



Press Review on Asylum Policy, August 2017

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Since it's simply less work to just copy-paste them,
dates follow the German notification (dd.mm.yy)

News:

View to Europe and the World

- According to UNO, 1,662 civilians were killed due to terror and war in Afghanistan in the first half of the year. 3,581 were injured. German Foreign Ministry ignores such reports and values the threat for civilians as "low". It's report was commissioned after 90 people were killed when the German embassy was attacked at May 31st. 12 provinces were claimed to be safe. Fights were reported in let alone two of those in the same week. The report ignores ethnic and religious cleavages in Afghan society as well as the fact that highways are not sure at all – which are the streets where the people are supposed to escape on.
<https://www.nzz.ch/international/massaker-in-nordafghanistan-grausamkeiten-im-namen-von-is-und-taliban-ld.1309604> (07.08.17)
<http://www.taz.de/!5433847/> (13.08.17)
- In Myanmar, violence escalated between Muslim members of the mostly stateless Rohingya. 6,000 of them were stuck at the border to Bangladesh. But it's government rejected them from entering the country. The clashes costed the lifes of 110 people. According to the International Organization for Migration, 18,000 people succeeded in escaping to Bangladesh, 500 were sent back. Bangladesh offered Myanmar in fighting the riots jointly with military. 400,000 Rohingya already stay in Bangladesh. 17 people drowned in a border river during their escape.
<http://www.tagesspiegel.de/politik/gewalt-im-westen-myanmars-6000-rohingya-fluechtlinge-sitzen-an-grenze-zu-bangladesch-fest/20257740.html> (30.08.17)
<http://www.faz.net/agenturmeldungen/dpa/mindestens-17-rohingya-fluechtlinge-ertrunken-15176815.html> (31.08.17)
- UNHCR calls on international community to support Uganda in accommodating refugees. 570 million Euros are needed by the country for the task of housing a million refugees.
<http://www.handelsblatt.com/politik/international/fluechtlinge-aus-suedsudan-uganda-braucht-dringend-hilfe-/20199598.html> (17.08.17)
- Regional Mixed Migration Secretariat of Danish Refugee Council observes escape and migration routes around Somali peninsula and Arab peninsula for years now. In 2016, 117,107 people of Ethiopian and Somali citizenship arrived in Yemen. Their destination: Saudi-Arabia or any other Gulf state. The collapse of Yemen's state order eases their arrival but afterwards, detention and enslavement are likely. In 2014 already, the International

Organization for Migration proved that slaves have to work on qat ranches. In case people succeed in arriving in Saudi-Arabia, they are threatened by deportation again. In 2013 and 2014, 200,000 people of Ethiopian and Somali citizenship as well as 500,000 Yemenite people were deported from the country. The refugees are in the crossfire of the wars in Yemen and Somalia. Their escape turns into a business whenever Shabaab militias in Somalia send boats with refugees to Yemen and al-Qaida sends back the same boats with weapons.

<http://www.taz.de/!5433445/> (11.08.17)

