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Best interest of the child is still harmed

Delegation of the Caravan witnesses a scandalous day in the family court The Mother, who is advanced in pregnancy, had to bear a hearing for seven hours The children of Mrs Omoroghomwan resist judgment bravely

On tuesday, 10/21/2008, proceeded a hearing at the family court in Plauen. The youth welfare department had filed a petition, that the kids, who fled from the children's home in Markneukirchen back to their mother some days before, get brought back to the children's home. The lawyer had filed that they can stay with their mother.

At the beginning of the hearing the lawyer got to know, that there was already a positive judgment to the petition of the youth welfare department. It should also be accomplished under force. The complaint of the lawyer, that she wasn't informed about this, was rejected because the power of attorney allegedly wasn't in. But the lawyer already submitted it in spring this year.

So from the outset it has been decided, that the kids get separated from their mother, if necessary also mightily. Anyhow the petition of the lawyer was deliberated in the non official hearing. Proposals for the accommodation of the family at friends have been refused by the youth welfare department and the court, they said, that the flat first has to be checked. Claudia Omoroghomwan was again alleged and accused. It went to such lengths, that they were talking about a DNA-test to ascertain, if she really is the aunt.

For seven hours Claudia Omoroghomwan, advanced in pregnancy and under the stress of the attacks by the authorities and the defamations of the last weeks, had to follow the hearing, in which the topic was allegedly the best interest of her children. These were sitting fraughtly six hours and twenty minutes in front of the courtroom's door, twenty minutes each of them were consulted one by one by the judge together with the interpreter. In the hearings's breaks they always asked their mother, if everything is alright. The 13 year old Sandra was crying silently for a long time, also after the interrogation she was drenched in tears. Nevertheless the mother's boyfriend succeeded every now and then in cheering up and deflecting the children.

While the guardian, who was announced by the youth welfare department in summer and who had seen the kids four times since then, still was pleading for the family's breakup, the three oldest kids told us, that this man said to them, that there would be an end now with Claudia (their mum) and that he would be their „papa“. They asked us, why this is done to them. They just want to live normal with their mother in a flat. The youngest girl, who is the bodily daughter of Mrs. Omoroghomwan, was pleased to be together again with her big sisters after months of detachment. She couldn't know, that the point in the courtroom is to remove them from her again.

A dozen policemen/women in civil lurked the whole day in the halls, the staircase and the front door of the building. Just before the hearing ended they came closer to the children and the small group of backers and friends. The lawyer was send out of the courtroom to tell the kids, that they aren't allowed to stay with their mum and that they have to go back to the children's home in Markneukirchen.

She told us, that that the judge impended with a task force, if they wouldn't obey.

The kids reacted surprised and protested loudly. They understood, that their would be police brutality again, if they keep on resisting, despising their own decision in the name of „the best interest of the child“.

They were desperate but though so brave: Despite of the menace of police violence, which was -literally- standing in the room, they revealed, that they never go back in the children's home and that they'd rather

sleep on the street.

In the courtroom were discussions again. Again the lawyer should convey the decision. The court now wanted to bring the kids to Treuen in that children's home, from which they once had been brought back by police mightily to the Lager in Posseck. The kids were astonished and declared unmistakable, that they won't get separated again. After that the court seemed to understand, that they just could accomplish their contract with massive force against the children – what then would have to take place under the eyes of the observers and backers.

So a last proposal was offered to the kids and the mother: They stay together temporary, but have to go back to the Lager in Posseck and aren't allowed to leave it. Though the afield Lager was a trauma for the kids, just the prospect to stay together with their mum could affect them to agree finally -still with a strong protest.

The available housing, which was proposed by Mrs Omoroghomwan, was refused with the explanation, that the girls couldn't go to the school they are going to in the moment – but where they don't want to go anymore because of the special treatment. As the court decided to send them all back to the Lager, the difficulty to go to school from there was irrelevant. The second explanation for the refuse of the flat was, that first would have to be checked if it's appropriatly. The sparely furnished room, in which the mother had to live for years with her four kids, with collective showers in the cellar, the kitchen and toilet at the end of the hall of the barracks in the Vogtland's forrest didn't have to be checked. Lager as an ability to live is obviously seen as appropriate by the court and the youth welfare department.

