



# KNOW YOUR RIGHTS!

INDEPENDENT INFORMATION  
AGAINST FEAR AND ISOLATION



**Flüchtlingsrat**  
Sachsen-Anhalt e.V.

EN



The Refugee Council of Saxony-Anhalt is a non-governmental organization that advocates for the (human) rights of refugees.

We want to inform residents of Initial Reception Centres (Erstaufnahme-einrichtungen) and Collective Accommodation Centres (Gemeinschafts-unterkünfte) and campaign, together with you, for better living conditions. Our most important message to you is: **Be brave and know your rights!** Basic and human rights apply to everybody, even, and especially, when you live in accommodation centres and similar facilities.

We will support you if your rights are not respected. We will cooperate with you and other residents to document such violations of your rights, put you in touch with experts, and help you take legal action. Please contact us by e-mail or phone:

### Contact

 [www.fluechtlingsrat-lsa.de](http://www.fluechtlingsrat-lsa.de)

 +49 391 50549613

 [info@fluechtlingsrat-lsa.de](mailto:info@fluechtlingsrat-lsa.de)

 +49 345 44502521

We stand together to overcome isolation, fear and silence.

Residents of Initial Reception Centres and Collective Accommodation Centres are in a difficult position. Many rights concerning everyday life are restricted by law or house rules. If you witness violations of fundamental basic and human rights in your facility, you can get in touch with us. You can also contact us anonymously. Defending your rights is protected by law. If you witness violations of basic rights but don't know what to do in the situation, note down anything you think could have been a violation. Record the date, time, and cause of the problem as well as the names of those involved and what exactly happened. Have other witnesses confirm what happened or, if you can, take pictures and videos with your mobile phone that might show what's happened to you and others.

# YOUR FUNDAMENTAL RIGHTS

The fundamental rights of the residents, such as the inviolability of the home (Article 13 GG), protection of marriage and family (Article 6 GG) and general freedom of action (Article 2 paragraph 1 GG) must not be violated by camp managers or the administrative staff.

## UNDER CERTAIN CONDITIONS IT IS **PERMISSIBLE**:

- ➔ Searching of private rooms with judicial orders (police only)
- ➔ Hygiene controls of rooms at risk of infection (only government agencies)
- ➔ Entering the rooms in case of danger
- ➔ Visiting regulations
- ➔ Video surveillance of the entrance area



The contents of this overview are taken from the brochure „Basic rights for refugees in communal accommodation. On how to limit interference and prevent restrictions“, published by the Brandenburg Anti-Discrimination Advisory Service / Opferperspektive e.V.

# **PROHIBITED OR INADMISSIBLE FOR CAMP MANAGERS AND ADMINISTRATIVE STAFF IN THE CAMP:**

## **Private living spaces of the residents**

- ⚠ searching is not allowed
- ⚠ entering without permission or concrete danger is not allowed
- ⚠ controlling (also not for attendance check) is not allowed

## **When visiting**

- ⚠ checking identity papers or bags is not allowed
- ⚠ expressing blanket visitor bans or only limited visiting hours is not allowed
- ⚠ granting bans without objective danger or significant disruption is not allowed

## **Post of the residents**

- ⚠ opening, reading or registering is not allowed
- ⚠ issuing mail only at limited times is not allowed

## **Video surveillance is forbidden in**

- ⚠ stairs, elevators or indoor areas
- ⚠ lounges
- ⚠ living spaces

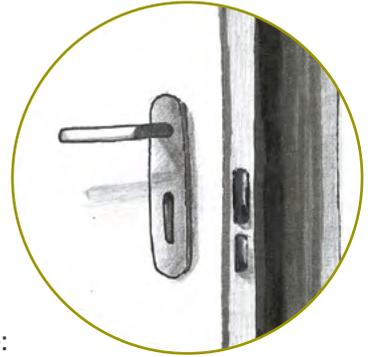
## **It is not allowed to inform the following actors about the absence from the camp**

- ⚠ the police
- ⚠ the immigration office/ office of social welfare
- ⚠ the post office
- ⚠ Regular attendance checks or logout are not allowed
- ⚠ Blanket smoking or alcohol ban is not allowed
- ⚠ Prohibiting the purchase of newspapers and Internet usage is not allowed
- ⚠ Prohibiting personal furniture or general electrical appliances is not allowed

