Seizing Refugees' Valuables - Europe's Fading Morality

A PUBLIC STATEMENT

THE CENTER FOR REFUGEE SOLIDARITY

center for refugee
SOLIDARITY
مركز التضامن مع اللاجئين

"Morality is now a word that many people consider very square and outdated. But if we don't stand up for it, we deserve what we will get in the end unprincipled anarchy"

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February 8th, 2016

On Thursday of last week, the Danish parliament passed bill L-87, legislation that allows for the seizure of refugees' valuables worth more than €1340 in order to cover the costs of their stay in Denmark. Moreover, the bill introduced further limits on the prospect of family reunification by raising the number of years after which asylum seekers are able to apply for family reunion from one to three years.

Referring to the seizure of valuables, the Danish government claimed that the new legislation would merely apply the same regulations to refugees that are in place for Danish welfare claimants. This, however, seems to be far from reality.

A professor at the Centre for Welfare State Research in Denmark was quoted as saying that while unemployed Danes do have to use their savings before receiving welfare from the state, they are not - unlike refugees under bill L-87 – forced to give up their valuables and exposed to searches from the authorities.

Thus, far from working towards equity of any kind, the bill is economically targeting refugees in particular; people who lost their homes and often their family and fled, undertaking hazardous journeys, from war and human rights abuses. The Center for Refugee Solidarity therefore joins in adding to the body of criticism from the Euro-Mediterranean Human Rights Network and Amnesty International and condemns in the strongest terms Denmark's inhumane legislation targeting one of the most vulnerable groups in the European Union.

However, despite the widespread criticism the Danish bill received, Denmark is certainly no exception. Indeed, similar policies have been rising across Europe in a deeply worrisome development. For example, authorities in Southern German provinces can confiscate cash that refugees carry with them, provided that the amount of money exceeds €700. Similar provisions are in place in Switzerland where the limit lays with 1000 Swiss Francs.

Policies of Deterrence:

In looking at events in recent months, it becomes apparent that Denmark's new legislation and the established practice of seizing refugees' cash reserves in Germany and Switzerland is just the latest step in European states' U-turn regarding asylum policies. Whether it is Denmark's advertisements in Lebanese newspapers which aim to discourage refugees from seeking asylum in the country, Sweden's border controls which permit only holders of a valid ID to enter, Germany's tightening of asylum laws which put severe limits on the possibility of family reunion or the practice of seizing refugee's valuables, the purpose of these policies is the same: deterrence and the hope for fewer arrivals and more voluntary departures.

Whilst none of these measures do not directly deny the fundamental right to asylum they nevertheless impede it, by introducing hurdle after hurdle for people seeking refuge in Europe. In this regard, government officials, such as Denmark's immigration minister Inger Stojberg's discussing the seizure of valuables, are quick to announce that these measures operate within a legal framework. However, this point of view is oblivious to the obvious. The act of seizing valuables from people asking for refuge from war and poverty is not primarily about whether the right to property or the right to family life are violated – which is very likely the case - but about Europe's understanding of morality.

A Reversal in Political Discourse and Morality

Along with European governments' shift in policy, from initially welcoming refugees and emphasizing Europe's humanitarian responsibility to calling for limits and introducing border closures, came a shift in political rhetoric which present policies of deterrence as 'solutions' to the refugee crisis.

Thereby, the political discourse has reached a point where 'solutions' do not mean working towards ending the civil war in Syria or to pressure the totalitarian regime in Eritrea, but to see a rapid decline in the number of refugees entering the EU. It has reached a point where the need for protection is no longer with people fleeing war in Syria or violence in Afghanistan but with the EU. It is the complete reversal of roles - of perhaps reality for that matter - in which European states like Denmark are economically and culturally threatened from people seeking refuge and are no longer obliged to offer protection but rather to protect themselves. Within such a political discourse, seizing the valuables of the most vulnerable becomes possible.

Against this background, the Center for Refugee Solidarity would like to recall fundamental documents of the Council of Europe and the European Union and the underlying moral values enshrined therein. So states the preamble of the European Convention for the Protection of Human Rights and Fundamental Freedoms clearly:

> 'the governments of European countries which are like-minded and have a common heritage of political traditions, ideals, freedom and the rule of law {...}' and the preamble of the Treaty on the Functioning of the European Union further reads: 'drawing inspiration from the {...} humanist inheritance of Europe, from which have developed the universal values of the inviolable and inalienable rights of the human person {...}'.

Yet, in light of the above policies and its accompanying political rhetoric, the Center for Refugee Solidarity is highly concerned about European states' and the EU's collective commitment to these underlying moral values. Moreover, we regard these moral values to be degraded by policies like the Danish bill L-87.

Furthermore, we are deeply troubled when the European Commission, a political body which was founded by the very treaty quoted above, responds to Greece's continuous efforts to rescue drowning refugees off its coast by publishing a report last week, which states that Greece 'seriously neglected' its obligation to guard the EU's external borders. The subsequent threat by EU interior ministers - that Greece could be kicked out of the Schengen area - constituted the grotesque peak of the immoral political discourse of the recent months.

Thus, it seems that we have reached a stage where moral values are only valid for citizens of the EU and not for the non-citizen seeking protection and, regarding the former, only as long as he does not oppose the strategy of deterrence by continuing to show a human face and rescue people in distress at sea. Yet, the founding document of the EU is clear regarding this issue when it mentions the 'inviolable and inalienable rights of the human person', which includes everyone, even the non-citizen seeking refuge.

The Center for Refugee Solidarity therefore urges the governments of Europe as well as the collective body of the EU to ensure to fully respect the underlying values enshrined in the European Convention of Human Rights and the Treaty on the Functioning of the EU, to critically revise refugee policies of the recent months and to immediately reverse the implementation of inhumane legislation like Denmark's bill L-87, in order to ensure a fair and open asylum system.

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Quote in page two by: Cliff Robertson

The Center for Refugee Solidarity is an independent Swedish Organization (Registration number: 802487-3658) committed to monitor the situation of refugees in the Middle East and North Africa (MENA) and to advocate on their behalf.Making rights abuses visible through monitoring, documentation and advocacy, the Center for Refugee Solidarity aims to push key national and international stakeholders to ensure that the rights of refugees in the region are respected and upheld.

For more information, please visit our website: www.refugeesolidarity.org

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EUROPE'S FADING MORALITY

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