

FlüchtlingsRAT NRWe.V.

Newsletter **March/April 2017**

Dear Readers!

The pro-refugee movement remains strong! It is pushed forward by the remarkable engagement of persons, initiatives, associations and organisations. Nevertheless, current policies significantly hamper the efforts made by refugee supporters on national and federal state level. The German government has launched the ratification of new legislations that will contribute to an even more restrictive asylum law. Since the beginning of March 2017, the federal government of North Rhine-Westphalia has set up special reception camps for refugees from Georgia and the Balkan states. In these camps, asylum procedures are supposed to be concluded within one week. Refugees with negative asylum applications shall be deported directly from these reception camps, collectively. All these measures encourage extreme right-wing and populist voices. One symptom being that anti-refugee crimes remain at the same level despite decreasing numbers of incoming refugees.

A good example for how politics can hinder integration is the suspension of family reunification for people with a subsidiary protection. This regulation is in force since March 2016 and will last until March 16th of 2018. This suspension leads to the separation of families for years. Further, minor refugees often turn 18 herewith losing the possibility to bring their parents to Germany to live with them. A broad coalition of associations and initiatives stands against this policy with an online petition.

Further topics of this newsletter are the demonstrations against deportations to Afghanistan as well as the FRNRW event series „Flüchtlingspolitik im Fokus der Landtagswahl – Refugee politics in the context of the upcoming federal state elections“.

If you have comments on the articles in this newsletter, please write to [initiatven\(at\)frnrw.de](mailto:initiatven(at)frnrw.de). You can subscribe and unsubscribe to the newsletter under www.frnrw.de.

Please note, that this will be the last edition of the English newsletter, as unfortunately we don't have the work capacity to continue translating the German edition of the monthly newsletter. We hope to resume the translation in the future.

Panel debates on asylum and refugee policies of the governing political parties before the federal elections in North Rhine-Westphalia

In the context of the two upcoming elections in 2017 – the election of the NRW state parliament on the 15th of May and the national elections in September – the Flüchtlingsrat NRW has hosted a debate series called „Flüchtlingspolitik im Fokus der Landtagswahl – Refugee politics in the context of the upcoming federal state election“. The five panels debates brought together (potential) members of parliament from all parties currently represented in the NRW parliament and took place throughout all five administrative districts of the federal state. The first panel debate took place in Bielefeld on February 2nd, followed by events in Bonn, Münster, Soest and finally in Düsseldorf on March 3rd.



Flüchtlingsrat NRW aimed at contributing to well researched background information for voters to form an opinion on current challenges in refugee politics.

The panel debate in Bielefeld showed that the focus of NRW refugee politics has changed from handling the arrival of refugees to the consequences and challenges of integration. The managing director of Flüchtlingsrat NRW, Birgit Naujoks, criticised the pressure put by the federal government to carry out deportations. According to Birgit Naujoks, the measures taken „do by no means respect human standards“. The accommodation of refugees does also show significant problems. The huge reception camps are located in remote areas of NRW leading to the isolation of their inhabitants.

At the panel debate in Münster, founding member Volker Maria Hügel represented Flüchtlingsrat NRW. Hügel stringly criticised the so-called *Ausländer-Wohnsitzregelungsverordnung* (residency regulation) which was introduced in NRW and described this new regulation as an obstacle to integration: „Under this regulation, refugees cease being treated as refugees with the right to make their own decisions. The newspaper *Westfälische Nachrichten* (WN) reported on the panel debate on the 20th of March.

The debate in Soest was attended by many refugees and supporters. Flüchtlingsrat NRW board member Heinz Drucks received considerable support by the audience. One important topic raised by the audience were the problems and challenges related to the accommodation in rural and remote areas.

[Westfälische Nachrichten: Flüchtlingsrat NRW fordert besseren Umgang mit Geflüchteten \(06.02.2017\)](#)

[Westfälische Nachrichten: Diskussion über Flüchtlinge „Keine freie Wohnortwahl“ \(20.02.2017\)](#)

[Soester-Anzeiger.de: Deutliche Worte im kirchlichen Raum \(27.02.2017\)](#)

Decision of the *Bundesrat* (federal council): Algeria, Morocco and Tunisia are not safe

Friday, the 10th of March, the German federal council rejected the „Act on the classification of Algeria, Morocco and Tunisia as safe countries of origin“. The possibility remains that the mediation committee will be called upon. In the past, the date for the council vote on this act had been postponed twice.

