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**Migrants and their Descendants:
Social Inclusion and
Participation in Society**

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Executive summary

1) Legislation and policy instruments

- The National Integration Plan of 2007 has been the key document for the integration policy of the Federal Republic, which was redefined and made more concrete in the National Action Plan of 2012.¹ Both do not contain an explicit definition of integration. The introduction of the concept of welcoming culture, which targets the majority society to tear down barriers for the participation of migrants, has also been an important development in Germany.²
- The following general factors act as drivers in developing, implementing and assessing legal and policy instruments: the German system of social welfare and the strength of the German economy, the recognition that Germany is an immigration country and the demographic crisis and the (future) lack of qualified labour.^{3,4}
- The following general factors act as barriers: a lack of human capital among parts of the migrant population, 15-20% of the population with right-wing and anti-immigrant attitudes, a lack of intercultural experience and competence particularly among large parts of the former GDR population and the differences in integration policies between federal states and cities.^{5,6}
- The Federal Office for Migration and Refugees offers integration courses which consist of a 600-900 hour language course and a 60-hour orientation course.⁷ Since 2005, third country nationals are obliged to attend an integration course if they are not able to communicate in everyday interactions. EU nationals have a right to attend integration courses upon their own initiative. The successful participation in an integration course reduces the waiting time for naturalisation from eight years to seven.⁸ As of 2014, 53% of integration course test attempts were successful.⁹

1 Germany, Federal Government (*Bundesregierung*) (2014), National Integration Plan. Statement of the Federal Government (Der Nationale Aktionsplan Integration. Erklärung des Bundes) 14 December 2014, p. 1ff, www.bundesregierung.de/Content/DE/_Anlagen/2011-12-14-aktionsplan-integration.pdf?__blob=publicationFile (accessed on 06.05.2015)

2 Heckmann, F. (2012), Welcoming culture. What does it mean and how can it be created and developed? (Willkommenskultur: Was ist das, und wie kann sie entstehen und entwickelt werden?) efms paper 2012-7, www.efms.uni-bamberg.de/pdf/efms%20paper%202012_7.pdf. (accessed on 06.05.2015)

3 Germany, Expert Commission of German Foundations (*Sachverständigenrat Deutscher Stiftungen*) (2011) Migration Country 2011 (Migrationsland 2011), Berlin, pp.51-67.

4 The theoretical background for barriers and drivers is developed in Heckmann, Friedrich, Integration von Migranten – Einwanderung und neuen Nationenbildung, Wiesbaden 2015, especially in chapters 3, 11, 12 and 15.

5 Zick, A., Klein, A. (2014), Fragile center and states of hostility. Right extremist attitudes in Germany 2014 (*Fragile Mitte- Feindselige Zustände – Rechtsextreme Einstellungen in Deutschland 2014*), Mit Beiträgen von Eva Groß, Andreas Havermann und Beate Küpper. Bonn, Friedrich Ebert Stiftung.

6 Germany, Expert Commission of German Foundations (*Sachverständigenrat Deutscher Stiftungen*) (2012), Integration in the federal system: the national government, the federal states and local government (*Integration im föderalen System: Bund, Länder und die Kommunen*), Berlin.

7 Germany, Federal Office for Migration and Refugees (*Bundesamt für Migration und Flüchtlinge*) (2013), 'Inhalt und Ablauf', 16 September 2013, www.bamf.de/DE/Willkommen/DeutschLernen/Integrationskurse/InhaltAblauf/inhaltablauf-node.html. (accessed on 06.05.2015)

8 Germany, Federal Office for Migration and Refugees (*Bundesamt für Migration und Flüchtlinge*) (2013), 'Zertifikat Integrationskurs', 2 May 2013, www.bamf.de/DE/Willkommen/DeutschLernen/Integrationskurse/Abschlusspruefung/ZertifikatIntegrationsKurs/zertifikatintegrationskurs-node.html. (accessed on 06.05.2015)

9 Germany, Federal Office for Migration and Refugees (*Bundesamt für Migration und Flüchtlinge*) (2013), Bericht zur Integrationskursgeschäftsstatistik für das Jahr 2013, 29. März 2014, www.bamf.de/SharedDocs/Anlagen/DE/Downloads/Infothek/Statistik/Integration/2013-gesamt_bund.pdf?__blob=publicationFile. (accessed on 06.05.2015)

- Since 2008 German regulations have required applicants for citizenship to pass a naturalisation test, which tests knowledge of elements of the legal system, of the social structure and culture in Germany.¹⁰
- Prior to the introduction of the new integration concept in the early 2000s, German schools offered mother tongue learning as an additional course. Since then, the focus has shifted to supporting learning German as a second language.
- In 2007 the National Integration Plan demanded the introduction of a national indicator system to monitor integration over time. The first monitoring report presented time series data for 2005, 2006 and 2007. The second report of 2012 presented annual data from 2005 to 2010. The indicators link to fundamental rights in an implicit way.¹¹ Also, both the Federal German Government's and the Hessian Government's report cover the Zaragoza concept. The core Zaragoza indicators concern employment, education, social inclusion and active citizenship.

2) Equal treatment and discrimination

- German governmental and non-governmental actors have implemented various tools, measures and initiatives with the aim of helping people report incidents of discrimination. For instance, consultation is available in many languages, some counseling offices provide a free initial legal consultation with a judicial assessment and legal assistance in court, and there are mechanisms in place allowing for people to report incidents of discrimination at the workplace.^{12,13,14}
- The General Act on Equal Treatment does not explicitly prohibit discrimination on the grounds of nationality. It has also had a limited impact. The Anti-discrimination Association Germany found that of the 450 counseling cases only 20 have led to legal action.¹⁵ A variety of factors seem to have led to this limited impact: (1) non-governmental organizations have limited competence in regard to legal assistance,¹⁶ (2) the Federal Anti-Discrimination Agency has limited power to help victims in comparison to the other EU Member States,¹⁷ (3) there is relatively low awareness of the General Act on Equal Treatment, (4) the deadlines for filing complaints are too short, (5) there is no right to class action and (6) providing sufficient evidence in cases of discrimination is a tremendous challenge.¹⁸

10 Germany, Federal ministry of the Interior (*Bundesministerium des Inneren*) (2014), Migration und Integration, p. 129-131,

www.bmi.bund.de/SharedDocs/Downloads/DE/Broschueren/2014/migration_und_integrationsbericht.pdf?__blob=publicationFile;jsessionid=8CDC67E0F73DB48A068B196E1F9534FE.2_(accessed on 06.05.2015)

11 Germany, Federal Commissioner for Migration, Refugees and Integration (*Die Beauftragte der Bundesregierung für Migration, Flüchtlinge und Integration*), Second Integration Indicators Report (Zweiter Integrationsindikatorenbericht) Köln/Berlin 2011, www.bundesregierung.de/Content/DE/Publikation/IB/2012-01-12-zweiter-indikatorenbericht.pdf?__blob=publicationFile. (accessed on 06.05.2015)

12 Anti-Discrimination Network of the Turkish Association Berlin-Brandenburg (*Antidiskriminierungsnetzwerk des türkischen Bundes Berlin-Brandenburg, ADNB des TBB*) (2010), Antidiskriminierungsreport 2009/2010, Daten und Fakten aus der Beratungspraxis des ADNB des TBB, Berlin, p. 7.

13 Basis & Woge (2012), Antidiskriminierungsberatung in Hamburg, Hamburg, Basis & Woge e.V., p. 15.

14 Weiß, B. (2010), Diskriminierung erkennen und handeln! Completely revised new edition of the handbook for counselling centers and migrant organisations based on the General Act on Equal Treatment, Hamburg, basis & woge e.V., p. 20.

15 Anti-Discrimination Association (*Antidiskriminierungsverband Deutschland, advd*) (2012): Die Reichweite des Allgemeinen Gleichbehandlungsgesetzes ist begrenzt und es fehlt an Unterstützung für Betroffene bei der Rechtsdurchsetzung. Press release of 6 years AGG, 17 August 2012, Berlin.

16 Huddleston, T., Niessen, J., Ni Chaoimh, E. And White, E. (2011), Migrant Integration Policy Index III (MIPEX III), Brussels, British Council and Migration Policy Group, p. 91, www.mipex.eu/sites/default/files/downloads/migrant_integration_policy_index_mipexiii_2011.pdf. (accessed on 06.05.2015)

17 Huddleston, T., Niessen, J., Ni Chaoimh, E. And White, E. (2011), Migrant Integration Policy Index III (MIPEX III), Brussels, British Council and Migration Policy Group, p. 91, www.mipex.eu/sites/default/files/downloads/migrant_integration_policy_index_mipexiii_2011.pdf. (accessed on 06.05.2015)

18 Basis & Woge (2013), Diskriminierungsreport Hamburg, Hamburg, basis & woge e.V., p.48

	<ul style="list-style-type: none"> • Anti-discrimination bodies in Germany lack centralized and systematic data collection of discrimination cases. In addition, most organizations in Germany do not publish their data collection. Due to the lack of data collection about outcomes of investigations by most equality bodies (e.g. ADS) and the fact that a criminal code does not exist in Germany, it is not possible to provide sufficient data on this issue. <p>3) Political and societal participation</p> <ul style="list-style-type: none"> • In Germany, a foreign person can apply for naturalisation if certain criteria are fulfilled.¹⁹ Moreover, migrant children born in Germany automatically receive German citizenship if at least one of their parents has rightfully and ordinarily had his/her residence in Germany for eight years and holds a permanent residence permit or is a Swiss national or a family member of a Swiss citizen. On 3 July 2014 the German Federal Parliament passed a law that enables children of immigrants who have grown up in Germany to legally possess dual citizenship. This is possible if certain criteria are fulfilled or the applicant can prove a close connection to Germany.²⁰ 1.39% of migrants have been naturalised compared to the overall migrant population.²¹ The three groups with the highest number of naturalisations on the basis of their previous nationality are Turkish, Polish and Ukrainian. • Migrants are only entitled to vote if they have acquired German citizenship. EU citizens living in Germany have the right to vote in local and European elections.²² 72.3% of people of migration background voted in the 2009 national level elections.²³ During the latest national level election on 22 September 2013, 113 candidates with a migration background (4.7% of all candidates) ran for office.²⁴ 37 representatives with a migration background were elected at the national level (5.9% of all representatives).²⁵ Moreover, in 2014 one federal minister had a migration background.²⁶ At the regional level, there were 100 members of the federal state legislatures with a migration background (3.7% of all members).²⁷ Also, in 2015 there are 4 senators and 4 regional ministers with a migration background. There are, however, not any comprehensive quantitative or qualitative studies regarding regional/local voting. • Foreigners' (Advisory) Councils exist in around 400 German cities.²⁸ Their aim is to give migrants a voice in local politics, in relation to migration and integration issues, but also on other issues. However, these councils cannot make binding decisions.²⁹ In some cases groups of councils have joined together to support
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19 Germany, Nationality Act (*Staatsangehörigkeitgesetz, StAG*), Art 8 – Art. 16, 13 November 2014.

20 Germany, Printed Matter of the German Federal Parliament (*Drucksache des Deutschen Bundestages*) (2014), Drucksache des Deutschen Bundestages Drs. 18/1312 vom 5 May 2014, Gesetzentwurf der Bundesregierung: Entwurf eines Zweiten Gesetzes zur Änderung des Staatsangehörigkeitgesetzes.

21 Germany, Federal Statistical Office (*Statistisches Bundesamt, DESTATIS*) (2013), Einbürgerungen 1990 bis 2013, Einbürgerungsstatistik, 05.02.2015.

22 Germany, Federal Constitution (*Grundgesetz*). Art. 38, 23 December 2014.

23 Worbs, S., Müssig, St. (2012), Politische Einstellungen und politische Partizipation von Migranten in Deutschland, Working Paper 46 aus der Reihe „Integrationsreport“, Teil 10, Federal Office for Migration and Refugees (Bundesamt für Migration und Flüchtlinge, BAMF), p. 33.

24 Mediendienst Integration (2013), Recherche-Ergebnisse – Bundestagskandidaten mit Migrationshintergrund., p. 3.

25 Mediendienst Integration (2013), ‚Vielfalt im Bundestag. Mehr Abgeordnete mit Migrationshintergrund‘, 23 September 2013, (05.02.2015)

26 Germany, Federal Government (*Bundesregierung*) (2015), Federal Cabinet, www.bundesregierung.de/Webs/Breg/DE/Bundesregierung/Bundeskabinett/bundeskabinett.html (accessed on 05.02.2015)

27 Gesemann, F., Roth, R. (2015), Integration ist (auch) Ländersache! Schritte zur politischen Inklusion von Migrantinnen und Migranten in den Bundesländern, Berlin, Institut für Demokratische Entwicklung und Soziale Integration (DESI) für die Friedrich-Ebert-Stiftung, p. 81.

28 Peucker, M. (2009), Racism, Xenophobia and Ethnic Discrimination in Germany. Update Report 2009, Bamberg, European Forum for Migration Studies (efms), pp. 35.

29 Peucker, M. (2009), Racism, Xenophobia and Ethnic Discrimination in Germany. Update Report 2009, Bamberg, European Forum for Migration Studies (efms), pp. 35.

	<p>efforts at the federal and local level^{30, 31} The process for selecting the members of these councils varies between federal states and municipalities.³² Further studies are necessary for gaining insights about the impact of the municipal public relation strategies among the general population.³³</p> <ul style="list-style-type: none"> • There are no legal restrictions or practices of exclusion of migrants regarding membership and participation in trade unions. Foreign nationals can join a German trade union, and if they do, they have the same rights and duties as German members.³⁴ German trade unions have also implemented various activities and programmes designed to increase the participation of migrants and people of migration background.³⁵ Data from studies and surveys conducted by German unions suggest that the percentage of members of unions within the German Confederation of Trade Unions with a migration background is approximately 8%.³⁶ There are no comprehensive studies showing the rate of participation of migrant professionals in professional and scientific associations or on civil and voluntary engagement of people with a migrant background. • Government agencies and private companies promote the participation of people with a migration background in social, cultural, and public life. Despite these positive efforts, people of migration tend to participate at lower rates in some areas.^{37,38} The positive measures to increase the participation of migrants include: (1) efforts by broadcasters to involve minorities in the media production process and keep all topic areas open for journalists of migration background,^{39,40} (2) programmes that support pupils and students with a migration background while studying and working in the media industry,⁴¹ (3) projects and measures designed to increase the share of people of with a migration background in the police force⁴² and (4) efforts by many federal states to facilitate a universal opening of the civil service hiring process to non-EU citizens.⁴³ However, many barriers have led to the persistently low participation of people with a migration background in these areas. Estimates suggest that only 2% to 3% of journalists
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30 Peucker, M. (2009), Racism, Xenophobia and Ethnic Discrimination in Germany. Update Report 2009, Bamberg, European Forum for Migration Studies (efms), p. 36.

31 Germany, Federal Council for Immigration and Integration (*Bundeszuwanderungs- und Integrationsrat*).

32 Gesemann, F., Roth, R. (2014), „Integration ist (auch) Ländersache!“, Friedrich Ebert Stiftung, p. 93.

33 Gesemann, F., Roth, R., Aumüller, J. (2012), Stand der kommunalen Integrationspolitik in Deutschland, Berlin, Institut für Demokratische Entwicklungen und Soziale Integration (DESI) für das Bundesministerium für Verkehr, Bau und Stadtentwicklung und die Beauftragte der Bundesregierung für Migration, Flüchtlinge und Integration, p. 112.

34 *German Federation of Trade Unions (Deutscher Gewerkschaftsbund, DGB)*, www.dgb.de/uber-uns/dgb-heute/satzung. (accessed on 06.05.2015)

35 *German Federation of Trade Unions (Deutscher Gewerkschaftsbund, DGB)*, www.dgb.de/uber-uns/dgb-heute/satzung. (accessed on 06.05.2015)

36 *National board for the German Federation of Trade Unions (Bundesvorstand Deutscher Gewerkschaftsbund, DGB) (2008), Partizipation statt Ausgrenzung. 1. Zwischenbericht zur Umsetzung des Nationalen Integrationsplans. Handlungsfelder und Aktivitäten gewerkschaftlicher Integrationspolitik, Berlin, p. 11.*

37 ENAR (2012). ENAR Shadow Report 2010-2011: Racism and related discriminatory practices in Germany, cms.horus.be/files/99935/MediaArchive/publications/shadow%20report%202010-11/10.%20Germany%20%282%29.pdf. (accessed on 06.05.2015)

38 OECD integration study (2012), Erster OECD-Integrationsbericht: Fortschritte bei Bildung und Beschäftigung, www.oecd.org/berlin/presse/ersteroeecd-integrationsberichtfortschrittebeibildungundbeschaeftigung.htm, (accessed on 27.03.2015)

39 Worbs, S. (2010), Mediennutzung von Migranten in Deutschland, Federal Ministry of Migration and Refugees (*Bundesamt für Migration und Flüchtlinge, BAMF*), Working Paper 34, Reihe Integrationsreport, Teil 8, p. 14.

40 Horn, Ch. (2012), Mehr Vielfalt in den Medien. Journalisten mit Migrationshintergrund in Deutschland – eine quantitative Befragung, *Communicatio Socialis*, Band 45, Nr. 1, München, p. 14.

41 Medienkompetenz NRW (2011), Im Blickpunkt: Migranten und Medien, www.grimme-institut.de/imblickpunkt/pdf/imblickpunkt_migranten-und-medien.pdf. (accessed on 06.05.2015)

42 Germany, Federal public relation office of the Federal Government (*Presse- und Informationsamt der Bundesregierung*) (2011), Nationaler Aktionsplan Integration. Zusammenhalt stärken – Teilhabe verwirklichen, Berlin, p. 418 – 421.

43 Germany, Federal public relation office of the Federal Government (*Presse- und Informationsamt der Bundesregierung*) (2011), Nationaler Aktionsplan Integration. Zusammenhalt stärken – Teilhabe verwirklichen, Berlin, p. 418 – 421.

	<p>have a migration background,⁴⁴ and an OECD study showed that in Germany the proportion of people with a migration background working in the public sector is one of the lowest of all countries the study analysed.⁴⁵ In the access to civil servant positions, third-country nationals can only be nominated as civil servants if there is an urgent official need.⁴⁶</p> <ul style="list-style-type: none"> • Despite efforts by the government and civil society, practical barriers restrict the active citizenship of people of migration background. Presently, 25 federal measures aim at strengthening civic engagement of migrants.⁴⁷ However, a 2012 study finds that public relations activities of civil society organisations hardly reach people with a migrant background.⁴⁸ Despite the activities that political parties have implemented to increase the participation of migrants,⁴⁹ interviews with people of migration background indicate that migrants perceive political parties as unattractive, closed, homogenous and “elitist” organisations.⁵⁰ In 2009, 4.9% of the population with a migrant background were members of a political party or political organisation. This proportion is lower than in the total population (8%).⁵¹ • In terms of civic and citizenship education, the federal government and federal states (<i>Länder</i>) have encouraged the development of bilingual classes,⁵² extracurricular programmes that target disadvantaged youth,⁵³ and the integration of intercultural education into the curriculum.⁵⁴ However, barriers persist within this field. For instance, although people of migration background have equal access to employment as teachers, they face various practical limitations and challenges, such as discrimination.⁵⁵ Some gender issues also exist, such as whether teachers should be allowed to wear headscarves or whether female Muslim pupils are allowed to request exclusion from mixed-
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44 ENAR (2012), ENAR Shadow Report 2010-2011: Racism and related discriminatory practices in Germany, cms.horus.be/files/99935/MediaArchive/publications/shadow%20report%202010-11/10.%20Germany%20%282%29.pdf (accessed on 06.05.2015)

45 OECD integration study (2012), Erster OECD-Integrationsbericht: Fortschritte bei Bildung und Beschäftigung, www.oecd.org/berlin/presse/ersteroeecd-integrationsberichtfortschrittebeibildungundbeschaeftigung.htm, (accessed on 27.03.2015)

46 Germany, German Federal Parliament (*Deutscher Bundestag*) (2007), Civil servants with migration background (Beamtinnen und Beamte des Bundes mit Migrationshintergrund), printed matter 16/4703, 16.03.2007.

47 Germany, Federal Commissioner for Migration, Refugees and Integration (ed.) (*Die Beauftragte der Bundesregierung für Migration, Flüchtlinge und Integration*) (2014), 10. Bericht der Beauftragten der Bundesregierung für Migration, Flüchtlinge und Integration über die Lage der Ausländerinnen und Ausländer in Deutschland, pp. 306-308.

48 Huth, S. (2012). Freiwilliges und bürgerschaftliches Engagement von Menschen mit Migrationshintergrund – Barrieren und Türöffner. Friedrich-Ebert-Stiftung. *Wiso direkt*, p. 4.

49 CJD Hamburg, Eutin (2014). Diversity in Political Parties Programmes, Organisation and Representation. Hamburg, pp. 19-25.

50 CJD Hamburg, Eutin (2014). Diversity in Political Parties Programmes, Organisation and Representation. Hamburg. pp. 19-25.

51 Germany, Federal Commissioner for Migration, Refugees and Integration (ed.) (*Die Beauftragte der Bundesregierung für Migration, Flüchtlinge und Integration*) (2011), Zweiter Indikatorenbericht. Köln/Berlin, pp. 103-104.

52 Germany, Standing Conference (*Kultusministerkonferenz, KMK*) (2013), Konzepte für den bilingualen Unterricht – Erfahrungsbericht und Vorschläge zur Weiterentwicklung, 17 October 2013, p. 4,

www.kmk.org/fileadmin/veroeffentlichungen_beschluesse/2013/2013_10_17-Konzepte-bilingualer-Unterricht.pdf (accessed on 06.05.2015)

53 Germany, Federal Commissioner for Migration, Refugees and Integration (*Die Beauftragte der Bundesregierung für Migration, Flüchtlinge und Integration*) (2014), 10. Bericht der Beauftragten der Bundesregierung für Migration, Flüchtlinge und Integration über die Lage der Ausländerinnen und Ausländer in Deutschland, Berlin, p. 101.

54 Germany, Standing Conference (*Kultusministerkonferenz, KMK*) (2013), Interkulturelle Bildung und Erziehung in der Schule, 5 December 2013, www.kmk.org/fileadmin/veroeffentlichungen_beschluesse/1996/1996_10_25-Interkulturelle-Bildung.pdf. (accessed on 06.05.2015)

55 Freie Universität Berlin (2010), Forscherinnen der Freien Universität befragen Lehrkräfte mit Migrationshintergrund in Deutschland*, Nr. 281/2010, 21 September 2010, www.fu-berlin.de/presse/informationen/fup/2010/fup_10_281/index.html. (accessed on 06.05.2015)

gender swim classes.^{56,57} Parents of migration background also tend to participate in school life at a relatively low rate. Potential reasons for their lower participation are a lack of understanding of the German school system, language difficulties, and/or the burden of supporting their children's education.^{58,59} There are no policies of separate schooling of migrants in place. However, there tends to be a high concentration of pupils with migration background in schools within city districts that have a high percentage of persons with a migration background.⁶⁰

- Various drivers and barriers influence the implementation of policies in this field. Two major drivers are the National Action Plan on Integration and National Integration Plan, which set the framework for the 16 states (*Länder*), on which they draft their integration policies and programmes.⁶¹ The German government also relies upon large welfare associations and NGOs to carry out many policies on integration issues. Additionally, service enterprises take an active role in the political decision-making and implementation process.⁶² Barriers to implementation include the differences in the way that each of the 16 federal states manages integration policy and the multilevel distribution of competences.⁶³

4) Social cohesion and intolerance

- The German Federal Government drafted the National Report on Strategies for Social Protection and Social Inclusion 2008-2010. The strategies on social cohesion mentioned in the report consider the common goals which have been agreed upon at the European level.⁶⁴ However, this national strategy does not include a clear definition of social cohesion.⁶⁵ Because of the lack of a clear definition and the fact that social cohesion is not a leading concept in immigration research or policy measures in Germany, it is not possible to refer here to measures designed to strengthen social cohesion with regard to migrants.
- One action area within the National Report on Strategies for Social Protection and Social Inclusion promotes measures against xenophobia, anti-Semitism, racism and right-wing extremism.⁶⁶ Also, the National Action Plan for Integration provides a framework for federal states, municipalities, and civil society to follow when designing and implementing these types of measures.⁶⁷

In terms of mixed marriages, regardless of the couple's nationality, if a marriage is legally registered in a different country, then that marriage is legally recognized in

56 Germany, Federal Constitutional Court of Germany (*Bundesverwaltungsgericht*) (2015), Urteil 1 BvR 471/10, 1 BvR 1181/10. 27 January 2015.

57 Germany, Federal Constitutional Court of Germany (*Bundesverwaltungsgericht*) (2013), Urteil BVerwG 6 C 25.12, 11 September 2013, p. 21.

58 Germany, Federal Commissioner for Migration, Refugees and Integration (*Die Beauftragte der Bundesregierung für Migration, Flüchtlinge und Integration*) (2014), 10. Bericht der Beauftragten der Bundesregierung für Migration, Flüchtlinge und Integration über die Lage der Ausländerinnen und Ausländer in Deutschland, Berlin, pp. 104 – 111.

59 For more information about involving the community in the school life and vice versa please refer also to the findings of the SIRIUS Network www.sirius-migrationeducation.org/. (accessed on 06.05.2015)

60 Friedrichs, J. (2008), 'Ethnische Segregation', in: Kalter, F. (ed.): *Migration und Integration*. Wiesbaden, VS Verlag, pp. 380 – 411.

61 Germany, Federal Government (2012), National Action Plan on Integration (Nationaler Aktionsplan Integration), 31.01.2012.

62 Bendel, P. (2014). *Coordinating immigrant integration in Germany. Mainstreaming at the federal and local levels*. Migration Policy Institute Europe. Brussels.

63 Sachverständigenrat deutscher Stiftungen (SVR) (2014), *Deutschlands Wandel zum modernen Einwanderungsland. Jahresgutachten 2014 mit Integrationsbarometer*. Berlin, pp. 137f.

64 Germany, Federal Ministry of Labour and Social Affairs (*Bundesministerium für Arbeit und Soziales, BMAS*) (2008), Nationaler Strategiebericht Sozialschutz und soziale Eingliederung.

65 Germany, Federal Ministry of Labour and Social Affairs (*Bundesministerium für Arbeit und Soziales, BMAS*) (2008), Nationaler Strategiebericht Sozialschutz und soziale Eingliederung.

66 Germany, Federal Ministry of Labour and Social Affairs (*Bundesministerium für Arbeit und Soziales, BMAS*) (2008), Nationaler Strategiebericht Sozialschutz und soziale Eingliederung.

67 Germany, Federal Government (*Bundesregierung*) (2012), 'National Action Plan for Integration – Strengthen cohesion – achieve participation'.

	<p>Germany. Persons without German citizenship who wish to marry in Germany require a certificate proving their legal capability to marry. Stateless persons or foreigners whose country of origin does not issue marriage certificates that meet the German requirements can be granted a waiver from the responsible higher regional court in Germany. Foreigners who do not possess a residence permit, but who lawfully (or with toleration status) reside in Germany or are asylum seekers with a residence title, are able to receive a residency permit as a result of a marriage with a German citizen as long as certain conditions are met. ⁶⁸ Among the marriages registered in 2013, 86% were between German citizens and 11.6% were mixed marriages between a German and a foreigner.⁶⁹</p>
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⁶⁸ Kayser, Ch. (2011), Ehen zwischen Deutschen und Ausländern. Hinweise zur Rechtsstellung, Der Beauftragte des Senats von Berlin für Integration und Migration, Berlin.

⁶⁹ Verband binationaler Familien und Partnerschaften (2014), Zahlen und Fakten, Eheschließungen, www.verband-binationaler.de/index.php?id=527. (accessed on 05.03.15)

1. Legal and policy instruments for migrant integration

1.1 Description of existing instruments and target groups

<p>This section should present the overall state of play concerning national and, where applicable, regional legal and policy instruments focusing on how they address fundamental rights, core EU values and principles, as well as international legal standards and related EU law and policies, such as the Common Basic Principles and the Common Agenda on integration of migrants. Please complete the template in Annex 2. Please make sure the brief information you provide in the table includes the following aspects:</p>	
<p>Does the national strategy on migrant integration contain a definition of integration? If so, please include it in the original language and full English translation.</p>	<p>The National Integration Plan of 2007 has been the key document for the integration policy of the Federal Republic which was redefined and made more concrete in the National Action Plan of 2012.⁷⁰ Both do not contain an explicit definition of integration. The Ministry of the Interior which is primarily responsible for integration, gives the following definition: „Integration ist ein langfristiger Prozess, der zum Ziel hat, alle Individuen in die Gesellschaft einzubeziehen. Dauerhaft und rechtmäßig in Deutschland lebenden Zuwanderern soll eine umfassende, möglichst gleichberechtigte Teilhabe in allen gesellschaftlichen Bereichen ermöglicht werden. Zuwanderer haben die Pflicht, die Sprache der Aufnahmegesellschaft zu erlernen sowie die Grundwerte der deutschen Gesellschaft, die Verfassung und die Gesetze zu kennen, zu respektieren und zu befolgen. Die Aufnahmegesellschaft hat den Zuwanderern einen gleichberechtigten Zugang möglichst zu allen gesellschaftlichen Bereichen zu gewährleisten.“⁷¹ English translation: „Integration is a long lasting process which aims at including all individuals into society. Migrants residing permanently and legally in Germany should be enabled to fully participate in all spheres of social life on equal terms. Migrants are obliged to learn the language of the receiving society and to know, respect and follow the basic values of German society, its constitution and the laws. The receiving society has the obligation to enable migrants’ participation in all spheres of social life on equal terms.“</p>
<p>Are there specific references in the national strategy or relevant legal or policy</p>	<p>Only in an indirect way by referring to the German Constitution and the laws. In the forward to the National Integration Plan of 2007, for instance, Chancellor Merkel says: “Es gilt, ein gemeinsames Verständnis von</p>

⁷⁰ Germany, Federal Government (*Bundesregierung*) (2014), Der Nationale Aktionsplan Integration. Erklärung des Bundes 14 December 2014, p.1ff, www.bundesregierung.de/Content/DE/Anlagen/2011-12-14-aktionsplan-integration.pdf?__blob=publicationFile. (accessed on 05.03.15)

⁷¹ Germany, Federal Ministry of the Interior (*Bundesministerium des Inneren*) (2014), Migration and Integration (Migration und Integration), p. 191, www.bmi.bund.de/SharedDocs/Downloads/DE/Broschueren/2014/migration_und_integration.pdf;jsessionid=C48DA8795A3494B20A4E69D3140D6761.2. (accessed on 05.03.15)

instruments to fundamental rights in relation to migrants?	Integration zu entwickeln. Selbstverständlich gehört dazu die Anerkennung der Rechtsordnung Deutschlands und der grundgesetzlich geschützten Werte.“ (S.7) English translation: „It is essential to arrive at a common understanding of integration. This implies the recognition of Germany’s legal institutions and of basic values written down in the constitution.“
Which are the target groups of the national integration strategy? Please provide any definitions relevant or the determination of the persons that are entitled to or beneficiaries of the relevant action plans and policy measures (e.g. ‘integration agreements’: who signs them and what do they contain). Please specify any residence requirements (e.g. which migrant and/or residence status counts or not for “legally residing third country nationals” that eventually would be covered by these policies) for persons to be considered members of the targeted groups.	The National Action Plan for Integration talks of „people from migrant families who should be supported. (p. 5) as a target group. Very often “people with a migration background” are listed as beneficiaries of integration measures in the same document. The definition of integration of the Ministry of the Interior identifies people who permanently and legally reside in Germany as the target group of integration measures, as is explained in 1.1 Migration background as defined by the Federal Statistical Offices includes persons who have migrated since 1950 and have a status as foreigners or as German citizens; among the German citizens the concept differentiates between naturalised persons and ethnic Germans with a right to immigrate as Aussiedler. Migration background also includes persons who have not migrated; they are foreigners who have been born in Germany, they are German who have been naturalised and they include Germans whose parents (either one or two parents) have migrated to Germany or have been born in Germany as foreigners. ⁷²
In reference to the CBP 1 ⁷³ ‘Integration is a dynamic, two-way process of mutual accommodation by all immigrants and residents of Member States’: please specify if and how the majority population is explicitly targeted; distinguish, if possible, between policies or measures targeting the general population and specific target groups, such as public authorities, e.g. teachers, police, judiciary, etc.; outline the objectives of such policies and measures, and their duration.	The definition of integration by the interior ministry cited above explicitly obliges the receiving society to be open and foster the participation of migrants. The introduction of the concept of welcoming culture (<i>Willkommenskultur</i>) has been a most important development in Germany. Welcoming culture targets the majority society to tear down barriers for the participation of migrants. It is a somewhat vague multi-level concept, but has the advantage of a wide applicability from changing individual and group prejudice in everyday interaction to organisational reforms in business and public administration. ⁷⁴ Starting in 2013 the Federal Office for Migration and Integration (<i>Bundesamt für Migration und Flüchtlinge</i>) has been initiating a model project ‘Migration offices as welcoming offices’ (<i>Ausländerbehörden – Willkommnesbehörden</i>) which aims at making local migration offices behave more friendly towards foreign

72 Germany, Federal Statistical Office (*Statistisches Bundesamt, DESTATIS*) (2014), Mikrozensus 2013: 16,5 Millionen Menschen mit Migrationshintergrund, https://www.destatis.de/DE/PresseService/Presse/Pressemitteilungen/2014/11/PD14_402_122.html;jsessionid=415588D8D0C40DF689077F7153553165.cae4, (accessed on 05.03.15)

73 Common Basic Principles for Migrant Integration Policy in the EU (2004) available at www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/jha/82745.pdf.

