



*Europäische Vereinigung von
Juristinnen und Juristen für
Demokratie und Menschenrechte
in der Welt e.V. EJDM*

*European Association of
Lawyers for Democracy and
World Human Rights*

Einladung zur Europäischen Konferenz

**DER FREMDE ALS FEIND? –
HEIMATLOS, AUSGEGRENZT
*MIGRANTS –
OUTLAWS EVERYWHERE***

Invitation to the European Conference

***MIGRANTS –
OUTLAWS EVERYWHERE*
THE ALIEN AS AN ENEMY?
HOMELESS AND EXCLUDED**

Samstag

4. Mai 2013, 09H30 – 18H00,

**Ver.di Bundesverwaltung,
Paula-Thiede-Ufer 10, BERLIN**

4th May 2013, 09h30 – 18h00,

**Berlin, ver.di Headquarter (near Berlin Ostbahnhof),
ver.di – Vereinte Dienstleistungsgewerkschaft -
United Services Union, with 2 million members,
Paula-Thiede-Ufer 10, 10179 Berlin, www.verdi.de**

**Simultanübersetzung: Deutsch, Englisch
Simultaneous translation: English, German**



***Vereinigung Demokratischer
Juristinnen und Juristen e.V.***

Programme

09h00: Entrance, Registration

09h30 - 10h00:

Welcome and introduction to the conference, N.N.

Opening speech: Thomas Gebauer, Medico International, Frankfurt: Forced to flee – causes in the countries of origin, accountability of the EU

Session 1: 10h00 - 11h00:

OBSTRUCTION OF ASYLUM SEEKING - IMMIGRATION AS A CRIME OR AS AN ACT OF CHARITY

Speakers:

- **Karl Kopp**, Pro Asyl, Frankfurt, Germany: Lethal Barriers
- **Marianna Tzeferakou**, lawyer, Athens, Greece: At the southern wall of the fortress, economic crisis, refugees and racism

Discussion

Chair: **Berenice Böhlo**, lawyer, Berlin

11h00 - 11h30: Coffee break

Session 2: 11h30 - 12h30:

THE "SURVEILLANCE AND PUNISHMENT"-POLICY - SURVIVAL AS A CRIME

Speakers:

- **Volker Gerloff**, lawyer, Berlin: The residence requirement and other prohibitions, the impact of anti-terrorism legislation on refugees
- **Kati Verstrepen**, lawyer, Antwerp: Is it a crime to marry?
- **Pierluigi Umbriano**, lawyer, Naples: Is it a crime to help people to survive? (Cap Anamur and other cases)

Discussion

Chair: **Joachim Kerth-Zelter**, lawyer, Solingen

Session 3: 12h30 - 13h30:

DISCRIMINATION AGAINST MIGRANTS - THE "NO EQUAL RIGHTS FOR MIGRANTS"-POLICY

Speakers:

- **Georg Classen**, Refugee Council, Berlin: Discrimination against refugees in Germany
- **Bea Schwager**, Sans Papier Aid, Zurich: Precarious at the best – no labour rights for refugees?
- **Lies Michielsen**, lawyer, Antwerp: European and international law for migrants and refugees
- **Bernhard Welke**, lawyer, Genthin: Exploitation sweet-and-sour
- **N.N.**, ILO – Berlin: ILO Lawmaker for migrants and refugees (Domestic Workers Convention C189, etc.)

Discussion

Chair: **Ursula Mende**, lawyer, Krefeld

13h30 - 14h30: Lunch break

Session 4: 14h30 - 15h30:

EXPULSION OF MIGRANTS: THE "GET RID OF THEM"-POLICY

Speakers:

- **Claire Rodier**, gisti, Paris: European refugee policy between minimal protection and deportation mania
- **Prof. Dr. jur. Christine M. Graebisch**, Dipl.-Krim., Dortmund, Germany: "Multiple punishment" of non-Germans through expulsion
- **Christophe Tafelmacher**, lawyer, Geneva, Schweiz: The Swiss expulsion initiative – a danger for the rule of law

Discussion

Chair: **Klemens Ross**, lawyer, Essen

15h30 - 16h00: Coffee break

Session 5: 16h00 - 17h30:

JUSTICE, SOLIDARITY AND RESISTANCE – ACKNOWLEDGE AND STRENGTHEN THE RIGHTS OF MIGRANTS

- a. **N.N.** MP/MEP: The role of the national and European Parliament – between impotence and populism: alternatives to the Dublin system
- b. **Adrian Berry**, Barrister, London: Jurisdiction at the service of refugees? – (ECJ, ECtHR and national courts);
- c. **Sonja Marko**, ver.di headquarter, department for migrants, Berlin: Trade Unions and works-councils – between representation of interests and solidarity;
Dr. Sylwia Timm, DGB, Berlin: The Fair Mobility Project
- d. Resistance and Solidarity in Civil Society:
Marei Pelzer, lawyer, Pro Asyl, Frankfurt;
Bruno Watara, Refugee Council Brandenburg: Refugees fight for their rights;
N.N., Initiative for the protest against "20 years of Asylum Law Compromise";

Discussion

Chair: **Sonja Marko**, ver.di headquarter, department for migrants, Berlin

17h30: Final Conclusions, demands

18h00: Closing aperitif

MIGRANTS – OUTLAWS EVERYWHERE / THE ALIEN AS AN ENEMY? HOMELESS AND EXCLUDED

On their way to the European Union (EU) migrants experience in many – often life-threatening – ways that they are not welcome. This is also true for those, who finally arrive in the EU. Quite often the EU and its member states bear responsibility for the causes of flight and of migration of migrants from their home countries, like persecution and poverty.

