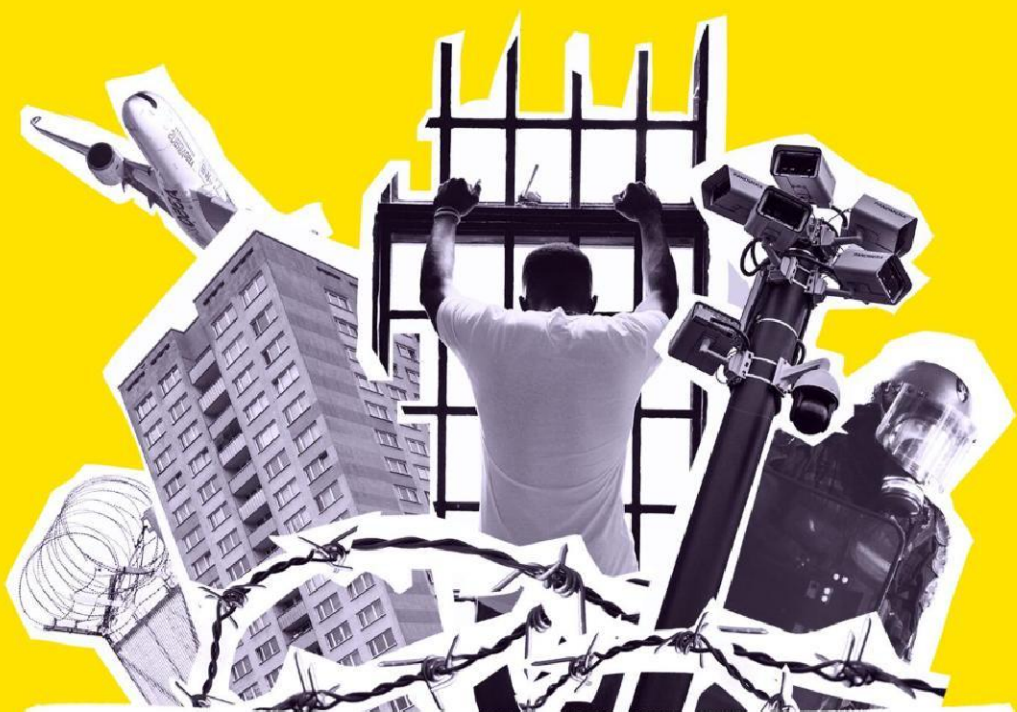


Authorities are planning to build a new deportation center with a detention prison at BER Airport in Schönefeld.

This leaflet summarizes their plans.



BACKGROUND INFORMATION
ABOUT THE PLANNED
DEPORTATION CENTER
AT BER SCHÖNEFELD

POLITICAL BACKGROUND AND LINKS BETWEEN FEDERAL AND STATE LEVELS

2017: BER as pilot project for planned federal departure centers

In 2017, the Federal Ministry of the Interior (BMI) proposed to the states (Länder) to increase federal responsibility for deportations, including through federal departure centers (detention facilities) at central airports to facilitate charter deportations. The state of Brandenburg (BB) was interested in piloting this. The legal basis for these centers, however, was never established.

2018/2019: Replacement for detention facility in Eisenhüttenstadt

In February 2017 the state of BB was requested to provide a state-owned detention facility (via a resolution from the Ministerpräsidentenkonferenz). The existing facility in Eisenhüttenstadt had been closed: officially due to not meeting fire safety standards, but according to BMI this closure was for political reasons.

The Brandenburg Ministry of the Interior (with then State Secretary Lange, SPD, today Finance Minister) planned to open a new deportation detention facility near BER Airport. To sidepass the Finance Minister, from the Left Party, the Ministry of the Interior did not want to construct the building itself, but rather have it constructed by an investor and then rent it (see point “Investor”). The course was set for the project to come.

New Plan 2020: “Arrival- and departure centre“ as a European flagship project

Due to the changed political situation (state elections), the facility was no longer planned as a deportation detention center (“Abschiebehafteinrichtung“, § 62 Residence Law (AufenthG) paras. 2 [“Vorbereitungshaft”] and 3 [“Sicherungshaft”]), but as an “authority center” (“Behördenzentrum”) with, among other things, places for deportation custody (“Ausreisegewahrsam” § 62b Residence Act).

