

بنه راغلاست

Mirë se erdhët

Hun bixêr hatin

خوش آمدید

Te aven Baxtale

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صَعْبِكُمْ هَكَالْمَكِّ

Welcome

أهلاً وَسَهْلاً

Bienvenue

Willkommen

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THE HAMBURG RATHAUS

SEAT OF THE HAMBURG STATE PARLIAMENT

AND THE HAMBURG STATE ADMINISTRATION

The Hamburg Rathaus



The Hamburg Rathaus

Seat of the state parliament and state administration

Welcome to Hamburg! We hope that you will settle in well and that Hamburg will become your second home. With this brochure, we'd like to introduce you to the Hamburg Rathaus, the city hall. It is the **seat of Hamburg's state parliament and administration**. Perhaps it is comparable to similar buildings in your countries, in which the state administration or state parliament have their seats.

The Rathaus is in the middle of the city, and was built more than 100 years ago, between 1884 and 1897. With its richly decorated façade, its width of 111 meters, its 112-meter tall central tower, and its 647 rooms, the Rathaus looks a bit like a castle.

The inner courtyard of the Rathaus is also worth a look. It is open to the public, and is an oasis of peace and relaxation in Hamburg's busy city center.

The Hygieia Fountain splashes quietly at the center of the courtyard. Mythical beings, a dragon, and Hygieia, the Greek goddess of health and hygiene, decorate the fountain.

Hygieia and the dragon symbolize the conquering of the Hamburg cholera epidemic of 1892.



The city is governed from the Hamburg Rathaus

Even though the Rathaus may look like a castle, you'll find no king or emperor reigning here. It is the workplace of the democratically elected

state parliament and the Hamburg state administration.

In Hamburg, the state parliament is called the *Bürgerschaft* and the state administration is called the *Senat*.

It is at the Rathaus where issues important to you are debated and resolutions made – housing and health issues, education issues, and economic issues, for example.

Please take the time to accompany us through the Hamburg Rathaus on the following pages, and learn about the work and the responsibilities of the *Senat* and the *Bürgerschaft*.

On this tour we will show you the opulent and richly decorated rooms of the Rathaus, with their murals, wood carvings, and much more. These rooms are where events and receptions for dignitaries from countries all over the world are hosted.

▶▶ Before we step through the ornate cast iron front gate into the Rathaus, the next pages will explain Hamburg's political structure.

View looking north over the Rathaus and the Binnenalster



Hamburg is Germany's second-largest City

More than 1.8 million people live here, including about 30,000 refugees

Hamburg is the second-largest city in Germany, with more than 1.8 million residents and an area of 755.3 km³.

Just a few steps from the Rathaus is the Alster River. Hundreds of years ago, the river was dammed to form the Alster Lake. Later the city walls divided the lake into the Binnenalster and the Außenalster – the inner and outer lakes. The Lombardsbrücke (Lombard Bridge), which can be seen in the background of the photo, was built to span the small channel that connects the two lakes. The lakeshores are an ideal spot for pleasant strolls, and in good weather you can enjoy the sun sparkling on the water.

Of the more than 1.8 million residents of Hamburg, around 565,919 are immigrants or descendants of immigrants. These are people who immigrated to Germany after 1949, as well as all of those born in Germany to at least one parent who was an immigrant or was born in Germany as a citizen of another country.

In 2015, more than 1.1 million people fled from the turmoil in the Middle East to Germany. Around 57,000 of them have sought refuge in Hamburg. Hamburg was not able to accept all of these refugees, and places were found for them in other German states. 31,763 refugees remained in Hamburg. Most of them are from

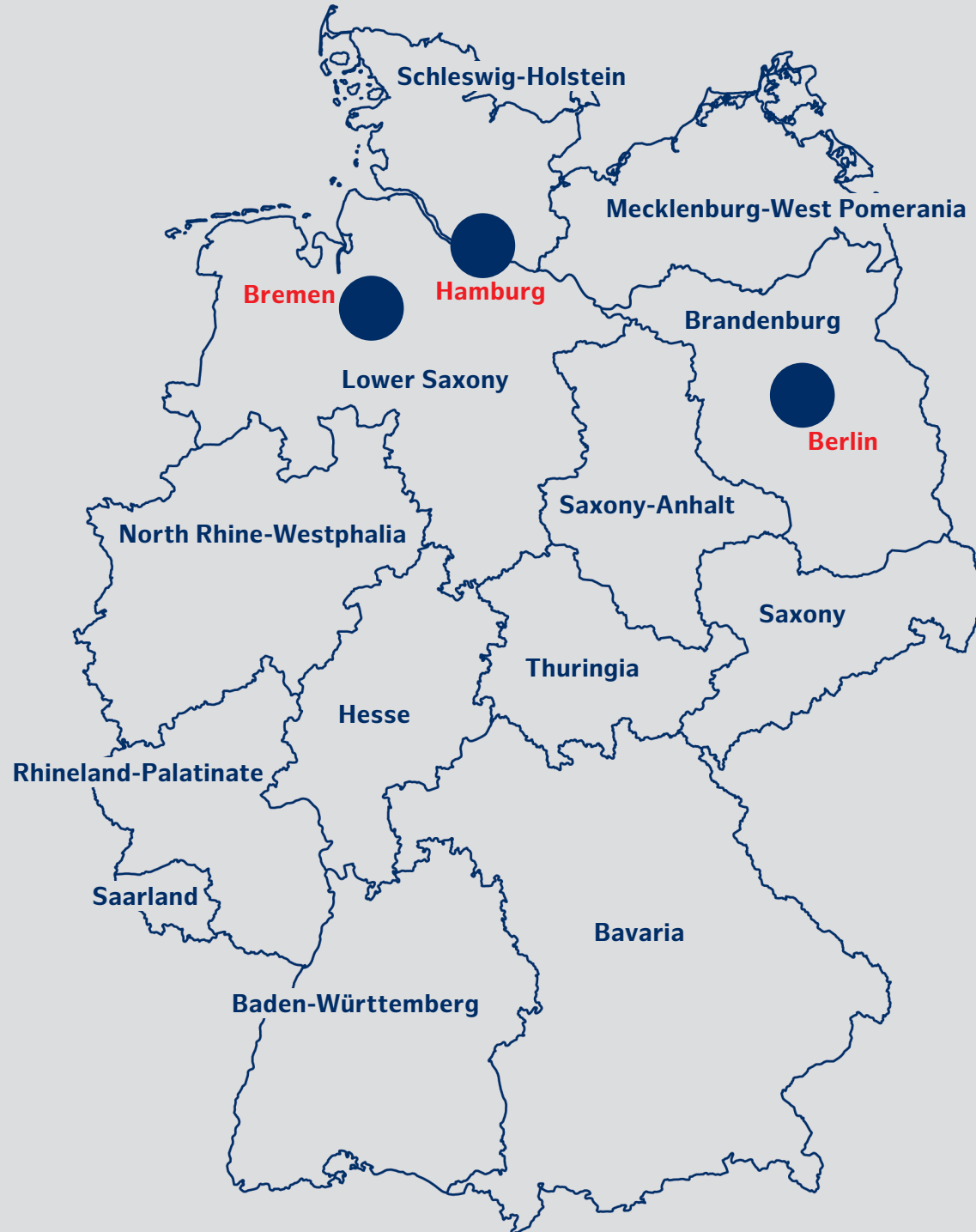


In the past years, tens of thousands of refugees have come to Hamburg. Many citizens have lent a helping hand in making the refugees' transition to life in Hamburg easier.

