

Immigration Detention in Germany

Global Detention Project

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The Global Detention Project (GDP) is a non-profit research centre based in Geneva, Switzerland, that investigates the use of detention in response to global migration. The GDP's aims include: (1) providing researchers, advocates, and journalists with a measurable and regularly updated baseline for analysing the growth and evolution of detention practices and policies; (2) facilitating accountability and transparency in the treatment of detainees; and (3) encouraging scholarship in this field of immigration and refugee studies.

“Immigration Detention in Germany”
By Izabella Majcher and Michael Flynn
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Global Detention Project
Geneva, Switzerland
<http://www.globaldetentionproject.org/>
Phone: +41 (0) 22 548 14 01
Email: admin@globaldetentionproject.org

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Introduction

In 2012, Germany became the second largest recipient of international migrants in the world, second only to the United States (OECD 2013). Germany is also one of the main recipients of asylum seekers. In 2013, nearly 127,000 persons sought international protection in Germany, accounting for approximately 30 percent of all requests filed in the European Union (EU) that year (UNHCR 2014).

On the other hand, the numbers of immigration detainees have steadily dropped. In 2013, Germany placed 4,812 people in immigration detention, roughly half the number detained in 2008 (Bundesregierung 2012; Pro Asyl and Diakonie Hessen 2013).

There are a number of reasons for this apparent divergence between immigration pressures and responses. Since the expansion of the EU's eastern border in 2004, there have been fewer undocumented migrants entering Germany. Also, following the adoption of new detention legislation in 2009, domestic courts have reportedly rigorously scrutinized this practice (Pro Asyl and Diakonie Hessen 2013).

In an interview with the Global Detention Project in April 2014, the head of the [German National Agency for the Prevention of Torture](#) said, "There are important discussions going on right now in Germany about whether we should be detaining immigrants at all. The SPD [Social Democrats] are arguing that we should do away with this. The CDU [Christian Democrats] is not so clear on the issue yet" (Dopp 2014).

Germany's immigration detention regime contrasts sharply with that of other EU Member States. First, unlike the vast majority of EU countries, Germany makes wide use of its prisons to hold non-citizens in administrative detention. Secondly, regional (*Länder*) governments, rather than then the national government, are responsible for immigration detention. Of the country's 16 *Länder*, ten use prisons for confining migrants.

The decentralized nature of immigration detention in Germany also presents important challenges in getting comprehensive information about detention practices and establishing accountability, particularly at the international level. Federal authorities typically claim that they do not have statistics on immigration detention because they are not in charge of this practice and regional authorities are sometimes not responsive to requests for information (see the section "Access to Information" below). Additionally, regional governments at times disagree with federal authorities on best practices, including over issues like whether prisons are adequate places to hold people for immigration-related reasons (see the section "Detention Infrastructure").

Germany's decentralised detention regime has been at the heart of two recent groundbreaking legal cases at the [Court of Justice of the European Union](#) (CJEU). In July 2014, the CJEU found that Germany's practice of using prisons for immigration reasons to be incompatible with the [EU Returns Directive](#). In its judgment in *Bero & Bouzalmate* it ruled that Germany cannot rely on the fact that there are no dedicated detention facilities in a given *Land* to justify keeping non-citizens in prison pending their removal. In *Pham*,

the Court found that the same rule applies even if the detainee has consented to being confined in a penitentiary (CJEU 2014a; CJEU 2014b).

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Detention Policy

Key norms. Germany's legal framework for immigration detention is provided in the 2008 [Act on the Residence, Economic Activity and Integration of Foreigners in the Federal Territory](#) (Residence Act) (*Gesetz über den Aufenthalt, die Erwerbstätigkeit und die Integration von Ausländern im Bundesgebiet* or *Aufenthaltsgesetz*) and 2008 [Asylum Procedure Act](#) (*Asylverfahrensgesetz*), as well as 2009 [General administrative regulation to the Residence Act](#) (*Allgemeine Verwaltungsvorschrift zum Aufenthaltsgesetz*). Procedural rules are provided in the 2008 [Act on Procedure in Family Matters and in Non-Contentious Matters](#) (*Gesetz über das Verfahren in Familiensachen und in den Angelegenheiten der freiwilligen Gerichtsbarkeit*).

These legal provisions are intended to provide only a general framework for immigration detention. The Residence Act provides the grounds for detention, rules on the length of detention, and basic procedural safeguards. It contains few provisions dealing with conditions of detention. It is in the *Länder's* capacity to adopt such laws, since they are in charge of immigration detention. Only three states—[Berlin](#), [Brandenburg](#), and [Bremen](#)—have adopted specific laws regulating enforcement of immigration detention (see below). In the remaining thirteen states the [Prison Act](#) (*Strafvollzugsgesetz*), complemented by non-binding *Länder* standards, regulates conditions and overall detention regimes.

This situation has been criticized by the [European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment](#) (CPT), which on numerous occasions has been frustrated in its efforts to convince German authorities to reform immigration detention policies and practices, in part due to the decentralized nature of the country's immigration enforcement regime. (For a brief recap of the history of CPT correspondence with German authorities, see the section "Detention Infrastructure" below. See also the [CPT website for Germany](#).)

After its 2010 periodic visit to Germany, the CPT recommended that each state create special provisions for pre-removal detention. It expressed concern that "in those Länder where immigration detainees are still being held in prisons ... no specific regulations governing detention pending deportation exist. As a result, immigration detainees continue to be subjected to the same rules and restrictions as sentenced or even remand prisoners. Such a state of affairs is not acceptable. In the CPT's view, conditions of detention of immigration detainees should reflect the nature of their deprivation of liberty, with limited restrictions in place. The CPT calls upon the German authorities to take immediate steps to ensure that, in all German Länder [...] detention pending deportation is governed by specific rules reflecting the particular status of immigration detainees" (CPT 2012).

Grounds for detention. There are two main types of immigration detention in Germany: "custody to prepare deportation" (*Vorbereitungshaft*) and "custody to secure deportation" (*Sicherungshaft*).

The Residence Act provides that a non-citizen is to be detained to enable the preparation of deportation (custody to prepare deportation) if a decision on deportation cannot be reached immediately and deportation would be much more difficult or impossible without such detention (Residence Act, Section 62(2)). The General administrative regulation to the Residence Act explains that the “custody to prepare deportation” is only permissible if the adoption of an expulsion order is legally possible and highly probable, however the expulsion cannot be decided immediately. Preparatory detention is particularly permitted where deportation is ordered within six weeks after the beginning of the detention and can be carried out during that six-month period (General administrative regulation to the Residence Act, section 62.1.1).

A person can be placed in “custody to secure deportation” if: 1) he/she is required to leave the federal territory on account of his/her unlawful entry; 2) a deportation order based on state security or terrorist threat has been issued but is not immediately enforceable; 3) the period allowed for departure has expired and the non-citizen has changed his/ her place of residence without notifying the foreigners authority of a new address; 4) the person has failed to appear at the location stipulated by the foreigners authority on a date fixed for deportation due to reasons for which he/she is responsible; 5) the person has evaded deportation by other means; or 6) there is a well-founded suspicion that the person intends to evade deportation (Residence Act, Section 62(3)).

Asylum seekers. Although German law does not provide specific grounds justifying detention of asylum seekers, they may still end up in immigration detention under the Asylum Procedure Act. In cases of entry by air, non-citizens coming from a safe country of origin or without identity documents who apply for asylum with the border authority may be kept in custody at airport premises during the asylum procedure (Asylum Procedure Act, Section 18(a)). If entry has been refused, those persons may be subject to “detention pending exit from the federal territory” (*Zurückweisungshaft*), which is regulated by the same procedural rules as “custody to secure deportation” (Residence Act, Section 15(5)-(6)).

Additionally, if a foreign national applies for asylum while being already in immigration detention by virtue of the Residence Act, the asylum application must not hinder the ordering or continuation of detention (Asylum Procedure Act, Section 14(3)).

According to one study, the majority of detained asylum seekers in Germany are subject to the [EU Dublin Regulation](#) (Germany is not the responsible country for the person’s asylum application). Typically, the country in charge of an asylum claim is the country through which the non-citizen entered Europe. In the case of Germany, “Dublin” detainees tend to be persons who have entered the Schengen zone in [Poland](#), the [Czech Republic](#), [Hungary](#), [Malta](#), or [Italy](#). In some German detention centres, such as Rendsburg or Eisenhüttenstadt, the “Dublin detainees” can make up 90 percent of the population (Pro Asyl and Diakonie Hessen 2013).

In July 2014, the German Federal High Court ruled that, under present German laws, detention for the purpose of returns to another Schengen country in accordance with the recently adopted [Dublin III Regulation](#) was illegal. The new Dublin regulation, unlike its

forerunner the Dublin II Regulation, provides that the person concerned may be detained if there is a significant risk of absconding and that such a risk is based on objective criteria to be defined in the domestic legislation. As of September 2014, Germany had not yet defined in law such objective criteria for determining the risk of absconding. Germany therefore will have to change its laws if intends to continue with detention pending Dublin transfer (ECRE 2014).

In 2011, the [UN Committee against Torture](#) (CAT) issued a number of recommendations to Germany with respect to its treatment of asylum seekers. It recommended limiting the number of detained asylum seekers (including those who are subject to Dublin regulations); limiting the duration of their detention pending return; ensuring mandatory medical checks and systematic examination of mental illnesses or traumatisation; providing medical and psychological examinations by specially trained independent health experts when the signs of torture or traumatisation are detected; and providing adequate accommodation for detained asylum seekers separate from remand prisoners in all detention facilities (CAT 2011).

Length of detention. As stipulated in the Residence Act, “custody to prepare deportation” shall not exceed six weeks (Residence Act, Section 62(2)). However, the General administrative regulation to the Residence Act describes “atypical” scenarios in which immigration detention can last longer, for instance when there is a delay in ordering expulsion due to circumstances provoked by the detainee (General administrative regulation to the Residence Act, section 62.1.3).

”Custody to secure deportation” and “detention pending exit from the federal territory” may be ordered for up to six months. If an immigration detainee hinders his/her deportation, detention may be extended up to maximum of eighteen months (Residence Act, Sections 62(4) and 15(5)). The General Administrative Regulation to the Residence Act provides examples of such behavior, which include lack of participation in getting travel documents, breach of the requirement to surrender the passport, and refusal to contact the diplomatic mission of the non-citizen’s country of origin (General Administrative Regulation to the Residence Act, section 62.3.2). The period of time a detainee has been subject to “custody to prepare deportation” shall count towards the overall duration of “custody to secure deportation” (Residence Act, Section 62(4)).

The detention of asylum detainees shall be terminated as soon as the decision on the asylum application has been delivered and no later than four weeks after the Federal Office for Migration and Refugees has received the application, unless another country has been requested to admit or re-admit the foreigner on the basis of European Community law or of an international treaty on the responsibility of processing asylum applications, or unless the application for asylum has been rejected as inadmissible or manifestly unfounded (Asylum Procedure Act, Section 14(3)). Thus, the maximum one-month period of detention applies only to persons for whose asylum claims Germany is responsible. Those subject to Dublin regulation may stay in detention during the entire proceeding.

Procedural guarantees. A non-citizen can only be put in detention by a judicial order (Residence Act, Section 62(2)-(3)). Pre-removal detention decisions are the responsibility of the district court where the non-citizen in question resides or, if he/she has not a permanent resident, where detention is to take place (General administrative regulation to the Residence Act, section 62.0.3). Before the court makes a decision, the person concerned has the right to a personal hearing (Act on Procedure in Family Matters and in Non-Contentious Matters, Section 420).

Authorities may detain without a prior judicial order when: 1) there is strong suspicion the person will be required to leave federal territory because of unlawful entry; 2) it is not possible to obtain the judicial order for detention to secure deportation beforehand; and 3) there is a well-founded suspicion that he/she intends to evade the detention order. In such cases, the person is to be brought before the court without delay for a detention order (Residence Act, Section 62(5)).

Detention orders must provide reasons for detention measures and specify the date they will end (Act on Procedure in Family Matters and in Non-Contentious Matters, Sections 421-422; Winkelmann 2012). However, according to research conducted by the Jesuit Refugee Service indicates, detention orders are often only translated orally. Oral translations tend to be shorted versions of an order that leave out important information (JRS 2010).

Court-ordered extension of detention is subject to the same rules as the initial detention order. The German legal framework thus provides for automatic judicial review of immigration detention. Also, detainees have the right to appeal against detention order (Act on Procedure in Family Matters and in Non-Contentious Matters, Sections 425 and 429; JRS 2010). As provided in the Residence Act, detainees are allowed to establish contact with legal representatives (Residence Act, Section 62a(1)). However, only in two Länder—North Rhine-Westfalia and Brandenburg—immigration detainees may have access to a legal advice free of charge (Pro Asyl and Diakonie Hessen 2013).

