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MIGRATION
IN EUROPA

Contents

1. Gates of Entry and Immigrant Groups
 - 1.1 Labour Immigrants ("guest workers") from (Southern Europe and) Turkey
 - 1.2 Ethnic German immigrants (Aussiedler) from Central and Eastern Europe
 - 1.3 Immigration via family unification and/or marriage
 - 1.4 Asylum Seekers and Refugees
 - 1.5 Contingency refugees or "Kontingentflüchtlinge" ("Russian Jews" and Vietnamese boat people)
 - 1.6 New East-West immigrants since early 1990s (seasonal labourers)
 - 1.7 New immigrants (investors, highly skilled and university graduates) according to the 2005 Immigration Act (Zuwanderungsgesetz)
 - 1.8 Undocumented immigrants
2. Ethno-demographic Structure of Germany's Immigrant Population
 - 2.1 Statistical Dilemmas
 - 2.2 Ethno-demographic Structure
3. Legal Framework for Immigration to Germany
4. Identification of Integration Support Services
 - 4.1 Official integration policy
 - 4.2 Integration Support Services
 - 4.2.1 Cross-Departmental Tasks
 - 4.2.2 Social Infrastructure for Migrants
 - 4.2.3 Consultation
 - 4.2.4 Anti-Discrimination
 - 4.2.5 Residence
 - 4.2.6 Housing
 - 4.2.7 Education
 - 4.2.8 Employment
 - 4.2.9 Social Welfare
5. Joined-up Government and partnerships
6. One Stop Shop models
7. Immigrant Experiences of Government Services
 - 7.1 Access to information and power
 - 7.2 Practical Organisation of Immigrant Integration
8. Discussion
9. Recommendations

1. Gates of Entry and Immigrant Groups

For the German case there are in particular group and gate of entry related features that shaped and continue to shape the emergence of its migration regime since the end of World War II. Hence it makes sense to shortly outline these specific preconditions for the various immigrant groups. Basically seven groups can be labelled as actors:

1. labour immigrants (guestworkers/contract workers) from Southern Europe and Turkey residing predominantly in West Germany and labour immigrants from socialist countries residing predominantly in East Germany
2. ethnic German immigrants from Central and Eastern Europe
3. immigrants who came via family unification
4. asylum seekers
5. contingency refugees ("Russian Jews"/"Vietnamese boat people")
6. new East-West immigrants since the early 1990s (seasonal labourers)
7. new immigrants (investors/highly skilled/students) according to the 2005 Immigration Act (*Zuwanderungsgesetz*)
8. undocumented migrants whose number in Germany is estimated to range between one and two million people.

1.1 Labour Immigrants ("guest workers") from (Southern Europe and Turkey)

West Germany recruited (mostly unskilled) labourers from Italy, Spain, Portugal, Greece, Turkey, Morocco and Tunisia between 1955 and 1973. This labour recruitment was organized through bi-lateral treaties. The so called guest workers, their children and grand-children as well as family members who came via family unification (even after 1973 until today) make up the bulk of Germany's foreigners and around one quarter of people with "migrant background" (a current stock of ca. 4.5 to 5 million people). With regard to the German immigration regime and integration policy they are the most relevant group, as they are the single largest group and often qualify as visible minorities. However, this development was not foreseen when the recruitment started in the mid-1950s or was ended in the early 1970s. "Guest workers" came mostly as unskilled labourers to West Germany and were supposed to leave within the so called

system of rotation. The system intended to bring in labourers only on a temporary basis. As the idea of rotation did not succeed, immigrants settled and with their settlement permanent immigrant communities emerged.

East Germany also recruited labour immigrants from other socialist countries from the early 1960s on. First this system included other European countries, specifically so called “socialist partner states” such as Hungary and Poland. In the 1970s it was also extended to non-European countries (Algeria, Cuba, Mozambique and Vietnam). The rationale behind it was also to substitute labour scarcity though the project was politically labelled as support for developing countries, in particular with regard to the non-European contract partners. However, though the two recruiting systems followed a similar economic logic, the extent differed significantly. West Germany recruited far more labour immigrants than East Germany did. In 1989, the number of foreigners in the GDR stood at little less than 100,000 people which were less than one percent of the total population. In West Germany this number stood at 4.85 million people or 7.6 percent of the total population.

1.2 Ethnic German immigrants (Aussiedler) from Central and Eastern Europe

Ethnic German immigrants from Poland, Romania and the former Soviet Union and its successor states are a group which is considerably under-researched. Though they make up 4 to 4.5 million persons in Germany precise analysis of this group is complicated as they disappear in the statistics as naturalized citizens upon immigration. Thus, they can only be tracked in certain sample surveys.

The bulk of ethnic German immigrants is made up of Russian-Germans and came after 1989/90. They contributed to the establishment of a Russian speaking community in Germany. However, the group remains rather invisible in public debates as an effect of privileged treatment (instant naturalization), a comparatively lower level of formal education and a lower economic status. Moreover, the number of immigrants has considerably gone down as an effect of stricter legal rules and thus tighter gates of entry. Not only were the countries of origin reduced and a maximum quota set, but also

German language tests for would be immigrants introduced. As a consequence the number of ethnic German immigrants fell from 230,000 in 1992 to 5,800 in 2007. This decline, however, was also an effect of the decreasing migration potential in the countries of origin.

