

German government restricts right to asylum

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The coalition government in Germany is moving decisively against refugees. At a summit meeting of party leaders of the Christian Democratic Union (CDU), Christian Social Union (CSU) and Social Democratic Party (SPD), the participants agreed on a radical undermining of the right to asylum.

“Asylum Package II” suspends family reunification for those with a “secondary need of protection” and declares the North African countries of Tunisia, Morocco and Algeria to be “safe countries of origin.” Asylum applications are to be processed by means of expedited proceedings held in “registration centres,” residency rights restricted, and deportations extended.

Essentially, the package involves restricting the right to asylum along the main lines of the agreement reached by the coalition parties in early November. The renewed negotiations on the issue were mainly tactical skirmishes.

The result underscores the ruthlessness and brutality with which the government is acting against refugees, in the full knowledge that the measures being adopted will result in the loss of life.

Immediately following the agreement in November, it was said by figures in and around the coalition parties that the suspension of family reunification would affect only a few thousand refugees who were recognised as having a “secondary need of protection.” But just a day later, the Interior Ministry under Thomas de Maiziere issued an instruction that refugees fleeing the Syrian civil war would no longer be automatically granted residence status, as required by the Geneva Conventions. Instead, applications for asylum would be subject to investigation on a case-by-case basis.

This means that the majority of refugees from Syria and Iraq will be granted only “subsidiary protection status,” normally the designation for asylum seekers who do not come directly from a combat zone, whose homes have not been bombed and whose children have

not been shot at.

“Subsidiary protection status” acknowledges only that deportation would mean a real risk to life and limb. Legally, it is nothing more than a temporary reprieve and must be renewed every year.

From the outset, the SPD had no principled objections to previous decisions, but feared that the suspension of family reunification for Syrian refugees would anger large sections of the population that had expressed solidarity with the migrants. However, in the aftermath of the hysterical, racist campaign carried out in recent weeks against refugees and Muslims, using purported sexual attacks in Cologne on New Year’s Eve as the pretext, the SPD leadership feels it can openly embrace anti-democratic measures that violate international laws and conventions on asylum seekers.

“I think today was a good day in that we have set this asylum package in motion,” said Chancellor Angela Merkel after the meeting on Thursday. For the majority of refugees, however, the meeting was a slap in the face.

Previously, refugees could hope to bring their families to safety relatively quickly after passing through the asylum process. Now their wives and children will be forced to risk the dangerous flight routes, trusting traffickers and traveling in unseaworthy inflatable dinghies. The death rate in the icy Aegean between Turkey and Greece is already rising dramatically.

This month, according to the International Organisation for Migration (IOM), more than 52,000 refugees have undertaken the dangerous Aegean crossing. Women and children constitute more than 50 percent of those fleeing, as compared to only a quarter six months ago.

Official records show that in the first four weeks of this year 218 refugees have drowned, with the proportion of children among the victims rising. On

Wednesday, a refugee boat capsized near the island of Kos. Seven people died, including five children.

On Thursday, as the coalition parties met in Berlin to negotiate the tightening of asylum, an overcrowded boat sank near the island of Samos. The 26 Kurdish refugees from Iraq who drowned included 10 children and six women.

With the suspension of family reunification, the German government has signed a death sentence for dozens, if not hundreds, of refugee children.

The coalition has also agreed the establishment of five registration centres. These include an internment camp where refugees are deprived of their freedom of movement and excluded from regular asylum proceedings. Asylum applications are dealt with by means of truncated proceedings and the majority rejected within a week as “manifestly unfounded.” After that, the refugees are deported directly from the camp.

Those brought to the camp come from arbitrarily defined “safe countries of origin,” or are accused of having falsified their identity because they cannot provide valid identification documents. In fact, it is possible for only a very few refugees to obtain papers from the authorities in their countries of origin before they flee.

The total number of refugees affected by this new regulation will be much larger than government representatives had claimed in November. In addition to the Balkan states, the North African countries of Tunisia, Morocco and Algeria are now classified as “safe countries of origin.”

The refugee organization ProAsyl writes: “The concept of ‘safe country of origin’ is subject to political discretion divorced from any legal considerations.” The classification of a country of origin as “safe” is, in theory, subject to very narrow legal considerations. But the German government has tossed this aside. Instead, the rise in immigration has been made the applicable criterion.

Morocco and Algeria are certainly not “safe.” In its annual report on the two countries, the human rights organisation Amnesty International writes that opposition groups and critical journalists are arbitrarily arrested and tortured. Both the right of assembly and freedom of speech are severely limited.

The classification of these countries depends upon the

consent of the Bundesrat (the upper chamber of parliament), but this seems only a formality since the Greens, upon whom the federal government must rely in the Bundesrat, have emerged as hard-line proponents of an inhumane asylum policy and moved to the forefront of the campaign against alleged criminal refugees.

After some club owners in Freiburg had barred refugees, Mayor Dieter Salomon of the Greens said, “A hard line is called for. It must be our role to strengthen the police so that the sense of security is increased on the streets and the police can show a greater presence.” He added, “It must be made clear who we do not want to have here with us.”

The Left Party has also passed into the camp of xenophobia and law-and-order politics. It has no principled objections to further reprisals against refugees. Recently, it welcomed the new regulations that will facilitate deportations. Leading representatives of the Left Party have for weeks been calling for a strengthening of police powers to take action against refugees.

Thuringian Premier Bodo Ramelow of the Left Party declared, “The solution to the problem would be greatly accelerated if the agreements made last year were finally implemented.”



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