

About this Information booklet

You have received the notification that you have to move to the Transit Center Manching/Ingolstadt (BayTMI) or are you already there? In the Transit Center, the situation is different from other refugee accommodatios. The following brochure, compiled by the **Infomobil** of the Bavarian Refugee Council (Bayerischer Flüchtlingsrat) (see point 11), is intended to provide an overview of the practice there and of your rights. It shows what options you have to assert your rights.

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1. General information on the Transit Center

Since September 2015 there are special accommodation facilities in Manching/ Ingolstadt. These are called Transit Centers (BayTMI). Many opponents and critics of these establishments also use the term "deportation camp" ("Abschiebelager").

The aim of the government is to process asylum applications of refugees from "safe countries of origin" (see point 3) and refugees with a "bad recognition perspective" (see point 4) in fast procedures. who are accused of giving false information about their identity ("Identitätstäuscherinnen"), persons who refuse to cooperate (refuse the authorities' requests, e.g. to provide passports) and persons for whose asylum procedures other European Union member states are responsible (see point 7).

Refugees report particularly bad conditions in the camps, which make them feel that they are not welcome here and have no chance. The camps are very isolated and access to counseling, lawyers and volunteers is

difficult.

Therefore, we recommend that you contact the counseling center before the transfer. **Inform yourself about your rights and try to assert them!** In the Transit Centers in Ingolstadt / Manching a fair, individual asylum procedure as well as the human rights must apply. For example, get information about the hearing (long interview) at the Federal Office for Migration and Refugees (Bundesamt für Migration und Flüchtlinge) at the refugee Infobus of the Munich Refugee Council (see point 8 – "counseling Centers").



2. Transit Center locations

The Transit Center in Ingolstadt / Manching has four camps (see point 2). The Max-Immelmann barracks in Manching also contain all authorities relevant to the asylum procedure: the Federal Office for Migration and Refugees (BAMF – Bundesamt für Migration und Flüchtlinge), the Central Immigration Office (ZAB – Zentrale Ausländerbehörde) and a branch office of the Administrative Court. In Ingolstadt, there are three more branch offices of the Transit Center in container camps. A shuttle bus links the camps in Ingolstadt. In all four camps, the social welfare office is also on site. Asylum social counseling is offered by Caritas (more information under point 8).

- MIK: Max-Immelmann-Kaserne: Am Hochfeldweg 20, 85051 Ingolstadt
- MC: Marie-Curie-Str. 13, 85055 Ingolstadt
- NBS: Am Westpark: Neuburgerstr. 105, 85057 Ingolstadt
- P3: Manchingerstr. 158, 85053 Ingolstadt

3. What are "safe countries of origin"?

A "safe country of origin" is a country in which, under current German law, there is no state prosecution and this state is willing to protect its citizens in case of persecution by other people or groups (§ 29a Asylum Act). Albania, Bosnia-Herzegovina, Ghana, Kosovo, Macedonia, Montenegro, Senegal and Serbia are currently declared as "safe countries of origin". Therefore, it is harder for asylum seekers coming from one of these countries to prove the individual persecution and they need to provide strong evidence.



4. What does "schlechte Bleibeperspektive" (bad recognition perspective) mean?

A bad follow-up perspective results from the BAMF's recognition quota of asylum applications from a country. If the recognition quota of all applications from a country of origin is less than 50%, it is assumed that the recognition perspective is poor. So out of 100 asylum applications less than half are granted positive. That means the chance of getting recognition is rather low.



5. Regulation for people from "safe country origin"

The fact that you come from a "safe country of origin" has implications for your asylum procedure, residence obligation, work and school.

Duration of stay in the Transit Center: You must stay at the Transit Center until the Bamf has decided about your application for asylum. If the application is approved, you may move out. If the application is rejected, you must remain in the Transit Center until your departure under the Asylum Act (§ 47 (1a) AsylG). Only if there are very exceptional (health) reasons, you may move out under the Bavarian Admissions Act (Article 4 Abs. 6 AufnG). You can claim your right by applying to the Government of Upper Bavaria (Regierung von Oberbayern) to move out from the Transit Center and you can seek assistance (see point 8).