After ten hours of torture the family arrived escorted by the agents of the youth welfare department in the Lager in Posseck, the sad barracks in the middle of the forrest. Before the agents of the youth welfare department left the room, in which Mrs Omoroghomwan and the four kids had to live for years, they said, that they would strive to get a flat. After all what happend by then, this is a bit surprising and inspires less confidence. The backers' delegation first had to fight shortly and harshly with the Lager's administration to say good-bye to the family.

Two days later the Integrationsbeauftragte (delegate of integration), an agent from „Eine Welt Verein Vogtland e.V.“ („One World association“) and an agent from the Saxon Flüchtlingsrat (Refugee Council) visited them to talk again about the children's movement to the children's home. They were delegated to tell them the results from a meeting a day before with the foreign office, the youth department and the „Opferberatung“ (Victim Conselling) Chemnitz. That Mrs Omoroghomwan soon has to go to hospital to give birth was used as an argument for that home. That her boyfriend will take holiday in that time and that enough friends and backers will take care of everything is just being ignored.

The observer's delegation asserts:

- Nothing about the entire action of the authorities of the Vogtlandkreis and their reasons has something to do with the best interest of the children. They are still getting harmed mentally and are threatened with even more physical violence. The action of the youth welfare department, the foreign office and the court's decisions by now aim on Mrs Omoroghomwan's health and steadiness. That she is advanced in pregnancy is exploited to enforce the attrition. The authorities and the court are responsible for the negative consequences for Claudia Omoroghomwan's health, for the baby and the kids.
- All of Mrs Omoroghomwan's applications to escape from the hostile situation in Posseck had been rejected by the Vogtlandkreis's foreign office for more than a year. Inspite of this defamations towards Claudia Omoroghomwan have been launched for a long time now, which ranged to the accusation of child traffic and which should influence the actions of the other District office's elements. That the police operation got into public and the protest against the forced separation enforced the smear campaign, which had been spread by cheap articles in the local press. The separation of the family is the payback for the resistance and the protest, the denunciation of the living conditions as a refugee in Germany's Lager.
- Inspite of degrading the family members as helpless objects the youth welfare department should have advocated already months ago in terms of the best interest of the child the allocation of a flat, which is more centrally, to make a normalisation of their living situation possible.

- Also the court's decision is not allowing for the best interest of the child. The flat in a friends' house wasn't accepted as a temporary accomodation, because the accordance with the best interest of the child would have been checked. The depressing and for the kids traumatising living conditions in Posseck were accepted unchecked. For the kids the news about the return to Posseck, from where they fled in may, was like a slap in the face.
- The visit of the agent of the District office and of the Saxon Flüchtlingsrat to the Omoroghomwan family in the refugee camp the day after the hearing, in which the girl's habitation in the children's home was a topic again, because their mother will give birth soon, raises doubts about the seriousness of the the youth welfare department's agents' promise, to make living together in a flat soon possible.

The observer's delegation appeals for the enforcement and the spread of the campaign for the family's coherence and for the protection of the children.

The disposal and the racism of the authorities must have an end.

We demand:

- the immediate stop of every mental and physical pressure on the family Omorogohmwan
- the immediate stop of the constant menace of police violence to break the children's point not to go in the children's home
- the immediate allocation of a flat for the family Omoroghomwan
- no more lag strategies by the foreign office on the search of a flat and the residence documents
- the immediate return of the guardianship to Mrs Omoroghomwan
- the immediate stop of the defamations and the attacks

After the traumatic experiences in the Vogtlandkreis we demand a kind of apology and compensation for the family.

More information:

www.thevoiceforum.org ; www.thecaravan.org

Contact

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We also ask for donations, espacially for the costs for the transportation, the bureaucracy and the lawyers, which can't be afforded singularly by the family Omoroghomwan and the close backers.

Whom it's possible to please donate to that account:

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Topic: Familie Omoroghomwan