



Kassel in march 2022

No 2nd class citizens! Equal rights for all refugees from Ukraine

This petition is based on the open letter of the author Gina Hitsch (board member - Be Your Future). The Association of Mandate Bearers of African Descent (VMA) e.V. supports the open letter and takes responsibility as a collective to represent the interests of refugee Black People of Colour (BPoC) from Ukraine.

Since the beginning of the war, about 280,000 people have already fled Ukraine and found their way to Germany. The people who were able to find refuge in Germany witnessed their homes, universities and workplaces in Ukraine being bombed and destroyed. Many friends and neighbours died in the process. We as members of Baobab e.V. think that this topic must be shared and communicated to all political decision actors.

Black People of Colour (BPoC) are also among the refugees. In addition to traumatic experiences in Ukraine, these refugees also had to witness how they were denied equal access to trains and buses to the EU/Polish border and how the border authorities prioritised refugees according to nationality and skin colour. They were then denied access to refugee camps and instead had to spend their nights in unprotected tents. The many credible reports of discrimination against refugees of BPoC origin are not isolated cases – they are expressions of structural racism.

The most severely affected are young African students whose life and future prospects, like those of the Ukrainians, were destroyed by the Russian war of aggression. Like almost everyone else, they had to leave their belongings behind in Ukraine. It was not only furniture, clothes, books and laptops that were left behind, but also essential study papers, certificates and examination papers as well as passports, birth certificates and visas.

After fleeing Ukraine, the structural racism towards People of Colour continues in Germany. While Ukrainian citizens are granted longer-term residence permits and immediate work permits, this does not apply to people from third countries, even if they can prove that they have held a residence permit for Ukraine for several years.

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For those affected, the injustice at the local immigration offices after their life-threatening and arduous journey to escape is another extremely traumatic and humiliating experience, as people are denied equal support and security. The role played by German authorities and institutions in this process is highlighted by the current amendment to Section 24 of the Residence Act (25 March 2022) in conjunction with Directive 2001/55/EC: the Federal Ministry of the Interior (BMI) instructs subordinate authorities to exclude third-country nationals from temporary protection with the added conditions and instead to subject them again to an individual case assessment with the aim of finally deporting them.

We are very concerned that a standardised procedure for decision-making has not been implemented. Rather, case workers can and are acting at their own discretion. As a result, we have observed an increase in the issuing of deportation orders for People of Colour, because third-party nationals have been excluded from the temporary protections afforded other refugees under the amendments to Section 24.

For us, after the experiences at the Polish-Ukrainian border, this treatment of Black People of Colour in Germany is another expression of structural racism for which German authorities and European bodies are responsible. It is clear to us that these are not individual cases, but represent a fundamental exclusion of Black People of Colour from Germany and Europe.

We therefore demand from the Federal Government:

- fast and unbureaucratic solutions under residence law for all refugees from Ukraine, regardless of their nationality,
- elimination of ambiguities for safe and quick accommodation for all those affected in the Federal Republic of Germany,
- granting simplified access to student and work visas in the Federal Republic of Germany, regardless of nationality
- transparent and uniform criteria for the examination of the above-mentioned visas, as well as
- comprehensible and standardised points of action for individual case examinations.

More informations : <https://www.change.org/beyondevacuation>

