called "safe countries of origin".

The participants at the conference expressed their interest to further exchange and jointly act on this issue. This gives us hope that with joint forces it will be possible to counteract the politically intended segregation of refugees with a so-called "bad prospect to remain". The categories of a "good" and a "bad prospect to remain" have to disappear from legal texts as well as from practical conduct. The Flüchtlingsrat NRW and the conference participants will firmly continue to stand-in for this demand with the aim of preventing the discrimination of certain groups of people and their exclusion from participation in society.

Friedrich Ebert Foundation releases its latest „Mitte-Studie“ (Middle Study): Society is divided

Since 2002, the *Mitte-Studie* summarizes representative research on right-wing extremist attitudes and group-related depreciations in Germany.

The German Friedrich Ebert Foundation, who is publishing the study since 2006, presented its latest results on Monday, November 21th, called „*Gespaltene Mitte, feindselige Zustände* - Divided middle, hostile state“. Most notably, the outcome clearly shows that society has become more polarized: right-wing, new right-wing and right-wing extremist attitudes increased and, additionally, the extreme right-wing minority becomes more dangerous.

However, the overall majority of the German population (56 %) still argues in support of the receiving refugees. At the same time, 38% of the interviewees called for an upper limit of refugees, while only 21 % strictly opposed the limit. The results clearly evidenced significant hostile attitudes against Muslims as well as prejudices against asylum seekers: the number increased from 44 % in 2014 to 50% in 2016. Potential voters of the right-wing populist party *Alternative für Deutschland* (AfD) strongly moved rightwards. In 2014, about 57 % of the interviewees depreciated asylum seekers, currently it's 74 %- the rejection of Muslims by AfD voters increased from 30 to 43,5 %.

Andreas Zick, professor at Bielefeld University, co-author of the study and leader of the IKG sums up: „Germany is facing a tensile test. While many people are guided by right-wing populist opinions and became more aggressive against elites and perceived strangers, others are even more ready to commit themselves to integration. “

The latest review of the Federal Criminal Police Office (Bundeskriminalamt, BKA) confirms the results of the *Mitte-Studie* about a radicalizing minority and warns that also supporters and politicians attract the attention of this right-wing minority. Since the beginning of 2016, about 212 criminal acts

against politicians were registered as well as 144 against volunteers supporting refugees. Compared to 2015, there was a slight increase of acts of violence and homicides against refugees. The number of arson attacks strongly decreased, compared to 2015.

Wohnsitzauflage (residency restraint) in force in NRW

On November 29th, the so-called *Wohnsitzregelung* (residency regulation) for recognized refugees came into force in NRW, despite the protests and the warnings by law experts, refugee organizations, the German Institute for Human Rights and many other. The federal *Integrationsgesetz* (Integration Act) which came into force in August 2016, allows for Länder-specific regulations and restrictions beyond the federal regulation. While many other Länder have rejected to implement Länder-specific regulations, Bayern, Baden-Württemberg and now NRW have decided to determine the specific municipality where recognized refugees have to stay for 3 years after their recognition. Here in NRW, district government Arnsberg is responsible for the implementation of the residency regulation.



The regulation defines the place of residence of recognized refugees according to a controversial *Integrationschlüssel* (integration code). The *Integrationschlüssel* counters a March 2016 judgement of the European Court of Justice according to which recognized refugees and people granted subsidiary protection can only be allocated a specific place of residence once they have undergone an individual assessment of their integration prospects. Thereby refugees' individual situations have to be taken into consideration.

In a press release from November 22th the state government of North-Rhine Westphalia has explained that the residency restraint aims at supporting the integrations work of municipalities' and cities' governments. Nevertheless, it seems that not all municipalities agree with this regulation. According to the review „Kommune“ several municipalities fear the residency regulation will create significant administrative burdens as well as legal disputes.