74 Germany, Heckmann, F., Welcoming culture. What does it mean and how can it be created and developed? (Willkommenskultur: Was ist das, und wie kann sie entstehen und entwickelt werden?) efms paper 2012-7, www.efms.uni-bamberg.de/pdf/efms%20paper%202012_7.pdf, (accessed on 05.03.15)

		migrants. A short description of the project is available. ⁷⁵
<h2>1.2. Drivers & barriers in developing, implementing and assessing legal and policy instruments</h2>		
	<p>On the basis of material collected, including past research, studies, assessments, evaluation and contacts with the authorities, public officials and key actors for social inclusion and participation of migrants, outline the main drivers and barriers for social inclusion and integration policies in general. Please mention also any important differences at regional level. A more detailed outline of specific drivers and barriers for specific policy areas will be required in the following sections.</p>	<p>General drivers: ⁷⁶</p> <ol style="list-style-type: none"> 1. On a system level: the German system of welfare state integration of migrants, starting with the integration of Gastarbeiter into the major systems of welfare, is the major driver of integration⁷⁷, together with the strength of the German economy. The general strength of the German economy together with native population decrease creates new opportunities for migrants' economic participation, a key driver of overall integration. 2. On the level of societal and political consciousness: the eventual recognition that Germany is an immigration country. 3. On the level of economic and demographic interests: the demographic crisis and the (future) lack of qualified labour.⁷⁸ <p>General barriers:</p> <ol style="list-style-type: none"> 1 On a system level: a lack of human capital among parts of the migrant population due to a path dependent effect of recruiting low qualified labour in the beginning and in main phases of the recruitment process 2 On a system level: a rather stable stock of 15-20% of the population with right-wing and anti-immigrant attitudes; at particular moments this stock is mobilised, like in the present Pegida movement.⁷⁹ 3 On the level of inter-ethnic relations: a lack of intercultural experience and competence particularly among large parts of the former GDR population Due to the fencing in of the GDR population in the Cold War period travelling abroad was extremely limited to small groups of

⁷⁵ Germany, Federal Office for Migration and Refugees (*Bundesamt für Migration und Flüchtlinge*) (2013) Short description of the model project Foreigner Offices – Welcoming Offices (Kurzbeschreiben des Modellprojekts Ausländerbehörden – Willkommensbehörden), www.bamf.de/SharedDocs/Anlagen/DE/Downloads/Infothek/Sonstige/abh-projekt-kurzbeschreibung.pdf?__blob=publicationFile. (accessed on 05.03.15)

⁷⁶ The theoretical background for barriers and drivers is developed in Heckmann, Friedrich, *Integration von Migranten – Einwanderung und neuen Nationenbildung*, Wiesbaden 2015, especially in chapters 3, 11, 12 and 15.

⁷⁷ The role of the welfare state for integration is described in Bommes, Michael, *Migration und nationaler Wohlfahrtsstaat*, Opladen 1999

⁷⁸ Germany, Expert Commission of German Foundations (*Sachverständigenrat Deutscher Stiftungen*) (2011) *Migration Country 2011 (Migrationsland 2011)* Berlin, pp.51-67.

⁷⁹ Zick, A., Klein, A., *Fragile center and states of hostility. Right extremist attitudes in Germany 2014 (Fragile Mitte- Feindselige Zustände – Rechtsextreme Einstellungen in Deutschland 2014)* (2014), Mit Beiträgen von Eva Groß, Andreas Havermann und Beate Küpper. Bonn, Friedrich Ebert Stiftung.

		<p>privileged people. Foreign workers in the GDR were separated from the rest of the population⁸⁰.</p> <p>Due to the substantial degree of autonomy of German federal states (<i>Länder</i>) and of cities important differences in integration policies can be found between federal states and between cities. These differences have been the focus of a large study of the Expert Commission of German Foundations in 2012 which found among other that there is a substantial lack of synergy in integration policies as a result of these differences.⁸¹</p>
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1.2.1.Drivers

	<p>The key drivers for successful integration policies, therefore factors that are considered to contribute positively in the design, development, implementation, assessment and accomplishment of policy goals and in strengthening social inclusion and participation of migrants and their descendants. For example, are these policies mainstreamed in other public policies, for example in employment, education, housing, etc. and how is this achieved?</p>	<p>It is essential to note as a preliminary remark that it is very difficult to know what integration policies and measures are successful. There is a tremendous lack of evaluation on the one hand; on the other hand it is very often difficult or impossible methodologically to determine what factors have brought about certain outcomes and what role integration policies may have played for these outcomes. When we talk of successful integration policies we are talking in most cases of opinions, estimates and judgements about integration policies.</p> <p>At the societal level:</p> <ol style="list-style-type: none"> 1 The production of knowledge in the social and economic sciences and its distribution through media and public relations work⁸² 2 Civil society actors and their efforts for reforms integration policies: churches, unions and employers' organisations, welfare organisations, national foundations 3 The Federal Government since 1998 and its Commissioners for integration.⁸³ <p>At the level of Länder:</p> <ol style="list-style-type: none"> 1 Single Länder governments who have taken a leading role and have been followed by other Länder. A prominent example is the state of Hessen which has been a pioneer of many kinds of integration policies. A recent example of an innovative approach is the programme „Model regions integration“ (<i>Modellregionen Integration</i>) which has supported the strengthening of local integration policy structures.⁸⁴ The most recent
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⁸⁰ See Krüger-Potratz, Marianne, It was not allowed to be different: Foreigners and Minorities in the GDR. (*Anderssein gab es nicht: Ausländer und Minderheiten in der DDR. Münster 1991*)

⁸¹ Germany, Expert Commission of German Foundations (*Sachverständigenrat Deutscher Stiftungen*), Integration in the federal system: the national government, the federal states and local government (*Integration im föderalen System: Bund, Länder und die Kommunen*), (2012), Berlin.

⁸² Heckmann, F. Origin and influence of migration and integration research in Germany (*Zur Entstehung und Bedeutung der Migrations- und Integrationsforschung in Deutschland*), in Schimany, P. und von Loeffelholz H. D.(Hg.), (2013), Beiträge zur Migrations- und Integrationsforschung aus Anlass des 60jährigen Bestehens des Bundesamtes für Migration und Flüchtlinge. Bundesamt für Migration und Flüchtlinge: Nürnberg pp. 33 – 43.

⁸³ cf. 1.1

⁸⁴ For more details see [www.integrationskompass.de/hmdj/home/~bil/Modellregionen Integration](http://www.integrationskompass.de/hmdj/home/~bil/Modellregionen_Integration). (accessed on 04.03.2015)

		<p>example is the introduction of belief oriented introduction of Islamic religious instruction in schools on the basis of a treaty with two Islamic associations. Hesse is the first Land to do this.⁸⁵</p> <p>2 Cooperation of federal states (<i>Länder</i>) in a standing conference of ministers of integration.</p> <p>At the level of cities:⁸⁶</p> <p>1 Making integration a top priority of the mayor</p> <p>2 Creating integration departments in city administrations</p> <p>3 Creating consultative bodies</p> <p>The activities of local migrant organisations</p>
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1.2.2.Barriers

	<p>Barriers, limitations, constraints or resistance faced in designing, developing and implementing such policies and measures, therefore factors that may hinder their effectiveness and influence negatively their outcomes. For example, budgetary limitations, or problems of coordination of governance levels, priority of interventions, lack of training or lack of mainstreaming of relevant policies, lack of action by competent actors or limited data about the interested population, could be factors that may function as obstacles or affect negatively the implementation of selected migrant integration measures.</p>	<p>In the political system and the system of government:</p> <p>1 The possibility, the temptation and the actual populist use of anti-immigrant sentiment and right wing political attitudes in parts of the majority population by political actors</p> <p>2 Budgetary limitations, for instance a lack of investment in migrant children education support; the project form of financing many integration policies ("Projektitis"),,the practice to rely on voluntary work</p> <p>3 Contradictory policies, like supporting unaccompanied minors via a full package of social work and education according to German welfare standards for problem youth ("<i>Jugendhilfe</i>") with a comprehensive and expensive integration program, but keeping the children and youth in the status of toleration and refusing to give them the possibility for a safe residence status when reaching adulthood; proclaiming a welcoming culture and deporting integrated and motivated migrants</p> <p>Barriers related to problems of organising political pressure for integration among migrants:</p> <p>1 due to lack of voting power on the basis of a comparatively slow naturalisation process</p> <p>2 due to difficulties of forming coalitions among migrant organisations</p> <p>diaspora policies of the country of origin which try to exploit the migrants as a foreign policy instrument (Turkey)⁸⁷</p>
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85 For more details see the document Bekenntnisorientierter Religionsunterricht, available at <https://kultusministerium.hessen.de/schule/weitere-themen/bekenntnisorientierter-islamischer-religionsunterricht>

86 Institut für Demokratische Entwicklung und Soziale Integration (DESI) State of local integration policies (*Stand der lokalen Integrationspolitik in Deutschland*), (2012), Berlin, [www.bundesregierung.de/Content/DE/ Anlagen/IB/2012-05-04-kommunalstudie.pdf? blob=publicationFile](http://www.bundesregierung.de/Content/DE/Anlagen/IB/2012-05-04-kommunalstudie.pdf?blob=publicationFile). (accessed on 15.03.2015)

87 Aydın, Y. (2014), The new Turkish diaspora policy (*Die neue türkische Diasporapolitik*), SWP-Studien 2014/S 14, www.swp-berlin.org/de/publikationen/swp-studien-de/swp-studien-detail/article/neue_tuerkische_diasporapolitik.html.(accessed on 15.03.2015)

1.2.3. Language learning and integration tests

	<p>Please provide information about:</p> <p>Main language learning support programmes and courses. Provide details about organisation of such programmes and actors implementing them, funding support, location, duration, frequency, numbers of beneficiaries, entitlements and limitations for accessing courses.</p>	<p>The Federal Office for Migration and Refugees offers integration courses which consist of a language course of 600-900 hours and a 60-hour orientation course.⁸⁸ The integration courses mainly consist of language lessons and in the orientation part of lessons on German culture, history and the legal system. Apart from the regular program there are courses tailored to the needs of particular groups: courses for basic literacy skills, courses for women, for parents, for young adults, catch-up courses and intensive courses.⁸⁹ Third country nationals are obliged to attend an integration course since January 2005 if they are not able to communicate in everyday kind of interactions. EU nationals have a right to attend integration courses upon their own initiative. If third country nationals fail to attend their residence permit may not be prolonged (§8 Aufenthaltsgesetz). In practice integration courses are open to all recent migrants, including EU citizens. The integration courses are substantially funded by the Federal Office for Migration and Refugees.⁹⁰ In the entire period since the implementation of integration courses (1 January 2005 until 31 March 2014), 1,386,941 participation entitlements have been issued and a total of 1,036,651 individuals have started in 78,855 integration courses.⁹¹ The integration course is the main programme for language learning in Germany. As a part of its ESF-BAMF-programme, the Federal Office for Migration and Refugees also offers persons with migration background free courses in 'German for employment purposes' (<i>Deutsch für den Beruf</i>). These courses combine German lessons with professional qualifications and give participants the possibility to learn more about a profession by working as interns. Only people with a migration background, who have insufficient knowledge of German and are not adequately qualified to find a job, may attend such a course. A successful participation in an integration course is also required.⁹²</p>
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88 Germany, Federal Office for Migration and Refugees (*Bundesamt für Migration und Flüchtlinge*) (2013), 'Inhalt und Ablauf', 16 September 2013, www.bamf.de/DE/Willkommen/DeutschLernen/Integrationskurse/InhaltAblauf/inhaltablauf-node.html. (accessed on 15.03.2015)

89 Germany, Federal Office for Migration and Refugees (*Bundesamt für Migration und Flüchtlinge*) (2014), 'Spezielle Kursarten', www.bamf.de/DE/Willkommen/DeutschLernen/Integrationskurse/SpezielleKursarten/speziellekursarten-node.html. (accessed on 16.03.2015)

90 Germany, Federal Office for Migration and Refugees (*Bundesamt für Migration und Flüchtlinge*) (2013), 'Ausländer mit Aufenthaltstitel ab 2005', 27 December 2013, www.bamf.de/DE/Willkommen/DeutschLernen/Integrationskurse/TeilnahmeKosten/Aufenthaltstitel_nach/aufenthaltstitel_nach-node.html. (accessed on 16.03.2015)

91 Germany, Federal Office for Migration and Refugees (*Bundesamt für Migration und Flüchtlinge*) (2014), 'Integrationskursgeschäftsstatistik', 30 July 2014, www.bamf.de/DE/Infothek/Statistiken/InGe/inge-node.html. (accessed on 16.03.2015)

92 Germany, Federal Office for Migration and Refugees (*Bundesamt für Migration und Flüchtlinge*) (2013), 'Deutsch für den Beruf: Das ESF-BAMF-Programm', 18 October 2013, www.bamf.de/DE/Willkommen/DeutschLernen/DeutschBeruf/deutschberuf-node.html. (accessed on 16.03.2015)

		Apart from the courses just described and language training for migrant children in pre-school and in schools there are thousands of courses offered at the local level by community colleges, welfare organisation and voluntary associations.
	Knowledge level of the language achieved through such programmes (please use the <u>Common European Framework Reference levels - CEFR</u>).	The successful completion of the language part of the integration course requires passing the test "Deutsch für Zuwanderer" at the B1 level. For the orientation part the test "Leben in Deutschland" must be passed.
	Language tests required for migrants to access residence or other legal status affecting equal treatment and access to rights. Please provide information about their content and character, level of knowledge required, numbers of participants, and rates of success/failure	The successful participation in an integration course is required of third country nationals who want to apply for a permanent residence permit. In addition, the successful participation in an integration course reduces the waiting time for naturalisation from eight years to seven. ⁹³ Most recent data from 2014 report a success rate of 53% for the integration course test. ⁹⁴ The test can be repeated several times.
	Integration tests for access to residence or other status affecting equal treatment and access to rights. Please provide information about their content and character, range of knowledge required, numbers of participants, and rates of success/failure.	There is no „integration test“ as such. Naturalization, however, since 2008 requires passing of a naturalization test (<i>Einbürgerungstest</i> , §10,5, Aufenthaltsgesetz), which tests knowledge of elements of the legal system, of the social structure and culture in Germany. ⁹⁵ It is a multiple choice test with 33 questions and a very high passing rate at first attempt. ⁹⁶ The pool of items from which the test is chosen is available on the net or in a textbook; some community colleges offer special courses for the test, but the majority of participants learn from the internet. There was some criticism of the test immediately after its introduction, ⁹⁷ but at present the test is widely accepted.
	Mother tongue learning programmes for children of migrants.	Mother tongue teaching in schools for children of migrants was quite high on the agenda of education and integration policies in the 20 th century. Mother tongue learning was offered as an additional course and the language taught was the official language of the country of origin, independent of the family language which might be one of a minority. With the new integration concept in the 21 st century resources have been largely moved to supporting learning German as a second language. Some federal states, however, still offer

⁹³Germany, Federal Office for Migration and Refugees (*Bundesamt für Migration und Flüchtlinge*) (2013), 'Zertifikat Integrationskurs', 2 May 2013, www.bamf.de/DE/Willkommen/DeutschLernen/Integrationskurse/Abschlusspruefung/ZertifikatIntegrationsKurs/zertifikatintegrationskurs-node.html. (accessed on 17.03.2015)

⁹⁴ Germany, Federal Office for Migration and Refugees (*Bundesamt für Migration und Flüchtlinge*) (2014), Bericht zur Integrationskursgeschäftsstatistik für das Jahr 2013, Stand 29. März 2014, www.bamf.de/SharedDocs/Anlagen/DE/Downloads/Infothek/Statistik/Integration/2013-gesamt_bund.pdf?__blob=publicationFile. (accessed on 23.03.2015)

⁹⁵ Germany, Bundesministerium des Inneren (*Federal ministry of the Interior*) (2014), Migration und Integration. Aufenthaltsrecht, Migrations- und Integrationspolitik in Deutschland, pp.129-131. www.bmi.bund.de/SharedDocs/Downloads/DE/Broschueren/2014/migration_und_integrations.pdf?__blob=publicationFile. (accessed on 17.03.2015)

⁹⁶ Innenministerium zufrieden mit Einbürgerungstest, Die Welt, 31.8.2010.

⁹⁷ For the criticism at the beginning see the article "Schäuble verteidigt Einbürgerungstest, Handelsblatt, 9.7.2008.

		<p>rather large programmes. Schools in North Rhine Westphalia, for instance, still offer courses in many of the migrant languages, from Albanian to Turkish.⁹⁸. Another trend is that some languages of countries of origin (Russian and Turkish for instance) have become part of the regular language learning curriculum in schools. Since this is a decision of the Länder and the single schools it is hardly possible to give an exact representative picture of the programmes for the single Länder and the whole of Germany.</p>
	<p>Please provide insights about key issues, debates, challenges or problems related to the implementation of the above measures and policies. The findings should be substantiated through existing assessments, research or studies and case law (use template in Annex 9).</p>	<p>The withdrawal of large parts of the mother tongue learning programmes at the turn of the century has caused some protest of migrant organisations, but for years has not been an issue of controversy any more.</p> <p>Prior to the introduction of obligatory integrations and citizenship courses and shortly afterwards there have been debates and controversies about these measures, particularly the obligation to pass a test.. For a long time, however, these controversies have been less prevalent.</p>

1.2.4. Monitoring and assessment – Use of indicators

	<p>In this section please outline monitoring and evaluation procedures applied by public authorities at national and regional level, as applicable, for migrant integration. In particular, please present any indicators used for the monitoring, assessment and review of integration policies in the areas of political and social participation, social cohesion, and intolerance, inclusive and welcoming society. Please make sure to report here the link of such indicators with fundamental rights and the way their use reflects to the review of such policies.</p>	<p>Already in the early 1990s social scientists explained the shortcomings of measuring integration via citizenship of migrants. In 2005 the micro census was changed and since then allows for the measurement of migration background. In 2007 the National Integration Plan demanded the introduction of a national indicator system monitoring integration over time. Integration is conceived as decreasing differences between persons with and without a migration background. For the first monitoring report the following areas of integration were selected: legal status, early childhood education and language learning, education, training, labour market integration, income, participation, housing, health, mainstreaming of schools, administration, services, business, politics, media, criminality violence and xenophobia. 100 indicators were used to measure integration in these areas, and time series data were presented for 2005, 2006 and 2007. The second monitoring report of 2012 reduced the number of indicators from 100 to 64 and reports annual data from 2005 to 2010. A new report is under preparation. The indicators for the 2012 report were chosen on the basis of integration expert judgements; a link to fundamental rights does not exist in an explicit, but in an implicit way.⁹⁹ Indicators measuring educational achievement</p>
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⁹⁸ for more details see

www.google.de/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&ved=0CCoQFjAB&url=http%3A%2F%2Fwww.schulentwicklung.nrw.de%2Fmaterialdatenbank%2Fnutzersicht%2FgetFile.php%3Fid%3D3755&ei=zhLnVIKhDcjLPbvXgcAH&usg=AFQjCNEAmiObiZ9kHe8Zep2bqimbhP5fYQ&bvm=bv.86475890.d.ZWU. (accessed on 22.03.2015)

⁹⁹ Germany, Federal Commissioner for Migration, Refugees and Integration (*Die Beauftragte der Bundesregierung für Migration, Flüchtlinge und Integration*), Second Integration Indicators Report (Zweiter Integrationsindikatorenbericht) Köln/Berlin 2011, www.bundesregierung.de/Content/DE/Publikation/IB/2012-01-12-zweiter-indikatorenbericht.pdf?__blob=publicationFile. (accessed on 10.03.2015)

		<p>of migrant children, for instance, can be related to article 2 of the Protocol to the European Convention for the Protection of Human Rights, the right to education. In the same indirect way the Zaragoza indicators are covered.</p> <p>Among the federal states of Germany the state of Hessen has been very active and successful in monitoring integration. Decreasing differences between persons with and without a migration background are understood as integration. The Hessen reporting system is based on the concepts as developed in the EU Zaragoza "core indicators", the German government's integration reports, the German conference of Ministers of Integration reports and the integration reports by several Hessian communities. The micro census is a major data source, but additional sources are used, like employment statistics, naturalisation statistics, income, child and youth welfare statistics or criminal prosecution statistics.¹⁰⁰ Hessen has been more successful than other Bundesländer because it has created a special staff position in the department for integration for developing the Hessen indicator system.</p> <p>Both reports cover indicators in the areas of political and social participation, social cohesion, intolerance and inclusive society. The concept of welcoming society, however, is not covered yet.</p>
<p>Provide full wording and translation in English of each indicator used per area and dimension covered as well as its full definition, legal basis, rationale, and link with fundamental rights or EU law (use table in the Annex 4).</p>		
	<p>Please provide data and evidence about the adoption of related Zaragoza indicators, especially in the dimensions of active citizenship and welcoming society. Please consult the publication Using EU Indicators of Immigrant Integration (ESN, MPG) and report more detailed and updated specific descriptions and mapping of indicators used in the Member States.</p>	<p>The core Zaragoza indicators concern employment, education, social inclusion and active citizenship. Both the Federal German Government's and the Hessian Government's report cover the Zaragoza concept. The Hessian report explicitly relates to the Zaragoza concept.</p> <p>In Annex four we take one indicator for each "Zaragoza area" and illustrate it with an example from the Second Integration Indicators Report of the Federal Government.</p>

100 Germany, Ministry of Justice, for Integration and Europe of the State of Hessen (2014), 2013 Integration Report of Hessen. An Empirical Analysis of Integration, www.integrationskompass.de/global/show_document.asp?id=aaaaaaaaadlcp. (accessed on 10.03.2015)

1.2.5 Funding integration policies (EIF, ERF, EMIF)

<p>Please provide information about the distribution of funds for integration of migrants, as well as their social inclusion and participation. In particular, provide specific breakdown of funding per general area of integration policies – with particular focus on active citizenship, participation, welcoming society, social cohesion - in the last year and for the period 2010-2014 if available. (Use the table in the Annex 5).</p>	<p>The information about funding integration policies has been provided by the Federal Office for Migration and Refugees and is presented in Annex 5. The data cover the period from 2010 to 2013. In this period the overall budget for integration within the EIF has risen from 13.5 to 17.3 Million Euros. Educational opportunities for particular target groups and intercultural dialogue have been core areas of funding.</p> <p>Funds received from the ERE have risen from 8.2 in 2010 to 13.1 Million Euros in 2013. Improvement of admission conditions in general and for asylum seekers have been core areas of funding.</p> <p>Information on national co-funding is not available.</p>
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2.Promoting equal treatment and non-discrimination

2.1.The implementation of anti-discrimination legislation and equal treatment

	<p>Briefly provide information on the following:</p> <p>Outreach and awareness raising campaigns, training schemes, etc. undertaken by national or regional public authorities (including national equality bodies) targeting migrants and their descendants on the national anti-discrimination legal framework.</p> <p>Although publicity work is mentioned in the General Act on Equal Treatment (<i>Allgemeines Gleichbehandlungsgesetz, AGG</i>) as one of the main tasks of the Federal Anti-Discrimination Agency (<i>Antidiskriminierungsstelle des Bundes, ADS</i>), much remains to be done. This is at the same time of crucial importance because there were extensive reservations about the General Act on Equal Treatment (<i>Allgemeines Gleichbehandlungsgesetz, AGG</i>) and its implementation. This might be the reason why most outreach measures are mostly addressed to the general public with the goal of increasing understanding and because combating discrimination in society is a two-way process. On the other hand, a few publications conclude that inadequate outreach measures in Germany are due to the fear of a high wave of complaints, which is reflected in the following quotation: “the media coverage was full of warnings about triggering a high wave of complaints that would endanger the German economy” (<i>die mediale Berichterstattung war voller Warnungen vor der nun</i></p>
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	<p>zu befürchtenden Klagewelle, die den „Wirtschaftsstandort Deutschland“ gefährde)¹⁰¹. There is no information available online in regard to awareness raising methods targeting migrants. We contacted the, Federal Anti-Discrimination Agency (<i>Antidiskriminierungsstelle des Bundes, ADS</i>). They told us that some groups participating in workshops - in which the General Act on Equal Treatment (<i>Allgemeines Gleichbehandlungsgesetz, AGG</i>) is discussed - consist mostly of migrants. Furthermore, the General Act on Equal Treatment (<i>Allgemeines Gleichbehandlungsgesetz, AGG</i>) is part of the required workplace postings policy (<i>Aushangpflichtiges Arbeitsgesetz</i>), which means it has to be posted at each company.</p>
<p>Evidence through polls, surveys, academic research, etc. on the awareness of migrants and/or their descendants concerning the right to equal treatment. Please indicate differences between ethnic/ migrant groups, living in different geographic areas, gender and age, as well as trends in time.</p>	<p>There is not sufficient evidence on this topic. However a survey completed in 2008 indicates that only 48 % of migrants living in Berlin are aware of the General Act on Equal Treatment (<i>Allgemeines Gleichbehandlungsgesetz, AGG</i>) and around 16% feel they are adequately informed about their rights.¹⁰² The FRA-Survey 2009 indicates that 84% of Turkish migrants are not aware of organizations - such as anti-discrimination bodies - that provide assistance to persons who have experienced discrimination.¹⁰³ In comparison to other EU countries, former Yugoslavians are well informed about existing anti-discrimination laws (30%-45% depending on the area: job market, housing and services)¹⁰⁴.</p>
<p>Evidence of complaints lodged by migrants and/or their descendants - % of total complaints to equality bodies, % of admissible complaints, statistics about outcomes of investigation, % of cases establishing discrimination. Please indicate differences between ethnic/ migrant groups,</p>	<p>For this section it should be mentioned that anti-discrimination bodies in Germany are lacking a centralised and systematic data collection of discrimination cases.¹⁰⁵ In addition, most organisations in Germany do not publish their data collection. Furthermore, victims of discrimination in Germany tend to see a lawyer directly (65%) rather than consulting an equality body (44%).¹⁰⁶ Due to the lack of data collection about outcomes of investigations of most equality bodies (e.g. ADS) and</p>

101 Weiß, B., basis & woge e.V. (Hg.) (2010), Diskriminierung erkennen und handeln! Vollständig überarbeitete Neuauflage des Handbuchs für Beratungsstellen und MigrantInnenorganisationen auf der Grundlage des Allgemeinen Gleichbehandlungsgesetzes (AGG), Hamburg, p.23,

www.antidiskriminierung.org/files/Antidiskriminierungsberatung_in_der_Praxis.pdf. (accessed on 05.05.2015)

102 Chicote, F., Kennen Sie das AGG? – Ergebnisse einer Umfrage, die nicht wundern, Berlin, Anti-Discrimination Network of the Turkish association Berlin-Brandenburg (*Antidiskriminierungsnetzwerk des türkischen Bundes Berlin-Brandenburg, ADNB des TBB*).

103 FRA (European Union Agency for Fundamental Rights) (2009), European Union Minorities and Discrimination Survey (EU-MIDIS), Main Results Report, p. 200, fra.europa.eu/sites/default/files/fra_uploads/663-FRA-2011_EU_MIDIS_EN.pdf. (accessed on 10.03.2015)

104 FRA (European Union Agency for Fundamental Rights) (2009), European Union Minorities and Discrimination Survey (EU-MIDIS), Main Results Report, p. 226, fra.europa.eu/sites/default/files/fra_uploads/663-FRA-2011_EU_MIDIS_EN.pdf. (accessed on 10.03.2015)

105 Hieronymus, A.(2010), Dokumentation des Fachgesprächs der Antidiskriminierungsstelle des Bundes zu “Standardisierte Datenerhebung zum Nachweis von Diskriminierung!?” Diskussion über die Handlungsempfehlungen der Machbarkeitsstudie am Dienstag, 28. September 2010, Berlin, p.27-29, www.antidiskriminierungsstelle.de/SharedDocs/Downloads/DE/publikationen/Dokumentationen/doku_standardisierte_daten_erhebung_2010.pdf?__blob=publicationFile. (accessed on 05.05.2015)

106 European Commission (2009), Discrimination in the EU in 2009, Special Eurobarometer 317, p.45, ec.europa.eu/public_opinion/archives/ebs/ebs_317_en.pdf. (accessed on 11.03.2015)

	<p>geographic areas, gender and age, as well as trends in time.</p>	<p>the fact that a Criminal Code does not exist in Germany, it is not possible to provide sufficient data on this issue. In addition, a study completed by the Anti-discrimination Association Germany (<i>Antidiskriminierungsverband Deutschland, advd</i>), indicates that of the 450 counseling cases - mainly of non-governmental anti-discrimination bodies - only 20 have led to legal action.¹⁰⁷</p> <p>However a study completed by the Federal Anti-Discrimination Agency (<i>Antidiskriminierungsstelle des Bundes, ADS</i>) describes cases of discrimination between non-migrant and migrants as well as between different migrant groups. Furthermore, the study highlights differences in gender, age and first & second generation in East and West Germany.¹⁰⁸</p> <p>However, there is no information about the judicial procedure.</p> <p>In addition, a FRA-Survey made in 2009 shows that 10 % of Turkish migrants living in Germany were among those who reported about most negative experience by social service personal¹⁰⁹. The survey indicates that 30% of Turkish migrants have been discriminated against in the past 12 months¹¹⁰. 12% of Turkish migrants were discriminated against on grounds of their ethnic origin and 9% solely on other grounds.¹¹¹</p> <p>Among former Yugoslavians living in Germany 7% had experienced discrimination solely on ethnic grounds and 9% of respondents reported incidents of discrimination that did not include ethnicity.¹¹²</p>
	<p>Tools, measures and positive initiatives aiming at facilitating reporting incidents of discrimination – e.g. translation facilities to report and submit complaints in multiple languages</p>	<p>The consultation is available in different languages (e.g. Anti-Discrimination Network (<i>Antidiskriminierungsnetzwerk Berlin, ADNB</i>))¹¹³. Some counseling offices provide a free initial legal consultation with a judicial assessment and legal assistance in court¹¹⁴(e.g. basis & woge Hamburg).</p>

107 Anti-Discrimination Association (*Antidiskriminierungsverband Deutschland, advd*) (2012): Die Reichweite des Allgemeinen Gleichbehandlungsgesetzes ist begrenzt und es fehlt an Unterstützung für Betroffene bei der Rechtsdurchsetzung. Press release of 6 years AGG, 17 August 2012, Berlin.

108 Germany, Expert Council of German Foundations on Integration and Migration (*Sachverständigenrat deutscher Stiftungen für Integration und Migration, SVR*) (2012): Benachteiligungserfahrung von Personen mit und ohne Migrationshintergrund im Ost-West-Vergleich, Berlin, Antidiskriminierungsstelle des Bundes.