1.3 Immigration via family unification and/or marriage

Germany allows family unification of immigrants and their relatives to a certain degree, i.e. when immigrants try to unite with parents, children or spouses. Given the large pool of immigrants that had been around in West Germany in 1973 when systematic immigration and labour recruitment was stopped, family unification developed into the prime gate of long-term entry for immigrants (who did not come on an ethnic ticket, i.e. as ethnic German immigrants). The numbers for family unification (of third country nationals) stood between 40,000 and 60,000 people per year since 2001 (2001: 63,078, 2006: 39,585 based on number of visa issued without children below age 18). In 2006, 25 percent (10,208) of brides and bridegrooms came from Turkey, 14 percent from Serbia-Montenegro and Bosnia-Herzegovina (5,559) and ten percent (4,205) from the Russian Federation and Ukraine. Since summer 2008 immigration via family unification was made more complicated by introducing language tests for spouses from third countries.

1.4 Asylum Seekers and Refugees

Germany was a prime destination for asylum seekers and refugees from the mid 1980s to the mid 1990s. In particular the fall of the Iron Curtain and the wars in former Yugoslavia made the number of asylum seekers and refugees go up. As an effect of this rapid increase and the corresponding public and political pressure, the liberal German asylum law codified in the German constitution (*Grundgesetz*) was changed in 1993. Hence claiming asylum was made much more difficult by listing certain sending countries as safe countries and introducing the third safe country principle, i.e. denying asylum if an asylum seeker passed a safe country before entering Germany. All neighbouring countries were declared safe third countries. Whereas the number of asylum seekers stood at 438,000 applications for asylum in 1992, it fell as low as

30.000 in 2007. Moreover, most refugees from the Balkans were repatriated after the wars were over.

1.5 Contingency refugees or "Kontingentflüchtlinge" ("Russian Jews" and Vietnamese boat people)

Germany provides the legal opportunity of taking in so called contingency refugees (*Kontingentflüchtlinge*). This gate of entry can be opened by political will when in cases of humanitarian crisis immigration is made possible for specific (ethnic) groups or countries of origin. In the 1970s this rule was applied to Vietnamese boat people and in the recent past it has been applied to Russian Jews since 1991. As an effect ca. 230,000 Russian Jews and their family members immigrated from the Soviet Union and its successor states to Germany between 1991 and 2004. In 2004 immigration for Russian Jews was made more difficult by introducing mandatory language tests of German and creating certain administrative and economic hurdles.

1.6 New East-West immigrants since early 1990s (seasonal labourers)

The fall of the Iron Curtain opened up new (actually rather old) migratory spaces. In the 1990s Germany and Austria in particular became countries of destination for new east-west immigration. This was true for new system of contract labour (and for irregular or undocumented migration). Germany concluded labour recruitment contracts with a number of Central and Eastern European countries to import short term seasonal labour, in particular in the areas of agriculture, tourism and hotels/restaurants.

1.7 New immigrants (investors, highly skilled and university graduates) according to the 2005 Immigration Act (Zuwanderungsgesetz)

The new German Immigration Act which came into being in 2005 opened a new and fairly narrow gate of entry for self-employed immigrants. New immigrants who invest at least one million Euros and create ten new jobs gain a temporary residence permit which can be made permanent after three years. However, their business plan needs official approval by German authorities before immigration is made possible. Another regulation stipulates that persons who can demonstrate to make more than 84,000 Euros

annually as employees are allowed to immigrate to Germany. Moreover, foreign university students who graduate from German universities now have the opportunity to find employment in Germany within one year after their graduation.

1.8 Undocumented immigrants

Undocumented or irregular immigration to Germany has significantly increased ever since the Cold War ended and borders became more permeable. Undocumented immigration, be it of people who cross the border without permit (visa) or who work illegally (without work permit) is mostly demand driven. The German economy shows a significant shortage of labour in the unskilled sectors such as agricultural work, tourism, care of the elderly or household work. This demand is filled in particular by undocumented immigrants, very often coming from Central and Eastern Europe. Unlike other Western European countries or the United States so far Germany has not implemented any regularization policies for undocumented immigrants. Thus the number of undocumented immigrants remains high and is estimated to range between one and two million people.

2. Ethno-demographic Structure of Germany's Immigrant Population

2.1 Statistical Dilemmas

Statistical evidence about the social and economic situation of immigrants and the terminology used in public discourses fall apart. Until very recently official statistics in Germany followed the classification of German citizen vs. non-German citizen. Thus, the discourse about immigrants has been dominated by the discourse about foreigners (*Ausländer*) for a long time. This fact skewed the picture of Germany's society of immigration immensely in a twofold way. It included people into the category of foreigners (and thus immigrants) who actually were born in Germany ("second" and even "third generation of immigrants" born and socialized in Germany but without German citizenship). However, it also excluded millions of persons from the stock of immigrants who came as ethnic German immigrants (*Aussiedler*)¹ from Central and Eastern Europe since 1950. This group enjoyed the privilege of immediate naturalization upon immigration. As a consequence they disappeared from German statistics on foreigners. Thus, the paradox situation occurred that a certain segment of native born population was included into the category of foreigners and associated with immigration though they were born in Germany and another segment of foreign born population was excluded from the landscape of immigration.

