

Amnesty International Freiburg: Speech 28.10: Myths about escape and migration

Materially indigent people in Germany have been receiving so-called citizen's money since the beginning of the year. However, many refugees continue to receive services under the Asylum Seekers Benefits Act - and therefore less than the humane minimum subsistence level. In recent weeks and months, populist voices in German politics have become increasingly louder and seem to be finding fertile ground. We have put together a few common myths about escape and migration to help dispel prejudiced images. Because everyone living in Germany has the right to equal social benefits. Human dignity cannot be relativized!

Myth 1: the refugee wave

"Millions of illegal refugees come to Germany every year!"

Between January and September 2023, around 230 thousand initial applications for asylum were made in Germany. 56,000 people are registered as irregular migrants. People without legal residence status in Germany are sometimes referred to as irregular migrants or undocumented, and sometimes also as illegal migrants. Since they are not registered, there is relatively little reliable information about them. What studies show is that irregular migrants are de facto unable to assert the rights that everyone is entitled to regardless of their residence status in Germany. The expression "illegal migrants" is often used, but is criticized because it is stigmatizing and generally portrays irregular migrants as criminals. Incidentally, every person who enters Germany without a valid visa or residence permit is initially considered to have entered the country illegally. For example, up to the asylum application.

Myth 2: the pull effect

"If Germany improves the conditions for refugees or carries out sea rescue missions, more and more refugees will come."

The idea that the conditions created for those seeking protection here in Germany are the main reason for people's decision to flee - often present with the term "pull effect" - is another myth that has long accompanied the debate about asylum policy. Both the social benefits available to those seeking protection and civil sea rescue are cited as reasons for refugee flows.

But this effect is not scientifically tenable. The concept assumes, firstly, that people base their escape solely on economic factors and, secondly, that people act rationally and linearly - neither of which is right. We saw the terrible effects of the pull narrative in 2018, for example. After the radical restrictions on civil sea rescue, no fewer people fled, only more died on their way across the Mediterranean.

Anyone who tries to reduce migration flows by denying basic human rights and worsening living conditions dehumanizes those seeking protection, deprives them of their rights and withdraws themselves from one's responsibility.

Myth 3: reasons for escape

"People aren't doing so badly in their homeland!"

This argument is often associated with the concept of "safe countries of origin" used by asylum politics. Politicians want to simplify the processing of asylum procedures. Based on various criteria, countries are classified as safe or not safe - asylum applications from countries declared safe are

therefore usually rejected. But every individual asylum application must be examined in a fair and effective procedure. This international law requirement is contradicted by the concept of “safe countries of origin”, which does not intend a careful and unbiased assessment of individual cases. Instead it increases the risk that a person’s need for protection will not be recognized and they will be deported into persecution.”

Myth 4: German welfare state as “Social hammock”

Migrants are repeatedly accused of using the social service in Germany as “social hammock”, especially by populist parties. Across Europe, populist politicians portray people on the move as a fundamental threat. People are portrayed primarily as a social burden. The words “crime” or “economic burden” are often mentioned in the statements of such politicians. People are no longer seen as individuals, but as a “mass” or huge “wave”. Such statements are aimed at a generalized disparagement based on their origin, religion and nationality. They are supposed to consciously spread a diffuse fear of strangers.

Fact is: the social benefits that those seeking protection in Germany can claim are so low and restrict people's basic rights so much that talking about the welfare state being exploited seems just out of place.

Myth 5: deportations

“The municipalities are overwhelmed - we have to deport people faster!”

In the last few weeks in particular, the topic of migration has been discussed a lot. The focus of the debate is primarily on the issue of deportation. Chancellor Scholz is talking about deportations “on a large scale” and Interior Minister Fazer is introducing the so-called “Repatriation Improvement Act”.

This law would cause significant expansions in the states rights to interfere through entry, search and detention operations. In addition, the criminal liability for incorrect and incomplete information in the asylum procedure as well as for violations of obligations to cooperate would be tightened – leading to a criminalization of those seeking asylum.

The objectives of the draft law suggests that the current challenges facing municipalities would be solved by intensifying deportations. Similar to the laws passed in previous years to speed up deportation procedures, this law will not solve the existing challenges faced by municipalities in accepting those seeking protection.

And for what there is no draft law: for combating the conditions and actions at the EU's external borders that violate human rights, for improving the situation of those seeking protection as agreed in the coalition agreement, for concretizing one's own global responsibility or for abolishing the Asylum Seekers' Benefits Act.

Myth 6: upper limit

“Introducing an upper limit is THE solution to the asylum debate.”

Wrong: Introducing an upper limit would be incompatible with fundamental and human rights, international refugee law and the law of the European Union. According to the Basic Law and the EU Charter of Fundamental Rights, those who are politically persecuted have the right to asylum. The Geneva Refugee Convention and the European Convention on Human Rights prohibit deportation to a state where those affected are at risk of persecution, torture or inhumane treatment. Each of these rights belongs to each individual and includes the obligation to determine, through a fair process, whether a refusal would constitute a violation of these rights. Therefore, an “upper limit” with rejection at the national border would be illegal.

Conclusion

We would like to conclude with the demands of Amnesty International Germany regarding the Asylum Seekers Benefits Act:

There cannot be double standards for human dignity. We demand the same right to social benefits for all people living in Germany, without discriminatory differences. The Asylum Seekers Benefits Act must be abolished. Those affected must be included in the regular social benefits system. This requires the following changes in particular:

1. Abolition of the Asylum Seekers' Benefits Act and inclusion of refugees in citizens' benefit and social assistance. According to the Federal Constitutional Court ruling from 2012, cuts and sanctions motivated by migration policy must be avoided without exception.
2. Inclusion of all refugees in the language, qualification and job promotion instruments of SGB II.
3. Inclusion of refugees in statutory health and nursing care insurance. It must be ensured that people without papers have access to the health system at any time without fear of deportation. In particular, a right to language mediation when using health care services must be established.
4. Those affected by illness, trauma, disability, need for care, as well as pregnant, single parents, older people and refugee children must be entitled to all additional benefits required due to their particular situation.
5. Benefits to secure a living must be structured as cash benefits.