

INFORMATION & RESEARCH

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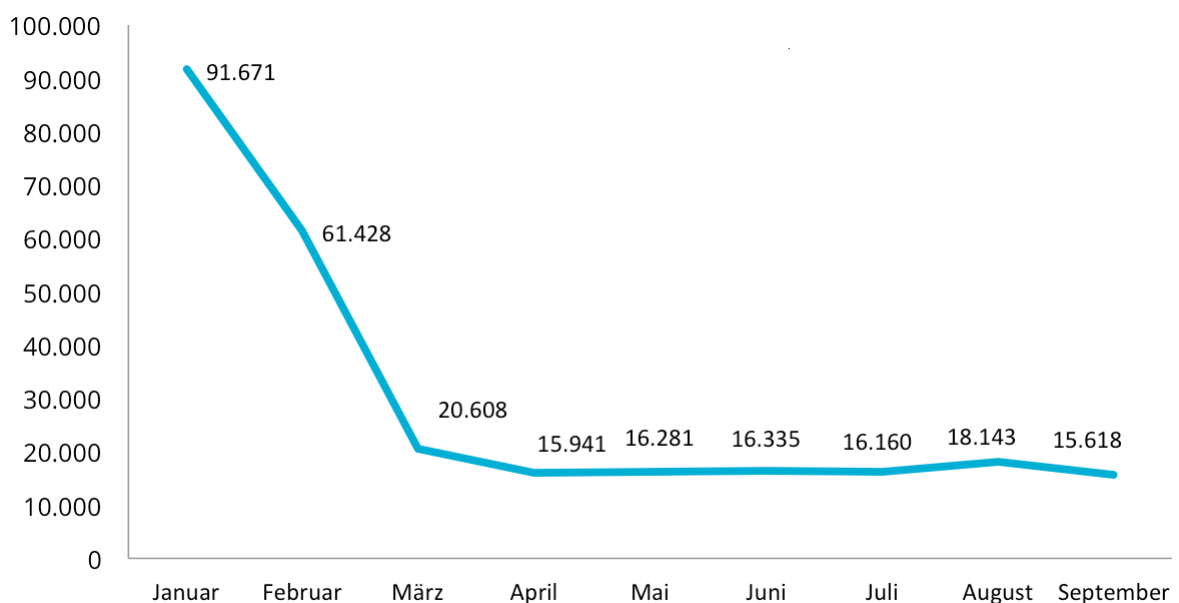
Flight, Political Asylum and Integration

Political policy decisions in Germany

Significantly lower numbers of refugees

The number of refugees entering Germany has fallen dramatically since the beginning of this year. Whereas **91,671** refugees were registered in the EASY data collection system as having crossed the border into Germany in **January**, that number had declined to **20,608** by **March**. The numbers have remained constant at approximately 16,000 border crossings since April. In September 2016, **15,618** people were registered as having entered the country. By way of comparison, a total of 206,101 migrants crossed the border into Germany in November 2015.

Chart: Registrations in the EASY system 2016¹



A total of 1.1 million refugees were registered by the **EASY system** in Germany in **2015**. The EASY data collection system is an IT application that is used to register the initial allocation of asylum seekers to the German federal states. The system collects anonymous data on the country of origin of refugees and their destination. It does not collect any other data of a personal nature. Because of the anonymity of the data, it is possible that refugees who have travelled further, or returned to their initial location, can be registered multiple times. The total number of refugees registered in the EASY system in 2015 was revised downwards from the original figure of **1.1 million** to **890,000** by the Federal Office