Minors. The detention of minors, including unaccompanied minors, is not prohibited under German law. The Residence Act merely provides that minors and families with minors may be placed in pre-removal detention only in exceptional cases and only for as long as is reasonable, taking into account the well-being of the child (Residence Act, Section 62(1)). Sixty-one minors were placed in immigration detention in 2011; 114 in 2010; and 142 in 2009 (Pro Asyl and Diakonie Hessen 2013). Between 2005 and 2007, at least 377 unaccompanied children were detained in Germany, 155 in Berlin. The youngest detainee was 12 years old (JRS 2010).

There are considerable differences between states in terms of both regulation and practice of detention of minors. In some states there are no age-limits on detention, while in others there are regulations setting the minimum age of detention at 16, like in North Rhine-Westfalia. However, even in states with age limits, minors can still be accommodated in special youth facilities, like in Brandenburg. In Schleswig-Holstein unaccompanied minors under 16 are not detained but 10-years old children may be detained as long as they are with their mothers (JRS 2011; Cremer 2011).

Regarding the conditions of detention for detained minors, the Residence Act refers to article 17 of the EU Returns Directive (Residence Act, Sections 62(1), 62a(1) and 62a(3)), which provides that minors shall only be detained as a measure of last resort and for the shortest appropriate period of time; they shall have the possibility to engage in leisure activities, including play and recreational activities appropriate to their age, and shall have, depending on the length of their stay, access to education; unaccompanied minors shall as far as possible be provided with accommodation in institutions provided with personnel and facilities which take into account the needs of persons of their age; and the best interests of the child shall be a primary consideration in the context of the detention of minors pending removal.

In early 2014, the [UN Committee on the Rights of the Child](#) (CRC) stressed that pre-removal detention imposed on children that can last up to 18 months is a direct contravention of the right of the child to have his or her best interests taken as a primary consideration. The committee recommended that Germany ensure that detention of asylum-seeking and migrant children always be used as a measure of last resort and for the shortest appropriate time—in compliance with article 37 b) of the Convention on the Right of the Child—and that detention is made subject to time limits and judicial review (CRC 2014).

Family detention. The law provides that if several members of a family are detained, they are to be accommodated separately from other detainees awaiting deportation and guaranteed adequate privacy (Residence Act, Sections 62(1)). In practice, however, families are often separated. Only in Belin, Büren, and Ingelheim is there the possibility to accommodate families or couples together. In Eisenhüttenstadt and Hannover, couples are separately accommodated but they can see each other during the day. According to one report, detention in all other German facilities leads inevitably to separation of families (Pro Asyl and Diakonie Hessen 2013).

Not all states have facilities for confining women, thus they send women detainees to other states. For instance, three states (Schleswig-Holstein, Hamburg, and Mecklenburg-Western Pomerania) have formal arrangements with the detention facility in Eisenhüttenstadt (Brandenburg) to hold female non-citizens. Also, in practice persons apprehended at the border in Saxony are sent to different places: men to Dresden and women to Eisenhüttenstadt. NGOs have documented several cases in which the deportations of family members detained in different facilities were scheduled at different times (Pro Asyl and Diakonie Hessen 2013).

Segregation of criminal and immigration detainees. Because of Germany's widespread use of prisons for immigration detention, a critical question has been the extent to which administrative detainees are separated from criminal inmates. The National Agency for the Prevention of Torture told the Global Detention Project that immigration detainees are "usually separated. We apply a strict rule in this regard. Even when an immigration detainee who is held in a prison receives medical attention in that prison's health clinic, it is against the law to put that person in the prison hospital.

Prisoners and immigration detainees must not even mingle during sporting or leisure activities” (Dopp 2014).

Many prisons that confine non-citizens appear to have specific areas for immigration detention (including those in Büren, Dresden, and Hamburg-Billwerder). On the other hands, several prisons do not have specific detention areas, including particularly in the case of facilities that confine female immigration detainees (such as in Chemnitz, Frankfurt III, Schwäbisch-Gmünd, and Rockenberg) (Pro Asyl and Diakonie Hessen 2013).

While in practice non-citizens are not confined to the same cells as criminal detainees, they may have contact with them during meals or recreation time. The Global Detention project classifies such a setting as not in line with the separation obligation. In *Pham* case, the CJEU ruled that immigration detainees shall be kept separated from ordinary prisoners. The Court noted that under the Return Directive, the obligation for migration detainees to be kept separated from ordinary prisoners is not coupled with any exception. Moreover, they stressed that the separation requirement is more than just a specific procedural rule for carrying out detention in prisons and constitutes a substantive condition for that detention, without compliance of which such detention would, in principle, not be consistent with the Directive (CJEU 2014b; Majcher 2014).

Non-custodial measures. Following its 2011 visit to Germany, the [UN Working Group on Arbitrary Detention](#) (WGAD) urged authorities to employ “alternatives to detention” for managing the situation of non-citizens who do not have valid visas (WGAD 2012). While German law provides for the use of non-custodial measures, less restrictive provisions are not framed as “alternatives” per se.

According to the Residence Act, pre-removal detention is not permissible if the purpose of the custody can be achieved by other, less severe means (Residence Act, Section 62(1)). However, a key less restrictive measure explicitly referred to in the Residence Act is residence restriction, which limits the geographical movement of a foreigner slated for removal (Residence Act, Section 61(1)). While various observers and institutions have interpreted this provision as an “alternative to detention” (see, for instance, FRA 2010, p. 52; and European Commission 2014, p. 16), the law provides that this provision is to be imposed on all persons slated for removal and thus is not framed as an “alternative” to someone being placed in detention. Observers have also endeavoured to argue that there are other alternative measures—including regular reporting and the obligation to surrender documents—even though these measures are also not defined as alternatives in law (FRA 2010, p. 52; and European Commission 2014, p. 16).

In its 2011 report “Becoming Vulnerable in Detention,” the [Jesuit Refugee Service \(JRS\) Europe](#) reported in its chapter on Germany: “Alternatives to detention are not regulated in the law. However, in application of the principle of proportionality, detention is not always ordered. The longer the person concerned already lives in Germany, and the more social relations he or she has, in other words, the less likely it is that he or she might abscond, the more often the aliens’ departments will resort to other means. Sometimes residence documents are limited to very short periods, e. g. one week or a

few days, and persons are requested to call in at the aliens' department or the local police station in order to ensure close contact to the authorities. For minors, accommodation in a youth centre or borstal can be an alternative.”

Criminalisation. Violations of numerous provisions of the Residence Act can result in criminal sanctions. A one-year prison sentence or a fine may be imposed on a non-citizen who, *inter alia*: (1) is residing in the country without necessary documents and has failed to depart despite being ordered to do so; (2) repeatedly fails to adequately report to authorities; (3) does not abide by geographic restrictions or other conditions imposed on their stay; (4) does not adhere to the obligation to reside in a designated facility; and (5) belongs to an organisation or group that consists primarily of foreigners and whose existence, aims, or activities are concealed from the authorities in order to avert the prohibition of said organisation or group (Residence Act, Section 95).

There is also the possibility of three-year prison sentences for non-citizens who enter or reside in the country despite a re-entry ban; furnish or use false or incomplete information in order to procure a residence title or a suspension of deportation; or knowingly use a document procured in this manner for the purpose of deceit in legal matters (Residence Act, Section 95).

While there are numerous cases of people being criminally charged for immigration-related violations, according to observers these processes rarely result in prison sentences. For example, in 2010 there were some 2,700 convictions for undocumented stay in Germany; however, only 251 of those cases resulted in prison sentences, of which only 70 actually led to time being served in criminal incarceration (WGAD 2012).

Privatisation. Several private contractors have been involved in the care and custody of immigration detainees in Germany, although many observers have noted that there is considerable resistance in the country to allowing private companies access to this area of public policy. Among the private firms active in this area have been European Homecare, B.O.S.S. Security and Service GmbH, and Kötter, (Flynn and Cannon 2009; Pro Asyl and Diakonie Hessen 2013).

As of 2013, six detention facilities reportedly received security and/or management services from both government officers and private firms: Berlin Airport, Büren, Eisenhüttenstadt, Hamburg-Billwerder, Ingelheim, and Rendsburg (Pro Asyl 2013; Indymedia 2012).

For several years, B.O.S.S. has been a contracting partner with Brandenburg regional authorities at a dedicated immigration detention facility in Eisenhüttenstadt. It reportedly provides security personnel, catering, and social services while the Brandenburg government migration agency provides overall supervision (Pro Asyl and Diakonie 2013; Indymedia 2012; B.O.S.S. [website](#); Flynn and Cannon 2009). Some observers in Germany have termed this relationship a “public-private partnership” (Indymedia 2012). Germany’s Committee for the Prevention of Torture, in a 2014 report on immigration detention in the country, stated that neither the state-provided personnel nor the B.O.S.S. personnel were trained in prison services (Nationale Stelle zur Verhütung von

Folter 2014).

The Eisenhüttenstadt facility has been the site of frequent demonstrations by activist groups, which appear to have been motivated in part by hunger strikes by detainees demanding access to asylum procedures, medical examinations, and the suspension of detention ([Lager Watch 2013](#)). However, observers have in the past commended B.O.S.S. for its management of this facility. The CPT, in the report on its 2005 visit to the facility, reported: "Many of the private security staff met by the delegation had already been present at the time of the previous visit [in 2000]. The delegation observed that their general attitude towards foreign detainees had significantly improved. They were ready to communicate and were described by most inmates as sympathetic. This is a welcome development." However, according to the committee, "certain sensitive activities, such as searching and other security measures, including means of restraint, were frequently performed exclusively by private security staff." The CPT stressed that "private security staff working at Eisenhüttenstadt should be held to the same standards in the execution of their duties as apply to staff employed by the Ministry of the Interior. In order to safeguard the rights of immigration detainees and prevent ill-treatment, special arrangements should be made to ensure that the standards ... are applied" (CPT 2007; Flynn and Cannon 2009).

The authors of a 2007 European Parliament study also complimented B.O.S.S. staff for their treatment of detainees (European Parliament, p. 24) as did a rights advocate interviewed by the Global Detention Project in 2009, who favorably compared Eisenhüttenstadt to a police-run detention facility in Brandenburg. In conversation with the GDP, the advocate said that the Eisenhüttenstadt center was much better managed than the police-run facility. He added, "If it were me, I'd prefer to be in the B.O.S.S. facility" (Flynn and Cannon 2009).

A prison in Büren that is used for immigration detention purposes has security staff supplied by the private firm Kötter (Neue Westfälische 2014). Another private company, European Homecare, reportedly provides "social services" at this prison (European Homecare website).

European Homecare is best known as a key service provider at reception centres for asylum seekers in Germany. It also provides advice to people in Dublin procedures, assistance on voluntary return, and social care for unaccompanied minors (European Homecare website). European Homecare has also reportedly operated a detention facility at Düsseldorf airport (Menz 2012, p. 120).

European Homecare has been the focus of a scandal in Germany regarding mistreatment of asylum seekers. In October 2014, police announced that they were investigating allegations that guards at reception centres in Burbach and Essen assaulted asylum seekers and in some cases took pictures of themselves as they abused the people. "The fact that people seeking refuge are being abused and humiliated by the security forces who are supposed to watch over them is an outrageous abuse of power," said one Amnesty International expert (Deutsche Welle 2014).

The multinational company Serco, which has operated immigration detention facilities in Australia and the United Kingdom, has operated several prisons in Germany, although apparently not any facilities used for immigration purposes (Menz 2012, p. 120).

In April 2014, the head of Germany's Committee for the Prevention of Torture told the Global Detention Project that "Privatization seems to work well in some cases because the people who are employed by the private companies to work in the detention centres are generally not German, and the fact that they are foreigners like the detainees seems to comfort them. ... However, it is difficult to promote privatisation in Germany because it is not an accepted idea to have private actors working on behalf of the state in this area" (Dopp 2014).

Georg Menz provides some similar assessments of privatization in Germany in his chapter from the 2012 edited volume *The Migration Industry and the Commercialization of International Migration* (Routledge). He writes that "privatization of detention has proven highly politically contested and ultimately did not proceed fully. ... Given both legal concerns and political resistance to involving private-sector companies in such a sensitive policy domain, there is no interest in broadening the remit of private sector involvement. Political resistance combined with a comparatively low extent of neoliberalization thus led to only minimal involvement of private actors" (Menz 2012, p. 120-121).

Access to information. Accessing comprehensive information on German immigration detention practices and policies can be enormously challenging. To some extent, the difficulties stem from the federal, decentralised nature of the country's immigration enforcement system. Because immigration detention is under the authority of regional governments (*Länder*), the federal authorities claim they do not have information. (The Global Detention Project faced similar difficulties investigating detention practices in Switzerland, which has similarly decentralized immigration system. See "[Immigration Detention in Switzerland](#)," Global Detention Project, October 2011.)

In April 2013, responding to a joint request for immigration detention statistics filed by the Global Detention Project and Access Info Europe, the Federal Office for Migration and Refugees claimed that it did not have "statistics on immigrants in custody." It then directed requests to the Federal Statistical Office (Bundesamt für Migration und Flüchtlinge 2013). The statistics office reported that while it had some statistics on the numbers of foreigners in prison, it did not collect statistics related to the immigration status of these prisoners (Kaiser 2013).