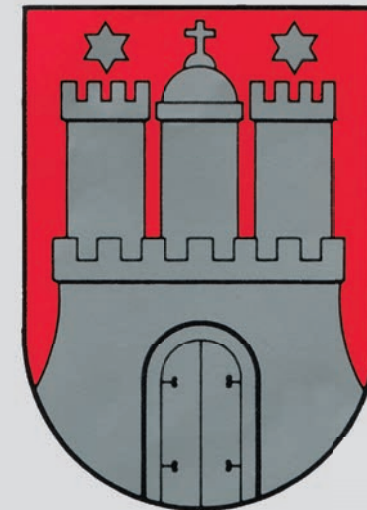
Afghanistan, Syria, Iraq, Iran, Eritrea, Pakistan, the Russian Federation, Serbia, Macedonia, and Kosovo.

To date, Hamburg has created more than 39,000 places of accommodation. Of those, 13,050 are in preliminary reception centers and 26,903 in subsequent housing (data from 31 December 2016).

Information for refugees in Hamburg can be found at <http://we-inform.de/portal/de/>



Hamburg is one of the 16 federal states



Hamburg is a Federal State in the Federal Republic of Germany – with a Distinction

Germany has 16 federal states. Hamburg is one of them

Many of you come from countries where there are federal states, provinces, or regions. For example, Syria has 14 governorates; Ethiopia has nine federal states or administrative districts and two independent cities; Afghanistan has 34 provinces; Iraq has 18 governorates and one autonomous region with its own parliament; Eritrea has six administrative districts; Iran has 31 provinces.

Germany is also made up of federal states, called *Bundesländer*. There are **16 Bundesländer**, and Hamburg is one of them.

Above is a map of Germany, which shows the 16 federal states. Each state has a state administration. In Hamburg, the administration is called the *Senat*.

The Federal State of Hamburg is a city-state

Hamburg is structured differently than most of the other German states – it is a **city-state**.

This means that the territory of Hamburg includes no other towns or villages.

The German cities of Bremen and Berlin are

also city-states, because their territories include nothing beyond the borders of the city. Other federal states have *Kreise* (administrative districts, counties, parishes) and *Kommunen* (municipalities) like the states, governorates, or regions in your country of origin – city-states do not have these sub-divisions.

Federation of all states into the Federal Republic of Germany

The sixteen states are **federated to form the Federal Republic of Germany**. The Federal Republic of Germany is governed by the **Bundesregierung**, the federal government. Its seat is in Berlin.

Sharing of duties between the federal government and the state governments

The federal government and the governments of the 16 states share governmental duties.

The federal government is responsible for Germany's foreign policy, for example. Foreign policy includes advocating peace and providing humanitarian aid to those people who are victims of war and civil strife.

The federal government is also responsible for Germany's asylum and refugee policies. You can find information about the asylum process at www.ankommenapp.de

The Federal Republic and states share legislative responsibilities

The sharing of duties is defined in Article 70ff of the Constitution (*Grundgesetz*) of the Federal Republic of Germany. The article specifies the areas for which the federal government or the states make the laws. You can find links to the text of the Constitution on page 6.

Hamburg is divided into seven city districts, each with a district office



Bezirk **Eimsbüttel**
Grindelberg 66



Bezirk **Hamburg-Nord**
Kümmellstraße 5-7



Bezirk **Wandsbek**
Schloßstraße 60

Bezirk **Altona**
Platz der Republik 1



Bezirk **Hamburg-Mitte**
Klosterwall 8



Bezirk **Harburg**
Harburger Rathausplatz 1



Bezirk **Bergedorf**
Wentorfer Straße 38

Hamburg has seven Districts

Each district has a district office and a district council

The city-state of Hamburg has no other towns or communities. Rather, it is divided into city districts. Ethiopia's capital city Addis Abeba, for example, has a similar structure. It is divided into ten city districts called "subcities." Hamburg is divided into seven *Bezirke* – districts. Above is a map of Hamburg showing each *Bezirk*.

Hamburg's seven *Bezirke* are:

Hamburg-Mitte, Altona, Eimsbüttel, Hamburg-Nord, Wandsbek, Bergedorf, and Harburg. You live in one of these districts. The social management at your residence can tell you which one.

District administration

Each of the seven *Bezirke* in Hamburg has its own administration – **the *Bezirksamt*** (district office). The picture above shows the buildings where the main offices of each *Bezirksamt* are located. Some agencies and departments may be in different buildings. The main office can tell you where the office that handles your particular issue is located.

There are many things you can and must do at the *Bezirksämter*. This is where you register when you move into your own apartment, or when a child is born. To have a legal marriage in Germany, you can be married at the *Bezirksamt*. And if you have become a German citizen, this is where you will pick up your German identity papers, and where you can have them renewed. The social management at your residence can tell you which important things you need to take care of at your *Bezirksamt*.

Supervision of the administration

The residents of each district in Hamburg have their own democratically-elected council. This is called the *Bezirksversammlung*. It is elected every five years by the residents of the district who are eligible to vote. The *Bezirksversammlung* advises and supervises the *Bezirksamt*. It makes decisions about many issues that fall under the responsibilities of the *Bezirksämter*. Each *Bezirksversammlung* has a committee that meets regularly to deal with issues related to the housing and integration of refugees in Hamburg.

Bezirksversammlungen are not parliaments – they do not make laws. Laws for the city of Hamburg and its districts are made by the Hamburg state parliament, the *Hamburgische Bürgerschaft*.

You can learn more about the work done by the *Bezirksversammlungen* in the brochure "Ihr wählt die Bürgerschaft – Ihr wählt die Bezirksversammlung." This brochure (in German) can be downloaded at <http://www.hamburg.de/buergerschaft-bezirk-senat>.

Night view of the Hamburg Rathaus



The Federal Republic of Germany is a Democracy

Hamburg is a democratic city-state

With its many lights, Hamburg is particularly beautiful at night. The special lighting at the Hamburg Rathaus lets its façade shine in a warm glow.

Residents of Hamburg can feel at ease and live in peace. Human rights are recognized, and we live in a democracy. Democracy means "rule of the people." The citizens have a voice in everything that happens in their country. In a democracy, all people have the same rights and responsibilities. All people may speak their opinion (freedom of speech), may gather peacefully (freedom of peaceful assembly), and have the right to be informed (freedom of the press).

But that wasn't always the case

Between 1933 and 1945, Germany was a dictatorship under the National Socialist German Workers Party – the Nazi Party – with its "Führer" Adolf Hitler. All other parties were banned during this time. People who held opposing political views, homosexuals, people with disabilities, Sinti and Roma, and especially people of Jewish heritage were persecuted and murdered. Professional bans, persecution, confiscation of property, imprisonment, steri-

lization and castration, deportation and execution were all legal.

The Second World War began in 1939 when Germany invaded Poland. The German Reich started the war. It ended on 8 May 1945. The war begun by Hitler and his Nazi regime brought immeasurable suffering, death, and destruction to large parts of Europe. There were 55 million casualties, of whom 5.5 million were German and 50 million were citizens of other nations.

By the end of the Second World War, half of Hamburg lay in ruins. 900,000 people in the



Hamburg's city center destroyed by bombs at the end of the Second World War, 1945

city were homeless. More than 12 million Germans from the eastern regions of the German Reich and other countries in Eastern Europe were expelled. Many of them came to Hamburg. Even decades after the war, many signs of the destruction could still be seen in the city.

"Russia, America, England, and France were the victors in the war, and occupied the country of Germany. They divided it into four zones. The Russian Occupation Zone later became the German Democratic Republic (East Germany), and the three western Zones, occupied by America, England, and France, united to form the Federal Republic of Germany (West Germany)."* Hamburg was in the western zone and thus became a part of the Federal Republic of Germany, which was founded in 1949. The two countries reunified in 1989.