The barriers which are erected against refugees and migrants are often put into a legal form which does not conform to human rights and the rule of law. When international refugee law is applied, if this happens at all, this is often done as if it was an act of charity. The Court of Justice of the European Union (ECJ) and the European Court of Human Rights (ECtHR) have in many cases dealt with the practice of denying entrance and granting asylum and of extradition from the EU and its member states.

The German Government in its effort to appear formally correct, already 20 ago have trimmed the right to asylum guaranteed in the German Constitution. In remembrance of this human rights scandal various protests will be organized this year. ELDH and VDJ its German affiliate together with many organisations and initiatives will join these protests.

At the conference the speakers will analyse the different stages of flight and migration and the legal questions in this context.

1. The illegal and inhuman criminalisation of refugees and migrants even before they arrive in the EU. The barring of escape routes, in particular by FRONTEX. Thousands of refugees have lost their lives due to these obstacles.
2. The criminalisation of refugees and migrants in general, and of those who assist them.
3. The discrimination against refugees and migrants, i.e. by the constraint to work under precarious or unconscionable conditions, ethnic profiling by the police, excessive databases.
4. Various methods to expel refugees and migrants, i.e. the very often tolerated or not sufficiently combated racism which humiliates refugees and by its aggressive form threatens their life.
5. But also examples of resistance and solidarity will be given:
 - The jurisdiction in favour of refugees and migrants,
 - Trade Unions and other organisations which struggle for the rights of refugees and migrants
 - Politicians in national and in the European Parliament who try to establish the legal framework
 - For a fair – not reduced – asylum procedure, which does not consider flight as a crime
 - For human conditions to work and to live for refugees
 - For an effective right to stay, which allows to refugees at least a medium term planning of their life
 - Against the re-extradition within the Dublin II or III regulation into countries where they risk to be subjected to human rights violations

The participants of the conference will be lawyers, social scientists, trade unionists, human rights activists, from Germany and other European Countries specialized in asylum law and alien law. The languages spoken at the conference will be English, German (and perhaps French).

Organizers of the Conference: / Veranstalter:

- European Association of Lawyers for Democracy and Human Rights e.V., www.eldh.eu (ELDH) / Europäische Vereinigung von Juristinnen und Juristen für Demokratie und Menschenrechte in der Welt e.V.(EJDM)
- VDJ, Vereinigung Demokratischer Juristinnen und Juristen e.V., www.vdj.de

Together with: / In Kooperation mit:

- arbeitskreis kritischer juristinnen und juristen an der Humboldt-Universität zu Berlin (akj-berlin)
- Campaign Against Criminalising Communities (CAMPACC)
- European Democratic Lawyers (AED-EDA) / Europäische Demokratische Anwälte (AED-EDA)
- Flüchtlingsrat Berlin (Refugee Council, Berlin)
- Flüchtlingsrat Brandenburg (Refugee Council, Brandenburg)
- Medico International
- PRO ASYL
- Republikanischer Anwältinnen- und Anwälteverein e.V. (RAV)
- Rosa Luxemburg Foundation / Rosa Luxemburg Stiftung
- Vereinte Dienstleistungsgewerkschaft Ver.di Bundesverwaltung, Bereich MigrantInnen
- GISTI, France (invited)/(eingeladen)
- Netz gegen Rassismus und für Demokratie (invited)/(eingeladen)



Vereinte
Dienstleistungs-
gewerkschaft



Anmeldung:

Die Anmeldung ist notwendig für die organisatorische Planung und für den verbindlichen Anspruch auf Einlass. Für die Teilnahme wird ein Kostenbeitrag in Höhe von € 30,00 (Nicht Erwerbstätige kostenlos) beim Einlass auf der Konferenz fällig und ist bitte in bar zu bezahlen.

Bitte per eMail an: Konferenzenanmeldung@ejdm.eu

Mit folgenden Angaben: Vorname, Familienname, Beruf, Anschrift, Telefonnummer, eMail-Adresse

Registration:

Registration is necessary so as to pay for the organisation of the conference and for the right to entrance. The registration fee is € 30,00 (none for participants without a job) to be paid in cash at the entrance.

Please send your registration to: **registration@eldh.eu** with the following details: First name and family name, profession, postal address, email-address

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