Previously, in 2011, the Global Detention Project sent information requests on where and how many people were detained to relevant authorities in each *Land*. Only nine responded with the requested information (Baden-Württemberg, Bavaria, Brandenburg, Bremen, Hesse, Lower Saxony, Mecklenburg-Western Pomerania, Saarland, and Schleswig-Holstein). Two states (North Rhine-Westfalia and Saxony) claimed that the information we sought was "sensitive" and requested that additional steps be taken before they would release any information. (See "Appendix: Official Responses to Requests for Information.")

Detention Infrastructure

Germany is one of a very small number of European countries—[Switzerland](#) being another notable case—where prisons are used for the purposes of immigration-related detention. Because regional (*Länder*) rather than authorities are in charge of imposing immigration detention measures, detention practices vary widely across the German territory. As of 2013, only five *Länder* used dedicated immigration detention facilities: Berlin (Berlin-Köpenick), Brandenburg (Eisenhüttenstadt), Rhineland-Palatinate (Ingelheim), Saarland (Ingelheim), and Schleswig-Holstein (Rendsburg). All the other states (Bremen, Baden-Württemberg, Bavaria, Hamburg, Hesse, Mecklenburg-Western Pomerania, Lower Saxony, North Rhine-Westphalia, Saxony, Saxony-Anhalt, and Thuringia) used prisons or other criminal facilities.

For several years, the CPT and numerous other human rights bodies and non-governmental organisations have criticized the use of prisons for immigration detention. In the report on its 2010 visit to Germany, the CPT stated that “a prison is by definition not an appropriate place in which to detain someone who is neither suspected nor convicted of a criminal offence. Regrettably ... hardly any progress has apparently been made in various ... Länder since the CPT’s visit in 2005 to set up such establishments. ... Further, the Committee reiterates its recommendation that the authorities of Baden-Württemberg, Bavaria, and Saxony take the necessary measures to ensure that immigration detainees are accommodated in centres specifically designed for that purpose. ... Such measures should also be taken by the authorities of all other Länder which have not yet set up detention centres for foreigners” (CPT 2012).

Previously, in a report from 2005, the CPT also expressed frustration, stating: “The CPT has repeatedly stressed that a prison is by definition not an appropriate place in which to detain someone who is neither suspected nor convicted of a criminal offence. The Committee also notes that the Federal Government shares its view on this matter. However, it remains concerned that such limited progress has been made in this respect at the level of the Länder.”

Responding to the CPT at that time, the federal government highlighted the intransigence at the state level, reporting, “In the opinion of the authorities of Hamburg, it is not necessary to establish a special facility for immigration detainees in order to provide humane accommodation. Detention conditions in Fuhlsbüttel Prison are reasonable, they claim, since the immigration detainees are always kept separate from prisoners.”

In earlier correspondence with the CPT, the federal government argued the benefits of using prisons. In 1996, for instance, federal authorities stated: “The prisons are establishments which have been created specifically for accommodating people who have been deprived of their liberty, and have all the means necessary for this purpose for supply, assistance and care. On principle, such detainees are therefore able in the same way as other inmates to take advantage of the wide range of activities offered in prison, as well as of medical, religious, education, social and psychological assistance. Prison staff are qualified to deal with people who have been deprived of their liberty.”

The EU Returns Directive was expected to trigger changes in these German practices. Article 16(1) of the directive provides that “detention shall take place as a rule in specialised detention facilities. Where a Member State cannot provide accommodation in a specialised detention facility and is obliged to resort to prison accommodation, the third-country nationals in detention shall be kept separated from ordinary prisoners.”

However, the federal nature of the German state and the country’s decentralized immigration authority have continued to complicate reforms. Thus, while Article 62 of the Residence Act, which transposed article 16(1) of the directive, provides that “[as] a general principle, custody awaiting deportation shall be enforced in specialised detention facilities,” the provision also states that if a *Land* “has no specialised detention facilities, custody awaiting deportation may be enforced in other custodial institutions in that Land” (Residence Act, Section 62a(1)). Thus, unlike the Returns Directive, which refers to the territory of the whole member state, the Residence Act allows using prisons in those *Länder* that do not have a dedicated immigration detention facility.

In 2011, the JRS requested the [European Commission](#) to clarify the lack of consistency between the Residence Act and the Returns Directive. The commission responded stating that the directive’s article 16(1) refers to the entire territory of a member state. Thus, *Länder* cannot legitimize detention of non-citizens in prisons if there are dedicated facilities available in other German federated states. The commission, however, highlighted that its opinion was not binding (European Commission 2011).

Following requests from German courts, in July 2014, the Court of Justice of the European Union (CJEU) rendered a long-awaited opinion on the use of prisons in Germany in two cases. The court found this practice incompatible with article 16(1) of the EU Returns Directive. In the *Bero & Bouzalmate* case, it ruled that Germany cannot rely on the fact that there are no dedicated detention facilities some of its federated states to justify keeping non-citizens in prison pending their removal; in *Pham*, it found that the same rule applies even if a migration detainee consents to being confined in penitentiary.

The court established that a federal country like Germany is not obliged to set up specialized centres in each of its states. However, it is obliged to establish procedures that enable *Länder* that do not have specialised facilities to place migrants in specialized facilities located in other states (CJEU 2014a; CJEU 2014b; Majcher 2014). Similar mechanisms have already been set for certain cases. Thus, for instance, because not all *Länder* have facilities for confining women, they send female detainees to other *Länder*. Three states (Schleswig-Holstein, Hamburg, and Mecklenburg-Western Pomerania) have formal arrangements with the detention facility in Eisenhüttenstadt (Brandenburg) to hold female non-citizens. Also, in practice persons apprehended at the border in Saxony are sent to different places: men to Dresden and women to Eisenhüttenstadt. NGOs have documented several cases in which the deportations of family members detained in different facilities were scheduled at different times (Pro Asyl and Diakonie Hessen 2013).

Länder' laws regulating conditions of detention. Only Berlin, Brandenburg, and Bremen have adopted specific laws regulating enforcement of immigration detention. Berlin's 1995 *Gesetz über den Abschiebungsgewahrsam im Land Berlin*; Brandenburg's 1996 *Gesetz über den Vollzug der Abschiebungshaft ausserhalb von Justizvollzugsanstalten*; and Bremen's 2001 *Gesetz über den Abschiebungsgewahrsam* provide a number of guarantees, including *inter alia*: that detainees should be informed, if possible in their language, about their rights and obligations; that men and women should be confined separately; that family members should be accommodated together or at the least have the possibility to spend time together; that detainees should have access to recreational activities, receive visits, and have access to mail; and that they should be able to file complaints with the facility management.

Description of facilities and conditions of detention. According to information collected by the Global Detention Project, the following facilities have been used for detaining non-citizens on status-related grounds between 2012-2013:

The **Mannheim** Prison has been the main place for immigration detention in **Baden-Württemberg**. Established in 1996, the facility is made up of containers located in the prison courtyard and is separated with a fence from the rest of prison. The facility has the capacity of 66 and confines only men. Persons are detained in 2-bed cells that are equipped with a bunk bed, table and chairs. Freedom of movement is severely limited as detainees are confined to their cells round the clock except for three hours per day (Pro Asyl 2013; Pro Asyl and Diakonie Hessen 2013; Stocker 2012).

Women are detained in Baden-Württemberg's **Schwäbisch-Gmünd** Prison. This prison disposes of eight places for female immigration detainees, who are confined alongside female remand prisoners. Both the CPT and Pro Asyl criticised this breach in the responsibility to separate categories of detainees (Pro Asyl and Diakonie Hessen 2013). During its 2010 visit, the CPT found that the material conditions and regime (out-of-cell time and outdoor exercise), the contact to the outside world, and the health care were satisfactory (CPT 2012).

As of 2010, Baden-Württemberg's Rottenburg Prison was also being used for immigration detention (Pro Asyl and Diakonie Hessen 2013). It appears to no being used for immigration detention purposes.

In **Bavaria**, the immigration detainees used to be scattered across some 20 prisons. Since 2008, authorities have endeavoured to concentrate immigration detention in a handful of prisons (Bayern Staatsministerium des Innern 2009). As of 2013, non-citizens were detained in prisons in **Aschaffenburg**, **München**, and **Nürnberg**.

The München Prison has approximately 35 places for immigration detainees. While men are confined on a floor devoted only to immigration detention, women and minors are detained alongside female and juvenile remand prisoners, respectively (Pro Asyl 2013). The CPT visited the male unit in 2010 and found material conditions poor, both in terms of state of repair and the level of hygiene, as well as inadequate out-of-cell time and

recreational activities (CPT 2012). Some 80 percent of immigration detainees in München are in Dublin procedures.

In the Aschaffenburg and Nürnberg Prisons there are, respectively, 25 and 19 places for immigration detainees. Dublin returnees make up 60-70 percent of all immigration detainees in Nürnberg (Pro Asyl 2013; Kommunal – Geschichte, Kultur und Politik 2012). At the end of 2013, authorities announced that temporarily immigration detention would be carried out exclusively in **Mühdorf am Inn** Prison, which has 84 places for this purpose (Nationale Stelle zur Verhütung von Folter 2014; Mittler 2014).

The **Berlin-Köpenick** facility in **Berlin** is a dedicated immigration detention centre. Set up in 1995, the centre has a capacity of 214, 164 for men and 50 for women. It held a total of 546 detainees in 2011, 690 in 2010, and 779 in 2009. Approximately half the detainees are in Dublin procedures (Pro Asyl 2013). The cells can accommodate up to six persons and are equipped with bunk beds, tables, and chairs. The detainees can move freely on their floors and there are up to two hours outdoor recreation daily (Pro Asyl and Diakonie Hessen 2013). The National Agency for the Prevention of Torture reported in 2014 that there were no places to sit down in the facility and that showers lacked separation walls (Nationale Stelle zur Verhütung von Folter 2014).

Since August 2012, the **Berlin Airport** has had a detention facility with 30 places for immigration detainees, divided among rooms that have three or four beds each. The facility, which contracts security to B.O.S.S. (the company that manages the Eisenhüttenstadt facility), cost 1.3 million Euros to build. Its function is to confine asylum seekers arriving from a so-called safe countries. However, the facility held additional detainees when there is no space in the Brandenburg detention centre in Eisenhüttenstadt (Starke 2013).

Established in 1993, the dedicated immigration detention facility in **Eisenhüttenstadt**, which is partially operated by a private contractor, currently appears to be the only place used in **Brandenburg**. With the capacity of 108, the centre is divided into four sections, one of which is for women only. It has several 3-person cells, each equipped with beds, tables, and chairs. Detainees can move about freely on the floor during the day and are allowed a one-hour walk outside. Up to 90 percent of detainees are Dublin cases, a majority of whom have been apprehended at the German-Polish border. In addition, female non-citizens apprehended in Hamburg, Mecklenburg-Vorpommern, Saxony, and Schleswig-Holstein are also detained at Eisenhüttenstadt. [For more about the private contractor operating at the facility, B.O.S.S. Security and Service GmbH, see the chapter on “Privatisation” located above, in the section “Detention Policy.”]

Bremen authorities use the police station in the city of **Bremen** for immigration detention. The immigration detention floor of this facility has 24 places, of which 18 are for men. Detainees are confined in 1-person cells, equipped with bed, table, and chair. The cells are poorly ventilated. Men and women sections are separated from each other and both include a sitting room, equipped with a TV, video, fridge, and microwave. During the day detainees can move freely about their sections of the facility (Pro Asyl and Diakonie Hessen 2013).

The **Hamburg-Billwerder** Prison appears to be the only place in **Hamburg** used for immigration-related detention. Operational since 2009, the 35-person immigration detention unit is separated from the rest of the prison. Since 2011 only men are detained at this facility. Detainees are confined in single cells, which NGOs have described as being in very good condition. The facility has a sitting room that is not always open. During the day, detainees can move freely about. The facility is guarded by both governmental personnel and private security guards. Between 2000-2009, there were 25 suicide attempts, four of whom were minors. In 2010, two detainees committed suicide (Pro Asyl 2013; Pro Asyl and Diakonie Hessen 2013).

As of 2013, the **Frankfurt I** Prison appeared to be the only facility used for immigration detention in Hesse. Established in 2010, the detention facility is located in a separate unit, which other prisoners cannot access. It can confine up to 42 male immigration detainees, in one or two-person cells. The cells have beds, tables, chairs, closets, shelves, fridges, radios, kettles, toilets, and sinks. Detainees have a sitting room and kitchen at their disposal. During the day they can move about freely in the facility. Both the National Agency for the Prevention of Torture and a recent non-governmental study found the unit to be of a high standard. Men can also be detained for up to two weeks in the **Frankfurt** and **Westhessen** Police Stations (Nationale Stelle zur Verhütung von Folter 2014; Pro Asyl 2013; Pro Asyl and Diakonie Hessen 2013).