*quotation from <http://www.geo.de/geolino/mensch/9510-rtkl-von-diktatur-zur-demokratie-deutschland-nach-dem-zweiten-weltkrieg>

Demonstration in front of the Rathaus: "Hamburg Shows its True Colors," September 2015



The Constitution is the Foundation of German Democracy

In September 2015, more than 10,000 residents of Hamburg gathered at the Rathausmarkt for a rally. It was a peaceful demonstration for democracy, tolerance, and diversity and against exclusion and racism.

In Germany – and thus in Hamburg as well – all people have the right to hold an opinion and to voice it freely and publicly. All people may assemble peacefully without weapons. This fundamental right to freedom of expression and other fundamental rights are guaranteed by the **Grundgesetz der Bundesrepublik Deutschland** – the Constitution of the Federal Republic of Germany.

What is the Grundgesetz?

When the Federal Republic of Germany was founded in 1949, a constitution was established. Even in a democracy, there must be rules and laws that guarantee peaceful co-existence.

The constitution of the Federal Republic of Germany is called the *Grundgesetz*. Hamburg, as part of the Federal Republic, is also subject to the constitution. All citizens must abide by the fundamental rights set down in the *Grundgesetz*.

What are fundamental rights?

The fundamental rights are anchored in the first article of the constitution. They are freedoms guaranteed to the individual by the state. These rights are inalienable and actionable. They guarantee the peaceful and democratic co-existence of the people in Germany.

Because of the dreadful experiences of the Nazi regime, the fundamental rights in the constitution have a very special meaning and value. Every person is a free and self-determined individual. No person may be discriminated against because of their gender, origin, skin color, religion, ideology, handicap, age, or sexual orientation.

All people in the Federal Republic of Germany have the right to human dignity, freedom and equality, justice and solidarity.

"Many people see fundamental rights as something self-evident. (...) As the experiences of history have shown, they are in no way naturally guaranteed, and they influence the daily lives of individuals and the co-existence of all people in a nation and in a society. The

fundamental rights are the basis of the system of values of the Federal Republic of Germany. They are a part of the core of the constitution's democratic structure, based on the principal of liberty."*

The fundamental rights are inalienable – that means they may not be denied to anyone. But no one may misuse the fundamental rights – freedom of expression, for example – to attack the democratic, liberty-based constitutional structure of the Federal Republic of Germany.

The text of the *Grundgesetz* is available in Arabic at www.bpb.de/212966/grundgesetz-der-bundesrepublik-deutschland in English at https://www.gesetze-im-internet.de/englisch_gg/ in Farsi at <https://www.btg-bestellservice.de/pdf/80209100.pdf> in German at <https://www.bundestag.de/grundgesetz>

*quotation translated from <http://www.bpb.de/politik/grundfragen/deutsche-demokratie/39294/grundrechte?p=all>



The Fundamental Rights

Articles 1 to 19 of the *Grundgesetz* delineate the fundamental rights. They include the right to the free development of personality, the right to life and physical integrity, freedom of religion, the right to equality before the law, freedom of expression, and the inviolability of the home.

Following are two examples:

Example: the fundamental right of religious freedom

On certain occasions, the Hamburg State flag is raised in front of the Hamburg Rathaus. It has a white castle on a red background. On the top of the middle tower of the castle is a Christian cross. In Germany, Christianity is the most wide-spread religion. But there is no law that forces people in Germany to be Christian. Every person can decide for him- or herself which religion they would like to practice. Every person also has the right to practice no religion at all.

Church and state are separated in Germany. There is no state religion, as there is for example in Iraq, where Islam is the state religion.

Example: the fundamental right of the equality of women and men

Every year on 8 March, there are many events to celebrate International Women's Day. The *Senat* holds a reception in the Rathaus for women who are involved in women's groups and other organizations that advocate women's rights. On 8 March 2011, the Hamburg Rathaus was close to being a "women-only" zone. This day was the 100th anniversary of International Women's Day, and there were numerous events hosted in the Rathaus. A large banner was hung from the Rathaus balcony in honor of the day.

International Women's Day was first celebrated in 1911 in Denmark, Germany, Austria-Hungary, and Switzerland. At that time women were demanding the right to vote.

Thanks to women's decades-long fight for the right to equality, Germany granted women the right to vote in 1918. The equality of women and men is anchored in the German constitution of 1949. Women may practice any profession. They may attend university or learn a profession. There is no rule that says women must stay at home and be mothers and wives.

Women have control of the money they earn. They may wear whatever clothes they choose. They alone make the decision about who, when and even if they want to marry.

You can find extensive information about the fundamental rights in Germany at <http://www.hamburg.de/politische-bildung/7278640/demokratie-fuer-mich/>

This brochure is available free of charge in Arabic, Farsi, and English at the Info-Center of the *Landeszentrale für politische Bildung* in Hamburg. For opening hours and address, see page 27.

Germany recognizes the United Nations Convention on the Rights of the Child for children and youth under the age of 18. Information about children's rights can be found at

www.unicef.de/informieren/materialien/konvention-ueber-die-rechte-des-kindes/17528

in English at: www.unicef.de/informieren/materialien/kinderrechtskonvention-englisch/107310;

in Arabic at: www.unicef.de/informieren/materialien/kinderrechtskonvention-arabisch/107350

Legislature
(parliament)

Judiciary
(courts)

Executive
(administration)



Separation of Powers and the Rule of Law are Crucial to a Democracy

What does "separation of powers" mean?

Separation of powers is the division of the powers of state into three branches: the legislative branch (legislature or parliament), the executive branch (the head of government and the cabinet or ministers), and the judicial branch (the courts of law).

The photos above show the seats of each branch in Hamburg. The legislative branch is the *Hamburgische Bürgerschaft*, the state parliament. Its seat is in Hamburg Rathaus on the left side of the building. The seat of the executive branch, the *Hamburger Senat*, is in the right side of the Rathaus. The smaller picture shows the main courthouse, where the judiciary branch has its seat. It is a few kilometers away from the Rathaus.

The separation of these three powers of state is very important for a democracy. The division of authority prevents the concentration of power and allows each branch to check and balance the others. In a dictatorship, all powers are in the hands of one person or party.

What do "legislative" and "executive" mean?

The legislative branch of government is the legislature – in Hamburg this is the state parliament, the *Hamburgische Bürgerschaft*. **A legislature is the law-making authority in a state.** The *Bürgerschaft* makes and passes laws that **apply to the city-state of Hamburg.** It does not make laws that apply to the entire country. That authority lies with the *Bundestag* (federal parliament) in Berlin.

The executive branch of government is the head of state and the cabinet and ministries. **The executive branch is responsible for carrying out the laws** passed by the legislative branch. In Hamburg, the executive branch is called the *Senat*.

What does "judiciary" mean?

