

German government to tighten up deportations

Marianne Arens
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Federal Interior Minister Horst Seehofer (Christian Social Union, CSU) has presented a 60-page bill on the deportation of refugees. The bill bears the imprimatur of the far-right Alternative for Germany (AfD) from start to finish. It makes a mockery of democratic principles; it is a document of bureaucratic cruelty and, if passed by the Bundestag, would set a precedent for the suppression of social and political opposition.

The bill aims to get refugees whose asylum applications have been rejected, but who cannot be deported because of war and terror in their homeland or because of lack of paperwork, out of Germany as quickly as possible. It bears the cynical name, “Orderly Return Law,” but could be more appropriately titled, “The Foreigners Out Law.”

At present, there are 236,000 people who have been ordered to leave Germany; 180,000 have a temporary reprieve to stay because they cannot return to their country of origin for various reasons. In the future, they would be treated like criminals and ruthlessly harassed.

Those who do not actively contribute to their own deportation are to be punished! Refugees who are guilty of nothing are to be put in jail. In the Orwellian language of the bill, this is called an “extended preparatory detention.” Insufficient action in the procurement of a passport—which often proves impossible due to non-functioning authorities in the home country—is sufficient to land a refugee behind bars.

According to the draft, refugees would lose their temporary leave to stay status if, in the opinion of the authorities, they do not cooperate sufficiently. For example, they must prove that all identity information is correct—which is often difficult or impossible for refugees from areas afflicted by war and civil war. The burden of proof is reversed: Previously, it was the

responsibility of the immigration authority to prove that a person has provided false information before they could curtail their rights.

But the bill goes even further: Anyone who warns refugees about their impending deportation and helps them can be punished by up to three years in prison. Similar to Hungary, members of refugee initiatives and individuals with access to official know-how are to be severely punished if they warn someone who is threatened with deportation. This sets a precedent for criminalizing any form of protest and resistance against the authorities. Making a warning of impending deportation flights by newsletter or social media can also be punished, a clear violation of freedom of the press and information.

The draft law also stipulates that benefits for refugees who have no right to stay will be further reduced. In addition, nationals from so-called “safe countries of origin” should no longer be tolerated from the outset and can be sanctioned, imprisoned and deported solely based on their nationality.

Refugees ordered to leave the country are to be deported as soon as possible. Especially in airports, it would be made easier to imprison people without a court decision and without them having committed any criminal acts.

Although the courts have banned this, refugees awaiting deportation can be held in regular prisons. They should only be physically separated from the general prison population.

More and more people are being deported from Germany. According to the Federal Ministry of the Interior, almost 24,000 people were deported in 2017. In addition, almost 30,000 people left “voluntarily.” More than 7,100 people were deported to other European countries under the Dublin regulations. In

total, more than 60,000 refugees from Germany were removed in 2017, i.e., an average of 166 people per day.

To double and further multiply these numbers, the grand coalition government of the Christian Democrats (CDU/CSU) and Social Democrats (SPD) is not shying away from openly breaching the law. “The ‘Orderly Return Law’ ignores principles of the rule of law,” the Pro Asyl organization said on its website. “Rejected asylum seekers who have never committed a crime are to be treated like criminals.”

As the director of Pro Asyl, Günter Burkhardt, told the AFP news agency, the bill means an “unlimited expansion of the grounds for detention” that could affect almost any asylum seeker. As a result of asylum seekers being prohibited from working and partaking in education, those affected are deprived of any prospects of staying. A very large group of people are thrust into a “lawless state.”

Interior Minister Seehofer justified the draft to the *Passauer Neue Presse* saying: “If someone is to be deported, we should take him into custody so that he does not disappear at the time of deportation.”

The CDU parliamentary deputy Armin Schuster defended him on the programme “Tagesschau” with the words: “Those who prevent their deportation by not clarifying their identity, not cooperating or even practising deceit, [can] only stay until we have deported them, let’s say, under lowered standards. They are not allowed to work, receive reduced asylum seeker benefits, etc.”

The SPD has already made clear that it does not object to the law in principle. It has merely criticized it for not being effective enough. The party’s domestic affairs spokesman, Burkhard Lischka, told “Tagesschau” that he doubted the measures would lead to more deportations, and would “not speed up any deportation,” adding, “I have to make sure that people are returned.”

Seehofer’s bill and the reactions to it confirm the assessment of the Sozialistische Gleichheitspartei (Socialist Equality Party) that the grand coalition formed in March last year is the “most right-wing German government since the fall of the Nazi regime.” In order to suppress resistance to growing social inequality and military rearmament, it is adopting the AfD’s programme, systematically fostering right-wing

and xenophobic sentiments and increasing the powers of the state apparatus.



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