



## Beschluss

### Europe Respect Human Rights Now

Der studentische Konvent stellt sich hinter das Positionspapier „Europe Respect Human Rights Now“.

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# EUrope Respect Human Rights Now!

10.12.2019

We are a group of students from all around the world who are undertaking the Master's programme *International Social Work with Refugees and Migrants* at the University of Applied Sciences Würzburg-Schweinfurt. We believe that Social Work as a Human Rights profession has an obligation to speak out and take action against Human Rights violations as a unified profession.

As part of our study programme, some of us attended a Summer School in Greece from the 29<sup>th</sup> of September until the 4<sup>th</sup> of October 2019, which was dedicated to the situation of asylum seekers and refugees in Greece. The Summer School led us to various governmental and non-governmental organisations as well as to different refugee camps on Lesbos. One of them was the Reception and Identification Center (RIC) of Moria. We were allowed to enter the RIC of Moria and what we witnessed in and around the camp left us speechless.<sup>1</sup>

In the report of the Special Rapporteur on the Human Rights of Migrants, which was published in the year 2017, it was already stated that detention centres are used as a deterrence tool, although detention may only be justified in individual cases in which a person serves as a threat to the society.<sup>2</sup> Yet, we write the year 2019 and detention centres are still a daily practice all over the EU. On his mission to Greece in the year 2017, the special rapporteur already described the living conditions in the Reception and Identification Centers of the Aegean Islands as alarming. Stressing that the reception facilities are seriously overcrowded and that sufficient sanitary facilities as well as access to adequate food and health care are lacking.<sup>3</sup> However, in 2017, the RIC of Moria hosted approximately 3000 people, whereas 14 000 individuals were "living" in and around the camp when we were visiting in it in early October 2019. With new arrivals by sea each and every day.

The term *inhumane conditions* does not suffice to describe the level of intentionally created human suffering that we have experienced. We were shocked and deeply ashamed by the extent of misery that representatives of EU member states create and willingly accept in order to impede that human beings seek protection on the soil of the European Union.

We have seen children sleeping on cardboard on the plain soil. We have seen eyes filled with hope and we have seen eyes that have turned dull and indifferent. We have talked to professionals who dedicate their lives to improve the situation of the protection seekers detained on Lesbos. Professionals who seemed exhausted and who, in their daily work, have

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1 Whenever we talk about the situation in Greece/ Lesbos/ Moria we are referring to geographical spaces which were turned into European stages for Human Rights abuses that are produced by political interests and decisions that go far beyond the national level. We believe that all EU member states, especially those who are frequently described as destination countries, have an interest in the Human Rights violations that are conducted on Greek soil. We consider the Human Rights violations in Greece to be a joint European decision and therefore the responsibility of representatives of all EU member states.

2 See Human Rights Council: Report of the Special Rapporteur on the human rights of migrants on a 2035 agenda for facilitating human mobility. Thirty-fifth session; 6-23 June 2017. Agenda item 3. Page 16.

3 See Human Rights Council: Report of the Special Rapporteur on the human rights of migrants on his mission to Greece. Thirty-fifth session; 6-23 June 2017. Agenda item 3. Page 9.

to face an environment that literally breaks and devours the souls of everyone living and/or working in it.

We felt as if we had stumbled into a severe humanitarian crisis, only to realize that it is not a crisis but a well-informed and willingly taken decision. A very dangerous decision. Dangerous to the lives of the people it affects, but also dangerous to the fundament of the European Union, as it continuously undermines the core of the European Union: Its values.

As there is NO RESPECT FOR HUMAN DIGNITY AND HUMAN RIGHTS if we allow that people who seek international protection are detained in conditions that endanger their lives.

There is NO RESPECT FOR HUMAN DIGNITY AND HUMAN RIGHTS if we allow that 14 000 children and adults are forced to vegetate in a space that was designed to host a maximum of 3000 individuals. A space that deprives human beings of any basic standard of living. A space where 20 individuals are forced to “live” in one container and where only three doctors are available to attend to the needs of 14 000 people. A space where every drug from Opium to Heroin is available but no Paracetamol.

There is NO RESPECT FOR HUMAN DIGNITY AND HUMAN RIGHTS if we allow that spaces are created in which people need to sell their bodies to survive and in which children and adults consume alcohol and other drugs to cope with a situation that is designed to be their everyday-life.

There is NO RESPECT FOR HUMAN DIGNITY AND HUMAN RIGHTS if we allow that people are forced to live in spaces that do not offer any security neither to adults nor to children. This means that children sleep during the daytime because the night is too dangerous for them to rest. It also means that they lock themselves in their area of the camp to protect themselves at night from attacks of adults living in the camp but also from attacks of the local police.

If we allow these things to happen, then we are failing to protect the very fundament of the aspiring project the European Union was designed to be. If we allow these things to happen, then we agree to a reality in which severe Human Rights violations, through representatives of EU member states and through the policies they design, are considered as a reasonable price to pay in order to prevent people from asking for protection on EU territory.