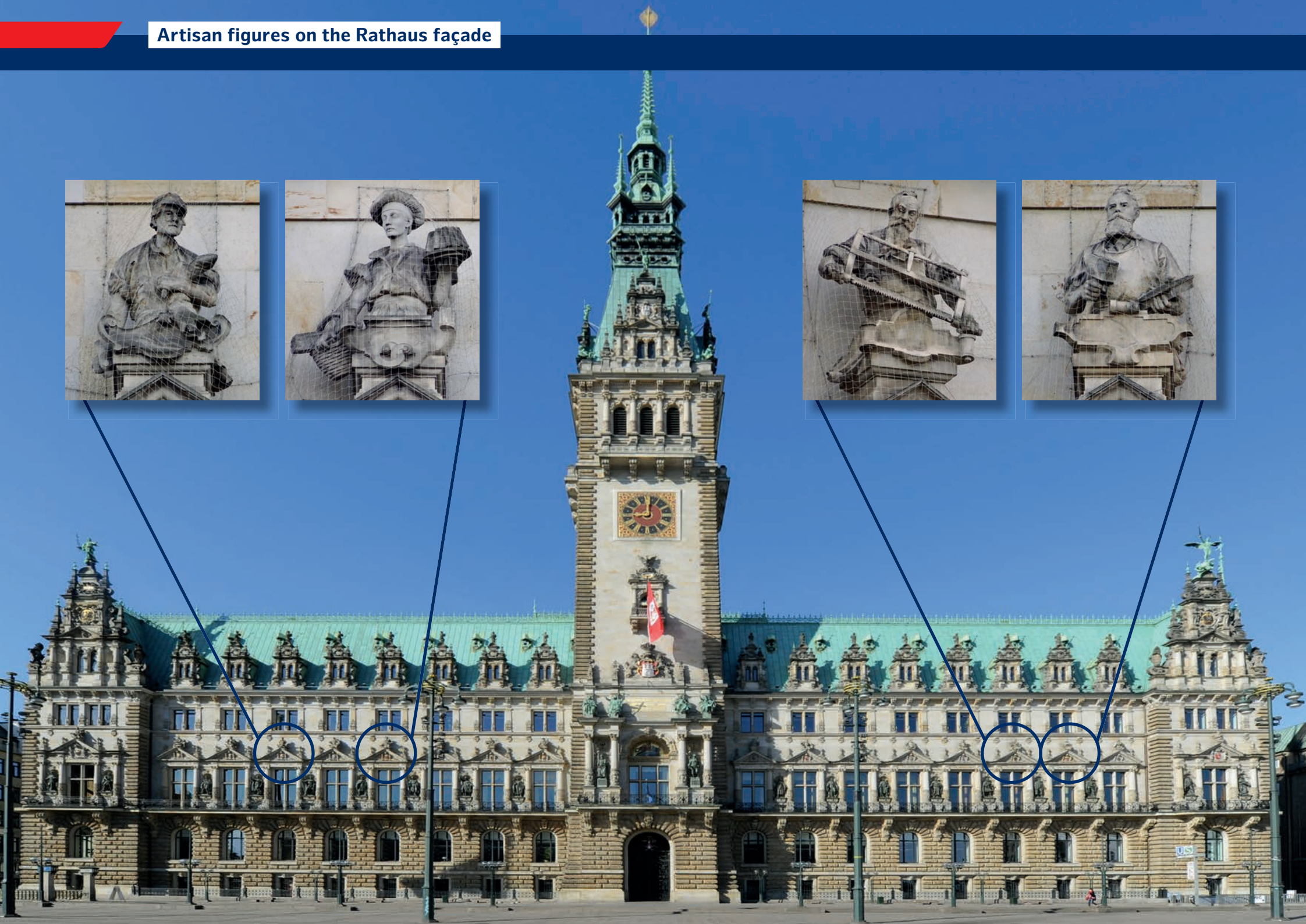
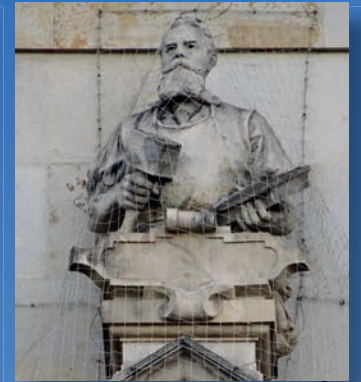
The judicial branch, or the **judiciary**, is the **court system.** It interprets and reviews the laws passed by the legislature. The courts are presided over by independent judges. No state institution, not even the mayor or the Justice Minister, may attempt to restrict their independence. The judges' are answerable to

the law alone. Their most important responsibility is to make decisions in specific cases. In Germany, the courts also ensure that the state upholds its own laws. All citizens have the right to protest state-sanctioned measures in a court of law.

What does "state of law" mean?

The Federal Republic of Germany – and thus Hamburg as well – is a *Rechtsstaat*, a constitutional state or a state of law. Unlike a police state or a dictatorship, in which the state or government is not bound by a constitution, a **state of law** ensures that the state or government abides by the rules laid down in the constitution and valid laws. All ministries and agencies, courts, state parliaments and state administrations must abide by the **constitution.**

Artisan figures on the Rathaus façade



Elections for the *Hamburgische Bürgerschaft*

Who is allowed to vote?

When the Rathaus was built more than 100 years ago, the architects put 18 stone figures on the façade above the second-story windows. The picture above shows four of them. 16 of the figures depict different trades: a shoemaker, a baker, a cabinet-maker, a potter, a butcher, a tailor, a stonemason, a painter, and a gardner, for example. The builders of the Rathaus wanted to show that these professions were represented in the Hamburg *Bürgerschaft*.

For a long time before the Rathaus was built, only wealthy men were allowed to vote for and be members of the *Bürgerschaft*. These were merchants, lawyers, and doctors. That only changed at the end of the 19th century. In 1918 there was another big change – in that year women were given the right to vote.

Today, all citizens of Hamburg who fulfil the following four requirements are allowed to vote:

- They must have **German citizenship**
- They must be **at least 16 years old**
- They must have had their main residence in Hamburg for **at least three months**

- They may not have had their right to vote revoked, which can be ordered by the court as a penalty for certain serious crimes

To be elected to the *Bürgerschaft*, a candidate must fulfil the voting requirements, be at least 18 years old, and not have been disqualified from being elected.

Elections are held every five years

Regular elections for the *Bürgerschaft*, Hamburg's state parliament, are held every 5 years. The next regular election is in 2020.

Who is elected?

Germany – and thus Hamburg as well – is a parliamentary democracy. That means that **all state power emanates from the people**. Citizens elect parties and people who govern for a specified length of time. There are various parties, each of which has declared its positions on issues in a party platform. With their votes, the citizens of Hamburg determine which parties will be represented in the *Bürgerschaft*. They also determine how many seats will be allocated to each party in the *Bürger-*

schaft. Each election results in a new distribution of the number of seats for each party. *For more information, see page 14.*

Elections are universal, direct, free, equal, and secret. "Universal" means that all citizens who are eligible to vote may do so. Elections are "free" because no one may be pressured to vote for a particular person or party. And they are "secret" because no one must reveal whom they voted for.

For more information about elections and voting, go to www.hamburg.de/wahlen

Cast iron gate – Entrance to the Rathaus



The Rathaus is open to the Public

An ornate black gateway leads into the Rathaus from the Rathausmarkt. The gate is made of cast iron and is decorated with vines, rosettes, and figures.

The lower hall of the Rathaus, the **Rathausdiele**, is open daily to the public. Other rooms can be viewed on a tour of the building. Tours are offered at specific times, and are available in German, English, and French. Information about foreign-language tours is available at the telephone number 0049-(0)40-428 31-20 46, from 9:00 a.m. to 5:00 p.m. Information about German-language tours is available at <http://www.hamburg.de/rathausfuehrung/>



Photos: Michael Zapf (o.); commons.wikimedia.org/CC BY-SA 3.0/Hhbrmbk (2)

The *Bürgerschaft* and the *Senat* are to either side of the *Rathausdiele*



Bürgerschaft and Senat

Hamburg's State Parliament and Hamburg's State Executive

When you enter the Rathaus, you will be in the entry hall, known as the *Rathausdiele*. It's a busy place, as it is open to the public.