Women and minors are confined in the **Frankfurt III** Prison and **Rockenberg** Youth Detention Facility, respectively. Neither of these facilities has a separate immigration detention unit. Rather, women and minors are detained in single cells and kept separate from criminal prisoners (Nationale Stelle zur Verhütung von Folter 2014; Pro Asyl 2013; Pro Asyl and Diakonie Hessen 2013).

There is also a detention facility at the **Frankfurt Airport** used to confine people during asylum procedures at the border and for people refused entry. With a capacity of 100 (25 cells), it holds men, women, and minors. While men and women are kept separate, minors are not separated from adults. Detainees have two sitting rooms and a courtyard at their disposal and they can move about freely in the facility. The National Agency for the Prevention of Torture found that the facility was clean, properly lighted and modern furnished (Nationale Stelle zur Verhütung von Folter 2014).

In **Mecklenburg-Western Pomerania**, immigration detainees are held in the **Bützow** Prison. The floor that hosts the 19-person male-only immigration detention section has barriers separating it from the rest of the prison. Non-citizens are detained in double cells equipped with bunk beds, lockers, tables, chairs, and a sink. There is also a toilet in each cell. The cells have a small window directly below the ceiling. Only twice per week immigration detainees may take a shower. They do not have an unrestricted access to the showers because they are also used by remand prisoners. Detainees can move freely on the floor during eight hours per day and have one hour each day of outside recreation. In 2013 the National Agency for the Prevention of Torture found the immigration detention section in a very bad state of repair, with cells, sanitary facilities and furniture outworn and partially broken down. It pointed to holes in doors, windows

and walls, which were provisionally covered with paper and linen. The agency concluded that the Bützow prison is not suitable for detaining migrants and recommended setting up a dedicated detention facility (Nationale Stelle zur Verhütung von Folter 2014; Pro Asyl and Diakonie Hessen 2013).

The **Hannover-Langenhagen** Prison is the main facility used for immigration detention purposes in **Lower Saxony**. Its immigration detention capacity is 64 and it confines men, women and children in single-, double- and 4-person cells. The cells are equipped with bed, table and chair, while toilets and showers are located elsewhere on the floor. During the day, detainees can move about freely in the facility and have one hour outdoors. Observers have expressed concern that the employment of criminal detainees for cleaning and distribution of meals may breach of the obligation to separate categories of detainees (Pro Asyl and Diakonie Hessen 2013).

Since the mid-1980s, non-citizens have been detained in the immigration detention section of the **Büren** Prison in **North Rhine-Westfalia**. It can confine up to 385 men and 42 women, separated from each other. Cells, ranging from single to six-person, are equipped with beds, table, chairs, locker, sink and toilet. Detainees have at their disposal a kitchen and sitting area. Families and couples can be detained together in a 4-bed cell equipped with WC, shower, and cooking facilities. While women can move freely in their unit during the day, men's cells are open only four hours per day. The facility is guarded by state's prison service and the private firm Kötter. If the person's resistance leads to failure in deportation, he or she can be then placed in normal prisons that do not provide separation between types of detainees. As of 2010, Neuss Prison was used for pre-removal detention and Düsseldorf Airport for detaining persons refused entry to the country (CPT 2012; Pro Asyl and Diakonie Hessen 2013).

Saarland uses the detention centre in **Ingelheim** in neighbouring **Rhineland-Palatinate** for immigration detention purposes. The centre is one of a small number of dedicated immigration detention facilities in Germany. Established in 2001, the facility was renovated in 2012. As of 2013 it had a capacity of 75 and was comprised mainly of single cells. The cells are equipped with bed, table, chair, locker and wardrobe and also have a separated area with a sink and toilet. The National Agency for the Prevention of Torture found the cells and sitting rooms clean. The cells are open during the day. Detainees can spend four hours a day outside. Up to percent of Ingelheim's detainees, which include both men and women, are in Dublin proceedings. The centre uses both state authorities and staff provided by Kötter (Nationale Stelle zur Verhütung von Folter 2014; Pro Asyl and Diakonie Hessen 2013).

In **Saxony** male immigration detainees are confined in the **Dresden** Prison, while females are held at **Chemnitz** Prison. The Dresden Prison has of a 24-person immigration detention unit, which is separated from the rest of the prison. Non-citizens are confined in single cells, which are equipped with a bed, table, chair, locker, and radio. The sink and toilet area of the cells are private. Detainees have the key to their cells, which they can close when leaving them. They can move freely in the unit for seven hours each day and have one hour outdoors. Pro Asyl and Diakonie Hessen found the unit and furniture to be well-kept. Their report noted, however that the

employment of criminal prisoners for the household maintenance could represent a breach in the requirement to separate types of detainees.

The Chemnitz Prison has 10 places reserved for immigration detainees in its remand section. They are accommodated in single cells but have daily contact with pre-trial detainees inside the remand unit. During the day the cells are open and detainees can move inside the unit, including one hour outdoors. As of 2010, Saxony authorities also detained migrants in prisons in Bautzen, Görlitz, Leipzig, and Zwickau (Pro Asyl and Diakonie Hessen 2013).

The **Volkstedt** Prison serves to detain male non-citizens in **Saxony-Anhalt**. As of 2004, immigration detainees were confined in a separate 30-person building inside the prison. In 2012 its capacity was reported to be 15. Female detainees are transferred to the Chemnitz Prison in Saxony. Previously, also the Halle, Halberstadt, and Hassnitz Prisons were used to confine migrants (Berliner Morgenpost 2014; Bundesregierung. 2012; Saxony-Anhalt Landesregierung 2004; Pro Asyl 2012).

The **Rendsburg** dedicated immigration detention facility, established in 2003, is used to detain non-citizens in **Schleswig-Holstein**. It has a capacity of 56 and confines male adults and minors. Women are transferred to Eisenhüttenstadt, in Brandenburg. In each of its single or double cells there is a bed, table, and chair, as well as a sink and toilet, however not separated. The National Agency for the Prevention of Torture reported in 2014 that the cells were small. On the other hand, most of the day detainees can move freely in the facility. Yet the agency also stressed that the facility does not have enough recreation space. Dublin returnees make up more than a half of Rendsburg's population. It is guarded both by the state officials and a private security firm (Nationale Stelle zur Verhütung von Folter 2014; Pro Asyl and Diakonie Hessen 2013). Until 2008-2010, the authorities Schleswig-Holstein also used prisons in Flensburg, Kiel, Neumünster, and Lübeck (Pro Asyl and Diakonie Hessen 2013).

Since 2002, in **Thuringia** male immigration detainees have been held at **Suhl-Goldlauter** Prison. It has an immigration detention capacity of 45. Detainees are locked in their cells for all but three hours every day. Women are transferred to Saxony's Chemnitz facility (Pro Asyl 2012; Pro Asyl 2013; Thüringen Justizministerium 2002).

Facts & Figures

According to GDP data, as of 2013 Germany used at least 27 facilities for the purposes of immigration-related detention, which had an estimated immigration capacity of no less than 1,557. The GDP classifies six of these facilities as administrative—four long-term dedicated immigration detention centres (**Berlin-Köpenick, Eisenhüttenstadt, Ingelheim, and Rendsburg**) and three airports' transit centres (**Berlin-Brandenburg, Düsseldorf and Frankfurt**). The vast majority of facilities (17) were prisons (**Aschaffenburg, Büren, Bützow, Chemnitz, Dresden, Frankfurt I, Frankfurt III, Hamburg-Billwerder, Hannover-Langenhagen, Mannheim, Mühldorf am Inn, München, Nürnberg, Rockenberg, Schwäbisch-Gmünd, Suhl-Goldlauter, and Volkstedt**). In addition, in **Bremen, Frankfurt and Westhessen**, police stations are used for immigration detention purposes (Nationale Stelle zur Verhütung von Folter 2014; Pro Asyl 2013; Pro Asyl and Diakonie Hessen 2013).

The number of immigration detainees has been decreasing in Germany. In 2013, the country detained 4,812 non-citizens, compared to 5,748 in 2012, 6,466 in 2011, 7,495 in 2010, 8,366 in 2009, and 8,805 in 2008. Out of 6,466 immigration detainees in 2011, 1,673 were detained in North Rhine-Westphalia, 1,125 in Bavaria, 752 in Hesse, 546 in Berlin, 446 in Baden-Württemberg, 415 in Saxony, 298 in Schleswig-Holstein, 284 in Lower Saxony, 238 in Brandenburg, 173 in Hamburg, 164 in Rhineland-Palatinate, 150 in Saarland, 76 in Saxony-Anhalt, 67 in Mecklenburg-Vorpommern, 34 in Bremen, and 25 in Thuringia (Bundesregierung 2012; Nationale Stelle zur Verhütung von Folter 2014).

Fifteen minors were placed in immigration detention 2013; 55 in 2012; 61 in 2011 (7 under 16; of whom 29 in Bavaria); 114 in 2010 (11 under 16; of whom 48 in Bavaria); 142 in 2009 (5 under 16; of whom 37 in Bavaria and 36 in Berlin), and 214 in 2008 (8 under 16) (Bundesregierung 2012; Pro Asyl and Diakonie Hessen 2013). Between 2005 and 2007 at least 377 unaccompanied children were detained in Germany, 155 of whom in Berlin. The youngest detainees were 12 years old (JRS 2010; National Agency for the Prevention of Torture 2014).

In 2013, the daily cost for detainee was between 65 and 120 Euro (Pro Asyl 2013).

Since 2012, Germany has had the highest number of asylum applications in the EU. In 2013, 126,995 persons sought international protection in Germany, which was the highest number of applications among industrialised countries in the world that year and 29 percent of all the requests filed in the EU (almost twice as much as in France, 66,265). Around 18,000 asylum seekers came from Serbia, 15,500 from Russia, 13,000 from Syria, and 8,000 from Afghanistan (Eurostat 2014; UNHCR 2014).

With 2,485 asylum applications submitted by unaccompanied minors in 2013, Germany ranked second in the EU, after Sweden. Since 2011 this figure has been generally stable: in 2011, 2,125 minors applied for asylum in Germany and 2,095 in 2012 (Eurostat 2014).

In 2012, Germany experienced an inflow 966,000 non-citizens, the second highest amongst industrialised countries, behind only the United States. The increase in inflows of non-citizens has been driven by migration from other EU states (especially from southern and central Europe), which account for more than 77 percent of migrants in Germany (OECD 2013). There were around 9,845,000 non-citizens living in Germany in 2013, or 11.9 percent of the country's population (UN DESA Population Division 2013). In 2013, the unemployment rate amongst migrants was at 10 percent, compared to 10.5 percent in 2012 and 11.3 percent in 2010. With respect to the origin of non-citizens, in 2013, 12.5 percent of non-EU migrants were unemployed, compared to 6.7 of their EU counterparts (Eurostat 2014).

Since 2012, Germany has apprehended the highest number of irregularly staying non-citizens in the EU. In 2013, 86,300 persons were apprehended in the country. By comparison, the United Kingdom apprehended approximately 57,200 that year, which was the second highest total. In 2012, 13,855 persons were deported from Germany (Eurostat 2014).

As of 2010, the undocumented population was estimated to be between 140,000–340,000 (Vogel 2012).

List of Detention Sites

Name	Status (Year)	Location	GDP Facility Type	Detention Time-frame	Security	Authority	Management	Capacity	Reported Population on a Single Day	Population across specified period	Demographics & Segregation
Aschaffenburg Prison	In use (2013)	Aschaffenburg, Bavaria	Local prison	Long-term	Secure	Bavaria Ministry of Justice / Ministry of Interior, Building and Transport	Bavaria Ministry of Justice	25 (2012)	3 (31 March 2008)		Adult males (2012); Legal segregation (2012)
Berlin - Brandenburg Airport Detention Facility	In use (2013)	Berlin	Transit centre	Long-term	Secure			30 (2013)	28 (10 Oct 2013)		Adult males, adult females, minors (2013)
Berlin - Köpenick Pre-removal Detention Facility	In use (2013)	Berlin	Migrant detention centre	Long-term	Secure	Berlin Ministry of Interior and Sport	Police	214 (2013) (164 for men, 50 for women)	17 (26 June 2013)	546 (2011)	Adult males, adult females (2013); Gender segregation, family unit (2013)
Bremen Police Custody	In use (2013)	Bremen, Bremen	Police station	Long-term	Secure	Bremen Ministry of Interior and Sport	Police	24 (2013) (18 for men, 6 for women)		34 (2011)	Adult males, adult females (2013); Gender segregation, legal segregation (2013)
Büren Prison	In use (2013)	Büren, North Rhine - Westfalia	Local prison	Long-term	Secure	North Rhine - Westfalia Ministry of Justice / Ministry of Interior	North Rhine - Westfalia Ministry of Justice	426 (2013) (384 for men, 42 for women)	113 (26 Nov 2013)	1,673 (2011)	Adult males, adult females, minors (2013); Gender segregation, legal segregation, family unit (2013)
Bützow Prison	In use (2013)	Bützow, Mecklenburg - Western Pomerania	Local prison	Long-term	Secure	Mecklenburg - Western Pomerania Ministry of Justice / Ministry of Interior and Sport	Mecklenburg - Western Pomerania Ministry of Justice	19 (2013)	12 (8 Aug 2013)	67 (2011)	Adult males (2013); Legal segregation (2013)
Chemnitz Prison	In use (2013)	Chemnitz, Saxony	Local prison	Long-term	Secure	Saxony Ministry of Justice and European Affairs / Ministry of Interior	Saxony Ministry of Justice and European Affairs	10 (2013)	4 (11 Oct 2012)	67 (2011)	Adult females (2013); No legal segregation (2013)
Dresden Prison	In use (2013)	Dresden, Saxony	Local prison	Long-term	Secure	Saxony Ministry of Justice and European Affairs / Ministry of Interior	Saxony Ministry of Justice and European Affairs	24 (2013)	14 (12 Oct 2012)	200 (2010)	Adult males (2013); Legal segregation (2013)