In March 2021, the state of Brandenburg explained to the municipal development committee of Schönefeld that the plans are for a “facility that is unique in Europe [...] and that sets new standards for the rapid, networked processing of entry and exit procedures directly at the capital city airport. It is a showcase project of international importance with highest priority at federal and state level.”

Seehofer’s legacy

In October 2021, a formal agreement was signed between the BMI (Seehofer, still in office on provisional basis after the Bundestag elections) and the interior ministry BB (Stübgen), stating that the state of BB would be responsible for the construction process and the federal authorities would be renting. Even the State Chancellery (“Staatskanzlei”) of BB found out about the project only from the press release of the Ministry of Interior.

WHAT WILL THE DEPORTATION CENTER LOOK LIKE?

Who will be detained?

- Deportation custody ("Ausreisegewahrsam") = detention for a maximum of 28 days, § 62b Residence Law (January 2024 with the so called "Rückführungsverbesserungsgesetz" federal law it was extended from before 10 days)
- At present no plans for deportation detention in the sense of "Sicherungshaft"; § 62 para. 3 Residency Law; detention for up to 18 months, e.g. in cases of an enforceable obligation to leave the country due to unauthorized entry, withdrawal of deportation or suspected risk of absconding). However, this was part of the 2018/2019 plans and might still be included with a change in political power.
- So-called rejections / refusal of entry ("Zurückweisungsfälle") = people who are refused entry at airport (e.g. because of missing visa / forms etc.) (§ 15 Abs. 6 AufenthG)
- Airport Asylum Procedure ("Flughafenasylverfahren") = fast-track asylum procedure (§ 18a AsylG)
- Other groups might still be included (e.g. Dublin cases, "Aufgriffsfälle")

What's the size of the prison?

According to statements made by Interior Minister Stübgen in December 2022, there are currently 48 places for deportation custody and 60 places for transit (including rejections / refusal of entry and Airport Asylum Procedure) planned.

Compared to the currently existing facility ("Ausreisegesammlstelle") at BER this is a huge increase of capacity.

The present facility has 32 places (of which 24 are in use) used for deportation custody (under the authority of the Central Foreigners Office), "Aufgriffsfälle" and rejections/refusals of entry (authority of federal police), Airport Asylum Procedure (authority of Federal Agency for Migration "BAMF" and federal police) as well as an assembly point for charter deportations.



Planned buildings

The deportation centre is planned as a complex of buildings divided by functions, namely:

- functional building complex which includes an “arrival centre / facility” for the intake of Dublin cases from other EU member states, “quota refugees” and asylum seekers arriving via BER Airport), used by the ZABH, the BAMF and various other authorities (including the public prosecutor’s office, administrative court and local court) and including premises for canteen, security, laundry and other infrastructure functions
- custody building for people in deportation custody
- transit building (for the accommodation of people apprehended (“Aufgriffsfälle”), rejections / refusal of entry (“Zurückweisungsfälle”) and persons in Airport Asylum Procedure

The “repatriation” building (“Rückführungsgebäude”), originally planned as part of the deportation center is probably built as an independent project. We do not yet know which location is intended for this. The “repatriation” building should allow the parallel processing of two charter deportations with up to 100 persons each at least once a week as well as for individual deportations; operated 24/7 with 45 officers by the federal police.

WHICH AUTHORITIES ARE INVOLVED?

The role of the Federal Agency for Migration and Refugees (BAMF)

BAMF is responsible for:

- processing of Airport Asylum Procedures (§18a AsylG)
- supporting deportations measures
- processing of asylum procedures of people entering by air (not §18a AsylG): creation of case-file records (including identification and country-of-origin check), hearing and decision on asylum case, which are to take place before people are assigned to a first reception centre (“Erstaufnahmeeinrichtungen”) – according to the BAMF this is to prevent people from discussing “tactics” on asylum applications.
- centralised processing point and competence centre for all follow-up asylum applications (“Asylfolgeanträge”) in BB as well as some other asylum applications
- return counselling
- regional office branch Frankfurt Oder (Integration)

The BAMF is supposed to ensure the speedy processing of (follow-up) asylum applications so that planned deportation dates are not missed and people can be kept in deportation custody. In addition, the BAMF is meant to support individual and charter deportations of the state of BB, joint operations by several states (Bundesländer) or operations by Frontex supported by the federal government through monitoring, quality assurance and processing of urgent applications. The BAMF expects up to 350 airport asylum procedures per year, due, among other factors, to an increase of entries via air (mainly from Asia) and the expected classification of additional countries as “safe countries of origin” (e.g. Georgia).