From our perspective, Human Dignity and Human Rights are of priceless value and we can *never and under no circumstances* afford to sell them off. On the backdrop of what we have witnessed in the RIC of Moria, we want to express our deep concern and our warning towards decision makers on all levels:

The European Union is about to lose its heart. It is about to sell off its core and to destroy its own fundament. If we want this project to continue, then we have to pull the emergency break NOW. We need decision makers on all levels to ensure that the respect for Human Dignity and Human Rights, as two of the fundamental values of the EU, are protected and enforced on EU territory and through EU policy making EVERY DAY.

We perceive the respect for Human Rights within the European Union currently as severely endangered through the actions and policies that are being taken against people who seek international protection or a way out of poverty and vulnerability<sup>4</sup>. We believe that a clear position against the systematic deprivation of the rights of migrants is an absolute necessity in order to prevent a further undermining of Human Rights within EU territory as well as through EU policies.

What we are currently experiencing is not the “crisis” of “the refugees” but a fundamental crisis of the respect for Human Rights on EU territory and in EU policy making. It is nothing less than a turning point, a paradigm shift and a movement towards a society in which indescribable human suffering is considered a legitimate and useful political instrument. This development is dangerous, absolutely unacceptable and needs to end immediately!

## **Demands**

- The respect for Human Dignity and Human Rights, as two of the fundamental values of the EU, must be protected and enforced on EU territory and through EU policy making.
- The imprisonment and the detention of protection seeking people must stop immediately. All EU member states must provide people who seek and/or receive international protection with adequate and dignified living conditions.
- The Dublin III Regulation needs to be entirely reformed. With regards to the distribution of people who seek international protection, the best interest of the child as well as the maintenance of the family household must be of primary consideration. Minors must not be separated from their caring family by EU distribution systems under any circumstances. People who seek international protection need to be allowed to choose in which country they want to apply for Asylum. Possible imbalances regarding the country of choice need to be balanced by financial responsibilities, which are binding to all EU member states and are in accordance with their respective economic resources.

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<sup>4</sup> We want to emphasize that it needs to be acknowledged that also for migrants who are not covered by the 1951 Geneva Refugee Convention and/or the New York Protocol, mobility can mean survival. The long economic exploitation of the Global South through the Global North has led, in certain countries, to the complete undermining of the functioning of economy, state and society. Thus, it needs to be recognized, that it is not just persecution and armed conflict that drives people away. People who are forced to leave their home countries in order to survive, no matter if the reason is persecution, armed conflict, exploitation, or climate change, need to have access to safe passages and possibilities of legal residence in other countries.

- Germany is systematically depriving children of their right to live with their family by prioritizing formal criteria and requirements over substantial principles such as the family unit and the best interest of the child. It must urgently review its current interpretation of the Dublin III Regulation. Many minors, who are forced to live in the most terrible conditions in Greece, have their family in Germany. Through its current interpretation of the Dublin Regulation, Germany causes indescribable suffering for many children and their families.<sup>5</sup> In 2019, Germany rejected 75% of all requests for family reunification.<sup>6</sup>
- Currently more than 3000 unaccompanied minors do not have access to adequate housing and care in Greece. They live under catastrophic conditions on the streets, in camps for adults, in hot spots like the RIC in Moria or are imprisoned. All of them must be **immediately** evacuated from Greece. Germany has free capacities in specialized accommodations for unaccompanied minors. We want Germany to help unaccompanied minors in Greece and to accommodate 1000 of them.<sup>7</sup>
- The EU member states must provide safe and easily accessible passageways. The special rapporteur on the human rights of migrants already made suggestions in 2017 on how this could be implemented.<sup>8</sup>
- The criminalization of sea rescue missions must stop immediately. Member states of the European Union must restart their governmental sea rescue operations in the Mediterranean Sea.
- The EU-Turkey deal must end. Turkey is currently not a safe third country for people who seek international protection.

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<sup>5</sup> For a detailed analysis see PRO ASYL/RSA (2019) Refugee Families torn apart. Available online at [https://www.proasyl.de/wp-content/uploads/Refugee-Families-torn-apart\\_legal-not.pfd](https://www.proasyl.de/wp-content/uploads/Refugee-Families-torn-apart_legal-not.pfd), checked on 06.12.2019

<sup>6</sup> See ECRE (2019) Germany rejects 75% of greek requests of family reunification. Available online at <https://www.ecre.org/germany-rejects-75-of-greek-requests-for-family-reunification/>, checked on 06.12.2019

<sup>7</sup> For further information see: Flüchtlingsrat Niedersachsen (2019): Wir haben Platz-geflüchtete-Minderjährige aus Griechenland aufnehmen- noch vor dem Winter! Available online at <https://www.nds-fluerat.org/aktionen/kampagnen/wir-haben-platz-gefluechtete-minderjaehrige-aus-griechenland-aufnehmen-noch-vor-dem-winter/>, checked on 07.12.2019

<sup>8</sup> For further information see: Human Rights Council: Report of the special Rapporteur on the human rights of migrants on a 2035 agenda for facilitating human mobility. Thirty-fifth session; 6-23 June 2017. Agenda item 3. Page 7.