Düsseldorf Airport Detention Facility	In use (2014)	Düsseldorf, North Rhine - Westfalia	Transit centre	Long-term	Secure							
Eisenhüttenstadt Pre-removal Detention Facility	In use (2013)	Eisenhüttenstadt, Brandenburg	Migrant detention centre	Long-term	Secure	Brandenburg Ministry of Interior	Brandenburg Märkisch-Oderland foreigners office personnel and BOSS	108 (2013)	12 (18 March 2013)	238 (2011)	Adult males, adult females (2013); Gender segregation, legal segregation (2013)	
Frankfurt Airport Detention Facility	In use (2013)	Frankfurt Airport, Frankfurt, Hesse	Transit centre	Long-term	Secure			100 (2013)	38 (5 Dec 2013)		Adult males, adult females, minors (2013); Age segregation, gender segregation, family unit (2013)	
Frankfurt I Prison	In use (2013)	Frankfurt, Hesse	Local prison	Long-term	Secure	Hesse Ministry of Justice, Integration and European Affairs / Ministry of Interior and Sport	Hesse Ministry of Justice, Integration and European Affairs	42 (2013)	42 (5 Dec 2013)	127 (2010)	Adult males (2013); Legal segregation (2013)	
Frankfurt III Prison	In use (2013)	Frankfurt, Hesse	Local prison	Long-term	Secure	Hesse Ministry of Justice, Integration and European Affairs / Ministry of Interior and Sport	Hesse Ministry of Justice, Integration and European Affairs				Adult females (2013); No legal segregation (2013)	
Frankfurt Police Headquarters	In use (2013)	Frankfurt, Hesse	Police station	Medium-term	Secure		Police				Adult males (2013)	
Hamburg - Billwerder Prison	In use (2013)	Hamburg, Hamburg	Local prison	Long-term	Secure	Hamburg Ministry of Justice / Ministry of Interior and Sport	Hamburg Ministry of Justice/ Office for corrections, law and equality	35 (2013)	10 (7 Aug 2012)	175 (2011)	Adult males (2013); Legal segregation (2013)	
Hannover - Langenhagen Prison	In use (2013)	Hannover, Lower Saxony	Local prison	Long-term	Secure	Lower Saxony Ministry of Justice / Ministry of Interior and Sport	Lower Saxony Ministry of Justice	64 (2013) (58 for men, 6 for women)	7 (19 Sept 2013)	284 (2011)	Adult males, adult females (2013); Gender segregation, legal segregation (2013)	
Ingelheim Pre-removal Detention Facility	In use (2013)	Ingelheim, Rhineland-Palatinate	Migrant detention centre	Long-term	Secure	Rhineland-Palatinate Ministry of Integration, Family, Children, Youth and Women		77 (2013)	5 (25 Feb 2013)	314 (2011)	Adult males, adult females, minors (2013); Family unit (2013)	

Mannheim Prison	In use (2013)	Mannheim, Baden-Württemberg	Local prison	Long-term	Secure	Baden-Württemberg Ministry of Justice / Ministry of Interior	Baden-Württemberg Ministry of Justice	66 (2013)	40 (10 April 2013)	477 (2010)	Adult males (2013); Legal segregation (2013)
Mühldorf Prison	In use (2014)	Mühldorf am Inn, Bavaria	Local prison	Long-term	Secure	Bavaria Ministry of Justice/ Ministry of Interior, Building and Transport	Bavaria Ministry of Justice	84 (2014)			
München Prison	In use (2013)	München, Bavaria	Local prison	Long-term	Secure	Bavaria Ministry of Justice/ Ministry of Interior, Building and Transport	Bavaria Ministry of Justice	35 (2013)	34 (Nov / Dec 2010)	550 (2010)	Adult males, adult females, minors (2013); Age segregation, gender segregation, legal segregation for men, no legal segregation for women (2013)
Nürnberg Prison	In use (2013)	Nürnberg, Bavaria	Local prison	Long-term	Secure	Bavaria Ministry of Justice / Ministry of Interior, Building and Transport	Bavaria Ministry of Justice	19 (2013)	16 (19-20 Nov 2013)	117 (2010)	Adult males, adult females (2013); Gender segregation, legal segregation for men, no legal segregation for women (2013)
Rendsburg Pre- removal Detention Facility	In use (2014)	Rendsburg, Schleswig - Holstein	Migrant detention centre	Long-term	Secure	Schleswig - Holstein Ministry of Justice, Cultural and European Affairs / Ministry of Interior	Schleswig-Holstein Ministry of Justice, Cultural and European Affairs	56 (2013)	17 (13 Jan 2014)	298 (2011)	Adult males, male minors (2013); Age segregation (2013)
Rockenberg Juvenile Prison	In use (2013)	Rockenberg, Hesse	Juvenile prison	Long-term	Secure	Hesse Ministry of Justice, Integration and European Affairs / Ministry of Interior and Sport	Hesse Ministry of Justice, Integration and European Affairs				Minors (2013); No legal segregation (2013)
Schwäbisch - Gmünd Prison	In use (2013)	Schwäbisch-Gmünd, Baden-Württemberg	Local prison	Long-term	Secure	Baden-Württemberg Ministry of Justice / Ministry of Interior	Baden - Württemberg Ministry of Justice	8 (2010)	2 (Nov / Dec 2010)		Adult females (2013); No legal segregation (2013)
Suhl - Goldlauter Prison	In use (2013)	Goldlauter, Thuringia	Local prison	Long-term	Secure	Thuringia Ministry of Justice / Ministry of Interior	Thuringia Ministry of Justice	45 (2004)	3 (8 Nov 2012)	25 (2011)	Adult males (2013)

Volkstedt Prison	In use (2014)	Lutherstadt Eisleben, Saxony-Anhalt	Local prison	Long-term	Secure	Saxony-Anhalt Ministry of Justice and Gender Equality / Ministry of Interior and Sport	Saxony-Anhalt Ministry of Justice and Gender Equality	15 (2012)			Adult males (2012); Legal segregation (2004)
Westhessen Police Headquarters	In use (2013)	Wiesbaden, Hesse	Police station	Medium-term	Secure		Police				Adult males (2013)

Map of Detention Sites



Country View

1. Aschaffenburg Prison
2. Berlin-Brandenburg Airport Detention Facility
3. Berlin-Köpenick Pre-removal Detention Facility
4. Bremen Police Custody
5. Büren Prison
6. Bützow Prison
7. Chemnitz Prison
8. Dresden Prison
9. Düsseldorf Airport Detention Facility
10. Eisenhüttenstadt Pre-removal Detention Facility
11. Frankfurt Airport Detention Facility
12. Frankfurt I Prison
13. Frankfurt III Prison
14. Frankfurt Police Headquarters
15. Hamburg-Billwerder Prison
16. Hannover-Langenhagen Prison
17. Ingelheim Pre-removal Detention Facility
18. Mannheim Prison
19. Mühldorf Prison
20. München Prison

21. Nürnberg Prison
22. Rendsburg Pre-removal Detention Facility
23. Rockenberg Juvenile Prison
24. Schwäbisch-Gmünd Prison
25. Suhl-Goldlauter Prison
26. Volkstedt Prison
27. Westhessen Police Headquarters

Country links

Government Agencies

Centre for International Migration and Development

<http://www.cimonline.de/en/index.asp>

Federal Office for Migration and Refugees

http://www.bamf.de/SiteGlobals/Forms/Sprachumschaltung/DE/Sprachumschaltung_Formular.html

National Agency for the Prevention of Torture

<http://www.nationale-stelle.de>

International Organizations

UN High Commissioner for Refugees – Germany Country Information

<http://www.unhcr.org/cgi-bin/texis/vtx/page?page=49e48e5f6&submit=GO>

International Organisation for Migration – Greece Country Information

<http://www.iom.int/cms/en/sites/iom/home/where-we-work/europa/european-economic-area/germany.html>

NGOs and Research Institutions

German Institute for Human Rights

<http://www.institut-fuer-menschenrechte.de/en/homepage.html>

Informationsverbund Asyl & Migration

<http://www.asyl.net/>

Jesuit Refugee Service (JRS) Germany

<http://www.jesuiten-fluechtlingsdienst.de/>

Migrationsrecht.net

<http://www.migrationsrecht.net>

Pro Asyl

<http://www.proasyl.de/en/home/>

Media

Berliner Morgenpost

<http://www.morgenpost.de/>

Frankfurter Allgemeine Zeitung

<http://www.faz.net/>

Süddeutsche Zeitung
<http://www.sueddeutsche.de/>

Taz.de
<http://www.taz.de/>

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Appendix: Official Responses to Requests for Information

Global Detention Project
<<E-Mail-Adresse>>

Korrespondenz

Von: Anfragesteller/in

Betreff: Bitte um Informationen bzgl. die Haft von Migranten 2

Datum: 14. März 2013 19:56:54

An: Bundesamt für Migration und Flüchtlinge

Status: Warte auf Antwort

Antrag nach dem IFG/UIG/VIG

Sehr geehrte Damen und Herren,

bitte senden Sie mir Folgendes zu:

Bitte um Informationen bzgl. die Haft von Migranten 2

Sehr geehrte Damen und Herren,

ich schreibe Ihnen mit der Bitte um Informationen und Dokumente die Ihnen zugänglich sind zur Haft von Migranten. Da Ihre Behörde diese Informationen verwaltet oder Zugang zu den entsprechenden Archiven hat, würde ich Sie beziehend auf Informationsfreiheitsgesetz (2005) um folgendes bitten:

1) Könnten Sie bitte angeben wie viele Minderjährige (Personen unter dem Alter von 18) in irgendeiner Form der Haft von Migranten (einschließlich spezialisierter Haftanstalten, gesicherte Unterkünfte, gesicherte Aufnahmezentren, Jugendstrafanstalten) in den Jahren 2010, 2011 und 2012 gehalten wurden?

2) Von der Gesamtzahl der Minderjährigen in der Haft von Migranten im Jahr 2010, 2011 und 2012, wie viele waren Minderjährige mit Begleitpersonen und wie viele waren unbegleitete Minderjährige?

Ich würde Sie darum bitten, die oben genannten Informationen und Dokumente in elektronischer Form bereit zu stellen und an folgende E-Mailadresse zu übersenden: <> und <>

Für Datensätze wäre ich Ihnen für eine Bereitstellung in einer Excel Datei oder einem

vergleichbaren Tabellenformat dankbar.

Sollten Sie ergänzende Informationen benötigen und/oder Rückfragen haben, können Sie mich jederzeit kontaktieren.

Mit bestem Dank und freundlichen Grüßen,

Anonymer Nutzer

<< Adresse entfernt >>

<< E-Mail entfernt >>

Michael Flynn

Global Detention Project

<>

Dies ist ein Antrag auf Aktenauskunft nach § 1 des Gesetzes zur Regelung des Zugangs zu Informationen des Bundes (IFG) sowie § 3 Umweltinformationsgesetz (UIG), soweit Umweltinformationen im Sinne des § 2 Abs. 3 UIG betroffen sind, sowie § 1 des Gesetzes zur Verbesserung der gesundheitsbezogenen Verbraucherinformation (VIG), soweit Informationen im Sinne des § 1 Abs. 1 VIG betroffen sind

Ausschlussgründe liegen m.E. nicht vor.

M.E. handelt es sich um eine einfache Auskunft. Gebühren fallen somit nach § 10 IFG bzw. den anderen Vorschriften nicht an.

Sollte die Aktenauskunft Ihres Erachtens gebührenpflichtig sein, bitte ich, mir dies vorab mitzuteilen und dabei die Höhe der Kosten anzugeben.

Ich verweise auf § 7 Abs. 5 IFG/§ 3 Abs. 3 Satz 2 Nr. 1 UIG/§ 4 Abs. 2 VIG und bitte, mir die erbetenen Informationen unverzüglich, spätestens nach Ablauf eines Monats zugänglich zu machen.

Sollten Sie für diesen Antrag nicht zuständig sein, bitte ich, ihn an die zuständige Behörde weiterzuleiten und mich darüber zu unterrichten.

Ich bitte um eine Antwort in elektronischer Form (E-Mail) und behalte mir vor, nach Eingang Ihrer Auskünfte um weitere ergänzende Auskünfte nachzusuchen.

Ich bitte um Empfangsbestätigung und danke Ihnen für Ihre Mühe.

