

# STOP DEPORTATION

## WAYS TO STOP DEPORTATION

**PLEASE SPREAD!**

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(This information reflects German legislation as of March 2016)

## Ways to stop deportation

Sooner or later you will receive a decision on your asylum application from BAMF (Federal Office for Migration and Refugees). If your application is rejected and you do not leave Germany voluntarily, then you are at risk of being deported. You are not informed of the date and time of a planned deportation. After the deadline indicated in the decision letter, you could be deported at any time.

Your application has been rejected if the decision states the following:

- 1. The application for political asylum has been rejected)*
- 2. The application for refugee status has been rejected.*
- 3. The application for subsidiary protection has been rejected.*
- 4. No prohibitions on deportation pursuant to § 60 Sub-section 5 or 7 of the Residence Act apply.*

In this case, you have **two weeks** time to take legal action objecting to the decision. You should definitely do this. That means your case will be examined by the Administrative Court; in the meantime, until it decides, you are considered to be here legally, so you are safe. Dublin und „sichere Herkunftsländer“

## Dublin and “safe countries of origin”

However, if Germany discovers that another EU state is responsible for your asylum application, for example because your fingerprints were registered there (Dublin Regulation), Germany will order that you be deported to that country:

- 1. The asylum application is not admissible.*
- 2. Deportation to ... (e.g. Poland) is ordered.*

If Germany categorizes your country of origin as a safe country (Albania, Bosnia-Herzegovina, Ghana, Kosovo, Macedonia, Montenegro, Senegal, Serbia) the decision will be:

- 1. The application for political asylum is rejected as manifestly unfounded.*
- 2. The application for refugee status is rejected as manifestly unfounded.*
- 3. The application for subsidiary protection is rejected.*
- 4. No prohibitions on deportation pursuant to § 60 Sub-section 5 or 7 of the Residence Act apply.*

In both these cases, you have only **one week** to take legal action objecting to the decision, and you are still at risk of deportation even if you take legal action.

## Whatever you do:

- Contact a lawyer or a legal advice centre!
- Talk to other people that you trust!
- Get into a network with people in a similar situation. There are people who can help you everywhere.

Practical information:

[oplatz.net/informations-for-refugees](http://oplatz.net/informations-for-refugees)

**Sometimes there are reasons why a deportation cannot be carried out: ask your lawyer!**

- Unfit to travel due to illness
- No passport, and deportation is not possible without it
- The person to be deported is stateless or the country of origin refuses to take them back

## Church asylum

Sometimes religious communities can offer protection to people at threat of deportation and exert pressure on the authorities to stop the deportation. That can be a good way to win some time. Contact a religious community and tell them about your situation.

More information about church asylum and who to contact in Berlin:

[www.kirchenasyl-berlin.de](http://www.kirchenasyl-berlin.de)

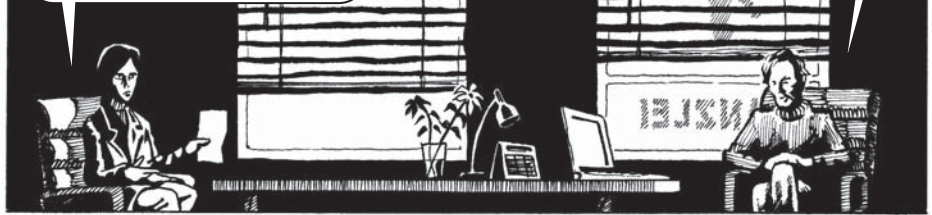
During your asylum process or if your asylum application for asylum is rejected, always remember:

**Solidarity  
is strength!  
Together we are  
stronger.**

**M**aria applied a while ago for asylum in Germany. Now she has received a letter from BAMF telling her that her application "has been rejected as manifestly unfounded". Germany categorizes Kosovo as a safe country of origin.

