

# MUT

SEID MUTIG  
MACHT MIT

## My, Your, Our Rights.

A few Guidelines for Women\*  
who have experienced Migration



**Your Prerogative.  
The Right to Know  
your Own Rights.**

## **EMPOWERMENT TODAY.**

### **The MUT-Project (Courage Project).**

— Migrants\* and women\* who have fled their country of origin share a common experience. They live in a country in which they are often not perceived as equal parts of society. The MUT-Project DaMigra e. V. draws on the valuable experiences made by women\* with migration history who have been living in Germany for some time. As encouragers and bridge-builders\* they inform, advise and accompany women\* who have fled their country of origin and by these means support their participation in social life.

The MUT-Project organises events as well as offering counselling and empowerment projects nationwide which are conducted by women\* with migration history as encouragers\* and bridge-builders\* for women\* refugees.

Women\* refugees have the right to know their own rights. Empowerment and human rights education belong in the focus MUT-Project work. |

MUT-Project activities are:

- Workshops about human and women's\* rights
- Informatory round table meetings about parenting, education and health issues
- Visits from public institutions

## YOUR PREROGATIVE.

### The Right to know your own Rights.

Although constitutional states guarantee the sanctity of human dignity as well as the same human rights for everybody, certain groups are still relatively often affected by violations of their human rights.

Due to these circumstances this has evidently led to the development of international human rights protection for a kind of increased protection for particularly vulnerable groups. Not only children, but also women\*, migrants\* and refugees rank among the especially vulnerable groups. That means that among other things we women\* are exposed to particular human rights violations only because of our gender. In their role as women\* and furthermore in their role as women\* refugees they are doubly endangered.

However, how much do women\* know at all about general human rights and these extraordinary mechanisms for refugee women\* as reference frameworks for experienced and known infringements of women's\* rights? Then what good is to you to have human rights if you don't know them? What good is it to have women's\* rights but not to understand them? And who does it help to have women's\* and human rights if they are not respected and defended?

The following information is intended to give a little support to help you to get know your rights as refugee women\* in Germany and show you the paths available to establish your rights.

These guidelines are to give you MUT (courage) to demand your rights in the sectors work, education, asylum, health,

marriage and family, and political and social participation. You will find for certain issues specific female contact partners\* to whom you can turn to with your problems at any time.

These guidelines do not claim to be complete. On the contrary, it is only a step towards calling the attention of refugee women\* to their rights in Germany.



## MY, YOUR, OUR RIGHTS To Asylum

### Before arrival up to the decision

✓ You have the right to lodge an asylum application in Germany. In order to do so you have to notify the authorities that you are seeking asylum. You will subsequently receive a certificate about your application as an asylum seeker (BÜMA = Certificate about Registration as Asylum Seeker). The BÜMA is not a residence permit but simply a temporary residence document.

After that you have the right to lodge an asylum application with the Bundesamt für Migration und Flüchtlinge (BAMF) (Federal Agency of Migration and Refugees). After lodging the application for asylum you will be notified in writing about an appointment for the personal hearing. It is compulsory that you attend the hearing. Without a credible excuse for not attending your hearing (e.g. in the case of illness a medical certificate must be submitted in writing to the Bundesamt (Federal Agency)). The Federal Agency will make a decision about the application for asylum based on the contents of the file.

You have the right to be heard in your native language.

As a victim of gender specific persecution / sexualised violence - you

are under threat of, for example, honour killing, genital mutilation, forced marriage in your native country - you have in addition the right that the hearing is conducted by a woman\* in the presence of a female interpreter\*. In the event that this was not known before the hearing and you do not want to tell man\* about these things, you have the right to say this at the hearing.

### Decision Options

#### ■ Positive

In the event of a positive decision, as a person entitled to political asylum you are entitled to a travel document as well as residence permit for three years.

Within the first three months after the positive, binding ruling about the application for asylum you also have the entitlement to family reunion, that means you can get your husband or/and your minor children to join you.

You also have the right to free access to the job market, are entitled to an integration course, financial support, children's\* and parents'\* allowances as well as housing benefits and BAFÖG (Federal Training Assistance).

