

Victims of the German SPD-Green coalition asylum policies—Part 1

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Recent reports have exposed a growing number of individuals and families suffering due to the German government's intensified policies against refugees, combined with the merciless attitude exhibited by the authorities responsible for immigration.

At the end of March the daily paper *Frankfurter Rundschau* reported on the death of 42-year-old Hamida Mujanovic. She died of severe asthma on November 17, 1999, three months after she was forced to leave Germany and returned to Bosnia. It was not possible to treat her illness in this civil war ridden country. Hamida Mujanovic leaves behind a husband and two small children. In 1993 she fled to Germany to seek refuge from the civil war in Bosnia and lived in Velbert (near Düsseldorf). After the war ended the family was first threatened by forced deportation in 1997 should they refuse to leave the country voluntarily. Mrs. Mujanovic already suffered from asthma, and had been treated in hospital several times.

Reports and certificates by her doctors warned that if she returned to Bosnia no sufficient treatment would be possible because of medical supply problems. It was explicitly stated that deportation would endanger her life, but the responsible authorities were not impressed by this. After the failure of a final attempt to achieve an extension of their short-term residence permit for health reasons, and once again threatened with forced deportation, the family "voluntarily" left Velbert last August.

The doctor who treated Hamida Mujanovic in Bosnia from August to November 1999, but was unable to help her because of the lack of effective medicine, addressed a letter to his German colleagues explaining: "I write this because Mrs. Mujanovic and her life lay outside the terms set down in treaties between Bosnia and Germany. We are not flexible. But it is sad that you, as

one of the most progressive and best developed countries of the world, are also not capable of flexibility."

The case of the Romany family Zumberov in Duisburg became known nation-wide. They were forced to go into hiding before Easter to avoid being deported to Macedonia. The immigration authorities in Duisburg initiated a search for them as if they were criminals. What was their crime?

The Zumberov parents came to Duisburg in 1988, with their eight-month-old son Ajnur, in order to avoid the growing discrimination of Romany people in Macedonia. Today Ajnur is twelve years old; his sister Samanta who was born in Germany is nine. Both children go to school, speak German well, have many friends and are completely integrated. According to refugee legislation, agreed to under the Kohl government in March 1996, the Zumberovs would have had a good chance to achieve a right of residence. But in order to spare their children the traumatising experience of a forced deportation—which the authorities in Duisburg had emphatically threatened to carry out—the family left Germany "voluntarily" two months earlier and travelled to Macedonia.

Because of the existing political and economic situation in Macedonia the family were unable to gain a foothold. The parents were unable to find work and due to their status as stateless persons father and son were ineligible for income support. The father tried to survive as a junk dealer, but his son suffered panic attacks after witnessing police beating up Romany people in the market square. For these reasons the family returned to Duisburg in 1998. Teachers, parents and fellow pupils in Germany demonstrated solidarity with the family to prevent a new deportation of the family. Well-known writer Ralph Giordano, who as a

child was forced to leave Germany during the Nazi period, also supported the family.

But the authorities at both the local and regional level refused to show any mercy. The long-time chairman of the Duisburg law department and recently appointed town principal, Jürgen C. Brandt from the SPD, addressed an open letter to Giordano inviting the writer to Duisburg to experience for himself the "hard work" being done by members of the appropriate authorities. Giordano came to Duisburg and wrote another letter to the petitions committee of the state parliament in Düsseldorf, asking them to "temper the law with mercy—not justice".

The petitions committee also repeatedly supported the family's request to be allowed to stay in Duisburg, emphasising the juridical and humanitarian arguments to the North Rhine-Westphalian Ministry of the Interior. The minister of the interior, Fritz Behrens from the SPD, was unmoved. He told the committee in harsh terms: "A right of residence based on the principle of conciliatory grounds is not anticipated in immigration law."

The authorities in Duisburg then declared that rejection of protests and petitions by the Ministry of the Interior meant that the family had to be deported immediately. Attempts made by various parties to ensure that the children would at least be able to conclude the current school term also came to nothing due to obstruction on the part of the SPD and Green parties who govern Duisburg.

The rigorous action by federal interior ministers has led to cross-party protests within the national parliament. One hundred members of parliament signed an appeal addressed to the minister of the interior Otto Schily (SPD) and the leaders of the different German states, calling for a more humane treatment of Balkan refugees from Bosnia and Kosovo.

Of the 350,000 Bosnian war refugees who took up temporary refuge in Germany, more than 300,000 have already left the country, more or less voluntarily. The 50,000 remaining in Germany mostly belong to so-called "problem groups". These include disabled persons, ill and single elderly people, single mothers with small children, single children and people traumatised by the war (as confirmed by a doctor). Also included are couples belonging to different ethnic groups, people held in camps, conscientious objectors

and deserters, people who were witnesses in trials against war criminals and youth who have grown up in Germany. The parliamentary protest letter demands a permanent right of residence for the groups listed above, or at least a thorough investigation of each case, before thousands of people are thrown into a state of panic by the threat of automatic deportation.

In face of the severity of many individual cases, whole communities have often resisted—sadly without success for the most part—the deportations of their children's classmates, valued colleagues they have grown fond of and friends. It is questionable whether this latest appeal will achieve anything. The intensifying deportation of refugees from the Balkan wars is a result of these groups not being included in the immigration legislation passed by the interior ministers conference in Görlitz in November 1999. No account is being made of how long these people from the former Yugoslavia have been in Germany, of the extent to which they integrated or how limited their prospects are in a country which, following the Dayton Agreement and Kosovo War, is still ridden by war, isolated and ethnically divided. They are no longer allowed to stay in Germany.

On April 21 the *Süddeutsche Zeitung* wrote about the parliamentary protest: "In the end this only shows how much German interior politics have distanced themselves from humanitarian principles regarding the rights of refugees: They have become so dulled that they are no longer able to recognise in their policies where unreasonable harshness begins—and they don't want to know anymore. It is not only Pro-Asyl [a voluntary group assisting asylum-seekers], the churches and welfare organisations who are complaining but now also one hundred parliamentarians from the very parties responsible for such policies."



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