Mit freundlichen Grüßen,

Anonymer Nutzer

Betreff: AW: Bitte um Informationen bzgl. die Haft von Migranten 2

Datum: 22. April 2013 10:40:49

Status: Anfrage abgeschlossen

Sehr geehrte Frau Anonymer Nutzer,

zu Ihrer Anfrage nach dem Informationsfreiheitsgesetz nehme ich wie folgt Stellung.

Das Bundesamt für Migration und Flüchtlinge führt keine Statistik über in Haft befindliche Migranten. Gleiches gilt für die Unterteilung in begleitete und unbegleitete Migranten. Daher ist es uns nicht möglich Ihre Anfrage zu beantworten.

Für Statistiken in diesem Bereich ist das Statistische Bundesamt zuständig. Aus diesem Grund habe ich Ihre Anfrage dorthin weitergeleitet. Die Beantwortung Ihrer Anfrage wird durch das Statistische Bundesamt erfolgen. Ihr Ansprechpartner dort ist Herr Ralph Kaiser <<E-Mail-Adresse>>

Ich bitte Sie die Verzögerung der Bearbeitung Ihrer Anfrage zu entschuldigen.

Mit freundlichen Grüßen

Im Auftrag

Gruber

Referent

Referat 121, Justizariat

Bundesamt für Migration und Flüchtlinge

Frankenstraße 210, 90461 Nürnberg

Telefon: 0911 943-1803

Fax: 0911 943-1899

E-Mail: <<E-Mail-Adresse>>

Internet: <http://www.bamf.de>

<http://www.wir-sind-bund.de>

...

22. April 2013 10:41:32

: E-Mail von Bundesamt für Migration und Flüchtlinge erhalten.

28. August 2013 17:43:36

: Anfragersteller/in hat den Status auf 'Information nicht vorhanden' gesetzt.

28. August 2013 17:44:39

: Anfragersteller/in hat die Anfrage 'Bitte um Informationen bzgl. die Haft von Migranten 2' öffentlich geschaltet.



Michael Flynn <michael.flynn@globaldetentionproject.org>

Re: Statistisches Bundesamt, Kundennummer: 309808 / 412128

Michael Flynn <michael.flynn@graduateinstitute.ch>
To: Michael Flynn <michael.flynn@globaldetentionproject.org>

Tue, Oct 7, 2014 at 4:17 PM

----- Mensaje original -----

Asunto: Statistisches Bundesamt, Kundennummer: 309808 / 412128**Fecha:** Mon, 22 Apr 2013 16:29:13 +0200 (CEST)**De:** ralph.kaiser@destatis.de**Para:** <lydia@access-info.org>

Statistisches Bundesamt
H205-Rechtspflege
65180 Wiesbaden
Tel. +49 (0) 611 75-4114
Kontakt: <https://www.destatis.de/kontakt/>
Ansprechpartner/-in: Ralph Kaiser
Tel.: +49 (0) 611 75-4192
Fax: +49 (0) 3018 / 10644-4192

Sehr geehrte Frau Medland,

vielen Dank für Ihre Anfrage vom 22. April 2013.

In unserer Fachserie 10, der Reihe 4.1, Strafvollzug, werden jährlich die zum Stichtag 31. März eines Berichtsjahres die in den Justizvollzugsanstalten einsitzenden Personen gezählt. Die wichtigsten Merkmalsgruppen sind Alter, Geschlecht und Familienstand, Staatsangehörigkeit, Art und Dauer des Vollzugs, Art der Straftat und Zahl der Vorstrafen. Diese Veröffentlichung kann in unserem Publikationsservice unter <https://www.destatis.de/DE/Publikationen/Thematisch/Rechtspflege/StrafverfolgungVollzug/Strafvollzug.html?nn=72374> kostenfrei heruntergeladen werden.

Der Migrationshintergrund wird von uns nicht erhoben. In Tabelle 2 der oben angeführten Fachserie werden Ausländer oder Staatenlose nach Altersgruppen ausgewiesen. Zahlen zu Begleitpersonen liegen uns nicht vor.

Ältere Ausgaben zur Fachserie 10 Reihe 4.1 können Sie unter folgendem Link <https://www.destatis.de/DE/Publikationen/Thematisch/Rechtspflege/AlteAusgaben/StrafvollzugAlt.html> herunterladen.

Falls Sie weitere Fragen oder Beratungsbedarf haben, bitten wir um Rückmeldung. Wichtige Links zu unserem Publikationsservice finden Sie im Anhang dieser Email. Wir hoffen, dass wir Ihnen weiterhelfen konnten und wünschen Ihnen für Ihre weitere Recherche viel Erfolg.

Mit freundlichen Grüßen
Im Auftrag

Ralph Kaiser

--

Michael Flynn, Executive Director
Global Detention Project
Geneva, Switzerland
+41 (0) 22 548 14 01
<http://www.globaldetentionproject.org/>



Fwd: Studie über die migrations

----- Forwarded message -----

From: Stocker, Manuela (IM) <Manuela.Stocker@im.bwl.de>

Date: 2011-09-07 7:14 GMT+02:00

Subject: WG: Studie über die migrations

Sehr geehrter Herr Flynn,

zu Ihrer Anfrage teilen wir folgendes mit:

Frage 1:

In Baden-Württemberg erfolgt der Vollzug der Abschiebungshaft im Wege der Amtshilfe von der Justizverwaltung. Die Unterbringung männlicher Abschiebungsgefangener erfolgt in der Regel in einer speziellen Hafteinrichtung innerhalb der Justizvollzugsanstalt Mannheim. Die Abschiebungsgefangenen werden dort räumlich strikt von Straf- und Untersuchungsgefangenen getrennt untergebracht. Weibliche Abschiebungsgefangene werden in der Regel in der Justizvollzugsanstalt Schwäbisch Gmünd aufgenommen.

Frage 2:

Für die Verwaltung der Abschiebungshafteinrichtungen trägt die jeweilige Anstaltsleitung die Verantwortung.

Frage 3:

In der Abschiebungshafteinrichtung Mannheim stehen 64 Haftplätze zur Verfügung. 2009 befanden sich 605 und 2010 477 Personen in Abschiebungshaft.

Frage 4:

In Baden-Württemberg ist das Regierungspräsidium Karlsruhe für aufenthaltsbeendende Maßnahmen bei vollziehbar ausreisepflichtigen Ausländern zuständig.

Mit freundlichen Grüßen
Manuela Stocker

Innenministerium Baden-Württemberg
Dorotheenstraße 6, 70173 Stuttgart

Gesendet: Mittwoch, 27. Juli 2011 11:23
An: Innenministerium (Poststelle)
Betreff: Studie über die migrations

Sehr geehrte Damen und Herren,

Ich vertrete das Global Detention Project, ein Forschungsprojekt, das auf dem Graduate Institute of International and Development Studies in Genf in der Schweiz basiert ist. Das Projekt macht eine Studie über die migrationsbezogene Haft-Praktiken in Europa. Herr Hendrik Lörges, der Sprecher des Bundesministeriums des Innern, hat mich beraten Sie zu kontaktieren über diese Studie.

In den meisten Staaten ist die Föderale Regierung in der Lage diese Auskunft zu geben aber in Deutschland verfügen die Föderale Behörde nicht über die entsprechenden Informationen, da die Bundesländer für die Verwaltung der Abschiebungshaft verantwortlich sind. Deswegen wären wir Ihnen sehr verbunden wenn Sie uns ein paar Informationen geben würden um unsere Forschung zu erleichtern.

- 1) Wie sind die Namen und Orte der Abschiebehaftanstalten die in Ihrem Land für die Administrativhaft der auf die Abschiebung wartenden Personen zuständig sind (irreguläre Migranten oder Asylbewerber)?
- 2) Welches Organ ist für die Verwaltung der Abschiebehaftanstalten zuständig?
- 3) Wie ist die maximale Kapazität der Abschiebehaftanstalten sowie die Anzahl der in 2009 und 2010 wegen migrationsbezogenen Gründen inhaftierten Personen?
- 4) Unter welcher Autorität befinden sich solche Personen, der Migrationsämtern von Bundesländer oder anderer Agentur?

Besten Dank für die Hilfe im Voraus!

Mit freundlichen Grüßen

Michael Flynn

Lead Researcher, Global Detention Project
Programme for the Study of Global Migration
Graduate Institute of International and Development Studies, Geneva
<http://graduateinstitute.ch/globalmigration>



Fwd: Ihre heutige Anfrage an das Bayerische Staatsministerium des Innern

1 message

----- Forwarded message -----

From: Lemke, Kord <Kord.Lemke@stmjv.bayern.de>

Date: 2011-07-28 10:23 GMT+02:00

Subject: Ihre heutige Anfrage an das Bayerische Staatsministerium des Innern

Cc: "Meier, Thomas (StMI)" <Thomas.Meier@stmi.bayern.de>

Sehr geehrter Herr Flynn,

Ihre gestrige Anfrage an das Bayerische Staatsministerium des Innern, die von dort zuständigkeitshalber hierher weitergeleitet wurde, beantworte ich wie folgt:

Frage 1):

Abschiebungshaft wird in Bayern ausschließlich in Justizvollzugsanstalten vollzogen, die insoweit Amtshilfe für die Ausländerbehörden leisten. Nach dem Vollstreckungsplan für den Freistaat Bayern sind für den Abschiebungshaftvollzug grundsätzlich diejenigen Anstalten zuständig, in denen auch Untersuchungshaft vollzogen wird. Im Einzelnen handelt es sich um die Justizvollzugsanstalten Aichach, Aschaffenburg, Augsburg, Bad Reichenhall, Bamberg, Bayreuth, Bernau, Eichstätt, Hof, Kempten, Kronach, Landshut, Laufen-Lebenau, Memmingen, München, Neuburg a. d. Donau, Nürnberg, Passau, Regensburg, Schweinfurt und Weiden.

Die Adressen der genannten Anstalten können Sie erforderlichenfalls unserer Internet-Homepage entnehmen (www.justizvollzug-bayern.de).

Frage 2):

Die Aufsicht über alle bayerischen Justizvollzugsanstalten obliegt dem Bayerischen Staatsministerium der Justiz und für Verbraucherschutz.

Frage 3):

Statistische Aufzeichnungen über die Gesamtzahl der pro Jahr inhaftierten Abschiebungsgefangenen werden nicht geführt. Die Zahl der Abschiebungsgefangenen wird lediglich stichtagsbezogen erhoben. Zum

31. März 2009 befanden sich 149 Abschiebungsgefangene in bayerischen justizvollzugsanstalten, zum 31. März 2010 131 Abschiebungsgefangene.

Maximale Aufnahmekapazitäten speziell für Abschiebungsgefangene gibt es nicht. Abschiebungsgefangene machen stets nur einen geringen Teil der Gesamtbelegung einer Anstalt aus.

Frage 4):

Für aufenthaltsbeendende Maßnahmen sind die Ausländerbehörden der Länder zuständig. Soweit erforderlich, beantragen sie die Anordnung von Abschiebungshaft, die durch einen Richter erfolgen muss. Jede Anordnung von Abschiebungshaft setzt einen Haftgrund voraus, in der Praxis sind das insbesondere eine illegale Einreise oder der begründete Verdacht, dass sich der Ausländer seiner Abschiebung entziehen wird.

Mit freundlichen Grüßen

Lemke
Ministerialrat
Bayerisches Staatsministerium der Justiz und für Verbraucherschutz



Fwd: Studie über die migrations

----- Forwarded message -----

From: Neumann, Tanja <Tanja.Neumann@zabh.brandenburg.de>

Date: 2011/8/1

Subject: AW: Studie über die migrations

To: "MI Ref. II/1" <Auslaenderangelegenheiten@mi.brandenburg.de>, Andreas Leist <a.leist@innen.saarland.de>, Anja Hasberg <anja-hasberg@bfi-a.hamburg.de>, Bernd Hartwig <bernd.hartwig@mik.nrw.de>, ag-rueck@mi.niedersachsen.de, Falk Fritsch <Falk.Fritsch@im.bwl.de>, "Frau A. Pahlke" <APahlke@inneres.bremen.de>, Frau Erna Buss-Krech <Erna.buss-krech@im.mv-regierung.de>, Hans Joachim Preiß <hj.Preiss@hmdi.hessen.de>, Heidelore Pauly <Heidelore.Pauly@ism.rlp.de>, Isa Leiendoecker <Isa.Leiendoecker@tim.thueringen.de>, Jochen Bleckmann <Jochen.Bleckmann@mi.sachsen-anhalt.de>, Martini-Emden Clearingstelle <Dietmar.Martini-Emden@trier.de>, Robert.Sander@seninnsport.berlin.de, Auslaender-Asyl@smi.sachsen.de, Thomas Richert <thomas.richert@stmi.bayern.de>, Tino Rosenbaum <Tino.Rosenbaum@im.mv-regierung.de>, Wolfgang.Polakowski@jumi.landsh.de

Sehr geehrter Herr Flynn, Ihre Anfrage vom 27.07.11 beantworte ich wie folgt:

- 1) Abschiebungshaft wird im Land Brandenburg in einer Abschiebungshafteinrichtung in Eisenhüttenstadt in Zuständigkeit des Innenressorts vollzogen.
- 2) Die Aufsicht über die Abschiebungshafteinrichtung obliegt dem Innenministerium des Landes Brandenburg.
- 3) Die Kapazität der Einrichtung beträgt 108 Plätze, davon 24 Plätze für Frauen. Im Jahr 2009 wurden 330 Neuzugänge und im Jahr 2010 252 Neuzugänge verzeichnet.
- 4) Für aufenthaltsbeendende Maßnahmen sind die Ausländerbehörden des Landes zuständig. Sie beantragen die Anordnung von Abschiebungshaft. Im Land Brandenburg wird außerdem für die Bundespolizei Abschiebungshaft zur Sicherung der Rückführung für Dublin-Fälle in Amtshilfe vollzogen

Mit freundlichen Grüßen

Im Auftrag Neumann

Von: Keinath, Andreas Im Auftrag von MI Ref. II/1
Gesendet: Mittwoch, 27. Juli 2011 13:50
An: Neumann, Tanja
Cc: Fischer, Ingrid; Paukner, Errol
Betreff: WG: Studie über die migrations

z.w.V.