109 FRA (European Union Agency for Fundamental Rights) (2009), European Union Minorities and Discrimination Survey (EU-MIDIS), Main Results Report, p. 45, fra.europa.eu/sites/default/files/fra_uploads/663-FRA-2011_EU_MIDIS_EN.pdf. (accessed on 11.03.2015)

110 FRA (European Union Agency for Fundamental Rights) (2009), European Union Minorities and Discrimination Survey (EU-MIDIS), Main Results Report, p. 196, fra.europa.eu/sites/default/files/fra_uploads/663-FRA-2011_EU_MIDIS_EN.pdf. (accessed on 11.03.2015)

111 FRA (European Union Agency for Fundamental Rights) (2009), European Union Minorities and Discrimination Survey (EU-MIDIS), Main Results Report, p. 202, fra.europa.eu/sites/default/files/fra_uploads/663-FRA-2011_EU_MIDIS_EN.pdf. (accessed on 11.03.2015)

112 FRA (European Union Agency for Fundamental Rights) (2009), European Union Minorities and Discrimination Survey (EU-MIDIS), Main Results Report, p. 225, fra.europa.eu/sites/default/files/fra_uploads/663-FRA-2011_EU_MIDIS_EN.pdf. (accessed on 11.03.2015)

113 Anti-Discrimination Network of the Turkish Association Berlin-Brandenburg (*Antidiskriminierungsnetzwerk des türkischen Bundes Berlin-Brandenburg, ADNB des TBB*) (2010), Antidiskriminierungsreport 2009/2010, Daten und Fakten aus der Beratungspraxis des ADNB des TBB, Berlin, Anti-Discrimination Network of the Turkish Association Berlin-Brandenburg (*Antidiskriminierungsnetzwerk des türkischen Bundes Berlin-Brandenburg, ADNB des TBB*), p. 7.

114 basis & woge (2012), Antidiskriminierungsberatung in Hamburg, Hamburg, basis & woge e.V., p. 15.

<p>– and tackling under-reporting and low rights-awareness.</p>	<p>In case of discrimination at the workplace, the persons concerned have the right to lodge a complaint, in writing or orally, to a competent body at the company, employers are obliged to establish and announce such a body. Such a complaint body is obliged to investigate the accusations.¹¹⁵ For most Anti-Discrimination Bodies (e.g. ADS, advd) it is possible to report a discrimination incident via an online notification form.</p>
<p>In particular, provide information about any legal protection on grounds of nationality, which is not covered by the EU anti-discrimination Directives,¹¹⁶ but is a prohibited ground in several Member States. Please explain how unequal treatment on the basis of nationality is treated and provide exemplary cases, if any. Please provide information on the relevant practice and case law (use template in Annex 9)</p>	<p>Equal treatment in regards to nationality is not mentioned in the General Act on Equal Treatment (<i>Allgemeines Gleichbehandlungsgesetz, AGG</i>). Therefore the General Act on Equal Treatment (<i>Allgemeines Gleichbehandlungsgesetz, AGG</i>) does not explicitly prohibit discrimination on the grounds of nationality.</p> <p>The German Industrial Relations Act (Betriebsverfassungsgesetz: BetrVG) (and related acts pertaining to public services) is the only piece of legislation in Germany that contains an explicit reference to unequal treatment based on nationality. It is noteworthy, though, that the BetrVG does not directly ban discrimination, but solely obliges the employer and the 'workers council' to take (preventive or other) measures against discrimination at the workplace.¹¹⁷</p>
<p>Please provide information about the application of the legislation concerning discrimination against migrants – on any ground – in accessing law enforcement and judiciary services. In particular please clarify whether and when the latter are considered and treated, or not, as services available to the public, therefore falling within the scope of the directives and the jurisdiction of Equality Bodies.¹¹⁸</p>	<p>There is not sufficient information available about the application of the legislation in regards to migrants. But it should be mentioned that there are some general obstacles to the application of the legislation. For example the anti-discrimination legislation may not have a huge impact in supporting potential victims, due to weak equality bodies and State commitments in Germany. Non-Governmental organisations have a limited competence in regard to legal assistance and actions. Furthermore, the Federal Anti-Discrimination Agency (<i>Antidiskriminierungsstelle des Bundes, ADS</i>) has limited power to help victims in comparison to other 24 EU Member States. It can undergo limited investigations of their case but is not allowed to conduct its own alternative dispute procedure or to claim for victims in court or initiate its own procedures.¹¹⁹ In addition, the Federal Anti-</p>

115 Weiß, B. (2010), *Diskriminierung erkennen und handeln!* Completely revised new edition of the handbook for counselling centers and migrant organisations based on the General Act on Equal Treatment, Hamburg, basis & woge e.V., p. 20.

¹¹⁶ As of Article 3.2 of the Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin.

¹¹⁷ Van Bon, S., Dinsbach, W., Lechner, C. and Peucker, M., (2011), Registration of complaints about discrimination in the Netherlands and in Germany, Rotterdam & Bamberg, Art.1 & efms, p. 14

¹¹⁸ Please note that these are considered to be non-economic services by the EU Commission (Services of general interest, including social services of general interest: a new European commitment is made in COMM 725 (2007) of 20 November 2007, yet they are not always considered by Agencies dealing with Equality to fall in the areas of application in terms of anti-discrimination directives.

¹¹⁹ Huddleston, T., Niessen, J., Ni Chaoimh, E., White, E. (2011), Migrant Integration Policy Index III (MIPEX III), Brussels, British Council and Migration Policy Group, p. 91,

		<p>Discrimination Agency (<i>Antidiskriminierungsstelle des Bundes, ADS</i>) does not play a crucial role in the judicial practice.¹²⁰ Therefore there is still a great uncertainty about the application of the AGG in practice.¹²¹ In addition, it turned out that for the practical application of the legislation the 2 month period is far too short to take any legal action.¹²² According to the Anti-discrimination Association Germany (<i>Antidiskriminierungsverband Deutschland, advd</i>), which comprises several non-governmental specialised anti-discrimination (support) organisations active at the state or local level, a high proportion of counselling cases referring to the General Act on Equal Treatment (<i>Allgemeines Gleichbehandlungsgesetz, AGG</i>) are not filed before the court. They argue that there are still numerous barriers for the complainants: the General Act on Equal Treatment (<i>Allgemeines Gleichbehandlungsgesetz, AGG</i>) is little known, the deadlines for filing complaints are too short and the burden of proof is too high as it applies to the victim. Further, the advd criticise that there is no right to class action (<i>'Verbandsklagerecht'</i>). The General Act on Equal Treatment (<i>Allgemeines Gleichbehandlungsgesetz, AGG</i>) does not play a crucial role within legal affairs. In particular, there is a deficit of regulations with regards to discrimination in the area of education and (administrative or judicial) authorities.¹²³ Furthermore, providing sufficient evidence of cases of discrimination is a tremendous challenge. The main reason is that, on one hand, while the person affected feels/experiences direct discrimination, this will not always be noticed by institutions or non-affected persons as a form of discrimination. On the other hand, most cases of discrimination occur in circumstances where no witnesses exist or where the perpetrator assumes that neither the person affected will defend himself nor someone will believe him, which is especially the case of discrimination on grounds of skin colour or religion (e.g. headscarf by Muslim women).¹²⁴</p>
	<p>Please provide statistical data about numbers of discrimination cases/complaints submitted to competent bodies (Equality Bodies, Administrative Courts), as well as about their outcomes (use the tables in the Annex 8)</p>	

www.mipex.eu/sites/default/files/downloads/migrant_integration_policy_index_mipexiii_2011.pdf. (accessed on 11.03.2015)

120 Anti-Discrimination Association (*Antidiskriminierungsverband Deutschland, advd*) (2012): Die Reichweite des Allgemeinen Gleichbehandlungsgesetzes ist begrenzt und es fehlt an Unterstützung für Betroffene bei der Rechtsdurchsetzung. Press release of 6 years AGG ,17 August 2012, Berlin.

121 basis & woge (2012), Antidiskriminierungsberatung in Hamburg, Hamburg, basis & woge e.V., p. 16.

122 Anti-Discrimination Association (*Antidiskriminierungsverband Deutschland, advd*) (2011), 5 Jahre Allgemeines Gleichbehandlungsgesetz. Eine Sammlung von Texten des Antidiskriminierungsverbands Deutschland (advd) und seiner Mitgliedorganisationen, Berlin, p. 23.

123 Anti-Discrimination Association (*Antidiskriminierungsverband Deutschland, advd*) (2012), Die Reichweite des Allgemeinen Gleichbehandlungsgesetzes ist begrenzt und es fehlt an Unterstützung für Betroffene bei der Rechtsdurchsetzung. Press release of 6 years AGG ,17 August 2012, Berlin.

124 basis & woge (2013), Diskriminierungsreport Hamburg, Hamburg, basis & woge e.V., p.48

2.2.Implementation of equal treatment of various permit holders

	<p>Please summarize <u>briefly</u> in this section any key issues affecting the implementation of equal treatment of permit holders, as defined by the following EU legislation; these could be, for example, practical issues and bottlenecks, administrative delays, coordination and cooperation of public authorities, etc.</p> <p>Please substantiate findings, as far as possible, through formal evaluations, as well as research or studies and case law (use template in Annex 9). Please bear in mind that no assessment of the legal transposition process is required. In regard to the five categories below, please provide <u>statistical data</u> issued in 2014 or valid on 31.12.14. (use annex 3)</p>
<p>2.2.1.<u>Long Term Residence (LTR) status holders (Art.11 of the Directive 2003/109/EC)</u></p>	<p>No information is available for this section. The EU Directive 2003/109/EC from 2003 got integrated into German law. In particular into the Aufenthaltsgesetz (the German law regulating the residence of foreigners) The people who get a long term residence status have all the same rights and there are no implications for us to suspect any different treatment between this long term residents.¹²⁵</p>
<p>2.2.2.<u>Single-permit procedure permit holders (Art.12 and 13 of the Directive 2011/98/EU)</u></p>	<p>No information is available for this section. The EU Directive 2011/98/EU from 2011 got integrated into German law in 2013.¹²⁶ Before passing the bill the Federal Ministry of the Interior (Bundesministerium für Inneres) asked for a statement to the draft bill from different NGOs (e.g. ProAsyl, Diakonie)^{127 128} Until now we could not find any implications that the permit holders aren't treated equally.</p>
<p>2.2.3.<u>Blue card holders (Art.14 and 12 of the Directive 2009/50/EC)</u></p>	<p>No information is available for this section. Germany integrated the EU Directive 2009/50/EC through establishing the so called Blue Card a residence permit for high qualified non-EU foreigners.¹²⁹ Until now we could not find any implications that the permit holders aren't treated equally.</p>
<p>2.2.4.<u>Family reunification permit holders (specifically in terms of access to labour market - Art. 14 of Directive 2003/86/EC)</u></p>	<p>No information is available for this section. Also the Directive 2003/86/EC got integrated into German Law. But here you can find some difficulties</p>

¹²⁵ Germany, Federal Office for Migration and Refugees (*Bundesamt für Migration und Flüchtlinge*) (2014), Dauerhaft in Deutschland leben, www.bamf.de/DE/DasBAMF/Aufgaben/Daueraufenthalt/daueraufenthalt-node.html (accessed on 07.05.2015)

¹²⁶ European Commission (Europäische Kommission) (2013), Länderdatenblatt: Deutschland 2013 Europäisches Migrationsnetzwerk, www.bamf.de/SharedDocs/Anlagen/DE/Publikationen/EMN/Nationale-Berichte/emn-countryfactsheet-2013.pdf?__blob=publicationFile (accessed on 07.05.2015)

¹²⁷ Diakonie Deutschland (2013), Stellungnahme der Diakonie Deutschland, www.fluechtlingsinfo-berlin.de/fr/pdf/Diakonie_AendG_AufenthG_Jan2013.pdf (accessed on 07.05.2015)

¹²⁸ ProAsyl (2013), Entwurf eines Gesetzes zur Verbesserung der Rechte von international Schutzberechtigten und ausländischen Arbeitnehmern, Frankfurt, www.proasyl.de/fileadmin/fm-dam/o_Rechtspolitik/Stellungnahme_von_PRO_ASYL_Gesetzentw_zur_Verbesserung_der_Rechte_von_international_Schutzbeduerftigen_und_auslaend_Arbeitnehmern.pdf (accessed on 07.05.2015)

¹²⁹ Germany, Federal Office for Migration and Refugees (*Bundesamt für Migration und Flüchtlinge*) (2009), Zuwanderung von Hochqualifizierten aus Drittstaaten nach Deutschland, p. 11, https://www.bamf.de/SharedDocs/Anlagen/DE/Publikationen/WorkingPapers/wp28-hochqualifizierte.pdf?__blob=publicationFile (accessed on 07.05.2015)

	<p>by the implementation of the law regulating the family reunion. In August 2014 there have been addressed some practical issues regarding the family reunion of Syrians.¹³⁰</p> <p>Also there are some barriers for people in family reunion because Germany has a request for marriage partners concerning the language level which poses restrictions on the family reunion. That seems to be incompatible with EU law.¹³¹</p>
2.2.5. Beneficiaries of international protection long term residence status holders ¹³²	<p>No information is available for this section.</p> <p>The Directive 2011/51/EU got integrated into German law in 2013. Since then beneficiaries of international protection have the same rights as non-EU foreigners who are legally in Germany. For example they get a permanent residence allowance if they have stayed 5 years in Germany legally.¹³³ Until now we could not find any implications that the permit holders aren't treated equally.</p>
<h3>2.3. Key developments and trends</h3>	
<p>Please include in this section key developments in the area of equal treatment and anti-discrimination that concern only migrants and/or their descendants. Key developments may be new legislation or policies, abolition, update, improvement or reform of existing ones, as well as important case law, court, equality body or administrative cases, that have had or may have an impact on the implementation of the anti-discrimination legislation and equal treatment policies that related to the rights of migrants</p>	<p>No changes were made in the General Act on Equal Treatment (<i>Allgemeines Gleichbehandlungsgesetz, AGG</i>) in regards to ethnic discrimination, although the Bündnis 90/Die Grünen have expressed their concerns about the housing regulation of § 19 Abs. 3 AGG¹³⁴. In addition, complaints recorded by the Federal Anti-Discrimination Agency (<i>Antidiskriminierungsstelle des Bundes, ADS</i>) in the period from January 2012 until June 2012 indicate that discrimination on grounds of ethnicity is a serious issue in the area of housing. About 20 cases of discrimination in the area of housing, on the grounds of ethnicity, were registered.¹³⁵ (See Annex 9)</p> <p><u>Recognition of Foreign Qualifications</u></p>

¹³⁰ Germany, Federal Government (*Bundesregierung*) (2014), Antwort der Bundesregierung auf die Kleine Anfrage Erreichbarkeit der dt. Auslandsvertretung für syrische Flüchtlinge und ihre Angehörigen, Berlin, dipbt.bundestag.de/dip21/btd/18/025/1802563.pdf (accessed on 09.03.2015)

¹³¹ Federal Government (*Bundesregierung*) (2011), Antwort der Bundesregierung auf die Kleine Anfrage Auswirkungen der Sprachanforderungen beim Ehegattennachzug und umstrittene Vereinbarkeit der Regelung mit Europarecht, Berlin, dipbt.bundestag.de/dip21/btd/17/070/1707012.pdf (accessed on 20.03.2015)

¹³² As per Articles 6 and 7 of Directive 2011/51/EU of the European Parliament and of the Council of 11 May 2011 amending Council Directive 2003/109/EC to extend its scope to beneficiaries of international protection Text with EEA relevance.

¹³³ Germany, Federal Law Gazette (*Bundesgesetzblatt*) (2013), Gesetz zur Verbesserung der Rechte von internationalen Schutzberechtigten und ausländischen Arbeitnehmern, Bonn, [www.bgbl.de/xaver/bgbl/start.xav?start=/*\[*\]@attr_id=%27bgbl113054.pdf%27\]#_bgbl_%2F%2F\[*\]40attr_id%3D%27bgbl113054.pdf%27_1431071862809](http://www.bgbl.de/xaver/bgbl/start.xav?start=/*[*]@attr_id=%27bgbl113054.pdf%27]#_bgbl_%2F%2F[*]40attr_id%3D%27bgbl113054.pdf%27_1431071862809) (accessed on 08.05.2015)

¹³⁴ Germany, Federal Anti-Discrimination Agency (*Antidiskriminierungsstelle des Bundes, ADS*) (2014), Wichtige Entwicklungen beim Diskriminierungsschutz im Jahr 2013, annual summary, Berlin, Federal Anti-Discrimination Agency (*Antidiskriminierungsstelle des Bundes*), p. 27.

¹³⁵ Germany, Federal Anti-Discrimination Agency (*Antidiskriminierungsstelle des Bundes, ADS*) (2012), Answer to a written inquiry, 14 September 2012.

	<p>and/or their descendants (for presentation of case law, use template in Annex 9). Such developments may also affect the actual situation on the ground, including public debates and perceptions among the native population and migrants.</p>	<p>On 1 April 2012, the new Federal Law on the Recognition of Foreign Qualifications (<i>Berufsqualifikationsfeststellungsgesetz</i>, BQFG)¹³⁶ came into force which covers professions which are subject to federal law. The main feature of this law is the possibility of claiming a qualification assessment in a defined period of time (generally, within three months). It allows a positive written assessment of skills and qualifications if a formal recognition is denied. Furthermore, it allows non-formal qualifications (operating experience) to be considered if requirements are not met sufficiently by the formal foreign qualification. It is a subsidiary law at the national level, thus giving priority to existing regulations which remain in force. It does not cover professions which are subject to <i>Länder</i> legislation, such as teachers in the educational sector, architects or engineers. The only major change with regards to institutional responsibilities is the right to self-organisation of the Chambers of Commerce in Germany which may create a central institution recognizing professions in their domain (IHK-FOSA).</p> <p><u>New debate about Racial Profiling by the police</u></p> <p>The Administrative Court Koblenz¹³⁷ passed a highly controversial ruling on identity verification checks on the basis of a person's outer appearance.¹³⁸ The decision dealt with the case of a dark-skinned German citizen who was questioned on a train by the police (ethnic/racial profiling). On 28 February 2012, the court decided that the German Federal Police is allowed to conduct personal identity verification checks without concrete reasons for suspicion. To act efficiently and according to capacity, police stops are limited to random checks. According to this decision, the federal police is authorized to select random people for identity check because of their appearance. Thus, identity checks due to skin colour are permitted according to the court decision because they are seen as minor interventions. While the Federal government supported this rule, the decision was strongly criticised by the Federal Anti-Discrimination Agency as well as by the German Institute for Human Rights. The claimant appealed the decision before the higher administrative court Rhineland-Palatinate (<i>Oberverwaltungsgericht Rheinland-Pfalz</i>, OVG). On 29 October 2012, the court ruled against police checks based on skin colour and thus overturned the previous ruling in the case</p>
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¹³⁶ Germany, Federal Law on the Recognition of Foreign Qualifications (*Berufsqualifikationsfeststellungsgesetz*, BQFG) (2011), 06 December 2011.

¹³⁷ Germany, Administrative Court (*Verwaltungsgericht*) (2012), Koblenz/5 K 1026/11.KO, 28 February 2012.

¹³⁸ Germany, Federal Anti-Discrimination Agency (*Antidiskriminierungsstelle des Bundes*, ADS) (2012) 'Polizeikontrollen nach der Hautfarbe: Antidiskriminierungsstelle des Bundes warnt vor Stigmatisierung', Press release, 04 April 2012; Legal Tribune Online (2012) 'VG Koblenz zur Identitätsfeststellung eines Zugreisenden: Bundespolizei darf nach äußerem Erscheinungsbild kontrollieren', 27 March 2012.

		<p>by the administrative court of Coblenz.¹³⁹ According to the jurisdiction, identification checks based on skin colour constitute a violation of Germany's anti-discrimination law laid out in Art. 3 (3) of the federal constitution/Basic Law (<i>Grundgesetz, GG</i>). Moreover, the court based its assessment and decision on the information and statements made on European and international standards in the amicus-curiae submitted by the German Institute for Human Rights.¹⁴⁰</p> <p>In a submission to the European Commission against Racism and Intolerance in Germany, Amnesty International calls on Germany to introduce specific measures in order to combat racial profiling by the police.¹⁴¹ Further, they recommend extending the competences of the Federal Anti-Discrimination Agency by including the power to investigate discrimination complaints and bring them before the courts.¹⁴² With regard to criminal law aimed at tackling crimes motivated by hostility towards a specific group they call on Germany "to ensure that all crimes perpetrated with a discriminatory motive are subject to criminal prosecution under laws providing for sanctions which reflect the gravity of the human rights abuse."¹⁴³</p> <p>The 'Initiative black people in Germany' (<i>Initiative Schwarze Menschen Deutschland, ISD</i>) and other NGOs initiated an online petition against personal identity verification checks being applied without concrete reasons for suspicion as well as racial profiling in general. Within four weeks the petition was signed by more than 12,000 persons.¹⁴⁴ (see Annex 9)</p> <p><u>Thilo Sarrazin debate</u></p> <p>The release of a book by Thilo Sarrazin <i>Germany Is Doing Away With Itself (Deutschland schafft sich ab)</i> in August 2010 has caused a major debate in Germany. In April 2013, Germany was criticised by the Committee on the Elimination of Racial Discrimination (CERD) of the United Nations (UN) for tolerating Thilo Sarrazin's controversial statements</p>
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139 Germany, Higher administrative court Rheinland-Palatinate (*Oberverwaltungsgericht Rheinland-Pfalz, OVG*), resolution 7 A 10532/12.OVG, Press release, 29 October 2012.

140 German Institute for Human Rights (*Deutsches Institut für Menschenrechte, DIMR*) (2012) "'Hautfarbe' ist kein zulässiges Auswahlkriterium für Polizeikontrollen", Amicus curiae – Stellungnahme des Deutschen Instituts für Menschenrechte im Verfahren 7 A 10532/12.OVG vor dem Oberverwaltungsgericht Rheinland-Pfalz, October 2012.

141 Amnesty International, Submission to the European Commission against Racism and Intolerance on Germany (2012), EUR 23/003/2012, p.6.

142 Amnesty International, Submission to the European Commission against Racism and Intolerance on Germany (2012), EUR 23/003/2012, p.5.

143 Amnesty International, Submission to the European Commission against Racism and Intolerance on Germany (2012), EUR 23/003/2012, p.6.

144 Initiative black people in Germany (*Initiative Schwarze Menschen Deutschland, ISD*) (2012), Petition against racial profiling (Stoppt Racial Profiling!), isdonline.de/stoppt-racial-profiling/.

		<p>about migrants of Turkish and Arab background.¹⁴⁵ The public prosecution department of Berlin (<i>Staatsanwaltschaft Berlin</i>) classified the statements as freedom of expression whereas the UN categorised them as racism. The UN blamed Germany for the rejected charge against Sarrazin, and thus for failure in combating racism. The German government was given 90 days to react to the complaint and to decide on measures that needed to be undertaken.¹⁴⁶ In a verbal note to the CERD, it stated its willingness to review whether the existing legislation is sufficient. The 'German Institute for Human Rights' (<i>Deutsches Institut für Menschenrechte</i>, DIMR) pointed out that both the federal government, the federal states of Germany (<i>Bundesländer</i>) and the civil society should be involved in this process.¹⁴⁷ The 'Turkish Community in Germany' (<i>Türkische Gemeinde in Deutschland</i>, TGD) proposed to establish a committee consisting of experts and department officials who would carry out concrete improvement proposals.¹⁴⁸ Several communities and organisations welcomed the UN's censure against the way racism was dealt with in the case of Sarrazin. The 'Turkish Association Berlin-Brandenburg' (<i>Türkischer Bund Berlin-Brandenburg</i>, TBB), one of the main protesters, demanded verification of whether the proceedings against Sarrazin on grounds of hate speech and offence could be resumed again.¹⁴⁹ The public prosecution department of Berlin re-examined the circumstances at the request of the German government. Nevertheless, the resumption of proceedings against Sarrazin was rejected.¹⁵⁰ Although the time limit of 90 days has passed, no further developments have occurred. On 30 October 2013, the political party 'The Left' (<i>DIE LINKE</i>) issued questions to the Federal Government concerning the subject.¹⁵¹ In its response, the Federal Government refers to the aforementioned verbal note of 1 July 2013 and states the importance of the principle of free speech and that the recurrence to penal law should stay the "last resort" in a constitutional democracy.¹⁵²</p> <p><u>Headscarf debate</u></p>
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145 International Convention on the Elimination of All Forms of Racial Discriminations (CERD), CERD/C/82/D/48/2010, 3 April 2013, www2.ohchr.org/English/bodies/cerd/docs/CERD-C-82-D-48-2010-English.pdf. (accessed on 20.03.2015)

146 Keilani, F. (2013) 'UN rügen Deutschland wegen Sarrazin', *Der Tagesspiegel*, 18 April 2013.

147 German Institute for Human Rights (*Deutsches Institut für Menschenrechte*) (2013), 'Institut: Handlungsbedarf bei der Bekämpfung des Rassismus in Deutschland', Press release, 15 July 2013.

148 Bax, D. (2013), 'Das Sarrazin-Versprechen', *TAZ- die Tageszeitung*, 15 June 2013.

149 Keilani, F. (2013), 'UN rügen Deutschland wegen Sarrazin', *Der Tagesspiegel*, 18 April 2013.

150 Dernbach, A. (2013), 'Kein Verfahren gegen Sarrazin', *Der Tagesspiegel*, 16 June 2013.

151 Germany, German Federal Parliament (*Deutscher Bundestag*) (2013), BT-Drs. 18/25, 'Kleine Anfrage der Fraktion DIE LINKE: Entscheidung des UN-Rassismus-Ausschusses im Fall Thilo Sarrazin', 10 October 2013.

152 Germany, German Federal Parliament (*Deutscher Bundestag*) (2013), 'Regierung steht zur Meinungsfreiheit', Current Announcement, 25 November 2013.

		<p>The Federal Constitutional Court (<i>Bundesverfassungsgericht</i>) has again decided, for the second time, on the question concerning the headscarf ban for teachers. As early as in 2003 the Federal Constitutional Court (<i>Bundesverfassungsgericht</i>) has ruled that the headscarf ban is prohibited unless it is banned by specific regulations or laws. In the aftermath a few federal states have adopted some prohibition rules. On 27 January 2015 the Federal Constitutional Court (<i>Bundesverfassungsgericht</i>) has ruled in regard to headscarf bans, while correcting the judgment of 2003, by saying that a general headscarf ban for teachers is unconstitutional and not compatible with religious freedom. (see Annex 9)</p>
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3. Participation of migrants and their descendants in society

3.1. Political rights at national level

3.1.1. Citizenship acquisition

	<p>In this section please provide information about the specific requirements and criteria for citizenship acquisition, if any, that relate to the applicants active participation in society, genuine links or bond to the society or the country, schooling period or other 'socialization' requirements. -Path to citizenship for foreign born third country nationals (the so-called '1st generation')</p>	<p>In Germany, a foreign person can apply for naturalisation if the following criteria are fulfilled: He/She holds an unlimited residence permit for Germany; He/She has ordinarily and rightfully lived in Germany for at least the last eight years; He/She can assure a livelihood for him-/herself and his/her family without receiving social welfare or unemployment benefits; He/She can prove to have a sufficient German language proficiency; He/She has passed a naturalisation test on the German legal and social system; He/She is not convicted due to a criminal offence; He/She commits him-/herself to the German constitution; He/She has lost his/her old citizenship or abandons it.¹⁵³ Naturalisation costs EUR 255 per person. For minors who are to be naturalised (with their parents) there is a fee of EUR 51 or for those who are naturalised without their parents there is a fee of EUR 255.¹⁵⁴ Migrant children born in Germany automatically receive the German citizenship if at least one of their</p>
<p>Please provide information about the specific requirements and criteria for citizenship acquisition, if any, that relate to the applicants active participation in society, genuine links or bond to the society or the country, schooling period or other 'socialization' requirements. - Path to citizenship for country-born (so-called '2nd generation') and country-grown migrant children (so-called '1,5 generation').</p>		

153 Germany, Nationality Act (*Staatsangehörigkeitgesetz, StAG*) (2014), Art 8 – Art. 16, 13 November 2014.

154 Germany, Nationality Act (*Staatsangehörigkeitgesetz, StAG*) (2014), Art 38, 13 November 2014.

		<p>parents has rightfully and ordinarily had his/her residence in Germany for eight years and holds a permanent residence permit or is a Swiss national or a family member of a Swiss citizen.</p> <p>A decision from 2014 abolished the choice obligation law (<i>Optionspflicht</i>), which previously required children with two nationalities (German and that of the parents) to declare one nationality before the age of 23. This requirement was abolished for persons born and raised in Germany (for more information see annex 9).</p> <p>A study by the Federal Office for Migration and Refugees (<i>Bundesamt für Migration und Flüchtlinge</i>, BAMF) found information deficits with regard to this procedure among young adults who are expected to make this decision in the near future¹⁵⁵.</p>
	Debates, issues and challenges concerning the implementation of citizenship policies	<p>The issue of double citizenship had been a major point of controversy in years past. While representatives of the Christian Union parties (CDU/CSU) praised the decision of allowing double citizenship in certain cases, their coalition partners from the Social Democratic Party (SPD) called the new regulations a compromise. Members of the opposition parties Alliance 90/The Greens (Bündnis 90/Die Grünen) and The Left (Die Linke) criticised the new law and demanded that the obligation to choose between multiple citizenships should be abolished altogether.¹⁵⁶</p>
	Key developments and trends – case law (please use the template in the Annex 9 to provide information about the cases – here only a simple reference to the case name is required) or new provisions and reforms.	See annex 9
	Please indicate key and/or milestone dates – e.g. of major reforms - regarding citizenship acquisition for migrants and/or their descendants.	<p>On 3 July 2014 the German Federal Parliament passed a law that enables children of immigrants who have grown up in Germany to legally possess dual citizenship. This is possible if one of the following criteria is fulfilled: a person has lived in Germany for at least eight years, has attended a German school for at least six years, has graduated from a school in Germany or has completed vocational training in Germany. Persons that do not fulfil one of these criteria, but have a similarly close connection to Germany can also be freed from the obligation to choose a single citizenship.¹⁵⁷</p>

155 Weinmann, M., Becher, I., von Gostomski, Ch. (2012), Einbürgerungsverhalten von Ausländerinnen und Ausländern in Deutschland sowie Erkenntnisse zu Optionspflichtigen. Ergebnisse der BAMF-Einbürgerungsstudie 2011, Forschungsbericht 15, Nürnberg, Federal Office for Migration and Refugees (Bundesamt für Migration und Flüchtlinge, BAMF).

156 Germany, German Federal Parliament (*Deutscher Bundestag*) (2014), ‘Staatsangehörigkeitsrecht vom Bundestag angepasst’, Press release, 3 July 2014.

