German Home Office agrees temporary reprieve for a handful of refugees

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Around 100,000 refugees have been living in Germany for more than six years with short-term residence permits that offer no citizenship rights. The people affected are political refugees whose applications for asylum have not been granted due to the almost total abolition of asylum rights in Germany in the early 90s. These asylum seekers could not, however, be deported, because a return to their land of origin would result in their torture or persecution. Tens of thousands of refugees who have fled from civil war-torn countries such as the former Yugoslavia, Sri Lanka and Turkey, and from Iraq and Afghanistan, are also living under these conditions.

Short-term residence permits are valid for at most three months, and offer no legal residential rights. People with such permits are generally not allowed to work, and may not leave the federal state in which they are staying. They are living in a legal no man's land. Because they are constantly having to re-apply for further temporary permits, they live in permanent fear of deportation, even when they and their families have lived in Germany for many years.

Two years ago, the respective state home ministers and the federal home minister decided to issue, on a trial basis, conditional permanent residency visas to such long-term temporary residents. The various conditions include that families must already have lived in Germany for at least six years, and single persons for eight years. In addition, identity documents must be provided, along with evidence of ability to speak German. The most important condition is that the visa recipients have until the end of this year to find work sufficiently well paid so that they can support themselves and their families without needing any welfare payments or supplementary benefits.

This last condition has already been difficult enough to fulfill, given that the temporary nature of their residence makes it nearly impossible to find an employer willing to take them on. Just to make things more difficult, the German state has instructed employment centers and employers to prioritize German or EU citizens when job vacancies arise, and only then may they consider applicants from so-called third world countries, and people without permanent residence rights.

Since the beginning of the current financial crisis, the prospects of finding a permanent job have fallen to next to nothing, making it practically impossible to meet the employment condition for the extension of trial permanent residence visas. Out of the 30,000 persons who were admitted to this trial program in 2007, 15,000 face going back to temporary visas and the constant threat of imminent deportation, because they are unable to show evidence of secure employment.

At their conference in Bremen December 4, the home ministers of each state together with the new federal home minister, Thomas de Maizière (CDU), decided to give the affected persons a reprieve—a two-year visa extension during which to find a way of supporting themselves fully. A precondition for this is evidence that they had a job previously or made an effort in the past to get a vocational qualification.

This decision is shameful. Only a few thousand will manage to qualify for this two-year reprieve. Tens of thousands will have to endure life again as an insecure temporary resident. Meanwhile, about 100,000 immigrants are living in Germany under these soul-destroying conditions. Elderly, infirm and disabled immigrants, who are unable to work, in practice will have no chance of getting permanent residence, just like before.

This problem has existed for many years, since the

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legal rights of asylum-seekers in Germany were reduced to a minimum in 1993. Many of those affected have lived in Germany for a very long time, have started families and either cannot return to their countries of origin, or do not wish to. But because of the reactionary German immigration policies, they exist totally without citizens' rights and in continual fear of being deported.

Refugees and asylum-seekers receive only about one third of the already miserly Hartz IV income support minimum for themselves and their children. In some German states, they spend years in residential compounds—often former army barracks and other such run-down buildings—and receive no money at all, just food parcels. In some places, the children do not even attend school and medical treatment is limited to accidents and emergencies.

This scandalous situation has not changed, even though the numbers of asylum-seekers who actually manage to make it to Germany have sharply decreased over the past years, and of these, only an ever-dwindling tiny minority is granted asylum status.

According to the German Federal Home Office, a total of 22,935 people applied for asylum in Germany from January to October 2009. That is a minuscule number in a nation with 82 million inhabitants. Most of the asylum-seekers come from Iraq, Afghanistan, Kosovo, Iran and Syria. Only 1.4 percent of them were officially recognized as asylum-seekers, as defined in article 16a of the German constitution; 27.8 percent of them were given refugee status as defined in the Geneva Refugee Convention.

A further 5.3 percent were placed in the category of so-called "subsidiary protection status," which means the affected person may not be deported, because there is a risk of them being tortured or mistreated in their country of origin. Before the first six months of 2009 were over, more than twice as many asylum-seekers were deported to other EU countries, under the so-called Dublin process, as were accepted in Germany.

This social marginalization of refugees, and of immigrants who have lived for years in Germany, is a deliberate political policy intended to divide the working class. At the same time, the inhuman attacks on the conditions of refugees and immigrants serve as a model for further attacks on basic human rights. Attacks upon the social and democratic rights of the weakest groups in society are being carried out as a practice run for future attacks aimed at the entire working class.

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