The Bürgerschaft is the State Parliament

The double stairways on the **left-hand** side of the *Rathausdiele* lead to the chambers of the Hamburg *Bürgerschaft*, the state parliament. The Hamburg *Bürgerschaft* consists of 121 representatives. They are democratically elected by the citizens of Hamburg. The representa-



tives are called *Abgeordnete*. They have accepted the responsibility of representing the political interests of the citizens of Hamburg. They are, nevertheless, bound only by their conscience, as is ensured by the Hamburg Constitution. Some of the *Bürgerschaft's* important responsibilities are:

- Legislation. The *Bürgerschaft* makes state laws
- Providing checks and balances for the *Senat*

The Senat is the Executive Branch of the State Government

On the **right-hand** side of the *Rathausdiele* is the broad stairway leading directly to the chambers of the *Senat*, the executive branch of the state government.

The entryway to the the *Senat* stairway is through an ornate cast iron gate. It is framed by a gilded sandstone archway, lavishly decorated with leaves and small animals like snails, birds, butterflies and frogs.

The *Senat* is a council of no more than 12 members, who lead and supervise the administration of the state. The administration is made up of 11 ministries or agencies. These are state institutions and are responsible for providing state services to the citizens of Hamburg. Among the *Senat's* responsibilities, and therefore also of the ministries and agencies, is the execution of the laws made by the *Bürgerschaft*.





The *Bürgerschaft* convenes in the Plenary Chamber

The *Bürgerschaft's* Plenary Chamber is on the second floor on the left side of the Rathaus. The *Bürgerschaft* convenes here every other Wednesday at 1:30 p.m.

The Plenary Chamber is arranged much like a theater. The rows of seats rise from the front to the back. At the front, where the stage would be in a theater, are the seats for the President of the *Bürgerschaft* and the Presidential Council. In front of them is the lectern where representatives make their speeches.

The 121 representatives sit in the Plenary Chamber facing the Council and the President of the *Bürgerschaft*. Guests may sit on the balconies to the left and right of the chamber.

The representatives climb this stairway to reach the Plenary Chamber of the *Bürgerschaft*



The Plenary Chamber during a session of the *Bürgerschaft*



Who in the *Bürgerschaft* determines the Political Course?

The last election to the *Bürgerschaft* took place in February 2015. In this election, the *Sozialdemokratische Partei Deutschland* (SPD – Social Democratic Party of Germany) won the most votes (45.6%). This percentage of votes was, however, not enough to control the *Bürgerschaft* – that requires more than 50%. In order to have a majority in the *Bürgerschaft*, the SPD entered into a coalition with the party *Bündnis 90/DIE GRÜNEN* (the Green Party). This coalition controls the political course of the current 21st legislative session of the *Bürgerschaft*.

A regular legislative session lasts five years. The next election is in 2020.

View from the public balcony



Bürgerschaft
(State Parliament)

6 Vice Presidents

President

2 Secretaries

58 20 14 10 9 7 3

Allocation of Seats

-  SPD
-  CDU
-  GRÜNE
-  DIE LINKE
-  FDP
-  AfD
-  Non-affiliated

Empty seats: There are more seats in the Plenary Chamber than there are elected representatives

58 seats for the Social Democratic Party of Germany (SPD)
 20 seats for the Christian Democratic Union of Germany (CDU)
 14 seats for the Green Party (BÜNDNIS 90/DIE GRÜNEN)
 10 seats for the Left Party (DIE LINKE)
 9 seats for the Free Democratic Party (FDP)
 7 seats for the Alternative for Germany Party (AfD)
 3 seats for non-affiliated representatives
 (August 2016)

The Allocation of Seats for *Bürgerschaft* Representatives in the Plenary Chamber

Above is a diagram of the 121 seats in the Plenary Chamber of the *Bürgerschaft* for the current 21st legislative session.

All parties that receive at least 5% of the votes in an election will send representatives to the *Bürgerschaft*. In the last election, six parties met the 5% threshold – the SPD, the CDU, Bündnis 90/DIE GRÜNEN, DIE LINKE, the FDP, and the AfD.

The SPD received the most votes in the election, and thus received the most seats in the *Bürgerschaft*. The CDU received the second highest number of votes. In third place was Bündnis 90/DIE GRÜNEN (the Green Party), followed by DIE LINKE (the Left Party), then the FDP (Freiheitliche Demokratische Partei – the Free Democratic Party), and finally the AfD (Alternative für Deutschland – an Alternative for Germany).

Majorities in the *Bürgerschaft*

- **If a party receives more than half of the votes in a *Bürgerschaft* election, that party will have an absolute majority.** This party

will have more than half the seats in the *Bürgerschaft* and will thus be the **governing parliamentary party. It determines the political course for the legislative session.**

For more information about the governing parliamentary party, see page 15.

A *Bürgerschaftsfraktion* (parliamentary party) is a voting bloc, generally made up of representatives of one party.

There are exceptions. If, for example, a representative disagrees with his or her party's stance and does not vote with the bloc, he or she is no longer a member of the *Bürgerschaftsfraktion*, but remains a member of the *Bürgerschaft*. Such members are "non-affiliated" representatives.

The main goal of each *Bürgerschaftsfraktion* is to achieve as many of its party's political goals as possible.

- **If no party receives more than half of the votes, there is generally a coalition.** A coalition is an alliance between at least two parties. These parties then work together. A coalition

is formed as follows: The party with the most votes allies itself with a party that has received fewer votes, and with which the winning party would like to cooperate. Together these parties constitute a majority and thus form the governing group. **They draw up a coalition contract and determine the political course together.**

- **All other parties** who met the 5% threshold in the election form the **minority opposition in the *Bürgerschaft*.** They do not determine the political course. The opposition is important for democracy. It is the party or parties that oppose the administration, represented by the governing party or coalition. It is the responsibility of the opposition to publicly voice dissent to the administration's policies. **In this legislative session, the opposition consists of the CDU, the FDP, DIE LINKE, and the AfD.**

Representatives of the governing coalition of SPD and Bündnis 90/DIE GRÜNEN and the opposition party DIE LINKE



The Governing Coalition and its Relationship to the *Senat*

There is a close political relationship between the majority party or coalition in the *Bürgerschaft* and the *Senat*. This is why the majority party or coalition in the *Bürgerschaft* is called the **governing party or coalition**. The governing coalition and the *Senat* are bound to each other in the following ways:

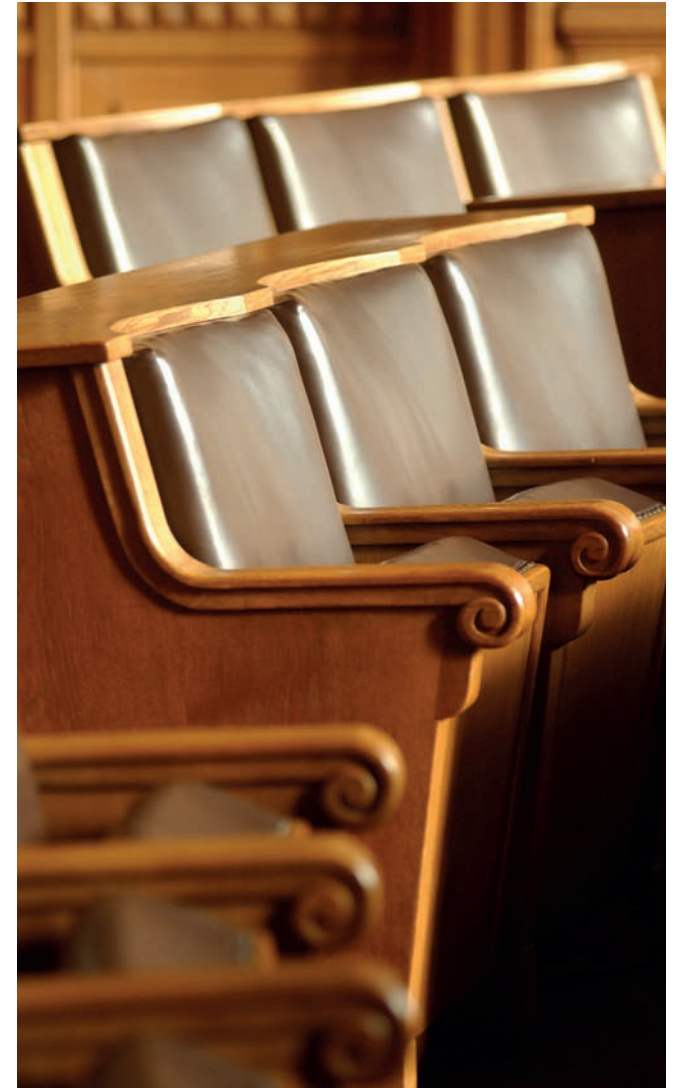
- If an election results in an absolute majority for one party, that party determines the political course in the *Bürgerschaft*. The *Senat* will also be composed of members of this party. (There can be non-affiliated members of the *Senat*.) See more on page 23.
- If an election results in a **coalition** in the *Bürgerschaft*, then the coalition parties determine the political course together. Members of the *Senat* will come from both coalition parties. That party which received the most votes in the election will have more members in the *Senat*.