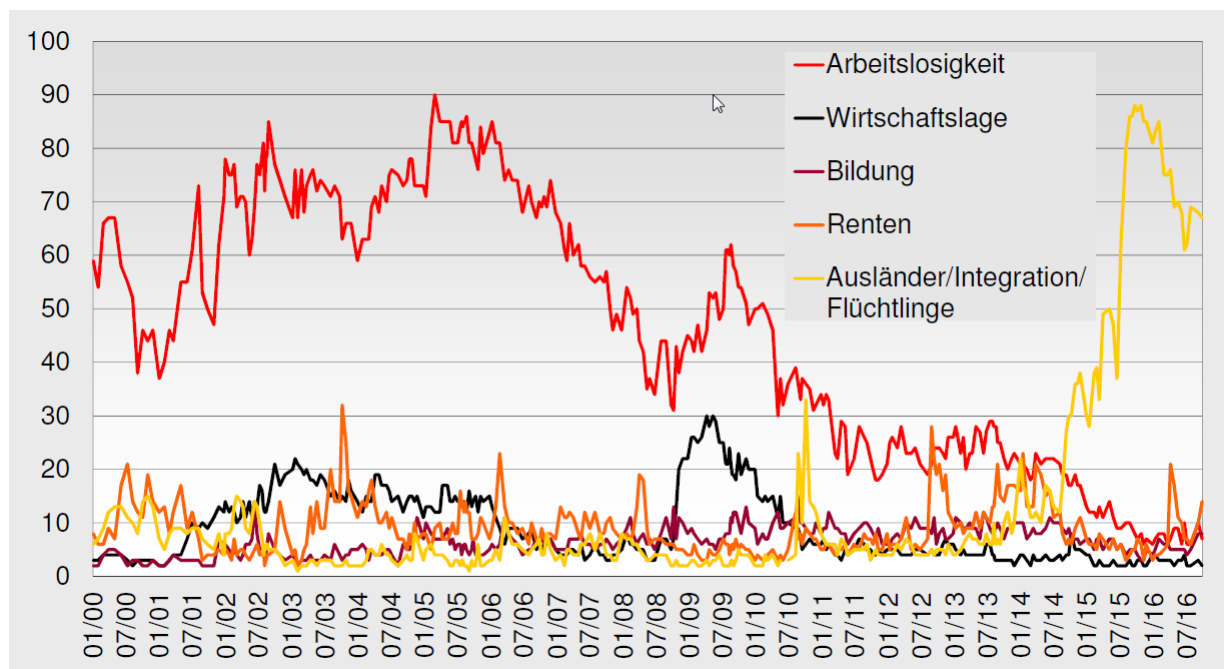
¹ Figures from the Federal Ministry of the Interior, compilation by Media Service Migration, <https://www.bmi.bund.de/SharedDocs/Pressemitteilungen/DE/2016/10/asylantraege-september-2016.html> (20.10.16), https://mediendienst-integration.de/fileadmin/Grafiken/EASY_2016.png (20/10/16).

for Migration and Refugees after an analysis was conducted of the data collected through the asylum application process².

Still: Migration and integration remain very much on German citizens' minds

Germans still perceive the issue of foreigners/integration/refugees as by far the country's most pressing problem at the moment. The topic continues to concern German citizens in a manner disproportionate to its severity, as the figures cited above clearly indicate that the refugee crisis as such is over.

Chart: The most pressing problems in Germany (max. of two issues may be mentioned)³



In the most recent "Politbarometer" survey taken by the *Forschungsgruppe Wahlen* (Institute for Election Research) on 14 October 2016, **67 per cent** of Germans cited the issue of foreigners/integration/refugees as the country's most pressing problem.

² <https://www.bundesregierung.de/Content/DE/Meldungen/2016/09/2016-09-30-bmi-bilanz-fluechtlingszahlen-fuer-2015.html> (20/10/16).

³ http://www.forschungsgruppe.de/Umfragen/Politbarometer/Langzeitentwicklung_-_Themen_im_Ueberblick/Politik_II/9_Probleme_1_1.pdf (24/10/2016). Legend from top to bottom: Unemployment, Economic situation, Education, Pensions, Foreigners/integration/refugees.

Although this figure is lower than the one recorded at the height of the refugees crisis in the autumn of 2015 (88 per cent), it is still very high.