# KNOW YOUR RIGHTS

## Privacy

Nobody is allowed to open your post if you don't give them permission. Opening your post is punishable by law. Your room must be lockable. Nobody is allowed to enter your room if you don't give them permission. There are only two exceptions to this rule: Either police can produce a search warrant, or it's a case of imminent danger (such as fire or flooding). If something needs to be fixed in your room, you must be informed beforehand. Furthermore, nobody is allowed to lock your room, not even during quarantine. Nobody is allowed to enter your room and search your things. Police are allowed to enter your room and search your things only when they have obtained a search warrant from court. You are entitled to receive visitors. Nobody is allowed to prevent you from doing so. The only exceptions are if your visitor is dangerous or generally banned from entering the facility. You are entitled to a personal lockable cupboard if you share a room with others.



## Administration and Social Workers

### What are the tasks of the facility administrators and social workers?

The administrators are there to administrate the facility, nothing more. Social workers are there so you can approach them and ask them questions. They can provide help with different things, for example: Applying for benefits, finding a German language course, scheduling doctor's appointments, counselling on family issues, registering your children in a kindergarten or school, supporting you when you have mental health issues. They are also supposed to protect you against violence, and you can approach them when you have suffered violence.

### What are my rights when I have experienced violence in a facility?

When you have suffered violence, you are entitled to immediate protection and support from the staff of the facility. This includes personal support and counselling. In Collective Accommodation Centres, both male and female contact persons must be reachable. Social workers must maintain confidentiality

and are not allowed to act without authorisation. It is you who decides if you want to go to the police and file a report or not. It is your right that the offender be transferred to another facility. You are entitled to medical and psychological examination and treatment. Furthermore, you have the right to approach an independent counselling centre. This might be useful in case the staff of the facility don't provide enough protection.

If you are a woman and have been subject to violence, you can contact the local women's refuge or a counselling centre for women. You can also call the **'Violence against Women' (Gewalt gegen Frauen) helpline (+498000116016)**. They provide telephone counselling in different languages.

The local Youth Welfare Office (Jugendamt) is responsible for the protection of children. When it is staff, security, or police that commit acts of violence, it can be useful to contact an independent counselling centre, too. The mobile Victim Counseling Service supports victims of right-wing, racist or anti-Semitic violence in Saxony-Anhalt.

### **What are social workers and the administration not allowed to do?**

They don't decide on how much money you receive. That's the Social Welfare Office's (Sozialamt) responsibility. They don't decide either whether you will receive an apartment. That, too, is the Social Welfare Office's responsibility. However, social workers can provide the Social Welfare Office with information about who is eligible for an own apartment or who needs one particularly urgently. Social workers have no influence over your asylum application. The Federal Office for Migration and Refugees (BAMF) is in charge of your application. Social workers do not decide on whether you will be deported (Abschiebung) or whether your deportation will be postponed (Duldung) either. It is the Immigration Office (Ausländerbehörde) and the Federal Office for Migration and Refugees that take these decision together. Sometimes, the Immigration Offices tries to obtain information from the facility's administrators that they need in order to deport you.

### **What are social workers and the administration allowed to do?**

Social workers can inform the authorities if you haven't been in the facility for a longer period of time. That might have negative consequences on your benefits

and your right to stay. As long as you are obligated to live in the facility, you should at least show up there regularly and check your post. The facility administration has the right to decide in which room you shall live. They must, however, consider your personal situation.

### **What is the security allowed to do?**

The security is not the police and has no special rights.

They are not allowed to body-search you. They are not allowed to record your personal information. They are not allowed to take and withhold your passport or other documents as well. The security's task is to enforce house rules. If the house rules state that certain objects are not permitted, security can check on that. The house rules, however, must be written in a way which is intelligible to everybody. Apart from that, security have the right to check your ID in order to see if you actually live in the facility.

House rules often contain too much invasion of basic rights and are therefore unlawful. Should this be your impression, you can contact the Refugee Council.

### **How Can I Complain?**

If the facility administration or the other employees in the facility don't comply with the rules, you do not have to put up with that. It is best for you to try to settle the problem internally with those involved and talk to them. You can ask other residents for support in order to talk with social workers or the facility administration. If you can't settle the problem internally, you can contact the Refugee Council of Saxony- Anhalt or other external organizations.