The *Bürgerschaft's* obligation of monitoring the *Senat* takes the form of cooperation between the governing party or coalition in the *Bürgerschaft* and the *Senat*.

"The administration shall translate the political platforms and ideas of the majority party in parliament into practical policy. For this reason the majority parliamentary party sees no necessity in directly monitoring 'its' administration, but rather acts as support for the administration."*

Should the majority party in the *Bürgerschaft* disagree with the actions of the *Senat*, the conflict is generally not discussed in public.

*Quote translated from *Bundeszentrale für politische Bildung*. Entry: *Gewaltenteilung*.



Photos: Michael Zapf

Swearing-in of the Mayor and the Cabinet



Duties of the *Bürgerschaft*

Election of the Mayor

One important duty of the representatives in the *Bürgerschaft* is the election of the **mayor**. The mayor is the head of the *Senat*.

The picture on the left shows the swearing-in of Hamburg's current mayor, Olaf Scholz (SPD) in the Plenary Chamber. Before he was sworn in he was elected by a majority of members of the *Bürgerschaft*.

At the swearing-in ceremony, the mayor raises his or her right hand. This gesture is purely symbolic. It is meant to emphasize the solemnity of the oath.

Confirmation of the *Senat*

It is also the duty of the representatives in the *Bürgerschaft* to **confirm the appointments to the *Senat***. The mayor submits his or her choices for the ministerial positions to the *Bürgerschaft*, and the representatives vote to approve or reject the candidates. *For more information, see page 23.*

If the candidates submitted by the mayor are not approved, they may not take office.

Monitoring the *Senat*

Another of the *Bürgerschaft's* duties is to **monitor the *Senat***.

The right-hand picture shows the cabinet bench at the top left. This is where the senators (i.e. the cabinet members or ministers) and the mayor and deputy mayor sit during meetings of the *Bürgerschaft*. The ministers must answer any questions posed by representatives in the *Bürgerschaft*. They do not vote in the *Bürgerschaft*. The *Bürgerschaft* representatives "control" the *Senat*, in that the *Senat* is answerable to the *Bürgerschaft*.

Part of this control is monitoring the city **budget**. The *Bürgerschaft* determines the amount of money that may be spent and for which purpose. It checks, changes, and approves or rejects the budget drawn up by the *Senat*. The budget lists all of the city's revenues and expenditures, its assets and its debts.

The *Bürgerschaft* also **monitors** the work of the *Senat* by means of **interpellation** – the formal right of the parliament to submit formal questions to the administration. There are both ma-

major interpellations (*Große Anfragen*) and minor interpellations (*Kleine Anfragen*). When a formal question is submitted, the *Senat* is required to reply in writing within a specified amount of time.

Representatives submit ***Kleine Anfragen*** on many topics of political interest – for example on issues of caring for under-age refugees; of existing refugee housing and the construction of new residences; of school attendance for refugee children; of female security personnel in refugee shelters; of costs for the conversion of shipping containers into housing; of medication for refugees; of vaccinations for refugee children; of German language courses; and of free internet access for refugees.



At the Head of the *Bürgerschaft*: the Presiding Council

The Presiding Council is in charge of leading the *Bürgerschaft* sessions. The Council sits at the front of the Plenary Chamber, facing the representatives.

The representatives elect the Presiding Council, which will remain in place for the duration of the legislative session, during the first *Bürger-schaft* session after the general election.

In this legislative session, the Presiding Council consists of the president, the primary vice-president, five vice-presidents, and two secretaries.

The **president** is a member of the majority party. The primary vice-president is a member of the opposition party with the most seats in the *Bürgerschaft*. The five other vice-presidents are from the three smaller opposition parties, the SPD, and the Green Party. The secretaries serve as support for the president during the *Bürgerschaft* sessions. They recognize representatives who have made requests to speak, for example.

The President of the Hamburg *Bürgerschaft* is the highest-ranking representative in Hamburg. He or she protects the rights of the representatives, ensures that the rules of procedure are upheld with no party bias, and maintains appropriate behavior during the sessions. Carola Veit (SPD) is the President of the *Bürger-schaft* for the current legislative session. One of her responsibilities is to preside over the sessions of the *Bürgerschaft*, with support from the six vice-presidents. She is the primary authority in the chambers on the *Bürgerschaft's* side of the Rathaus. Among her other responsibilities are negotiating and corresponding with the *Senat*, and ceremonial duties like making speeches and welcoming foreign dignitaries.

The President of the *Bürgerschaft*, Carola Veit



Photos: Michael Zapf

Hecklers from the opposition parties and an SPD speaker



The *Bürgerschaft* Session: the Core of Parliamentary Democracy

The *Bürgerschaft* session is the core of parliamentary democracy. It is here that the propositions and legislation submitted by the *Senat* and parties in the *Bürgerschaft* are passed or rejected. Decisions are also made about reports from committees. In the decision-making process, arguments from both the majority party and the opposition are heard. There are discussions and debates. The debates compel the majority party and the *Senat* to explain their policies and to defend them against objections from the opposition.

Sometimes it can be quite lively in the *Bürgerschaft* sessions. When a representative is making a speech explaining his or her views on an issue, representatives from the opposition parties may heckle the speaker, or call out questions. The pictures above show Dr. Andreas Dressel, the SPD party chairman, making a speech (right), and Ralf Niedmers from the CDU opposition heckling him (left).

Legislation and propositions are passed in the *Bürgerschaft* with a majority vote.

What issues do the representatives deal with?

Hamburg is not only a state, but also a city. The representatives are therefore also concerned with issues affecting the municipal administration – for example the funding of children’s day care facilities or the construction of housing projects.

The *Bürgerschaft* also deals with the situation of refugees in Hamburg. For example, the parties in the *Bürgerschaft* submit propositions for funding new housing, or for integration measures like recreational or educational opportunities for children, or for sports programs for refugees.



The microphone at the lectern, so that every word is understood

View from the balcony – in the public eye



The Sessions of the *Bürgerschaft* in the Plenary Chamber are open to the Public

The picture above shows the **public balcony**, overlooking the representatives in the Plenary Chamber.

The sessions of the *Bürgerschaft* are generally open to the public. Everyone, including children and young people, are allowed to observe the sessions. The dates of sessions and issues discussed are available on the internet at www.hamburgische-buergerschaft.de

You can register to attend a session and order an admission pass by e-mail at oeffentlichkeits@bk.hamburg.de, by telephone at 428 31-24 09 or online at www.hamburgische-buerger-schaft.de. In addition, every session of the *Bürgerschaft* is broadcast live on the internet at <https://www.hamburgische-buergerschaft.de/buergerschaft-live/>

You may also ask questions

If you would like a particular policy issue to be spoken about in the *Bürgerschaft*, contact a representative that you trust. You can speak about the issue with him or her. The representatives have offices and office hours. They are not required to respond to suggestions from citizens, but they often do.