The classification of the Maghreb-countries as “safe” would have harsh consequences for asylum applicants from these countries. Their asylum applications would be processed as accelerated procedures and most likely rejected as *offensichtlich unbegründet* (manifestly unfounded). The underlying assumption is that there is neither political persecution nor inhuman or degrading treatment or punishment in „safe countries of origin“. Only in exceptional cases do asylum applicants manage to prove that they were persecuted – contrary to the legal assumption.

The on-the-ground consequences of the classification of countries as „safe“ can show with the situation of refugees from Senegal, Ghana, Albania, Kosovo, Bosnia-Herzegowina, Serbia, Montenegro and Macedonia. Persons from the so-called „safe countries of origin“ are forced to stay in reception camps which are administered by the government of NRW, permanently. Here they are subject to a complete work prohibition, among other restrictive measures.

Several organisations and initiatives had called upon the German federal council to reject the proposed act. In a press release of the 8th of March, Flüchtlingsrat NRW clarifies that Maghreb-countries cannot be classified as „safe“ because the political and social situations in the respective countries do not fulfill the legal conditions for being declared as „safe countries“. Further, Flüchtlingsrat NRW refuses the concept of safe countries of origin fundamentally.

FR NRW: Flüchtlingsrat NRW fordert: Nein zur Einstufung der Maghreb-Staaten als "sichere Herkunftsländer" (08.03.2017)

Bundesrat: Plenum Kompakt (10.03.2017)

Chaos in NRW caused by the controversial *Wohnsitzregelung* (residency regulation) – Handout of the Flüchtlingsrat NRW

On the 8th of August 2016 the so-called *Integrationsgesetz* (Integration Act) came into force introducing a residency regulation for recognized refugees and persons entitled to asylum. Three months later on the 29th of November 2016 the government of NRW has released a provision which specifies the implementation of the residency regulation within the federal state. The provision specifies that recognized refugees (as of January 1st, 2018) are obliged to live in a specific municipality for three years. The respective municipality is chosen on the basis of a controversial formula which considers the unemployment rate and the immigration from other EU countries among other factors. Since December 2016, 353 refugees have been allocated under the new residency regulation to municipalities across NRW.

The district government of Arnsberg is responsible for the allocation of refugees to the municipalities. On the 9th of February 2017, the administrative court in Arnsberg has found that the standard letters, in which the municipality of residence is announced, were unlawful. According to the court, the district government has to justify to which extent the named municipality will facilitate housing, language courses and the possibility for employment. Alternatively, the letters have to elaborate why a „promotion for a sustainable integration is not hampered“ in the respective municipality.

Several refugee initiatives and social associations have criticised the residency regulation and stated that it hinders effective integration. Caritas vice president Heinz-Josef Kessmann has stated in a MIGAZIN report on February 21th, that the regulation counters the idea of integration and that its implementation would cause „complete chaos“.

The Flüchtlingsrat NRW has answered the most frequently asked question (FAQ) on the residency regulation in a hand-out. There, helpful tips are provided on how affected persons can counter the residence allocation.

FR NRW: Handreichung zur Wohnsitzregelung in NRW (Stand: 28.02.2017)

MiGAZIN: „Heillooses Chaos“. Wohnsitzauflage für Flüchtlinge behindert Integration (21.02.2017)

VG Arnsberg: 9 L 5/17 (09.02.2017)

Racism in Germany: Anti-refugee crimes are daily fare

Crimes against refugees, refugee camps and refugee supporters were daily fare in 2016, as reported by the Ministry of Interior's answer to the minor inquiry called „Proteste gegen Übergriffe auf Flüchtlingsunterkünfte im vierten Quartal 2016“ (Drucksachen-Nr.: 18/11298) of the Bundestag parliamentary group Die LINKE.