The results of the "Politbarometer" survey were confirmed in the *Generation Mitte* ("Middle Generation") study conducted by the Allensbach Institute in September 2016⁴. Here, **64 per cent** of respondents (aged 30-59) said that the large number of refugees in Germany posed a high risk in terms of the stability of future developments in the country. In general, the open attitude of large segments of German society towards immigration has weakened, and citizens have become sceptical as regards the country's ability to integrate refugees into society. For example, a large majority (**67 per cent**) of the respondents in the Allensbach Institute survey assessed the chances of successful integration as not so good, or not good at all. Only **22 per cent** of respondents said they believed there is a good chance that refugees can be successfully integrated.

⁴ Study conducted by the *Institut für Demoskopie Allensbach* (Allensbach Institute) on behalf of the German Insurance Association (GDV), <http://www.gdv.de/2016/09/generation-mitte-2016-die-studienergebnisse-im-ueberblick/> (25/10/2016).

The Federal Government is addressing the problem

The German Federal Government has made many important decisions over the last few months:

1. Tightening of existing laws

The law governing the right to asylum has been amended considerably over the last two years in light of the increasing challenges Germany faces in this area. These reforms mark the most extensive tightening of laws governing asylum in Germany in the last 25 years. Among other things, unwanted incentives for people with no prospects of being permitted to stay have been eliminated and the process of removing people whose application for asylum has been denied has been streamlined.

- **November 2014:** Increase in the number of **safe countries of origin**⁵
 - o The Balkan nations of Serbia, Macedonia, and Bosnia and Herzegovina are designated as safe countries of origin.
- **November 2014: Amendment to the Asylum Seekers Benefits Act**
 - o Changes here enable more rapid integration of asylum seekers into the German labour market, as such individuals can now begin searching for work in Germany after three months instead of nine months, as was previously the case.
- **August 2015:** Passage of the ***Gesetz zur Neubestimmung des Bleiberechts und der Aufenthaltsbeendigung*** ("Act on the Redefinition of the Right of Residence and the Termination of Residence")
 - o The prospects of remaining in Germany are significantly improved for well integrated young and adolescent foreigners whose residence status is uncertain. At the same time, the act helps facilitate and accelerate the process for removing those

⁵ These are countries whose generally positive political circumstances result in the legal assumption that no political persecution, or inhuman or humiliating treatment or punishment, occurs in these nations (§ 29a AsylVfG – Section 29a, Asylum Act).

individuals whose legal status requires them to leave the country.

- **October 2015: Asylpaket I (First Asylum Package)**

- The Federal Government **eases the burden on the federal states** considerably and assumes the costs for those who have applied for asylum (lump sum of €670 per month per person).
- Additional unwanted incentives for people with no prospects of being permitted to stay are to be avoided. The previous practice of issuing “pocket money” to cover the personal needs of refugees is to be replaced by **in-kind benefits** to the greatest extent possible.
- **Albania, Kosovo and Montenegro are designated as safe countries of origin** in order to further accelerate the processing of asylum applications filed by nationals of those countries.
- People with good prospects of being permitted to stay are to be integrated into the labour market at an early stage. The Federal Government therefore opens up **integration courses** to asylum-seekers and individuals with tolerated residence status who have good prospects of being allowed to stay in the country. The government also makes additional funding available to this end.
- **Changes are to be made to construction planning law** in order to enable the more rapid construction of accommodation for refugees.
- Asylum seekers may now have to stay in a **reception facility** for up to six months (previously three months).

- **March 2016: Asylpaket II (Second Asylum Package)**

- **Accelerated procedures** will go into effect for the processing of applications filed by asylum seekers from safe countries, those submitting a repeat request for asylum and asylum seekers who do not cooperate during the asylum application

process. The latter group includes people who conceal their true identity or refuse to be finger-printed.

- The monthly **cash allowances** for the individual needs of refugees as defined in the Asylum Seekers Benefits Act are to be reduced.
- **Obstacles to expulsion removed.** Only life-threatening or serious illnesses that would be significantly worsened as a result of expulsion will now be considered. In future, a qualified physician will have to issue a certificate laying out credible medical grounds in order to prevent expulsion. A more simplified system for **procuring replacement passports** or other travel documents is to be implemented in order to make the removal process more effective.
- The **families** of asylum-seekers entitled to subsidiary protection **will not be permitted** to follow them to Germany for a period of two years.