There are representatives who deal particularly with refugee policy. You can get their contact information from the parliamentary parties. You can find the parties' addresses at <https://www.hamburgische-buergerschaft.de/fraktionen/>



Photo: Michael Zapf (o.), dpa/ap

View of the Plenary Chamber with its ornate ceiling.

Bürgersaal – also a committee room



Committees of the *Bürgerschaft*

The ornate *Bürgersaal*, with its large fireplace made of black granite, is the room where the President of the *Bürgerschaft* holds smaller receptions. Committees of the *Bürgerschaft* also meet here.

The pillars at the sides of the wooden benches are decorated with carved heads. They represent irony, envy, jealousy, and spitefulness. These bad qualities should be left at the door



when representatives enter the room for a committee meeting.

***Bürgerschaft* committees are working groups for specific issues.** They are appointed by the *Bürgerschaft*. There are, for example, committees for family issues, for children and young people, for schools, and a committee for social issues, labor, and integration.

The committees do preparatory work, discuss details, and make recommendations. They then submit their recommendations to the *Bürgerschaft*, so that the representatives are well-informed when making decisions about the issues.

The representatives can request members of the *Senat* to attend committee meetings. They must answer any questions the representatives may have.

The representatives can also invite citizens who have special knowledge about an issue or who can give an expert opinion on it to the meetings.

The committee meetings are generally open to the public. There is one exception: the meetings are closed when personal details of an individual are discussed, for example meetings of the Committee for Petitions and Complaints.

You may attend a committee meeting without prior notice. The Committee for Public Health, for example, handles issues relating to the health care of refugees in Hamburg.

Dates and times of committee meetings are listed at <https://www.hamburgische-buergerschaft.de/termine/>



For Requests and Complaints: the *Eingabenausschuss*

It's there for everyone

One of the important *Bürgerschaft* committees is the **Committee for Petitions and Complaints**. You may turn to this committee if you feel you have been treated unfairly by public agencies of the City of Hamburg. You may submit a complaint if, for example, an agency (*Behörde*) has made a decision that you think is incorrect, or if you feel that an office or agency treated you with disrespect. Anyone can request help from the Committee for Petitions and Complaints, regardless of their nationality. Adults, children, youth, prisoners, and stateless persons are all eligible.

Meetings of the Committee for Petitions and Complaints are not open to the public, and members of the committee are sworn to secrecy.

Whether it's about public assistance benefits, building laws, prison conditions, or residence permits – all petitions and complaints may be submitted, as long as they concern a public or state institution of Hamburg.

For cases that involve the revocation of a residence permit, for example, there is an established practice for rapid processing.

Complaints about **issues between private individuals** like disputes with a neighbor, family problems, or tenancy issues, may not be submitted. The committee is also not allowed to review decisions of a court, as it may not interfere in the independence of the judicial courts.

There are no rules about how a petition or complaint should be formulated. There is also no charge for submitting one. It helps the committee to reach a decision if you can present copies of your correspondence or other important documents.

Important: You must give your name and address, and you must sign the petition or complaint. You may also use the online form, available at <https://www.hamburgische-buerger-schaft.de/online-eingabe/>

You can also send a letter by post to **Eingabendienst, Geschäftsstelle des Eingabenausschusses der Hamburgischen Bürgerschaft, Schmiedestraße 2, 20095 Hamburg**. E-Mail: eingabendienste@bk.hamburg.de

Guidelines for submitting a petition or complaint are available at www.hamburgische-buerger-schaft.de/eingabeverfahren

The Committee for Petitions and Complaints has regular times during which people may present their cases. You can ask about the times at the committee office, tel: 428 31-13 24. The times are also listed at <https://www.hamburgische-buerger-schaft.de/>

Petitions and complaints are submitted to the *Senat*, and the *Senat* responds with a statement about the issue. Then the lawyers on the Committee for Petitions and Complaints review the case and submit an evaluation of the legal aspects to the committee. The committee then reaches a decision and submits a recommendation to the *Bürgerschaft*, which then makes a recommendation to the *Senat* about how the complaint should be handled. The *Senat* makes the final decision about whether or not to accept the *Bürgerschaft's* recommendation. The *Senat* is required to explain its decision.

Senat Stairway



The Hamburg *Senat*: the State Administration

On the right side of the Rathaus, a red-carpeted stairway, the *Senatstreppe* (*Senat* stairway), leads to the *Senat* chambers on the second floor.

At the top of the stairway is the entrance to the *Senat* chambers, flanked on either side with marble statues representing mercy (left) and justice (right).

The chambers are called the *Senatsgehege*. Today the word *Gehege* is generally used for an enclosed area for animals in a zoo or wildlife park, but its older meaning was simply "a closed off area." The ornate bronze gate that closed off the *Senat* chambers remains in place today.

Which parties are represented in the *Senat*?

In this legislative session, the ministers in the *Senat* are from both the Social Democratic Party (SPD) and the Bündnis 90/DIE GRÜNEN (the Green Party). See page 15 for more information.

When the majority is made up of a coalition, the coalition partners must agree on a common platform. This platform is codified in a coalition agreement.

There are no members of the opposition parties in the *Senat*.

In the hallway of the *Senatsgehege*: The painting to the right is of Hamburg's first female minister, Paula Karpinski (SPD). She was appointed as Minister of the Department of Children's Welfare in 1946.



The Mayor's Chambers



Hamburg's Mayor: Head of the *Senat*

Hamburg's Deputy Mayor

On the second floor of the right side of the Rathaus are the **Mayor's Chambers**. The mayor uses these rooms to receive visitors. In this legislative session, Hamburg's mayor is Olaf Scholz. He is a member of the Social Democratic Party (SPD). The deputy mayor is Katharina Fegebank. She is a member of the Bündnis 90/DIE GRÜNEN. Ms. Fegebank is also the Minister of the Department of Science, Research and Equal Opportunities. This is the ministry that addresses issues of the equality of women and men.

What does the mayor do?

The mayor is the head of the *Senat*. He presides over the *Senat*, and determines the policy directives. The policy directives are contained in the government policy statement, which the mayor issues after the ministers have been appointed to the *Senat*. The ministers are bound to abide by this policy statement. As the head of the *Senat*, the mayor may request information from the ministries at any time.

If you have a problem with any of the ministries or agencies in Hamburg, you may contact the Mayor's *Bürgerbüro* (Citizens' Office). E-mail: ***Buergerbuero@sk.hamburg.de***

The *Bürgerschaft* elects the mayor by secret ballot.

After the mayor is elected, he appoints the deputy mayor and the ministers (*Senatoren*, senators). He can choose non-party-affiliated people to fill the posts. The *Bürgerschaft* must approve the ministers appointed by the mayor. The approval process is by secret ballot. *For more information about the election of the mayor and the approval of ministers, see page 16.*

Since it is the mayor who appoints ministers, he or she can also remove them from their posts.

The mayor's and the ministers' terms in office end when a new *Bürgerschaft* is elected. A legislative session is generally for five years. The next election is in 2020.

Ministers' terms in office also end if a mayor resigns from office.

Each minister may resign from their office at any time.

If the *Bürgerschaft* is dissatisfied with the mayor, it holds a vote of no confidence. If the vote of no confidence is successful, the *Bürgerschaft* elects a new mayor.



The Senators form the Cabinet

The *Bürgermeistersaal* (Mayorial Hall) is on the second floor of the Rathaus. A large picture of the senators from 1897 hangs in this room. On special occasions, they wore ceremonial robes of office with Spanish ruffs. The robes weighed 35 kilograms. After 1919, senators no longer wore these robes.