# HEALTH CARE AND SPECIAL NEEDS

## Treatment certificates

**During your asylum procedure, you are only entitled to medical assistance in emergencies according to the Asylum Seekers' Benefits Act.**

This is the responsibility of the camp doctor in the initial reception center. For a visit to the doctor outside the camp, you must apply for a treatment certificate at the social welfare office. If the application for a treatment certificate is rejected, you can contact the local social counseling or a counseling center first. MediNetze can also support you. MediNetze are groups of volunteers and activists who organize medical counseling and mediation for people without papers. In Saxony-Anhalt, there are MediNetze in Magdeburg and Halle.



## Pregnancy and Birth

**Pregnant women have special needs**

That means they need things that others don't need. Pregnant women, for example, need medical care, protection, and other things for themselves and their babies. If you are pregnant, you are entitled to regularly go to see the doctor and have yourself checked. You are entitled to a midwife that supports you before, during, and after giving birth. You are also entitled to be treated in hospital. If you are pregnant, you receive a pregnancy health record (Mutterpass). In the pregnancy health record, all your medical visits are logged. You might need new clothes for yourself and the baby. Or do you need to buy diapers, furniture and other things? In that case you can apply for these pregnancy-related special needs (Schwangerenmehrbedarf) to be covered.

You can file the application at the Social Welfare Office and, later, at the Jobcentre. The asylum procedure counselling service (Asylverfahrensberatung) and social welfare counselling service (Soziale Beratung) can help you with the application.



## Support for chronic illnesses or disabilities

### **Do you have a disability that causes you difficulties in everyday life?**

Then you are entitled to assistance. For example, you must be housed in such a way that you can reach your room and bathroom. You are entitled to medical care and medical devices, such as a wheelchair. We recommend that you talk to the social counseling service. They can help you with the applications. It is also important that a doctor confirms your disability or illness so that you can get medical help.

## Mental health

### **Can't sleep well and have nightmares? Or suffer from bad memories, anxiety or feel great sadness?**

In that case you are entitled to support and care in order to feel better soon. Do talk to others about how you are doing. This way you can find help. It is also important for your asylum procedure. You might talk with the counsellors of the asylum procedure counselling service or the social care service. They aren't therapists but can help you find organizations that provide support – for example, the Psychosocial Center for Migrants Saxony-Anhalt.



## HOW TO REACT TO A THREATENED DEPORTATION?

If you receive an asylum decision with a rejection, you should remain as calm as possible. There are many ways to prevent a deportation and therefore reasons for you to stay calm! As soon as you receive the notification, every day counts. Therefore, it is important to act as soon as possible.



### Find a lawyer and oppose the decision:

**There are several ways to take legal action against a deportation.**

However, you should always get a lawyer to help you. As soon as you have received the decision, you shouldn't lose any time because you only have a short period of time to appeal against a negative decision. If the letter from the Federal Office for Migration and Refugees (BAMF) states that the application has been "rejected" (abgelehnt), you will only have two weeks. If your application has been rejected as "inadmissible" (unzulässig) or "manifestly unfounded" (offensichtlich unbegründet), you will have only one week's time.

### Other possibilities to prevent deportation:

The Immigration Office may allow you to stay in Germany for other reasons and, in some cases, is even obliged to do so, E.g., if you have started a professional training programme or are too ill to be deported. The law regulates many different situations requiring that the Immigration Office let you stay in Germany. To learn more about your chances to be allowed to stay, you should definitely ask a lawyer or a counselling center for help.

A negative asylum decision does not mean that you will necessarily be deported! You can go to court against the asylum decision or have the legal right to stay in Germany for other reasons. A good lawyer and good advice can help you stand up for your rights. The only important thing is to stay calm and seek people or advice who can help you as soon as possible. You can even do this before you get the notice.

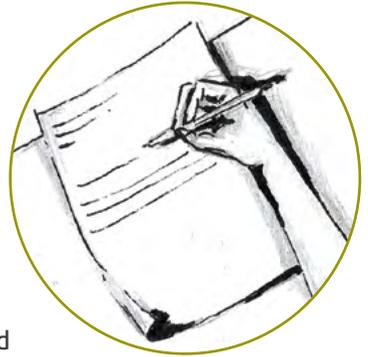


## Contact support groups

**In Saxony-Anhalt and all over Germany you can find many groups and organizations that can help you:**

The **Refugee Council of Saxony-Anhalt (Flüchtlingsrat Sachsen-Anhalt)** is an association that works for the interests and protection of refugees and migrants. The Refugee Council offers help in finding support organizations and does lobbying and public relations work. The Refugee Council also provides a lot of helpful information on its website.