Only within the last two to three years this situation has been controversially discussed. As an effect a new, more encompassing term emerged, *Personen mit Migrationshintergrund* ("persons with immigrant background" or "persons of immigrant origin"). This category originated from debates within civil society and the press and was picked up and operationalised by statisticians. Namely it was included into Germany's 2005 *Mikrozensus* (an annual one per cent statistical sample) for the first time. The newly created category includes immigrated foreigners (*zugewanderte Ausländer*), foreigners born in Germany (*in Deutschland geborene Ausländer*),

¹ These are members of German minorities in Central and Eastern Europe who were allowed to immigrate to (West) Germany after World War II. They were not seen as immigrants, but as co-ethnic population that was repatriated as a consequence of historical circumstances.

naturalized foreigners (*eingebürgerte Ausländer*), and ethnic German immigrants (*Aussiedler* and *Spätaussiedler*).

As an effect of the 2005 statistical redefinition the relevant group under consideration for questions of immigration and integration roughly doubled from 6.76 million *foreigners* to 15.3 million *people of immigrant origin*, now also including naturalized persons and so called “second generation immigrants”. The statistical bias and the statistical redefinition are a severe and important limitation under which most social scientific research on immigrant incorporation in Germany needs to be read.

2.2 Ethno-demographic Structure

As Germany’s immigrant population ranges between 6.76 (foreigners) and 15.3 million people (“migration background”) it means that between 8.2 to 18.6 percent of the total population (the total population stood at 82.3 million people on December 31, 2006) fall into the category of foreigner/person with immigrant origin. The two largest immigrant groups are former “guest workers” (and their children) and ethnic German immigrants from Central and Eastern Europe, in particular the former Soviet Union. Among the “guest worker” population the five main groups (Turks, Italians, Spaniards, Greeks and Serbo-Croats) currently make up around 3.2 million persons (Turks: 1,739,000, Italians: 535,000, Spaniards: 107,000, Greeks: 304,000 and Serbs and Croats without Bosnian citizens: 544,000). In addition there are ca. 500,000 to 600,000 former Turkish citizens who hold German citizenship and around 100,000 from other former sending countries. Thus, the group of residents of Turkish origin is the largest immigrant group in Germany. However, since 1988 2.8 million ethnic German immigrants (*Aussiedler*) have come to the country, of whom 2.2 million came from the Soviet Union or its successor states, thus forming an immigrant group almost as big as the population of Turkish origin in Germany (counting Turkish citizens and those naturalised). If one includes the ethnically Russian spouses of these immigrants – many *Aussiedler* live in interethnic marriages – and Russian-Jewish immigrants Russian speaking immigrants in Germany clearly outnumber the Turkish group. The majority of Russian speaking

immigrants, however, are hard to trace in the statistics as *Aussiedler* usually become German citizens upon immigration. This privilege of automatic naturalization is unique to ethnic German immigrants and does not apply to other groups. It provides them with full rights as citizens.

Furthermore, a new immigration system has emerged between post-communist countries and Germany. Since 1990 a growing number of citizens from these post-communist countries of transition, namely from former Yugoslavia, from the former Soviet Union, partly from Romania and Bulgaria and in particular from Poland have come to Germany. Poland joined the European Union on May 1, 2004, Bulgaria and Romania on January 1, 2007. This means that Polish, Bulgarian and Romanian citizens who had previously immigrated to Germany (or the EU) have turned from non-EU to EU immigrants on the respective date. This is of course true for all immigrant citizens from the countries which joined the EU as new members since 2004. Precise and reliable statistics about these mostly Eastern European immigrants are, however, almost impossible to generate. This is due to the heterogeneity of the groups, their partly only temporary status of residence and their partly undocumented legal status. The immigration from former Yugoslavia, namely from Bosnia, had basically to do with the wars in Bosnia-Herzegovina. Most refugees who came under a special regulation have been repatriated to their country of origin.

Poland has become an important sending country for Germany and is a special case with regard to Germany's migration regime. Currently 362,000 Polish citizens are legally registered in Germany. However, the number of Polish speakers is much higher as more than 1.4 million ethnic Germans emigrated from Poland to Germany from 1950 to 1992, predominantly in the 1980s. Most of them are bilingual, though not all. More importantly is that the turn-over of migrants between Poland and Germany is much higher than the stock of Polish citizens indicates. Within the time span of 1999 to 2004 alone 620,000 persons from Poland came to Germany, but 483.000 persons also left Germany for Poland. This already indicates the high level of migratory interrelations between the two countries. The Polish-German migration regime is shaped by two

distinctive features. Firstly, Polish citizens figure prominently within Germany's informal economic sector. Domestic services, care work, agriculture and construction are a prime target for undocumented workers in Germany. Their number is estimated at one million people throughout the country. Polish citizens are an essential part of this informal economy as *individual entrepreneurs* as long as the German labour market is not fully open to Polish citizens yet. It will only become open in 2012. Secondly, Polish companies have access to German (and EU) markets since Poland became full EU member in 2004. This has encouraged many Polish companies, in particular in the construction sector, to cater for the German market. German politics has reacted to it by way of passing a special law that guarantees a minimum wage for Polish workers and employees who work for Polish companies on the German market. Thus, the Polish community is one of the most interesting in German society, though its structure does not fit into a simplistic model.

