News

by Katholische Nachrichten-Agentur

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Mother Mechthild Thuermer has granted refuge to female asylum-seekers in her monastery in the Bavarian town of Kirchschletten more than 30 times. Ordered to pay a fine for the first time, she refused and now faces trial.

The main hearing at the Bamberg district court was, however, canceled at short notice on July 20 because the judge wanted to wait for a possible further trial against her, a court spokesman told Germany's Catholic News Agency (KNA).

"I acted out of Christian spirit," the 62-year-old abbess said. "To give concrete help to a person in need can't be a crime."

In autumn 2018, she decided to take in a young Eritrean woman who was due to be deported to Italy.

It could become a landmark case by determining whether granting church asylum amounts to the punishable offence of "aiding and abetting illegal residence," as state prosecutors often interpret it. There is no supreme court ruling on this issue yet.

Up to now, authorities in Bavaria have mostly dropped proceedings against people granting church asylum and imposed no penalties. In a few cases, they offered to close cases in exchange for a fine. If the accused agreed, the matter was over, although this did not amount to an acquittal.

Franz Bethaeuser, Thuermer's lawyer, has long been hoping for a fundamental clarification of the issue by the justice system in order to give people legal certainty.

The hearing in Bamberg isn't just about Thuermer. It's also about whether the 2015 agreement between the churches and the government on church asylum still stands. Under that agreement, authorities tolerate asylum while the asylum-seeker's individual application is examined, provided that he or she is not hidden.

The Freising district court ruled in 2018 that as long as the state does not enforce an asylum-seeker's obligation to leave the country, church asylum cannot be punishable.

Bavarian Interior Minister Joachim Herrmann urged the police and immigration authorities to stick to this line and not to deport refugees directly from church care. But as yet, asylum-seekers and their hosts have no legal claim and hence no final security in the matter.

"I can't see that I did anything wrong," Thuermer said. She found out a few days ago that a further case has been opened against her for granting church asylum again in January

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