Interview: The interview is very important and crucial to the outcome of your asylum procedure. In the Transit Center, the procedures sometimes runs very fast, it may be that you get a hearing within a few days.

Inform yourself therefore immediately!

You can find information in the Asylum Guide of the Munich Refugee Council or online at:

http://www.asyl.net/arbeitshilfen-publikationen/arbeitshilfen-zum-aufenthaltsund-fluechtlingsrecht/informationsblattanhoerung

The Infobus of the Munich Refugee Council can also prepare you on telephone for your interview. Make an appointment by email: infobus@amnesty-muenchen.de



Asylum procedure: Your asylum application might likely be rejected as *obviously unfounded*. If you think that this decision is wrong, you must submit a claim within **one week** (which is important!) to the Administrative Court of Munich. If you submit a claim, you should also apply for suspensive effect under the rules of the administrative court (§ 80 (5) VwGO), otherwise you may be deported while the lawsuit is in progress.

To formulate your claim, you can get help from the legal department ("Rechtsantragsstelle") of the Administrative Court. On the site of the Max-Immelmann-Kaserne there is a branch office of the Administrative Court, to which you can go and say that you want to file a lawsuit against your decision (for address and opening hours see point 8). For legal proceedings, it is advisable to employ a lawyer (see point 9), as your claim must be well founded.

You have a chance of receiving the decision in your favour by the Administrative Court if your case is exceptional. For the Bavarian Administrative Courts and the judges working there also counts, that you are from a safe country of origin. You need very good evidence (documents, certificates, pictures, oral descriptions) of the problems you would be facing in case of returning to your country of origin.

As long as there hasn't been any decision on the emergency appeal, you cannot be deported. If the suspensive effect has been approved, you cannot be deported until your main claim is resolved. If the suspensive effect is rejected, however, you can be deported even by ongoing lawsuit. From this point on, your social benefits will be reduced and you will no longer receive any cash benefits (pocket money).

Residence obligation: As long as you have to live in the Transit Center, your stay is restricted to Ingolstadt according to the Asylum Act (§ 56 (1) AsylG). For those from safe countries of origin, the residence restriction is valid for up to 24 months. You need a permit from the ZAB if you want to leave Ingolstadt, for example to visit a lawyer

in another city.

Work: For those from safe countries of origin, work is generally prohibited (§ 61 Abs. iVm §47 Abs.1 and 1a, § 61 Abs.2 AsylG).

School: In Germany there is compulsory education for children from six years. But in the Transit Center Manching / Ingolstadt children from "safe countries of origin" have to go to a school inside the camp.

Nevertheless, we recommend you, try to register your children at a regular school. Again, independent counseling centers (see point 8) can help you. You have to submit the application for visiting a school to the education authority in Ingolstadt. If your children have been going to a normal school in Germany for some time, there is really no reason they should not continue to do so.



6. Regulations for persons from other countries of origin

Duration of stay in the Transit Center: This point is very important, since depending on whether you legally still do have to or don't have to live in the Transit Center gives you different rights. So pay attention if you are already allowed to move out of the Transit Center!

Legally, you are allowed to stay in a reception center or a Transit Center for a **maximum of six months** (§47 (1) Abs. 1 AsylG). In addition, the federal states may decide to extend this period in some cases to a **maximum of 24 months**. In Bavaria, this extension is beeing implemented.

Legally, you have to stay in the Transit Center for up to six months or until the BAMF has decided on your asylum application. If your asylum application was rejected, the following applies:

- If your asylum application was rejected as "obviously unfounded" or inadmissible, you must remain in the Transit Center for up to 24 months.
- If your asylum application is simply rejected *without justification*, you must be allowed to leave the Transit

Center if you have been there for 6 months.

Attention: Presumably, the Ausländerbehörde (immigration authority) might only add the word Gemeinschaftsunterkunft (GU) (shared accommodation) in your ID card. However, you will stay in the Transit Center, possibly only in another part of the building / at another location (see point 2).