If one analyses the number of foreigners in Germany, the following table emerges:

Table 1: Foreign Population (*Ausländer*) in Germany (as of 31 December 2006)

Foreign Population from Non-EU-Countries: ten largest non-EU groups by citizenship		
Country	Total Number	Percentage of Population in Germany
1. Turkey	1 738 831	2.09
2. Serbia and Montenegro	316 823	0.38
3. Croatia	227 510	0.27
4. Russian Federation	187 514	0.23
5. Bosnia-Herzegovina	157 094	0.19
6. Ukraine	128 950	0.15
7. United States	99 265	0.12
8. Viet Nam	83 076	0.10
9. China	75 733	0.09
10. Iraq	73 561	0.09
Foreign population from Bulgaria and Romania		
Romania	73 353	0.09
Bulgaria	39 053	0.05
Foreign Population from all Countries: fifteen largest groups by citizenship (in bold: non-EU-countries)		
1. Turkey	1 738 831	2.09
2. Italy	534 657	0.64
3. Poland	361 696	0.43
4. Serbia & Montenegro	316 823	0.38
5. Greece	303 761	0.36
6. Croatia	227 510	0.27
7. Russian Federation	187 514	0.23
8. Austria	175 653	0.21
9. Bosnia-Herzegovina	157 094	0.19
10. Ukraine	128 950	0.15
11. Netherlands	123 466	0.15
12. Portugal	115 028	0.14
13. Spain	106 819	0.13
14. France	104 085	0.13
15. United States	99 265	0.12

Source: Federal Statistical Office

The table demonstrates that the ethno-demographic structure of the foreign population is still very much shaped by the fact that Germany recruited foreign labour from the mid-1950s to the early 1970s. The two largest groups, Turkish and Italian citizens, belong to

this category. Turkish citizens are by far the largest group among the foreign population. Among the fifteen largest groups of foreigners in Germany only seven are third country nationals. They make up 2,855,987 persons from 4,681,152 or 61 percent.

3. Legal Framework for Immigration to Germany

Germany's legal framework of immigration and integration has significantly changed over the last ten years or to be more precise ever since January 1, 2000. This is due to two new legal frameworks that came into force in 2000 and 2005. On January 1, 2000 Germany's new citizenship law was enacted. On January 1, 2005 the new Immigration Act (*Zuwanderungsgesetz*) became legally binding. Both laws had wide-reaching consequences for immigration to and integration in Germany. They ended the phase in which Germany denied being a country of immigration and officially and politically recognized the fact of being a country of immigration or rather immigrant integration. Actually Germany is currently not really a country of immigration if one takes a look at the net migration balance (= number of in-migrants minus number of out-migrants). This balance stood at 23,000 in 2006 with 639,000 emigrants and 662,000 immigrants. In comparison with previous years, especially with the early and mid 1990s, this balance is up to twenty-five times lower than it used to be in the early 1990s. However, even with low numbers of immigrants Germany still remains a country of integration as German society and German politics have turned to make up for the deficits of integration resulting from the past.

The new Citizenship Law made naturalisation easier and introduced an element of *ius soli* into German citizenship law. Ever since 2000 legal immigrants who are able to sustain their livelihood in Germany can naturalize after eight years of residence supposed they do not have a criminal record. Moreover, children of foreigners who have legally resided in Germany for at least eight years acquire German citizenship upon birth. Since they also inherit their parents' citizenship, they hold dual citizenship. Since Germany generally does not endorse dual citizenship, the 2000 law stipulated an option clause. These dual citizens have to opt for one of their passports between age 18 and 23. In case they decide for the citizenship of their parents, they will automatically lose their German citizenship.²

² The option clause does only pertain to children of foreign parents. Children who are born to a binational couple, i.e. with one German parent, also become dual nationals. Their status is not challenged and there are at no time required to decide for either one of their passports.

The Immigration Act stipulated a number of important new legal provisions with regard to immigration, residence and integration. It provides the opportunity of setting an immigration quota, which, however, has been at zero ever since the law was enacted in 2005. For high potentials (investors, highly skilled immigrants and foreign university graduates) a special gate of entry was created (see above). Moreover, the various residence statuses were simplified by just creating two, namely the temporary residence permit (*Aufenthaltserlaubnis*) and the unlimited settlement permit (*Niederlassungserlaubnis*).

