

Marriage without broders - Counsellor for a marriage to stay

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1. What this brochure can (and cannot) do

There are many good reasons to get married: children, parents, tax

advantages, inheritance, to avoid being alone in old age, to prevent deportation and/or for love. However, the German state does not consider all these reasons to be of equal value. Behind this is racism and a "not-welcome" migration policy deeply anchored in the structures and minds. Every crumb of the cake is fought for: binational marriages are discriminated against, no matter what percentage of "true love" they contain. That is why we have written this brochure. It is meant to support people who are thinking about tying the knot for life or at least for the next four years in order to get residence papers. We, the authors of the texts, are people in solidarity, with and without marriage experience, who have always been able to enjoy the privileges of German citizenship. Since the bureaucratic jungle surrounding marriage seems impenetrable, we would like to publish at least basic information in the form of this brochure. We are of the opinion that a more caring world is needed and that we can simply start now. We are aware that discrimination against binational marriages is not the same for everyone, but that different mechanisms of oppression work together. Different struggles for more rights cannot be considered separately. Nevertheless, we will repeatedly generalise in the following text and certainly leave much unmentioned. We consider the categories of man/woman & Co to be socially constructed, but we still fall back on them again and again for lack of alternatives (that's why we have added these pretty *-gender asterisks). In the following, we will share tips and experiences that we have collected in order to construct a possible process of such a "stay-at-home-marriage". We are not lawyers ourselves, but we have been supported by various parties. In addition, we have used information from the brochures "Der kleine Heirats-Ratgeber" (The Little Guide to Marriage) and "Schutzeheide" (Protective Marriage), which we have checked, updated and expanded. This brochure should only be seen as a small help. It is no substitute for an intensive discussion with supportive people in your environment about your wishes, hopes and fears, and possibly also legal advice. We have come up with the word "marriage to stay" to replace the conventional terms. We want to focus on the purpose of marriage in solidarity, rather than to create discrimination or heroine-tales. In case you want to enter the world of paragraphs, we have written the references to the relevant legal paragraphs of each topic in

brackets. This looks like this, for example: (§ Residence permit). From page 56 onwards, the paragraphs are listed with a rough description of their content so that you can look them up if necessary. In addition, words written in italics are explained in the glossary (see "Glossary", p.52).

2. On holy matrimony and other fairy tales

The concept of marriage enjoys special protection, both in the Basic Law and in the Declaration of Human Rights (§ Marriage in general). However, this protection does not apply to everyone. If one of the two spouses does not have a European identity card, the union is quickly suspected of being a so-called "marriage of convenience", i.e. a marriage that was only concluded for the purpose of obtaining a residence permit for a person. While the state is not interested in the extent to which, for example, financial interests motivated a marriage in the case of people with a German passport, binational couples have to convincingly explain that love is the only effective reason for their marriage. Although the Foreigners' Office & Co. cannot usually prove that this is not the case, they can refuse to issue or extend the residence permit or not even allow a marriage to take place (§ Registry Office). The competent administrative authorities are even authorised to apply for annulment of the marriage in the case of so-called unrealised cohabitation, even if it has already been concluded. This may sound daunting and involves many considerations and contingencies. But we want to emphasise: Very many people have already taken the step and decided to marry for the purpose of the right to stay. It is important to be aware of the consequences of the right to stay marriage. If, for whatever reason, you are interested in a marriage to stay, we have tried to describe a possible procedure and have bundled information to make the decision easier for you. Marriage is one way to get a residence permit in Germany, but there are also other ways. It is possible to officially apply for asylum and, in the case of a rejection, to try to get it through a so-called hardship commission. With the help of citizen or church asylum,

temporary protection from deportation is possible. In some cases, a residence permit can also be obtained through a training programme. Another option, which can also have serious consequences, is to register parenthood at the registry office. Find out about all these options so that you can make the best decision for your case (for more information, see "Further information and contact points", p. 62). It can be very useful to get advice from a lawyer in advance. It is best to look for a local lawyer with experience in marriage and migration law. There is also an association of rather left-wing lawyers whose website you can check to see if there is someone in your city with suitable qualifications (see "Further information and contact points" p.62). Of course, it's best if you don't need a lawyer. But sometimes it is the only way to protect yourself from repression.

3. What happens up until you say "I do"

3.1 Registering the wedding

As a very rough estimate, a 'right to remain' marriage will last at least 4.5 years and will probably cost over 1500€, including the divorce. If, after careful consideration, you have decided to get married, you should first find out at the register office (*Standesamt*) which papers are needed. Which register office is responsible for you depends on where you are registered. If only one person has a registered residence or you both have the same one, you simply have that one option. If both persons have a different registered residence, you can choose between the two responsible registry offices. If you are registered in different federal states, it is worthwhile to check if there are different rules for the bureaucratic slog in the two federal states. The registration for the marriage, with all the necessary papers, will be done at the registry office where one of you is registered. You may be invited for a talk, at which

you will receive further information. The actual wedding itself can take place anywhere in Germany. Your documents will then be forwarded to the registry office of your choice. If you want to or have to get married outside of Germany, you should inform yourselves about the process directly at the place where you are getting married..You will receive a piece of paper from the register office on which all the necessary papers and documents are listed that you must present for the marriage. This varies depending on your residence status and nationality. In this pamphlet we will mostly describe the process for the combination "person without German or EU citizenship marries a person with German citizenship", in which case the residence law according to § 28 AufenthG (§Right of residence with marriage) applies. However, other marriage constellations can also lead to residence law protection.If one of you is not German, but is an EU citizen, the Freedom of Movement Act applies. If neither of you has a European passport, there is the so-called spousal reunification right (§ Marriage without one of the spouses having a European passport).

3.2 Gay or straight marriage

Since 2017, it finally also exists in Germany: The so-called gay or same-sex marriage!Previously, it was only possible to register a civil partnership. In principle, this meant the same in terms of residence rights, but in terms of taxation, registered civil partners were at a disadvantage compared to married couples (§ gay marriage).There are rumors that people in binational non-hetero marriages are less likely to be checked by the authorities, as they are less able to classify the relationships due to homophobic attitudes. Of course, it's impossible to say that with any certainty. The following should be noted: If the non-European person applies for asylum at the same time as the marriage and comes from a country where homosexual people are persecuted, then this persecution should be included as a reason for fleeing in the asylum interview. If the asylum interview has already taken place, it is still possible to submit grounds for refugee status afterwards. To do this, you should talk to a lawyer. Submitting as a reason for fleeing (provided afterwards) sometimes does lead to the recognition of a right to

protection in the asylum procedure. A big advantage of homosexual marriages is that the often demanded "legal entry" (see p.15) after the marriage can be waived. This applies if homosexuality is not socially accepted in the country of origin of the non-German person. In this case, it can be argued that a return to this country would endanger the person and therefore cannot be demanded.

