



Flüchtlingsrat Brandenburg

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The Dublin proceedings – What now?

The Dubliner legislation states: the first EU country which takes your finger prints, or for which you had a visa, is responsible for your asylum process. If your finger prints are registered, for example, in Italy, Spain, Hungary, or Poland, then Germany will generally try to deport you back to those places – in some cases this has already been attempted without having had finger prints taken. In a few weeks you will receive an official letter in a yellow envelope. Inside, the letter states that you should leave the country and when the respective country (Italy, Hungary...) has approved to take you back. This date is important, as Germany then has 6 months to deport you. Should this deadline have already passed, then it is Germany's responsibility to process your asylum.

Appeal against the Dublin decision

When the yellow letter arrives at your home or apartment (the date is on the envelope!), you have just 1 weeks' time to take legal action. Therefore, it is important that you regularly check and read your mail and inform the federal/immigration office (Bundesamt/Ausländerbehörde) of your new address if you happen to move into a new apartment. If you want to take legal action against the Dublin decision, then you must go to a lawyer (Anwalt) or an advice center (Beratungsstelle) as quickly as possible.

Lawsuits against deportation as per the Dublin proceedings are, unfortunately, very often unsuccessful. In spite of this, lawyers can provide certain protections against these governing offices and courts. An advice center can help you find a competent and knowledgeable lawyer. In any case, you need to write down all of your experiences and special circumstances as precisely as you can, and date everything: for example, if you have experienced human rights abuse or violations in your country of origin or along the way in your act of fleeing, if you are sick, have small children, are pregnant or traumatized, have family members already living in Germany, or if the governing offices have made mistakes, which is not uncommon. The living conditions in other EU countries can also be important here – have you had accommodation and financial support there, have you received the necessary medical assistance?

If it is possible, write down your experiences during and after deportation and send these back to your lawyer or to your advice center. This will help for the future! Sometimes it is also useful to contact the advice centers or supporters via mobile telephone after the deportation has taken place.

Unfortunately they often try to deport without prior notice

It could happen that the immigration office tries to deport you without having informed you of an appointment, for example, when you are not at home. Since you did not know of the appointment, your absence may not be used against you. You have a right to be informed about a deportation appointment.

What else can you do?

Sometimes the governing offices do not manage to organize a deportation within the 6 month deadline. However, there are also other reasons as to why a deportation cannot take place.

- **Inform others of your personal situation**

Traumatization, pregnancy, small children, difficult illnesses, and similar situations mean special need for protection and can render an order for deportation illegitimate and out of order. Make the governing offices and your lawyer aware of this. Get confirmation of your personal situation from doctors and psychologists. At the last minute, you can still inform the federal police (Bundespolizei) and airplane staff of these things. If you are taken to hospital with an acute illness or brought into a psychiatric ward, you cannot be deported from there.

- **You are not alone!**

Many refugees are affected by the Dublin legislation. Join forces, come together, and speak about the situation. Some deportations wound up not taking place due to the individuals in question just refusing to go. In situations like these, it is good to have the support of others.

- **Ask your neighbors for support**

Search for contact to local initiatives. Protests from dedicated people and neighbors can create road blocks for deportation. Many people find the Dublin system to be inhumane and are prepared to guard and stand in front of you.

- **Make deportation public**

Once you know your date for deportation, you can make it public and look for support from local initiatives or advice centers. Deportations can frequently be impeded by public campaigns alone (for example, against the airline company)!

- **Rights in the airplane**

Should find yourself being deported or returned in an airplane, you need to know that the pilot of the airplane has the say and power – not the police or other officials. For example, in previous years, a man informed the other flight passengers that he was being deported and returned against his will. As a result, one of the passengers refused to take a seat. The airplane could therefore not be started and the deportation was hindered.

Further support in Berlin and Brandenburg

- **Meeting of the coalition for action against Dublin:** Every Monday at 4PM in the BBZ (Beratungs- und Betreuungszentrum für junge Flüchtlinge und Migranten, in English: Advice and Outreach Center for Young Refugees and Migrants), located at Turmstr. 72, Berlin. Protests and actions against Dublin are being planned here, as well as an exchanging of experiences. Here you can often find counselors who provide first advice or who can help facilitate you further.
- **Address Book for Brandenburg** with contact to advice centers, hospitals, psychological facilities etc. (in German, English, Russian, French, Arabic, Serbian, and Farsi):
<http://www.fluechtlingsrat-brandenburg.de/tipps-fur-den-fluechtlingsalltag/adressen-fur-besonders-schutzbeduerftige-fluechtlinge>
- **Meeting of the Flüchtlingsrat Brandenburg:** Every last Wednesday of the month, 4:30PM. The meeting is for political networking, individual advice sessions to do not take place here. The topics change often, yet again and again it comes to the topic of Dublin and broader fleeing in Europe.