Wide reaching changes were made in terms of integration policies and programs. The Immigration Act created the Federal Office for Migration and Refugees (*Bundesamt für Migration und Flüchtlinge*; BAMF). This institution is nowadays the key actor when it comes to the admission of new immigrants, their welcoming and the implementation of integration measures. A major step towards legally unifying integration was the creation of language and orientation courses for new immigrants under the auspices of the BAMF. For new immigrants language courses of 600 hours and citizenship courses of 30 hours have become mandatory since 2005. The number of hours was increased in 2008 to 900 hours and 45 hours respectively. As a consequence of low numbers of immigrants in the recent years people who came before 2005 were also included into the language and orientation courses.

4. Identification of Integration Support Services

Unlike immigration policy which underlies central rules of the German nation state, integration policies are also exercised by the 16 German states (*Länder*). Thus details of integration policies can change from one *Land* to the other, though many general rules are codified on the national level.

As neither Germany nor the State of Berlin have yet created centralized offices or one stop shops for all issues concerning immigration and integration the following information partly refers to agencies and offices that deal with socio-economic or legal services available for all citizens, including immigrants and foreigners. Moreover, the information given is predominantly based on the case of Berlin, as complete information for all 16 *Länder* would exceed the limits of this report. Where marked ("") the information is based on the information package "Welcome to Berlin" provided by Berlin's Commissioner for Integration and Migration.

4.1 Official integration policy

For general information and for language and information programmes see above (3.)

Political participation in the fullest sense, i.e. the right to vote and the right to be elected is not available for non-naturalized third country nationals, not even on the local level – in contrast to EU nationals. These rights can only be gained upon naturalization. However, informal representation by immigrant NGOs and formal representation by special integration or foreigner councils (*Integrationsbeiräte* or *Ausländerbeiräte*) is widely spread throughout Germany. The number of immigrant NGOs ranges in the thousands, if not in the ten thousands. Their activities go from mere cultural or religious concerns over homeland politics to active engagement with political issues in Germany, not least of all issues of integration. For the largest group of third country nationals, the Turkish community, there is a central organization called *Türkische Gemeinde*, an umbrella organization of about 200 individual Turkish-German organizations. In Berlin the most important actor is the Turkish Union in Berlin-Brandenburg, member of the

Türkische Gemeinde. Immigrant parties do not exist which also has to do with the fact that foreigners are not entitled to found a party.

However, there is an increasing number of (naturalized) immigrants or person of immigrant origins being elected to local, regional or the national Parliament for the established mainstream parties. However, these representatives are not evenly spread throughout the political spectrum. They can be rather found among the liberal, the left and the social-democratic spectrum, not so much among the conservative parties.

For Berlin there is a special body of immigrant organizations and official political actors, the so called *Landesbeirat für Integrations- und Migrationsfragen* ("State Council for Questions of Integration and Immigration"). This body is constituted by six immigrant representatives, nine members of the city administration, the Berlin Commissioner for Integration and Migration, two representatives of the Council of City-District Mayors, one representative of the City-District Integration Commissioners and one representative each of the Berlin Chamber of Industry and Trade, the Sport Association, Trade Unions, Welfare Organizations, and the Berlin Branch of the Expellee Association. The immigrant representatives are elected from among 109 registered immigrant organizations. The Council meets regularly (three to four times per year) to discuss and negotiate integration politics and policies.

Most *Länder*, many cities as well as the national state have recently developed integration concepts that have become charters for integration. On the national level the Federal Commissioner for Integration passed such a document (*Nationaler Integrationsplan*) in summer 2007, on the Berlin level a revised version of the 2005 integration concept was also passed in summer 2007. Though the *Länder* were included into drafting the national integration plan it is not yet sure if the Berlin plan and the national plan match each other or compete with each other in parts.

Naturalisation policies have changed with a new foreigners' law in 1990 and more significantly with the new citizenship law in 2000 (see above). The numbers of

naturalization went up throughout the 1990s from less than 20.000 naturalizations per year to a historical high in the year 2000 with 186.000 naturalizations. Ever since 2000 the numbers are declining. In 2006 they stood at almost 125,000. The largest group of new citizens is of Turkish, the second largest of Polish origin. These numbers, however, do not include ethnic German immigrants who can claim naturalization upon arrival and are not part of the regular naturalization policy for other nationals.

Educational as well as economic inclusion of immigrants and foreigners is a very controversial issue in Germany. This is not least the case, because the older groups of immigrants are not very well integrated. The unemployment rate of non-Germans citizens is on average twice as high as for German citizens. Educational attainment of immigrant youth is significantly lower than for Germans, though not for all different groups of origin. Currently the area of educational immigrant inclusion is most controversial as the school system is under reform pressure to achieve better results for lower classes in general and for immigrants in particular. As a response to low attainment rates of immigrants the state as well as NGOs, welfare organizations and foundations run many different programs to improve the situation. However, these programs usually do not target new immigrants, but those who have been in the country for longer or who have been born into immigrant families.

Economic inclusion is most often also targeted at older immigrants. Most *Länder* and many cities run support programs for economic (re-)integration of immigrants or for self-employment of the group. A work permit for new immigrants from third countries usually depends on a (temporary) residence permit. Moreover, third country nationals can only fill a vacant position when no German or EU citizen qualifies for the job (=primacy of citizens and EU citizens).