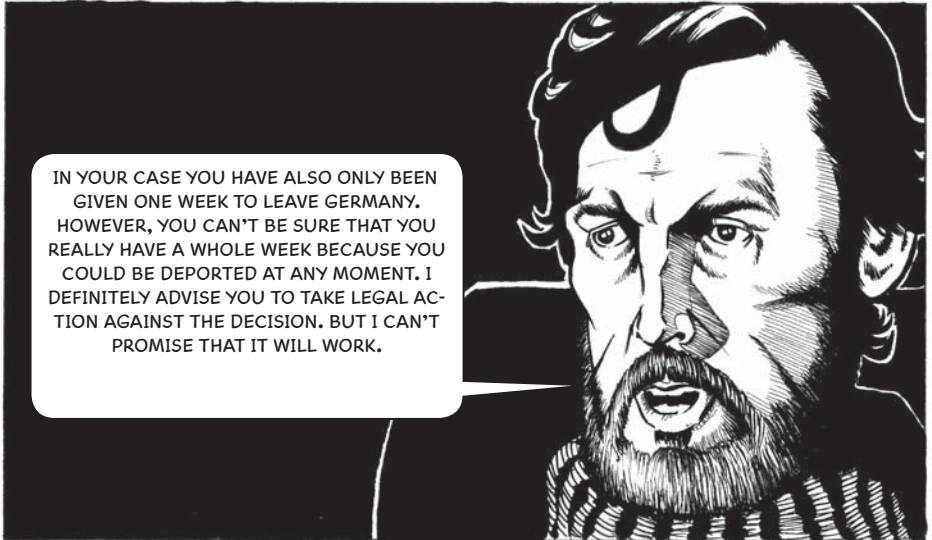


SO I'VE ONLY GOT A WEEK TO TAKE LEGAL ACTION AGAINST THE DECISION?



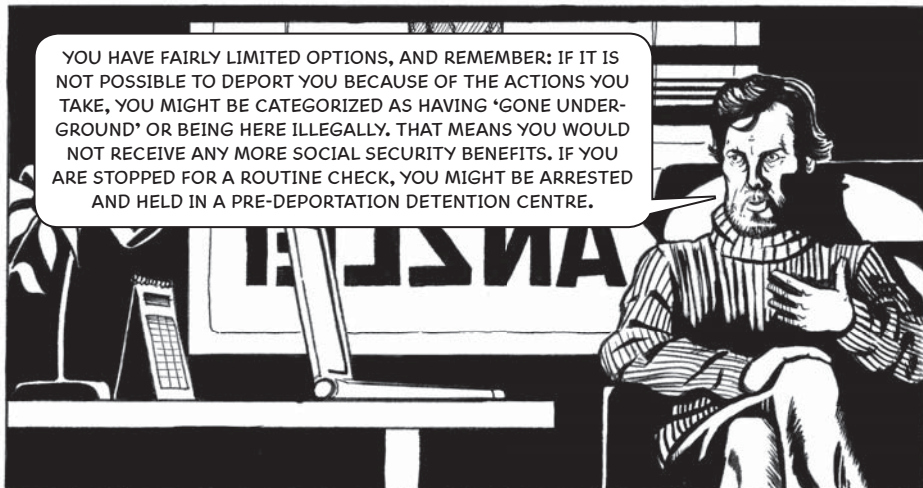
YES, USUALLY YOU HAVE TWO WEEKS BUT, THAT PERIOD IS REDUCED TO JUST ONE WEEK IF THE DUBLIN REGULATION IS APPLIED OR IF, AS IN YOUR CASE, GERMANY CATEGORIZES YOUR COUNTRY OF ORIGIN AS A SAFE COUNTRY.

IN YOUR CASE YOU HAVE ALSO ONLY BEEN GIVEN ONE WEEK TO LEAVE GERMANY. HOWEVER, YOU CAN'T BE SURE THAT YOU REALLY HAVE A WHOLE WEEK BECAUSE YOU COULD BE DEPORTED AT ANY MOMENT. I DEFINITELY ADVISE YOU TO TAKE LEGAL ACTION AGAINST THE DECISION. BUT I CAN'T PROMISE THAT IT WILL WORK.





AND WHAT ELSE CAN I DO TO AVOID BEING DEPORTED?



