

# Information for people who want to defend themselves against their deportation

The following information is intended to help people who do not wish, or are unable, to return to their country of origin or another country, to prevent their deportation while still at the airport. If you can, inform your friends that you want to resist the deportation. They can support you from outside by speaking to the airline and informing them that you will not fly voluntarily. At Frankfurt Airport (where most deportations in Germany take place) there is a group who go to the airport in these cases, to inform passengers and airlines and to protest against your deportation. You can contact this group by email: [abschiebungverhindernffm@lists.riseup.net](mailto:abschiebungverhindernffm@lists.riseup.net)

The following information is about what you can do yourself to prevent your deportation, and applies primarily to deportations that take place in normal passenger aircraft. Currently, Roma people in particular are often deported using charter flights (mostly from Düsseldorf or Baden-Baden). In these cases it is much harder to defend yourself, as in these planes all of the other passengers are other deportees and police officers, so there are no witnesses. Nevertheless, this still applies: the more people that know that you are flying against your will, the greater the chance of preventing your deportation. There are also people active in Düsseldorf und Baden-Baden, who protest against deportations.

Once you are already on your way to the airport, it will be difficult to think about what you could do to prevent the deportation. Therefore it is good to familiarise yourself beforehand with what the possibilities are. The following information should help you with this.

## **On the way to the aircraft...**

The German State Police often behave recklessly, and often also brutally, to enforce an ordered deportation. If you want to resist the deportation, you should not waste your strength on these officials. The law allows police officers to transport people to the airport in handcuffs and also to use force to suppress any resistance. Sometimes the state police bully and beat in order to scare and discourage deportees before they reach the aircraft.

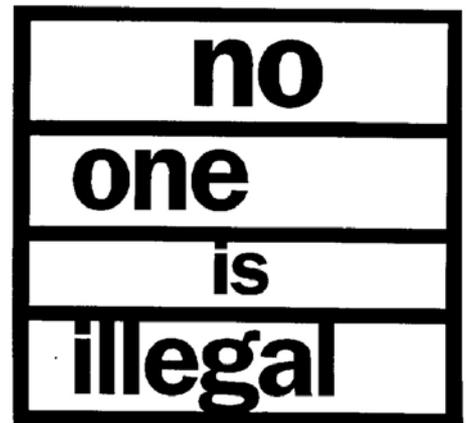
## **If you are injured or ill...**

If you get injured or become ill, then you should let everyone you meet on your way to the deportation know (immigration officials, the airport social services, the stewardesses in the plane, the passengers – really everybody). It is possible that because of this you are “not airworthy”. This does not always help, but deportations have regularly been aborted on medical grounds.

## **Once you are on the plane...**

Due to international agreements, inside the aircraft police officers have no special authority. They may no longer use any of their powers. So save your energy to prevent your deportation once you are on the plane. Try, if necessary by calling loudly, to speak to the pilot (flight captain) or a responsible member of the aircraft

Most of the deportations from Germany are carried out by air. 10 years ago, the anti-racist network “No-one is illegal” started the campaign “deportation class.” Through numerous actions at German airports where deportations take place, the campaign aimed to force the Lufthansa airline to stop carrying out deportations. As a result of this campaign, Lufthansa openly declared that deportations on their flights would no longer be carried out if deportees visibly resisted. In our experience, many deportations were prevented because the pilots refused to take people who resisted or cried out.



## **The Position of Pilots' Associations**

Legal experts from the German pilots' association “Cockpit” have declared that the deportation of people who are brought onto a plane in handcuffs is not allowed. According to the Association the pilot must make the decision not to carry out such a deportation; otherwise he may face punishment. According to “Cockpit”, it has asked all of its members to ensure, before the flight, that anyone who is being deported is flying willingly. The international pilots' association IFALPA considers it a condition of transportation that people „willingly travel“ – that is, that the criteria “willingness to travel” is fulfilled!

crew. Explain that you are not taking this flight willingly and that you will fight to defend yourself. "Fight" does not mean that you need to be violent. Usually a loud "NO" is enough; if that doesn't help, loud screams, refusing to sit down, refusing to buckle yourself in or throwing yourself on the floor.

If the immigration officials (state police) do not stay on the aircraft, it is very simple to stand up as soon as they have left the plane, and to go straight to the pilot and insist on having a conversation with him/her. Explain that you do not want to fly, and that he should not carry out this deportation. If the Pilot wants to force you to travel anyway, threaten him to press charges against him (to make a report). He can also be informed that the Association of Pilots ("Cockpit") advises all airline pilots to refuse such forced transportations (see box). Explain to him clearly that you are not flying of your own free will and that you will fight to defend yourself if necessary.

If the immigration officials stay on the plane and intend to fly with you as „safety monitoring“, you should still try to reach the pilot. If the immigration officials prevent you from doing this by cuffing you or holding you, you can protest with loud screams, once the first passengers are on board the plane. Still try to reach the pilot and to tell him that you will resist.

### **The legal situation**

At the airport in Germany, as soon as the doors of the aircraft are closed, under international law the immigration officials may no longer use force. From this point on the pilot has the last word. The immigration officials no longer have any special legal powers; not in the air and certainly not at an airport in another country.

The German officials are also forbidden from using force to enforce a deportation during a stopover or transit stop in another country. If other police officers also come, e.g. from the Netherlands or Belgium, you can explain to them that you do not want to fly, and strictly refuse to board the plane.

### **"Emergency exit"**

Often the German immigration authorities are forced to carry out deportations with airlines that do not offer direct flights to the country of origin. This means that the deportee must change to a connecting flight at an airport in another country.

This creates the possibility of getting off the plane, and refusing the onwards flight. In several cases the deportees have refused to board the connecting flight and have been returned to Germany.

### **What happens when a deportation is successfully prevented, or has to be aborted?**

The German officials will usually try to continue to carry out the deportation. If the deportation was preceded by detention, you will firstly be brought back to detention. If there is no custody order, you will be sent back again to the place where you live in Germany. In either case there is little time to continue to fight your deportation using legal or political means. After a prevented deportation there is always the danger of an arrest warrant, so simply to wait would be unsafe. Contact a lawyer or legal advice centre immediately.

### **What happens when the deportation takes place within Europe (Dublin II Convention), because my fingerprints were recorded in another EU country?**

You can also resist a deportation within the EU. This is actually sometimes easier than resisting a deportation to your country of origin, because under the Dublin Convention separate aircraft are not chartered, so you are certain to fly in a passenger plane. And there is also another special feature that makes resistance against Dublin deportations advisable: there is a deadline (usually 6 months) within which Germany must have carried out the deportation. If this deadline is not met, your application for asylum will be processed in Germany. If you manage to prevent your deportation (e.g. to Italy, Hungary or Malta), then it is highly likely that you will be put in detention. Since most deportations are carried out after several months have already passed, it can be that it is no longer possible to deport you. If you manage to prevent your deportation close to the deadline, then you must be released from removal detention and your asylum case must be considered in Germany. Caution: this applies only for people who have had their fingerprints taken, but do not have refugee status in another country (e.g. Italy).

### **You can get support from the outside:**

More and more people in Germany do not agree with the government's policy on deportation. For example, in Frankfurt there is a group, who regularly go to the airport when they find out that a deportation is taking place and that the person involved wants to resist it. Contact the group at the following email address: [abschiebungverhindernffm@lists.riseup.net](mailto:abschiebungverhindernffm@lists.riseup.net)

Be strong – and don't forget: our good wishes will be with you.

**No border – For freedom of movement!**