3.3 The bureaucratic fight at the register office

Usually the following documents are required from you at the registry office:

3.3A) Both of you will need:

- * Valid identity card/passport (or other proof of citizenship)
- * Birth certificate/*abstammungsurkunde*
- * Confirmation of registration: The future spouse with a German passport must have a registered residence in Germany. * If you have been married before, you must prove that you are no longer married, either by a certified copy of the divorce decree or by a death certificate.

3.3 B) The future spouse without a European passport additionally needs:

- * confirmation of residence (also accepted is a registration certificate, if you are not yet registered in Germany)* the certificate of no impediment to marriage: a document issued by the authorities of your so-called country of origin. With this, the German authorities want to check if there is a so-called marriage impediment. Marriage impediments in Germany are, for example, a second marriage, the prohibition on marrying a

closely related person, and being a minor. Both spouses must be named in the certificate of marriageability. In some cases this document can simply be issued by the embassy, in others only a certificate of unmarried status can be issued, which does not meet the requirements in Germany. In that case, it may even be necessary to ask via a two-week notice in the place of birth whether there are any objections to the marriage of the two persons. Which procedure is required varies depending on the country of origin. Again, this follows a racist logic and makes it much harder for some people to marry than others. The cost of this issuance of the certificate of no impediment to marriage must be borne by the couple. However, some countries do not issue a certificate of no impediment to marriage at all. If this is the case, an "exemption from the provision of the certificate of marriage ability" must be applied for from the register office, preferably with an attached certificate of singleness. The application then goes to the Higher Regional Court. In some cities, the authorities may refuse to submit the application. In this case you should call in a lawyer!* From certain countries, the German authorities also do not trust the authenticity of issued passports. And since it is necessary to clearly identify oneself in order to get married, a so-called "on-site deep identity check" is then demanded. This involves researching the existence of the engaged person in the country of origin. For this purpose, a detective is actually hired by the German embassy in the respective country. If the existence is not proven, the marriage is not allowed. In case you have to deal with such a check, you should definitely get legal support.* Also remember that all your documents need a certified German translation. Once again, this is quite expensive and time-consuming.

Insert1: Problem with certificate of no impediment to marriage?

In some cases it can be useful to register in a place where the registry office does not require a certificate of no impediment to marriage. It takes several months and costs a lot of money to obtain this certificate. We've heard of four-digit amounts, but that probably depends on the country and the officials. You should once again definitely ask the registry office about your specific situation. However, if you find a registry office that does not require this, it can simplify many things. Unfortunately, it is not so easy to find out where the certificate of marriage ability is mandatory. The registry offices do not publish this information on the Internet and it is up to the registrar to request the certificate of no impediment to marriage. In large cities these certificates are requested most of the time, in the surrounding villages the odds tend to be better. There is the possibility to call the registry office and get their advice. However, the officials there have access to the civil register and can see that you do not live in the village. It therefore makes sense to say that you are planning to move there or that you have just moved and have not yet re-registered. If you find a registry office that does not require this certificate of marriage ability, you still need to have a place there where you can register. It therefore makes sense to ask in places where you know people you can register with, or where the rents are very cheap and a small room could be rented. But keep in mind that this is a risky option.

3.4 Getting married without papers?

This section is partly imprecise and incomplete. However, we wanted to share the information we found during our research. Be sure to get legal advice as well! In general, there is no possibility for marriage without

papers, because people have to prove their identity in order to get married. However, there is also the legal right to marriage. This right can be claimed. If you or your future spouse are living as illegalised in Germany and have not yet applied for asylum, you should apply for asylum in order to obtain a residence permit (§ Right of residence during an ongoing asylum procedure). If you have already filed an asylum application and it was rejected, you could file a follow-up asylum application. However, follow-up asylum applications are risky because they are easily rejected by the authorities as unfounded (§ Sogenannt Unbegründeter Asylantrag). It is helpful if you have a border crossing certificate or if the asylum application was filed a long time ago, in which case the entry may have been deleted. If these possibilities do not apply to you, we recommend that you consult a lawyer, because there is the possibility to apply for a toleration of marriage (§ Duldung zum Zweck der Eheschließung). For this, the marriage must be imminent, which means that a date for the marriage has already been set and all (as far as possible) necessary papers have been submitted to the registry office. In this case, the toleration is usually issued by the Aliens' Registration Office. If an appointment has not yet been made at the registry office because not all the papers have been submitted, it is still a good idea to apply for marriage at the registry office and to forward the application to the Aliens' Registration Office at the same time as the application for a toleration of marriage. This is especially important for people without any papers. The person without papers must also get registered in a residence at the Residents' Registration Office. It is best to register everywhere at the same time: the residents' registration office, the immigration office and the registry office. After the marriage, you can apply for a residency permit (§ Right of residence with marriage). A conscious decision and discussions about fears and possible scenarios are especially important in this case.

3.5 Getting married abroad

Another possibility, for example in case of time-pressure, is to marry in

the so-called country of origin of the non-European person. This route is usually time-consuming and involves a stay of several months in the country of origin, at least for the person without German residence status. Sometimes, however, it is bureaucratically easier than trying to prevent deportation in addition to going through the marriage procedure. A prerequisite for this is, of course, that both persons can travel safely to that country. Remember that people are not allowed to leave Germany during an ongoing asylum procedure or if they have a "tolerated" status. It is also important to note that in the event of deportation, a Schengen ban of several years will apply, which is very difficult to circumvent even by family reunification after marriage. Therefore, if you are considering getting married abroad, it is important to leave Germany or the Schengen area "voluntarily". You can find information about the required documents and the procedure of the marriage on the website of the German embassy in the respective country. The marriage performed abroad must then be recognized by the German embassy. When applying for a visa for family reunification after marriage, the person with a German passport usually does not have to be present. However, be prepared for the appointment at the German embassy. It may well be that unpleasant questions will be asked, similar to those asked at the Foreigners' Registration Office or the Registry Office (see "Possible questions at controls", p.35). After the application at the Embassy, the Immigration Office in Germany will probably contact the German person and also ask for information about the relationship, such as photos, proof of travel and communication or similar. The decision on the visa application can take between 3 and 6 months. The visa is then usually valid for 3 to 12 months. Make sure you make an appointment with the Foreigners' Registration Office in Germany in time to apply for a residence title before the visa expires.

