

# Bremen

## Reducing the number of deportations.

by Christian Jakob



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# 1. Abstract & Takeaways

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## Key Takeaways:

# 1

Bremen reduced its number of deportations to well below the national average by instructing the foreigner's registration office to focus on possibilities for granting a residence permit whenever possible.

# 2

Longstanding anti-racist movements in the city have been active since the 1970s. These have been a main driver of political change, in cooperation with a progressive governing coalition.

## What is unique about the city?

**Successful interplay between politics and social movements:** The story of Bremen shows how interactions between political actors and social movements can have positive political-cultural consequences, and are of great importance for the “Solidarity Cities” movement today. It introduced a number of pioneering programs, notably a nation-leading scheme providing better access to healthcare for asylum seekers and undocumented migrants.

## What are the most outstanding results so far?

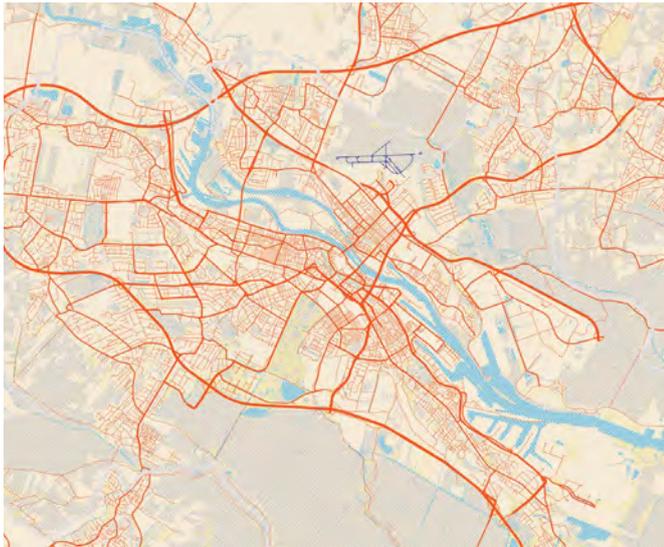
**Significantly reduced deportations:** From 2010 onward, the foreigners' registration office has been focusing more on the possibilities for granting residence permits than on deportations. As a result, the ratio of deported migrants is significantly below the national average and undocumented migrant families have a right to education.

## What are the key factors?

**Anti-racist work pays off:** For many years, Bremen has been a place where an active anti-racist civil society has shown direct, political, and practical solidarity with refugees—and lobbied the state government to do so as well. It has been able to record increasing success, especially since the Greens joined the state government in 2007.

## Political activities and advocacy beyond the city level?

Bremen is an active member of several city networks and joined Solidarity Cities in 2018. That same year, the city took a public stance against criminalising sea rescue and declared the city a safe harbour. Bremen also tried to lobby for more inclusive migration policy on a national level. It's influence here is limited, however, due to its small size.



## Population

567,549<sup>1</sup>

## Location/ region

Northwest Germany; Bremen is one of three city-states in Germany governed as its own region

## Mayor (party)

Andreas Bovenschulte  
(SPD/Social Democrats)

## 2. Local background and context

*Over the last few years, Bremen improved the living conditions for migrants in multiple areas, from better access to healthcare to “humanitarian consultation hours” for undocumented migrants. The key factors in this development are a long standing anti-racist movement which has been active since the 1970s, and a progressive coalition between Social Democrats, Greens and the Left Party since 2007.*

### Anti-racist movements since the 1970s

Bremen has been a centre of anti-racist movements and self-organized refugee protests since the 1990s. Bremen’s “Reform University,” founded in 1971, contributed to an active political scene and civil society for which anti-racism and the fight against deportation was a main topic. In the early 1990s, hundreds of refugees went on strike against the conditions of their isolated accommodation on the Embrica Marcel housing ship in Bremen’s coal port. Since then, there has been a virtually uninterrupted stream of anti-racist protests, which refugees themselves, have either carried out or supported in various measures. The most recent example is the initiative “Together we are Bremen,”<sup>2</sup> which has been implementing the Solidarity Cities idea as a grassroots initiative since 2019.