4.2 Integration Support Services

State regulated and supported immigrant services are mainly handled by two actors, namely the BAMF and welfare organizations that closely cooperate with the BAMF. There are six such welfare organizations: *Deutscher Caritasverband*/Catholic Welfare Organization, *Rotes Kreuz*/Red Cross, *Arbeiterwohlfahrt*/ Workers Welfare Organization, *Diakonisches Werk*/Protestant Welfare Organization, *Zentralwohlfahrtsstelle der Juden in Deutschland*/The Central Welfare Organization of Jews in Germany and the *Internationaler Bund*/International Federation. They are in charge of the Migration Preliminary Advisory Service (*Migrationserstberatung*), a counselling service for new immigrants that was introduced with the Immigration Act in 2005. This service includes counselling for newcomers in the areas of education, employment, health, housing, and social welfare. It is meant to enable a smoother integration. It targets individuals, thus answering individual questions and serving individual needs such as residence status and permit, work permit, housing, access to social and welfare benefits. The service is targeted at adult new immigrants older than 27 years of age like ethnic German immigrants (*Aussiedler*) with spouses and descendants up to three years after entry, foreigners, permanently residing in Germany up to three years after their entrance or acquisition of their residence status designed on duration as well as foreigners living already for a long time in Germany and *Aussiedler* in real crisis situations according to available advisory capacities. The service provides "personal consultation and support to integration according to personal requirements. In the frame of consultation, a personal plan of promotion is worked out. At the same time the immigrant also receives references for support possibilities by other institutions. During the integration course the Migration Preliminary Advisory Service is responsible for consultation and coaching and, if necessary, helps to find a child care."

The welfare organizations are also in charge of counselling immigrant youth with a special service, the so called Migration Advisory Services for Youths (*Jugendmigrationsdienst*). It caters to "immigrated adolescents and young adults having finished compulsory education up to 27 years. The consultation is dedicated for young persons and young adults, intending to stay durably in Germany, and should be effective

short after their entry. Besides, if there is a special integration requirement the consultation is also for children, adolescents, and young adults already living in Germany for 12 to 27 years."

The state and welfare organisation system of counselling and advising immigrants is paralleled by hundreds of voluntary and of immigrant organizations that provide particular services. Moreover, some Commissioners for Integration run counselling services for legal, educational, social and economic questions. This is for instance the case in Berlin. The Commissioner's cross-departmental work encompasses the following activities:

4.2.1 Cross-Departmental Tasks

"The main duty of the Commissioner for Integration of the Berlin senate is to formulate the basic line of the foreigner and integration politics and to coordinate with other administrations in Berlin. It is important to work out measures to reduce causes, impeding the integration process which jeopardize peaceful gathering of humans from different countries, nationality and confession. Focal points are cross-cultural mind opening, justification of administration and to lower discrimination.

The office of the Commissioner for Integration is a branch of the National Adviser for integration and migration, established in 2003, where representatives of migrant organizations, senate administrations, economy, and welfare institutions critically observe the migration politics of the Berlin senate. In all fields of activity, the Commissioner for Integration collaborates closely with municipal migrant commissioners and representations, associations, organizations, initiatives and diplomatic representations."

4.2.2 Social Infrastructure for Migrants

"The senate of Berlin promotes the legal and social equalization of immigrants by multiple integration relevant acts. The Commissioner for Integration promotes especially migrant organizations who act city wide, with the goal to strengthen the

participation of the migrants. This includes the promotion of nationwide federations in migrant work and societies, but also granting financial support."

4.2.3 Consultation

"The office of the Commissioner for Integration is also a contact point for consulters regarding integration, foreigner-political, legal and social advice. The consultation helps to clarify distinction cases and assists in emergency situations. Special cases of severity can be reported to the Berlin commission for hardship, to which the commissioner reports."

4.2.4 Anti-Discrimination

"A senate directing center against discrimination for ethnic, religious and ideological reasons is related to the Commissioner for Integration. It is duty of the direction center to support the realization of the anti-discrimination law, and provide consultation in cases of discrimination, i.e. immigrants can refer to the Commissioner if they are subject to discrimination."

In Berlin the work of the Berlin Commissioner for Integration is accompanied by the work of eleven City-District Integration Commissioners.

Specific areas of concern and support for immigrants:

4.2.5 Residence

Germany has got a mandatory registration system. Thus immigrants have to register.

"Residence titles can be obtained for various reasons:

- a) education (e.g. study or language course)
- b) gainful employment (both employment and self-employment)
- c) for reasons of international law and for humanitarian or political reasons (e.g. as a recognized refugee)
- d) for family reasons (e.g. spouse or children who follow at a later date)
- e) special statutory residence rights (e.g. of foreigners who lived in Germany as minors).

The residence permit (*Aufenthaltserlaubnis*) is valid for a limited time and is granted for specific purposes of residence. The length of stay depends on the respective purpose. The residence permit states whether the holder is eligible to work or not. The settlement permit (*Niederlassungserlaubnis*) is unlimited in time or place and includes the right to work. It must not be accompanied by supplementary clauses, except that under certain circumstances political activities may be prohibited or the place of residence restricted.