If the ID-Card contains the word "GU" (see appendix III), different rules apply than for those who have to live in the Transit Center. This means that, for example, you can obtain a work permit at the discretion of the Immigration Authority. You can claim your rights (more on the points on residence obligation, work and school) by submitting a written application to the Regierung Oberbayern to move out from the Transit Center.



Interview: The interview is very important and crucial to the outcome of your asylum procedure. In the Transit Center, the procedures sometimes run very fast, it might be the case that you have an interview within a few days.

Inform yourself therefore immediately! You can find information in the Asylum Guide of the Munich Refugee Council or online at:

http://www.asyl.net/arbeitshilfen-publikationen/arbeitshilfen-zum-aufenthalts-und-fluechtlingsrecht/informationsblatt-anhoerung

The Infobus of the Munich Refugee Council can also prepare you on telephone for your interview. Make an appointment by email: infobus@amnesty-muenchen.de **Asylum procedure:** If your asylum application is simply rejected as *unfounded*, you have two weeks to claim at the court (for *obviously unfounded*, see point 5). The claim has a suspensive effect, so your social benefits will not be reduced until your claim has been decided on and you will not be deported. You can file the appeal yourself at the branch office of the Administrative Court in the Max-Immelmann-Kaserne. But it is advisable to get support from a lawyer (see point 9).

Residence restriction: Legally, as long as you have to live in the Transit Center, your stay is restricted to Ingolstadt according to §56 (1) AsylG. You need a permit from BAMF or ZAB if you want to leave Ingolstadt, to visit a lawyer in another city. However, as soon as you have the right to move out of the Transit Center (after six months), you also have the right to leave Ingolstadt. The ZAB must also note this in their Aufenthaltsgestattung (temporary residence permit).





Important note: Should the cancellation of the residence obligation not be noted in your Aufenthaltsgestattung (temporary residence permit) after a six-month stay in the Transit Center, you can appeal to a lawyer or a counseling center (see point 8)

Work: People who live in the Transit Center (considered as reception center) may not be allowed to work (according to § 61 Abs. 1 AsylG). Once they have been in the Transit Center for six months, the decision on the employment permit is at the discretion of the Immigration Authority (in accordance to §61 Abs. 2 AsylG).

Which steps to take to get a work permit:

- 1. Looking for a job
- 2. Go to the Immigration Office with the written job

offer / or the job commitment and apply for a working permit.

- 3. The immigration authority then checks whether the permit should be given (it is checked whether the conditions in the employment contract are legal (minimum wage, etc.).
- 4. If your application is rejected, please contact the Counseling Center of Caritas in Max-Immelmann-Kaserne, Am Hochfeldweg 20 or a lawyer.

School: Basically, you can register your children at a school as soon as possible. For example, find out about your rights with the employees of Caritas Counseling Center (Asylsozialberatung).

7. Regulations for people who have arrived from another EU country/third country (Dublin III)

For the countries of the EU (+ Switzerland, Norway, Iceland, Liechtenstein) there is a regulation in place, which regulates which state is responsible for the implementation of your asylum procedure. This is the Dublin III Regulation.

If you receive a notification from the BAMF that your application is rejected as **inadmissible** under the Dublin III Regulation (§29 (1) no. 1 AsylG), you will only have **one week** to sue (see Asylum Guide of the Munich Refugee Council).

It is important that you immediately mention all the reasons that prevent you from being deported to another EU country (eg. Italy) or if you have not had the opportunity submit a claim against deportation to that country (deadline: one week). There are reasons that can successfully lead to your asylum procedure being implemented in Germany despite the responsibility of another state:

- fear of persecution or inhumane treatment (eg.being threatened by forced prostitution / trafficking)
- Due to an illness that cannot be treated in the country through which you traveled.
- Other reasons: Disability, pregnancy, newborn baby, old age, family members (parents, siblings, underage children) are in Germany

8. Counseling Centers, Contacts, Addresses and competencies

Authorities at Max-Immelmann-Kaserne grounds:

Social Welfare Office:

Responsible for the issue of: cash benefits, vouchers for clothing, medical papers for medical treatment.