- The governments of Chad, Germany, France, Italy, Libya, Niger and Spain agreed that asylum procedures will be undertaken in the three African countries already. After a positive decision, the people are supposed to be transferred to Europe. It is not clear, how fair asylum procedures are supposed to take place when accommodation is inhumane, when dictatorships rule or states erode. Also the question of what is going to happen with the 700,000 people in Libya was not answered. Considering the slow asylum procedures in Greece due to a lack of support from other EU-member states not a lot can be expected of plans like these. In Chad, 400,000 refugees are living, also there reports of overcrowded camps and bad conditions exist. Additionally, the populations of Chad and Niger often do not have enough food.
<http://www.spiegel.de/politik/ausland/fluechtlinge-gipfel-in-paris-asylantraege-sollen-schon-in-afrika-geprueft-werden-a-1164989.html> (28.08.17)
<http://www.handelsblatt.com/politik/international/fluechtlinge-aus-afrika-bruessel-fordert-legale-einreisemoglichkeiten/20251290.html> (28.08.17)
- 140 refugees arrived in Romania from Turkey via the Black Sea.
<http://www.zeit.de/gesellschaft/zeitgeschehen/2017-08/rumaenien-fluechtlinge-kuestenwache-fischerboot> (21.08.17)
- Still in July, European Court of Justice ruled that the German government acted according to the law when it agreed in taking responsibility for the asylum procedures of the refugees who were stuck in Hungary back in 2015. At the same time, the judges strengthened the Dublin III regulations. If a country does not act the way Germany did, a refugee needs to stay in the country that is responsible for him*her. Another verdict made clear that informal asylum requests are legal. An additional verdict is expected in September concerning Hungary's and Slovakia's lawsuit against EU's distribution mechanism.
<http://www.spiegel.de/politik/ausland/fluechtlinge-europaeischer-gerichtshof-staerkt-dublin-verordnung-zum-asytrecht-a-1159810.html> (26.07.17)
<https://www.tagesschau.de/ausland/asyl-eugh-dublin-101.html> (26.07.17)
- Also through the whole of August, NGOs who save lives in the Mediterranean got under pressure. In the end, almost all cracked and signed the "code of conduct" that hinders them in their humanitarian duty. Among others, Italian government seized the boat Iuventa of "Jugend rettet" for a couple of days. The Scientific Service of German Bundestag classified Italy's plaquing behavior towards the NGOs as not covered by international law. Saving lives at sea is "commonly known as [...] unwritten customary international law." The scientists emphasized that Geneva Refugee Convention prohibits the return of human beings to places where persecution or danger of life are threatening. A second report by Bundestag's Scientific Service states that EU has no right to transform the Italian code of conduct to EU law. Meanwhile, the Italian minister for traffic distanced himself from the code of conduct.
Also, the Libyan government extended its territorial waters to a "Safe and Rescue Area" - which is possible under international law. Only, such an area should actually serve the purpose of saving and rescuing. A short while afterwards, the first incident between the Libyan coast guard and the Spanish NGO "Proactiva Open Arms" happened. In international territory, the NGO-members were threatened to be shot if they do not follow the orders of

the armed Libyan coast guards. Only two NGOs remain now, who save lives. The Libyan government announced, no NGO-boats would be allowed in the so-called "Safe and Rescue Area". This was the reason why "Doctors without Borders" and "Sea Eye" stopped its rescue areas ..

Meanwhile, Italian parliament allowed the marine to do exactly that – by supporting Libyan coast guard that returns refugees to Libya, to the camps which conditions were described by German diplomats as "similar to concentration camps". Italian marine even is allowed to enter Libyan territorial waters now. One of Libya's government's received an amount of 46 million Euro that it is supposed to invest in the "protection of borders and coast".

<http://www.spiegel.de/politik/ausland/fluechtlinge-italien-beschlagnahmt-schiff-deutscher-helfer-von-jugend-rettet-a-1161100.html> (02.08.17)

<http://www.spiegel.de/politik/ausland/fluechtlinge-italien-votiert-fuer-militaereinsatz-vor-libyen-a-1161019.html> (02.08.17)

<http://www.zeit.de/politik/ausland/2017-08/fluechtlinge-mittelmeer-italien-marine-libyen> (02.08.17)

<http://www.tagesspiegel.de/politik/fluechtlinge-im-mittelmeer-streit-um-seenotrettung-eskaliert/20145730.html> (03.08.17)

- Approximately 4,300 people escaped from the USA to Canada until the end of June this year. They are afraid of being deported or to become the target of Islamophobia under US-president Donald Trump. *Zeit* newspaper reports on the public Canadian debate on the issue and shows how fear is being produced by exaggerated images. A shadow falls on the liberal image of Canada itself when it is considered that rejected asylum seekers are detained without exception. In prison, they wait for their deportation. A stateless man from West Africa has been in detention for four years now. In sum, 6,596 refugees are in detention that year, among them 201 kids.