Role of Federal Police and the “repatriation” building

The “repatriation” building is to be used exclusively by the Federal Police with the primary function of processing deportations. The building will be rented directly by the federal government.

The Federal Police have been using the old Ryanair arrival hall at Terminal 5 since the beginning of 2023. The rent has been extended again and again, but the Federal Police was supposed to move into their own building by the end of 2023 at the latest. There is therefore acute time pressure for them.

Other actors

The federal government (future tenant through the Bundesanstalt für Immobilienaufgaben, which received the procurement contract from BMI) is involved with BMI, Federal Police (BPOL) and BAMF and is to become the sole tenant of the “repatriation” building.

The state of BB is the building contractor and is involved in the project with the Ministry of the Interior (MIK) (Minister Stübgen, CDU), the Ministry of Finance and for Europe (Minister Lange, SPD, formerly Secretary of the Interior and at that time a proponent of the deportation center), the Ministry of Justice BB, the Central Foreigners Office, the state police and the judicial bodies of the state (Potsdam Administrative Court, Königs Wusterhausen Local Court, Potsdam Public Prosecutor’s Office).

The district of Dahme-Spreewald is also expected to become a tenant. In addition, the Dahme Spreewald building authority grants the building permit and the municipality of Schönefeld is in charge of the development plan procedure.

COSTS AND ALLEGATIONS OF CORRUPTION

What are the costs?

- Planned lease for 25 years
- Annual rent of 8.38 MIO € (Stübgen 11/23) for authorities centre (“Behördenzentrum”) + probably another 6.6 MIO € for the “repatriation” building (as of Letter of Intent 10/21 – but that document has never been signed)
- According to media reports from August 2022 the investor could make up to 315 MIO € with the construction of both building complexes (authorities center + “repatriation” building).

By making the federal government rent the “repatriation” building, these costs no longer appear in the household of the state of Brandenburg. In this way the state government aims to cease the strong criticism of the entire project, as can be seen from internal correspondence.



Criticism of tender procedure and corruption charges against the investor

The investor is Jürgen B. Harder, who has already built a hangar at BER. In 2015 he was sentenced to two years probation by the Frankfurt/Main regional court for his involvement in a bribery scandal related to the expansion of Frankfurt airport. In the following years he was involved in a medical scandal at Heidelberg University, the allegation is insider trade with a startup that has distributed an unusable blood test to detect breast cancer.

Why is the state of BB assigning a private investor in the first place? It is suspected that the then SPD Ministry of Interior aimed to bypass the then Finance Minister from the Left (Görke) (see above “replacement of Eisenhüttenstadt detention facility”). An internal communication of the BMI (01/19) reads: “As the Finance Minister is a member of the Left-Party, the Minister of Interior does not want to construct a building himself, but to have it built by and then lease it from an investor”. By having it built by an external investor, the costs only appear in the state budget with the first rental payments due when construction is completed. If the state built the project itself, the state finance minister would have needed to be involved as early as 2018.

But why was Harder brought on board as an investor? At the beginning of May 2022, Stübgen declared in front of the Brandenburg Interior Committee to be talking with Harder since 2018, at that point Harder owned the only plots of land available at the airport. In 2017, when the planning started, Harder owned only two small plots of land north of the planned construction site, where a significantly smaller deportation center was originally planned. The decision to change the location and increase the scope of the deportation center is said to have only been made in 2020. But Harder has been negotiating with owners of land since 2018 and has had a purchase option for properties in the relevant area since 2019. The suspicion is that Harder was secretly informed of the construction project in order to secure purchase options at an early stage.