<u>Federal Office for Migration and Refugees (Bundesamt</u> <u>für Migration und Flüchtlinge - BAMF):</u> Responsible for: Implementation of the asylum procedure (asylum application, interview, decision making) *Email*: MAN-Posteingang@bamf.bund.de

<u>Central Immigration Office (Zentrale Ausländerbehörde</u> - ZAB):

Responsible for: extension of ID cards, returnee counseling, in case of negative asylum procedure they are organizing the deportation together with the police.

<u>Government of Upper Bavaria (Regierung von Ober-</u> <u>bayern - ROB):</u>

Responsible for the reception facilities, accommodation

and distribution of refugees: applications for transfers / moving out, issuing of allocations.

Administrative Court (Verwaltungsgericht - VG): Here you can submit personally your complaint against the decision of the BAMF and receive support in the wording of your lawsuit.

Alternatively, you can send your claim to the VG München by letter or fax (please note the deadlines!). *Opening hours:* Monday and Thursday 8:00 – 12:00 and 13:00 – 13:30

Operator Company PulsM:

Responsible for: Room occupancy, arrangement of medical appointments, operating of the canteen, issuing of hygiene articles and baby food.

This is a private company commissioned by the Government of Upper Bavaria to operate the accommodation. The staff members are 24 hours a day on-site and can always be contacted in case of urgent problems.

Other authorities:

Education Authority Ingolstadt: Address: Neubaustraße 2, 85049 Ingolstadt

Counseling services:

Asylum and social counseling of Caritas:

Independent counseling center with confidentiality: Advice on the asylum procedure and the Dublin procedure, finding of lawyers, help with letters and notices, support with medical and therapeutic care, further referring to counseling centers, help with mental health problems.

The employees have their offices in the respective locations. (see point 2) Please inform yourself about office hours on site.

Café International:

Meeting place and point of contact for people with or without a migration or refugee background: for advice seekers, dedicated citizens, for translators and German teachers, for friends and family.

Address: Stadttheater Ingolstadt, Schlosslände 1, 85049 Ingolstadt

Opening hours: every Monday and Wednesday from 14:00 to 17:00

For up-to-date information:

https://theater.ingolstadt.de/theaterpaedagogik/zugaben/cafe-international1

Jadwiga Women's Counseling Center:

Jadwiga is a counseling center for women, who have been victims of forced marriage and human trafficking. Jadwiga is on site from time to time in Manching. The office is located in Munich. It is best to contact them by phone to make an appointment or to discuss your matters.

Contact: 089/38534455

Infobus for refugees: Munich Refugee Council (Münchner Flüchtlingsrat)

If you have any questions about your rights during the current asylum procedure, you can contact the Infobus for refugees by email. The Infobus also offers a telephone consultation preparation. For an appointment, please contact: infobus@amnesty-muenchen.de

Project Comeln -Handicap International

The project Comeln is a project from Munich that supports refugees with disabilities and mental health problems. Refugees from Ingolstadt / Manching can also get in touch with the project staff in Munich you have any questions or need assistance. Projekt Comln Address: Türkenstr. 21, 80799 München Tel.: 089 / 411 09 573 Fax: 089 / 54 76 06 20 E-Mail: rwank@handicap-international.de

9. Do I need a lawyer?

Although a lawyer is very important in the asylum procedure, there is no right to a free lawyer. Therefore, you must employ a lawyer privately and at your own expense. They are required by law to charge you. These charges are usually calculated according to the value in dispute. You can apply to the court for legal aid (this is usually done by your lawyer), but this is rarely granted, and that is when the court is assuming a positive decision. Talk to your lawyer about the possibility of a payment by installment. Most lawyers require an advance payment and after completing the procedure or in between you will receive a bill.

In order to get an initial assessment of whether your case could have a chance of success, and if it makes sense to be represented by a lawyer, you can ask independent counseling services (see point 8). These can also inform you about possible support for the lawyers fees. You can also ask for addresses of lawyers there. It is important that your lawyer is familiar with asylum and foreign law.