With a graphic of the escape route from Senegal to Canada:

<http://www.zeit.de/2017/31/fluechtlinge-kanada-asylopolitik-usa-einreiseverbot> (26.07.17)

- The "jungle" of Calais – the camp that had existed for months with 10,000 people living there – has almost completely dissolved. Approximately 600 to 800 people remain who still hope to get to the UK. Their situation is more tense than ever before. They hide in forests without sanitary supply, food is brought by aid organizations. Some of the refugees escaped a second time – from Germany. There, their asylum request was rejected. The State Council, France's highest court, obliged the government to provide humane conditions like drinking waters, showers and toilets. The Minister of the Interior as well as the mayor of Calais announced to reject the verdict. A constitutional crisis is about to come if president Emmanuel Macron will proceed with his policy of deterrence that contradicts his liberal rhetoric.

<http://www.handelsblatt.com/politik/international/fluechtlinge-in-calais-frankreich-setzt-auf-abschreckung-und-riskiert-verfassungskrise/20130756.html> (31.07.17)

<https://www.tagesschau.de/ausland/calais-migranten-101.html> (07.08.17)

- In Greece, unaccompanied minors are detained in prisons. 117 kids are affected according to official numbers. The director of SOS Children's Villages, George Protopapas, speaks of a life-threatening situation. Partially, the kids are detained with adults who are completely strange to them. A contributing factor is that EU transfers financial aid not to aid organizations directly anymore but only via Greek government. The organizations now have to overcome bureaucratic obstacles, says Protopapas. EU issued a 209 million program that is supposed to support Greece in renting apartments and houses for refugees. The objective is to accommodate 3,000 refugees until the end of the year.

<http://www.zeit.de/politik/ausland/2017-08/griechenland-fluechtlinge-minderjaehrig-in-gefaengnissen-ingesperrt> (10.08.17)

Federal, State and Municipality Level

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- The Minister of the Interior, Thomas de Maizière demanded that the suspension of family reunification for people with subsidiarity protection shall be extended. In another act of inhumanity he thinks of rejecting residence to people who came with traffickers.
<http://www.zeit.de/politik/deutschland/2017-08/asylpolitik-thomas-de-maiziere-familiennachzug-aussetzung> (31.08.17)
- The Federal Government abstains from deportations to Hungary under the Dublin-III-regulations.
<http://www.zeit.de/politik/deutschland/2017-08/dublin-verordnung-fluechtlinge-ungarn-bundesregierung> (29.08.17)
- With the law on the "better enforcement of the obligation to leave", BAMF is empowered to access all data of all refugees now. A variety of legal experts and NGOs are quoted by *FAZ* newspaper, claiming the law to be unconstitutional. The basic right to personality is violated. This already because identity and citizenship can be determined without doubtlessly without such a comprehensive law. The regulation is to question even more because the refugees have not done anything wrong. But *FAZ* also quotes experts who suggest a constitutional version of the law. Only when an initial suspicion exists, access to the data could be legal. Some experts assume, the Federal Government tests how the Supreme Court will react to the law – in order to find out how far it can stretch the violation of basic human rights. The law can easily be circumvented if refugees bring a second mobile to their interview at BAMF.
<http://www.faz.net/aktuell/politik/inland/fluechtlinge-fragwuerdige-handy-und-datentraeger-auswertung-15150675.html> (19.08.17)
- A huge part of the refugees suffer from traumas or have mental issues. Approximately a third suffers from Post-Traumatic Stress Disorder. Different numbers exist on the issue. Saxon Deputy for Foreigners' Issues speaks of 60% who have gone through traumatizing experiences. The needs of many people are not recognized by overburdened social workers in the collective accommodations where their mental needs are even reinforced. Advice and therapy does not exist in the needed number. Also, fear of deportation may increase psychological crises or can even overlay them. German Society for Psychiatry, Psychotherapy, Psychosomatics and Neurology demanded in March last year already that the arriving people should be checked for psychological sicknesses immediately. Meanwhile, Petra Köpping, minister for integration and equality, opened the third psychosocial center in Chemnitz besides Dresden and Leipzig. Only, the counseling center needs to refer to doctors or socialpsychiatric services for the actual treatment.
<http://www.spiegel.de/politik/deutschland/fluechtlinge-zahl-depressiver-und-traumatisierter-asylbewerber-waechst-a-1161722.html> (09.08.17)
<https://www.freiepresse.de/LOKALES/CHEMNITZ/Anlaufstelle-fuer-psychisch-belastete-Fluechtlinge-eroeffnet-artikel9971723.php> (09.08.17)
- BILD newspaper again proved why it is not doing journalism. Two weeks ago, the paper claimed that 59% of refugees did not graduate from school. The Federal Institute for Professional Education countered immediately. A research of the Federal Ministry on Education shows that 35% attended higher school, 25% graduated from middle school, 11% attended primary school. Another 20% finished university or professional education. The researches pointed out that many had to interrupt their education due to war, persecution and subsequent escape.
<http://www.tagesspiegel.de/wissen/bildungsstand-von-fluechtlingen-fast-zwei-drittel-haben-einen-schulabschluss/20261304.html> (30.08.17)
- 387 deportations were successfully prevented in the first six month of that year. In the same period last year, 226 were stopped. 186 times refugees themselves were able to stop their deportation, 61 times doctors stated that the people affected were not able to travel, 113 times the plane crews rejected departing. At the same time, the number of