After every *Bürgerschaft* election and after the senators have been appointed and approved, a group photo of the new *Senat* is taken in front of this painting. The picture above shows all eleven senators with the mayor in the middle. The senators hold their letters of appointment in their hands. They will lead Hamburg's 11 ministries.

This photo was taken after the *Bürgerschaft* election in the spring of 2015. Three of the senators are no longer in the cabinet.

From left to right are:

Senator **Dr. Till Steffen** (Bündnis 90/DIE GRÜNEN), **Justice Minister**.

Senator **Dr. Peter Tschentscher** (SPD), **Finance Minister**.

Senator **Detlef Scheele** (SPD), **Minister for Labor, Social Welfare, Family and Integration** until October 2015. **Dr. Melanie Leonhard** (SPD) succeeded him in this office. She is not in the photograph.

Senator **Cornelia Prüfer-Storcks** (SPD), **Minister for Public Health and Consumer Protection**.

Senator **Frank Horch** (non-affiliated), **Minister for Economic Affairs, Transportation and Innovation**.

Mayor Olaf Scholz (SPD). He is head of the *Senat*.

Deputy Mayor Katharina Fegebank (Bündnis 90/DIE GRÜNEN). She is also a senator, and

Minister for Science, Research and Equal Opportunities.

Senator **Professor Barbara Kisseler** (non-affiliated, deceased October 2016). Until her death, she was **Minister for Cultural Affairs**. Senator **Dr. Carsten Brosda** (SPD) succeeded her as **Minister for Cultural and Media Affairs** in February 2017. Dr. Brosda is not pictured.

Senator **Dr. Dorothee Stapelfeldt** (SPD), **Minister for Urban Development and Housing**.

Senator **Ties Rabe** (SPD), **Minister for Education**.

Senator **Michael Neumann** (SPD). Until mid-January 2016, **Minister for Internal Affairs and Sport**. Senator **Andy Grote** (SPD) succeeded him in this office on 20 January 2016. He is not in the photo.

Senator **Jens Kerstan** (Bündnis 90/DIE GRÜNEN), **Minister for the Environment and Energy**.

The Great Hall decorated for the St. Matthias Feast



The *Senat* is Head of State of the City-State of Hamburg

Every year around February 24th, the **St. Matthias Feast** is celebrated in the Great Hall in the Hamburg Rathaus. This celebration first took place in 1356, and it is the oldest state banquet in the world. The 24th of February was traditionally considered to be the first day of spring, and is the feast day for the Christian saint Matthias. In earlier centuries, the senators received their appointments and elected the mayor on this day. It developed into a tradition to invite representatives of other cities, countries, and influential organizations to the celebration. Today, more than 400 guests

are welcomed to the 720m² Great Hall, where they take their places at beautifully decorated banquet tables, set up in the 45-meter-long room. Guests come from the worlds of politics, business, culture, and science. Representatives from the large religious communities and from international organizations are also invited. Prominent people from all over the world attend the banquet, including national presidents, heads of state, and kings and queens.

The St. Matthias Feast is a special occasion for the *Senat*. As the head of state of the city-state of Hamburg, the *Senat* is responsible for organizing receptions of dignitaries and state visits, and for presenting honors, awards, and prizes.

In its function as the head of state, the *Senat* has other duties as well. It represents Hamburg to the national government and to other German states. It is also Hamburg's representative to foreign countries, and as such has an office in Brussels in order to remain in contact with the European Union.



The Royal Couple of the Netherlands during a state visit in Hamburg in 2015



Senat meetings

Every Tuesday at 11:30, the **Senat meets** in the **Ratsstube** (Council Chamber) on the second floor of the Rathaus. The mayor chairs the meetings, which are not open to the public.

The mayor and deputy mayor sit under a baldachin, or a canopy of state. To either side of them around the table sit the senators, the press secretary of the *Senat*, and the senators' advisors.

The mayor and deputy mayor sit under this wooden baldachin

A baldachin is a canopy of state under which dignitaries sit

During the *Senat* meetings, the senators and their advisors make reports on important issues from their ministries, about which the *Senat* must make decisions. The members of the *Senat* discuss the issues, and vote on the actions to be taken. Decisions are made with a simple majority. The individual votes are secret,



since the *Senat* acts as a single entity and speaks with one voice.

There are many issues about which the *Senat* can make decisions. Some propositions must be approved by the *Bürgerschaft*, and the *Senat* decides which of these it will present to the *Bürgerschaft*. For example, the *Bürgerschaft* must approve any budget increases. The *Senat* also decides upon the response to any major or minor interpellations submitted by representatives in the *Bürgerschaft*. There are many more issues that are dealt with by the *Senat*. *If you would like to know more, there are several addresses on the next page.*



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The Info-Center of the Hamburg *Landeszentrale* für politische Bildung

You can find more information about political topics at the **Info-Center of the Landeszentrale für politische Bildung** (State Center for Political Education) at Dammtorwall 1.

Opening hours are:

Monday-Thursday 12:30–17:00 and Friday 12:30–16:30.

You can also find information at our website www.hamburg.de/politische-bildung

You can read more about how the Senat and Bürgerschaft work in the brochure "*Einblicke. Hamburgs Verfassung und politischer Alltag leicht gemacht.*" by Rita Bake and Birgit Kiupel. This brochure is only available in German. It is available free of charge at the Info-Center of the *Landeszentrale für politische Bildung*.

The Info-Center also has free copies of the **German Constitution** (*Grundgesetz*) and the **Hamburg Constitution** in German.

The text of the Constitution is available online in several languages:

Arabic: <http://www.bpb.de/212966/grundgesetz-der-bundesrepublik-deutschland>

English: https://www.gesetze-im-internet.de/englisch_gg/

Farsi: <https://www.btg-bestellservice.de/pdf/80209100.pdf>

German: <https://www.bundestag.de/grundgesetz>

The brochure "Democracy for Me" offers information to refugees about basic rights. It is available in German, English, Arabic, and Farsi at the Info-Center, or can be downloaded at <http://www.hamburg.de/politische-bildung/7278640/demokratie-fuer-mich/>

Also available in English, Arabic, and Farsi.

The *Landeszentrale für politische Bildung* offers seminars for refugees, with interpreters. If you are interested in these seminars, you may send an e-mail to politischebildung@bsb.hamburg.de

The Info-Center offers a brochure **for children** (in German), free of charge, about a Rathaus-Rally.

The **Bürgerschaft offers** tours of the Rathaus, a film (in German) about how the parliament works, information sessions with representatives, and informational material about the Hamburg *Bürgerschaft*. The *Bürgerschaft* also has two books for children and young people. They explain the work of a representative, and inform the reader about politics and democracy. You can order the books at <https://www.hamburgische-buergerschaft.de/kinder-und-jugend/4414048/pixi-buecher/>

Thanks for information and advice to: Peter Meyer (*Bürgerschaft* Chancellery), Tanja Bencke and Oliver Rudolf (State Electoral Office), Dr. Jürgen Schween (*Senat* Chancellery), Martin Roel (Altona District Office), Prof. Dr. Tilman Grammes (Hamburg University, Department of Education, Office for Social Science Didactics)

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- public events

Our services are directed to all residents of Hamburg. You may pick up any information or publications in person during the Info-Center's opening hours. For a service fee of 15 euros per year, you can order up to five books from a supplemental catalog of publications.

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Our offices are at Dammtorstraße 14, 20354 Hamburg. The entrance to the Info-Center is at Dammtorwall 1.

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Printed by Mundschenk, Soltau

ISBN: 978-3-946246-07-7

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