### A progressive government coalition since 2007

The SPD has governed Bremen since World War II, and is considered liberal. However, the Senate has, at times, pursued a very harsh deportation policy against which civil society has mobilised strongly. In 2007, the Greens joined the government, and at the same time the Left Party succeeded in entering a West German state parliament for the first time. Since that time, demands from the anti-racist movement have been increasingly taken up in politics. The relationship with the Senate has also become less confrontational and more dialogue-oriented. There still is, however, strong criticism of state admission policy to this day.

<sup>1</sup> <https://de.statista.com/statistik/daten/studie/322456/umfrage/entwicklung-der-gesamtbevoelkerung-in-bremen/>

<sup>2</sup> <https://togetherwearebremen.org/>

## Recent Successes

Nevertheless, state politicians have taken up many suggestions for a human rights-oriented admissions policy over the years. The Green Party declared in February 2019 that Bremen has “long since acted in accordance with the many demands of the ‘Solidarity City’ movement and has already implemented many of them.”<sup>3</sup> It cited examples including healthcare, “Education for All,” shelters, facilities for traumatised women, and the “Humanitarian Consultation Hour” for undocumented migrants. Yet Bremen is by no means a place where all arriving people would have equal rights or receive sufficient support according to their needs, as the initiative “Together we are Bremen,” has repeatedly pointed out.

## More people can stay in Bremen

As part of the political course correction described above, Foreigner’s Authority administrative reforms—renamed the “Migration Office” in 2020—had a concrete impact on the prospects of people in Bremen to stay in Bremen. In 2020, the federal state deported 93 foreigners, or 14.3 per 100,000 inhabitants. This is about half as many as in Bavaria.<sup>4</sup>

## No more deportations to Afghanistan

Deportations to the Afghanistan war zone, for example, do not take place in Bremen, unlike in other federal states with Green government participation. This was achieved, among other things, by the fact that the foreigner authorities in Bremen informally assume that Afghan citizens automatically face obstacles to departure due to no fault of their own. This results in the right to a residence permit on humanitarian grounds.<sup>5</sup> Under current federal law, this approach would also be open to other federal states, but is only practised in Bremen.

## Right to education for undocumented families

Bremen has been trying for years to implement a right to education for undocumented families. Therefore, it has abolished the obligation for schools to register residence status. This means that undocumented parents – i.e. also without Duldung (People on a toleration certificate) – can register their children at regular public schools without having to provide information on their residence status. Parents need not fear being reported to the police. This is not the case in many other federal states. Since 2014, Bremen has opened access to integration courses to everyone, regardless of their perspective of staying. The additional costs were initially financed from municipal funds, and since 2019, additionally from the European Social Fund.

Children of asylum seekers in the state primary reception centre are initially given schooling there. But they are usually placed in regular school classes outside the camp after three months. This is not the case in many other federal states either.

<sup>3</sup> <https://www.gruene-fraktion-bremen.de/positionspapiere/bremen-ist-bereits-eine-solidarische-stadt/?L=0>

<sup>4</sup> <https://de.statista.com/statistik/daten/studie/372394/umfrage/abschiebungen-aus-deutschland-nach-bundeslaendern/>

<sup>5</sup> § 25.5 AufenthG

## Improving access to reception schemes

As in other federal states, Bremen's efforts to develop state admission programmes are failing because they are required to have the state admission approved by the federal government. The federal government then refuses to approve it. Under this premise, many federal states allowed the admission of Syrians who had close relatives in Germany. Bremen went further. Together with some other federal states, it also allowed third parties (friends, acquaintances, organisations) to assume the costs. It also exempted medical care costs from the obligation. This made it easier for many families to take advantage of the scheme.

The federal government announced a new national reception order for Syrian refugees in September 2020.<sup>6</sup> This takes into account parents or adult siblings of Syrian refugees admitted to Bremen from refugee camps, for example camps in Lebanon or Turkey. In order to be able to live together as a family again, the new reception order is intended to spare them the dangerous journey across the Mediterranean. To this end, cooperation is to be established with other federal states to regulate the administrative procedures in transit states.

At the same time, Bremen is or was involved in German upper chamber ("Bundesrat") efforts to enable refugee reception from Greece.<sup>7</sup> It has failed here so far because of Federal Interior Ministry rejections.

## Friendly conditions: Not for all!

The relatively friendly reception conditions in the city of Bremen are not open to everyone. The state is strongly committed to redistributing even young asylum seekers to other federal states in accordance with the so-called Königstein Key. They often end up in large, isolated, and secluded camps with considerably worse reception conditions. This repeatedly affects young asylum seekers from West Africa, some of whom are handcuffed and driven around Germany for hours by the police.

