

4. Criminal Charges

In the camp, there's no justice. I've always heard that Switzerland is the country of justice, justice, justice - but there's no justice, just racism. (Lotfi)

The blame is often put on the asylum seekers who have experienced violence, because "they could have filed criminal charges if they actually experience such abuse." This accusation is completely ignorant of the concerned people's conditions. In order to file a criminal complaint, the asylum seekers have to call the police, and then it's their word against the Securitas'. Asylum seekers who file a criminal complaint against the Securitas have to expect that in return, there will be criminal charges pressed against them, as lawyers we consulted have confirmed. For ongoing asylum procedures, however, criminal charges are disastrous. Criminal complaints are very risky for asylum seekers with uncertain residence status and no financial means.

Additionally, the asylum seekers repeatedly stress the close collaboration between the Securitas and the police of Basel. The police are generally on the Securitas' side and are prejudiced against and suspicious of the asylum seekers. Instead of listening to the asylum seekers' experiences, the police often take the (sometimes bleeding) abused people to the station because of the Securitas' accusations:

This is systemic. The Securitas beat us up, then they call the police and claim that we were causing trouble. When the police arrive, they at first drink coffee with the Securitas and talk everything through. They don't even talk to the people concerned. At the most they take us to the police station. Even though they see our wounds and injuries. (Youssuf)

When they were done hitting me, they left me there and locked me up for the night. The next morning, the police came and took me with them. They kept me at the station for a day. (Nabil)

Did you call the police?

Yes, in Flumenthal. They came and looked around. I told them everything, but they said that they didn't believe me. I wanted to file a complaint, but they said, tomorrow. And they left. The next day, they didn't come. I don't know why. (Djamal)

Victim blaming is enabled by several factors. On the one hand, the Securitas back each other and support this narrative of self-defense. On the other hand, the people concerned belong to groups of people that are stigmatized by society as "criminal,"

“aggressive,” “economic migrants,” and so on. This narrative is taken on by the police. In several available police reports only the Securitas’ point of view is included, but never the one of the abused asylum seekers. Because it is forbidden to take pictures and record videos in the federal asylum camp, the asylum seekers cannot present any evidence but their testimonies. Several people concerned have reported how the Securitas have deleted recordings of their violence on the asylum seekers’ phones, or that they even confiscated the devices, and thus destroy evidence that could be used against them.

This shows that the police simply adopt the Securitas’ accusations against the abused asylum seekers. Additionally, to this traumatic violence, the survivors then have to experience humiliating arrests, police custody and nights spent in jail. As if that weren’t enough, a penalty order follows in record time (1-2 days), issued by the public prosecutor’s office which refrains from collecting any evidence and simply adopt the Securitas’ version as told by the police. Quiet is kept about the cause of these injuries, bone fractures, and lasting psychological traumata the people concerned suffer from. An abused person soon becomes a “foreigner with a criminal record.” Thus, the societal stigma becomes a self-fulfilling prophecy.

I was desperate and went to the kitchen where I tried to take my own life. When the Securitas saw this, they called the police. They came with their rifles drawn and arrested me and one of the other two people. At the police station I was put in a cell. They threatened me with one-and-a-half-year imprisonment and a high fine. (Youssuf)

The abused people are people with a precarious residence status who most of the time are in the middle of their asylum procedure with uncertain outcome. They have no financial means to get legal help outside of the federal asylum camp, they do not know the official language, German, the language in which all police documents are written, nor the Swiss legal system. The power imbalance of this situation prevents the asylum seekers from making use of the “constitutional state” as other people of this society are able to.