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Classification

Department of State TELEGRAM

INDICATE:
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USMISSION BERLIN

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DISTRIBUTION
E.O. 11652:
TAGS:
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XXXXX
GDS
ETRD, XH
GDR EMIGRATION POLICY
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HELSEINKI FOR USDEL MPT
BERLIN 0761
KMXK LIMDIS
REF: A. State 80268
B. Berlin 733
C. Berlin 1804 of Oct. 19, 1972
1. East German emigration policy is one of most restrictive in Eastern Europe. Current GDR Constitution (1968) does not contain provision ~~(of Article 19)~~ of 1949 Constitution according to which East German citizen had right (on paper at least) to emigrate, and provides only for freedom of movement within GDR. Even

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this right, however, can be limited by law. Travel to West for visiting purposes is also severely restricted.

Attempts at unauthorized exit (Republikflucht) are subject to severe ~~penalties~~ penalties.

Moreover, GDR's western borders are equipped with intricate system of barriers, including mine fields and automatic shooting devices, and border guards have standing orders to fire at would-be escapees. Most recent shooting incident occurred at Berlin Wall, in which escapee was killed (Ref B).

2. No GDR emigration laws or regulations have been made public but presumably such exist in unpublished form to provide "socialist legality" and guidance to GDR officials handling emigration requests.

3. GDR pensioners, unproductive element which regime evidently regards as economic burden and therefore expendable, are only category of citizens exempted from otherwise virtually total ban on private travel to West. They are allowed one or more trips totaling up to 30 days a year. Some are also permitted to leave ~~country~~ ^{country} permanently, and some simply fail to return. In context of FRG-GDR Basic Treaty, GDR agreed to certain measures for reunification of families; ~~assessment of implementation~~ ^{effect} will be ~~possible~~ ^{evident} only after that treaty enters into force.

4. According West German figures, 11,627 GDR residents, almost without exception pensioners, legally emigrated to FRG/West Berlin in 1972. Further 5,537 left GDR illegally, of whom 1,245 in circumstances dangerous to their lives.

5. Official GDR fee for passport exit visa is DME 10 (about \$2.40). We have, however, unconfirmed reports that Western sponsor had to pay GDR unofficially up to equivalent of several thousand dollars for exit permit for emigrant.

6. Our Consulate General has been receiving only one or two East German immigrant visa applications per year. Difficulty of obtaining GDR exit permit illustrated by case of an Amcit's father, who has been denied such permit on security grounds even though he is 70-year-old retired roofer.

KLEIN