For the year of 2016 more than 3.500 registered attacks on refugees and refugee shelters were documented. In reality, the number is probably much higher. Despite the

decreasing numbers of incoming refugees, the number of assaults on refugee shelters remains high: 1031 assaults in 2015 and 988 in 2016. Beyond these assaults, 2.545 refugee-related crimes were documented, most of which happened in the second half of 2016. All in all, 560 persons were injured – among these, 43 children. Furthermore, refugee supporters and organisations are increasingly targeted by extreme right-wing groups. In this respect, 217 crimes were documented all across Germany.

The human rights organisation PRO ASYL accuses the German government of being partly responsible for these developments. On March 3rd, PRO ASYL writes that the „anti-refugee rhetoric“, the tightening in the asylum law, as well as the „constant debate on the need of more rigorous deportations“ would suggest that „refugees were a huge problem“. The member of the Bundestag of the party Die LINKE, Ulla Jelpke, outlines the situation with one statement: „The German government bears co-responsibility for this development. The refugee is increasingly being portrayed as a threat which legitimates stricter asylum laws. While Merkel speaks of a „national effort“ to deport rejected asylum seekers, she is simultaneously – like it or not – encouraging racist sentiments. Not refugees, but nazis and racists are a threat.“

PRO ASYL: Das Problem heißt Rassismus und es ist hausgemacht! (03.03.2017)

Ulla Jelpke, MdB: Über 3.500 gemeldete Übergriffe auf Geflüchtete (27.02.2017)

**Rassismus fügt Ihnen
und den Menschen in
Ihrer Umgebung
erheblichen Schaden zu.**

Rassismus enthält vergiftende Inhaltsstoffe wie menschenfeindliche Einstellung und soziale Verantwortungslosigkeit. Gegen Abhängigkeit und Gebrauch hilft der Einsatz des Denkvermögens.

www.proasyl.de | **PRO ASYL**
DER EINZELFALL ZÄHLT.

Thousands of people protest against deportations to Afghanistan

On Saturday, February 11th, several thousands of people demonstrated in support of a nationwide *Abschiebungsstopp* (moratorium on deportations) in numerous cities all across Germany. In Düsseldorf alone, 2.000 participants gathered for the demonstrations organised by the Flüchtlingsrat NRW and other organisations. Many of the protestors were Afghans who called attention to their situation.



As highlighted by the managing director of Flüchtlingsrat NRW, Birgit Naujoks, in the welcoming speech, Afghanistan had long not been as insecure as today. From January to September 2016 5.835 civilians were injured and 2.562 killed; the highest number of civilian victims for years. Naujoks stressed: „Forcing collective deportations in times like this is cynical and violates human rights“.

The protesters in Düsseldorf also addressed their anger against the NRW government for participating in the collective deportations to Afghanistan on the 14th of December 2016 and the 23rd of January 2017. Flüchtlingsrat NRW, political and Afghan self-organizations called upon the federal government of NRW to halt deportations to Afghanistan and to issue a three-months *Abschiebungsstopp* (moratorium on deportations).

FR NRW: Großer Protest gegen Abschiebungen nach Afghanistan (11.02.2017)

Survey on the national refugee admission: Many refugees still live in emergency shelters

On the first of March the magazine „Spiegel“ published a survey on the situation regarding accommodation of refugees in the federal states. „Spiegel“ points at the fact, that despite the decreasing refugee numbers (2015, 890.000 refugees arrived in Germany and 2016 only 280.000), 20.000 refugees still lived in emergency shelters. Notably the city states Berlin, Hamburg and Bremen rely on gymnasiums, fair halls, tents and containers.

„Spiegel“ points out that there is no nationwide overview on how asylum seekers are hosted in the municipalities. The number of persons living in emergency shelters might thus be far higher. The city of Cologne confirms this assumption. In Cologne alone, 2.000 refugees live in 15 gymnasiums. The city administration aims at closing the gymnasiums until the end of the year 2017.

SPIEGEL ONLINE: Umfrage in Bundesländern. Zehntausende Flüchtlinge leben noch in Notunterkünften (01.03.2017)

PRO ASYL: Ein Leben ohne Privatsphäre? Sammelunterbringung darf nicht zum Dauerzustand werden! (10.01.2017)

Stadt Köln: Feinkonzept zur Umsetzung von Mindeststandards zur Flüchtlingsunterbringung und überplanmäßige Mittelbereitstellung 2017 (08.03.2017)

Petition for family unification of people granted subsidiary protection

A broad alliance of associations and initiatives mainly from the Rhein-Sieg-Kreis launched an online petition directed at the *Bundestag* (German parliament) and the *Bundesregierung* (German government) demanding that each application for family reunification by persons granted a subsidiary protection is processed and approved – especially regarding application from minors.