Gruß

Keinath

Ministerium des Innern des Landes Brandenburg

Andreas Keinath

Referatsleiter II/1

Tel.: 0331 - 866 2210

Fax: 0331 - 866 2399

E-Mail: andreas.keinath@mi.brandenburg.de

Von: Grimoni, Marianne Im Auftrag von MI Büro AL II
Gesendet: Mittwoch, 27. Juli 2011 13:07
An: MI Ref. II/1
Cc: Chop-Sugden, Patricia
Betreff: WG: Studie über die migrations

Von: Markgraf, Helga Im Auftrag von Poststelle MI

Gesendet: Mittwoch, 27. Juli 2011 13:07
An: MI Büro AL II
Betreff: WG: Studie über die migrations

Gesendet: Mittwoch, 27. Juli 2011 11:43
An: Poststelle MI

Betreff: Studie über die migrations

Sehr geehrte Damen und Herren,

Ich vertrete das Global Detention Project, ein Forschungsprojekt, das auf dem Graduate Institute of International and Development Studies in Genf in der Schweiz basiert ist. Das Projekt macht eine Studie über die migrationsbezogene Haft-Praktiken in Europa. Herr Hendrik Lörge, der Sprecher des Bundesministeriums des Innern, hat mich beraten Sie zu kontaktieren über diese Studie.

In den meisten Staaten ist die Föderale Regierung in der Lage diese Auskunft zu geben aber in Deutschland verfügen die Föderale Behörde nicht über die entsprechenden Informationen, da die Bundesländer für die Verwaltung der Abschiebungshaft verantwortlich sind. Deswegen wären wir Ihnen sehr verbunden wenn Sie uns ein paar Informationen geben würden um unsere Forschung zu erleichtern.

- 1) Wie sind die Namen und Orte der Abschiebehaftanstalten die in Ihrem Land für die Administrativhaft der auf die Abschiebung wartenden Personen zuständig sind (irreguläre Migranten oder Asylbewerber)?
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- 4) Unter welcher Autorität befinden sich solche Personen, der Migrationsämtern von Bundesländer oder anderer Agentur?

Besten Dank für die Hilfe im Voraus!

Mit freundlichen Grüßen

Michael Flynn

Lead Researcher, Global Detention Project
Programme for the Study of Global Migration
Graduate Institute of International and Development Studies, Geneva
<http://graduateinstitute.ch/globalmigration>



Fwd: Studie über die Migrations

1 message

----- Forwarded message -----

From: Springfield, Bernhard (INNERES) <Bernhard.Springfeld@inneres.bremen.de>

Date: 2011-08-01 9:44 GMT+02:00

Subject: Studie über die Migrations

Cc: "Pahlke, Annerose (INNERES)" <Annerose.Pahlke@inneres.bremen.de> ,

"Pleister, Hans (INNERES)" <Hans.Pleister@inneres.bremen.de>

Sehr geehrter Herr Flynn,

Ihre E-Mail vom 27. Juli 2011 kann ich für Bremen wie folgt beantworten:

Die Abschiebungshaft in Bremen wird in Amtshilfe für das Stadtamt Bremen – Ausländeramt –grundsätzlich im Polizeigewahrsam vollzogen. Der Polizeigewahrsam befindet sich auf dem Gelände des Polizeipräsidiums Bremen, In der Vahr 76, 28239 Bremen. Für die Durchführung der Abschiebungshaft ist die Polizei Bremen verantwortlich. Die Aufsicht erfolgt durch den Senator für Inneres und Sport.

Im Polizeigewahrsam wird eine Kapazität von 24 Plätzen im Abschiebungsgewahrsam vorgehalten. Im Jahre 2009 befanden sich 70 Personen in Abschiebungshaft, im Jahre 2010 77 Personen.

Für die aufenthaltsbeendenden Maßnahmen ist das Stadtamt Bremen – Ausländeramt zuständig.

Mit freundlichen Grüßen

Im Auftrag

B. Springfield

Bernhard Springfield

Freie Hansestadt Bremen

Senator für Inneres und Sport

30-1 Gefahrenabwehrrecht Ordnungsangelegenheiten

Contrescarpe 22-24, 28203 Bremen

Tel.: 0421/361-12300

E-Mail: bspringfeld@inneres.bremen.de

Internet: www.inneres.bremen.de



Fwd:

1 message

----- Forwarded message -----

From: <Ann-Kathrin.Kreppel@hmdis.hessen.de>

Date: 2011-08-04 11:55 GMT+02:00

Subject:

Cc: Hans-Joachim.Preiss@hmdis.hessen.de,
Wilfried.Schmaeing@hmdis.hessen.de, Dieter.Hartmann@hmdis.hessen.de

Sehr geehrter Herr Flynn,

Ihre Anfrage vom 27. Juli dieses Jahres beantworte ich für das Land
Hessen folgendermaßen:

Zu 1.) und 3.)

In Hessen wird Abschiebungshaft an Männern bisher in der
Abschiebungshafteinrichtung Offenbach am Main vollzogen. Diese gehört
verwaltungstechnisch zur Justizvollzugsanstalt Frankfurt am Main I.
Dort sind 40 Plätze vorhanden.

Voraussichtlich ab Ende August wird die Abschiebungshafteinrichtung
Offenbach am Main geschlossen und dann erfolgt die Unterbringung dort
in einer gesonderten Abteilung mit 43 Plätzen.

Junge Abschiebungsgefangene werden unter Berücksichtigung ihrer
spezifischen jugendgemäßen Bedürfnisse in den Jugendvollzugsanstalten
und weibliche Abschiebungsgefangene in der Justizvollzugsanstalt für
Frauen untergebracht, da aufgrund der geringen Zahl von Jugendlichen
und Heranwachsenden sowie von Frauen in Abschiebungshaft dort eine –
gemessen an den jeweiligen Bedürfnissen – qualitativ bessere
Unterbringung sowie umfangreichere jugend- bzw. frauenspezifische
Betreuungsangebote möglich sind, als dies bei einer gemeinsamen
Unterbringung in Abschiebungshaft mit den erwachsenen männlichen
Abschiebungsgefangenen der Fall wäre.

Eine zentrale Statistik über die pro Jahr inhaftierten

Abschiebungsgefangenen wird nicht geführt. Solche Daten sind nur zu einem bestimmten Stichtag nachträglich durch gezielte Abfragen bei den Haftanstalten zu ermitteln. Beispielsweise waren zum Stichtag 2. März 2011 in Hessen insgesamt 45 Abschiebungsgefangene, davon 4 Frauen, in Hessischen Vollzugsanstalten untergebracht.

Zu 2.)

Da die Abschiebungshaft in Hessen in Amtshilfe für die Ausländerbehörden in den hessischen Justizvollzugsanstalten vollzogen wird, obliegt dem Hessischen Ministerium der Justiz und für Europa die Aufsicht.

Zu 4.)

Soweit die gesetzlichen Voraussetzungen für die Anordnung von Abschiebungshaft vorliegen, werden die Anträge zur Inhaftnahme von den Ausländerbehörden gestellt, worüber dann ein Richter entscheidet.

Mit freundlichen Grüßen

Im Auftrag

gez. Preiß



Fwd: Studie über die migrations

----- Forwarded message -----

From: Rosenbaum, Tino <Tino.Rosenbaum@im.mv-regierung.de>

Date: 2011-08-22 14:35 GMT+02:00

Subject: Studie über die migrations

Cc: "Buß-Krech, Erna" <Erna.Buss-Krech@im.mv-regierung.de>

Ihre E-Mail vom 27.07.2011

Sehr geehrter Herr Flynn,

ihre Anfrage beantworte ich für das Land Mecklenburg-Vorpommern wie folgt:

zu Frage 1:

In Mecklenburg-Vorpommern besteht keine Einrichtung, die allein zur Durchführung von Abschiebungshaft genutzt wird. Die Abschiebungshaft wird im Wege der Amtshilfe für das Innenressort in der Justizvollzugsanstalt Bützow (JVA) vollzogen.

zu Frage 2:

Die Aufsicht über die JVA liegt beim Justizministerium Mecklenburg-Vorpommern.

zu Frage 3:

In der JVA werden 22 Haftplätze zur Durchführung der Abschiebungshaft an Männern vorgehalten. Für Frauen hält das Land Mecklenburg-Vorpommern keine eigenen Kapazitäten vor; die

Unterbringung erfolgt hier bei Bedarf in Einrichtungen anderer Bundesländer.

Im Jahr 2009 waren in der JVA 120 Personen und im Jahr 2010 139 Personen zur Durchführung der Abschiebungshaft untergebracht.

zu Frage 4:

Soweit die gesetzlichen Voraussetzungen für die Anordnung von Abschiebungshaft vorliegen, werden die Anträge zur Inhaftnahme zum Zweck der Abschiebung oder Zurückschiebung von den zuständigen Ausländerbehörden oder der Bundespolizei gestellt. Über die Inhaftnahme entscheidet ein unabhängiger Richter.

Mit freundlichen Grüßen

Im Auftrag

Tino Rosenbaum

Innenministerium M-V

Referat II 350

- Ausländer- und Spätaussiedlerrecht -

Alexandrinestraße 1

19055 Schwerin

Tel.: 0385/ 588-2354

Fax: 0385/ 588-482-2354

E-Mail: tino.rosenbaum@im.mv-regierung.de

Internet: www.im.mv-regierung.de



Fwd: Studie über die migrations

----- Forwarded message -----

From: Burghardt, Wilfred (MI) <Wilfred.Burghardt@mi.niedersachsen.de>

Date: 2011/8/3

Subject: AW: Studie über die migrations

Cc: "Kurth, Kristine" <Kristine.Kurth@mj.niedersachsen.de>, "Kalmbach, Christine (MI)" <Christine.Kalmbach@mi.niedersachsen.de>, Karsten.Brock@bmi.bund.de, "Bleckmann, Jochen" <Jochen.Bleckmann@mi.sachsen-anhalt.de>, "Buss-Krech, Erna" <erna.buss-krech@im.mv-regierung.de>, "Fritzs, Falk" <Falk.Fritzs@im.bwl.de>, "Hartwig, Bernd" <Bernd.Hartwig@mik.nrw.de>, "Hasberg, Anja" <Anja.Hasberg@bis.hamburg.de>, "Leiendecker, Isa" <Isa.Leiendecker@tim.thueringen.de>, "Leist, Andreas" <a.Leist@innen.saarland.de>, "Mallon, Ralf" <ralf.mallon@mi.sachsen-anhalt.de>, "Martini-Emden, Dietmar" <dietmar.martini-emden@trier.de>, "Neumann, Tanja" <tanja.neumann@zabh.brandenburg.de>, "Pahlke, A." <APahlke@inneres.bremen.de>, "Pauly, Heide Lore" <HeideLore.Pauly@mikjf.rlp.de>, "Polakowski, Wolfgang" <Wolfgang.Polakowski@jumi.landsh.de>, "Preiss, H.-J." <hj.preiss@hmdi.hessen.de>, "Richert, Thomas" <Thomas.Richert@stmi.bayern.de>, "Rosenbaum, Tino" <tino.rosenbaum@im.mv-regierung.de>, "Sander, Robert" <auslaenderrecht@seninnsport.berlin.de>, "Vergin, Torsten" <Auslaender-Staatsangehoerigkeit@smi.sachsen.de>

Sehr geehrter Herr Flynn,

Ihre Anfrage beantworte ich für das Land Niedersachsen wie folgt:

Zu Frage 1.:

In Niedersachsen werden Abschiebungshaftgefangene in einer eigens für diesen Zweck geschaffenen Einrichtung in Hannover-Langenhagen untergebracht.

Zu Frage 2.:

Die Abschiebungshaftanstalt Hannover-Langenhagen steht unter der Aufsicht des Niedersächsischen Justizministeriums.