- **March 2016: Stricter expulsion law**

- A stricter expulsion law is enacted in response to the attacks in Cologne on New Year's Eve.
- **Asylum-seekers** who receive prison sentences, youth custody sentences or probation sentences of one year or more can now be **expulsed**.

The Federal Ministry of the Interior also begins discussions on a **Gesetz zur besseren Durchsetzung der Ausreisepflicht** ("Act for More Effective Removal of Individuals Obligated to Leave the Country"). Such a law would allow for more rapid expulsion of refugees who commit crimes or fail to cooperate during the asylum application process (e.g. produce fake documents, attempt to conceal their true identities).

- Within the framework of a so-called **knock-out regulation**, specific offences will be deemed to constitute grounds for mandatory expulsion.

- Proposals are also made to establish a joint **coordination centre for monitoring criminal activity by foreigners**, and for the centre to be managed by the police.
- In addition, a two-step procedure will be initiated against those countries which, in violation of international law, refuse to take back nationals who have been slated for expulsion from Germany. The first step will involve the threat to **cancel development aid**; the second step will be the actual cancellation of such assistance.

2. Integration courses and integration projects

Even though many of the people now coming to Germany will end up returning to their home countries, it is nevertheless important to make an effort to integrate them. Educational and vocational training measures promote integration and also represent an investment in the reconstruction and stabilisation of the countries that refugees have fled. The motto here is that temporary integration is better than no integration at all – and this notion is also one of the guiding principles of the new Integration Act.

- **August 2016: The Integration Act**

- Asylum-seekers can now be required to participate in **integration courses**.
- The **labour market priority check has been suspended** in most regions in order to speed up job placements for refugees in the labour market.
- In order to ensure better integration and prevent the formation of “parallel societies”, asylum seekers with recognised refugee status can be **assigned a place of residence** for the first three years after they are granted such status.
- **Support for vocational training:** Refugees with tolerated residence status are granted exceptional leave to remain in the country throughout the entire duration of their vocational training.
- **Settlement permits** will be issued after five years to those recognised refugees who can demonstrate successful integration.
- The creation of **100,000 employment opportunities** (so-called one-euro jobs) will enable refugees to be integrated into the low-level German labour market even before their asylum procedures have been completed.

- **Expansion of integration courses**

- The deadlines for participating in an integration course have been shortened – i.e. refugees are to be placed in an **integration course more quickly than before**.
- **A total of 15,000 qualified instructors** have been made available to teach integration courses at more than **7,500 locations** throughout Germany. More than 820 teachers have been added to the instructor pool over the last three months alone.
- The Integration Act stipulates an increase in the minimum wage for instructors of €12, to €35 per teaching unit.
- This year, nearly **206,000 refugees** have begun an integration course to date. This figure is already higher than the 180,000 refugees who began such a course in all of 2015.
- Special attention is being paid in the orientation course to **more effective communication of prevalent values** in German society. To this end, new learning content is being added to the orientation course, and the number of teaching units has been increased from 60 to 100.
- So-called **KompAS⁶ measures** for identifying competencies and promoting learning and the acquisition of language skills were introduced in August 2016. Within the framework of this approach, the integration course managed by the Federal Office for Migration and Refugees and the Federal Employment Agency has been combined with the measures for identifying competencies. This move is designed to speed up the process of integrating refugees into the labour market.

- **Integration can only be successful as a partnership**

- The guiding principle of German integration policy is **Fördern und Fordern** (“Support and Challenge”) The government can support integration but it cannot dictate it.

⁶ KompAS is the German acronym for competency identification, early activation and acquisition of language skills.

- Both German society and migrants and refugees must **be willing** to accept and interact with one another.
- **Germany is willing to take on the challenge:** The **Federal Government's List of Projects** is a source of encouragement here, as it contains more than 700 integration initiatives that are now being conducted all over Germany.