

Germany: SPD/PDS senate jail Tamil refugee

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After a six-week hunger strike, the life of 23-year-old Tamil Paramesvaran Sivabalasundaram is hanging by a thread. Only at the last minute did the Berlin senator, Dr. Eckhart Körting of the German Social Democratic Party (SPD), decide it was necessary to transfer the Tamil refugee from a detention centre to a regular hospital. His interior secretary, Ulrich Freise (SPD), announced that deportation proceedings have only been temporarily delayed to allow the victim to recover before he is deported.

Paramesvaran Sivabalasundaram, known as Siva, began his hunger strike because the Immigration Office planned to deport him on July 29 without having even reviewed the contents of his asylum application.

Siva's tragedy speaks volumes about the consequences and conditions of German asylum policies as implemented by Germany's SPD-Green Party government. These policies treat victims of political persecution as criminals.

In June 2001, Siva had participated in a theatre play in Sri Lanka that criticised the government. Afterwards, the Sri Lankan police arrested him and his colleagues. He was accused of being a "terrorist" and a member of the separatist Tamil Tigers. He was beaten and tortured while in prison, but in the spring of 2002 managed to escape. On his way to London he took refuge near the town Görlitz on the border of Germany and Poland, where, lacking papers, he was detained and placed in an asylum centre. He completed an application for asylum and then continued his journey to his original destination of England.

He was again arrested in England, where he completed another application for asylum. He was placed in a deportation centre in Manchester, and then transferred to Berlin in May of 2003, with the justification that he had already made an application for asylum in Germany. German immigration officials were waiting for him at the Berlin-Tegel airport, to

inform him that his application had already been rejected and that the Immigration Office wanted to deport him immediately. The application rejection was based on Siva's absence from Germany, although German officials were obviously aware that Siva had applied for asylum in England and had then been stuck there.

Because the immigration officials could not deport Siva without identification papers, they placed him in the deportation centre in Berlin-Köpenick. Since then, he has remained in the detention centre and been forced to endure its degrading conditions longer than any other detainee, simply because he is not willing to return to Sri Lanka where he faces the threat of imprisonment and torture. Siva describes his situation as follows:

"I am spending my entire youth behind bars. Sri Lanka locked me up. England locked me up. Germany locked me up, all so Sri Lanka can kill me."

In April, the journalist Philipp Lichterbeck visited the Köpenick detention centre, which during the existence of the German Democratic Republic served as a prison for women. The building has reinforcements that make it look like a fortress. Siva and the other 210 prisoners are not only "isolated from the outside world by iron doors, bars, concrete, and barbed wire, but also by 300 police."

One police officer, who wishes to remain anonymous, told Lichterbeck about the intolerable conditions inside the facility. If a prisoner asks in English for a light for a cigarette, the officials bark back, "The official language is German!"

Instead of offering language courses, they "repeatedly practice how one puts on hand cuffs. There is a group of officials who take every opportunity to pick on the prisoners. One covers up for the other. The prisoners have no chance before the courts."

The official also spoke about Siva: "The immigration officials could have let him go a long time ago. In my

eyes, that is just preventive detention.”

The detentions can only be described as arbitrary. As in the case of Siva, those who do not cooperate and refuse to sign a passport for their return journey are simply left in prison until they break.

A spokeswoman for the Berlin interior department, Henrike Morgenstern, considers these methods to be entirely appropriate. In her view, Siva is exclusively to blame for his long imprisonment. According to her absurd argument, each time he files an asylum application he prevents himself from being deported. Furthermore, the deportation is delayed “because Sivabalasundaram does not cooperate in obtaining travel documents.”

Lichterbeck also reported in his article that every year, about 5,000 of these deportations are carried out. Half of the victims are immediately deported, while the other half receive some measure of toleration, are set free, but are then later deported. Last year, 28 prisoners tried to take their own lives.

Christine Schmitz from the Initiative Against Asylum Deportations, which represents Siva, informed the *World Socialist Web Site* that Siva is recovering after his hunger strike, but that he is still suffering from the consequences of his protest. The deportation has not been cancelled, and he must reckon every day with his potential deportation. Above all else, he fears a new stretch of detention in Köpenick.

Siva has always maintained that he would rather die than be deported and delivered to the Sri Lankan police. He is wracked by fear and exhibits signs of having been tortured. Nothing indicates at this time that the Berlin interior department will change its position regarding his case, although Siva and his lawyer are pleading for clemency. They are demanding that the German Office for Asylum stop bending European regulations and give him the hearing to which he is entitled.

That Siva has been refused the most elementary right to a hearing for more than 13 months, combined with the refusal of the Berlin authorities to grant him clemency, demonstrates the inhuman and reactionary character of the laws passed by the German SPD-Green government.

At the same time, the case underscores the acquiescence of the PDS (Party of Democratic Socialism) faction in the Berlin Senate in carrying out these restrictive deportation policies. Not a single PDS

politician, inside or outside the Senate, has spoken out against Siva’s deportation. The PDS treats foreigners and refugees with the same contempt it shows to the socially disadvantaged in Berlin. PDS Social Senator Heidi Knake-Werner explained recently that, in line with new government laws, the unemployed can be productively employed sweeping up leaves in Berlin parks. Just as the PDS is ready to implement government laws against asylum seekers, it is also prepared to impose the so-called Hartz-IV laws against the unemployed. As Knake-Werner stated, “We would also, of course, implement a law the consequences of which we view critically. That is our job, although it does not alter the fact that we have reservations.”



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