

### **Article 13: The inviolability of the apartment**

The basic right to inviolability of the apartment applies to every person who lives in Germany, including for you in a collective accommodation such as Nostorf-Horst. Rooms that you use as private rooms are considered "apartments" by German courts, even if you do not live alone in them but with other people. On the other hand, rooms in which you do not live privately do not count as "dwellings" (large dining rooms, group rooms, etc.). Anyone entering your apartment / room must have your permission. Whoever does this without permission must have a "search warrant" or very urgent reasons, namely danger to the life and limb of people.

**Example:** *A security officer hears from a room a dispute, strikes and cries for help. They are allowed to enter the room and help the person.*

### **Deportations: intrusion of police and immigration authorities**

In cases of deportations, the executing officials usually give no reason why they are entering an apartment. In most cases, they cannot present a judge's decision, which they actually must have. This violates your right to inviolability of the apartment.

**Example:** *The police wants to deport Ms. Hourieh. By law, the police is only allowed to enter the room, if they hold a resolution by a judge which grants them the right to access the room. If they are not in the possession of such a resolution, Ms. Hourieh has the right to deny them accessing her room.*

A court in Hamburg ruled this in February 2019. Unfortunately, the authorities usually do not comply with this law. In Hamburg the law § 23 HmbVwVG applies, in Mecklenburg-Vorpommern § 59 SOG-MV.

### **Room controls: intrusion of social workers**

In many refugee shelters, it is in the house rules that employees of the accommodation may enter your room. House rules containing this sentence are illegal.

What you can do?

- Inform your accommodation providers. As reading recommendation we recommend Deutsches Institut für Menschenrechte: „Hausordnungen menschenrechtskonform gestalten“.
- Complain to the clients of the operators. In Nostorf-Horst and Sternbuchholz this is the state office for internal administration (Landesamt für innere Verwaltung). In the cities in Mecklenburg-Western Pomerania, it is the responsible social welfare offices.
- Talk to each other

### **What to do if my rights are violated:**

The constant violations of the fundamental rights of asylum seekers in refugee camps are rarely a topic in the German public. Hardly anyone knows about it. Many asylum seekers do not know their rights in Germany or fear negative consequences in the asylum procedure if they demand it.

### **Contact us if you need local support in Mecklenburg-Vorpommern!**

PRO BLEIBERECHT is an anti-racist network that supports asylum seekers in Mecklenburg-Vorpommern. Our concern is the fundamental equality of the people. We are happy to meet human rights activists from all over the world and to get involved with you.