Lastly, many Syrians are granted only subsidiary protection with the consequence that they cannot bring their families to Germany until March 2018 (§ 104, 13 Aufenthaltsgesetz). This regulation affects parents, who cannot bring their children to Germany or unaccompanied minors whose parents cannot join them. The two-year suspension of the entitlement to family reunification for persons granted subsidiary protection came into force in March 2016.

The protection of the family by the society and the state is a basic and human right. The German Institute for Human Rights (Deutsches Institut für Menschenrechte) highlighted in a publication of December 2016, that this provision opposes the UN-Convention on the Rights of the Child.

In a press release of the 3rd of March the petitioners urge on everybody to sign. Managing director of Kölner Flüchtlingsrat, Claus-Ulrich-Pröbß, explains that the petition aims at creating political pressure and targeted an expert hearing by the Bundestag's interior committee which took place on the 20th of March. The petition closed on March 15th and was signed by 4.750 persons.

Kölner Flüchtlingsrat e.V.: Zum Verbot des Familiennachzugs zu subsidiär schutzberechtigten Flüchtlingen: Besonders Kinder und Jugendliche verzweifeln an der Gesetzeslage (03.03.2017)

DIMR: Stellungnahme. Das Recht auf Familie. Familieneinheit von Kindern und Eltern ermöglichen – auch für subsidiär Geschützte (Dezember 2016)

NRW opens deportations camps in Leverkusen, Kerpen and Olpe: Expansion of the *Aktionsplan Westbalkan* (Action Plan for the West Balkans)

Since the beginning of the year 2015 the federal government of NRW operates reception facilities where persons from the so-called safe countries of origin are held for the long term, with the aim of deporting these persons collectively after the processing of their asylum application. These reception facilities were implemented in the scope of the *Aktionsplan Westbalkan* (Action Plan for the West Balkans) which was expanded in February 2017 with the large-scale operation „Zuführaktion Westbalkan“. The aim of this operation is the transfer of 2.000 asylum seekers to the *Erstaufnahmeeinrichtungen* (reception facilities) in Cologne and Münster, to process the asylum applications swiftly and to deport the refugees collectively.

In consequence of common protests of the municipalities, the Gemeinnützige Gesellschaft zur Unterstützung Asylsuchender (GGUA) in Münster and Kölner Flüchtlingsrat, this operation was suspended.

The newspaper Kölner Stadt-Anzeiger reports on March second that the district government of Cologne announced that „asylum applicants with a low perspective to stay in Germany (for people from the West Balkan and Georgia) would be housed in Leverkusen and Kerpen“. In parallel to this, the district government Arnsberg announced on the third of March that the *Zentrale Unterbringungseinrichtung* (ZUE – reception facilities) in Olpe would increasingly host persons with a low perspective to stay in Germany from the West Balkans and Georgia with the aim of reaching a decision upon their asylum applications within one week. The district government explained that six facilities in NRW supported the accelerated processing of asylum applications (§ 30a Asylgesetz). According to GGUA in Münster it is not sure whether persons who were already allocated to municipalities will be sent to these „special reception facilities“.

Leverkusener Anzeiger: Eilverfahren für Balkanflüchtlinge nun in Leverkusen (02.03.2017)

Bezirksregierung Arnsberg: ZUE Olpe. Unterstützung bei beschleunigten Verfahren für Menschen aus dem Westbalkan und aus Georgien (03.03.2017)

Events*

08.04.2017: Seminar „Kommunizieren zwischen den Kulturen - Interkulturelles Training“. 10 am-4 pm, Pfarrheim St. Nikolaus, Detmarstr. 22, 33142 Büren.

For further information see www.fnrnw.de

19.04.2017: Event „Aktuelle Situation Afghanistan“. 6-8:30 pm, Kölner Flüchtlingszentrum FliehKraft, Turmstr. 3-5 (2. OG), 50733 Köln.

For further information see www.wiku-koeln.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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