<sup>6</sup> <https://www.senatspress-estelle.bremen.de/sixcms/detail.php?id=343870&asl=bremen02.c.732.de>

<sup>7</sup> <https://www.senatspress-estelle.bremen.de/sixcms/detail.php?id=343870&asl=bremen02.c.732.de>

## 3. Selected local approaches

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### 3.1 Dissolving the “Team 5” Deportation Department

*After repeated critiques by local civil society, the notorious department for deportation - known for its rigorous and sometimes illegal behaviour - was closed in 2010. This marked a turning point in the development of Bremen’s admissions policy and laid an important foundation for the administrative implementation of the “Solidarity Cities” approach.*

#### Deportations at all cost: Team 5

Until December 2010, the local foreigner’s office had its own department for deportations, the so-called “Team 5.” Its staff received case files from colleagues who were responsible for earlier phases of the residence procedure, after requests to leave the country had been issued. They did not know the persons concerned, and they had only one task: to get them out of the country as quickly as possible. Bremen went so far as to mistrust even its own public health officers when checking the ability to travel—and preferred to commission external doctors for deportee travel fitness reports.<sup>8</sup> “Given its mission, the success of Team 5 was measured by the number of deportations carried out,” said Gundula Oerter of the local Refugee Initiative.<sup>9</sup>

#### Pressure from below

After years of fierce criticism from local support groups, counseling centers, and dedicated lawyers, “Team 5” was dissolved in 2010 by Senator of Interior Ulrich Mäurer (Social Democrat). Over the years, local solidarity initiatives documented and scandalised multiple breaches of law by deportation bureaucrats. This created the necessary political pressure resulting in the department’s dissolution. “We want to get away from chain toleration, medical obstacles to deportation are to be presented to the authorities,” said the new head of the Foreigners Authority at the time.

#### A political shift with consequences

Team 5’s dissolution is only one episode in a long history of local anti-racist struggles. But it shows how interactions between politics and social movements can have political-cultural consequences, and are of great importance for the “Solidarity Cities” movement today. In Bremen’s past—and even now in other German states—“existing laws were or are applied as hard as possible to the detriment of the refugees,” says Markus Saxinger, who today heads the local network for the right to stay. In Bremen, the foreigner’s department is now trying “to get the maximum out of the refugees.” This “does not always end humanely,” but “the basic motivation, the attitude” has changed.

<sup>8</sup> <https://taz.de/!5142753/>

<sup>9</sup> <https://taz.de/!5128298/>

## 3.2 Healthcare for all

*In 2005, Bremen introduced a “health card” for all refugees. This allows refugees to receive regular medical care within the regular system and is a pioneering achievement in destigmatising the healthcare of refugees within the framework of standard care.*

Bremen introduced a “health card” for refugees in 2005. This card does not differ optically from the card for people with regular health insurance. To this end, the Bremen social security authority concluded a contract with a statutory health insurance company (AOK). This allowed refugees to receive regular medical care within the regular system, whereas in other federal states they are often treated by “camp doctors” in a separate system.

This is a major improvement for refugees in the ongoing asylum procedure, as well as for undocumented migrants. Since the “asylum compromise” of 1993, the former are only entitled to limited health care. Others are generally not even entitled to this. There are still flaws to the Bremen model which restrict the scope of benefits, for example in the case of chronic treatment or artificial insemination. Nevertheless, the Bremen model was a pioneering achievement in destigmatising the health care of refugees within the framework of standard care. “All those entitled to benefits under the Asylum Seekers Benefits Act have an AOK health card in the state of Bremen and can consult and be treated by doctors on a regular basis. On the one hand, this helps to avoid unnecessarily complex accounting procedures, and on the other hand, it avoids the administrative costs of issuing health insurance vouchers in social or health offices, as is common in other federal states,”<sup>10</sup> writes the Left parliamentary group.