#### ■ ("Simple") Rejection of the Application for Asylum but Protection from Deportation (so-called subsidiary protection)

You have the right not to be deported if there is threat of danger to life and limb in your country of origin. In this case you have the right to a residence

### CONTACT INSTITUTIONS

Anwältinnen ohne Grenzen e. V.  
(Female Lawyers without Borders)  
Anselm-Feuerbach-Platz 2  
79100 Freiburg  
@ info@aogde.com  
☎ 0761 80520  
✉ anwaeltinnen-ohne-grenzen.de

document for one year. Family reunion is only possible to a limited extent in this case.

If your application for asylum ends negatively (but the Bundesamt declares a deportation ban) you have the right to institute legal proceedings

before the administrative court within two weeks. Legal representation is necessary.



### ■ Rejection of the Application for Asylum as “manifestly unfounded” ( no Protection from Deportation)

Another negative decision about an application for asylum is also possible - a rejection as “manifestly unfounded”. In this case, within a week you have the right to file an objection namely within the scope of a request for an urgent court decision.

Please note that this legal

action has no postponing effect, i.e. that you can still be deported.

If your application for asylum is rejected you have the right to lodge an application to cover lawyer’s fees and other court costs. For the approval of such legal aid it is necessary that the case has a chance of success and you have very little money. The certificate about receiving asylum benefit is sufficient proof of the latter. ■

## MY, YOUR, OUR RIGHTS

### To Education / Participation in Integration Courses

Access to education is dependent on your residence status, that is whether your asylum procedure is still ongoing or has already been completed and whether you have been granted asylum or you have been recognised as a tolerated\* refugee.

Children and adolescents have a right to attend school regardless of their residence status. The first step is the participation in an integration course.

Asylum seekers with a good perspective for being permitted to remain in the country, tolerated refugees with a residence

permit as well as people with residence permits can participate in an integration course.

If you do not attend a compulsory integration course, among other things your benefits could be cut. That could have a

negative effect on your applications to universities and universities of applied sciences but also for jobs and apprenticeships and work experience projects. ■

#### THE FOLLOWING CONTACT PARTNERS\* WILL GIVE YOU FURTHER HELP WITH INFORMATION ABOUT INTEGRATION COURSES NEAR WHERE LIVE

- Youth migration services and migrant advice office
- Office for integration or intercultural office of the community
- Cultural centres
- Language schools and universities
- Employment agency and job centre
- Adult education centres

## MY, YOUR, OUR RIGHTS

### To work

✓ Access to the job market depends on your residence status. No access to the job market is available in the first three months of your stay and for the time you stay in a reception centre (for immigrants), i.e. a hostel. You will need a work permit which is issued by the local Ausländer\*behörde (foreigners' registration office).

As of the 4th month you can start work in many parts of Germany. As the regulations for accessing the job market change frequently, you should always keep in touch with the contact partners\* at the employment agency.

If you work without having a work permit you endanger your residence status.

## MY, YOUR, OUR RIGHTS

### To Education and Courses of Study

✓ In order to be able to start professional training you must also present a work permit. The employment agency or the Chamber of Industry and Trade can give you information about the opportunities available and the exceptions. University entrance qualifications are checked by universities and colleges.

For most degree courses a sufficient command of German is a pre-requisite for enrolment.

Entitlement to BAföG (Federal Training Assistance) or vocational training grants - state financial support during vocational training and degree courses - depends on the residence status.

It may be possible that scholarship programmes for refugees are available. You can obtain information at the information

centres at the universities and higher education centres near where you live.

**NATIONWIDE  
CONTACT POINT**

 [www.arbeitsagentur.de](http://www.arbeitsagentur.de)



## MY, YOUR, OUR RIGHTS

# In Marriage, Partner\*ships and as a Mother\*

### ✔ **To Free Choice of Partner\***

You have the right to marry when and who you want. In Germany you can also live together with your partner\* or your female partner\* without being married.