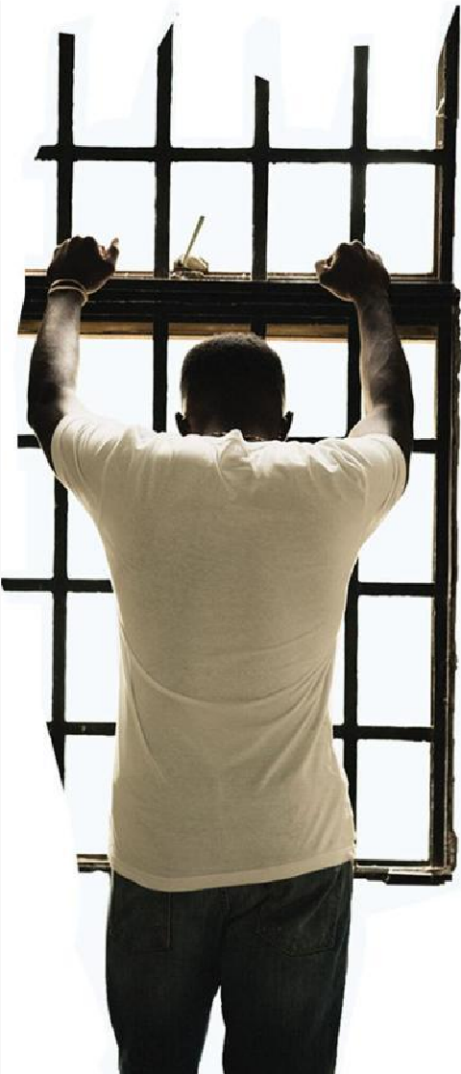
TIMELINE

What has already happened?

- 2017: First ideas for BER as a pilot for “federal departure centers”
- 2020: change of plan, shift towards a „Arrival- and departure center“
- 2021: principle agreement between Federal + BB Ministry of Interior
- 08/21: beginning of development plan procedure (“Aufstellungsbeschluss des Bauungsplanverfahrens”) for the area of the deportation center
- 12/22: commitment by state parliament of BB for budget resources for future lease and rent of the deportation centre
- 08/23: signing the lease agreement between investor Harder and the state of BB
- 09/23: Completion of examination of economic efficiency
- 11/23: release of the budget resources by the Ministry of Finance BB, 1,100,000 € for 2023/24

What is pending?

- Completion of the development plan procedure for the deportation center by the municipality of Schönefeld: presumably zoning resolution (“Satzungsbeschluss”) as a final step for the subsequent issuance of a building permit by the building authority Dahme Spreewald: at present, no dates known
- Location search for “repatriation” building, Location search for return buildings, including investor search and application for building permit
- Granting of building permit and start of construction of the deportation center: original plan was 2023 (Stübgen, 22.12.22 in rbb)
- Completion of deportation center: 2026 (Stübgen, 22.12.22 in rbb), 2025 (BMI, Die Welt, 28.01.23)



**IT IS NOT TOO LATE TO PREVENT THE
CONSTRUCTION OF THE
DEPORTATION CENTER.
THE INITIATIVE
“STOP DEPORTATION CENTER BER”
WILL FIGHT UNTIL NO MORE
DEPORTATION FLIGHTS TAKE OFF.**

This background information was compiled by the initiative “Stop Deportation Center BER” in May 2023 and updated in April 2024. The sources used were media reports, in particular an investigation by Frag den Staat, ARD Kontraste and RBB which published official correspondence on the project between relevant authorities (see links below). This document is intended as a summary and not a political commentary. The descriptions reflect the plans of the authorities and the technical language used does not correspond to our views. The information compiled does not claim to be exhaustive. For current developments as well as links to relevant sources visit our website abschiebezentrumsverhindern.noblogs.org (see QR code).

The initiative "Stop Deportation Center BER" was founded in December 2021 as a response to the authorities' plans. We resist racist politics of isolation and restriction of the fundamental rights of refugees, demanding an unconditional right to stay for all ("Bleiberecht für alle"). Every single deportation, every case of detention is an expression of unjust, racist border violence. We see ourselves as part of a strong, worldwide refugee movement in opposition of this violence.

The countries of "Fortress Europe" were and are responsible for war, exploitation, climate catastrophes, racism and violence in countries all over the world. It is the legacy of European imperialism which leads people move to Europe, forcibly or voluntarily. Be it for security, health, education, family, or economic dependency, we believe all reasons are legitimate. We demand the right to move for all, instead of the privilege of freedom of travel for the few. With our campaign we aim to imagine and work towards a world without deportations, a world without borders.



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