YOU HAVE FAIRLY LIMITED OPTIONS, AND REMEMBER: IF IT IS NOT POSSIBLE TO DEPORT YOU BECAUSE OF THE ACTIONS YOU TAKE, YOU MIGHT BE CATEGORIZED AS HAVING 'GONE UNDERGROUND' OR BEING HERE ILLEGALLY. THAT MEANS YOU WOULD NOT RECEIVE ANY MORE SOCIAL SECURITY BENEFITS. IF YOU ARE STOPPED FOR A ROUTINE CHECK, YOU MIGHT BE ARRESTED AND HELD IN A PRE-DEPORTATION DETENTION CENTRE.



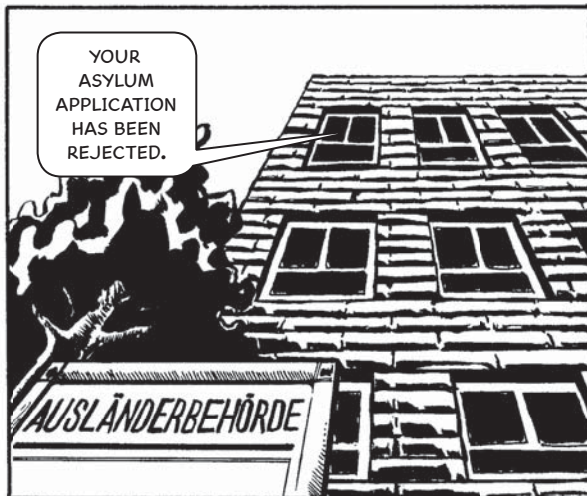
SO IF THE LEGAL ACTION DOESN'T WORK, THERE'S NO OTHER WAY TO STOP THE DEPORTATION?



I DON'T HAVE ANY MORE CONCRETE LEGAL INFORMATION THAN WHAT I'VE ALREADY SAID, BUT I CAN TELL YOU ABOUT WHAT OTHER PEOPLE IN YOUR SITUATION HAVE DONE TO STOP OR AT LEAST DELAY DEPORTATION. THEY OFTEN HAD TO BREAK THE LAW TO DO THIS, BUT THEY WERE MORE AFRAID OF BEING DEPORTED. BUT THERE'S NO GUARANTEE THAT IT WILL WORK.

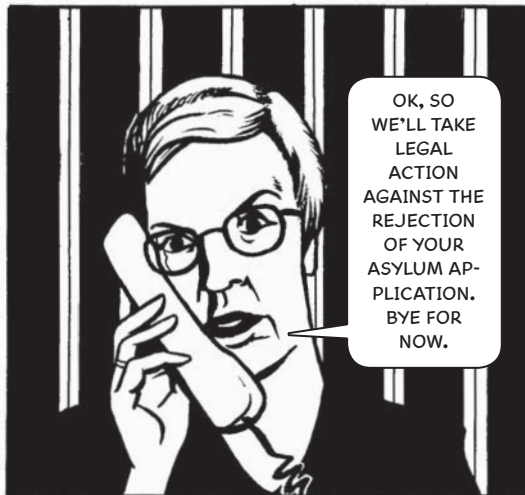


Esperanza lived in a village in Columbia which now no longer exists as paramilitaries threw everyone out in order to open a mine exporting coal to European markets. She fled to Europe, her asylum application was rejected in Germany and she was at risk of deportation. To make it more difficult to deport her, she refused to hand in her passport when she went to her appointment at the Foreigners Registration Office (Ausländerbehörde).





Mohsen worked as a journalist in Iran, where he was imprisoned and tortured because of his critical reporting. When he was finally released, he decided to flee. Germany however did not grant him asylum. Mohsen asked a friend to keep his passport for him, as he can't be deported so easily without it.



OK, SO WE'LL TAKE LEGAL ACTION AGAINST THE REJECTION OF YOUR ASYLUM APPLICATION. BYE FOR NOW.



HALLO LISA!



CAN I COME ROUND? I NEED TO TALK TO YOU.



CAN I GIVE YOU MY PASSPORT SO YOU CAN KEEP IT FOR ME FOR A WHILE?



NO PROBLEM. I GUESS IT WILL TAKE THEM A WHILE IF THEY TRY TO GET A NEW PASSPORT FOR YOU.