DStGB: Wohnsitzauflage bleibt umstritten (15.11.2016) DStGB-Buchstabenwechsel

WDR: Wohnsitzauflage für Flüchtlinge startet heute (01.12.2016)

Ministerium für Arbeit, Integration und Soziales (MAIS): Wohnsitzauflage gilt ab 1. Dezember 2016 für Nordrhein-Westfalen (22.11.2016)

Problems arise with security companies in North-Rhine Westphalian reception centers - again

The debate on the proper control of employees of welfare associations and security companies working at the North-Rhine Westphalian reception centers remains actual. After reports about maladministration and abuses in the reception centers in Olpe and Burbach last summer, further inconsistencies and negative incidents have come to light.

The company European Homecare, responsible for the administration of a former reception center in Finnentrop, had employed a camp director who has been convicted several times – among other of a sexual offence. The criminal record of this former camp director came to light, because he had to justify himself before court for having raped a women searching for refuge several times.

As a consequence, the district government has announced to control the complete staff of the welfare associations which are responsible for administering the reception centers. So far, only staff of the security companies were checked for suitability. Nevertheless, this rule will only apply to employees of newly implemented reception centers or whenever a contract is made with a new welfare association. Flüchtlingsrat NRW told WAZ: „The North-Rhine Westphalian government should pay much greater attention to this subject and consequently control the people employed by the associations and companies which are managing the refugee centers.“

Additional problems have come to light concerning security companies contracted at reception centers of North-Rhine Westphalia. At a transitional reception center in Leverkusen security guards allegedly knew about thefts by inhabitants of the camps. These thefts had been made for commercial purposes and were partly purchased by the security staff. Investigations on this case are still ongoing.

A further problematic case concerns the reception center in Niederkrüchten. As reported by WDR on November 18th, district government Düsseldorf has contracted a security company which had been excluded from public-private contracts in the Land Schleswig-Holstein. The reason for this dismissal had not only been the infringement of the minimum salary and problematic billing but also the employment of people with criminal records.

RP online: Auermühle in Leverkusen. Kriminelle Machenschaften in Flüchtlingsunterkunft (22.09.2016)

WDR: Umstrittene Security-Firma soll Flüchtlingsunterkunft bewachen (18.11.2016)

WAZ: Flüchtlingsbetreuung. Sicherheitslücke begünstigte Heimleiter-Skandal (18.11.2016)

WDR: Bezirksregierung Arnsberg überprüft neue Mitarbeiter in Flüchtlingsheimen (16.11.2016)

Several associations and organizations criticize the BAMF on its asylum procedures

On November 30th twelve organizations including welfare associations, barristers organizations and associations of judges published the 40 pages long position paper „*Memorandum für faire und sorgfältige Asylverfahren in Deutschland. Standards zur Gewährleistung der asylrechtlichen Verfahrensgarantien* - Memorandum for fair and thorough asylum procedures in Germany. Directive for the safeguard of guarantees inscribed in asylum law“. The coalition urges the BAMF to conduct faster asylum procedures while also pointing at the importance of guaranteeing high quality standards when processing the asylum procedures. The organizations disclose shortcomings at the BAMF and demand the „unrestricted guarantee of standards inscribed in asylum law“. Asylum hearings – the so-called *Anhörung* – should be completely translated and minuted, so that monitoring becomes possible. In addition the BAMF should allow for the possibility to lodge complaints. The memorandum lists cases where mistakes were made by the BAMF and formulates recommendations.

„Memorandum für faire und sorgfältige Asylverfahren in Deutschland“. (30.11.2016)

Events *

11.01.2017: Lecture „Stadt mit sozialen Strategien entwickeln“. 18.15 Uhr, Evangelisches Studienzentrum „die Brücke“, Universitätsstraße 19, Essen.

For further information see www.uni-due.de

25.01.2017: Lecture „Warum haben wir überhaupt Verpflichtungen gegenüber Flüchtlingen?“. 18.15 Uhr, Evangelisches Studienzentrum „die Brücke“, Universitätsstraße 19, Essen.

For further information see www.uni-due.de

Further events, news on political developments concerning refugee issues and information about our work can be found on our homepage at www.fnrnw.de or on our Facebook-page <http://www.facebook.com/FluechtlingsratNRW>.

*All the events are in German language.

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