157 Germany, German Federal Parliament (*Deutscher Bundestag*) (2014), ‘Drs. 18/1312’, 5 May 2014.

	<p>Naturalisation rate - % of migrants that have been naturalized compared to migrant stock and to general population – listing the most numerous groups on the basis of their previous nationality, by gender and age-group if available. Please provide the latest available data. The most recent data provided by Eurostat concern the year 2012.</p>	<p><i>Naturalisation rate: 1,39%</i>¹⁵⁸ of migrants that have been naturalised compared to migrant population Percent of naturalized migrants in comparison to the general population: 0,14%¹⁵⁹</p> <p>The three most numerous groups on the basis of their previous nationality, by gender and age-group:</p> <table border="1" data-bbox="707 450 1396 864"> <thead> <tr> <th></th> <th>Total</th> <th colspan="2">Gender¹⁶¹</th> <th colspan="4">Age-groups¹⁶²</th> </tr> <tr> <th></th> <th></th> <th>Fem</th> <th>Mal</th> <th>Under</th> <th>20 –</th> <th>45 –</th> <th>65</th> </tr> </thead> <tbody> <tr> <td>Turke</td> <td>24,9</td> <td>41%</td> <td>59%</td> <td>33,8%</td> <td>63,3</td> <td>2,5%</td> <td>0,4%</td> </tr> <tr> <td>Polan</td> <td>4,9%</td> <td>72,5</td> <td>27,5</td> <td>15,6%</td> <td>64,7</td> <td>18,1%</td> <td>1,5%</td> </tr> <tr> <td>Ukrai</td> <td>4%</td> <td>62%</td> <td>38%</td> <td>18,7%</td> <td>63,2</td> <td>14,9%</td> <td>3,2%</td> </tr> </tbody> </table>		Total	Gender ¹⁶¹		Age-groups ¹⁶²						Fem	Mal	Under	20 –	45 –	65	Turke	24,9	41%	59%	33,8%	63,3	2,5%	0,4%	Polan	4,9%	72,5	27,5	15,6%	64,7	18,1%	1,5%	Ukrai	4%	62%	38%	18,7%	63,2	14,9%	3,2%
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<p>Numbers of naturalisations and citizenship acquisitions in the last 2 years (in 2013 and in 2014) by mode of acquisition, by gender and age-group if available, and for the 10 most numerous groups on the basis of their previous nationality <i>Please provide the latest available statistics - (please use the relevant table in the Annex 6)</i></p>																																										

3.1.2. National elections voting rights – turnout

	<p>Third country nationals are allowed in exceptional cases to vote in national elections. In this section please provide the specific requirements and criteria for participation of citizens of migrant background (and third country nationals in the very few cases where this is foreseen) in national elections, as well as any available data on their voting turnout. Please specify any differences in different geographic areas or by type of</p>	<p>Migrants are only entitled to vote if they have acquired German citizenship. Exempted are EU citizens living in Germany, who have the right to vote in local and European elections.¹⁶³</p> <p>72.3 % of people of migration background voted in the 2009 national level elections¹⁶⁴</p>
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158 Germany, Federal Statistical Office (*Statistisches Bundesamt, DESTATIS*) (2013), ‚Einbürgerungen 1990 bis 2013‘, Einbürgerungsstatistik, 05.02.2015.

159 Own calculations based on data from: Federal Statistical Office (*Statistisches Bundesamt, DESTATIS*) (2014), *Bevölkerung und Erwerbstätigkeit. Einbürgerungen*, Vol. 1, No. 2.1, Wiesbaden, p. 16.

160 Germany, Federal Office for Migration and Refugees (*Bundesamt für Migration und Flüchtlinge, BAMF*) (2013), *Migrationsbericht des Bundesamtes für Migration und Flüchtlinge im Auftrag der Bundesregierung*, (Migrationsbericht 2013), Berlin, Bundesministerium des Innern, p. 217.

161 Germany, Federal Statistical Office (*Statistisches Bundesamt, DESTATIS*) (2014), *Bevölkerung und Erwerbstätigkeit. Einbürgerungen*, Vol. 1, No. 2.1, Wiesbaden, p. 40.

162 Own calculations based on data from: Federal Statistical Office (*Statistisches Bundesamt, DESTATIS*) (2013), ‚Einbürgerungen 2013 nach Altersgruppen und ausgewählten bisherigen Staatsangehörigkeiten‘, Einbürgerungsstatistik, (05.02.2015)

163 Germany, Federal Constitution (*Grundgesetz*) (2014), Art. 38. 23 December 2014.

164 Worbs, S., Müssig, St. (2012), *Politische Einstellungen und politische Partizipation von Migranten in Deutschland*, Working Paper 46 aus der Reihe ‚Integrationsreport‘, Teil 10, Federal Office for Migration and Refugees (*Bundesamt für Migration und Flüchtlinge, BAMF*), p. 33.

	<p>national level voting circumstances (e.g. parliament, referendum, president of the republic etc.). In addition to official data and also if such data are not available, make reference to any relevant quantitative or qualitative academic research concerning the exercise of the right to vote and related drivers and barriers.</p>	
	<p>Please indicate any programmes or information campaigns aiming at informing citizens of migrant background about their political rights and encouraging the exercise of the right to vote.</p>	<p>No data available</p> <ul style="list-style-type: none"> • There are no such campaigns or programmes (see above) • Only the EU had a program called "Fundamental Rights and Citizenship" from 2007 to 2013 that informed the EU citizens amongst others about their voter rights.¹⁶⁵ • On a local level there are only campaigns aiming for example for a new law or another possibility that provides all foreigners not only 'EU-foreigners' to vote on a local level. <ul style="list-style-type: none"> ○ A campaign aiming for a new law is e.g. the campaign "Demokratie braucht jede Stimme"(Democracy needs every vote). They want to establish in Germany the right to vote on a local level also for foreigners that aren't EU citizens. They want them to be a part of the democratic process to strengthen the German Democracy.¹⁶⁶ <p>The Federal State Integration Council (Landesintegrationsrat) of North Rhine-Westphalia (NRW) reanimated in 2014 their former campaign from 2007 to 2009 called "HIER, wo ich lebe, will ich wählen!" (There were I live I want to vote). The campaign aims to integrate into a change of the Constitution of NRW the right to vote for all foreigners living in NRW legally.¹⁶⁷</p>

3.1.3.National level election – representation

	<p>The number of candidates with migrant background (where available, specify own or parent's country of birth) at</p>	<p>Date of the latest national level elections: 22 September 2013 (at least) 113 candidates with a migration background (4.7% of all candidates)¹⁶⁸</p>
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¹⁶⁵ European Commission (2012), Report from the Commission to the European Parliament and the Council on the application of Directive 94/80/EC on the right to vote and to stand as a candidate in municipal elections by citizens of the Union residing in a Member State of which they are not nationals, Brussels, p.4, ec.europa.eu/justice/citizen/files/com_2012_99_municipal_elections_en.pdf. (accessed on 07.05.2015)

¹⁶⁶ Demokratie Braucht Jede Stimme! Kommunales Wahlrecht für alle! (2014) www.demokratie.agaby.de/HINTERGRUND.402.0.html. (accessed on 07.05.2015)

¹⁶⁷ Landesintegrationsrat NRW (2014), "Hier, wo ich wohne, will ich wählen" Kampagne, www.wahlrecht-fuer-migranten.de/ueber-die-kampagne/. (accessed on 07.05.2015)

¹⁶⁸ Mediendienst Integration (2013), Recherche-Ergebnisse – Bundestagskandidaten mit Migrationshintergrund., p. 3.

	the latest national level elections (specify date).	
	The number of elected representatives with migrant background at national level (e.g. parliament, senate).	2013: 37 elected representatives with a migration background at the national level (5.9% of all representatives) ¹⁶⁹
	Those appointed to public office (e.g. ministers, secretaries of state, etc.) by end of 2014.	2014: 1 Federal Minister with a migration background ¹⁷⁰ For this information we checkt the place of birth of each Federal Ministers.

3.2. Political rights at regional/local level

3.2.1. Regional/Local elections voting rights – turnout

	Specify what regional/local voting rights are given to third country nationals and any different entitlements according to residence status, permit type or length of stay etc.	Migrants are only entitled to vote if they have acquired the German citizenship. Exempted are EU citizens living in Germany, who have the right to vote in local and European elections. ¹⁷¹
	Key and/or milestone dates regarding the voting and/or election rights for migrants and/or their descendants at regional/local level	No data available <ul style="list-style-type: none"> • 1989: In February 1989 the Länder Schleswig-Holstein and Hamburg passed a bill so particular foreigners could vote at a local level.¹⁷² • 1990: But the Federal Constitutional Court of Germany (Bundesverfassungsgericht) decided in 1990 that the laws from Schleswig-Holstein and Hamburg were unconstitutional.¹⁷³ • 1993: The Maastricht Treaty stipulated that EU citizens living in Germany have the right to vote in local and European elections.¹⁷⁴ • There is a more or less ongoing debate about the right to vote for foreigners in Germany. For example the mayor from Frankfurt Petra Roth demanded in 2007 a right to vote for foreigners at a local level. Because the voter turnout was so low.¹⁷⁵ Or another example is the draft law

¹⁶⁹ Mediendienst Integration (2013), ‚Vielfalt im Bundestag. Mehr Abgeordnete mit Migrationshintergrund‘, 23 September 2013.

¹⁷⁰ Germany, Federal Government (*Bundesregierung*) Federal Cabinet:

www.bundesregierung.de/Webs/Breg/DE/Bundesregierung/Bundeskabinett/bundeskabinett.html. (accessed on 05.02.2015)

¹⁷¹ Germany, Federal Constitution (*Grundgesetz*) (2014). Art. 38, 23 December 2014.

¹⁷² Schueler, H. (1990), ‘Wer ist das Volk?’ Vor dem Bundesverfassungsgericht fand die mündliche Verhandlung gegen Hamburger und Kieler Gesetze statt, Karlsruhe, www.zeit.de/1990/27/wer-ist-das-volk. (accessed on 07.05.2015)

¹⁷³ Migazin (2009), SPD fordert Kommunalwahlrecht für Ausländer, Schleswig Holstein, www.migazin.de/2009/02/24/spd-fordert-kommunalwahlrecht-fur-auslander-in-schleswig-holstein/. (accessed on 07.05.2015)

¹⁷⁴ Migazin (2009), SPD fordert Kommunalwahlrecht für Ausländer, Schleswig Holstein, www.migazin.de/2009/02/24/spd-fordert-kommunalwahlrecht-fur-auslander-in-schleswig-holstein/. (accessed on 07.05.2015)

¹⁷⁵ Rösman, T., Toepfer, S. (2007), Kritik und Zustimmung. Angesichts der niedrigen Wahlbeteiligung bei der Oberbürgermeisterwahl fordert Petra Roth, allen Ausländern das kommunale Wahlrecht zu geben. Bei der CDU stößt Roths Vorschlag auf Zurückhaltung, www.faz.net/aktuell/rhein-main/frankfurt/auslaenderwahlrecht-kritik-und-zustimmung-1409318.html. (accessed on 07.05.2015)

		<p>the Greens introduced into the Bundestag in 2014 that should allow a right to vote for foreigners.¹⁷⁶</p>
	<p>Please indicate any programmes or information campaigns aiming at informing citizens of migrant background about their political rights and encouraging the exercise of the right to vote.</p>	<p>Programmes and information campaigns vary widely between the federal states</p> <ul style="list-style-type: none"> • There are no such campaigns or programmes (see above) • Only the EU had a program called "Fundamental Rights and Citizenship" from 2007 to 2013 that informed the EU citizens amongst others about their voter rights.¹⁷⁷ • On a local level there are only campaigns aiming for example for a new law or another possibility that provides all foreigners not only 'EU-foreigners' to vote on a local level. <ul style="list-style-type: none"> ○ A campaign aiming for a new law is e.g. the campaign "Demokratie braucht jede Stimme"(Democracy needs every vote). They want to establish in Germany the right to vote on a local level also for foreigners that aren't EU citizens. They want them to be a part of the democratic process to strengthen the German Democracy.¹⁷⁸ <p>The Federal State Integration Council (Landesintegrationsrat) of North Rhine-Westphalia (NRW) reanimated in 2014 their former campaign from 2007 to 2009 called "HIER, wo ich lebe, will ich wählen!" (There were I live I want to vote). The campaign aims to integrate into a change of the Constitution of NRW the right to vote for all foreigners living in NRW legally.¹⁷⁹</p>
	<p>In addition to official data and also if such data are not available, make reference to any relevant quantitative or qualitative academic research concerning the exercise of the right to vote and related drivers and barriers.</p>	<p>There are not any comprehensive quantitative or qualitative studies regarding regional/local voting There is a study from the EU that might be relevant. It shows for example the 'Awareness of electoral rights that a citizen of the EU has, 2007-2010' and a European wide voter turnout. Its a report from the Commission to the European Parliament and the Council on the application of Directive 94/80/EC on the right to vote and to stand as a candidate in municipal elections by citizens of the Union residing in a Member State of which they are not nationals¹⁸⁰</p>

¹⁷⁶ Germany, German Federal Parliament (*Deutscher Bundestag*) (2014), Grüne für kommunales Ausländerwahlrecht, Berlin, www.bundestag.de/presse/hib/2014_07/-/287200. (accessed on 07.05.2015)

¹⁷⁷ European Commission (2012), Report from the Commission to the European Parliament and the Council on the application of Directive 94/80/EC on the right to vote and to stand as a candidate in municipal elections by citizens of the Union residing in a Member State of which they are not nationals, Brussels, p.4, ec.europa.eu/justice/citizen/files/com_2012_99_municipal_elections_en.pdf. (accessed on 07.05.2015)

¹⁷⁸ Demokratie Braucht Jede Stimme! Kommunales Wahlrecht für alle! (2014) www.demokratie.agaby.de/HINTERGRUND.402.0.html. (accessed on 07.05.2015).

¹⁷⁹ Landesintegrationsrat NRW (2014), "Hier, wo ich wohne, will ich wählen" Kampagne, www.wahlrecht-fuer-migranten.de/ueber-die-kampagne/ (accessed on 07.05.2015)

¹⁸⁰ European Commission (2012), Report from the Commission to the European Parliament and the Council on the application of Directive 94/80/EC on the right to vote and to stand as a candidate in municipal elections by citizens of the Union residing in a Member State of which they are not nationals, Brussels, p.4, ec.europa.eu/justice/citizen/files/com_2012_99_municipal_elections_en.pdf. (accessed on 07.05.2015)

3.2.2. Regional/local level election – representation

	The number of candidates that were third country nationals and/or with migrant background at the latest regional/local level elections (specify date)	Figures are not available
	The number and % of elected representatives with migrant background at regional/local level (e.g. municipalities, regions, prefectures etc.)	2013: 100 members with migration background of the federal state legislatures (3.7%) ¹⁸¹ . Migration background as defined by the Federal Statistical Offices includes persons who have migrated since 1950 and have a status as foreigners or as German citizens; among the German citizens the concept differentiates between naturalised persons and ethnic Germans with a right to immigrate as Aussiedler. Migration background also includes persons who have not migrated; they are foreigners who have been born in Germany, they are Germany who have been naturalised and they include Germans whose parents (either one or two parents) have migrated to Germany or have been born in Germany as foreigners. 182
	Those who were elected or appointed to a high public office (e.g. mayor, vice mayor etc.) by end of 2014.	2015: 4 Senators and 4 Regional Ministers with a migration background Migration background as defined by the Federal Statistical Offices includes persons who have migrated since 1950 and have a status as foreigners or as German citizens; among the German citizens the concept differentiates between naturalised persons and ethnic Germans with a right to immigrate as Aussiedler. Migration background also includes persons who have not migrated; they are foreigners who have been born in Germany, they are Germany who have been naturalised and they include Germans whose parents (either one or two parents) have migrated to Germany or have been born in Germany as foreigners. 183
	Please identify related limitations and challenges or public debates, as well as relevant research, studies and assessments.	Challenges or limitations for political candidates or elected representatives with a migrant background can be found in different aspects of society. For example in the socio-demographic characteristics of the migrants themselves and their settlement patterns, the role of political parties and elites as gatekeepers, the institutional and political setting (e.g. electoral system)

181 Gesemann, F., Roth, R. (2015), *Integration ist (auch) Ländersache! Schritte zur politischen Inklusion von Migrantinnen und Migranten in den Bundesländern*, Berlin, Institut für Demokratische Entwicklung und Soziale Integration (DESI) für die Friedrich-Ebert-Stiftung, p. 81.

¹⁸² Federal Statistical Office (*Statistisches Bundesamt, DESTATIS*) (2014), Mikrozensus 2013: 16,5 Millionen Menschen mit Migrationshintergrund, https://www.destatis.de/DE/PresseService/Presse/Pressemitteilungen/2014/11/PD14_402_122.html;jsessionid=415588D8D0C40DF689077F7153553165.cae4, (accessed on 22.03.2015)

¹⁸³ Federal Statistical Office (*Statistisches Bundesamt, DESTATIS*) (2014), Mikrozensus 2013: 16,5 Millionen Menschen mit Migrationshintergrund, https://www.destatis.de/DE/PresseService/Presse/Pressemitteilungen/2014/11/PD14_402_122.html;jsessionid=415588D8D0C40DF689077F7153553165.cae4, (accessed on 22.03.2015)

		or the patterns of migrant and anti-migrant mobilization. These questions are currently being explored with regards to Germany, however results have yet to be published. ¹⁸⁴
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3.3.Consultation

3.3.1.Consultative bodies at national/regional/local level

		Yes - Foreigners' (Advisory) Councils (<i>Integrations-/Ausländerbeirat</i>) exist in around 400 German cities ¹⁸⁵ .
Are there any migrants' consultative bodies in place at national / regional/ local level foreseen and/or operational in practice? Since when and on which legal basis (please provide reference). Please specify whether migrants' consultative/advisory/representative bodies are established by law or other type of normative regulation, policy or practice.		The first Ausländerbeiräte (foreigners' councils) were established in 1971 by municipal resolutions in response to the growing numbers of permanent foreign residents in German municipalities. ¹⁸⁶ The Beirat der Beauftragten der Bundesregierung für Migration, Flüchtlinge und Integration (Council of the Federal Government Commissioner for Migration, Refugees and Integration) was established in 2011 ¹⁸⁷ . These councils have been established with their legal basis varying between federal states and even between municipalities due to regional and local autonomy. ¹⁸⁸ Integrations- or Ausländerbeiräte (integration or foreigner councils) are established by Landesrecht (federal state law). ¹⁸⁹ Most federal states prescribe the establishment of such councils. ¹⁹⁰ The legal basis for their activities is the Gemeindeordnung (Municipalities Code). ¹⁹¹
What is the mandate of the body – duration and procedures? In particular specify if and by which modalities these bodies are competent to participate in consultations only on migration or integration issues or if they participate also in consultations		Their aim is to give migrants a voice in local politics, in relation to migration and integration issues, but also on other issues. However, these councils solely have advisory powers and cannot make binding decisions. In addition to the integration (advisory) councils, Integration Committees (<i>Integrationsausschuss</i>) also exist in some municipalities, being composed of

184 Cinalli, M., Morales, L., Saalfeld, T., Tillie, J. (2014-2017). Pathways to Power: The Political Representation of Immigrant Origin in Seven European Democracies. ORA-Project 1, www.uni-bamberg.de/comparpol/leistungen/research/current-projects/representation-of-immigrant-origin-in-the-parliaments-of-liberal-democracies/. (accessed on 22.03.2015)

185 Peucker, M. (2009), Racism, Xenophobia and Ethnic Discrimination in Germany. Update Report 2009, Bamberg, European Forum for Migration Studies (efms), p. 35f.

186 Gissendanner, S. (2009), Non-Citizen Political Participation for Problem Solving: Models from Germany and the United States, Goettingen, Georg August University, p. 10.

187 Germany, Federal Government (Bundesregierung) (2011), ‚Erlas über die Errichtung eines Beirats der Beauftragten der Bundesregierung für Migration, Flüchtlinge und Integration‘, 20 January 2011.

188 Gesemann, F., Roth, R. (2014), Integration ist (auch) Ländersache!‘, Friedrich Ebert Stiftung.

189 Schader-Stiftung (2011), Integrationspotenziale in kleinen Städten und Landkreisen. Ergebnisse des Forschungs-Praxis-Projekts, Darmstadt, p. 71 – 73.

190 Türkische Gemeinde in Deutschland (TGD) (2010), Die politische Teilhabe von Einwanderern und Einwanderinnen in den Integrationsbeiräten der Bundesländer, Berlin, p. 9 – 12.

191 Arbeitsgemeinschaft der Ausländer-, Migranten- und Integrationsbeiräte Bayerns (AGABY) (2012), *Ausländer- und Integrationsbeiräte in Bayern. Ihre Bedeutung, Funktion und Aufgaben für die kommunale Integrationspolitik*, Handreichung für die bayerischen Kommunen, Nürnberg, p. 13.

	on other issues? How do these bodies work in practice?	migrant representatives as well as elected council members ¹⁹² . Working styles vary widely.
	Frequency of convening of the body/-ies/ meetings with competent public authorities. What is foreseen and how is it implemented in practice?	Not possible to determine, varies widely
	Role in relation to other public or private bodies. Is there a statutory role of coordination and cooperation with other public or private stakeholders foreseen? How is this implemented in practice?	<p>In general these bodies have a consultative function. There is a large variety of working styles, quality of cooperation and type of activities. Recently there has been a trend towards targeting activities towards migrants in general as opposed to targeting specific groups.</p> <p>The Council of the Federal Government Commissioner for Migration, Refugees and Integration is composed not only of migrant representatives but of different civil society groups. The council's statutory function is to support and counsel the Federal Commissioner for Migration, Refugees and Integration. In this, the council directly cooperates with the Federal Ministry¹⁹³.</p> <p>In some Länder local Foreigners' Advisory Councils have joined together to form a working group that helps to coordinate and to support the local efforts. Except for the Foreigners' Advisory Councils of the federal states of Berlin, Hamburg and Schleswig-Holstein, the other councils have together formed the Federal Council for Immigration and Integration (<i>Bundeszuwanderungs- und Integrationsrat</i>), which is in contact with the public authorities on the federal level.¹⁹⁴</p> <p>The Bundeszuwanderungs- und Integrationsrat (BZI) (federal immigration and integration council) consists of representatives of the Landesarbeitsgemeinschaften der kommunalen Ausländerbeiräte und Ausländervertretungen (federal states' working groups of the municipal foreigners' councils) which brings together 400 foreigner councils of all federal states, except for Berlin, Hamburg, Schleswig-Holstein; it is the direct contact point for governmental bodies on the federal level¹⁹⁵.</p>
	Participation in decision-making (consultative, observer status, voting right etc.). Are such bodies competent to participate in decision-making at national/regional/local level in regard to the design, implementation, assessment	In general these bodies have a consultative function. Specific tasks may be assigned to them depending on the working style and level of cooperation on the local level. In some cases they are involved in specific measures for the implementation of integration policies, e.g. naturalisation campaigns ¹⁹⁶

192 Peucker, M. (2009), Racism, Xenophobia and Ethnic Discrimination in Germany. Update Report 2009, Bamberg, European Forum for Migration Studies (efms), p. 35f.

193 Germany, Federal Government (Bundesregierung) (2011), ‚Erlass über die Errichtung eines Beirats der Beauftragten der Bundesregierung für Migration, Flüchtlinge und Integration‘, 20 January 2011.

194 Peucker, M. (2009), Racism, Xenophobia and Ethnic Discrimination in Germany. Update Report 2009, Bamberg, European Forum for Migration Studies (efms), p. 36.

195 Germany, Federal Council for Immigration and Integration (*Bundeszuwanderungs- und Integrationsrat*).

196 Gesemann, F., Roth, R. (2014), ‚Integration ist (auch) Ländersache!‘, Friedrich Ebert Stiftung, p. 68.

	<p>and/or review of integration-specific, migration or other policies of general interest? Are such bodies and/or their representatives participating in any way to allocation, distribution, monitoring, evaluation or management of funding social inclusion and integration policies, measures and programmes at national level?</p>	
	<p>What are the modalities for representation and participation of migrants, e.g. elections, designation etc.? What is foreseen and how is it implemented in practice?</p>	<p>Most councils get elected, some get appointed by the elected municipal representation and a small number get appointed by migrant organisations¹⁹⁷</p>
	<p>On which criterion are migrant groups represented (migrant status, foreign-born, foreign nationality etc.)? What is foreseen and how is it implemented in practice?</p>	<p>Migrants represented in the Council of the Federal Government Commissioner for Migration, Refugees and Integration are chosen on the basis of them representing relevant migrant or religious organisations, independent from their status or nationality. Voting rights vary between federal states and municipalities. In many foreign or integration councils, voting rights are given to those who 1) are either non German citizens or who have obtained German citizenship through naturalisation, 2) are over 16 years old, 3) have lived (uninterrupted) in the region of the respective council for at least one year, and 4) have lived in the municipality of the respective council for at least 16 days before the voting period. Asylum seekers are often not allowed to vote.^{198,199}</p>
	<p>Is there any evidence through formal evaluations or academic research on awareness about such national level consultative bodies among migrants and their descendants, and among the general public?</p>	<p>There is only information about the strategies of municipalities to inform about their integration policies. The Institut für Demokratische Entwicklung und Soziale Integration (DESI) (2012, p. 112) finds that „further quantitative and qualitative studies are necessary“ for gaining insights about the impact of the municipal public relation strategies among the general population.²⁰⁰</p>

197 Gesemann, F., Roth, R. (2014), ‚Integration ist (auch) Ländersache!‘, Friedrich Ebert Stiftung, p. 93.

198 Germany, City of Nuremberg. Voting Regulations for the Council for Integration and Immigration [Unofficial translation] (*Wahlordnung für den Rat für Integration und Zuwanderung.*), 20 December 2007.

199 Germany, City of Meerbusch. Voting Regulations for the Direct Election of the Integration Council Members [Unofficial translation] (*Wahlordnung für die Wahl der direkt zu wählenden Mitglieder des Integrationsrates.*), 20 February 2014.

200 Gesemann, F., Roth, R., Aumüller, J. (2012), *Stand der kommunalen Integrationspolitik in Deutschland*, Berlin, Institut für Demokratische Entwicklungen und Soziale Integration (DESI) für das Bundesministerium für Verkehr, Bau und Stadtentwicklung und die Beauftragte der Bundesregierung für Migration, Flüchtlinge und Integration, p. 112.

3.4. Participation in trade-unions and professional association

In this section based on available data, research, surveys, studies, etc. please provide information about:	
Membership and participation of migrant workers in <u>workers' unions and craft associations</u> :	
Are there any legal or practical limitations or barriers for the membership of migrant workers in trade unions and craft associations?	There are no legal restrictions or practices of exclusion of migrants regarding membership of and participation in trade unions. Foreign nationals can join a German trade union, and if they do, they have the same rights and duties as German members. ²⁰¹
Do workers' associations encourage and support membership and participation of migrant workers? E.g. through information and raising awareness initiatives in more languages, translation and language support services etc.	<p>Yes - Within its training institution, the German Federation of Trade Unions (DGB) includes a field of activity called "Migration & Qualification" (Migration & Qualifizierung) which aims to encourage migrants to actively participate in social processes and to enhance equality.²⁰²</p> <p>In 2008, the United Services Union, ver.di, passed a decree which recognises migrants as an official group within the trade union structures and encourages them to become more active in the union.²⁰³ With this status, which gives migrant unionists a stronger voice within the decision-making structures of the trade union, migrant union members are now entitled to establish their own migrant committees on the regional, state and national levels. Ver.di also has a "Federal Work Group Migration" which is engaged in creating equal opportunities for migrants. In its statute, ver.di lists ways of achieving its general aims.²⁰⁴</p> <p>A few trade unions became active in offering support services focusing on labour rights of undocumented migrants. For instance, the trade union Ver.di initiated the project MigrAr and offers advice on labour rights to undocumented migrants in four cities.²⁰⁵ Further, the German Federation of Trade Unions (<i>Deutscher Gewerkschaftsbund</i>, DGB) launched a project aimed at supporting migrant workers from central and eastern European countries in achieving fair wages and working conditions.²⁰⁶</p>
What is the rate of participation (figures and % of	Because the same rights apply to all members of a worker's union/association, most unions/associations

201 German Federation of Trade Unions (*Deutscher Gewerkschaftsbund, DGB*), www.dgb.de/uber-uns/dgb-heute/satzung. (accessed on 13.03.2015)

202 German Federation of Trade Unions (*Deutscher Gewerkschaftsbund, DGB*), www.dgb.de/uber-uns/dgb-heute/satzung. (accessed on 13.03.2015)

203 United Services Union (*Vereinte Dienstleistungsgewerkschaft*), *Satzung*. Leipzig, 14 March 2012.

204 Fulton, L. (2010). *Unions in national, regional and local government facing the challenges of migration: a survey of EPSU affiliate*. London, Labour Research Department.

205 Ver.di – Landesbezirk Hessen, 'MiGrar – Anlaufstelle', hessen.verdi.de/++co++14ef94be-3763-11e4-b191-525400a933ef. (accessed on 07.05.15)

206 German Federation of Trade Unions (*Deutscher Gewerkschaftsbund, DGB*) (2012), *Faire Mobilität* www.faire-mobilitaet.de/. (accessed on 13.03.2015)

	<p>association members, figures and % of migrant professionals as members, or descriptive data if statistical data is not available) of migrant workers in the most representative workers' unions and associations? Please specify the geographic and workforce range/type of associations (referring to national, regional, local and to the range of workers represented and degree of association).</p>	<p>do not collect data on the nationality of their members. Data from scientific studies and surveys conducted by (IG Metall, the Industrial Union of Metalworkers and IG BCE) suggest that the percentage of members of unions within the (Deutschen Gewerkschaftsbundes) with a migration background is approximately 8%.²⁰⁷ The German Federation of Trade Unions (<i>Deutscher Gewerkschaftsbund</i>, DGB) is an umbrella organization of eight unions with a combined membership of over six million members.²⁰⁸ The findings show that, as of 2008, 9.4% of the members of the union (IG Metall) and 8.8% of the (IG BCE) members (have a nationality other than German).²⁰⁹ Moreover, approximately 11% of the members of the union Ver.di have a migration background.²¹⁰ The industrial union (IG Metall) has approximately 2.2 million members²¹¹ from the branches of metalworking, electronics, textiles, information technology, and (woodwork/lumber).²¹² The industrial union (IG BCE) has approximately 650,000 members in the field of non-metallic material.²¹³ Ver.di is a union for the service sector with approximately 2 million members.²¹⁴</p>												
	<p>Are migrant workers elected as representatives of trade unions and workers' or craft associations? Please provide figures if available, and report the related legal or practical limitations or barriers, eventually faced by migrant workers.</p>	<p>Yes - Approximately 5% of the council members in the (organizational area) of the industrial unions (IG BCE) and (IG Metall) have a nationality other than German.²¹⁵ Only the unions (IG Metall), (IG BCE), and (IG BAU) differentiate between nationalities in the results of the council elections.²¹⁶</p> <table border="1" data-bbox="708 1133 1452 1321"> <thead> <tr> <th colspan="4" data-bbox="708 1133 1452 1189">Number of foreign works council members 2006²¹⁷</th> </tr> <tr> <th data-bbox="708 1189 890 1321">Worker's Union</th> <th data-bbox="890 1189 1072 1321">Total number of council members in</th> <th data-bbox="1072 1189 1254 1321">Number of council members with a</th> <th data-bbox="1254 1189 1452 1321">Percentage of council members with a</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Number of foreign works council members 2006 ²¹⁷				Worker's Union	Total number of council members in	Number of council members with a	Percentage of council members with a				
Number of foreign works council members 2006 ²¹⁷														
Worker's Union	Total number of council members in	Number of council members with a	Percentage of council members with a											

207 National board for the German Federation of Trade Unions (*Bundesvorstand Deutscher Gewerkschaftsbund, DGB*) (2008), Partizipation statt Ausgrenzung. 1. Zwischenbericht zur Umsetzung des Nationalen Integrationsplans. Handlungsfelder und Aktivitäten gewerkschaftlicher Integrationspolitik, Berlin, p. 11.

208 German Federation of Trade Union (*Deutscher Gewerkschaftsbund, DGB*) (2015), DGB-Mitgliederzahlen 2014, www.dgb.de/uber-uns/dgb-heute/mitgliederzahlen/2010. (accessed on 13.03.2015)

209 National board for the German Federation of Trade Unions (*Bundesvorstand Deutscher Gewerkschaftsbund, DGB*) (2008), Partizipation statt Ausgrenzung. 1. Zwischenbericht zur Umsetzung des Nationalen Integrationsplans. Handlungsfelder und Aktivitäten gewerkschaftlicher Integrationspolitik, Berlin, p. 12.

210 Ver.di Arbeitsmarkt- und Sozialpolitik, Migrantinnen und Migranten, arbeitsmarkt-und-sozialpolitik.verdi.de/arbeiten-und-leben/migrantinnen-und-migranten. (accessed on 13.03.2015)

211 German Federation of Trade Union (*Deutscher Gewerkschaftsbund, DGB*) (2015), DGB-Mitgliederzahlen 2014, www.dgb.de/uber-uns/dgb-heute/mitgliederzahlen/2010. (accessed on 13.03.2015)

212 IG Metall, Aufgaben und Ziele, www.igmetall.de/aufgaben-und-ziele-der-ig-metall-143.htm. (accessed on 13.03.2015)

213 Industriegewerkschaft Bergbau, Chemie, Energie (IG BCE) (2009), 'Satzung', 12 October 2009, p. 5 – 7.

214 Ver.di, www.verdi.de/ueber-uns

215 Deutscher Gewerkschaftsbund, Dossier Migration (2009), Partizipation in Betrieben und Verwaltungen – Wahlrecht unabhängig von der Staatsangehörigkeit, 25 February 2009, www.dgb.de/themen/++co++1032f994-3c26-11df-7b76-00188b4dc422/@@dossier.html. (accessed on 13.03.2015)

216 National board for the German Federation of Trade Unions (*Bundesvorstand Deutscher Gewerkschaftsbund, DGB*) (2008), Partizipation statt Ausgrenzung. 1. Zwischenbericht zur Umsetzung des Nationalen Integrationsplans. Handlungsfelder und Aktivitäten gewerkschaftlicher Integrationspolitik, Berlin, p. 14.