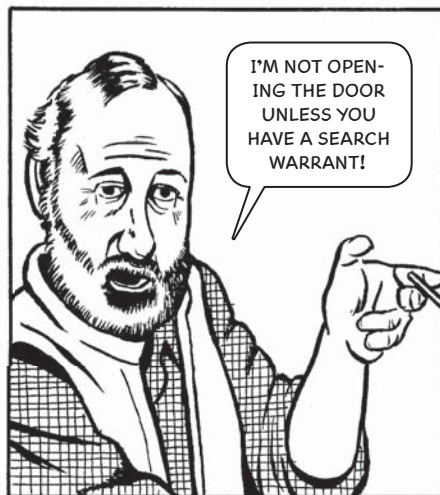
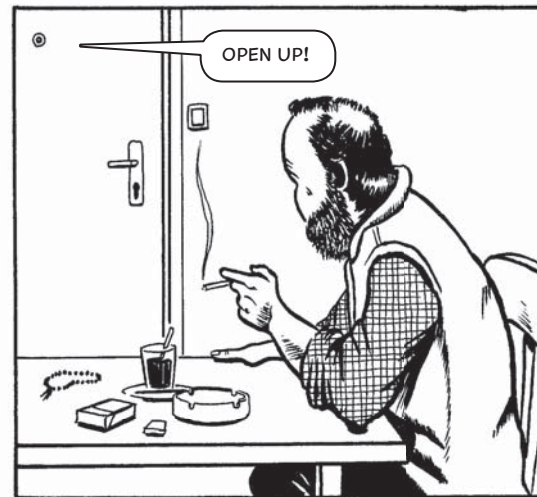
The civil war and the fighting in Syria made Ahmed decide to come to Germany. When he got there, he was told that Bulgaria was responsible for his asylum application under the Dublin Regulation and that he would be deported to Bulgaria. To avoid being deported, he asked some friends if he could stay with them.





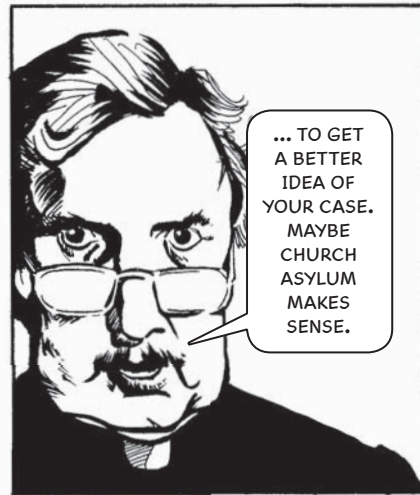
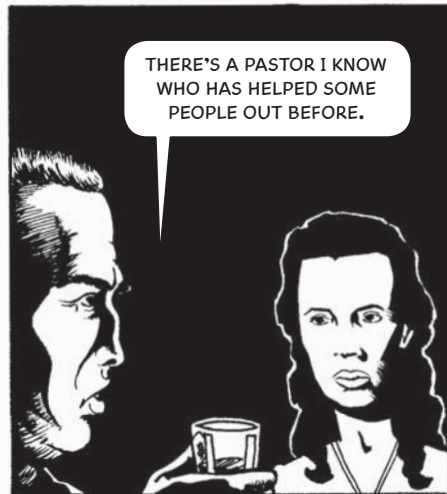


Mahmoud came to Germany because of the ongoing civil war in Afghanistan. But the German authorities did not grant him asylum. When the police came round to deport him, he refused to open the door unless they showed him a search warrant.





Makeda fled via Italy to Germany as her life was at risk in Eritrea because she had published critical reports on the dictatorial regime there. Germany planned to deport her to Italy under the Dublin Regulation. She resisted by asking a church for support.