The following preconditions of issue must usually be met in order to obtain any residence title at all:

- a) You must be in possession of a valid passport or substitute passport,
- b) You must have assured means of subsistence: that is, you yourself must be able to pay for your own costs of living and adequate health insurance without being dependent on public funds;
- c) Your identity and citizenship must be clarified,
- d) There must be no reason for expulsion,
- e) Your stay may neither impair, nor endanger, the interests of the Federal Republic of Germany,
- f) You must have entered the country with the required visa and have provided the information pertinent to the issue of a residence title when you applied for this visa,
- g) You must not have already been prohibited from entering or residing in the country, and
- h) You must not be involved in contrary asylum proceedings that are still in progress, unless you have a right to issue of a residence permit."

4.2.6 Housing

Housing in Germany is usually left to (domesticated) market forces. Renting is the predominant form over buying and owning (80% renters to 20% owners). This leads to the fact of strict protection laws that limit the upper level of rent and its (moderate) increase. For people in need housing is subsidized (*Wohngeld*) or special social housing

is available. Immigrants are usually part of the regular housing market, unless they come as asylum seekers or as ethnic German immigrants. Then they are first assigned to asylum seeker or *Aussiedler* camps.

4.2.7 Education

Childcare and schooling for immigrants follows the normal mode under which all German children and families operate. However, as schools in immigrant district have become the prime target of educational controversies, educational policies increasingly focus on educational institutions in immigrant neighbourhoods. This special focus is usually institutional, not directed at individuals and their needs.

4.2.8 Employment

"In order to get a job, immigrants from non-EU countries need a residence permit (*Aufenthaltserlaubnis*) which qualifies for working or a settlement permit (*Niederlassungserlaubnis*). A residence permit qualifies for accepting jobs if explicitly stated on the permit (dependent employment or self-employment). For dependent employees in practice the following principle applies. The immigration office (*Ausländerbehörde*) verifies the legal conditions for a residence permit. If the conditions are fulfilled, the immigration office requests approval from the Federal Labour Agency for the person to accept an employment. In principle approval will be issued only if the vacancy cannot be filled by a German, a resident of the EU or another preferential jobholder (third party citizens living in Germany for a long time).

Jobcenters arrange for jobs and training positions, consult employers and employees, and offer help to increase chances to find a job, e.g. in promoting training on the job or vocational retraining. Jobcenters also arrange job- and professional trainings. Job offers and applications for a job are cross linked nation wide, such that people seeking a job can get a good overview of the job market in Germany.

For career guidance or information about training positions, job centers and career agencies are ready to answer questions. Vocational counselling and employment

exchange offer help free of charge. At job centers immigrants may also apply for grants to support their professional training. Besides, job centers care about social security. In case an immigrant lost his or her job, the employer has become insolvent or cannot employ at full time anymore, job agencies pay unemployment benefits.

Residence permits can be issued for self-employed work, if a positive effect on the economy is expected. These prerequisites are generally deemed to be fulfilled with a minimum investment sum of 1 million euros and the creation of ten jobs. If the investment sum or the number of jobs is less, the prerequisites are examined in terms of viability of the concept, amount of invested capital, business experience by trade authorities and associations."

4.2.9 Social Welfare

Immigrants as well as citizens are eligible for claiming welfare if they are in need. However, for immigrants with an insecure residence status it might not be available in cash, but only in kind. "Parents with certain residence titles receive child benefit (*Kindergeld*) depending on the number of children. Child benefit is independent of employment. Child benefit must be claimed at the families found office of the work agency or at the employer."

5. Joined-up Government and partnerships

There are currently two prime examples of partnerships (in Berlin). One was mentioned above, the cooperation between the BAMF and the established welfare organizations. Another one is even more recent and pertains to Berlin. The city of Berlin recently reformed its *Ausländerbehörde* (Foreigners' Office) and is reorganizing it as clearing and information point. This reform takes place in cooperation with some of the welfare organization. It targets at modernizing the Foreigners Office which used to have the reputation of being anti-immigrant or at least hostile and unfriendly, not service-orientated at all.

6. One Stop Shop models

One-Stop Shop models are not present for immigrant integration in Germany. However, the country knows Citizen Offices (*Bürgerämter*), services that serve as information hubs for citizens' concerns. However, these institutions only provide information. They do not provide any services. Socio-cultural mediators are not yet an integrated part of public German immigration and integration work. However, the idea has been taken up and the BAMF currently supports a pilot project (see above). Moreover, mentoring systems for students of immigrant origin have become popular. The Federal Commissioner for Integration is currently launching a nation-wide mentoring program based on experiences from local mentoring activities. It is particularly targeted at immigrant high school students who leave school and join the labour market as apprentices.

7. Immigrant Experiences of Government Services

The following analysis is based on information provided by immigrant organizations in Berlin and North Rhine-Westphalia where the German INTI partner team organises five roundtables each that bring together immigrant organizations, NGOs, government representatives and scientists. By end of May two meetings each had taken place. A total of twelve immigrant organizations are involved.

The comments and suggestions made by immigrant organizations can be grouped into three main areas, namely asymmetric informational or power relations and comments about the practical organization of immigrant integration.