10. What to do in case of deportation?

The camps in Ingolstadt serve to carry out their asylum procedure as quickly as possible and then, in the case of a negative decision, to deport you to your country of origin or to the country responsible for you (Dublin cases). Repeatedly, there are weekly deportations of individuals and families. Especially for people from "safe countries of origin" deportation are likely to happen fast, since the lawsuit has usually no suspensive effect and many can be as well deported during the legal process. The deportations usually happen very early. It may be that the police takes away your mobile phone.

Make sure in advance, that in case of a deportation situation a trusted person can contact your lawyer or counseling center (for example, give someone else their telephone number).



11. The Infomobil project - Who we are and what we do

At the beginning of 2016, we started a group of independent activists to go to Ingolstadt and Manching regularly to exchange views with the people in the deportation camps and fight against the inhuman treatment and isolation through deportation camps. Our work is supported by funds from Pro Asyl and the Bavarian Refugee Council. Meanwhile, we have a bus with which we can drive to the various camps.

This what we do:

- Public relations and media relations work: bring information from the deportation camp outside to the public.
- Information: Provide residents of the deportation camps with necessary information regarding their rights and possibilities.
- Political Actions: Set up protests with the people in the camps.
- Individual cases: refer to other contacts in specific cases and look for legal ways to prevent deportations.

Our goals:

In order to improve the situation in the camps, it is important to raise awareness in the society about the situation. With the Infomobil we therefore try to report on the everyday life in the deportation camps.

How can you contact us?

- We regularly try to take our bus to the caps in Ingolstadt and Manching. Here you can address us easily.
- You can also send us an e-mail, possibly with your telephone number, then we will contact you. Email: Infomobil@fluechtlingsrat-bayern.de
- You can also find us on Facebook:
- https://www.facebook.com/InfomobilGegenAbschiebelager/

12. Appendix

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VII. Application for school attendance of children
VIII. Application for moving out
IX. Overview asylum-fast-procedures



Anerkennungsverfahren

Bundesamt für Migration und Flüchtlinge Ort: 85051 Ingolstadt Datum: 24.03.2016 Gesch.-Z.: bitte unbedingt angeben

31

BESCHEID

In dem Asylverfahren des/der

geb. am

wohnhaft:

c/o ARE I Am Hochfeldweg 20 85051 Ingolstadt

vertreten durch:

Frau

c/o ARE I Am Hochfeldweg 20 85051 Ingolstadt

ergeht folgende Entscheidung:

- Der Antrag auf Zuerkennung der Flüchtlingseigenschaft wird als offensichtlich unbegründet abgelehnt.
 - Der Antrag auf Asylanerkennung wird als offensichtlich unbegründet abgelehnt. Ni
 - 3. Der Antrag auf subsidiären Schutz wird abgelehnt.
- 5 und 7 Satz 1 des Aufenthaltsgesetzes liegen nicht vor. Die Antragstellerin wird aufgefordert, die Bundesrepublik Deutschland innerhalb einer Woche Abschiebungsverbote nach § 60 Abs. ₁ 4
- nach Bekanntgabe dieser Entscheidung zu verlassen. Sollte die Antragstellerin die Ausreisefrist nicht einhalten, wird sie nach Bosnien und Herzegowina abgeschoben. Die Antragstellerin kann auch in einen anderen Staat abgeschoben werden, in den sie einreisen darf oder der zu ihrer Rückübernahme verpflichtet ist.
 - Das Einreise- und Aufenthaltsverbot wird gemäß § 11 Abs. 7 des Aufenthaltsgesetzes angeordnet und auf 10 Monate ab dem Tag der Ausreise befristet. ö
 - Das gesetzliche Einreise- und Aufenthaltsverbot gemäß § 11 Abs. 1 des Aufenthaltsgesetzes wird auf 30 Monate ab dem Tag der Abschiebung befristet. N

2 Zentraje. Yelefak Zentrale: Burkenbirkulag: Kontenostano: Kontenostano: Kontenostano:	(p9 11) 5 42 - 0 (p9 11) 9 43 40 00 Example Wassingham Reventional to internet of the second se	
Teletax Zentrale:	(09 11) 9 43 40 00	
📽 Zentrale.	(09.11) 9.45 - 0	
Indernet	www.barrf.de E-Mai: Postsol- le@barrf.bund.de	
Brieferschrift Zentrale:	Burdesarri für Mayason und Fildentinge 90343 Nümberg	
Hausanachrift Zentrale.	Bundesam for Moradon und Fluchtinge Frankensinsele 210 SOMS1 Nümberg	
570	Dia	