deportations decreased – from 13,700 in the first half of the year of 2016 to 12,500 this year.

<http://www.mdr.de/nachrichten/politik/inland/abschiebungen-immer-haeufiger-abgebrochen-100.html> (16.08.17)

- Saxon Central foreigners' department always had a problem to store passports appropriately, i.e. in a way so that they might be found again in the archive. *Freie Presse* pays attention to that and reports about three people who had to wait until their passports to be found. The result: delayed family reunification.
<https://www.freiepresse.de/LOKALES/CHEMNITZ/Drei-Maenner-und-das-lange-Warten-artikel9961433.php> (27.07.17)
- Saxon foreigners' departments still issue alternative documents instead of the "Duldung". The people affected can neither find job or apartment nor open a bank account. The function of a residence paper is not fulfilled. Together with four other NGOs, SFR accused Saxon foreigners' departments as well as the Ministry of Interior of undermining the just new established paragraphs that make a residence on the base of sustained integration possible.
<https://mephisto976.de/news/der-vorwurf-gegenueber-den-behoerden-61818> (08.08.17)
- Saxon state government claims in a response to a minor inquiry of the Member of Parliament, Juliane Nagel, that the social department in Pirna provided an uninterrupted treatment with medics for Shabas al-Aziz. A-Aziz was tied against a tree by a militia in May last year. In January he died of frost in a forest close to Tharand and was found only in April. The trial concerning the militia was closed. A doctor is quoted by *taz* disagrees with the state government. "Usually", the social department rejected covering the costs for the medics. Al-Aziz was suffering of chronic epilepsy.
<http://www.taz.de/!5439406/> (11.08.17)
- In Bautzen, Nazis and refugees clashed again. *MDR* reports that Nazis provoked and mobilized a lot more of them quickly. A video shows how a police officer insults and threatens one the refugees. The precinct announced to investigate that. The Left party demands a report by the minister of the interior, Markus Ulbig, on the circumstances in Bautzen as well as on how his police forces are actually prepared in dealing with refugees. The Deputy County Commissioner from CDU party faced demands of resigning after it got clear that he very kindly and friendly discussed the future of particular refugees with a local Nazi via Facebook – in such a way that it is difficult to assume that the man has a democratic view. He was particularly friendly when he forwarded internal information to the Nazi.
<http://www.mdr.de/sachsen/bautzen/auseinandersetzen-kornmarkt-bautzen-100.html> (28.07.17)
<http://www.mdr.de/sachsen/bautzen/wirtschafts-und-sozialer-druck-100.html> (21.08.17)
- The State Court of Saxony issued a warning against its judge Jens Maier. Now he is not responsible for media law anymore. Maier violated the restraint mode of German Judge's Law when he thought it to be necessary to speak of German "guilt cult" and "mixed people" before the speech of Björn Höcke in Ballhaus Watzke.
<http://www.mdr.de/sachsen/dresden/landgericht-dresden-erteilt-afd-richter-verweis-100.html> (11.08.17)
- The county of Sächsische Schweiz – Osterzgebirge gave up on apartments it rented for refugees. The problem: in some of the given up apartments were still people living who were informed about getting thrown out only a couple of days in advance. Refugees, volunteers and municipality administrations mobilized against the county administration – which withdrew from transferring some hardship cases. The practice was criticized by