It is very important to have a lawyer who is willing to advocate for you. If you don't know any lawyer or don't know which lawyer in your area is reliable, you can contact the aforementioned organisations. Ask the lawyers if they have any experience in asylum law or similar cases as yours.



## **BUILD A TEAM AND GET ORGANISED!**

It will be easier for you to fight for your rights if you build a team to document problems and formulate demands.

You don't have to stay alone; you can always look for support. You can team up with others living in your facility in order to discuss problems and find solutions. Sometimes, you might need advice from experts, people that know a lot and can explain different possible actions to take such as lawyers, doctors, and psychologists. What you need most, however, are friends that help you to not give up.

## **Stay strong in the struggle!**



# CONTACTS TO POINTS OF CONTACT AND SUPPORT

## Flüchtlingsrat Sachsen-Anhalt

-  [www.fluechtlingsrat-lsa.de](http://www.fluechtlingsrat-lsa.de)
-  [info@fluechtlingsrat-lsa.de](mailto:info@fluechtlingsrat-lsa.de)
-  +49 391 50549613
-  +49 345 44502521

## Mobile Opferberatung

-  [www.mobile-opferberatung.de](http://www.mobile-opferberatung.de)
-  [opferberatung.mitte@miteinander-ev.de](mailto:opferberatung.mitte@miteinander-ev.de)
-  +49 170 2948352
-  +49 170 2925361 (+ Signal)
-  +49 1512 2238438 (Whatsapp)

## Psychosoziales Zentrum für Migrantinnen und Migranten in Sachsen-Anhalt (PSZ)

-  [www.psz-sachsen-anhalt.de](http://www.psz-sachsen-anhalt.de)
-  [kontakt@psz-sachsen-anhalt.de](mailto:kontakt@psz-sachsen-anhalt.de)
-  +49 391 79293380
-  +49 345 47067900

## MediNetz Magdeburg

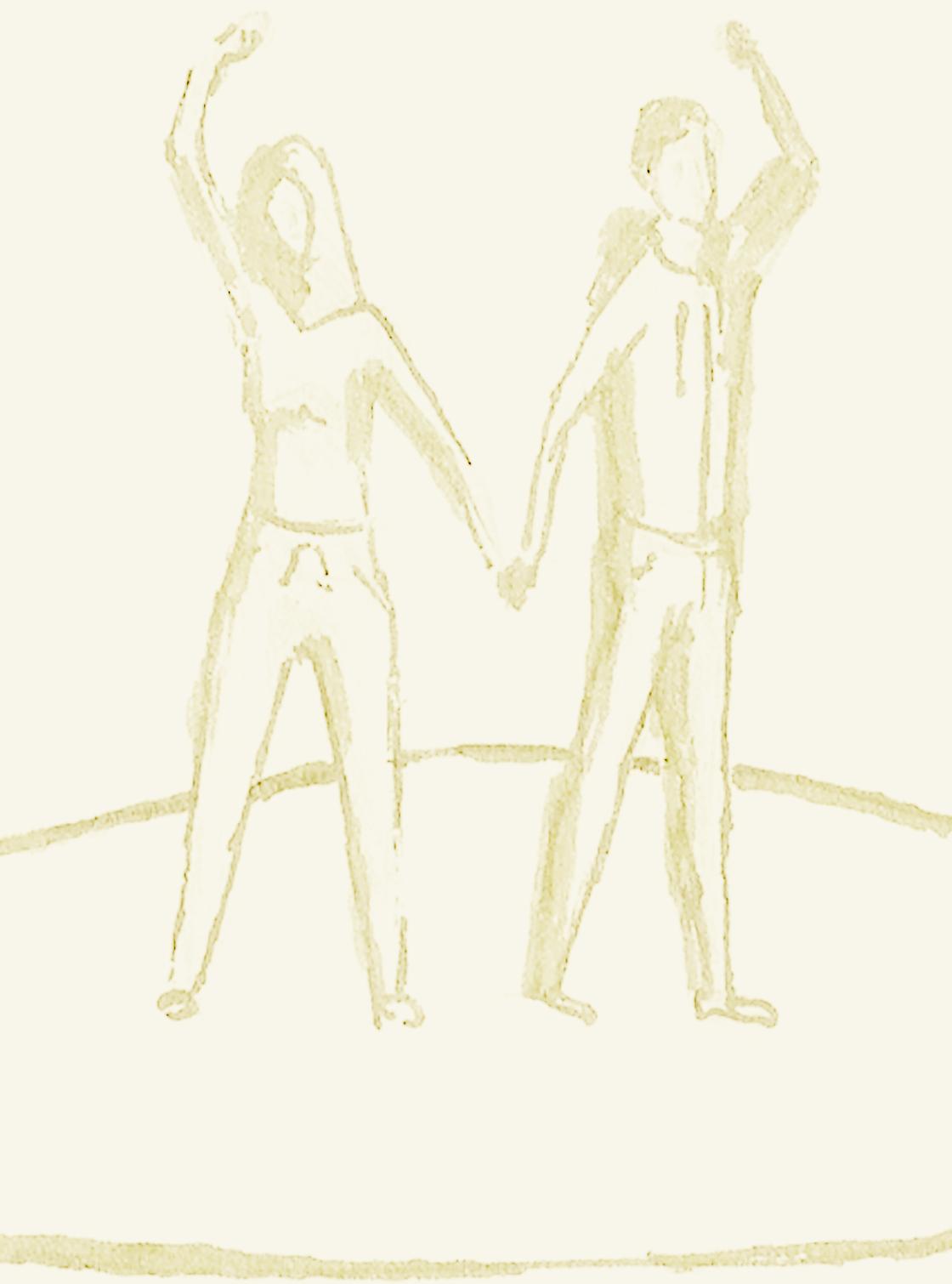
-  [www.medinetz-magdeburg.de](http://www.medinetz-magdeburg.de)
-  [kontakt@medinetz-magdeburg.de](mailto:kontakt@medinetz-magdeburg.de)
-  +49 176 66530854