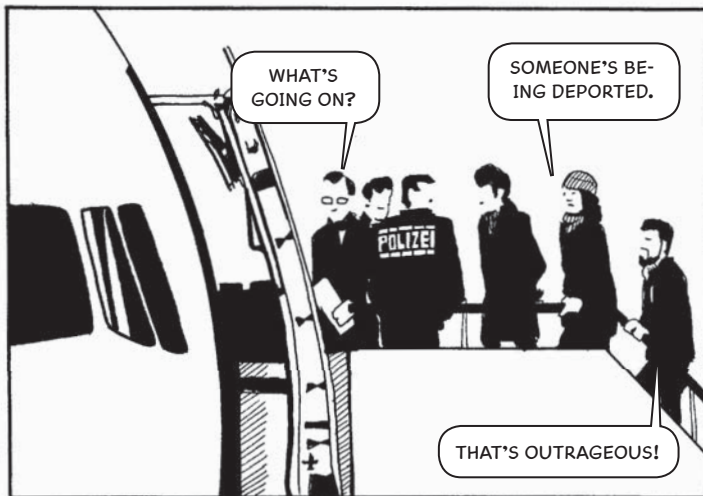
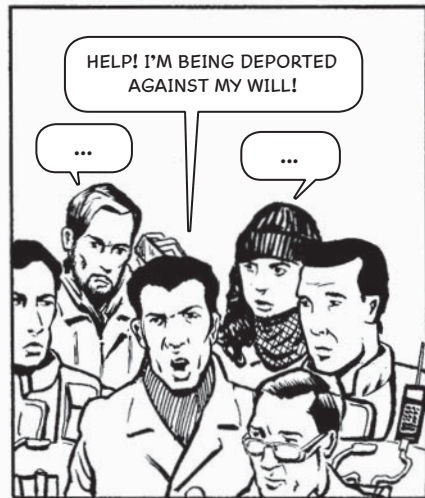


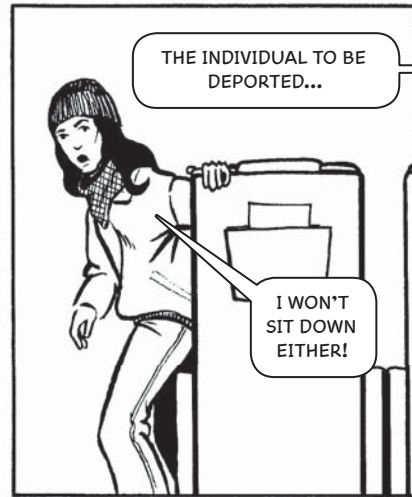
The Turkish's government's constant attacks on the Kurdish people made Leila's life so unbearable that she decided to go to Germany. When she was arrested after her asylum application, she insisted on calling her lawyer to help stop the deportation.





Yonkeu faced constant repression as a human rights activist in Cameroon. When two of his fellow activists vanished after their office was raided, he decided to flee to avoid a similar fate. When he arrived in Germany, he was refused asylum and was to be deported. At the airport he drew attention to his situation and managed to stop the deportation.





## Creating public awareness

Other people have managed to delay a deportation and then to stay in Germany with the help of a lawyer by making their case public. To do this, they decided to start a campaign with friends as soon as the threat of deportation arose. First of all they wrote a text

in detail the threats the person in question would face if they were deported, and why he or she wanted to stay



in Germany. The petition was circulated online using email, Facebook and Twitter.

Together they also contacted groups that could support the campaign: self-organised migrant groups, political groups, religious communities, schools, associations etc.

Then a demonstration was organized. They registered the demonstration, wrote a demo callout and spread it with help from the other groups. They painted banners and arranged to borrow a loudspeaker from a political group.

**NO BORDER! NO**

A few days before the demonstration they sent a press release to various newspapers. A journalist they knew did an interview, which was also published. Thanks to support from many different groups, thousands signed the petition and the demonstration was a huge success. In the end, the public pressure triggered by the petition meant the person in question could stay in Germany.



**You can find legal advice centres, lawyers and other useful addresses here:**

(Berlin)

[www.fluechtlingsinfo-berlin.de/  
fr/arbeitshilfen/adrflueberatung.  
pdf](http://www.fluechtlingsinfo-berlin.de/fr/arbeitshilfen/adrflueberatung.pdf)

[www.fluechtlingsrat-berlin.de/  
links.php](http://www.fluechtlingsrat-berlin.de/links.php)

(Germany-wide)

[www.asyl.net/index.php?id=64](http://www.asyl.net/index.php?id=64)

**Further weblinks  
and supporters:**

[www.alle-bleiben.info](http://www.alle-bleiben.info)



[www.op1atz.net](http://www.op1atz.net)