Sächsischer Flüchtlingsrat e.V. and AG Asylsuchende Sächsische Schweiz – Osterzgebirge e.V.

<http://www.sz-online.de/nachrichten/gemeinden-wollen-ihre-fluechtlinge-behalten-3761210.html>
(30.08.17)

<http://www.mdr.de/nachrichten/politik/regional/landkreis-laesst-gefluechtete-umziehen-sachsen-100.html> (01.09.17)

Background and Opinion

- Migration and escape are humanity's destiny, Sebastian Schoepp underlines in *SZ*. Whenever there are welfare differences, migration appears. The more unjust welfare is distributed, the stronger is migration. A "Refugee Summit" - as it was held in Paris – only serves the externalization of self made problems – which is, for example, the "ever more" of consumption. Also the citizens of Europe do externalize – their knowledge that their welfare does not base on hard work but on unfair business conditions and one-sided trade flows.
<http://www.sueddeutsche.de/politik/fluechtlinge-migration-ist-menschenschicksal-1.3643290>
(30.08.17)
- "25 years ago, Charlottesville was in Rostock-Lichtenhagen" comments Heribert Prantl in *SZ* newspaper. After Rostock, the radicalization of Nazis was not taken seriously. As Trump did, victims became perpetrators and perpetrators became victims. Back then, politicians tried to calm down the Nazis by issuing "rotten compromise" on asylum – basis for the "perverse Dublin system". Only, that did not work. A brown line goes from Rostock-Lichtenhagen to Pegida in Dresden. The same way the US president should have condemned the racism of Charlottesville, the same way politicians should have done back then and today. Angela Merkel attended the opening of Gamescom in Cologne during the memorial ceremony in Rostock-Lichtenhagen.
<http://www.sueddeutsche.de/politik/prantls-blick-vor-jahren-war-charlottesville-in-rostock-lichtenhagen-1.3634112> (20.08.17)
- "Safing borders" is a lucrative business. From 2014 to 2017, EU-member-states spent 17 billion Euros for that purpose, the budget of EU-frontier protection rose from six million Euro in 2015 to 254 million in 2017. The companies who design and produce security and surveillance technologies earn 30 billion dollar on the market. Privatization is also on the rise in the "business of escape and migration" - may it be in France when visa applications are processed or in the UK, where private securities enforce deportations. At least in one case, the outsourcing was deadly.
<https://www.welt.de/wirtschaft/article167664644/Das-Milliardengeschaeft-mit-den-Grenzkontrollen.html> (15.08.17)
- *Washington Post* asks „Who are the Antifa?“ and indeed, a differentiated article is the result. Maybe this is due to the fact that there is still outrage in the US whenever the violence of Nazis is equated with the counter demonstrations of their opponents.
https://www.washingtonpost.com/news/made-by-history/wp/2017/08/16/who-are-the-antifa/?utm_term=.ba7477171a8b (16.08.17)
- A report by *Deutschlandfunk* deals with refugees in Uganda who escaped from Congo, Burundi, Ruanda and Somalia. In sum, 500,000 refugees live in Uganda. Author Achim Nuhr describes how the people in the capital Kampala are allowed to work and even have the right to open own businesses. UNHCR says, Uganda's asylum policy is a model even though accomodation in the capital can be confined. From time to time, hunger is a problem in Uganda. At the beginning of the year, the government able to provide food for