217 National board for the German Federation of Trade Unions (*Bundesvorstand Deutscher Gewerkschaftsbund, DGB*) (2008), Partizipation statt Ausgrenzung. 1. Zwischenbericht zur Umsetzung des Nationalen Integrationsplans. Handlungsfelder und Aktivitäten gewerkschaftlicher Integrationspolitik, Berlin, p. 14.

		the organizational area	nationality other than German	national other than German	
		IGM	72,712	3,300	4.5%
		IG BCE	24,263	1,036	4.7%
		IG BAU	16,563	802	5%
Are there differences between associations for high and low skill workers, different industries and trades, and/or different geographic area of country of origin, citizenship or birth or gender?	No data available				
Membership and participation of migrant entrepreneurs and expert professionals to professional and scientific associations:					
Are there any legal or practical limitations or barriers for the membership of migrant workers in professional, employer and scientific associations (such as medical, engineer, bar associations)?	There are so many professional and/or scientific organisations. Its not possible to look over all their possible restrictions/barriers. For example: German regulations require foreign doctors to receive their certification within Germany in order to work in as a doctor in the country. Often doctors from Third Country States are required to make an aptitude test if their certification is not completely accepted ²¹⁸ . They are also required to prove adequate language skills ²¹⁹ .				
Do professional associations encourage and support membership and participation of migrant professionals? E.g. through information and raising awareness initiatives in more languages, translation and language support services etc.	No data available There are so many professional and/or scientific organisations. Its not possible to look over all their possible programmes.				
What is the rate of participation and membership (figures and % of association members, figures and % of migrant professionals as members, or descriptive data if statistical data is not available) of migrant professionals in the most representative professional, employers' and scientific unions and associations? Please specify	There are no comprehensive studies showing the rate of participation and membership of migrant professionals in professional and scientific associations. Figures do exist on membership in selected associations. For example, at end of 2013 there was a total of 357,252 licensed doctors in Germany, of which 35,893 were of a nationality other than German. ²²⁰ The largest groups of foreign doctors in Germany were Romanian (9.6%), Greek (7.9%), Austrian (7.3%), and Polish (5.1%). ²²¹ 73.3% came from Europe,				

²¹⁸ Hellweg, R. (2014), ‚Sprechen Sie deutsch? – neue Regelungen zur Anerkennung ausländischer Ärzte‘, Institut für Wissen in der Wirtschaft (IWW), 28 February 2014, www.iww.de/cb/recht/approbation-sprechen-sie-deutsch-neue-regelungen-zur-erkennung-auslaendischer-aerzte-f74015 (accessed on 07.05.15)

²¹⁹ Freiburg International Academy, Der Weg zur Approbation, www.freiburg-international-academy.de/praktische-informationen/der-weg-zur-approbation/. (accessed on 07.05.15)

²²⁰ Bundesärztekammer (2013), Die ärztliche Versorgung in der Bundesrepublik Deutschland. Ergebnisse der Ärzttestatistik zum 31.12.2013, www.bundesaerztekammer.de/page.asp?his=0.3.12002.12003. (accessed on 13.03.2015)

²²¹ Own calculations based on the data from: Bundesärztekammer (2013), ‚Ausländische Ärztinnen und Ärzte‘, www.bundesaerztekammer.de/page.asp?his=0.3.12002.12011. (accessed on 13.03.2015)

	the geographic and workforce range/type of associations (referring to national, regional, local and to the range of professional represented and degree of association).	17.9% from Asia, 5.1% from Africa, and 2.9% from North, Central, and South America. ²²²
	Are migrants elected as representatives of professional, employers' and/or scientific associations? Please provide figures if available, and report the related legal or practical limitations or barriers, eventually faced.	Yes, however no figures are available. Contact was made to attorney and pharmacy associations. None of these associations registers any data differentiating their members by migration background. This means, migrants might be among the members but there is no evidence for it.
	Are there differences between associations for different professions, different skill levels and/or types of enterprise, different industries and trades, and/or different geographic area of country of origin, citizenship or birth or gender?	No data is available. Contact was made to attorney and pharmacy associations.

3.5. Participation in social, cultural and public life

	In this section based on available data, research, studies, etc. provide information about the membership and participation of migrants and their descendants in media, cultural organisations and public life:	
	Are there any legal or practical limitations or barriers for the membership of migrants in professional associations related to the media, sports and culture?	No, there are no specific restrictions of the freedom of peaceful assembly and freedom of association for migrants. The German constitution guarantees freedom of peaceful assembly and freedom of association (according to Sec. 8 and 9 of the German constitution). There is no specific restriction of this freedom for migrants. ²²³
	Do media, sports, culture professional associations encourage and support membership and participation of third country nationals as members? E.g. through information and raising awareness initiatives in more languages, translation and language support services etc.	Media: Broadcasters have increasingly promoted keeping all topic areas open for journalists of migration background rather than only placing them in migration and immigrant integration topic areas. ²²⁴ Public broadcasters have also attempted to involve minorities in the media production process. ²²⁵ Many media companies have formalized objectives and policies to achieve this goal. For example, the publishing house Axel Springer has worked to increase its percentage of employees of migration background and the public-broadcasting company WDR has promoted increased cultural diversity at the managerial level. The

222 Bundesärztekammer (2013), Ausländische Ärztinnen und Ärzte, www.bundesaerztekammer.de/page.asp?his=0.3.12002.12011. (accessed on 25.03.2015)

223 Germany, Federal Constitution (*Grundgesetz*) (2014), December 23 2014.

224 Worbs, S. (2010), Mediennutzung von Migranten in Deutschland, Federal Ministry of Migration and Refugees (*Bundesamt für Migration und Flüchtlinge, BAMF*), Working Paper 34, Reihe Integrationsreport, Teil 8, p. 14.

225 Horn, Ch. (2012), Mehr Vielfalt in den Medien. Journalisten mit Migrationshintergrund in Deutschland – eine quantitative Befragung, *Communicatio Socialis*, Band 45, Nr. 1, München, p. 14.

		<p>companies Radio Bremen and WDR have indicated that they welcome qualified job applicants of migration background.²²⁶ Another initiative that works towards the goal of increased participation of migrants in the media is called "Neue Deutsche Medienmacher" and is a network of employees within the media sector with a migration background.²²⁷ The network also offers a mentoring programme that supports new journalists of migration background along their career paths.²²⁸ German federal state governments work together with sport clubs with the goal of increasing the number of members of migration background. Additionally the governments and clubs work to increase the opportunities for participation for people of migration background. One programme that works towards this goal in all federal states is called "Integration through Sport" (Integration durch Sport).²²⁹</p>
	<p>What is the rate of participation in the most representative professional associations? (figures and % of association members, figures and % of migrant professionals as members, or descriptive data if statistical data is not available).</p>	<p>There are no comprehensive studies showing these figures.</p> <p>There are so many professional and/or scientific organisations. Its not possible to look over all their possible programmes. Also its not possible/hard to identify 'the most representative professional associations'.</p>
	<p>Are migrants elected as representatives of professional associations related to the media, sports and culture? Please provide figures if available, and report the related legal or practical limitations or barriers, eventually faced.</p>	<p>Yes, however there are no comprehensive studies with figures available showing the number of migrants elected as representatives of professional associations throughout Germany.</p>
	<p>Is there a visible or notable presence (or absence) of migrants and their descendants as media professionals?</p>	<p>Journalists with a migration background are highly underrepresented in Germany. Estimates suggest that only 2 to 3 per cent of journalists have a migration background.²³⁰ However, extensive studies do not exist in this field²³¹. Also media professionals with a migration background are highly underrepresented. According to a nation-wide study in 2009, 84 per cent of all daily newspapers do not employ any journalists</p>

226 Germany, Federal public relation office of the Federal Government (*Presse- und Informationsamt der Bundesregierung*) (2011), Nationaler Aktionsplan Integration. Zusammenhalt stärken – Teilhabe verwirklichen, Berlin, p. 324.

227 Worbs, S. (2010), Mediennutzung von Migranten in Deutschland, Federal Ministry of Migration and Refugees (Bundesamt für Migration und Flüchtlinge, BAMF), Working Paper 34, Reihe Integrationsreport, Teil 8, p. 14.

228 Neue Deutsche Medienmacher (2014), Mentoring-Programm, www.neuemedienmacher.de/projekte/mentoring-programm-2014/. (accessed on 13.03.2015)

229 Germany, Federal public relation office of the Federal Government (*Presse- und Informationsamt der Bundesregierung*) (2011), Nationaler Aktionsplan Integration. Zusammenhalt stärken – Teilhabe verwirklichen, Berlin, p. 447.

230 ENAR (2012). ENAR Shadow Report 2010-2011: Racism and related discriminatory practices in Germany, cms.horus.be/files/99935/MediaArchive/publications/shadow%20report%202010-11/10.%20Germany%20%282%29.pdf. (accessed on 13.03.2015)

231 Horn, Ch. (2012), Mehr Vielfalt in den Medien. Journalisten mit Migrationshintergrund in Deutschland – eine quantitative Befragung, *Communicatio Socialis*, Band 45, Nr. 1, München, p. 4f.

		<p>with a migration background.²³² Furthermore, only 1 per cent of all newspaper journalists have a migration background. The largest migrant groups in the media are from Turkey (20 per cent), Poland (11 per cent) and Spain (9 per cent). It can be assumed that the public service broadcasters have a higher percentage of journalists with a migration background than the newspapers.²³³ The report on the "Media Usage of Migrants in Germany" (<i>Mediennutzung von Migranten in Deutschland</i>) in 2010 shows very low numbers of people with migration background working in the media industry (as editors, journalist ect.). Depending on the single migrant groups their share in the media business varies between 0.3 per cent and 3.0 per cent²³⁴. However, migrants are often (held out) of management level positions with the authority to make decisions regarding personnel or programme content.²³⁵</p>
	<p>Are migrants and/or their descendants present, visible and actively participating in public? (E.g. in public events, TV and electronic media, cultural events). Please substantiate on the basis of existing data or contacts with relevant authorities, actors and stakeholders, making sure to cover a wide spectrum and obtain as much as possible objective information.</p>	<p>There are no comprehensive studies that show evidence of the visibility and participation of migrants and/or their descendants in public.</p>
	<p>Are there legal or practical limitations for the media, culture or other type of public events by migrants and/or their descendants? (E.g. are there national language requirements for TV or radio stations, bureaucratic and representation requirements, etc.).</p>	<p>No, according to Sec. 5 of the German constitution everyone has the right to express their opinion. There are no restrictions on the freedom of press for minorities and migrants.²³⁶ Even if there aren't any legal limitations there have to be some practical ones. Because there aren't as much migrants employed in the media system as there should be according to their share of population. Only about 3% aren't Germans. The reasons for this under-representation haven't been researched yet, but</p>

232 Geißler, R., Enders, K., Reuter V. (2009), Ergebnisse der empirischen Studie zur Beteiligung von Journalisten mit Migrationshintergrund in den deutschen Printmedien.

233 Geißler, R., Enders, K., Reuter V. (2009), Ergebnisse der empirischen Studie zur Beteiligung von Journalisten mit Migrationshintergrund in den deutschen Printmedien.

234 Worbs, S. (2010), Mediennutzung von Migranten in Deutschland, Federal Ministry of Migration and Refugees (Bundesamt für Migration und Flüchtlinge, BAMF), Working Paper 34, Reihe Integrationsreport, Teil 8, p. 13.

235 Worbs, S. (2010), Mediennutzung von Migranten in Deutschland, Federal Ministry of Migration and Refugees (Bundesamt für Migration und Flüchtlinge, BAMF), Working Paper 34, Reihe Integrationsreport, Teil 8, p. 8.

236 Germany, Federal Constitution (*Grundgesetz*) (2014), www.gesetze-im-internet.de/bundesrecht/gg/gesamt.pdf. (accessed on 13.03.2015)

		discrimination and eg. educational deficits seem to be possible reasons. ^{237 238}
	Are there positive measures for promoting or restrictions/barriers to the operation of migrant and ethnic minority (owned, directed or audience specific) media?	There are single positive measures for promoting but also no restrictions for migrant and minority owned media. ²³⁹ Migrants are under represented in working for or with the media.. The ‚Neuen deutschen Medienmacher‘ are an example of an initiative aiming to increase migrant representation in the media (see above)., Possibly audience specific: The TV Channel ARD show ‚Turkish for beginners‘ (Türkisch für Anfänger),, Cosmo TV of the channel WDR discusses issues regarding integration, intergroup relations etc., the ‚Friday forum‘ (Forum am Freitag) of the TV channel ZDF reports about Muslim life in Germany, The audience can ask questions and discuss., The comedian Kaya Yanar jokes about German and Turkish stereotypes.
	Are there practical measures encouraging and promoting the visibility, voice and public presence of migrants and/or their descendants in the media, culture or other type of public events? (E.g. are there programmes and information provided by the media in other than the country official language, and migrants‘ languages, quotas for journalists and public programmes reflecting the diversity in society etc.?).	There are examples that support pupils and students with a migration background while studying and working in the media industry (e.g. „Medienvielfalt, anders“ and „WDR grenzenlos“). They offer special internships, scholarships or the chance to gain experience in this professional field. The aim is to enrich the different medias like tv, internet and printed media with topics relevant for migrants and interesting for non-migrants. ²⁴⁰

3.5.1. Diversity in the public sector

	In this section based on available data, research, studies, etc. please provide information about recruitment of migrants and their descendants in the public sector:	
	Please describe how legal provisions allow or prevent the recruitment of third country nationals in the public sector. Please indicate specific areas, requirements, quotas if any, upward mobility and promotion limitations if any, as well as if	In its coalition treaty for the new legislative period 2013-2017, the coalition parties of CDU/CSU and SPD announce several changes concerning policies on integration and asylum. [...] Foreigner’s offices are supposed to establish and improve a ‘Welcome Culture’ (<i>Willkommenskultur</i>) and the share of staff with

²³⁷ Germany, Federal Office for Migration and Refugees (*Bundesamt für Migration und Flüchtlinge*) (2010) Mediennutzung von Migranten in Deutschland, https://www.bamf.de/SharedDocs/Anlagen/DE/Publikationen/WorkingPapers/wp34-mediennutzung-von-migranten.pdf?__blob=publicationFile. (accessed on 06.05.2015)

²³⁸ Germany, Federal Commissioner for Migration, Refugees and Integration (ed.) (*Die Beauftragte der Bundesregierung für Migration, Flüchtlinge und Integration*) (2007), 7. Bericht der Beauftragten der Bundesregierung, www.migration-online.de/data/auslaenderbericht7.pdf. (accessed on 06.05.2015)

²³⁹ Medienkompetenz NRW (2011), Im Blickpunkt: Migranten und Medien, www.grimme-institut.de/imblickpunkt/pdf/imblickpunkt_migranten-und-medien.pdf. (accessed on 06.05.2015)

²⁴⁰ Medienkompetenz NRW (2011), Im Blickpunkt: Migranten und Medien, www.grimme-institut.de/imblickpunkt/pdf/imblickpunkt_migranten-und-medien.pdf. (accessed on 06.05.2015)

	<p>and how these provisions are applied in practice.</p>	<p>migration background in public service should be increased.²⁴¹</p> <p>Migrants continue to be under-represented in all fields of public administration which therefore does not reflect the ethnic diversity of society. Even though migrants are generally disadvantaged on the German labour market, this holds especially true for their under-representation in public administration. However, several Länder governments and municipalities have made efforts to increase the number of migrant employees in public administration and the police force also wants to increasingly incorporate the issue of ethnic diversity.²⁴²</p>
	<p>Please indicate if citizens of migrant descent can also be affected by limitation – e.g on the basis of their ethnic origin or migrant background or naturalisation - in public sector recruitment, for example in education, law enforcement, judiciary, etc.</p>	<p>In legal terms, nationality or citizenship status generally does not serve as grounds for less privileged treatment in the access to public goods and services and to economic and social rights (albeit the latter partially depends on someone's residence status). In employment, more precisely in the access to civil servant positions, however, it is often legally required to hold German nationality; EU nationals are largely exempted from this general requirement for public servants.²⁴³ Third-country nationals, however, can only be nominated as civil servants if there is an urgent official need.²⁴⁴</p> <p>Until 2011, nationality has been also a decisive factor when applying for permission to work in the health professions such as medical practitioners, chemists, veterinarians, dental practitioners or psychotherapists. According to the previous licensure provisions, non-European third-country nationals (in exceptional cases, see below) are not entitled to be granted licensure (the full right to work as a recognised doctor), even if they graduated from a German university and fulfil all the other requirements. Third-country nationals can, however, obtain professional permission for a certain period of time, which can be extended.^{245,246,247}</p>
	<p>Please indicate proportion of recruitment (% on the total of</p>	<p>In December 2012, an OECD study on integration showed that in the case of Germany the proportion of</p>

241 Christian Democratic Union (CDU), Christian Social Union (CSU) and Social Democratic Party of Germany (SPD) (2013), Deutschlands Zukunft gestalten – Koalitionsvertrag zwischen CDU, CSU und SPD, 27 November 2013, www.spd.de/linkableblob/112790/data/20131127_koalitionsvertrag.pdf. (accessed on 27.03.2015)

242 Germany, Commissioner for Migration, Refugees and Integration (*Bundesbeauftragte für Migration, Flüchtlinge und Integration*), Migranten im öffentlichen Dienst, www.bundesregierung.de/Webs/Breg/DE/Bundesregierung/BeauftragtefuerIntegration/arbeitsmarkt/migranten/nod_e.html. (accessed on 27.03.2015)

243 Germany, German Law on federal public servants (*Bundesbeamtengesetz, BBG*), www.gesetze-im-internet.de/bundesrecht/bbg_2009/gesamt.pdf. (accessed on 27.03.2015)

244 Germany, German Federal Parliament (*Deutscher Bundestag*) (2007), Civil servants with migration background (Beamtinnen und Beamte des Bundes mit Migrationshintergrund), printed matter 16/4703, 16.03.2007.

245 Germany, Pharmacist Directive (*Bundes-Apothekerverordnung, BApO*) (1968), Bundes-Apothekerordnung, www.gesetze-im-internet.de/bundesrecht/bapo/gesamt.pdf. (accessed on 26.03.2015)

246 Germany, Federal Medical Code (*Bundesärzteordnung, BÄO*) (1961), Bundesärzteordnung, www.gesetze-im-internet.de/b_o/BJNR018570961.html. (accessed on 26.03.2015)

247 Germany, Law on profession of psychological psychotherapists and child and youth psychotherapists (*Gesetz über die Berufe des Psychologischen Psychotherapeuten und des Kinder- und Jugendlichenpsychotherapeuten, PsychThG*), www.gesetze-im-internet.de/psychthg/BJNR131110998.html. (accessed on 26.03.2015)

	posts for this category or service) for the interested categories of third country nationals, if any.	people with a migration background working in the public sector is one of the lowest of all analysed countries. According to the study only 13.4 per cent of people born to immigrant parents in Germany work in the public sector while 25.8 per cent of those born to German parents have a job in the public sector. ²⁴⁸
	Please indicate any affirmative action and positive action either for third country nationals or citizens with a migrant background, if any, e.g. quotas, reserved posts for people of migrant background etc. as well as promising practices in this area. Please provide information specifically for law enforcement, judiciary, and education.	<p>The federal states work to inform young people of migration background about job chances in the civil service. Some states work together with schools, job centers, and migrant organisations or offer internship positions to achieve this goal. Others participate in job info days or career fairs.²⁴⁹</p> <p>There are many examples of projects and measures designed to increase the share of people of with a migration background in the police force. For example, the federal states Hessen and Bremen work together with ethnic minority media providers to list job postings in newspapers. Baden-Württemberg, Hamburg, and Lower Saxony also publicize exceptional provisions that exist for applicants without German citizenship (NAP 2011: 419f). In Rhineland-Palatinate there is a separate professional training route designed to facilitate entrance into the police profession for young people of migration background (NAP 2011: 421). Also many states allow third country nationals, under certain conditions, to join the police force.²⁵⁰</p> <p>Many federal states have worked to facilitate a universal opening of the (civil service) hiring process to non-EU citizens. In the federal states of Hamburg and Bremen, civil service positions are also open to third country nationals.²⁵¹</p>

3.6. Political activity – active citizenship

	Membership and participation of migrants in migrant and/or diaspora organisations and associations:	
	Are there any legal or practical limitations or barriers for the self-organisation membership of migrants in migrant and or diaspora associations and organisations?	There are no legal barriers. Practical barriers may be faced in regard of sufficient information about legal requirements and administrative procedures in the establishment of an organisation, and possibly in the financial preconditions needed for such. Many migrant organizations do not have any meeting spaces, but some are supported by governmental sources in this

248 OECD integration study (2012), Erster OECD-Integrationsbericht: Fortschritte bei Bildung und Beschäftigung, www.oecd.org/berlin/presse/ersteroeecd-integrationsberichtfortschrittebeibildungundbeschaeftigung.htm, (accessed on 27.03.2015)

249 Germany, Federal public relation office of the Federal Government (*Presse- und Informationsamt der Bundesregierung*) (2011), Nationaler Aktionsplan Integration. Zusammenhalt stärken – Teilhabe verwirklichen, Berlin, p. 418 – 421.

250 Germany, Federal public relation office of the Federal Government (*Presse- und Informationsamt der Bundesregierung*) (2011), Nationaler Aktionsplan Integration. Zusammenhalt stärken – Teilhabe verwirklichen, Berlin, p. 418 – 421.

251 Germany, Federal public relation office of the Federal Government (*Presse- und Informationsamt der Bundesregierung*) (2011), Nationaler Aktionsplan Integration. Zusammenhalt stärken – Teilhabe verwirklichen, Berlin, p. 418 – 421.

		regard. This is according to efms experience and assessment.
	<p>Are there notable cases of active migrant and/or diaspora associations and organisations? Please indicate the most known, active or representative ones on the basis of existing data about membership – please include size/numbers of members - and through contacts with competent actors and stakeholders. Please specify their character and eventual differences, including aspects concerning their religious, culture or geographic scope.</p>	<p>There are an estimated 20.000 migrant organisations in Germany (as of 2011). Most of them work locally. However, some of them have grown to work on the regional or national level and have become umbrella organisations. Their character includes organisations for academics, parents, culture and country of origin and religious orientation. Major fields of activities and interests include, but are not limited to, education, family, politics, public relations, senior citizens and youth.²⁵²</p>
	<p>Please provide any data on the participation of migrants and their descendants in the most representative migrant and/or diaspora organisations and associations? (figures and % of migrants and/or persons with the specific ethnic or other background as members, or descriptive data if statistical data is not available).</p>	<p>Most migrant/diaspora organisations don't take record of membership figures. A 2011 study assessed the estimated numbers of people who are reached by the respective organisation and the national origin of the members. The larger organisations include:</p> <ol style="list-style-type: none"> 1 Türkische Gemeinde in Deutschland e.V. (Turkish community in Germany): umbrella organisation of 20 organisations, reaches ca. 100.000 people, members are of Turkish, Kurdish and German origin. 2 Kroatischer Weltkongress in Deutschland e.V. (Croatian World Congress in Germany): umbrella organisation, reaches ca. 450.000 people, members are of Croationa, Bosnian and German origin 3 Deutsche Jugend in Europa Bundesverband e.V. (German Youth in Europe Federal Association): umbrella organisation of 13 organisations, reaches 250.000 people, members are of German and ethnic German, Kurdish, Jewish, Roma, Assyrian, and displaced background. 4 Bundesverband ausländischer Studierender e.V. (Federal Association of foreign students): reaches 300.000 people, members are of Chinese, Russian, Turkish, Polish, Bulgarian, Ukraine, and Moroccan background. <p>Bundesarbeitsgemeinschaft der Immigrantenverbände in der Bundesrepublik Deutschland e.V. (Federal working group of immigrant associations in the Federal Republic of Germany): reaches 90.000-100.000 people, members are of Spanish, Greek, Kurdish, Assyrian, Armenian, Moroccan, Serbian and other origin ²⁵³</p>

252 Germany, Federal Commissioner for Migration, Refugees and Integration (*Die Beauftragte der Bundesregierung für Migration, Flüchtlinge und Integration*) (2011), Migranten(dach)organisationen in Deutschland, p. 6.

253 Germany, Federal Commissioner for Migration, Refugees and Integration (*Die Beauftragte der Bundesregierung für Migration, Flüchtlinge und Integration*) (2011), Migranten(dach)organisationen in Deutschland, pp. 14-35.

<p>Are such associations and organisations encouraged and/or supported financially or in other means (e.g. offices) by the national, regional or local authorities? Is there in place a mechanism linking such associations at national level? (e.g. network of migrant associations).</p>	<p>On the national level, migrant organisations are encouraged to sign up to the National Integration Plan (Nationaler Integrationsplan) and in doing so, to contribute to the national integration strategy.²⁵⁴ The German Islam Conference (Deutsche Islam Conference) is one of the efforts by the government to cooperate with religious migrant organisations.²⁵⁵ There are several larger umbrella organisations, e.g. Turkish Community of Germany (Türkische Gemeinde Deutschland), but not a network linking all associations.²⁵⁶ Religious organisations are primarily connected through respective umbrella organisations, e.g. the German Conference of Orthodox Bishops (Orthodoxe Bischofskonferenz in Deutschland)²⁵⁷, Central Council of Jews in Germany (Zentralrat der Juden in Deutschland)²⁵⁸, and Central Council of Muslims in Germany (Zentralrat der Muslime in Deutschland).²⁵⁹</p>
<p>Membership and participation of migrants in civil society organisations and voluntary work:</p>	
<p>Are there any legal or practical limitations or barriers for the membership of migrants in civil society organisations?</p>	<p>No, no legal barriers, but a lack of openness of civil society organisations sometimes represents a practical barrier for the membership of migrants..</p>
<p>Do civil society organisations encourage and support membership and participation of migrants and/or their descendants? E.g. through information and raising awareness initiatives in more languages, translation and language support services etc.</p>	<p>The Nationale Aktionsplan Integration (National Action Plan on Integration) aims to strengthen social cohesion through engagement, in particular in regard of:</p> <ol style="list-style-type: none"> 1 Strengthening the involvement of migrants in civil engagement, 2 Improving the access of migrants to civil engagement among others through intercultural opening, 3 Improving social participation of migrants through civil engagement, 4 Improving appreciation of civil engagement, 5 Increasing scientific investigations in the field of civic engagement. <p>Presently, 25 federal measures aim at strengthening civil engagement of migrants, particularly in the new federal voluntary service and in the youth voluntary services.²⁶⁰ However, a 2012 study finds that public relations activities of civil society organisations hardly reach people with a migrant background. In spite of their proclaimed openness for people with a migrant</p>

254 Germany, Federal Government (Bundesregierung) (2007), Der Nationale Integrationsplan, Neue Wege – Neue Chancen.

255 Deutsche Islam Konferenz, www.deutsche-islam-konferenz.de/DIK/EN/Startseite/startseite-node.html. (accessed on 02.03.2015)

256 Türkische Gemeinde in Deutschland, www.tgd.de/uber-uns/. (accessed on 02.03.2015)

257 Orthodoxe Bischofskonferenz in Deutschland, www.obkd.de/. (accessed on 02.03.2015)

258 Zentralrat der Juden in Deutschland, www.zentralratjuden.de/. (accessed on 02.03.2015)

259 Zentralrat der Muslime in Deutschland e.V., www.zentralrat.de/. (accessed on 02.03.2015)

260 Germany, Federal Commissioner for Migration, Refugees and Integration (*Die Beauftragte der Bundesregierung für Migration, Flüchtlinge und Integration*) (2014), 10. Bericht der Beauftragten der Bundesregierung für Migration, Flüchtlinge und Integration über die Lage der Ausländerinnen und Ausländer in Deutschland, pp. 306-308.

		background, there appears to be a lack in approaching this group of people appropriately. ²⁶¹
	Please provide any data on the participation and membership of migrants and their descendants in the most representative civil society organisations? (figures or % of organisation members, % of migrants and/or with migrant background as members, or descriptive data if statistical data is not available).	<p>In 2009, 27.7% of the population with a migrant background were members of a non-profit association or organisation. This proportion is was higher among second generation migrants (33.5%) and among the total population (37.7%). Differentiating migrants by age, the group of over 64 year olds is most represented among the members of non-profit associations and organisations (43.1%). Differentiating migrants by educational degrees, the group with the highest educational degrees is most represented among the members (33.5%).²⁶²</p> <p>In 2009, 26.2% of the population with a migration background were involved in volunteer commitments. This proportion was lower than among the total population (35.9%). Differentiating migrants by educational degrees, the group with the highest educational degrees is most involved in volunteer commitments (34.5%), whereas those with a low educational degree are more involved than those with a medium educational degree.²⁶³</p> <p>In 2009, 8.3% of migrants held a leading position in an organisation or association as a volunteer commitment. Among the total population, the proportion was 12.7%. The proportion among 40 to 64 year olds is the highest, among migrants (9.6%) as well as among the total population (15.5%).²⁶⁴ According to different studies (e.g. ²⁶⁵, ²⁶⁶,) people with a migrant background are to the same degree engaged in migrant and non-migrant organisations. However, there are hardly any comprehensive studies on civil and voluntary engagement of people with a migrant background. Therefore, there is a lack of reliable data on the national level.²⁶⁷</p>
	Membership and participation of migrants in political parties:	
	Are there any legal or practical limitations or barriers for the membership of migrants in political parties, initiatives (e.g. petitions, signature collections) and movements?	No legal barriers According to data collected from interviews with people of migration background, political parties often seem

261 Huth, S. (2012). Freiwilliges und bürgerschaftliches Engagement von Menschen mit Migrationshintergrund – Barrieren und Türöffner. Friedrich-Ebert-Stiftung. Wiso direkt, p. 4.

262 Germany, Federal Commissioner for Migration, Refugees and Integration (Die Beauftragte der Bundesregierung für Migration, Flüchtlinge und Integration) (2011), *Zweiter Indikatorenbericht*. Köln/Berlin, pp. 105-106.

263 Germany, Federal Commissioner for Migration, Refugees and Integration (Die Beauftragte der Bundesregierung für Migration, Flüchtlinge und Integration) (2011), *Zweiter Indikatorenbericht*. Köln/Berlin, pp. 107-108.

264 Germany, Federal Commissioner for Migration, Refugees and Integration (Die Beauftragte der Bundesregierung für Migration, Flüchtlinge und Integration) (2011), *Zweiter Indikatorenbericht*. Köln/Berlin, pp. 108-109.

265 Germany, Federal Ministry of Family Affairs, Senior Citizens, Women and Youth (*Bundesministerium für Familie, Senioren, Frauen und Jugend*) (2005), *Freiwilliges Engagement in Deutschland 1999-2004*.