3.6 Getting married in Denmark – the binational dream?

If you are both officially allowed to leave Germany, it may make sense to

think about getting married in Denmark. It is considered the EU country where binational couples can marry most easily: The procedure is quick, with fewer papers to file, and also much cheaper. Unfortunately, legislation was passed in 2019 to reduce so-called wedding tourism in Denmark, which exists because of slow and discriminatory German registry offices. Now all papers there are also checked by a central authority in Copenhagen. However, the marriage certificate required there, which must be applied for at the Family Law Agency in Denmark, is still less extensive. First of all, it is sufficient to submit a passport with a residence title and a certificate of unmarried status from the registration office in Germany. It is then at the discretion of the authorities whether further documents are requested. It is also still true that the fees are somewhat cheaper (for registry office and certificate of marriage ability currently about 350 €) and the whole process can be a lot quicker there. The inspection and approval of documents takes between two and four weeks. The marriage ceremony can then take place within four days, for example, at the Tønder Marriage Registry Office. It is important to note that in Denmark your passports must be valid for at least another three months, be less than ten years old and have more than two blank pages. Due to the long German-Danish wedding tradition, all papers can be submitted in German. In addition, the marriage is usually recognised in Germany without any problems and has the same legal consequences, i.e. a residence permit for the person without a European passport. However, people who are in the asylum process in Germany or who only have a "tolerated" status are not officially allowed to enter Denmark at all and thus cannot marry there. A foreign wedding in these cases can have devastating consequences, as the re-entry into Germany can be considered an "illegal" entry, which is a criminal offence and thus grounds for deportation (§ Unauthorized Entry).

3.7 As of when are you protected from deportation?

Unfortunately, this question cannot be answered unequivocally, as different courts issue different rulings. It

is disputed whether protection against deportation exists from the time when the required documents are handed in at the registry office or only after these documents have been examined by the competent higher regional court and their validity has been confirmed. Every step forward in the contact with the registry office is potentially helpful.

3.8 The wedding day: Getting married

How nice, everything has worked out so far! You will probably be at least a little nervous on this day. Remember that so many people have already managed to get married! Once the papers have been declared sufficient, you can't really go wrong in the ceremony: Smile and don't forget to say "yes"! The traditional kiss is not obligatory. Nevertheless, it is best to discuss this with each other and, if necessary, practise beforehand to avoid confusion. It can be very helpful to have supportive people with you. Together the day can become a beautiful memory. Taking photos of the wedding ceremony and the celebration later in the "shared flat" is also a good thing against the snooping authorities.

4. Living as a married person: What may change

4.1 Long overdue: the various residence permits

The first important step after marriage is to apply for a residence permit. This is a temporary residence title for family reunification. For this

purpose, the marriage certificate and proof of the partners' living and income situation must be submitted to the immigration authorities. In general, the applicant must always have a secure livelihood, a passport and no reason for deportation, such as a previous conviction (§ Residence Permit in General). The relevant factor here is the length of the sentence. Several convictions or sentences of more than 30 days tend to be regarded as "serious grounds for deportation". Overall, any previous convictions, as well as a negative credit report, can slow down the process. Support from a lawyer is highly recommended here! You used to have to prove A1 level German language skills, before being able to apply for a residence permit for family reunification. Fortunately, this requirement has been abolished.

Another important thing is to both be registered at the same address, as this is something the authorities only allow exceptions on for "valid" reasons. Experience has shown that being registered at different addresses is the most frequent reason for an investigation into the marriage to be opened. This is an example of discrimination against binational marriages. In the case of other couples, the authorities are not interested in how they live together; in some cases, separate residences are even supported by tax benefits (§ Eheliche Lebensgemeinschaft).

Insert 2: Demanded legal entry

If you came to Germany without a valid visa, that is seen as a criminal offence because of racist legislation (§ Unauthorised entry). This can lead to the immigration office refusing to issue a residence permit until the criminal proceedings have been completed. On the other hand, they may unfortunately also demand that a legal entry after the wedding with the correct visa. This means that the non-European spouse must return to her/his country of origin and apply for a visa for family reunification at the German embassy there. However, there are exceptions to this rule – in the end, it often seems to be a matter of discretion for the case

workers at the immigration office. For example, people are usually not expected to do so if they have entered into a homosexual marriage and are therefore possibly at risk in their country of origin. The guardianship of a minor or proven false counselling by the authorities can also be used as a counter-argument. If you are asked to re-enter the country, we recommend that you consult a lawyer about your options.

According to legal regulations, the length of the residence permit is initially set at three years. In the racist practice of the German authorities, the residence permit for refugees is often only granted for one year. The application must always be extended after the granted period (§ Right of residence with marriage).

After three years of marital cohabitation, it is finally possible: the permanent residence permit, the so-called settlement permit, can be applied for (§ Settlement permit). Unfortunately, this is not so easy, because the requirements for this are quite high. Both partners must confirm in writing that the marital partnership still exists at that time. In addition,

the person submitting the application must have an income of their own with which they can finance themselves. In addition, the test "Living in Germany" must have been passed, there must not be any prior convictions and German language skills of at least B1 level must be proven. Once the settlement permit has been granted, no means of subsistence is required (for the time being). The settlement permit is for an unlimited period of time, but must always be re-applied for once the passport has expired. Very important if you want to get divorced: The official date of separation should not be until after the settlement permit has been issued (see "Finally, the time has come: Divorce" p.40). If not, the application can be rejected on these grounds by the authorities. If it was not possible to fulfil the many requirements for a settlement permit,

you can apply for a permanent residence permit. For this, the marriage must also have lasted three years, but the language test, for example, is not necessary for the application. The first application does not have to prove that the applicant can support himself/herself. However, for subsequent applications does require you to provide this proof. A permanent residence permit must still be renewed from year to year and is therefore less secure than the settlement permit (§ Independent residence title). As a rule, German citizenship can be applied for after eight years of residence in Germany, and you must already have a permanent residence permit. One must also provide evidence of the B1 language level and a passed naturalisation test. Further requirements and information on the possibility of shortening the period of residence required for the application to seven years can be found on the Internet.

Insert 3: Terminate or continue an ongoing asylum application?

If the non-European person is in an asylum procedure, it will continue even after the marriage. The question of whether the procedure should be continued or at what point it should be terminated depends on several factors:▷ If the asylum procedure has a chance of leading to recognition of refugee status or even to asylum, it is advisable to continue it. If there is a double guarantee through marriage and a positive asylum procedure, the possibility of late naturalisation is already possible after 3 years.▷ Now and then it happens that an asylum procedure that previously seemed to have no prospect of success can be given a new chance of success after the conclusion of a same-sex marriage. It is quite conceivable that a person's homosexuality will be recognised as a reason to flee if homosexuality is punishable in the country of origin.▷ If the asylum procedure has no prospect of success both before and after the marriage, it is still a question of finding the right moment to end the procedure. In the application procedure for the residence permit, the

immigration authorities will probably quickly demand that you withdraw the asylum application. The reason given for this is usually faster processing and bureaucratic procedures. In this case, make sure that you definitely have protection against deportation because of the marriage and possibly have a legally competent person confirm that the chances of success are too low.