about a million of its citizens but clarified that no differences are made in supplying citizens and refugees.

http://www.deutschlandfunk.de/neuanfang-in-kampala-wie-fluechtlinge-in-der-hauptstadt.1242.de.html?dram:article_id=392841 (06.08.17)

- 50,000 people escaped from Venezuela due to the authoritarian aspirations of president Nicolás Maduro. 78 of them requested asylum in Germany. Miguel Helm writes in *SZ* newspaper about the destiny of two of them. Abraham Figueras and his brothers were targeted by killers since they were in opposition to the Socialist regime. The reasons of escape were not recognized by BAMF. Only 29,8% of Venezuelan refugees were recognized according to Geneva Refugee Convention. Figueras' case is still pending at administration court. The strange thing about his case: his interview at the BAMF was translated via a chain - from Spain via Arabic to German. The photo journalist Cecilia Rodriguez received the refugee recognition already. She reported on protests against Maduro and had to endure investigations and torture. Today she lives in Zschopau in Saxony.
<http://www.sueddeutsche.de/politik/fluechtlinge-von-venezuela-nach-deutschland-aus-todesangst-1.3615692> (05.08.17)
- Border Patrol Unit, controlling the border between the US and Mexico faces a couple of challenges – among others, firing officers. An investigation report of 2013 states: „Too many cases do not appear to meet the test of objective reasonableness with regard to the use of deadly force.“ Hiring conditions were ever lowered. Trump announced that he will continue that way in order to hire another 5,000 officers. A chance Jon Oliver from *Last Week Tonight* cannot miss.
<https://www.youtube.com/watch?v=NnW5EjwE2U> (06.08.17)
- Heribert Prantl notes in *SZ* newspaper that European Court of Justice did not meet reality with its verdict on the Dublin III regulations. The judges could have started the end of Dublin III. Instead, they still rely on “voluntary solidarity” of the inner EU-states with the member states at the periphery. Furthermore, the Court ignored that no asylum protection exists in states like Greece, Bulgaria or Hungary since they are overburdened already or just unwilling. A chance was missed.
<http://www.sueddeutsche.de/politik/fluechtlingspolitik-das-eu-asylrecht-bleibt-ein-system-der-unverantwortlichkeit-1.3604256> (26.07.17)
- *Deutschlandfunk* reflects upon two different, scientific perspectives on the term of Fascism. Both agree that the Fascism of Mussolini and Hitler conjure a mythical unity between “Volk” and “Führer”, the community is super-elevated and exclusive at the same time. Italian Fascism did not get rid of the “powers at the flanks”. Mussolini did not remove the elites in bureaucracy, economy and military to the extent Hitler did. The two perspectives go separate ways when it comes to applying the term of Fascism to today's times. One side only wants the term to be understood as historical – to describe the regimes of Hitler and Mussolini. The other ones see parallels among some of today's political ideologies which are racism, antisemitism, anti-individualism as well as anti-liberalism. Those ideologies should be described as Fascist then. The scientists agree again when it comes to the rejection of the term “Left Fascism”. Since the racist element is crucial in the definition of Fascism, this term is not useful. Furthermore, Fascism is an ideology that does not require theory. Fascism is practice and this practice is violence.
http://www.deutschlandfunkkultur.de/debatte-der-umstrittene-begriff-faschismus.976.de.html?dram:article_id=392044 (26.07.17)

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