

Human rights tribunal in Berlin

Migration and asylum policies of the German government and the EU violate the right to health

The current migration and asylum policies of the Federal Republic of Germany and the EU seriously violate the right to health and the physical and psychological integrity of migrant and refugee peoples. This is the result of the Human Rights Tribunal organized by an alliance of civil society organizations in Berlin at the weekend.

"The reports of fugitives and their supporters paint a frightening picture of German and European migration policy," summarized juror Sarah Lincoln. "Many of the refugees are sick and need special protection. Instead, they are treated like second-class citizens, without privacy, without access to adequate health care, without procedural rights.

On the basis of six charges, the tribunal examined the human rights situation of asylum seekers, undocumented immigrants, and workers from EU and non-EU countries. In addition to discrimination by health professionals and language barriers, there were also legal provisions that hinder access. Witnesses from the refugee camps on Lesbos gave a nuanced description of the catastrophic situation on the ground. According to the medical doctor Jessica Horst, the unhealthy living conditions, limited access to medical care and non-standardized medical care pose a serious threat to the health of its inhabitants.

A frequently mentioned point that was that deportations can have serious consequences for health. It was deduced that deportation to a country of origin or transit is an act of violence that has been decreed, carried out and legitimized by the state. In the context of further tightening of asylum and residence laws, the needs and rights of particularly vulnerable persons are blatantly disregarded in asylum procedures. Instead, the aim is to facilitate the deportation of seriously ill and traumatized people.

According to the organisers, the COVID-19 pandemic had further intensified the European Union's legal violations against migrants and asylum seekers. The German police and armed forces are involved in practices that violate international law, the Geneva Convention and current EU law. Almost daily so-called "push-backs" take place off the coast of Lesbos, for example on August 15, 2020. A dinghy with an estimated 32 migrants on board was pushed back and forth for eight hours at sea by various ships - including the German naval vessel A1411. In the afternoon, the boat was returned to Turkey by the Turkish coast guard. "Instead of building walls and borders, we should show serious solidarity and respect for human rights," demands Muhammad al-Kashef, human rights lawyer, and a member of Watch The Med-Alarm Phone.

The Tribunal follows the tradition of a series of indictments before the Permanent People's Tribunal (PPT) against human rights violations by the governments of EU member states and EU institutions. They are based on a framework document that was developed at the PPT's inaugural hearing on the human rights of migrant and refugee populations in Barcelona in July 2017.

The following organizations were involved in the event, which was followed by several hundred people throughout Europe during the weekend:

Abschiebebeobachtung NRW • ALSO Oldenburg • Armut und Gesundheit e.V. • Ban Ying e.V. • Ärzte der Welt • BAfF – Bundesweite Arbeitsgemeinschaft der Psychosozialen Zentren für Flüchtlinge und Folteropfer • Black Visions and Voices • BNS – Berliner

Netzwerk für besonders Schutzbedürftige • borderline-europe – Menschenrechte ohne Grenzen e.V. • CAAT Project • Comitato Verita e Giustizia per i Nuovi Desaparacidos • CoraSol • Deutsche Aidshilfe • Flüchtlingsrat Bayern • Flüchtlingsrat Berlin • Flüchtlingsrat Brandenburg • Handicap International • InEUmanity • Institute of Race Relations • Initiative Oury Jalloh • IPPNW e.V. – Ärzte in sozialer Verantwortung • KOK – Bundesweiter Ko-ordinierungskreis gegen Menschenhandel e.V. • LAB Trade Union • La Via Cam-pesina • Legal Centre Lesvos • LesMigraS • Love146 • Medibüro Berlin • Medico International • MediNetz Bielefeld • MediNetz Mainz • MELISSA – Network of Migrant and Refugee Women in Greece • PIKPA / Lesvos Solidarity • Pro Asyl • Sans Papiers • SEDOAC – Servicio Doméstico Activo • Stand by me Lesvos • Transnational Institute • Transnational Migrant Platform – Europe • United Action e.V. • vdää • Waling Waling • WatchTheMed-Alarm Phone • Yaar e.V.