

WGEPAD Call for input: The Urgency of Now: Systematic Racism and opportunities in 2021

Current human rights situation of people of African descent January-June 2021 in Germany

The lack of vaccination for people of African descent (refugees and people with migration background)

People without residence documents are affected by the pandemic. They have no health insurance, no social rights and therefore no health rights due to their migratory status. To be criticized is the lack of vaccination strategies for refugees. Berlin has an estimated population of 60.000-100.000 without official residence documents. A network of over 50 civil society organizations insists on the legalization of these undocumented people.¹ The alliance calls for giving undocumented people access to the Covid-19 vaccine and medical care with an anonymous health card.² The hurdles of people without residence status are high: in many places, for example, vaccination centers can only vaccinate people after they present their identification documents. Some federal states provide selective offers to vaccinate people without residence status. In the Federal state Bremen, five appointments have been set up so far at the public health department for anonymous vaccinations; 700 doses have been administered on these days. The Federal State Bavaria is setting up local vaccination teams in individual municipalities, where anonymous vaccination is possible.³ Amongst people with migration background is a lower willingness to receive a vaccination. The problem is also a concern because people with a migrant background often live in socially and economically difficult situations, which exposes them to a higher risk of infection. Additionally, invitations and registrations for the vaccination are written primarily in German, resulting in many people failing to register because of the language barrier alone.⁴

¹ Online Newspaper TAZ, (<https://taz.de/Illegalisierte-Menschen-in-der-Pandemie/!5743518/>)

² Legalisierung Jetzt, Open Letter of the alliance: <https://legalisierungjetzt.net/letter>

³ MDR, (<https://www.mdr.de/nachrichten/deutschland/gesellschaft/corona-impfung-illegale-migranten-100.html>)

⁴ Online Newspaper Tagesspiegel (<https://www.tagesspiegel.de/politik/spahn-sieht-grosse-herausforderung-haben-menschen-mit-migrationshintergrund-eine-staerkere-impfskepsis/27137260.html>)

Positive measures

Positive measures by civil society

Between July and September 2020, Black, African and Afrodiasporic people were invited to share their experiences of discrimination and perspectives for the first time in an online survey. The project was funded by the Federal Anti-Discrimination Agency as part of the UN Decade for People of African Descent. The aim of #AFROZENSUS is to get as comprehensive a picture as possible of what people of African origin experience in Germany. Additionally, how they assess their lives in Germany and what expectations they have of politics and society are.⁵

Positive measures by federal states

1. There is a broad political effort to rename racist street names in Germany. The House of Representatives in Berlin has announced they are to rename Mohrenstraße ("Moor Street") after the country's first black philosopher, Anton Wilhelm Amo. Renaming streets is an opportunity to raise awareness of the racist and colonial past of Germany, continuing to make racism a subject of discussion in today's society. Decolonization is a process which is only implementable by political institutions who see the necessity and urgency of renaming streets.⁶

2. Federal State Law Berlin:

The State Anti-Discrimination Act serves to protect against discrimination in the context of public law activities of the State of Berlin as well as to establish and promote a culture of appreciation of diversity. It enables people to take action against discrimination by public bodies in the state of Berlin. It was passed by the House of Representatives in the State of Berlin on 04.06.2020 and began being practiced on 21.06.2020.⁷

⁵ Each One Teach One e.V., (<https://www.eoto-archiv.de/neuigkeiten/afrozensus-faq/>)

⁶ Deutsche Welle, (<https://www.dw.com/en/street-name-change-major-step-in-struggle-to-decolonize-berlin/a-54712751>)

⁷Senate Department for Justice, Consumer Protection and Anti-Discrimination Berlin, (<https://www.berlin.de/sen/lads/recht/ladg/>)

Positive measures by the German Government

1. The Act to Combat Right-Wing Extremism and Hate Crime:

On April 03, 2021, the Act to Combat Right-Wing Extremism and Hate Crime, was initiated by the German government with the aim to combat right-wing extremism and hate crime more intensively and effectively in the future.

2. Catalog of Measures of the Cabinet Committee for combating right-wing extremism and racism

A Cabinet Committee proposes that the German government should adopt the catalog of measures. This takes into account the opinions of representatives of civil society, in particular migrant organizations. Opinions of academia and the Länder, which the Cabinet Committee consulted in preparing its measures, are taken into account as well. On the basis of this proposal, the German government will provide a total of more than 1 billion euros between 2021 and 2024 to combat right-wing extremism and racism. The catalogue, for instance, includes:

1. The creation of a coordination office for the UN Decade for People of African Descent (jointly with the Federal Ministry of the Interior and the Federal Government Commissioner for Migration, Refugees and Integration)
2. New, further measures within the framework of political education on specific phenomena (anti-Semitism, Muslimophobia, antiziganism, anti-black racism)
3. Reformulation of Art. 3 of the German constitution, replacement of the term "race"⁸

Recommendation to further the protection of human rights of people of African descent

I strongly recommend:

1. The conception and implementation of a police case study by an independent institution for instance "Deutsches Institut für Menschenrechte". The police study must examine the practice of racial profiling by police officers in Germany.
2. An urgently needed vaccination strategy for people of African descent (refugees, undocumented people and people with migration background).
3. The obligation for police officers to turn on body cameras.
4. The passing of the federal State Anti-Discrimination Act in every federal state in Germany

⁸ Deutsche Bundesregierung, (<https://www.bundesregierung.de/breg-de/suche/kabinett-rechtsextremismus-1819828>)