4.2 Financial hassles & other entanglements

Marriage generally has an impact on your entitlement to state support. If you decide to get married, it may be important to find out about Hartz IV, BAföG, housing benefits, assets and insurance. There may be new regulations in these areas. It is good to agree beforehand how you want to deal with any negative (as well as positive) financial consequences resulting from the partnership. In general, spouses form a so-called community of need. This means that you are obliged to support each other if one person needs money and the other person has enough money from the perspective of the authorities. Before the state gives out anything, it is first checked whether the spouse can provide the necessary support. If one of you receives benefits from the social welfare office (e.g. benefits according to the Asylum Seekers' Benefits Act), you should inform the social welfare office about the marriage first. A late notification to the Social Welfare Office can lead to nuisances and possibly to back payments.

4.2 A) Hartz IV: Perhaps the most significant change concerns the so-called Hartz IV entitlements. In the case of unemployment, the Hartz IV rate for married couples is calculated together. Depending on the financial situation, this can lead to the Hartz IV rate being reduced because the spouse earns "too much money". If one person has more, he/she must officially give something to the person receiving Hartz IV and the monthly money from the Job Centre is lowered. Assets, i.e. money that is just lying around, can also have an effect on the Hartz IV

rate. The amount of assets you can have is age-dependent. Both are allowed to have 150 € per completed year of life. Thus, depending on age, the minimum basic allowance is between € 3,100 and a maximum of € 9,750. However, even without "a lot" of assets or income, the Hartz IV rate for married people is lower (since it is assumed that material things are shared in everyday life), and people in a "community of need" are only entitled to 90% of the standard rate. This amount is supposed to be enough for everything one needs to live, except rent and insurance.

4.2 B) Debt: Here the situation is a little more pleasant! One person's debts do not affect the other person's debts, regardless of whether they were incurred before or after the marriage. The exception is, of course, if one has co-signed something, such as a loan or similar. However, there can be consequences if you live together. For example, one of you may be subject to repossession measures due to the spouse's failure to repay. Your odds are better if valuable items are listed in your name, because officially the debt collectors are only allowed to seize the property of the person in debt.

4.2 c) BAföG: With regard to state financial support for studying, so-called BAföG, it can also happen that a person who previously had no entitlement because their parents have "too much" income becomes entitled to BAföG through marriage.

4.2 D) Insurance: With regard to insurance, this is also good news: a person without a European identity card gains access to the so-called social insurance system (i.e. to statutory health, unemployment, pension, accident and long-term care insurance) through marriage. If you take out insurance together, you only have to pay one contribution, which makes the whole thing a lot cheaper. Officially, spouses are obliged to support each other financially in the event one of them becomes care-dependent. Of course, this also depends on how much money the other person actually earns.

4.2 E) Health care: In the event that at some point you are health-wise not in the position to make decisions about medical treatment yourself, in practice the next of kin, i.e. also your partner, will often be contacted by

doctors. This means that it makes sense to issue a health care power of attorney or at least a living will and, if necessary, a care directive if someone other than your partner is to make decisions in this case.

Under current law, spouses can neither automatically make decisions about medical treatment for the other person nor legally represent them if they can no longer act for themselves. So far, this is only possible if the partner has been appointed as a so-called "legal guardian" or has been authorised by the other person through a power of attorney.

Nevertheless, in practice, especially in the absence of such documents, the next of kin, i.e. also the partner, are contacted by doctors in order to agree on the decision about any further treatment. This means that it makes sense to issue a health care proxy or at least a living will and, if necessary, a care proxy if someone other than your partner is to make this decision. You can find a sample for this power of attorney here: <https://www.bmjv.de/Shared-Docs/Downloads/DE/Service/Formulare/Vorsorgevollmacht.html?nn=6765634>

4.2 F) A small note on tax matters: Marriage gives partners the advantage of being able to choose tax brackets so that they pay less overall. At the same time, however, the joint tax relationship can be of significance in the case of a "fictitious marriage", i.e. with regard to criminal law. The argumentation of the racist authorities tends to follow the line that money that belonged to the German state was pocketed.

4.2 G) Right of inheritance: In case of death during marriage, the partner is entitled to a part of the inheritance. Unmarried children are equal in the inheritance. However, the acceptance of an inheritance can also be rejected. This is a good idea if the inheritance includes significant debts.

4.2 H) Parenthood: Children born during the marriage and up to almost one year after the divorce are considered legitimate by law. The (ex-)husband is therefore obliged to pay child support. If he does not accept paternity, he can file a paternity suit in which it is established that the husband is not the father. It is important to do this within the time limit of two years from learning about the relevant circumstances. However, a complaint can also be filed by the child, represented by the mother.

4.3 Criminalisation of marriages: Racist controls & surveillance

There are several potentially critical moments in the whole process. With so much at stake, it is important to try to think from the perspective of the authorities, in order to protect yourself from them. Once again, the level of controls depends on your specific case. If one person can only present a toleration permit or no residence papers at all at the registry office, it is possible that the officials will pass the matter on to the immigration authority even before the marriage has taken place (§ registry office). You can also run into problems if the marriage took place outside of Germany and you attempt to have the marriage recognised by the German embassy. Sometimes the immigration authorities also initiate further investigations if they have a "suspicion of a sham marriage", i.e. a suspicion of "the lack of maintenance of cohabitation" (§ sham marriage). This vague description usually leads to officials making decisions on the basis of all kinds of sexist-racist stereotypes. For example, they might judge the marriage to be a sham based on considerable age gaps (especially if the woman* is older than the man*), a wedding that took place shortly before deportation, having no common language or past binational marriages of the German person. Checks are particularly likely to be carried out when one is applying to extend or reapplying for a residence permit. If you are convicted of a sham marriage beyond reasonable doubt, this usually means deportation for the person without a permanent residence permit. Both the residence title and the citizenship obtained as a result of it can be withdrawn. In most cases, the person without a European passport is punished more severely and sentenced to a higher penalty than the person with a German passport. For the person with a German passport, there can be a prison sentence of up to three years or a fine (with a five year statute of limitations). In practice, the decisive factor here is whether the person with privileged residence status has enriched himself or herself, e.g. demanded money for marriage, and of course, as always, if there is a prior criminal record. Experience has shown, however, that there must be some indications for such a conviction (§ On the punishability of so-

called marriages of convenience). Again, if you are affected by any of these control attempts, it can be very useful to seek advice from a lawyer about your obligations and rights. We have already heard about the following control measures:

▷ Parallel questioning of the spouses: This means that the spouses are asked the same questions in different rooms and the answers are compared (see "Possible lines of questioning during inspections" p.35).▷ Home visit: Here in Germany, the public order office that usually just drops by without notice and wants to have a look at the flat or the room. As such, they have no right to do so without a search warrant. However, a "successful" visit can help to allay suspicions. In order to be prepared for something like this, you can "not be there" at the time of the spontaneous visit or not open the door and insist on an appointment. It is also in the interest of the representatives of the authorities not to always find themselves in front of a closed door or residents that refuse them entry. During these visits, they sometimes inspect things down to the smallest details: Toothbrushes, dirty laundry, cosmetic articles, photos, cleaning schedules, etc. Usually, they also ask questions about: pictures, how the spouses met, how the wedding was or similar things. Such a house inspection can be emotionally very stressful, especially if you actually live in that place.▷ Interviewing neighbours: Depending on the living situation, it may make sense to somehow let the neighbours know that a married couple now lives there.▷ Previous residence check: Sometimes the previous address of one of the spouses is checked to see if the person still lives there.▷ Parent questioning: This has also happened before, so it should be considered whether the parents should be informed or whether it should be agreed in principle with the parents not to answer any questions about the children.▷ It is quite possible that the immigration authorities have also arrived in the digital age. Therefore, you should also think about what your profile on Facebook, Instagram, etc. tells them about yourselves and, above all, who can see it.▷ At least something is laid down by law: No sweeping investigations may be carried out to find indications of a sham marriage.

Insert 4: Possible questions during checks

(from the Kanak Attak marriage guide)

About the marriage: When did you meet your husband or wife? Where was that? Through whom did you meet? When did you decide to get married? Why do you want to get married? Who proposed or who first had the idea? When and from which authority did you obtain the certificate of no impediment to marriage? When and where did you buy your wedding rings and wedding dress? What surname do you and your partner want to adopt after the wedding? Do you already have plans about the design of your wedding or wedding reception? Where will it take place? Where will you go on your honeymoon? What are your plans for the future together? Where do you want to live and how will you finance yourselves? Do you live in a shared flat or have you already lived together? Has your spouse been married before? Can you imagine marrying your partner abroad and living with them there? When and where did your engagement take place? How did you celebrate your engagement? Did friends or relatives come? Did you take photos of the engagement? About your partner: Describe the appearance of your partner! What colour are your partner's eyes? How tall is your partner? Do you or your partner drink coffee or tea and, if so, how? Black, with milk and sugar? What hobbies does your partner have? What is your partner's favourite food? How does your partner shave (wet or dry)? What perfume does your partner use? List the names of your best friends (mutual friends, your partner's). Where does your future spouse live? Give the exact address and, if available, the telephone number! What exactly does your partner's flat look like (carpet, wallpaper, TV, room size in square metres, how many rooms; in the case of a shared flat, the names of the flatmates)? Give the names and ages of your future parents-in-law! State the place of residence of your future parents-in-law! How often have you been in contact with your partner's family? What is your partner's profession and what school-leaving qualification do they have? Give the full name and date of birth of your partner!

About your life together: How often do you see each other? Are there any

activities that you both do together? How did you spend Christmas and New Year's Eve? What did you give each other for Christmas, birthdays and engagement? Do you watch television together? If so, which programme? How do you communicate? Do you take photos together? Do you or your partner smoke? What brand? Have you eaten together? Who does the cooking? Who does the groceries? Who does the rest of the housework? Describe your daily routine together. What did you do last weekend? Do you or your partner have brothers or sisters? Do you know them? Where do they live? Do you have pets in common? Do they have a telephone? Is there a radio in the bathroom? Do you have a shower or a bathtub? Do you cook on gas or electricity? Is there a television in the living room? What colours are your wallpaper? ... A particularly nasty question from the registry office: "Why do you want to get married?" Answer: "Because I want to stay with my beloved in Germany!" Registry office: "So you want to stay in Germany - clear suspicion of a sham marriage."

4.4 A few thoughts on communication, privilege and responsibilities

In most cases, the first three years after the marriage do not involve constant dealings with the authorities. In principle – if everything goes smoothly – after the whole organisation of the wedding, the "shared" flat and the visa for family reunification, a joint visit to the authorities is only necessary in individual cases. Reasons for this can be, for example, the extension of the visa, an expired identity card or an application for social welfare. Nevertheless, even after the wedding there is always paperwork that has to be organised jointly. Depending on your living situation,

official mail will of course always be sent to the joint address and must be reliably forwarded.

Marriage will impact your decisions for the next few years, although the extent to which this impact is felt varies greatly. Matters such as staying abroad for a long time, moving to another city or having children can be complicated. But of course, in the vast majority of cases, solutions can be found together. However, for all kinds of difficulties, it is important that there is careful and reliable communication. It can be very advantageous to have more people involved in the process to help with organisational and emotional matters. It can also help to make precise arrangements and keep them somewhere – well hidden, of course. If the purpose of your marriage is to secure your residence, think hard about whether you want to combine this with a romantic relationship or whether a friend is better suited for this. With all the possible turbulences of a marriage for papers, it is very important to be able to rely on each other in the long term. If you decide to marry your partner, discuss the consequences that conflicts between you or a possible break-up would have for your marriage early on. It is generally advisable to discuss possible emotional strains and tensions in advance. In a lot of cases, the relationship between the marrying people changes because of it. The inequality in privilege is quasi-privatised in marriage. Since there is a so-called marriage period for the people who get a residence permit through marriage, the migrated people find themselves in a strong relationship of dependency towards the person with a German passport. It is important to be aware of this dependency in order to handle it as carefully as possible. One strategy can be to understand marriage not as a personal support but as a collective political practice in which the spouses have a permanent role. Other people could also take responsibility for the relationship, the communication and the official tasks. However, you should take care not to create too much exposure. Being reported to the authorities or rumours being spread by third parties are basically the only way for the immigration authorities to uncover a marriage for papers. Depending on your way of life, there may also be additional fear of police checks, as this draws attention to the marriage. In this case, it can help to consult with others about which concerns are justified and which are perhaps rather unrealistic. In general, it becomes apparent time and

again how poorly public authorities work together. For example, in order for a criminal investigation officer to be interested in your reasons for marrying and to work together with the Foreigners' Registration Office, she usually has to have a very strong personal interest in your case. In principle, it is very important to involve trusted people who can support you!

5. It's finally time: Divorce

5.1 Timing and procedure of the divorce

In marriages, you can usually file for divorce at any time. In the case of a marriage for papers, it is important that the marriage lasts at least three years in order to be able to obtain at least an independent residence title (see "Long overdue - the various residence permits"). The so-called required duration of marriage has changed again and again over the years and is the result of political struggles. It is important to note that these three years are only counted from the date the residence title is granted and not from the date of application! In general, this is the best procedure if you want to get divorced: You should get separate addresses, officially notify the immigration authorities of the separation, and the non-German person should look for a socially insured job during the prescribed year of separation, if they do not have one at the moment. After this year, the legal divorce can be executed.

5.2 Prenuptial agreements

Unfortunately, marriage also entails obligations, some of which may even last beyond the duration of the marriage. Some of the financial obligations that arise from marriage can be excluded by a marriage

contract. If the marriage was concluded primarily for the purpose of a residency permit, a marriage contract can make sense in order to partially avoid these financial obligations. The usefulness of this also depends on how much income or assets you have. The contract is usually drawn up by a notary shortly before or directly after the marriage. If the contract is registered too late, it can be rendered invalid. In general, in order to be seen as legally binding, the contract must be recognised by the court, i.e. it must not be considered disproportionate. What exactly that means is once again a matter of discretion of the officials.

Unfortunately, it is not very cheap to have such a contract drawn up (about 200-300 euros). Usually, the following will be regulated in the contract:▷ Post-marital alimonies due to differences in income can be excluded, but this does not apply during the official separation period, when one is still married on paper. There can also be complications if one of the spouses can no longer work or no longer wants to work and applies for social welfare. It is possible that the office will first ask your ex-spouse. This is decided on a case-by-case basis. However, as far as we know, your odds are better if you have a prenuptial agreement.

▷ Separation of property: All property acquired during the marriage is jointly owned and must be divided accordingly in the event of divorce. This can be excluded in the marriage contract.▷ Pension equalisation: This means that the division of pensions can be excluded. The implementation of the pension equalisation proceedings can delay the divorce by months.

5.3 The year of separation

The divorce petition can be filed with the family court at the earliest after one year of separation (§ divorce). It is easiest if you register at separate residences during this year. However, it is also possible to continue living together if it you can justify that it is not possible to move out due to financial reasons or the housing market. Officially, you will need separate living quarters. This means that when you file for divorce, you must declare in an informal statement that your households will be kept

separate from each other. Normally this will not be checked further. However, the authorities may ask for proof of separate accounts in order to exclude cohabitation. Note: If the person without a European passport does not yet have a settlement permit, but "only" an independent residence title, it is important that they must prove that they are able to support themselves at the latest one year after the separation, when applying for an extension of the residence permit (see "Long overdue - the various residence permits" p. 24). Theoretically, if one of you earned more than the other during the marriage, the "needier" person is entitled to monthly cash payments during the separation period so that the accustomed standard of living can be maintained. Of course, this is only relevant if one of you claims it, which would be unusual in an agreed-upon marriage for papers.

5.4 Filing for divorce

The divorce petition at the family court must be filed by a lawyer. The family court is located in the place where you are registered. If both of you want a divorce and you agree on the division of the flat, the household and the maintenance, the family court will only examine the separation year and determine the court costs. This is called an amicable divorce. You jointly only need one lawyer for this. The procedure takes between 3-12 months. However, if for some reason you do not agree on the consequences (maintenance, household effects, flat), the court will have to settle the divorce in a contested divorce. This is an expensive and lengthy affair and should be avoided at all costs. Since we are assuming here that this is a marriage for papers, we assume that the divorce will be amicable. Information on non-consensual divorces can be found easily explained online (see "Further information and contact points", p.62).

5.5 Costs of the divorce

In the case of a divorce, both legal fees and court costs are incurred, and these can be hefty. They depend on the income of the spouses, but the minimum is nevertheless about 1,000 €. As a rule, the person filing for

divorce has to pay some of these costs in advance. The court makes the final decision on the costs and how they are to be divided. If you have a low income or high debts, you can apply for legal aid. If this is granted, you do not have to pay any court costs. Whether the state will also pay your lawyer's fees depends on your income. Either all costs are covered, or you have to pay back the lawyer's fees to the state in installments. Finally, a bit of justice after all this harassment: If you are currently receiving Hartz IV, you usually don't have to pay anything at all. The divorce proceedings are then completely free of charge. If only one of you is "needy", that is, if your income is too low, the other person must officially pay the entire costs. By now, there are also divorce proceedings that take place entirely online. This is supposed to save time and money, especially if the divorce is amicable.

5.6 The divorce proceedings

Required documents:

- ▷ Necessary: Original marriage certificate and identity cards at the divorce hearing
- ▷ Useful: divorce settlement agreement, application for legal aid (together with proof of income, proof of liabilities, tenancy agreement). ▷
- Possibly: pension equalisation forms, copy of the birth certificates of the shared children.

As soon as the divorce petition and the court costs have been received by the family court, the divorce petition will be formally served to the spouse by the court in one of these classic yellow envelopes. This person must then officially agree to the divorce. What follows is the equalisation of pension rights, which in the best case has already been excluded in the marriage contract. It also simplifies the procedure if you bring a notarised divorce settlement agreement to the court hearing. Otherwise you will have to reach a settlement there. Once all the issues have been settled, the judge will announce the divorce decree or order at the court hearing, but these are only valid after one month has passed. If

you are in a hurry, you can have a lawyer announce your waiver of appeal. Then the divorce is valid from the moment it is pronounced and, if you feel like it, you can theoretically get married again right away!

6. An account of a marriage for papers

Sina is 26 years old, born and raised in the Rhineland. Khai moved to Düsseldorf from Malaysia after school and is now 33 years old. They have been friends for six years and have now been married for over three years.

What were your personal reasons for entering into a marriage for papers?

Khai:

My reasons were to secure my residence and livelihood. I came to Germany to study, and through the years I built a new life here. I didn't want to lose it all at once. I knew that if I exceeded a certain period of study, my visa would not be extended.

Sina: I wanted to support my friend and I also thought it made sense to share the privileges of my German passport. It felt so unfair that I do just happen to have the opportunity to freely choose my place of residence,

How did you find each other and decide to get married?

Khai:

We had met by chance at a concert about two years before and had been friends ever since, but not particularly close. Every now and then we would paint or play music together. One evening, over wine, we talked together about the problems with the visa and she suggested that we could get married. I was unsure at first, as I had already gone through this with two other friends and they had changed their minds. I had to muster up a lot of confidence to try this route again.

What were the hurdles in the process?

Khai:

The search for information and the paperwork were annoying. It was also hard for me to tell my flatmates that Sina had to move in with us on paper. I was worried that they wouldn't support it – luckily this was unfounded. We were then also able to convince our landlord that there are now two of us living in my small room.

Sina:

For me, it wasn't that complicated organisationally. I never actually moved, but I re-registered, put my name on his doorbell and distributed some clothes, toiletries, etc. around the flat. We also practised the possible control interview questions together – just in case. It felt much more difficult to emotionally prepare myself and my family and friends. As we had heard that the authorities sometimes ask the family for verification, we felt it was inevitable to involve them. These were very unpleasant conversations for me.

What are your experiences with checks from the authorities?

Khai:

I am afraid of inspections. In the first two years, I always tried to arrange

my room in such a way that you would have the impression that Sina was also living there. During that time, I was also always a little scared when the doorbell rang and I didn't know who it could be. I told my flatmates not to let anyone they didn't know in.

Sina:

We had no problems with the authorities trying to check if we were "really" together. I think it's because we fit into the normative image of a binational couple: He is older than me and had been in Germany for many years before we got married. We live in the same city and both speak German.

What would you recommend to people who are planning something similar? What is important to look out for?

Sina:

I would say that a marriage for papers is definitely feasible in terms of organisation. There are also a lot of "real" couples who do this. However, I think it's very important to have a secure level of trust when you decide to do it. You simply have to be able to rely on the other person, if only because there is always organisational stuff that you have to sort out together.

Do you think marriage is a suitable means of fighting deportations? Would you advocate for this possibility being used more often?

Khai:

Yes, for the moment definitely. There are not that many opportunities for foreigners to live in Germany if you don't quite meet the requirements. I think it's a loophole in the law that we should use. Nevertheless, it's not a very easy path either, you have to be aware of that.

Sina:

I see it similarly. I think marriages for papers are also a strong sign of disagreement with the current situation. On the other hand, this also individualises the issue of migration to a certain extent. Therefore, I think it makes a lot of sense to see a "marriage to stay" as a collective political action and, in the best case, to look for a larger circle of support. Besides all of this, it is still necessary that something changes on a political level and we all have to fight for this together in solidarity.

7. Glossary: some attempts at explanations

* **Binational:** Concerning two nations. We don't care much for nation states, but their borders unfortunately have real, far-reaching effects. That's why we use the term - not to reproduce its power, but to poke holes in it.

* **Certified:** This refers to something being checked for "truth" or "accuracy". Mostly it is about the authenticity of signatures. Lawyers or some authorities can certify certificates, contracts and other documents with a stamp. This usually costs money.

* **Discrimination:** The word translates to 'differentiation' and describes the different treatment of people based on certain characteristics. Specifically, people are often discriminated against based on their gender, skin colour, origin, religion or age. There is usually a group of people who are discriminated against and a group of people who have advantages as a result of it.

* **Third country:** All countries that are not members of the EU are termed third countries.

* **Marriage duration:** This is the minimum period of time that the marital partnership must have existed in Germany before the partner is entitled to an independent residence title. The dependence on the spouse is particularly high during this period.

* **Marriage contract:** A contract is an agreement between at least two persons. For a contract, both persons must be in agreement. In the marriage contract, important things are written down for the time of the

marriage and afterwards.

* **Gay marriage:** This is the possibility to get an entry in the marriage register even if your loved one has the same gender as you. The fact that people have fought for this equality is big win. Hopefully it will one day seem so self-evident that there will be no more additional chapters on this topic. We have decided to use this term for lack of meaningful alternatives and because we think it is good to re-appropriate terms.

* **Genderasterisk „*“:** We have used this whenever we have wanted to clarify that we see gender as a social construct with limited explanatory value – especially when people didn't choose it themselves.

* **Illegalised:** Illegal means that something is prohibited by law. To illegalise means to make something illegal. Through discriminatory and violent laws, the EU has made people who come to Europe without a residence permit "illegal", i.e. illegalised. We fundamentally criticise this system.

* **In solidarity:** Translated, the word means "belonging together". You can be in solidarity alone, in a group or with a whole lot of people. The word means to help, support and join struggles with each other.

* **Schengen area:** This refers to a zone in which people with a passport of a member state or a Schengen visa can move "freely" across national borders. Since 2015, however, there have nevertheless been controls at most border crossings. The Schengen area covers most EU countries, with the exception of Ireland, Romania, Bulgaria, Croatia and Cyprus. Although not members of the EU, countries such as; Norway, Iceland, Switzerland and Liechtenstein are also part of the Schengen zone (as of 2021).

8. A jumble of paragraphs

8.1 Right of residence with marriage

With a marriage, the partner without German citizenship has acquired a legal entitlement to the granting of a residence permit according to §28 paragraph 2 AufenthG. The prerequisite for this is that the partner with German citizenship has his or her habitual residence in the country.

8.2 Residence permits in general

In general, Section 5 of the Residence Act always applies when applying for a residence permit. It states that the person applying for a residence permit must be able to support themselves, must have a valid passport and must not have any grounds for expulsion (e.g. a criminal record). The only exception to this is in the case of refugee status.

8.3 Right of residence during an ongoing asylum procedure

The status as a refugee exempts me from the obligations under § 5 AufenthG (see § Residence permits in general). The right of residence is then regulated according to §§ 55-70 of the Asylum Act. The refugee status is valid from the first day of the application for asylum until the last negative court decision. For this time, there is a so-called residence permit. If the asylum application is rejected, the person in question has thirty days to leave the country. If they cannot leave the country because they do not have a passport or are pregnant, for example, the deportation is postponed. Then, from a legal perspective, the person in question is "tolerated" during this time. It is very important to note that they are not allowed to leave the country either during the asylum procedure or when they have a tolerated status!

8.4 Tolerance for the purpose of marriage

For illegalised people there is also the theoretical possibility of being granted "temporary suspension of deportation" (toleration) in order to marry, according to section 60a (2) of the Residence Act. We do not know how likely it is that such a toleration will be issued for the purpose

of marriage. We would always recommend consulting a lawyer about this.

8.5 Marriage in general

Marriage and family are under the special protection of the constitutional rights (Article 6 GG). Even the Declaration of Human Rights Art. 16 or the European Convention on Human Rights Art. 8 and 12 state the fundamental right to marry from the age of legal adulthood. Thus, theoretically, every person has the right to have their family and private life respected. When it comes to fighting for the right to marry, for example before deportation and in case of illegalised residence in Germany, these laws can be used as an argument.

8.6 Marital cohabitation

Section 1353 (1) of the Civil Code defines marital cohabitation as follows: "The spouses are committed to each other in marital cohabitation; they bear responsibility for each other." In commentaries, however, lawyers are still arguing today about how a cohabitation and its maintenance are to be assessed. The central question seems to be whether the spouses have a centre of life that guarantees constant contact. Whereas in the case of German couples the marital partnership does not have to be a domestic partnership, many immigration authorities attach importance to the fact that binational couples also have a domestic partnership.