266 Germany, Federal Office for Migration and Refugees (*Bundesamt für Migration und Flüchtlinge*) (2012), *Islamisches Gemeindeleben in Deutschland*, Forschungsbericht 13: www.bmi.bund.de/SharedDocs/Downloads/DE/Themen/Politik_Gesellschaft/DIK/islamisches-gemeindeleben-in-deutschland-kurz-dik.pdf?__blob=publicationFile. (accessed on 07 May 2015)

267 Germany, Federal public relation office of the Federal Government (*Presse- und Informationsamt der Bundesregierung*) (2011), *Nationaler Aktionsplan Integration. Zusammenhalt stärken – Teilhabe verwirklichen*, Berlin

	<p>unattractive and appear as closed, homogenous or “elitist” organisations.²⁶⁸</p> <p>Also, several interviewees “were placed on the list directly by party leaders. While this shows the importance of leadership to increase the representation of immigrants, there is often a lack of transparency in the list-making process, the multiplicity of interests playing a role and the – often competitive – nomination criteria. This lack of transparency can represent an obstacle to the acceptance of new politicians from diverse backgrounds within the party base. Placing people as migrant representatives, especially from outside the party, on lists in a top-down process can lead to them being viewed as “quota migrants” and not being recognised for their competences.”²⁶⁹</p>
<p>Do political parties encourage and support membership and participation of migrants and/or their descendants in their activities? E.g. through information and raising awareness initiatives in more languages, translation and language support services etc.</p>	<p>Political parties undertake various activities. Some parties allow migrants to hold positions within the party. Local groups of the party The Greens hold two votes, with the goal of providing non-German citizens a symbolic form of participation in decision making. The Green parties also publish flyers in multiple languages describing the party platform. The political party The Left publishes informational material in multiple languages, visits migrant organisations, and creates election posters showing the candidates of migration background. The party FDP publishes its party platform in nearly 10 languages.²⁷⁰</p>
<p>Please provide any data on the participation and membership of migrants and their descendants in the political parties, initiatives and movements? (figures or % of party members, % of migrants and/or with migrant background as members, or descriptive data if statistical data is not available)</p>	<p>In 2009, 4.9% of the population with a migrant background were members of a political party or political organisation. This proportion is lower than in the total population (8%). Among the total as well as among the migrant population, the group of 40 to 64-year olds and the group of people with a higher educational degree are most involved in political activities.²⁷¹</p> <p>Parties represented in the German Bundestag try to increase the involvement of people with a migrant background, as members as well as in leading positions. The two main German parties, CDU and SPD, increased the proportions of people with a migrant background in their federal executive boards to 8.1% and 8.6%.²⁷²</p>
<p>Are migrants elected as representatives of political parties, initiatives and</p>	<p>Between 2006 and 2011 there were 198 council members (Ratsmitglieder) with a migration</p>

268 CJD Hamburg, Eutin (2014). Diversity in Political Parties Programmes, Organisation and Representation. Hamburg. pp. 19-25.

269 CJD Hamburg, Eutin (2014). Diversity in Political Parties Programmes, Organisation and Representation. Hamburg. pp. 19-25.

270 CJD Hamburg, Eutin (2014). Diversity in Political Parties Programmes, Organisation and Representation. Hamburg. pp. 19-25.

271 Germany, Federal Commissioner for Migration, Refugees and Integration (*Die Beauftragte der Bundesregierung für Migration, Flüchtlinge und Integration*) (2011), *Zweiter Indikatorenbericht*. Köln/Berlin, pp. 103-104.

272 Germany, Federal Commissioner for Migration, Refugees and Integration (*Die Beauftragte der Bundesregierung für Migration, Flüchtlinge und Integration*) (2014), 10. Bericht der Beauftragten der Bundesregierung für Migration, Flüchtlinge und Integration über die Lage der Ausländerinnen und Ausländer in Deutschland, pp. 325-326.

	<p>movements? Please provide figures if available, and report the related legal or practical limitations or barriers, eventually faced.</p>	<p>background in German political parties in large cities.²⁷³ In 2009, 8.3% of migrants held a leading position in an organisation or association as a volunteer commitment. Among the total population, the proportion was 12.7%. The proportion among 40 to 64 year olds is the highest, among migrants (9.6%) as well as among the total population (15.5%).²⁷⁴</p>
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3.7.Civic and citizenship education

<p>The participation of migrants and their descendants (with a distinct linguistic, cultural background) in education:</p>	
<p>Have teachers of migrant background equal access to employment in education, as teachers? If yes, what is the rate of participation (% of teachers with migrant background at national level)? Are they represented in professional teacher associations? Please identify limitations, challenges and promising practice.</p>	<p>Teachers of migrant background legally have equal access to employment. According to data from 2012, 6.1% of teachers in Germany have a migration background.²⁷⁵ Teachers of migrant background are also represented in professional teacher associations. The labour union Gewerkschaft Erziehung und Wissenschaft (which is the largest union of teachers in Germany) for example, has a sub-group called Der Bundesausschuss Migration, Diversity, Antidiskriminierung, which works to improve intercultural competence within the union²⁷⁶. Although teachers of migrant background legally have equal access to employment in education, they face practical limitations and challenges. A 2010 survey of migrant teachers in Germany found that 23% had experienced some form of discrimination during their practical teacher-training period (<i>Referendariat</i>) and 22% confronted discrimination or overt racism during their daily work at school²⁷⁷. Some promising practices exist that seek to overcome these barriers. For instance, a project in Germany called "Student campus" aims to attract more migrant students into teacher training through a four-day orientation seminar.²⁷⁸ The project, which began in 2008, currently exists in 11 cities throughout Germany. Another German programme, "Horizonte," offers scholarships to teacher training students with a migrant background²⁷⁹. Also, German networks of teachers with a migration background to attract more</p>

273 Schönwälder, K., Sinanoglu, C., Volkert, D. (2011). *Vielfalt sucht Rat. Ratsmitglieder mit Migrationshintergrund in deutschen Großstädten*. Heinrich-Böll-Stiftung. Schriften zur Demokratie. Band 27. S. 34.

274 Federal Commissioner for Migration, Refugees and Integration (ed.) (Die Beauftragte der Bundesregierung für Migration, Flüchtlinge und Integration) (2011), *Zweiter Indikatorenbericht*. Köln/Berlin, pp. 108-109.

275 Autorengruppe Bildungsberichterstattung (2012), *Bildung in Deutschland 2012. Ein indikatorengestützter Bericht mit einer Analyse zur kulturellen Bildung im Lebenslauf*, Bielefeld, W. Bertelsmann Verlag, p.82 Deutsches Institut für internationale pädagogische Forschung.

276 Gewerkschaft Erziehung und Wissenschaft (GEW), www.gew.de/Die_GEW_stellt_sich_vor.html. (accessed on 24.03.2015)

277 Freie Universität Berlin (2010), „Forscherinnen der Freien Universität befragen Lehrkräfte mit Migrationshintergrund in Deutschland“, Nr. 281/2010, 21 September 2010, www.fu-berlin.de/presse/informationen/fup/2010/fup_10_281/index.html. (accessed on 24.03.2015)

278 Severiens, S.,Tudjman, T. (2013), Professional capacity in schools as regards education for migrant childrens. An exploration of policy measures in the Sirius Network Countries, Barcelona, Sirius, p.32.

279 Horizonte-Programm, www.horizonte.ghst.de/. (accessed on 24.03.2015)

		<p>teachers with migration background and use their specific resources in school life. One such programme in Baden-Württemberg is called "Migranten machen Schule!"²⁸⁰ and another example in North-Rhine-Westphalia called "Lehrkräfte mit Zuwanderungsgeschichte."²⁸¹</p>
	<p>Are there any particular gender issues?</p>	<p>One issue has been whether to allow Muslim women to wear a headscarf as a public employee, particularly as an employee at a school. Half of the German states (Länder) (Baden-Württemberg, Bavaria, Berlin, Bremen, Hesse, Lower Saxony, North Rhine-Westphalia, and Saarland) have enacted legislation to prohibit teachers from wearing certain visible items of religious clothing and symbols. Although none of the laws explicitly target the headscarf, all eight Länder apply the ban specifically to Muslim women wearing a headscarf²⁸². However, in a recent decision, the Federal Constitutional Court of Germany declared any general ban on the wearing of a head scarf by teachers to be unconstitutional.²⁸³</p> <p>Another issue has been the participation of female Muslim pupils in mixed-gender sport classes, specifically swim classes. To this point, the Federal Administrative Court of Germany (Bundesverwaltungsgericht) decided in 2013 that female pupils of the Muslim faith may not regularly request exclusion from mixed-gender swim classes, if they have the possibility to wear swimwear that meets Islamic requirements²⁸⁴.</p>
	<p>Are parents of migrant background actively participating in the school life? Please provide evidence concerning their participation in parents associations, school and community events and extracurricular activities, consultations etc.²⁸⁵</p>	<p>Although there are no studies with comprehensive figures, the large number of programmes that exist to increase the participation of parents with a migrant background illustrates that their participation is currently relatively low. According to the Report of the Commissioner for Migrants, Refugees and Integration (Bericht der Bundesbeauftragten für Migration, Flüchtlinge und Integration), potential reasons for the lower participation of parents of migrant background in school life is a lack of understanding of the German school system, language difficulties, and/or the burden of supporting their children's education.^{286,287}</p>

280 Landesbildungsserver Baden-Württemberg, 'Migranten machen Schule', www.schule-bw.de/entwicklung/schulentw/migrantenmachenschule/. (accessed on 24.03.2015)

281 Projekt Lehrkräfte mit Zuwanderungsgeschichte, www.lmz-nrw.de/. (accessed on 25.03.2015)

282 Human Rights Watch (2009). Discrimination in the Name of Neutrality. Headscarf Bans for Teachers and Civil Servants in Germany. New York, p. 1 – 3.

283 Germany, Federal Constitutional Court of Germany (*Bundesverwaltungsgericht*), Urteil 1 BvR 471/10, 1 BvR 1181/10. 27 January 2015.

284 Germany, Federal Constitutional Court of Germany (*Bundesverwaltungsgericht*), Urteil BVerwG 6 C 25.12, 11 September 2013, p. 21.

²⁸⁵ For more information about involving the community in the school life and vice versa please refer also to the findings of the SIRIUS Network www.sirius-migrationeducation.org/

²⁸⁶ Federal Commissioner for Migration, Refugees and Integration (*Die Beauftragte der Bundesregierung für Migration, Flüchtlinge und Integration*) (2014), *10. Bericht der Beauftragten der Bundesregierung für Migration, Flüchtlinge und Integration über die Lage der Ausländerinnen und Ausländer in Deutschland*, Berlin, pp. 104 – 111.

²⁸⁷ For more information about involving the community in the school life and vice versa please refer also to the findings of the SIRIUS Network www.sirius-migrationeducation.org/. (accessed on 04.05.2015)

	<p>Are there extracurricular activities involving and engaging with children and parents of migrant background and/or focussing on civic and citizenship education? Please identify limitations, challenges and promising practice.</p>	<p>Two major reports completed by German federal agencies – the Report of the Commissioner for Migrants, Refugees and Integration (Bericht der Bundesbeauftragten für Migration, Flüchtlinge und Integration) and Education in Germany (Bildung in Deutschland) by the Federal Ministry of Education and Research – do not contain any mention of extracurricular programmes specifically targeting children and parents of migrant background.^{288,289} The Federal Ministry of Education and Research, however, has a programme called Culture Strengthens – Alliances for Education ([unofficial translation] <i>Kultur macht stark. Bündnisse für Bildung</i>) that targets all disadvantaged youth, including those with a migration background. Among other goals, the programme seeks to connect with various civil society actors (such as music classes, sport clubs, charitable foundations, libraries and theatre groups) to open up extracurricular cultural education opportunities for disadvantaged children and youth.²⁹⁰ Because an evaluation of the programme has not yet been published, it is not possible to identify specific limitations or challenges.²⁹¹.</p>
	<p>Are there provisions for bilingual education? If yes, is it supported by trained teachers and training programmes, curriculum provisions and dedicated school manuals and books?</p>	<p>Yes, according to the publication “Concepts for Bilingual Education – Report on Experiences and Recommendations for Further Development” ([unofficial translation] <i>Konzepte für den bilingualen Unterricht – Erfahrungsbericht und Vorschläge zur Weiterentwicklung</i>) as of October 2013 there were approximately 1,500 public schools in Germany offering bilingual classes.²⁹² Teachers can receive training in bilingual education at universities, training centres, and through a variety of networks of bilingual educators.²⁹³ Generally, in order to qualify to teach a bilingual course, a teacher must be certified to teach both a subject and a modern language (or be able to demonstrate sufficient competence in a modern language). Materials provided for bilingual course vary depending on the state (<i>Land</i>) and generally include dedicated books, material from a</p>

²⁸⁸ Federal Commissioner for Migration, Refugees and Integration (*Die Beauftragte der Bundesregierung für Migration, Flüchtlinge und Integration*) (2014), 10. Bericht der Beauftragten der Bundesregierung für Migration, Flüchtlinge und Integration über die Lage der Ausländerinnen und Ausländer in Deutschland, Berlin.

²⁸⁹ Autorengruppe Bildungsberichterstattung (2012), *Bildung in Deutschland 2014. Ein indikatorengestützter Bericht mit einer Analyse zur Bildung von Menschen mit Behinderungen*, Bielefeld, W. Bertelsmann Verlag, Deutsches Institut für internationale pädagogische Forschung.

²⁹⁰ Federal Commissioner for Migration, Refugees and Integration (*Die Beauftragte der Bundesregierung für Migration, Flüchtlinge und Integration*) (2014), 10. Bericht der Beauftragten der Bundesregierung für Migration, Flüchtlinge und Integration über die Lage der Ausländerinnen und Ausländer in Deutschland, Berlin, p. 101.

²⁹¹ Germany, Federal Ministry of Education and Research (*Bundesministerium für Bildung und Forschung*) (2015) Kultur macht stark. Bündnisse für Bildung, www.buendnisse-fuer-bildung.de/. (accessed on 04.05.2015)

²⁹² Germany, Standing Conference (*Kultusministerkonferenz, KMK*) (2013), Konzepte für den bilingualen Unterricht – Erfahrungsbericht und Vorschläge zur Weiterentwicklung, 17 October 2013, p. 4, www.kmk.org/fileadmin/veroeffentlichungen_beschluesse/2013/2013_10_17-Konzepte_bilingualer_Unterricht.pdf. (accessed on 04.05.2015)

²⁹³ Germany, Standing Conference (*Kultusministerkonferenz, KMK*) (2013), Konzepte für den bilingualen Unterricht – Erfahrungsbericht und Vorschläge zur Weiterentwicklung, 17 October 2013, p. 5, www.kmk.org/fileadmin/veroeffentlichungen_beschluesse/2013/2013_10_17-Konzepte_bilingualer_Unterricht.pdf. (accessed on 04.05.2015)

		country where the target language is widely spoken, material developed by the state (<i>Land</i>) and material from the internet. ²⁹⁴
	Is there evidence of school segregation and/or policies of separate/distinct schooling of migrants?	There are no policies of separate schooling of migrants in place. However, due to the fact that some city districts hold a high percentage of persons with a migration background, schools close or within these districts also hold a high percentage of pupils with a migration background. Disadvantaged neighbourhoods are rather caused by social segregation than by ethnic segregation ²⁹⁵ , thus, school segregation is rather caused by social segregation of certain neighbourhoods. Another factor which decisively contributes to the fact that some schools hold a very low proportion of pupils with a migration background compared to others is the so called " <i>Sprengelpflicht</i> ". This means that pupils are supposed to visit the school which is located in the school district they live in. This applies to primary school, not to secondary school ²⁹⁶ . Subsequently, the proportion of pupils with migration background in schools reflects the social segregation of the neighbourhoods and thus the social segregation of the schools ²⁹⁷ . Additionally, as nationals and non-nationals are concerned about their children's education which they assume to be better in schools with fewer migrants, they try to move to other more favourable districts ²⁹⁸ .
	Is there evidence of modifying school curricula and teaching materials can be modified to reflect the diversity of the school population? Is the teacher regular curricula/training dealing with specific reference to immigrants or ethnic minorities and respect/promotion of diversity?	Given that the education system is primarily a responsibility of the states, any modifications of school curricula and teaching materials takes place at the state (Länder) level. Some states (Länder) have modified textbooks to better reflect cultural diversity. However, these states (Länder) have experienced difficulty monitoring individual teachers' individual interpretations of the textbooks. Also, despite improvements since the 1990s, the German teacher training system still has a limited focus on intercultural education ²⁹⁹ .
	Are all students – not only of migrant background – targeted	Civic education is a general aspect of the curriculum at all German schools. ³⁰⁰ Intercultural education, on the

²⁹⁴ Germany, Standing Conference (*Kultusministerkonferenz, KMK*) (2013), Konzepte für den bilingualen Unterricht – Erfahrungsbericht und Vorschläge zur Weiterentwicklung, 17 October 2013, pp. 16-17, www.kmk.org/fileadmin/veroeffentlichungen_beschluesse/2013/201_10_17-Konzepte-bilingualer-Unterricht.pdf. (accessed on 04.05.2015)

²⁹⁵ Friedrichs, J. (2008), 'Ethische Segregation', in: Kalter, F. (ed.): *Migration und Integration*. Wiesbaden, VS Verlag, pp. 380 – 411.

²⁹⁶ Link, J. (2011), Schichttypische Benachteiligung im allgemeinen Bildungswesen: Ein Vergleich zwischen Kanada und Deutschland, Wiesbaden, VS Verlag.

²⁹⁷ Germany, Federal Commissioner for Migration, Refugees and Integration (*Die Beauftragte der Bundesregierung für Migration, Flüchtlinge und Integration*) (2010), 8. Bericht der Beauftragten der Bundesregierung für Migration, Flüchtlinge und Integration über die Lage der Ausländerinnen und Ausländer in Deutschland, Berlin.

²⁹⁸ Häußermann, H., Siebel, W. (2001), Soziale Integration und ethnische Schichtung: Zusammenhänge zwischen räumlicher und sozialer Integration, Schader Stiftung.

²⁹⁹ Allemann-Ghionda, C. (2008), *Intercultural Education in Schools*, Directorate General for Internal Policies of the Union, Policy Department: Structural and Cohesion Policies, European Parliament, Brussels.

³⁰⁰ Germany, Standing Conference (*Kultusministerkonferenz, KMK*): Lehrplandatenbank, https://portal.kmk.org/ssf/a/do?p_name=ss_forum&p_action=1&binderId=247&action=view_permalink&entityType=works_pace&vibeonprem_url=1. (accessed on 04.03.2015)

<p>and/involved by civic education and activities related to migrant integration at schools?</p>	<p>other hand, is not included in school curriculum throughout Germany. The Standing Conference of the Ministers of Education and Cultural Affairs of the Länder in the Federal Republic of Germany (KMK) has recommended integrating intercultural education throughout the curriculum but the implementation of this recommendation is still left to the state (Länder)³⁰¹</p>
<p>The implementation of specific measures and initiatives aiming at (the following possible practices on the left is an indicative and non-exhaustive list):</p>	
<p>Improving the way civic and citizenship education reflect diversity in society through curricular and extracurricular activities. Are there specific programmes helping young people to learn how to live in a society with people from different cultures and religions?</p>	<p>The Federal State of Baden-Wuerttemberg provides a promising example: Starting in 2016, the topic of „Sinti and Roma“ will be included in the curriculum.³⁰² Until then, educational services will be provided by the Council for Sinti and Roma Affairs (<i>Rat für Angelegenheiten deutscher Sinti und Roma</i>)³⁰³ which was constituted in 2014 and works at regional level.³⁰⁴ Another significant example is the offer of joint religious education for Christians, Muslims and pupils with other religious background in Hamburg. To date, the Evangelical Lutheran Church in Northern Germany had held the sole responsibility this 'Religious education for everyone' (<i>Religionsunterricht für alle</i>). In the school year of 2014/15, a pilot project will be started at two schools where the responsibility is equally shared by Lutheran and Muslim educators.³⁰⁵</p>
<p>Improving the way formal curriculum subjects, e.g. literature, history, etc. promote mutual understanding, respect for ethnic and religious diversity and the common democratic and pluralist values?</p>	<p>No examples found of specific measures or initiatives. The Standing Conference of the Ministers of Education and Cultural Affairs of the Länder in the Federal Republic of Germany (KMK) published a set of recommendations in 2013 on the further development of intercultural education in German schools, but does not provide examples of specific measures or initiatives with this goal.³⁰⁶ Moreover, two major reports completed by German federal agencies – the Report of the Commissioner for Migrants, Refugees and Integration (Bericht der Bundesbeauftragten für Migration, Flüchtlinge und Integration) and Education in Germany (Bildung in Deutschland) by the Federal Ministry of Education and</p>

301 Migrant Integration Policy Index (MIPEX), www.mipex.eu/. (accessed on 04.03.2015)

302 Germany, Ministry of Culture, Youth and Sport Baden-Württemberg (*Ministerium für Kultus, Jugend und Sport Baden-Württemberg*) (2014), 'Wesentliche Rahmenvorgaben und Eckpunkte', www.kultusportal-bw.de/Lde/Startseite/schulebw/Rahmenvorgaben_Eckpunkte#anker1855083. (accessed on 04.03.2015)

303 Schlegel, L. (2014), 'Sinti und Roma im Lehrplan', *morgenweb.de*, 30 July 2014.

304 Germany, State Ministry Baden-Wuerttemberg (*Staatsministerium Baden-Württemberg*) (2014), 'Konstituierende Sitzung des Rats für die Angelegenheiten der deutschen Sinti und Roma', Press release, 29 July 2014.

305 Evangelical Lutheran Church in Northern Germany (*Evangelisch-Lutherische Kirche in Norddeutschland*) (2014), 'Hamburg: Breite Zustimmung für übergreifenden Religionsunterricht', *nordkirche.de*, 24 June 2014.

306 Germany, Standing Conference (*Kultusministerkonferenz, KMK*), Interkulturelle Bildung und Erziehung in der Schule, 5 December 2013, www.kmk.org/fileadmin/veroeffentlichungen_beschluesse/1996/1996_10_25-Interkulturelle-Bildung.pdf. (accessed on 27.03.2015)

		Research – do not contain any mention of these types of measures. ^{307,308}
	Facilitating equal opportunities in education for children with migrant background?	One policy that has been fostered by the federal government has been reducing the three-track school system to just two levels and extending the amount of time afforded to pupils before they are divided between tracks. Although has the federal government recommended this model, there are still major differences between each German state (Land). ³⁰⁹ As part of the national action plan on integration, the federal government has invested 6.5 billion euros into education infrastructure, monitoring, and research. Along with this increased investment is an agreement between the federal government and the states (Länder) to support initiatives focusing on language learning among children and parents, cooperation between schools and parents, and raising intercultural awareness in schools. ³¹⁰ “The initiative ‘Getting Ahead through Education’ (Aufstieg durch Bildung) aims at increasing the percentage of university students with an immigrant background from 8% to 40% ³¹¹ The Federal Ministry of Family Affairs, Senior Citizens, Women and Youth (Bundesministerium für Familie, Senioren, Frauen und Jugend, BMFSFJ) supports the “Jugendmigrationsdienste” which are part of the initiative “Jugend Stärken”. The integration policy of the BMFSFJ aims to increase equal opportunities (Chancengerechtigkeit) and to improve the conditions (Rahmenbedingungen) and migrants’ opportunities for access to general and professional education ³¹² .
	Facilitating the involvement, participation and support of parents with migrant background in the educational system and in the school activities?	Structures exist at the federal and the local level, which interconnect participants to facilitate knowledge and experience transfer and representation of interests. At the local level there are networks for parents such as the “Elternnetzwerk NRW. “Integration miteinander e.V.” and the “MigrantenElternNetzwerk” in Lower-Saxony (MEN). At the federal level there are umbrella associations such as the “Föderation türkischer Elternvereine in Deutschland e.V.” (FÖTED), which is a federation of Turkish parents associations, the “Bund der spanischen Elternvereine e.V.” for Spanish parents associations and for Russian-speaking parents the “Bundesverband russigsprachiger

³⁰⁷ Federal Commissioner for Migration, Refugees and Integration (*Die Beauftragte der Bundesregierung für Migration, Flüchtlinge und Integration*) (2014), 10. Bericht der Beauftragten der Bundesregierung für Migration, Flüchtlinge und Integration über die Lage der Ausländerinnen und Ausländer in Deutschland, Berlin.

³⁰⁸ Autorengruppe Bildungsberichterstattung (2014), *Bildung in Deutschland 2014*. Ein indikatorengestützter Bericht mit einer Analyse zur Bildung von Menschen mit Behinderungen, Bielefeld, W. Bertelsmann Verlag, Deutsches Institut für internationale pädagogische Forschung.

³⁰⁹ Bendel, P. (2014), *Coordinating immigrant integration in Germany. Mainstreaming at the federal and local levels*, Migration Policy Institute Europe, Brussels, pp.13f.

³¹⁰ Bendel, P. (2014), *Coordinating immigrant integration in Germany. Mainstreaming at the federal and local levels*, Migration Policy Institute Europe, Brussels, pp.13f.

³¹¹ Bendel, P. (2014), *Coordinating immigrant integration in Germany. Mainstreaming at the federal and local levels*, Migration Policy Institute Europe, Brussels, pp.13f.

³¹² Germany, Jugendmigrationsdienste, [www.jmd-portal.de/ template.php?l=1&action=about&mid=226](http://www.jmd-portal.de/template.php?l=1&action=about&mid=226).

	Eltern e.V." (BVRE). ³¹³ Integration macht Schule (Munich) is a project is that tries to connect two aspects – reinforcing the child-rearing skills of parents and a facilitating a community-oriented opening of the schools. ³¹⁴ Family oriented integration training FIT in Bremen, where newcomer parents are made familiar with the German education system. Depending on their migrant population, cities or regions carry out several programs for parental support like "Griffbereit" and "Rucksack" or "Hippy" for parents with younger children ^{315,316,317}
Providing language learning support to students of migrant background?	Some Länder Ministries of Education (e.g., Hamburg, Bavaria, and Berlin) provide non-binding recommendations regarding German as a second language instruction. Some Länder also provide special trainings to pre-primary teachers in teaching German as a second language ³¹⁸ .
Improving attendance and reducing drop-out of students with migrant background?	<p>The Federal Ministry of Education and Research (Bundesministerium für Bildung und Forschung, BMBF) supports the initiative „VerA“ (Verhinderung von Ausbildungsabbrüchen). Retired specialists and executives of the „Senior Experten Service“ (SES) support young apprentices if they have problems with their training or if they want to drop-out³¹⁹.</p> <p>Also the project „Lehrergewerkschaften verhindern frühzeitigen Schulabbruch durch Informations- und Kommunikationstechnologien in der Bildung“ tries to reduce the number of young people without school qualifications in Europe. They evaluate the potential for information- and communication technologies to assist in the education of young people who are potential “drop-outs”³²⁰.</p> <p>Another examples is the European Integration Competition „Integration fördern – Schulabbrüche verhindern“, which was supported by the European Commission and took place in Germany, Spain, the Netherlands and Italy. Schools in each country developed projects and concepts to help young people get their school qualifications and prevent drop-outs.</p>

³¹³ Germany, Federal Commissioner for Migration, Refugees and Integration (*Die Beauftragte der Bundesregierung für Migration, Flüchtlinge und Integration*) (2014), 10. Bericht der Beauftragten der Bundesregierung für Migration, Flüchtlinge und Integration über die Lage der Ausländerinnen und Ausländer in Deutschland, Berlin, p. 108.

³¹⁴ Arbeiterwohlfahrt (AWO) Munich (2014), ‚Projekt Integration macht Schule im Quartier‘, www.awo-muenchen.de/migration/projekt-integration-macht-schule-im-quartier/ueber-uns/. (accessed on 13.03.2015)

³¹⁵ Germany, Home Interaction for Parents and Preschool Youngsters (HIPPY), www.impuls-familienbildung.de/hippy.html. (accessed on 13.03.2015)

³¹⁶ Germany, Communal Centers for Integration in North Rhine-Westphalia (*Kommunale Integrationszentren Nordrhein-Westfalen*), Griffbereit, www.kommunale-integrationszentren-nrw.de/griffbereit-1. (accessed on 13.03.2015)

³¹⁷ Germany, Communal Centers for Integration in North Rhine-Westphalia (*Kommunale Integrationszentren Nordrhein-Westfalen*), Rucksack KiTa, www.kommunale-integrationszentren-nrw.de/rucksack-1. (accessed on 13.03.2015)

³¹⁸ Migrant Integration Policy Index (MIPEX), www.mipex.eu/

³¹⁹ Germany, Federal Ministry of Education and Research (*Bundesministerium für Bildung und Forschung, BMBF*), ‘Initiative VerA – Stark durch die Ausbildung’, 8 July 2014, www.bmbf.de/de/14266.php. (accessed on 13.03.2015)

³²⁰ Germany, Gewerkschaft Erziehung und Wissenschaft (GEW): www.gew.de/Schulabbruch_verhindern.html

		Germany took 5 th place with a project called "Kletterturm" (Climbing tower). ³²¹
	Improving school and teachers' capacity to embrace, build on and/or manage diversity?	An example of good coordination practices, the state North Rhine Westphalia fosters close cooperation at the Land and municipal levels through a programme called "Innovation in der kommunalen Integrationsarbeit" (Komm-IN NRW), which is part of the Land's Aktionsplan Integration. It gives financial support, offers direct implementation advice to cities and towns. Handbooks on integration and training courses for policymakers and administrators. They advise and train other organisations, schools and institutions in how to address diversity and how to adapt their mainstream services to an increasingly diverse population, bringing intercultural awareness into the mainstream. ³²²
	In particular, please specify if there are promising practices, including affirmative action / positive action practices designed to tackle structural inequalities Other...	The national action plan on integration, which evaluates the situation of migrants and the progress of integration is still in its implementation phase. In May 2013, the working group published first results of the plan of action. The results showed that young migrants are more and more successful in school. The proportion of young migrants who live in Germany and don't reach a school degree is decreasing, whereas the proportion of migrants with a university degree increased over time. So far, the promotion of equal opportunities is starting to be successful. ³²³ An initiative called "Learning-on-site" (Lernen vor Ort) of the Federal Ministry of Education and Research (Bundesministerium für Bildung und Forschung ,BMBF) in cooperation with local school authorities. The project develops targeted local systems to respond to the growing heterogeneity of schools and the diversity in classrooms. It is supported at the federal level and the most important characteristic lies in the networking of state and nongovernmental actors: BMBF, different foundations, municipalities. Does not focus on single projects, but rather coordinates the planning and implementation of programmes, projects and resources. ³²⁴

321 Germany, Federal Ministry of the Interior (*Bundesministerium des Innern, BMI*) (2006), 'Preisverleihung im europäischen Integrationswettbewerb "Integration fördern – Schulabbrüche verhindern"', Press release, 23 November 2006.

322 Bendel, P. (2014), Coordinating immigrant integration in Germany. Mainstreaming at the federal and local levels, Migration Policy Institute Europe, Brussels, p.9.

323 Germany, Federal Ministry of Education and Research (*Bundesministerium für Bildung und Forschung*) (2013), 'Nationaler Aktionsplan Integration: Bilanz der Bundesmaßnahmen zum Dialogforum „Bildung, Ausbildung und Weiterbildung“', May 2013, p. 13, www.bmbf.de/pub/bilanz_nationaler_integrationsplan.pdf. (accessed on 13.03.2015)

324 Bendel, P. (2014), Coordinating immigrant integration in Germany. Mainstreaming at the federal and local levels, Migration Policy Institute Europe, Brussels, p.14.

3.8. Drivers, barriers for the implementation, monitoring and assessment of legislation & policy measures

	<p>Previous paragraphs indicated in detail aspects about the actual implementation of participation policies, normative framework and measures. In this section briefly summarize the most important drivers, positive factors and the barriers, resistance or negative factors that have been identified regarding the design, implementation, monitoring and assessment of policy measures and normative framework for the political and social participation of migrants and their descendants. Please base the analysis on governmental and non-governmental reports, as well as research and studies.</p>	<p>Drivers: NAP (National Action Plan on Integration) and National Integration Plan set the framework for the 16 states, on which they draft their integration policies and programmes. Annual 'Progress Reports' (<i>Fortschrittsberichte</i>) monitor the implementation of integration programmes through more than 400 specified measures and commitments. This 'Progress Report' concentrates on the evaluation of the eleven dialogues³²⁵: Early childhood support; Education, training and continuing education; Labour market and working life; Migrants in the public service; Health care; Communal integration; Language – integration courses; Sport activities; Social and political participation and integration; Media and integration; and Culture.</p> <p>German politicians rely upon large welfare associations and many different types of NGOs to carry out many policies on integration issues through charity work. CSOs (civil-society organisations) operate on local (<i>Kommunen</i>), state (<i>Länder</i>) and national (<i>Bund</i>) level.</p> <p>Service enterprises (<i>Dienstleistungsunternehmen</i>), such as business associations, trade associations and chambers of commerce, take an active role in the political decision-making and implementation process.³²⁶</p> <p>Barriers: Each of the 16 federal states manages integration policy in its own way. This prohibits a top-down or bottom-up style of governance on integration policies. In addition to that, there is no common administrative structure throughout the municipalities of states. Depending on the local and regional demographic situations, the stance towards integration and the implementation of national programmes can structurally differ in many ways.³²⁷ There are also barriers to cooperation, such as the restrictions against the federal government providing financial assistance to the federal states when the assistance is in an area where the states have competency, such</p>
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325 Germany, Federal Government (*Bundesregierung*) (2012), National Action Plan on Integration (Nationaler Aktionsplan Integration), 31.01.2012.