### Regular medical consultations

Additionally, the Bremen Health Office has been offering regular medical consultations by doctors from the Migration and Health Department since 2009. This provides basic care for patients. It is open two hours a day, two days a week and is aimed at undocumented migrants without health insurance. It is free of charge and anonymous on request. Until 2017, around 20,000 euros was provided by the city per year for the project, which was not enough for all the undocumented migrants in Bremen. This is probably one of the reasons for staff shortages and restrictions on opening hours. In 2018, the city increased the budget to 100,000 euro per year. The additional funds were to be used, for example, to cover costs for pregnant women to receive care from established gynaecologists, and for interpreting services. Nevertheless, undocumented migrants are still dependent on doctors who would provide additional treatment free of charge, mediated by the initiative Medinetz Bremen.<sup>11</sup>

<sup>10</sup> <https://www.linksfraktion-bremen.de/presse/pressemitteilungen/presse-detail/news/anonyme-gesundheitskarte-auch-fuer-papierlose-menschen/>

<sup>11</sup> <http://www.fluechtlingsinitiative-bremen.de/?q=medinetz>

## Next Steps: Healthcare for all

For this reason, R2G had committed itself in the 2019 coalition agreement to making health care “accessible to all people in Bremen, regardless of their status.”<sup>12</sup> In order to “ensure specialist medical care nationwide and to guarantee extensive integration into standard care,” an “anonymous health card” is to be introduced for people without residence rights, similar to the “Bremen model” for asylum seekers.

Two concrete forms are being discussed. In the first case, the card would contain anonymised data, apart from the passport photograph, because otherwise those without residence rights might fear they would be reported to foreigner authorities and the health card would not be used by its target group. A less far-reaching model would give undocumented migrants a one-time health card with anonymised data during the humanitarian consultation at the Health Office. This would enable them to have the costs of a particular treatment covered, with a free choice of doctor in principle. In October 2019, the State Parliament decided to commission the Senate to develop a model. In both cases, this would be a novelty nationwide.

## 3.3 An end to the “Chain-Toleration”

*In order to overcome the so called “chain-toleration,” which leaves thousands of refugees in uncertainty about their long-term staying perspective, Bremen introduced the “Bremen Decree” in 2010. Young migrants can now apply for a residence permit if they are “socially and economically integrated.”*

A crucial topic is the right of residence for people with a so-called “chain toleration” beyond a particular cutoff date. This group, which comprises tens of thousands of people nationwide, lives in limbo for years. The government normally cannot deport them due to lack of passport, unclear identity, a war in their home country, or a medical condition. Yet it keeps them in a largely lawless state. Minors, whose only obstacle to deportation was their age, have often been deported directly after their 18th birthday, even if they were in school or vocational training.

In order to overcome this, Bremen introduced the “Bremen Decree” in 2010. The state has been considered a pioneer in creating legal residence prospects for young refugees. “For humanitarian reasons,” migrants previously tolerated in Bremen have since been able to apply for a residence permit if they were “socially and economically integrated.” The proof of four years of schooling in Germany, language skills, and no criminal record was thus their ticket to a residence permit. This has been unreachable for teens in similar conditions in other federal states. At the time, this was a major step forward. It was the first model for a right of residence for the “chain-tolerated” without a one-time cutoff date.

In 2011, however, the new Section 25a of the Residence Act passed by the federal parliament (“Bundestag”) stipulates that authorities nationwide could grant residence status if integration is “good,” albeit under stricter

<sup>12</sup> <https://www.spd-land-bremen.de/Dokumente-und-Materialien.html>

conditions. The period of required school attendance was set at six years. In Bremen however, four years is still enough. In Bremen, parents were able to submit an application for their children after they turned ten. The federal law only allows applications from 15 to 21 year-olds.

In October 2020, Bremen made progress once again, allowing tolerated persons “with special integration benefits” to be granted a residence permit. Young adults up to the age of 26 can now also be granted a residence permit after four years of residence—if they can show that they have:

- sufficient knowledge of German (level B1) or adequate knowledge of German (level A2) and the German mark “satisfactory” on a school report from a German school,
- have successfully attended a German school for four years, or
- have acquired a school degree, or
- are completing vocational training, studies, or a state-subsidised vocational preparation measure.

The federal state of Schleswig-Holstein put forward similar plans in the Bundesrat in 2018. There, the Bundesrat rejected the bill and thus did not submit it to the Bundestag. Hence, Bremen is again in a pioneering role with its new state decree. “It covers unaccompanied minor refugees and guarantees them a right to stay if they finish school,” says Markus Saxinger of the Bremen Integration Network. “Such a principle does not exist elsewhere.”