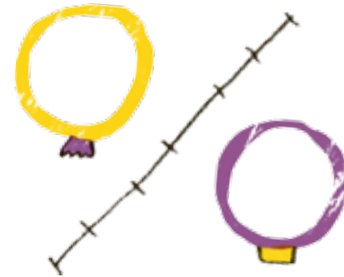
### **In Civil Marriage**

Nowadays in Germany the so-called obligatory civil marriage is valid, that means that only a marriage which is conducted in front of a registrar is also legally binding. A marriage conducted abroad will in principle be recognised if at the point in time of the marriage the substantive pre-conditions for matrimony (e.g. certificate of no impediment, minimum age) are at hand for both partners.



### **To Equal Rights for Women\* and Men\* in Marriage and Relationship**

Women\* and Men\* have equal rights and duties in marriage and in its dissolution. You decide freely how many children\* and at which intervals you want to have them. In addition you have the right to get divorced from your husband\*, even if he does not want to get divorced.



### **To Divorce**

If you want to get divorced then get advice from an advisory centre or a female lawyer\* / a male lawyer\*. It is also possible get divorced during the asylum procedure. A decision about your application for asylum will be made independently from your husband's\* asylum application.

## Child Custody

If you both decide to separate you can both nevertheless continue to care together for your child(ren)\* and look after them together. However, it must be decided where the child\* should live: only with the father\* or with the mother\* or with both parents in turns. In the latter case the children\* have the right to say what in their opinion would be best.

Children's\* rights are human rights. Parents\* are entitled and obligated to take reasonable care of their children\*. That means as a mother\* you have rights and duties.

You have a right to your child\* it does not matter if you are married to the father of your child\* or not.

Your children\* have the right to a non-violent life. You can protect your child\* from beatings and abuse even from relatives.

Your children\* have the right to education. Each child\* in Germany attends school for at least nine years.


You decide whether your child\* goes to Kindergarten or whether or not your child\* participates in religious education in school.

**YOUR CHILDREN\* HAVE THE RIGHT TO A NON-VIOLENT LIFE**



### **IMPORTANT CONTACT PARTNERS FOR THESE SUBJECTS ARE THE LOCAL YOUTH WELFARE OFFICE FAMILY COUNSELLING CENTRE.**


ProFamilia Verband (Association for the Issues of Sexuality, Partnership and Family Planning in Germany)

 [www.profamilia.de](http://www.profamilia.de)


Verband binationaler Ehen und Partnerschaften (Association of Binational Marriages and Partnerships)

 [www.verband-binationaler.de](http://www.verband-binationaler.de)

Weißer Ring bundesweites Gewaltopfertelefon (Nationwide Helpline for Victims of Violence)

 116 006

Nummer gegen Kummer (Number against Sorrow)

 [www.nummergegenkummer.de](http://www.nummergegenkummer.de)



## MY, YOUR, OUR RIGHTS

### To physical Intactness and Health

✓ You have a right to physical intactness. That means that fundamentally nobody is permitted to inflict violence on you. The law protects you from

- Physical violence
- Beatings, sexual assaults, injuries to your body
- Psychological violence
- Stalking, threats, all forms of deliberate intimidation
- Institutional violence
- Discrimination due to laws, infrastructure, language



### HERE ARE SOME PLACES YOU CAN CONTACT:

Emergency Phone Number for the Police  
☎ 110

Bundesverband Mobile Beratung e.V. (Federal Association for Mobile Counselling)  
☎ 0351 500 541 6

Weißer Ring bundesweites Gewaltopfertelefon (White Ring – Nationwide Helpline for Victims of Violence)  
☎ 116 006

Hilfetelefon Gewalt gegen Frauen\* (Helpline - Violence against Women\*)  
☎ 08000 116 016

Bundesverband Frauen\*beratungsstellen und Frauen\*notrufe (Federal Association of Women's\* Counselling and Women's\* Emergency Calls)  
☎ 030 322 99 500

Pro Asyl  
☎ 069 242 314 20

Bundesfachverband unbegleitete minderjährige Flüchtlinge e.V. (Federal Professional Association for Unaccompanied Minor Refugees)  
☎ 030 820 974 30

Antidiskriminierungsverband Deutschland (advd) (Anti-discrimination Association Germany)  
☎ 0341 307 876 90

## MY, YOUR, OUR RIGHTS

### To Reproduction and Sexual Health

✓ Your ability to become pregnant and your sexuality are under special protection. If you are concerned about one of the questions below, the advisory office below can help you:

- I was told that it is wrong to have more than two children in Germany. Is that true?
- I am pregnant but I cannot carry the child to full term. I want to abort the pregnancy. Who can give me advice?
- I am scared about my genital mutilation. Who can I talk to about this?
- I am afraid of sexually transmitted diseases. Where can I have tests carried out and how can I protect myself?
- I do not want to get pregnant. Where can I find out about contraceptive methods?
- In my partner\*ship I am being pressurised to try

out new things during sexual intercourse. How can I defend myself against this?