326 Bendel, P. (2014). Coordinating immigrant integration in Germany. Mainstreaming at the federal and local levels. Migration Policy Institute Europe. Brussels.

327 Bendel, P. (2014). Coordinating immigrant integration in Germany. Mainstreaming at the federal and local levels. Migration Policy Institute Europe. Brussels.

		as education. ³²⁸ The multilevel distribution of competences also causes overlaps in responsibilities and varying financial responsibilities and necessitates the formulation of specific integration goals. ³²⁹ Moreover, coherent evaluations of integration policies have proven difficult due to this multilevel structure.
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3.9. Use of funding instruments (EIF, ERF, EMIF)

		The allocation and distribution of the funds is done by the BAMF (Federal Office for Migration and Refugees). The main The funds are targeted at improvement of the conditions of admission and integration, and the evaluation and monitoring of these processes ³³⁰ . The main guidelines for the specific use of the ERF and the EIF are taken from the corresponding basic legal acts ³³¹³³² . The target groups for the ERF are people who have been granted asylum in Germany, people from third countries and stateless people. The EIF supports pre-integration programs, integration through education, integration through societal participation, intercultural dialogue, monitoring and evaluation, intercultural opening and communication and cooperation between EU member states ³³³ . Own funds are distributed by each federal state individually and fall under public social benefits. Upon contacting the BAMF, it was made clear that each state would need to recalculate all the expenses for this particular categorisation, which would require retracing of all EIF and ERF funds in all programs. This particular cost sheet has not yet been worked on by any federal state.
	Please provide briefly information and documented insights about the allocation and distribution of funds aimed at supporting political and social participation, and active citizenship measures for migrants and/or their descendants.	
		In particular provide a breakdown of funding for the relevant actions and measures by area (political participation, social participation and membership, indicating the source of funding (EIF, ERF, national, regional, other funding source) by using the Annex 5

3.10. Key legal and policy developments, and relevant case law

	In this section, please provide information about developments regarding the	The legal developments on dual citizenship allowed many citizens who were born and spent a significant amount of time in Germany, to keep the German and
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³²⁸ Sachverständigenrat deutscher Stiftungen (SVR) (2014), Deutschlands Wandel zum modernen Einwanderungsland. Jahresgutachten 2014 mit Integrationsbarometer, Berlin, pp. 137f.

³²⁹ Sachverständigenrat deutscher Stiftungen (SVR) (2014), Deutschlands Wandel zum modernen Einwanderungsland. Jahresgutachten 2014 mit Integrationsbarometer, Berlin, pp. 137f.

³³⁰ Germany, Federal Office for Migration and Refugees (*Bundesamt für Migration und Flüchtlinge*) (2013), Europäischer Flüchtlingsfonds (EFF), www.bamf.de/DE/DasBAMF/EUFonds/SOLID/EFF/eff-node.html. (accessed on 07.05.2015)

³³¹ European Parliament (2007), Decision of the European Parliament Entscheidung Nr. 573/2007/EG of 6 June 2007 on establishing the European Refugee Fund for the period 2008 to 2013.

³³² The Council of the European Union (2007), Council decision establishing the European Fund for the Integration of third-country nationals for the period 2007 to 2013 Entscheidung Nr. 2007/435/EG of 25 June 2007. (accessed on 25.06.2007)

³³³ Germany, Federal Office for Migration and Refugees (*Bundesamt für Migration und Flüchtlinge*) (2013), Europäischer Integrationsfond (EIF), www.bamf.de/DE/DasBAMF/EUFonds/SOLID/EIF/eif-node.html (accessed on 07.05.2015)

<p>above legal and policy instruments concerning participation (political, consultation, membership and association, active citizenship and civic education), including any new legislative or policy initiatives in the framework of migrant integration in the country. Key developments may be new legislation or policies, abolition, update, improvement or reform of existing ones, as well as important case law, court, equality body or administrative cases, that have had or may have an impact on the implementation of legal and policy instruments and on the actual situation on the ground, including public debates and perceptions among the native population and migrants. (Use template in Annex 9).</p>	<p>the citizenship of their parents. Many children who were born and raised Germany, but had parents with foreign citizenship, had to yield one of their citizenships by the age of 23. This was argued to be conflicting and difficult decision for young people who were born and raised in Germany, but had family and cultural ties to another country^{334, 335}. There are legal possibilities that will allow citizens to reclaim the German citizenship if it was yielded before³³⁶. Further conditions must also be met to be accounted as “raised in Germany” (See Annex 9 – Dual citizenship).</p> <p>To reduce cost and energy in the bureaucratic process of handling asylum applications, a new legal act has been imposed to lower the work load for responsible authorities³³⁷. Certain countries from outside the EU have been deemed as safe countries of origin, thereby enabling to reject unfounded asylum applications from countries such as Bosnia and Herzegovina, Macedonia and Serbia.</p> <p>In order to cut the costs of asylum benefits, this legal act reduces the time needed for successful asylum applicants to be allowed to seek employment. The high number of refugees coming to Germany also increases the number of the people entitled to asylum benefits. Granting faster access to the labour market for asylum seekers not only helps to cut public spending, but also improves the chances for societal integration³³⁸.</p>
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4. Social cohesion and community relations

4.1. Social cohesion policies

<p>Does the national integration legal and policy framework refer to social/community cohesion? Is there a clear definition of social/community cohesion?</p>	<p>There is a formal national strategy on social cohesion. Against the background of the adoption of twelve common goals by the European Council in March 2006, the German Federal Government drafted the National Report on Strategies for Social Protection and Social Inclusion 2008-2010 (<i>Nationaler Strategiebericht</i></p>
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³³⁴ Tagesschau: *Zwei Pässe für Kinder von Migranten* – Two passports for children of migrants, <https://www.tagesschau.de/inland/doppelpass-109.html> (accessed on 07.05.2015).

³³⁵ Germany, Printed Matter of the German Federal Parliament (*Drucksache des Deutschen Bundestages*) (2014), BT-Drs. 18/1312 Drucksache des Deutschen Bundestages 18/1312 vom 05. Mai 2014: Entwurf eines Zweiten Gesetzes zur Änderung des Staatsangehörigkeitsgesetzes, p. 8.

³³⁶ Wirtschafts Woche: *Doppelte Staatsbürgerschaft jetzt dauerhaft möglich* – Dual citizenship now a permanent possibility (www.wiwo.de/politik/deutschland/fragen-und-antworten-doppelte-staatsbuergerschaft-jetzt-dauerhaft-moeglich/11147428.html - 07.05.2015).

³³⁷ Germany, Printed Matter of the German Federal Parliament (*Drucksache des Deutschen Bundestages*) (2014), BT-Drs. 18/1528 vom 26. Mai 2014. Entwurf eines Gesetzes zur Einstufung weiterer Staaten als sichere Herkunftsstaaten und zur Erleichterung des Arbeitsmarktzugangs für Asylbewerber und geduldete Ausländer, p. 1.

³³⁸ Germany, Printed Matter of the German Federal Parliament (*Drucksache des Deutschen Bundestages*) (2014): Drucksache des Deutschen Bundestages 18/1528 vom 26. Mai 2014. Entwurf eines Gesetzes zur Einstufung weiterer Staaten als sichere Herkunftsstaaten und zur Erleichterung des Arbeitsmarktzugangs für Asylbewerber und geduldete Ausländer

<p>Please report it here – in original language and in full English translation.</p>	<p><i>Sozialschutz und soziale Eingliederung 2008-2010</i>). The strategies on social cohesion mentioned in the report consider the common goals which have been agreed upon at the European level. The goals include reduction of poverty and social exclusion, sustainable and adequate pensions as well as a sustainable and high-quality health care protection and long-term care.³³⁹</p> <p>The national strategy on social cohesion is expressed in the National Report on Strategies for Social Protection and Social Inclusion 2008-2010, yet it does not include a clear definition of social cohesion.³⁴⁰</p>
<p>Are there any specific measures in place to strengthen social cohesion? Please refer to promising practices and examples of challenges. Use the template for promising practices in Annex 7 highlighting the most important and/or successful.</p>	<p>It is not possible to refer here to measures designed to strengthen social cohesion with regards to migrants. This is due to the unclear definition of social cohesion, the lack of a clear definition of social cohesion in the German strategy on social protection and social inclusion, and the fact that social cohesion is not a leading concept in immigration research or policy measures in Germany.</p>
<p>Are there indicators used by authorities to assess, monitor and support social cohesion policies? E.g. social distance, social interaction, intergroup relations, etc. Please provide available relevant data, figures and findings, if any, and present them briefly in the relevant table of the Annex (4).</p>	
<p>Please outline available research, studies, and surveys about the sense of belonging and identification of migrants and/or their descendants with diverse types of local, regional and national identities. Please summarise briefly key findings and any differentiations by nationality or ethnic origin, gender, age and geographic area.</p>	<p>There is not systematic information available. However, selected studies have explored aspects of this topic. According to data from the socioeconomic panel (SOEP) from 2007, Turkish men tend to identify more strongly with their country of origin in comparison to other migrant groups in Germany. Spanish migrants, on the other hand, tend to identify with Germany the strongest. A study using the same data from 2007 showed that identification with Germany depends on a migrant's length of residence in Germany, whether or not the individual has German citizenship, and overall life satisfaction. Moreover, discrimination can cause identification with Germany to decrease and with the origin country to increase.³⁴¹</p>
<p>Please indicate legal measures and case law affecting social cohesion and community relations, for example the banning of specific religious or ethnic dress, such as the 'burqa'.³⁴²</p>	<p>There has been considerable debate about the right for lawyers to wear a religious headscarf. After having been obliged by the judges to wear her headscarf "in a non-religious way" several times, a Berlin lawyer announced to submit a constitutional complaint if something similar happens once more. The bar association (<i>Rechtsanwaltskammer</i>) of Berlin supports her cause. Other than judges and prosecutors, lawyers are free in their exercise of profession and would thus be restricted in their religious freedom if obliged to take off their</p>

339 Germany, Federal Ministry of Labour and Social Affairs (*Bundesministerium für Arbeit und Soziales, BMAS*) (2008), Nationaler Strategiebericht Sozialschutz und soziale Eingliederung

340 Germany, Federal Ministry of Labour and Social Affairs (*Bundesministerium für Arbeit und Soziales, BMAS*) (2008), Nationaler Strategiebericht Sozialschutz und soziale Eingliederung

341 Tucci, I., Eismecker, P., Brücker, H. (2014), 'Wie zufrieden sind Migranten mit ihrem Leben?', Berlin, Deutsches Institut für Wirtschaftsforschung (DIW), Weekly Report No. 43, pp. 1152 – 1159.

342 Cfr. The notable ECHR case, European Court of Human Rights (ECtHR), *S.A.S. v. France*, No. 43835/11, 1 July 2014, available at [http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-145466#{"itemid":\["001-145466"\]}](http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-145466#{).

		<p>headscarf. According to the president of the bar association, Dr. Markus Mollnau, the reaction of the judges was discriminating and therefore constitutes a violation of the constitution.³⁴³</p>
	<p>Does the action plan or strategy on integration and inclusion of migrants and their descendants address combating racism, xenophobia and intolerance?</p> <p>Are there specific integration/inclusion actions related to racism and intolerance for education and/or for young people? If yes, how are such actions linked to general integration and/or social inclusion and/or cohesion policy? Please provide information on implementation and impact of such plans and refer to any assessment of their impact?</p>	<p>One (action area within the National Report on Strategies for Social Protection and Social Inclusion is promoting) measures against xenophobia, anti-semitism, racism and right-wing extremism.³⁴⁴ The National Action Plan for Integration provides a framework for federal states, municipalities, and civil society to follow when designing and implementing these types of measures.³⁴⁵</p> <p>One project, called "Schule ohne Rassismus" works to facilitate intercultural openness at German schools. This project is under the broader strategic goal of optimizing the conditions for equal opportunities for participation and access to education, training, and further education.³⁴⁶</p>
	<p>Please provide information about state and non-state responses via positive measures, campaigns, partnerships involving migrants and communities. Please provide information only about those actions that focus on migrants and on <u>prevention</u> and promotion of peaceful living together and integration as mutual accommodation combatting racism and intolerance. Please outline any assessment about their impact and identify any relevant promising practice. (Use the template for promising practices in Annex 7).</p>	<p>There are various state and non-state responses throughout Germany. For example, there are governmental measures to increase the participation of citizens with and without a migration background in political decision making by facilitating their involvement in local and regional development processes.³⁴⁷</p> <p>One particularly promising practice is a civil society programme called EXIT-Germany, which is designed to help people leave the right-wing extremist movement. Please find more information on this programme in Annex 7.</p>

343 Germany, Bar Association of Berlin (*Rechtsanwaltskammer Berlin*) (2013), 'Muslimische Rechtsanwältinnen dürfen vor Gericht mit Kopftuch auftreten', Press release, 15 September 2013, www.rak-berlin.de/site/DE/int/01_aktuelles/01_01-mitteilungen/Sep_13/conta_Kopftuch_150913.php.

344 Germany, Federal Ministry of Labour and Social Affairs (*Bundesministerium für Arbeit und Soziales, BMAS*) (2008), Nationaler Strategiebericht Sozialschutz und soziale Eingliederung

345 Germany, Federal Government (*Bundesregierung*) (2012), 'National Action Plan for Integration – Strengthen cohesion – achieve participation'

346 German, Federal Government (*Bundesregierung*) (2012), 'National Action Plan for Integration – Strengthen cohesion – achieve participation', p. 39

347 Germany, Federal Government (*Bundesregierung*) (2012), 'National Action Plan for Integration – Strengthen cohesion – achieve participation', p. 217

4.2. Combatting racism and intolerance

<p>Are there any policy measures, initiatives and practices to accommodate for ethnic or religious differences, for example in regard to sharing public space, such as swimming pools at local level?</p> <p>Identify any promising practices encouraging social interaction and contacts of people of different backgrounds at local level (use the template for promising practices in annex 7).</p>	<p>Programmes do exist that encourage social interaction and contacts of people of different backgrounds at the local level. For instance, programmes within the federal states (Länder) take advantage of the socialization potential of sport. Examples include: "Sports against violence, intolerance, and xenophobia" (<i>Sport gegen Gewalt, Intoleranz und Fremdenfeindlichkeit</i>) in Hessen and Schleswig Holstein and „Courage – Humanity and Tolerance" (<i>MUT – Menschlichkeit und Toleranz</i>) in Saxony-Anhalt.³⁴⁸</p>
<p>Please indicate concrete measures, initiatives or programmes targeting migrants and/or descendants aiming at building trust in public institutions, especially at local level. E.g. campaigns, opening doors and reaching out to citizens, social centres, informal collective bodies, cultural events etc.</p> <p>Please provide notable examples of promising practice (use the template for promising practices in annex 7).</p>	<p>Please see annex 7 for an example of a promising practice</p>
<p>Are there any specific ethical or other guidelines or rules concerning the language used by media or journalists, when writing about migrants and/or their descendants? In this case please provide briefly information about actual application of such rules and challenges.</p>	<p>No – German print media and journalist associations have established the German Press Council (Deutscher Presserat) as a self-regulatory body. The 28 members do represent the four organisations that founded the Press Council. These members elect two complaint committees which meet four times a year to discuss complaints. Every individual or association can submit a complaint to these committees if he or she believes that a newspaper or – since 2009 – also journalistic internet articles violates the codex of the Press Council. Respect for human dignity and the prohibition of discrimination on the grounds of gender, disability, or the belonging to an ethnic, religious, social or national group are among the principles laid down by the press codex.³⁴⁹ In 2012, 265 of the 1,137 complaints referred to alleged disrespect of human dignity, 136 referred to alleged</p>

³⁴⁸ Germany, Federal Government (*Bundesregierung*) (2012), 'National Action Plan for Integration – Strengthen cohesion – achieve participation', p. 226

³⁴⁹ Germany, German Press Council (*Deutscher Presserat*) (2013), 'Pressekodex', 13 March 2013, www.presserat.info/inhalt/der-pressekodex/pressekodex.html.

		<p>discrimination.³⁵⁰ If a complaint committee of the Press Council confirms a complaint it can issue reprimands, disapprovals or notices to the print media or journalist. In the case of broadcasting, the Interstate Broadcasting Agreement (Rundfunkstaatsvertrag) provides that all broadcasting media shall respect and protect human dignity (Section 3). Detailed programming principles for public broadcasting are laid down in the relevant state acts and interstate agreements but not all of them make explicit reference to non-discriminatory behaviour. For private broadcasting the Broadcasting Interstate Agreement provides, among others, for the programming principle to promote “togetherness free of discrimination” (Section 41).³⁵¹</p> <p>Both public and private broadcasting rely on mechanisms of regulated self-regulation. Complaints can be submitted either to the Broadcasting Councils (Rundfunkräte) of the public broadcasting institutions themselves or to the Media Institutions (Medienanstalten) which supervise private broadcasting. The latter have launched an online complaint platform which dispatches complaints to the responsible Media Institution.</p>
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4.3.Mixed marriages

	<p>Mixed marriages is often used as an index for social distance and integration or, even, assimilation. Mixed (citizenship) marriages are defined as those where one of the spouses has foreign citizenship and the other has national citizenship (including registered partnerships, common-law marriages). Please indicate legal limitations, if any, for marriages between nationals and foreigners, e.g. for asylum seekers, third country nationals, etc. Do these limitations result in practical barriers?</p>	<p>Regardless of the couple’s nationality, if a marriage is legally registered in a different country, then that marriage is legally recognized in Germany. Persons without German citizenship who wish to marry in Germany require a certificate proving their legal capability to marry (<i>Ehefähigkeitszeugnis</i>). This certificate confirms that the laws in a foreigner’s country of origin do not prevent the marriage from legally taking place (such as an already existing marriage). Stateless persons or foreigners whose country of origin does not issue marriage certificates (or does not issue certificates that meet the German requirements) can be granted a waiver from the responsible higher regional court in Germany.³⁵²</p> <p>Foreigners who do not possess a residence permit, but who lawfully (or with toleration status - <i>Duldung</i>) reside in Germany or are asylum seekers with a residence title, are able to receive a residency permit as a result of a marriage with a German citizen as long as certain conditions are met.³⁵³</p> <ul style="list-style-type: none"> • The foreigner is older than 18 years old
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³⁵⁰ Germany, German Press Council (*Deutscher Presserat*) (2013), ‘Statistik 2012’, www.presserat.info/inhalt/beschwerde/statistik.html, accessed on 1 December 2013.

³⁵¹ Germany, Interstate Broadcasting Agreement (*Rundfunkstaatsvertrag*), 1 January 2013, revosax.sachsen.de/GetXHTML.do?sid=6281214875133.

³⁵² Kayser, Ch. (2011), *Ehen zwischen Deutschen und Ausländern. Hinweise zur Rechtsstellung*, Der Beauftragte des Senats von Berlin für Integration und Migration, Berlin.

³⁵³ Kayser, Ch. (2011), *Ehen zwischen Deutschen und Ausländern. Hinweise zur Rechtsstellung*, Der Beauftragte des Senats von Berlin für Integration und Migration, Berlin, p. 10

		<ul style="list-style-type: none"> • The German's permanent place of residence is in Germany • The marriage is registered within Germany • The foreigner has basic German language skills (some legally recognized groups of persons are excluded from this condition) • There are no major grounds for expulsion from Germany and there are no travel or residency restrictions that arose from a previous deportation <p>Foreigners who do not possess the necessary German language skills at the time of being issued a residence permit are required to take part in legally regulated integration courses. In order to receive German citizenship after marrying a German citizen, a foreigner must formally begin the naturalization process. There are multiple conditions that the foreigner must fulfil in order to be granted citizenship.³⁵⁴</p> <p>Same-sex mixed couples (one foreigner and one German citizen) are allowed to register as domestic partners. The same general conditions apply to same-sex mixed couples as for marriages.³⁵⁵</p>														
	<p>Are there any official or non-official data and information on mixed marriages (between nationals and people with another citizenship)? Please provide % proportions on the total number of marriages in a given period, as well as data – where available - about ages, country of origin/birth of migrant spouses.</p>	<p>Nearly 16 million people of migration background (in the narrow sense) live in Germany. This category includes migrants and those born in Germany to parents without German citizenship. The category also includes people who have had German citizenship since birth and still live with their parents (who themselves have a migration background). It is possible to divide the data on mixed marriages based on age groups and origin countries, however it is not possible to break down the age group data for each origin country.³⁵⁶</p> <p>Among the marriages registered in 2013 (373,423) 86% were between German citizens, 11.6% were mixed marriages between a German and a foreigner and 2.4% were between two foreigners.. Approximately 5% of the marriages were between a German woman and a man without German citizenship and 6.6% were between a German man and a woman without German citizenship.³⁵⁷</p> <table border="1" data-bbox="691 1518 1453 1624"> <thead> <tr> <th></th> <th>Total number of men</th> <th>Of those, men marrie</th> <th>%³⁵⁸</th> <th>Total number of</th> <th>Of those, women marrie</th> <th>%³⁵⁹</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>		Total number of men	Of those, men marrie	%³⁵⁸	Total number of	Of those, women marrie	%³⁵⁹							
	Total number of men	Of those, men marrie	%³⁵⁸	Total number of	Of those, women marrie	%³⁵⁹										

³⁵⁴ Kayser, Ch. (2011), *Ehen zwischen Deutschen und Ausländern. Hinweise zur Rechtsstellung*, Der Beauftragte des Senats von Berlin für Integration und Migration, Berlin, p. 11

³⁵⁵ Kayser, Ch. (2011), *Ehen zwischen Deutschen und Ausländern. Hinweise zur Rechtsstellung*, Der Beauftragte des Senats von Berlin für Integration und Migration, Berlin, p. 17

³⁵⁶ Federal Statistical Office (*Statistisches Bundesamt, DESTATIS*) (2014), *Bevölkerung und Erwerbstätigkeit. Bevölkerung mit Migrationshintergrund. Ergebnisse des Mikrozensus 2013*, Vol 1, No 2.2, Wiesbaden, Statistisches Bundesamt

³⁵⁷ Verband binationaler Familien und Partnerschaften, Zahlen und Fakten, Eheschließungen, www.verband-binationaler.de/index.php?id=527 (05.03.15)

³⁵⁸ Own calculations based on data from: Federal Statistical Office (*Statistisches Bundesamt, DESTATIS*) (2014), *Bevölkerung und Erwerbstätigkeit. Bevölkerung mit Migrationshintergrund. Ergebnisse des Mikrozensus 2013*, Vol 1, No 2.2, Wiesbaden, Statistisches Bundesamt, p. 136 – 138.

³⁵⁹ Own calculations based on data from: Federal Statistical Office (*Statistisches Bundesamt, DESTATIS*) (2014), *Bevölkerung und Erwerbstätigkeit. Bevölkerung mit Migrationshintergrund. Ergebnisse des Mikrozensus 2013*, Vol 1, No 2.2, Wiesbaden, Statistisches Bundesamt, p. 136 – 138.

				<i>d to a German citizen</i>	women	<i>d to a German citizen</i>	
People of migration background³⁶⁰	7984000	637000	8,0		793000	759000	9,6
<i>Europe</i>	5600000	455000	8,1		555100	503000	9,1
<i>Africa</i>	305000	38000	12,5		24800	21000	8,5
<i>North, Central, and South America</i>	185000	34000	18,4		20500	56000	27,3
<i>Asia, Australia, Oceania</i>	1269000	45000	3,5		129400	109000	8,4
Foreigner population³⁶¹	3958619	318154	8,0		3675009	498143	13,6
<i>Europe</i>	3145468	228801	7,3		2906328	332322	11,4
<i>Africa</i>	184015	24760	13,5		134562	23210	17,2
<i>North, Central, and South America</i>	111848	22895	20,5		127196	36971	29,1
<i>Asia</i>	478392	38271	8,0		479558	102687	21,4
<i>Australia and Oceania</i>	7826	1289	16,5		6485	1205	18,6

360 Germany, Federal Statistical Office (*Statistisches Bundesamt, DESTATIS*) (2014), *Bevölkerung und Erwerbstätigkeit. Bevölkerung mit Migrationshintergrund. Ergebnisse des Mikrozensus 2013*, Vol 1, No 2.2, Wiesbaden, Statistisches Bundesamt, p. 136 – 138.

361 Germany, Federal Statistical Office (*Statistisches Bundesamt, DESTATIS*) (2014), *Bevölkerung und Erwerbstätigkeit. Ausländische Bevölkerung. Ergebnisse der Ausländerzentralregister*, Vol 1, No 2, Wiesbaden, Statistisches Bundesamt, p. 64 – 72.

Annex 2: National and regional level action plans on integration

National / regional level <i>(specify region)</i>	Year of the first edition and Year of latest update <i>(e.g. First edition: 2004, Most recent update: 2011)</i>	Responsible ministry – public authority – reference details <i>(URL – links)</i>	Target groups <i>Identify migrant and refugee groups as beneficiaries (e.g. on the basis of their residence status)</i>	Main aims, actions and activities foreseen in the focus areas – link to fundamental rights <i>[provide both key dimensions and specific actions and aims of the policy instruments in each focus area (use a different row for each focus area if needed)]</i>	Targeting general population? Yes/No – explanatory comments where needed	Insert here definition of integration (in EN) if any. Alternative: Indicate the core aim/objective of the NAP related to social inclusion and/or integration of migrants
Germany	National Integration Plan 2007, National Action Plan 2012	National Commissioner for Integration	All persons with a migration background and legal residence status	Integration should be improved in 11 focus areas: early childhood development, education and training, labour market and self-employment, employment of migrants in public administration, health and old age care, local integration, language, sports, voluntary engagement, media and culture.	Targeting both the migrant and native population	Both integration plans do not contain an explicit definition of integration
Land Hessen	Modellregionen Integration 2009 - 2013	Ministry for Justice, Integration and European Affairs	All persons with a migration background and a legal residence status	The aim of the project was to establish and strengthen local integration policy structures and to establish concrete integration policy structures between the ministry and local integration actors and structures.	Local integration policy structures, both public and of civil society were targeted	The program works with an implicit concept of integration

Land Nordrhein - Westfalen	Integrations ge- Setz 2012	Ministry for Labour, Integration and Social Affairs	The state and local administration, civil society, migrants	Mainstreaming of existing laws and administrative structures, creation of local competence centers for integration	Targeting mainly state and communal structures and actors	No explicit definition of integration
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Annex 4: Indicators monitoring migrant integration - social inclusion/cohesion

N.	Indicator	Definition	Legal frame / policy target	Data source	Periodicity	Reference / Comments
	Indikatoren auf Bundesebene: Indicators at the national level:					Zweiter Integrationsindikatorenbericht ³⁶²
1	Rechtsstatus – Legal Status	The legal status of immigrants has a decisive impact on integration processes and at the same time represents an accomplished level of integration.	1.1 Ausländerinnen und Ausländer ohne langfristiges Aufenthaltsrecht – Foreigners without long-term resident status 1.2 Duldung und Erteilung von Aufenthaltserlaubnissen nach Duldung – Toleration and issue of residence permits after toleration Einbürgerungen - Naturalization	Ausländerzentralregister (AZR), Einbürgerungssstatistik – Central Register of Foreigners (AZR), naturalization statistics	Annually	
2	Frühkindliche Bildung und Sprachförderung – Early childhood education and language training	Child day care is becoming increasingly important, as they will increasingly evolved into the place of early childhood education for the future educational development.	2.1 Kinder im Alter von 0 bis unter 3 Jahren in der Tagesbetreuung – Children age 0 to less than 3 years in day care 2.2 Kinder im Alter von 3 bis unter 6 in der Tagesbetreuung – Children aged 3 to under 6 in day care	Amtliche Kinder- und Jugendhilfestatistik, - Official child and youth welfare statistics	Annually	

³⁶² Engels, Koopmans (2011), Zweiter Integrationsindikatorenbericht. erstellt für die Beauftragte der Bundesregierung für Migration, Flüchtlinge und Integration, http://www.bundesregierung.de/Content/DE/Publikation/IB/2012-01-12-zweiter-indikatorenbericht.pdf?__blob=publicationFile (accessed on 16.06.2015)

3	Bildung - Education	Education is a central prerequisite to access culture and acquisition system of a society and therefore has an impact on many other dimensions of the situation. Levels of integration can be observed here in accordance with the types of schools and degrees.	<p>3.1 Personen ohne Schulabschluss – People leaving school without qualifications</p> <p>3.2 Schulabschlüsse an allgemeinbildenen Schulen – Degrees at general education schools</p> <p>3.3 Schulabschlüsse an berufsbildenden Schulen – Degrees at vocational schools</p> <p>3.4 Schulabschluss an Förderschulen – Degree of special schools</p> <p>3.5 Sprachkenntnisse – Language skills</p>	Amtliche Schulstatistik , Integrationskursgeschäftsstatistik – Official education statistics, business statistics integration course	Annually	
4	Ausbildung - Training	The entry into the world of work is usually done through a professional training or, in the professions, through university studies. Same participation opportunities in vocational training are an important factor for successful integration.	<p>4.1 Personen ohne Abschluss der Sekundarstufe II, Berufsqualifizierender Abschluss – People without upper secondary education, vocational qualification</p> <p>4.2 Absolventinnen und Absolventen beruflicher Schule – Graduates of vocational school</p> <p>4.3 Ausbildungsbeteiligungsquote – Training participation rate</p> <p>4.4 Einmündungsquote, Altbewerberinnen und Altbewerber – Placement rate, old applicants</p> <p>4.5 Studierende an den deutschen Hochschulen – Students at German universities</p>	Amtliche Statistik, Mikrozensus – Official statistics, microcensus	Annually	

			4.6 Hochschulabschluss - Degree			
5	Arbeitsmarktintegration - Labor market integration	A key Prerequisite for social participation is the participation in the workforce. It has effects on other dimensions of life location: In addition to the standard of living is determined by earned income, these are also the professional status and integration into social networks.	5.1 Beschäftigungslücke - Jobs gap 5.2 Rentenzugangsalter - Retirement age 5.3 Selbstständigenquote - Self-employment rate 5.4 Berufliche Fort- und Weiterbildungsmaßnahmen - Vocational education and training 5.5 Arbeitslosenquote, Erwerbslosenquote - Unemployment rate 5.6 Langzeitarbeitslose, Langzeiterwerbslose - Long-term unemployed, long-term unemployed 5.7 Arbeitslose Jugendliche - Unemployed youth 5.8 Maßnahmen der aktiven Arbeitsmarktförderung - Active labor market promotion	Statistik der Bundesagentur für Arbeit, Arbeitsmarktstatistik, Mikrozensus - Statistics of the Federal Employment Agency, labor market statistics, microcensus	Annually	
6	Soziale Integration und Einkommen - Social integration and income	Income poverty restricts room for maneuver, if it shapes the life and difficult social integration.	6.1 Armutsrisikoquote - Risk of poverty rate 6.2 Erwerbstätige mit einem Einkommen unterhalb der Armutsrisikoschwelle - employed persons with an income below the poverty risk threshold 6.3 Bezug von Leistungen der Mindestsicherung - receipt of benefits of the guaranteed minimum income 6.4 Personen in Haushalten ohne Erwerbstätige - People in jobless households	Mikrozensus, verschiedene amtliche Statistiken - Microcensus, various official statistics	Annually and Bi-annually	