7.1 Access to information and power

A comment made by many immigrant organizations was a significant lack of information shared by government organizations with immigrant organizations. Although there was a unanimous agreement about the fact that the institutional and legal rearrangement since 1999 had contributed to a more coherent and open discussion of immigrant affairs, the criticism persisted that access to information continues to be uneven. It was consensus that it is still predominantly the state and its institution that sets the agenda for immigration and integration. NGOs in general and immigrant NGOs in particular either conform to this fact or they vanish from the market. This uneven structure has even been worsened by the creation of new government organizations (such as the BAMF) and a generally tougher regime of allocating money to NGOs (which often live from state subsidies in Germany, i.e. in the strict sense they are not independent from governments). It was criticized that the power usually lies on the side of government actors. This was most obvious when Germany's Immigrant Act was negotiated and the agenda was eventually set by the Ministry of Interior. To a lesser degree it is also visible within the discussion and implementation of the National Integration Plan that was initiated by the Federal Commissioner for Integration. Though immigrant organizations were invited to participate in drafting this plan, it was

dominated by the various government actors on the federal, the *Länder* and the local level.

7.2 Practical Organisation of Immigrant Integration

The immigrant organizations made numerous suggestions for improving immigrant integration, though these suggestions did not go into the direction of reorganizing Germany's integration services in a one stop shop model. It was commented to be an interesting idea that, however, does not fit the situation of an old country of immigration where institutions emerged some thirty or forty years ago. A re-organization of institutions would most likely lead to increased competition and reactions of opposition among established institutions. The creation of the BAMF in 2005 is a good example how new central institutions are perceived in Germany's decentralized nation state: partly with suspicion, partly with opposition.

However, among the suggestions were numerous intriguing ideas for the improvement or reform of immigrant integration. One basic message was that integration work is not funded well, in particular when it comes to the work of immigrant organizations. On the state level, however, the new Immigration Act entailed higher expenses for integration. A suggestion made by one Berlin based immigrant organization was that a central budget for activities of immigrant organizations should be created which is distributed on a competitive basis. This criticism was directed against old and established connections between some NGOs/immigrant organizations and state actors versus newcomers on the market. In particular it was mentioned that the big welfare organizations had predominantly benefited from the traditional system. Newly established immigrant organizations did have a competitive disadvantage against these big and influential organizations.

Generally positive comments were made about the fact that state institutions undertook efforts in the last ten to fifteen years to open up and incorporate immigrant perspectives. Though it is still some way ahead to full equality it was acknowledged that the situation

has improved in numerous respects: awareness among state employees for immigrant concerns has increased, language and intercultural competences are on the rise, naturalization has become easier. The latter is not only true for the legal framework, but also in terms of attitudes among naturalization offices and officers. However, several comments pointed to the fact that improvements had rather been achieved for those immigrants with secure residence statuses whereas refugees continue to live in precarious situations. Another general comment was that Germany's Immigrant Act was a milestone in terms of recognizing the country as country of immigration. Moreover, it was mentioned that the reorganization of integration policies by way of the Immigration Act had several positive effects. Namely the inclusion of ethnic German immigrants into the general integration policy and the new system of residence statuses was emphasized.

There was little criticism with day to day government services. The only harsh criticism was made about the work of some of the *Ausländerämter* (Foreigners Offices). They were criticized as still being too much anti-immigration and anti-integration. Several comments were made with regard to the newly established language and orientation courses offered by the BAMF since 2005. It was generally acknowledged that these courses were a huge step towards a better integration policy for newcomers. The de facto inclusion of old immigrants into the courses was also highlighted positively. However, it was criticized that the administration of these courses on the ground lacked behind. Namely the cooperation between the BAMF and immigrant organization could be improved. Some immigrant organisations were critical about the quality of the language schools providing the courses.

In the case of Berlin, it was mentioned, that the various Offices of the city and the district Commissioners for Integration were useful institutions to communicate between immigrant organisations and the state.

8. Discussion

The questions raised here are all interesting, however, they are mostly highly speculative. Cost-benefit analyses on the basis of educated guesses do not really produce reliable or meaningful findings. The same holds true for feasibility studies of something that has not been implemented and its cost efficiency. Thus, the question cannot be raised under the present circumstances. It would need a thorough sociological analysis once a one stop shop model has been implemented. Moreover, some of the questions are just too big. A comparative cost-benefit analysis of existing integration services is something even big research institutions have given up on. The multitude of different actors on various levels and financial resources in Germany does not allow for a coherent analysis. Even on the level of a city state such as Berlin aggregated data is not available.

9. Recommendations

Based on the discussions of the roundtables the scepticism about implementing a One-Stop-Shop model in old countries of immigration has significantly increased. The feedback of the experts around the table was in between curiosity, scepticism and hostility. In particular the representatives from state agencies were more than sceptical. Given the highly diversified structure of state and non-state immigration and integration organizations, given the competing interests and given the historically grown division of labour it strikes me as rather unlikely that a One-Stop-Shop model in a pure sense could be implemented in Germany. However, the discussion showed that it provided an interesting reference point for a stimulating discussion.