- I was raped. I find it very difficult to talk about it. Who can I confide in? ■

Frauenrecht ist Menschenrecht  
(Women's\* Rights are Human Rights)

☎ 069 970 979 70

pro familia (Association for the Issues  
of Sexuality, Partnership and Family  
Planning in Germany)

☎ 069 269 577 90

Hilfetelefon Schwangere in Not (Help-  
line for Pregnant Women in Need)

☎ 0800 40 40 020

Stop-mutilation.de Hilfetelefon (Stop-  
mutilation.de Helpline)

☎ 0211 938 857 91

## MY, YOUR, OUR RIGHTS

### To Freedom of Thought, Conscience and Religion

✓ All human beings have the right to have a religion or an ideology, to change it or even belong to no religion. You have the right to live out your faith alone or together with others. The freedom of religion and ideology is part of the freedom of opinion.

THOUGHTS ARE  
FREE

## MY, YOUR, OUR RIGHTS

### To Participation

✔ Even if you do not have any political right to vote as a refugee woman\*, your voice can be heard:

- You can meet with other women\* and organise yourselves, for example by founding a society.
- You can assemble with others in public and demonstrate for your rights and demonstrate against injustices.
- You can become socially and politically active, for example in migrant\* networks and initiatives.



## MY, YOUR, OUR RIGHTS

### To Cultural Identity


✔ As a refugee woman\* you have the right to live your culture and your personality. All forms of discrimination (on the basis gender, ethnic origin, religion, age, disability, sexual identity) are forbidden and liable to legal prosecution. There are also non-governmental contact points which give you support, impartial advice and accompany you if, for example

- You are insulted or attacked on the street because of the colour of your skin.
- You, as a muslim woman\* with a headscarf, are looking for a job or a flat and are discriminated against due to your religion.
- You fall in love with a woman\*, you embrace her in public, and you or your girlfriend are threatened or injured because of this.
- You are transgender, transsexual, intersexual or gay and have been denied the right to psychological and medical support.


**FOR MORE OPENNESS.  
FOR MORE RESPECT.  
FOR MORE DIVERSITY.**

**YOU CAN FIND A LIST OF MIGRANT\* ORGANISATIONS UNDER:**


DaMigra e. V. (Dachverband der Migrantinnen\*organisationen) (Umbrella Association of Female Migrant Organisations)

 [www.damigra.de](http://www.damigra.de)


LesMigras e.V. - Antidiskriminierungs- und Antigewaltbereich der Lesbenberatung Berlin e.V. (Anti-discrimination and Antiviolence Sector of Lesbian Counselling Service) (Counselling: Arabic, German, English, Kurdish, Persian, French, Spanish, Serbo-Croatian, Russian; Page in several languages)

 [lesmigras.de](http://lesmigras.de)


Lesben- und Schwulenverband in Deutschland e.V. (LSVD) (Lesbian and Gay Association Germany)

 [www.lsvd.de](http://www.lsvd.de)


MILES - Zentrum für Migranten, Lesben und Schwule beim LSVD Berlin-Brandenburg (Centre for Migrants, Lesbians and Gays)

 [berlin.lsvd.de](http://berlin.lsvd.de)

Institut für Menschenrechte (deutsch-englisch) (Institute of Human Rights)

 [www.institut-fuer-menschenrechte.de](http://www.institut-fuer-menschenrechte.de)

Terre des Femmes - Menschenrechte für die Frau (Human Rights for Women)

 [www.frauenrechte.de](http://www.frauenrechte.de)

# MUT-Projekt (Courage Project). The Right to know your own Rights.

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Integration