

A transnational Appeal to the Hamburger Senat (October 2013)

Lampedusa in Hamburg – Right to Stay! Appeal to the Hamburger Senat (Government of Hamburg) to give the group ‘Lampedusa in Hamburg’ the right to stay by § 23 Residence Law or any other construction which allows a group solution.

“What Europe does not understand is that migrants’ movements do not depend on them. Only the conditions of those movements depend on them.” (Coordinamento Migranti)

To Mr. Olaf Scholz, Mayor of Hamburg and the government of Hamburg

Since the early spring of 2013 about 300 African refugees who had escaped the Libyan Civil War and its escalation through the military intervention of NATO-states and subsequently made their way via Lampedusa to Italy, have been living in Hamburg. These people (mostly men) were migrant workers in Libya where they earned their living and sent home money to their family or community. When the EU-program for refugees of the Libyan war ended, they were put onto the streets. They have all been accepted as refugees, but their papers only allow them to work and to settle in Italy. Because of the economic crisis and the lack of support from the Italian authorities, they were unable to lead a self-determined life in Italy and came to Hamburg to rebuild their lives as others try too in diverse European countries. But here they are treated as though they have no rights. In Hamburg, first, they found sleeping places in hostels for the homeless, the so-called Winternotprogramm (winter emergency program) of the government. When these places closed down and they were stranded on the streets, they organized themselves as a group and started a campaign for their right to stay. Since then they have found the support of grassroots groups, the Protestant church, Muslim communities, the multi-trade union ver.di and the teachers’ union GEW and more and more citizens of Hamburg. Some of them are staying in mosques, others are living in private places or still on the streets, the biggest group of about 80 refugees found a shelter in the church of St. Pauls. They have found friends in this neighborhood: the local football club, FC St. Pauli, supports them, the famous Thalia Theater ensemble read a new text by the Nobel prize-winner Elfriede Jelinek on the refugee question together with members of the group in the church. Their struggle for the right to stay has become a struggle against the European refugee policy of exclusion. In Hamburg, it is already a major topic of the media and the day-to-day conversation of the people.

We do not accept that you, the mayor and government of Hamburg, claim these refugees to be Italy’s responsibility, and have ordered controls in the form of racial profiling in order to arrest and to deport them without proper consideration of the concrete situation of refugees there. Many German courts have already acknowledged that Italy like Greece is not a place where the human rights of refugees are respected today. You do not only refuse to speak directly to these war refugees and their lawyers to find a common solution for them, but have announced that they will be refused places in the next Winternotprogramm. This is not only inhumane, it is shameful in one of the richest cities of Europe. Now you have even begun to act directly against the efforts of the church and their supporters to organize a separate Winternotprogramm for them. This is not tolerable. It is like a declaration of war on civilians. Denying a group of people all rights and ways of surviving is racist. These actions cannot be explained or defended by the legal standards of European refugee politics. On the contrary, it shows how urgently these exclusionary politics and laws need to be abolished. On the 3rd of October, more than 300 people died after a boat carrying hundreds of migrants sank off the coast of the Italian island of Lampedusa. Politicians, including the European Commissioner for Home Affairs, Cecilia Malmström, called upon EU Member States to “show solidarity both with migrants and with countries that are experiencing increasing migratory flows.” And the Pope called what happened near Lampedusa ‘a shame’ and asked people to pray for the victims. But in reality, the EU

border regime with visa regulations, Frontex, sophisticated technical systems like EUROSUR, which was adopted some days after the deadly “accident”, and the collaboration of coastguards on both sides of the Mediterranean, who even shoot at boat people, aim to prevent refugees and migrants reaching Europe legally and without risk to their lives. Even helping boat-people is criminalized. If migrants manage to arrive in Europe, regulations like Dublin II/III and Schengen, restrict the free movement of people who are not citizens of the EU. This year, more than 25.000 migrants have arrived by boat in Italy, three times more than in 2012, but countries in the middle of Europe, particularly Germany, still refuse to take in more refugees and try to send back all who came through

Italy despite the opposition of several courts. The Mayor of Lampedusa threatened to send the coffins with dead boat people to the governments of those countries which refuse to change these regulations.

All over Europe and beyond its borders, refugees and migrants are struggling against this inhumane policy:

- Refugees from the Libyan war in Choucha camp in the desert at the Tunisian border are demanding resettlement in safe countries, but after a lot of protests in Tunisia and Europe, only 201 people (out of about half a million of Libyan war refugees in Tunisia) were allowed to come legally to Germany. Other European states responsible for the war took in only three (Britain) and one (France). About 400 people are still in the camp, officially closed down at the end of June, others have been staging a sit-in in front of the UNHCR office for six months now.
- In Morocco, hundreds of migrants stormed the fences of the Spanish enclaves of Ceuta and Melilla in September 2013 and about 300 succeeded in reaching “European” soil.
- On Lampedusa, about 250 refugees who arrived in July refused to give their finger prints in order not to be sent back to Italy after proceeding to other countries.
- Refugees in Vienna, Paris, Brussels, Amsterdam and other cities have occupied churches and other buildings because they were put on the street and threatened with deportation.
- And all over Germany, thousands of refugees are fighting against deportation and the obligation to live in camps and for freedom of movement and the right to stay. The more than 300 African refugees who call their group ‘Lampedusa in Hamburg’ have experienced deportation and active exclusion since they became victims of war and NATO-intervention in Libya. They need a group solution now. You have the means to provide this solution e.g. with §23 of the Residence Law. This is an opportunity to give a positive example to other European cities and, moreover, encourage a different European politics towards refugees, something which we all need. We, people who believe that human rights, including the right to free movement, need to be respected everywhere express our support for refugees who have faced the horrors of war and displacement.

In the face of the deaths of all these refugees in the Mediterranean Sea caused by European policies we appeal to the Mayor and government of Hamburg:

- Support the survivors. Stop your inhumane politics of exclusion and deportation!
- Stop the controls and arrests and the use of racial profiling!
- Accept the right to stay of the people of ‘Lampedusa in Hamburg’!
- Support all efforts for a change in European politics in order to guarantee refugees a life of dignity!