Zu Frage 3.:

Für männliche Abschiebungsgefangene wird eine Kapazität von 58 Plätze vorgehalten. Für weibliche Abschiebungsgefangene gibt es auf Grund der geringen Fallzahl keine Festlegung.

Eine zentrale Statistik über die Gesamtzahl der pro Jahr inhaftierten Abschiebungsgefangenen wird nicht geführt. Erfasst werden lediglich monatliche Stichtagsdaten. Hieraus geht hervor, dass sich im Jahre 2009 in Niedersachsen durchschnittlich 43 Personen und im Jahre 2010 durchschnittlich 30 Personen in Abschiebungshaft befunden haben.

Zu Frage 4.:

Soweit die gesetzlichen Voraussetzungen für die Anordnung von Abschiebungshaft vorliegen, werden die Anträge zur Inhaftnahme zum Zweck der Abschiebung oder Zurückschiebung von den zuständigen (kommunalen) Ausländerbehörden oder der Bundespolizei gestellt. Über die Inhaftnahme entscheidet ein unabhängiger Richter.

Mein Zeichen: 42.10 - 12231/ 3-41

Mit freundlichen Grüßen
Wilfred Burghardt
Niedersächsisches Ministerium
für Inneres und Sport
Referat 42
Lavesallee 6, D-30169 Hannover
Tel. : 0049 511 - 120-4794
Fax: 0049 511 - 120-99-4794

Gesendet: Mittwoch, 27. Juli 2011 11:44

An: Poststelle (MI)
Betreff: Studie über die migrations

Sehr geehrte Damen und Herren,

Ich vertrete das Global Detention Project, ein Forschungsprojekt, das auf dem Graduate Institute of International and Development Studies in Genf in der Schweiz basiert ist. Das Projekt macht eine Studie über

die migrationsbezogene Haft-Praktiken in Europa. Herr Hendrik Löriges, der Sprecher des Bundesministeriums des Innern, hat mich beraten Sie zu kontaktieren über diese Studie.

In den meisten Staaten ist die Föderale Regierung in der Lage diese Auskunft zu geben aber in Deutschland verfügen die Föderale Behörde nicht über die entsprechenden Informationen, da die Bundesländer für die Verwaltung der Abschiebungshaft verantwortlich sind. Deswegen wären wir Ihnen sehr verbunden wenn Sie uns ein paar Informationen geben würden um unsere Forschung zu erleichtern.

- 1) Wie sind die Namen und Orte der Abschiebehaftanstalten die in Ihrem Land für die Administrativhaft der auf die Abschiebung wartenden Personen zuständig sind (irreguläre Migranten oder Asylbewerber)?
- 2) Welches Organ ist für die Verwaltung der Abschiebehaftanstalten zuständig?
- 3) Wie ist die maximale Kapazität der Abschiebehaftanstalten sowie die Anzahl der in 2009 und 2010 wegen migrationsbezogenen Gründen inhaftierten Personen?
- 4) Unter welcher Autorität befinden sich solche Personen, der Migrationsämtern von Bundesländer oder anderer Agentur?

Besten Dank für die Hilfe im Voraus!

Mit freundlichen Grüßen

Michael Flynn

Lead Researcher, Global Detention Project
Programme for the Study of Global Migration
Graduate Institute of International and Development Studies, Geneva
<http://graduateinstitute.ch/globalmigration>



Fwd: Studie über die migrations

----- Forwarded message -----

From: Hartwig, Bernd <Bernd.Hartwig@mik.nrw.de>

Date: 2011/7/27

Subject: AW: Studie über die migrations

Sehr geehrter Herr Flynn.

Ihre Fragen betreffen einen sensiblen Bereich. Haben Sie daher bitte Verständnis, wenn ich Ihnen die antworten nicht per Email übersenden kann.

Ich bitte Sie, Ihre Anfrage schriftlich auf dem Postweg an unser Ministerium zu übersenden und in Ihrem Schreiben unter Angabe Ihrer genauen Postanschrift das Unternehmen und das Projekt, für das Sie die Angaben benötigen, vorzustellen.

Mit freundlichen Grüßen

Bernd Hartwig

Ministerium für Inneres und Kommunales NRW

Haroldstraße 5

40213 Düsseldorf

Referat 15.5 - Rückführung

Tel.: (0211) 871-2396

Fax: (0211) 871-162396

Funktions-Email-Adresse: Referat15@mik.nrw.de

Persönliche Email-Adresse: Bernd.Hartwig@mik.nrw.de

Gesendet: Mittwoch, 27. Juli 2011 11:46

An: Poststelle

Betreff: Studie über die migrations

Sehr geehrte Damen und Herren,

Ich vertrete das Global Detention Project, ein Forschungsprojekt, das auf dem Graduate Institute of International and Development Studies in Genf in der Schweiz basiert ist. Das Projekt macht eine Studie über die migrationsbezogene Haft-Praktiken in Europa. Herr Hendrik Lörges, der Sprecher des Bundesministeriums des Innern, hat mich beraten Sie zu kontaktieren über diese Studie.

In den meisten Staaten ist die Föderale Regierung in der Lage diese Auskunft zu geben aber in Deutschland verfügen die Föderale Behörde nicht über die entsprechenden Informationen, da die Bundesländer für die Verwaltung der Abschiebungshaft verantwortlich sind. Deswegen wären wir Ihnen sehr verbunden wenn Sie uns ein paar Informationen geben würden um unsere Forschung zu erleichtern.

- 1) Wie sind die Namen und Orte der Abschiebehaftanstalten die in Ihrem Land für die Administrativhaft der auf die Abschiebung wartenden Personen zuständig sind (irreguläre Migranten oder Asylbewerber)?
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Besten Dank für die Hilfe im Voraus!

Mit freundlichen Grüßen

Michael Flynn

Lead Researcher, Global Detention Project
Programme for the Study of Global Migration
Graduate Institute of International and Development Studies, Geneva
<http://graduateinstitute.ch/globalmigration>



Fwd: Studie über die migrations

----- Forwarded message -----

From: Scherer Erwin (Innen) <E.Scherer@innen.saarland.de>

Date: 2011-08-23 15:09 GMT+02:00

Subject: AW: Studie über die migrations

Sehr geehrter Herr Flynn,

bezugnehmend auf Ihre E-Mail vom 27.07.2011 beantworte ich Ihre Anfrage für das Saarland wie folgt:

zu Frage 1:

Im Saarland gibt es keine Einrichtung, die zur Durchführung von Abschiebungshaft genutzt wird. Aufgrund einer Verwaltungsvereinbarung zwischen den Bundesländern Rheinland-Pfalz und Saarland wird die Abschiebungshaft für „saarländische“ Ausreisepflichtige in der rheinland-pfälzischen Gewahrsamseinrichtung für Ausreisepflichtige (GfA) in Ingelheim vollzogen.

zu Frage 2:

Die Aufsicht über die GfA Ingelheim obliegt der rheinland-pfälzischen Landesregierung.

zu Frage 3:

Die GfA Ingelheim hat insgesamt 150 Haftplätze. Davon sind dem Saarland 50 Haftplätze aufgrund der o. a. Verwaltungsvereinbarung zur Nutzung überlassen.

Zur Zahl der Abschiebehäftlinge werden hier keine Statistiken geführt.

zu Frage 4:

Soweit die gesetzlichen Voraussetzungen für die Anordnung von Abschiebungshaft vorliegen, werden die Anträge zur Inhaftnahme zum Zweck der Abschiebung oder Zurückschiebung von der saarländischen Ausländerbehörde oder der Bundespolizei gestellt. Über die Inhaftnahme entscheidet ein unabhängiger Richter.

Mit freundlichen Grüßen

Im Auftrag

Erwin Scherer, Referat B 3

Ministerium für Inneres und Europaangelegenheiten, Saarland

66121 Saarbrücken, Mainzer Straße 136

Tel.: 0681-501-2681



Fwd: Studie über die migrations

1 message

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From: SMI Bürgerbeauftragter <buengerbeauftragter@smi.sachsen.de>

Date: 2011-07-27 13:32 GMT+02:00

Subject: AW: Studie über die migrations

To: Michael Flynn <michael.flynn@graduateinstitute.ch>

Sehr geehrter Herr Flynn, vielen Dank für Ihre Anfrage. Wir möchten Sie bitten, dass Sie sich schriftlich an unser Ministerium (Anschrift siehe Signatur) wenden. Stellen Sie in Ihrem Schreiben, das die genaue Postanschrift enthalten sollte, bitte Ihr Unternehmen und das Projekt, für welches Sie die Angaben benötigen, vor. Es handelt sich hierbei um sensible Daten, die wir auf keinen Fall per E-Mail und ohne nähere Angaben zu Ihrer Person und Ihrem Unternehmen herausgeben können. Wir bitten um Ihr Verständnis.

Vielen Dank.

Mit freundlichen Grüßen

Regina Günther

Beauftragte für Bürgeranliegen

SÄCHSISCHES STAATSMINISTERIUM DES INNERN | SAXON STATE MINISTRY OF THE INTERIOR

Presse, Öffentlichkeitsarbeit

Wilhelm-Buck-Straße 2 | 01097 Dresden | Postanschrift: 01095 Dresden

Tel.: [+49 351 564-3041](tel:+493515643041) | Fax: [+49 351 564-3049](tel:+493515643049)

buengerbeauftragter@smi.sachsen.de | www.sachsen.de

Kein Zugang für elektronisch signierte sowie für verschlüsselte elektronische Dokumente.

Gesendet: Mittwoch, 27. Juli 2011 11:50

An: Presse (SMI); Poststelle (SMI)

Betreff: Studie über die migrations

Sehr geehrte Damen und Herren,

Ich vertrete das Global Detention Project, ein Forschungsprojekt, das auf dem Graduate Institute of International and Development Studies in Genf in der Schweiz basiert ist. Das Projekt macht eine Studie über die migrationsbezogene Haft-Praktiken in Europa. Herr Hendrik Lörge,

der Sprecher des Bundesministeriums des Innern, hat mich beraten Sie zu kontaktieren über diese Studie.

In den meisten Staaten ist die Föderale Regierung in der Lage diese Auskunft zu geben aber in Deutschland verfügen die Föderale Behörde nicht über die entsprechenden Informationen, da die Bundesländer für die Verwaltung der Abschiebungshaft verantwortlich sind. Deswegen wären wir Ihnen sehr verbunden wenn Sie uns ein paar Informationen geben würden um unsere Forschung zu erleichtern.

- 1) Wie sind die Namen und Orte der Abschiebehaftanstalten die in Ihrem Land für die Administrativhaft der auf die Abschiebung wartenden Personen zuständig sind (irreguläre Migranten oder Asylbewerber)?
- 2) Welches Organ ist für die Verwaltung der Abschiebehaftanstalten zuständig?
- 3) Wie ist die maximale Kapazität der Abschiebehaftanstalten sowie die Anzahl der in 2009 und 2010 wegen migrationsbezogenen Gründen inhaftierten Personen?
- 4) Unter welcher Autorität befinden sich solche Personen, der Migrationsämtern von Bundesländer oder anderer Agentur?

Besten Dank für die Hilfe im Voraus!

Mit freundlichen Grüßen

Michael Flynn

Lead Researcher, Global Detention Project
Programme for the Study of Global Migration
Graduate Institute of International and Development Studies, Geneva
<http://graduateinstitute.ch/globalmigration>



Fwd: Studie über die migrations

----- Forwarded message -----

From: <Katja.Ralfs@jumi.landsh.de>

Date: 2011-07-28 15:05 GMT+02:00

Subject: AW: Studie über die migrations

Sehr geehrter Herr Flynn,

zu Ihren Fragen darf ich auf die Veröffentlichungen im Landesportal
Schleswig-Holstein

(http://www.schleswig-holstein.de/Justiz/DE/Justizvollzug/Vollzugseinrichtungen/Abschiebungseinrichtung/Abschiebungshafteinrichtung_node.html)

verweisen. Aktuelle Ausführungen zur Abschiebungshaft in
Schleswig-Holstein ergeben sich auch aus Berichten des Ministeriums
für Justiz, Gleichstellung und Integration des Landes
Schleswig-Holstein, die auf der Homepage des Schleswig-Holsteinischen
Landtages veröffentlicht sind, z.B. Umdruck 17/ 1453
(<http://www.landtag.ltsh.de/infothek/wahl17/umdrucke/index.html>).

Mit freundlichen Grüßen

Katja Ralfs

Ministerium für Justiz, Gleichstellung und Integration
des Landes Schleswig-Holstein
Lorentzendamm 35, 24103 Kiel

Referat Aufenthalts, Asyl- und Freizügigkeitsrecht
II 435

Tel. (0431) 988 3268, Fax (0431) 988 3299

PC-Fax: (0431) 988 612 3268

katja.ralfs@jumi.landsh.de

www.landesregierung.schleswig-holstein.de

Gesendet: Mittwoch, 27. Juli 2011 11:56

An: Poststelle (Innenministerium S-H)

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Diese Mail wurde von Dataport maschinell
auf Viren und gefährliche Inhalte untersucht.