## 4. Advocacy and network activities

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### EUROCITIES

In 2017, a civil society initiative (“Solidarity City Bremen”)<sup>13</sup> was formed, which demanded that Bremen should “join the chain of cities of solidarity and human rights.” The Grüne (Greens), which have been co-governing the city since 2007 with the Social Democrats, took up the suggestion and brought it to the attention of Green-led city council departments in summer 2018. This was primarily the Social Affairs department, which is also responsible for integration. In November 2018, the Senator for Social Affairs drafted a resolution<sup>14</sup> declaring Bremen’s accession to the Solidarity Cities network within the EUROCITIES framework. The Senate formally and unanimously adopted it on 11 December, 2018.

<sup>13</sup> <http://solidarity-city-bremen.org/>

<sup>14</sup> <https://www.transparenz.bremen.de/sixcms/detail.php?gsid=bremen69.c.75983.de&asl=bremen02.c.732.de>

The resolution noted that Bremen had been using legal scope for refugee integration for a long time. The accession to the Solidarity Cities network reaffirms this line. This commitment is in response to German

society's rightward shift after 2015 without explicitly naming it ("current socio-political developments"), and is intended to underscore Bremen's commitment to an "open and free society." At the same time, it points out that professional exchange among European municipalities committed to a sustainable integration policy can help with local admission policies.

## Against the criminalisation of sea rescue

In response to the debate on the reception of refugees from the Mediterranean in the summer of 2018, Bremen's governing SPD and Greens, together with the then-opposition Socialists (Linke) introduced a resolution in the state parliament named "Saving human lives is not a crime!"<sup>15</sup> It demanded that the state of Bremen, as the seat of the non-governmental German Society for the Rescue of Shipwrecked Persons (DGzRS), should declare its willingness to accept people from sea rescue ships. Bremen parliament officially condemned "any criminalisation of sea rescue" and "declares itself ready to accept people rescued from sea distress" in the state of Bremen.

Three weeks later, the mayors of Bremen, Hamburg, and Berlin—the three Federal German city-states—jointly assured their cities would remain "safe havens for refugees"<sup>16</sup> and promised "to do everything possible to save people from drowning, to bring refugee ships to safe havens and to accept refugees in Europe according to the rules of European and national asylum law".

Shortly after the state election in May 2019, the newly elected mayor Andreas Bovenschulte—a Social Democrat who formed a coalition with the Socialists (Linke) and Greens (a so-called "Red-Red-Green" or "R2G" coalition)—reaffirmed that Bremen would remain "a safe haven."<sup>17</sup> However, he pointed out that the Federal Interior Ministry had not yet asked the state of Bremen to admit additional refugees.

## Joining Solidarity Cities

Both official and civil society representatives see Bremen's accession to the Solidarity Cities network in 2018 as an "expression and commitment" to existing progressive admissions policy rather than as its starting point. "It is not that accession has triggered concrete initiatives, it has rather become part of a political stance and served to symbolically express this publicly once again," says Merle Bielinski, responsible for the project in the Social Senator's office.

Markus Saxinger from the local Bleiberechtsnetzwerk (Network for the Right of Residence) sees "rather symbolic declarative value." This declaration "stands for certain political constants in a rather inverse way," he says.

<sup>15</sup> [https://paris.bremische-buerger-schaft.de/starweb/paris/servlet.starweb?path=paris/LISSHFL.web&format=LISSH\\_MoreDokument\\_Report&search=WP=19+AND+DN-R=1792+AND+DART=d](https://paris.bremische-buerger-schaft.de/starweb/paris/servlet.starweb?path=paris/LISSHFL.web&format=LISSH_MoreDokument_Report&search=WP=19+AND+DN-R=1792+AND+DART=d)

<sup>16</sup> <https://www.senatspressestelle.bremen.de/detail.php?gsid=bremen146.c.306825.de&asl=bremen02.c.732.de>

<sup>17</sup> <https://www.spiegel.de/politik/deutschland/andreas-bovenschulte-designierter-spd-buergermeister-nennt-bremen-sicheren-hafen-a-1276381.html>

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The **Moving Cities** project provides an in-depth research of 28 progressive, solidarity-based cities and their strategies in Europe, exploring their most inspiring and successful local approaches to their migration policies.

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