II. Notification of decision simply ungrounded (page 1)



NAD		*		1	-6- Seriennummer des Klebeetiketts:	
Neuburger Str. 1 45057 Theolatad	Die Inhaberin/der i genannten Einricht GU Ankunfte- und	Anga ben	für längstens gültig	A	(Erstausstellung) (1. Verlängerung) (2. Verlängerung) Räumliche Beschränkung: Der Aufenthalt wird beschränkt auf:	Aufenthaltsgestattung zur Durchfü ú des Asylverfahrens
c<<<<<<<<<<<<<<<<<<<<<<<<<<<<<<<<<<<<<	Inhaber ist verpflichtet, in der nachfolgend Itung zu wohnen: d Rückführungseinrichtung	aben zur Person beruhen auf den eigenen der Inheberin/des Inhabers. Ein identifikations- durch Originaldokumente wurde nicht erbracht.	ig bis	Aufenthaltsgestattung	Nebenbestimmungen: Grwcrbstatickleit nur mie Zuchtimmur Bronitist	H weise: Familiennachzug ist nicht gestattet. Verstöße gegen Auflagen u d räumliche Beschränkungen sind strafbar oder können als Ordnungs- w drigkeiten geahndet werden. Ein Verlassen des Bereichs der räumli- cien Beschränkung bedarf grundsätzlich einer besonderen Genehmi- gung des Bundesantes für Migration und Flüchtlinge oder der Ausländerhehbärde.

IV. Temporary residence Permit



26 V. Tolerated stay



VI. Border Crossing Certificate



28 VII. Application for school attendance of children

ABSENDER Straße Ort

Schulamt Ingolstadt Neubaustraße 2 85049 Ingolstadt

Ingolstadt, den ...

Sehr geehrte Damen und Herren,

hiermit beantrage ich die Aufnahme meiner Kinder an einer normalen Regelschule.

Wir sind seit dem ______ in Deutschland. Wir waren bisher in ______ untergebracht. Meine Kinder haben, seit wir in Deutschland sind, deshalb bisher überhaupt keinen normalen Schulunterricht erhalten.//Meine Kinder haben bereits in Deutschland eine Regelschule besucht.

Seit _______ sind wir im Transitzentrum in Ingolstadt. Hier erhalten meine Kinder nur eine unzureichende Beschulung mit sehr wenig Wochenstunden. Zudem findet der Unterricht auf Englisch statt. Ich beantrage deshalb, dass meine Kinder eine normale Schulbildung erhalten können, die auch die Schulpflicht erfüllt.

Hier die Daten meiner Kinder:

- _____, geb. ??? besuchte im Kosovo die Klasse einer Berufsschule - _____, geb. ???, besuchte im Kosovo die Klasse einer Mittelschule

Bitte geben Sie mir bis ??? schriftlich Bescheid, wo ich meine Kinder anmelden kann.

Mit freundlichen Grüßen,

VIII. Application for moving out

Regierung von Oberbayern Dienststelle in der ARE I Ingolstadt/Manching Max- Immelmann Kaserne Am Hochfeldweg 20 85051 Ingolstadt

Ingolstadt, den _____

Antrag auf Auszug aus der ARE I

Name: Vorname: geb. am

Sehr geehrte Damen und Herren,

ich bin seit dem ______ in der ARE untergebracht. Nach dem § 47 AsylG ist die maximale Aufenthaltsdauer in einer Aufnahmeeinrichtung auf 6 Monate beschränkt. Diese Zeit ist bei mir bereits überschritten.

Ich bitte Sie um eine schriftliche Antwort oder Verlegung in eine andere Unterkunft innerhalb der Frist einer Woche.

Mit freundlichen Grüßen

Datum/Unterschrift

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This brochure was compiled in the context of the special camps project with the support of the Bavarian Refugee Council.

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Promoted by:





