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BEARBEITET VON  
Christoph Tannenberger

Referat: 509

BETREFF **Visa application / residence permit**  
HIER **Application of Mrs. Gazale Önder (Salame) / Siala family**  
BEZUG Your letter dated February 22<sup>nd</sup> 2010  
ANLAGE - ohne -  
GZ 509-516 Vi Siala / Önder (bitte bei Antwort angeben)

509-10@diplo.de  
www.auswaertiges-amt.de

Berlin, 30. März 2010

Dear Mrs. Fernandes,

thank you for your letter to Cancellor Dr. Angela Merkel on behalf of Mrs. Gazale Önder (Gazale Salame) and her husband Ahmed Siala. It was forwarded to the visa department of the Foreign Office.

In issuing visas, our missions are bound by the relevant provisions of Community law and German aliens law (the Residence Act and its implementing ordinances).

Mrs. Gazale Önder has – after a decision of the Higher Administrative Court of the Federal State of Lower Saxony – been deported from Germany in February 2005 together with her daughter Shams. A son was born in Izmir later that year. Mr. Siala and two other children stayed in Germany. They are also obliged to leave the country. A lawsuit fighting his deportation filed by Mr. Siala is still pending. As soon as Mr. Siala's case is finally decided and he has received a new residence permit, Mrs. Önder and the two children who live with her in Izmir can file applications for family unification and residence permits for partners and children. At the Moment there is no other possibility for Mrs. Önder to receive permission to re-enter Germany.

Visitors visa can not be issued to Mrs. Önder and her children. The Residence Act does not grant the right to a visitor's visa. The applicant must not only prove that he/she has adequate funds for the intended stay and may not claim any public funds in this connection. Our Consulate in Izmir must also be satisfied of Mrs Önder's willingness and ability to return to her own country. I can confirm that the refusal of her last application for a visitors visa was in full accordance with German aliens law and the Schengen Agreement.

Sincerely,

A handwritten signature in black ink, consisting of a stylized initial 'C' followed by a long horizontal stroke that ends in a small loop.

Christoph Tannenberger