## MediNetz Halle

-  [www.medinetz-halle.de](http://www.medinetz-halle.de)
-  [mail@medinetz-halle.de](mailto:mail@medinetz-halle.de)
-  +49 152 15930043

## LSVD Sachsen-Anhalt / Rainbow Connection (for LGBTI\* refugees)

-  [lsvd-lsa.de/rbc/](http://lsvd-lsa.de/rbc/)
-  +49 391 5432569



## Inprint

### Publisher

#### Flüchtlingsrat Sachsen-Anhalt / Projekt »Fachstelle Flucht und Asyl«

##### Head Office Magdeburg

📍 Schellingstr. 3-4  
39104 Magdeburg

☎ +49 391-505 496 13/4

📠 +49 391-505 496 15

✉ info@fluechtlingsrat-lsa.de

##### Office Halle (Saale)

📍 Landsberger Straße 1  
06112 Halle (Saale)

☎ +49 345-445 02 521

📠 +49 345-445 02 522

✉ info@fluechtlingsrat-lsa.de

🔗 [www.fluechtlingsrat-lsa.de](http://www.fluechtlingsrat-lsa.de)

📘 [facebook.com/fluechtlingsrat.lsa](https://facebook.com/fluechtlingsrat.lsa)

🐦 [twitter.com/FlueRa\\_ST](https://twitter.com/FlueRa_ST)

### Editorial deadline/Published

March 2022

### This publication as download

[www.fluechtlingsrat-lsa.de/pub\\_kennedeinerechte/](http://www.fluechtlingsrat-lsa.de/pub_kennedeinerechte/)

This brochure is based on the eponymous publication of Lager-Watch Thuringia from 2021. We are very thankful for the editorial department and the permission to incorporate parts of the text.



**Flüchtlingsrat**  
Sachsen-Anhalt e. V.

The production of this publication was supported by:

**PRO ASYL**  
DER EINZELFALL ZÄHLT.



#moderndenken

 UNO-Flüchtlingshilfe  
Deutschland für den UNHCR.

Note: The views and opinions stated in this brochure may not necessarily reflect those of the funding agency.



## CALL FOR DONATIONS

**Please support our work to improve the lives of refugees with a donation!**

This will enable us to continue to provide support to strengthen the rights of refugees independently in the future and to continue to provide you with information if needed.

### Donation Account:

Account holder:

IBAN:

BIC:

Flüchtlingsrat Sachsen-Anhalt e.V.

DE41 4306 0967 1210 6435 00

GENODEM1GLS