8.7 Independent residence title

After three years of marital cohabitation, the applicant may apply for an independent residence title in accordance with section 31 (1) of the Residence Act. The independent residence title must be applied for anew every year. It is particularly important to apply for this title if the requirements for the settlement permit are not met or a separation is in the foreseeable future, as it is also valid independently from the marriage.

8.8 Marriage without one of the spouses holding a European passport

If neither person holds a European passport, the residence title is issued in accordance with Section 30 of the Residence Act. This paragraph is called "spousal reunification". It is also possible to apply for a residence title through marriage, for example if a person has a settlement permit or is an EU citizen. It is important that in this case the decision is made according to section 30 and not according to section 28 of the Residence Act.

8.9 Gay marriage

Since 2017, people of the same sex* can also officially marry in the registry office (before that, they only had the option of registering a so-called civil partnership). Section 1353 of the Civil Code now states: "Marriage is entered into for life by two persons of the same or different sex."

8.10 Settlement permit

After three years of marital cohabitation, a settlement permit can be granted by applying section 28(2) of the Residence Act. This is an unlimited residence permit. It is always issued until the expiry date of the passport (for the passport obligation see § Residence title in general). Then the settlement permit must be applied for again with the new passport. It is disputed whether only the time with a residence permit according to § 28 AufenthG counts towards the three years or also other visas, such as student visas. The settlement permit is linked to other requirements on top of the continued marital union, such as passing a "Living in Germany" test or proving German language skills at B1 level.

8.11 Divorce

Marriages in Germany are divorced exclusively at the request of one or both spouses by order of the locally responsible family court. According to § 1564 ff. BGB and § 121 ff. FamFG, they can be dissolved only by decision of the court.

8.12 Marriage of convenience

A "marriage of convenience" is defined by the Council of the European Union as "the marriage of a national of a Member State or of a third-

country national residing legally in a Member State for the sole purpose of circumventing the legislation on the entry and residence of third-country nationals and obtaining a residence permit or authorisation in a Member State for a third-country national."

8.13 So-called unfounded asylum application

Section 30(3)(4) of the Asylum Act states that an asylum application may be rejected as unfounded if the application was made to prevent imminent deportation, if there was sufficient opportunity to make an application beforehand.

8.14 Civil registry office

The law obliges civil registry offices to refuse their cooperation in the marriage (§ 1310 BGB) "if it is obvious" that the spouses do not want to enter into a "marital partnership" (§ 1314 para. 2 BGB).

8.15 Criminal liability for so-called marriages of convenience

The offence of pretending to enter into a "conjugal partnership" is governed by section 95, paragraph 2, no. 2 of the Residence Act and can be punished with up to 3 years' imprisonment or a fine. The statute of limitations is 5 years and is based on section 78, paragraph 3, no. 5 of the Criminal Code. Furthermore, a conviction for a so-called "marriage of convenience" leads to the revocation of the residence title or citizenship. Section 48 VwVfG applies to this.

8.16 Unauthorised entry

Also known as "illegal entry", it is a criminal offence under section 95 of the Residence Act to enter Germany as a non-European person without a visa or passport. Such a criminal case may make it more difficult to obtain a residence permit. Furthermore, it is possible that the immigration authorities will also demand a subsequent legal entry if you try to apply for a residence permit there.

9. Further info and places to contact

9.1 Marriage for papers

<https://politicalmarriage.noblogs.org/>

- A very detailed and up-to-date reader in German. If you have serious marriage aspirations, we definitely recommend you have a look there!

<https://marryme.blackblogs.org/>

- Advice on the subject of marrying for papers

<http://schutzehe.com/>

- Great brochure on the issue of marriages for papers in many languages, but from 2002.

https://www.kanak-attak.de/ka/down/pdf/ka_heirat_brosch.pdf

- Compact information in German on marriages for papers, also written in the early 2000s.

<http://d-a-s-h.org/dossier/13/>

- Texts on marriage and migration, written before 2005

Antje Dertinger: Schenk mir deinen Namen, 1999

Institut XY: Der besondere Schutz der Ehe und Familie. In: kein mensch ist illegal, 1999

Irene Messinger: Schein oder nicht Schein, 2012

Verband binationaler Familien Partnerschaften (ed.): Binationaler Alltag in Deutschland, last edition from 2012

9.2 Binational marriages in general

<https://www.verband-binationaler.de/>

- The Association of Binational Families and Partnerships works nationwide at the intersection of family, migration and education policy.

<https://familieretshuset.dk/de/ihre-lebenssituation/internationale-ehe-schliessungen/internationale-eheschliessungen-1>

- Information on marriage in Denmark

9.3 Asylum

<https://www.proasyl.de/>

- A human rights organisation working for the protection of asylum seekers

<https://aktionbuergerinnenasyl.de/>

- Initiatives in many cities publicly stating their willingness to protect refugees from deportation

9.4 Legal

<https://anwaltssuche.rav.de/>

- Federal Association of Lawyers – search for lawyers by city

<https://dejure.org/>

- Laws on the internet for reference

9.5 Divorce

<https://www.scheidung.de/>

- Information on divorce explained simply

9.6 Local counselling centres

In many cities there is a student group called "Refugee Law Clinic" that offers legal advice, as well as a "Refugee Council" that tries to support migrants locally.

Köln:

<https://agisra.org>

- Contact point for migrating women*.

<https://rainbow-refugees.cologne/>

- LGTBIQ Refugee support

<https://www.wikukoeln.de/anlaufstellen/fluechtlingsberatungsstellen/>

- Willkommenskultur Köln, various neighbourhood initiatives for refugees.

Hamburg:

<http://cafe-exil.antira.info/>

- brochure with initial information for asylum seekers, as well as regular counselling services

<https://www.queer-refugees.hamburg/>

- information from the Hamburg network for LGBTI* refugees

<https://queer-refugees-support.de/>

- support for queer refugees

Leipzig:

<https://www.rosalinde-leipzig.de/de/beratung/queer-refugees-network/>

- Queer Refugees Network Leipzig

<https://infobusleipzig.org/>

- Infobusleipzig offers open office hours for refugees and asylum seekers

<https://www.facebook.com/klein.rot.bissig/>

- Peperonici e.V: Free legal counselling for refugees and asylum seekers
asylum seekers

Berlin:

<https://www.kub-berlin.org/de/>

- Contact and Counselling Centre for Refugees and Migrants e.V.

<https://lesmigras.de/lesmigras-home.html>

- Anti-discrimination and anti-violence section of Lesbian Counselling Berlin e.V.

<https://www.women-in-exile.net/>

- Women in exile is an initiative by and for women who are refugees

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

- Migration Council Berlin

We are very happy to receive feedback and criticism or tips on blind spots and missing perspectives.

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Email: marryme@riseup.net (PGP key on request or on the website)