7	Gesellschaftliche Integration und Beteiligung – Social integration and participation	Social participation includes the active participation of the living conditions of the citizens. It is an expression of a democratic society and an important indicator of integration in Germany.	7.1 Mitgliedschaft in Parteien oder politischen Organisationen, Mitgliedschaft in Vereinen, Verbänden und sozialen Diensten – Membership in political parties or political organizations, membership in clubs, associations and social services 7.2 Engagementquote – Commitment rate 7.3 Leitungsfunktionen – Management functions 7.4 Mitgliedschaft und Engagement im Bereich Sport – Membership and involvement in sports	Surveys und repräsentative Bevölkerungsbefragungen: Sozioökonomische Panel, SOEP, Freiwilligenumfrage – Surveys and representative population surveys: Socioeconomic Panel, SOEP, Volunteer Survey	Annually	
8	Wohnen - Housing	Housing is an important area of life location: The supply of sufficient, high satisfactory and affordable housing is an important prerequisite for adequate quality of life.	8.1 Wohnungsgröße – Apartment size 8.2 Mietkosten – Rental costs 8.3 Wohneigentum – Home ownership	Mikrozensus - Microcensus	Every four years	
9	Gesundheit - Health	The state of health is an essential dimension of the life situation and has an impact on many other areas, including the ability to work	9.1 Krankenquote – Sickness rate 9.2 Impfungen - Vaccinations 9.3 Kindergesundheitsuntersuchungen – Child health studies 9.4 Übergewicht/Adipositas – Overweight/Obesity 9.5 Mundgesundheit – Oral Health	Mikrozensus, Kinder- und Jugendgesundheitsumfrage (KiGGS) – Microcensus, Child and Youth Health Survey (KiGGS)	Annually	
10	Interkulturelle Öffnung von Schule, Verwaltung, Gesundheitsdiensten, Wirtschaft, Politik und Medien – Intercultural	The intercultural opening of administrative and social services is seen as an engine of integration and therefore an important part of integration policies.	10.1 Pädagogisches Fachpersonal – Teaching professionals	Amtliche Statistiken – Official Statistics	Annually	

	opening of school, administration, health services, business, politics and media		<p>10.2 Beschäftigte im öffentlichen Dienst – Government Employee</p> <p>10.3 Beschäftigte im Gesundheitswesen – Health workers</p> <p>10.4 Charta der Vielfalt – Diversity Charter</p> <p>10.5 Wahlberechtigte zu Bundestags- und Landtagswahlen mit Migrationshintergrund, Mandatsträgerinnen und Mandatsträger mit Migrationshintergrund – Eligible voters to federal and state elections with a migrant background, elected representatives and elected officials with immigrant background</p> <p>10.6 Anteil der Medienschaffenden mit Migrationshintergrund – Share of media professionals with an immigrant background</p>			
11	Kriminalität, Gewalt, Fremdenfeindlichkeit – Crime, violence, xenophobia	Crime, violence, xenophobic, racist and antisemitic acts of violence pollute the social integration.	<p>11.1 Kriminalitätsquote – Crime rate</p> <p>11.2 Gewaltskriminalität – Violent crime</p> <p>11.3 Rassistische, fremdenfeindliche und antisemitische Gewalttaten, Aufklärungsquote bei rassistischen, fremdenfeindlichen und antisemitischen Gewalttaten – Racist, xenophobic and anti-semitic acts of violence, crime clearance rate for</p>	Polizeiliche Kriminalstatistik (PKS), Strafverfolgungsstatistik – Police Crime Statistics (PKS), criminal justice statistics	Annually	

			racist, xenophobic and anti-semitic acts of violence			
	5.1 Beschäftigungslücke (<i>economic activity gap</i>)	Als Indikator für eine unterschiedliche Erwerbsbeteiligung von Personen mit und ohne Migrationshintergrund wird die Beschäftigungslücke herangezogen. Diese wird im Folgenden gemessen als Differenz zwischen den Erwerbstätigenquoten der Bevölkerung mit Migrationshintergrund (und Untergruppen) und der Erwerbstätigenquote der Bevölkerung ohne Migrationshintergrund. <i>Economic activity gap relates to differences in economic activity between groups. It is measured here as the difference in economic activity between persons with and without migration background.</i>	Economic inclusion of migrants	Micro census plus administrative statistics	Annually	Employment and self-employment
	3.1 Personen ohne Schulabschluss (<i>Persons without graduation from a secondary school</i>)	Der Indikator stellt den Anteil der 18- bis unter 25-Jährigen dar, die nicht über einen Abschluss der Sekundarstufe I verfügen und sich nicht in Aus- oder Weiterbildung befinden. <i>The indicator is the proportion of 18 to under 25 youth that neither has graduated from a secondary school nor is in training</i>	Education	Micro census plus training statistics	Annually	Education and training
	6.2 Erwerbstätige mit einem Einkommen unterhalb der Armutsschwelle (<i>working poor</i>)	Der Indikator „Working Poor“ misst den Anteil der Erwerbstätigen mit einem Äquivalenzeinkommen unterhalb der Armutsrisikoschwelle.	Social inclusion	Micro census	Bi-annually	Social welfare

		<i>The indicator measures the equivalent income of working persons below the poverty line.</i>				
	1.3 Einbürgerungen (<i>naturalisation</i>)	<p>Mit diesem Indikator werden der Stand und die Entwicklung der Einbürgerung anhand der Zahl der Einbürgerungen im Verhältnis zur Zahl der Ausländerrinnen und Ausländer mit einer Aufenthaltsdauer von acht Jahren und mehr gemessen.</p> <p><i>The indicator measures the proportion of numbers of naturalisations in relation to numbers of foreigners who would be legally entitled to naturalise.</i></p>	Naturalisation	Naturalisation statistics and foreigners' register		Citizenship and rights, political participation
	5.1 Beschäftigungslücke (<i>economic activity gap</i>)	<p>Als Indikator für eine unterschiedliche Erwerbsbeteiligung von Personen mit und ohne Migrationshintergrund wird die Beschäftigungslücke herangezogen. Diese wird im Folgenden gemessen als Differenz zwischen den Erwerbstätigenquoten der Bevölkerung mit Migrationshintergrund (und Untergruppen) und der Erwerbstätigenquote der Bevölkerung ohne Migrationshintergrund.</p> <p><i>Economic activity gap relates to differences in economic activity between groups. It is measured here as the difference in economic activity between persons with and without migration background.</i></p>	Economic inclusion of migrants	Micro census plus administrative statistics	Annually	Employment and self-employment

	3.1 Personen ohne Schulabschluss (<i>Persons without graduation from a secondary school</i>)	Der Indikator stellt den Anteil der 18- bis unter 25-Jährigen dar, die nicht über einen Abschluss der Sekundarstufe I verfügen und sich nicht in Aus- oder Weiterbildung befinden. <i>The indicator is the proportion of 18 to under 25 youth that neither has graduated from a secondary school nor is in training</i>	Education	Micro census plus training statistics	Annually	Education and training
	6.2 Erwerbstätige mit einem Einkommen unterhalb der Armutsschwelle (<i>working poor</i>)	Der Indikator „Working Poor“ misst den Anteil der Erwerbstätigen mit einem Äquivalenzeinkommen unterhalb der Armutsrisikoschwelle. <i>The indicator measures the equivalent income of working persons below the poverty line.</i>	Social inclusion	Micro census	Bi-annually	Social welfare
	1.3 Einbürgerungen (<i>naturalisation</i>)	Mit diesem Indikator werden der Stand und die Entwicklung der Einbürgerung anhand der Zahl der Einbürgerungen im Verhältnis zur Zahl der Ausländerinnen und Ausländer mit einer Aufenthaltsdauer von acht Jahren und mehr gemessen. <i>The indicator measures the proportion of numbers of naturalisations in relation to numbers of foreigners who would be legally entitled to naturalise.</i>	Naturalisation	Naturalisation statistics and foreigners' register	Annually	Citizenship and rights, political participation
1	First illustrative example:	Stellung im Beruf – Arbeiterinnen und Arbeiter: Anteil der Arbeiterinnen/Arbeiter 2011 nach Migrationsstatus Status in employment – workers: Percentage of workers in 2011 by immigrant status	The occupational status according to migration background provides information about the positioning of the groups under consideration in the acquisition system. The proportion of civil servants can also be taken as an	Statistical Offices of the federal and state governments , microcensus	Annually	

			indicator of intercultural opening. In addition, self-employed, employee and workers are distinguished. An alignment of people with and without migration background in occupational status allows conclusions on the opening central professional positions and the reached level of professional qualification for people with an migration background.			
2	Second illustrative example:	Erwerbstätige im öffentlichen Dienst nach Migrationshintergrund: Erwerbstätige im öffentlichen Dienst 2011 nach Migrationshintergrund Employed in the public sector according to migration background: Employed in public service in 2011 by migration background	The public sector has in the integration of people with a migration background in the labor market a pioneering role. The proportion of people with a migration background in the population of working age should also be reflected in the employment in the public service.	Statistical Offices of the federal and state governments / microcensus	Annually	
	Indikatoren des Hessischen Integrationsmonitor 2013: Indicators of the Hessian Integration Monitor 2013:					Hessisches Integrationsmonitoring 2013 ³⁶³
1	Bevölkerungsstand Population size	The structure of the grup of people with a migration background or foreigners – eg. In terms of age – should be considered when interpreting the indicators, because	A1 Hessische Bevölkerung – Hessian population A2 Ausländische Bevölkerung in Hessen –	Microcensus, Central Register of Foreigners,	Annually	

³⁶³ Hessisches Ministerium der Justiz, für Integration und Europa (2014), Integration nach Maß – Der Hessische Integrationsmonitor 2013, http://www.integrationskompass.de/global/show_document.asp?id=aaaaaaaaaadgtv

		they can have an impact on social participation in various fields.	Foreign population in Hessen A3 Ausländische Bevölkerung nach Aufenthaltsstatus – Foreign population by immigration status A4 Einbürgerung - Naturalization	Naturalization statistics		
2	Zuwanderung Immigration	Only by integrating the potential of immigration can be unfolded. The integration of immigrants is particularly promising if they possess appropriate and demanded qualifications for the labor market. Immigration and integration should therefore not be considered separately.	Z1 Zu- und Fortzüge nach bzw. aus Hessen – Entries and exits to and from Hessen Z2 Staatsangehörigkeit der Zugewanderten – Nationality of immigrants Z3 Altersstruktur der Zugewanderten – Age distribution of immigrants Z4 Zuwanderung nach Aufenthaltszweck – Immigration to purpose of residence Z5 Zuwanderung zum Zweck der Erwerbstätigkeit – Immigration for employment purposes Z6 Berufliche Qualifikation von Neuzuwanderern – Professional qualifications of new immigrants Z7 Erwerbstätigenquote von Neuzuwanderern – Employment rate of new immigrants Z8 Zuwanderung zum Zweck des Studiums – Immigration for study purposes Z9 Zuwanderung aus familiären Gründen	Migration statistics, Central Register of Foreigners, Microcensus, University statistics, Asylum statistics (Asylgeschäftsstatistik), Landtag of Hessen, Regional Council Darmstadt, representative survey commissioned by the HMdJIE, Socioeconomic Panel, SOEP,	Annually	

			<p>(Ehegatten- und Familiennachzug) – Immigration for family reasons (spouse and family reunification)</p> <p>Z10 Asylzuwanderung – Asylum immigration</p> <p>Z11 Einstellung zu verschiedenen Zuwanderungsregelungen – Attitude to various immigration regulations</p> <p>Z12 Einschätzung der Fachkräftezuwanderung – Assessment of experts immigration</p> <p>Z13 Sorgen wegen Zuwanderung – Worried about immigration</p>			
3	Strukturelle Dimension Structural dimension	<p>Structural Integration means the participation of people with a migration background within the core structures of the host society. Education and work are regarded as key to integration. Education is a prerequisite for a successful participation in the labor market, and ist own work allows their own income, which can provide an independent life. Low income includes the risk of poverty. Public transfer payments are intended to prevent or reduce poverty.</p>	<p>B1 Frühkindliche Bildung: Betreuungsquote in Kindertageseinrichtungen – Early childhood education: attendance rate in child care centers</p> <p>B2 Frühkindliche Bildung: Kinder mit nichtdeutscher Familiensprache in Kindertageseinrichtungen – Early childhood education: Children with non-German family language in day care centers</p> <p>B3 Schulische Bildung: Schüler in der 8. Klasse nach Schulform – School education: Students in 8th grade by school type</p> <p>B4 Schulische Bildung: Schulentlassene – School Education: School leavers</p>	<p>Statistical Federal Breau, representative survey commissioned by the HmDJIE, School statistics, Vocational training statistics, University statistics, Socioeconomic Panel, SOEP, Microcensus, Statistical Federal Breau of</p>	Annually	

			<p>B5 Berufsqualifizierende Bildung: Ausbildungsbeteiligungsquote – Vocational training: training participation rate</p> <p>B6 Berufsqualifizierende Bildung: Auszubildende nach Ausbildungsbereichen – Vocational training: trainees by training sectors</p> <p>B7 Berufsqualifizierende Bildung: Studierende – Vocational training: students</p> <p>B8 Berufsqualifizierende Bildung: Weiterbildungsbeteiligung – Vocational training: participation in further training</p> <p>B9 Bildungsstand der Bevölkerung: Höchster allgemeinbildender Schulabschluss – Level of Education: Highest general education school leaving certification</p> <p>B10 Bildungsstand der Bevölkerung: Höchster beruflicher Abschluss – Level of Education: Highest vocational training</p> <p>B11 Erwerbstätigkeit: Erwerbsquote – Employment: Employment rate</p> <p>B12 Erwerbstätigkeit: Erwerbstätigenquote – Employment: Employment rate (different computation)</p>	Hessen, Unemployment statistics		
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			<p>B13 Erwerbstätigkeit: Einschätzung der Sicherheit des eigenen Arbeitsplatzes – Employment: Assessment of the safety of their own workplace</p> <p>B14a Beschäftigungsverhältnisse: Atypische Beschäftigung – Employment: Atypical employment</p> <p>B14b Beschäftigungsverhältnisse: Geringfügige Beschäftigung – Employment: Minimal employment</p> <p>B15 Beruflicher Status: Stellung im Beruf – Employment status: professional status</p> <p>B16 Beruflicher Status: Erwerbstätige im Öffentlichen Dienst – Employment status: Employed in the public sector</p> <p>B17 Beschäftigungslosigkeit: Erwerbslosenquote (ILO- Konzept) – Unemployment: Unemployment rate (ILO definition)</p> <p>B18 Beschäftigungslosigkeit: Arbeitslosenquote – Unemployment: Unemployment rate (different computation)</p> <p>B19 Einkommen, Armut, Transferabhängigkeit: Quelle des überwiegenden Lebensunterhalts – Income, poverty, benefit</p>		
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			<p>dependency: Source of overriding livelihood B20 Einkommen, Armut, Transferabhängigkeit: Nettoeinkommen von Familien – Income, poverty, benefit, dependency: Net income of families B21 Einkommen, Armut, Transferabhängigkeit: Armutsrisiko – Income, poverty, benefit dependency: Poverty risk B22 Einkommen, Armut, Transferabhängigkeit: Einstellung zur eigenen wirtschaftlichen Situation – Income, poverty, benefit dependency: Attitude to their own economic situation</p>			
4	Soziale Dimension Social dimension	The social dimension includes firstly the lifestyles of people. Secondly, it refers to the participation of immigrants in the host society, as it expresses itself in private life as in social contacts. These include structures of friends and partners choice of people with and without migration background, marriages as well as group memberships and club memberships.	<p>C1 Lebensformen: Zusammenleben in Privathaushalten – Way of life: living together in private households C2 Lebensformen: Kinderzahl je Frau – Way of life: number of children per woman C3 Lebensformen: Private Kontakte – Way of life: Private contacts C4 Gesundheit: Subjektives Gesundheitsempfinden – Health: Subjective health perception C5 Gesundheit: Gesundheitsförderndes Handeln – Health: Health promoting actions</p>	Microcensus, Statistical Federal Bureau of Hessen, Socioeconomic Panel SOEP, Police crime statistics, Conviction statistics	Annually	

			<p>C6 Bürgerschaftliches Engagement und politische Partizipation: Bürgerschaftliches Engagement – Civic engagement and political participation: Civic engagement</p> <p>C7 Bürgerschaftliches Engagement und politische Partizipation: Wahlberechtigte mit Migrationshintergrund – Civic engagement and political participation: Eligible voters with a migration background</p> <p>C8 Bürgerschaftliches Engagement und politische Partizipation: Politisches Engagement – Civic engagement and political participation: Political commitment</p> <p>C9 Kriminalität: Tatverdächtige – Crime: Suspects</p> <p>C10 Kriminalität: Verurteilte – Crime: Condemned</p>			
5	Kulturelle Dimension Cultural dimension	Acculturation of immigrants means growing into the host society as a result of „cultural contacts“. These include the acquisition of language, knowledge of the social and communication habits in the host society, the use of media and knowledge of the values and role models.	<p>D1 Sprachkompetenz Deutsch: Kenntnis der deutschen Sprache – German language skills: Knowledge of German</p> <p>D2 Sprachkompetenz Deutsch: Gebrauch der deutschen Sprache – German language skills: Use of the German language</p>	Socioeconomic Panel SOEP, representative survey commissioned by the HMdJIE	Annually	

			D3 Religion: Religionszugehörigkeit – Religion: Religious affiliation D4 Religion: Religiosität – Religion: Religiosity D5 Religion: Religionsausübung – Religion: Worship			
6	Identifikatorische Dimension Identification dimension	In simplified terms the identification dimension describes the belonging and emotional ties to the host country and society, and can be considered an essential part of successful integration.	E1 Gefühl der Zugehörigkeit: Lebensgefühl in Hessen – Sense of belonging: Attitude towards life in Hessen E2 Gefühl der Zugehörigkeit: Gefühl, Deutsche(r) zu sein – Sense of belonging: Feeling of being German E3 Gefühl der Ausgrenzung: Sorgen wegen Ausländerfeindlichkeit – Feeling of exclusion: Concerns about xenophobia E4 Gefühl der Ausgrenzung: Erfahrung von Benachteiligung aufgrund der Herkunft – Feeling of exclusion: Experience of discrimination based on origin	representative survey commissioned by the HMdJIE, Socioeconomic Panel SOEP	Annually	

Annex 5: Use of funding instruments

Table 1 - European Integration Fund (EIF) Budget allocation in €

European Integration Funds (EIF)															
EU-contributions bound to the member state (in EUR)															
Year	Total	Admin. and technical expenses	Type of measures												
			Pre-integration	Integration through education	Education opportunities for particular target-groups	Procedural preparation for the integration into the labour market	Procedural preparation for the integration into the labour market for particular target-groups	Integration through societal participation	Intercultural dialogue	Monitoring, evaluation and indication	Intercultural opening	Improvement and networking of the integration actors as well as the intercultural dialogue	Intercultural competence and capacity	Inclusion of the host society in the integration process	Communication and cooperation between member states
2010	13 555 625,66	980 787,35	910 715,74	522 925,46	1 712 540,57	329 090,02	649 406,66	1 685 628,10	4 458 921,37	305 065,86	-	-	68 099,60	1 932 444,93	0,00

2011	13 948 335,6 3	611 405,1 9	655 933,0 9	539 595,74	4 426 246,15	-	-	1 429 374,94	4 850 536,70	53 844,00	1 208 086,50	-	-	-	173 313,32
2012	16 620 585,2 9	702 546,0 0	708 066,1 2	851 590,38	4 736 077,67	-	-	1 335 345,70	6 000 577,93	118 768,35	1 871 552,16	-	-	-	296 060,98
2013	17 308 849,2 1	761 561,3 8	893 959,5 5	642 632,50	5 330 179,55	-	-	1 486 244,83	6 248 590,62	0,00	1 622 380,28	0,00	-	-	323 300,50

Table 2 - European Refugee Fund (ERF) aiming at integration of beneficiaries of international protection

European Refugee Funds (ERF)											
EU-contributions bound to the member state (in EUR)											
Year	Total	Administrative and technical expenses	Type of measures								
			Improvement of admission conditions	Improvement of admission conditions for asylum seekers in special need of protection	Improvement of integration conditions	Improvement of the integration conditions for refugees in special need of protection	Monitoring, evaluation and indication	Structural improvement in asylum politics, procedures, administration and jurisdiction	Improvement of the quality the german asylum process	Improvement of the capacity and the european asylum process	Measures for the resettlement of people in particular need of protection
2010	8 202 573,86	586 570,45	4 468 103,58	809 993,92	1 234 211,28	152 195,62	50 000,00	901 499,01	-	-	-
2011	9 154 257,90	385 818,54	3 111 853,81	4 772 004,83	556 739,35	118 368,05	0,00	209 473,32	-	-	-
2012	11 111 891,23	468 876,40	3 302 167,45	5 923 469,22	434 674,56	44 482,57	0,00	402 185,03	-	26 473,07	509 562,93
2013	13 162 015,76	550 828,84	3 290 110,60	7 304 807,51	807 972,01	193 364,04	45 970,44	338 000,00	60 000,00	20 962,32	550 000,00

Annex 7: Promising practices

Thematic area	Social cohesion and community relations
Title (original language)	Muslimische Gemeinden als kommunale Akteure
Title (EN)	Islamic Communities as Local Actors
Organisation (original language)	Goethe Institut
Organisation (EN)	Goethe Institute
Government / Civil society	Civil society
Funding body	Robert Bosch Foundation
Reference (incl. url, where available)	Evaluation ongoing by the efms, www.goethe.de/lhr/prj/daz/inf/ima/de10972080.htm?wt_sc=maka , www.bosch-stiftung.de/content/language1/html/47794.asp
Indicate the start date of the promising practice and the finishing date if it has ceased to exist	23 May 2013 (The project is planned to run for three years)
Type of initiative	Promotion of the social engagement of islamic communities
Main target group	Islamic organizations and communities
Indicate level of implementation: Local/Regional/National	Local level
Brief description (max. 1000 chars)	The project seeks to better integrate Islamic communities into the social context. Through a combination of various types of support the project intends to improve and facilitate the collaboration between communities and voluntary organisations. With this goal in mind, the project works to strengthen networks of these actors. The project offers a wide array of language courses and seminars about local topics. The participants have the right to participate in the selection of topics for these seminars, thereby strengthening long lasting ties with other participants. The participants from the Islamic communities thus function as "multipliers" by spreading the knowledge they gain and implementing the project in their communities. Additionally, the project

	is currently being evaluated by the European Forum for Migration Studies (efms).
Highlight any element of the actions that is transferable (max. 500 chars)	Language courses, seminars, conferences, evaluation
Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')	The project is planned to run for multiple years and during that time it will enable many members of the Islamic community to become "multipliers" who are able to spread the knowledge and experience they gain from the project for an extended period of time.
Give reasons why you consider the practice as having concrete measurable impact	The european forum for migration studies (efms) is presently conducting an impact evaluation of the measure. The efms uses different strategies of measuring the impact, e.g. Focus Group discussions with participants, feedback questionnaires for participants, expert interviews with participants. The combined analysis of these measurements allows for a reliable impact assessment.
Give reasons why you consider the practice as transferrable to other settings and/or Member States?	The project is currently taking place in five major German cities, which suggests that it should be transferable to major cities within other EU Member States.
Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice.	Beneficiaries (members of Islam communities) and stakeholders (members of migration/religion related municipal offices, NGOs and welfare organisations) are directly involved in all stages of the project: Both groups of actors participate in the measures, contribute to the design and implementation of the measure within a participatory process, e.g. by jointly agreeing on the topics that the training events should focus on and by contributing to the planning and conduction of these events, and are the subjects of the assessments in the course of the impact evaluation.
Explain, if applicable, how the practice provides for review and assessment.	The project is currently being evaluated through feedback forms and expert interviews. This evaluation will help develop recommendations for improvements to the project.

Thematic area	Social cohesion and community relations
Title (original language)	Interkulturelle Gärten
Title (EN)	Intercultural Gardens
Organisation (original language)	Stiftung Interkultur („Netzwerk interkulturelle Gärten“)

Organisation (EN)	Foundation anstiftung & ertomis (Network of Intercultural Gardens)
Government / Civil society	Civil Society
Funding body	Funding comes from each individual city where the garden is located and/or through private organizations foundations.
Reference (incl. url, where available)	http://anstiftung.de/urbane-gaerten/interkulturelle-gaerten-ig , www.suedost-ev.de/veroeffentlichungen/dok/laura_nosetti--Interkulturelle_Gaerten.pdf
Indicate the start date of the promising practice and the finishing date if it has ceased to exist	1996 in Göttingen (although some gardens had already existed before then in other cities). The concept originates from the USA where such gardens ('Community Gardens') have a long history.
Type of initiative	Promotion of intercultural encounters and improvement of intercultural relations through joint gardening activities
Main target group	Residents of Germany with or without a migration background
Indicate level of implementation: Local/Regional/National	Local Level
Brief description (max. 1000 chars)	The intercultural gardens are a location for interaction between migrants and Germans from a variety of social backgrounds. The gardens support the civic engagement of migrants and works to develop a new sense of the word "us." With each intercultural garden, the city uses a piece of nature to facilitate networks of people and the integration of refugees. Additionally, the gardens contribute a therapeutic location for trauma debriefing. The main goal of the gardens is the integration of migrants and refugees.
Highlight any element of the actions that is transferable (max. 500 chars)	People of different origins, including natives, attend to their own small vegetable and flower checks (around 25 m ²) in gardens established by the municipality in cooperation with local stakeholders and NGOs. There are no fences between neighbours; this is intended to encourage them to enter into exchange on gardening and on every day issues. The goal of this exchange is to get to know each other, to diminish fears of contact, to develop mutual tolerance and respect as well as some friendships. It is crucial that residents of surrounding areas are involved in the planning of these gardens and that substantial information is circulated about the nature of this project.
Give reasons why you consider the practice as sustainable (as	The project has existed and had positive impacts for nearly 20 years, which indicates that it has developed a sustainable approach.

opposed to 'one off activities')	
Give reasons why you consider the practice as having concrete measurable impact	The project has achieved a variety of goals: increased nature in urban environments, improved civic engagement, better immigrant integration, and increased acceptance of people from all backgrounds.
Give reasons why you consider the practice as transferrable to other settings and/or Member States?	The project exists throughout Germany, which suggests that it would be transferable to cities within other EU Member States.
Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice.	Beneficiaries are the gardeners and as such are directly part of the practice. With their gardening activities they are part of the implementation of the measure but to a lesser degree part of the planning as they are normally only become involved once the garden is in existence. In the planning and implementation stage, municipal and district stakeholders are involved, e.g. regarding the choice of the location of the piece of land to be used and regarding consultation and information campaigns among residents. For an evaluation, gardeners and involved stakeholders would normally be the subjects of measurements and assessments.
Explain, if applicable, how the practice provides for review and assessment.	Gardeners can quite easily be questioned and consulted about their perceptions of the measure and the possible impact on their own friendships and intercultural relations.

Thematic area	Social cohesion and community relations
Title (original language)	Nürnberg ist Bunt
Title (EN)	Nuremberg is Colourful
Organisation (original language)	Amts für Kultur und Freizeit (KUF)
Organisation (EN)	Office for Culture and Recreation
Government / Civil society	Municipal office
Funding body	Federal Office for Migration and Refugees, Council of Europe
Reference (incl. url, where available)	http://www.nuernberg-ist-bunt.de/
Indicate the start date of the promising practice and the	2013

finishing date if it has ceased to exist	
Type of initiative	Promotion of a positive perception of diversity and eradication of prejudice through different measures on the city level, e.g. public campaigns, workshops, trainings, streetart.
Main target group	Residents of Nuremberg with and without a migration background
Indicate level of implementation: Local/Regional/National	Local
Brief description (max. 1000 chars)	<p>The project offers workshops and trainings, help in the design and implementation of media campaigns, conceptual tips, contacts, and dissemination in the public space. The main goal is to support social cohesion. Through awareness raising and enlightenment work, the project works to facilitate a culture of mutual acceptance, where opposition is formed against prejudices about cultural diversity and effects of such prejudices such as discrimination.</p> <p>The project:</p> <ol style="list-style-type: none"> 1 communicates ways for people to positively handle prejudices in a diverse society. 2 shows the possibilities of a culturally diverse society 3 offers instruments to fight discrimination and racism 4 opposes prejudices against cultural diversity, immigration and immigrants by, for example, spreading information in innovative ways, using humour, and using personal contact.
Highlight any element of the actions that is transferable (max. 500 chars)	Public campaigns, workshops and diversity training of stakeholders can be transferred to a variety of locations, possibly with slight adaptations to match the local needs.
Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')	The trained stakeholders function as multipliers, attitudes of the public can be changed through the public campaigns.
Give reasons why you consider the practice as having concrete measurable impact	The practice is being evaluated by the efms. The efms uses a combination of assessments, e.g. Focus Group discussions, participatory observation, expert interviews, in order to analyse the impact.

Give reasons why you consider the practice as transferrable to other settings and/or Member States?	Public campaigns, workshops and diversity training of stakeholders can be transferred to a variety of locations, possibly with slight adaptations to match the local needs.
Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice.	Stakeholders (municipal and district actors, members of NGOs and civil society organisations) are directly involved in the planning and conduction of the practice. Some beneficiaries are involved in training measures and in some other activities, but the wider public is involved to a lesser degree.
Explain, if applicable, how the practice provides for review and assessment.	The conduction and short term impact of the practice can be assessed by questioning participants of training measures, whereas the long term effects are more difficult to assess.

Thematic area	Social cohesion and community relations
Title (original language)	EXIT-Deutschland
Title (EN)	EXIT-Germany
Organisation (original language)	EXIT-Deutschland
Organisation (EN)	EXIT-Germany
Government / Civil society	Civil society
Funding body	EXIT-Germany is financed through donations and by the German Federal Ministry of Family Affairs, Senior Citizens, Women and Youth.
Reference (incl. url, where available)	http://www.exit-deutschland.de/english/
Indicate the start date of the promising practice and the finishing date if it has ceased to exist	2000-Present
Type of initiative	
Main target group	People who seek to leave the right-wing extremist movement (mainly from highly radicalised milieus such as group leaders, terrorists, and/or party leaders).

Indicate level of implementation: Local/Regional/National	National
Brief description (max. 1000 chars)	EXIT-Germany helps individuals who want to leave the right-wing extremist movement. They arrange contacts, provide practical aid and consultation regarding personal safety, social problems, individual reappraisal, and what may not be feasible. Accordingly, EXIT-Germany aims to counter right-wing extremism and hate crime by helping people leave this scene. They challenge and counter extremist ideologies that reject the values of equality and mutual respect but actively engage the individual human being.
Highlight any element of the actions that is transferable (max. 500 chars)	The programme challenges and counters a broad range of right-wing extremist ideologies, which suggests that the approach may be effective in settings where any type of right-wing extremism exists.
Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')	The programme has effectively addressed right-wing extremism for 15 years in Germany, which indicates that it has developed a sustainable approach.
Give reasons why you consider the practice as having concrete measurable impact	The German government has recently completed a comparative study between EXIT-Germany and the de-radicalisation program of the Office for the Protection of the Constitution (German Internal Intelligence Service), which are the only two projects working nationwide to reduce right-wing extremism, and found that EXIT-Germany achieved a far better success rate (lower recidivism) and an almost four times higher overall number of received and handled cases.
Give reasons why you consider the practice as transferrable to other settings and/or Member States?	The programme has proven to be effective throughout Germany, which – because of Germany's diversity – suggests that it would be transferrable to other Member States.
Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice.	
Explain, if applicable, how the practice provides for review and assessment.	

Thematic area	Social cohesion and community relations
Title (original language)	Interkulturelle Woche
Title (EN)	Intercultural Week
Organisation (original language)	Deutschen Bischofskonferenz (DBK), der Evangelischen Kirche in Deutschland (EKD) und der Griechisch-Orthodoxen Metropolie
Organisation (EN)	German Bishops' Conference, Evangelical Church in Germany, Greek Orthodox Metropolis
Government / Civil society	Civil society
Funding body	The programme is financed by churches, municipalities, charities, labour unions, advisory boards on integration, migrant organisations, and initiative groups.
Reference (incl. url, where available)	http://www.interkulturellewoche.de/
Indicate the start date of the promising practice and the finishing date if it has ceased to exist	1975-Present
Type of initiative	Large scale public event for the celebration of interculturality and diversity in over 500 German cities
Main target group	Residents of Germany with and without a migration background
Indicate level of implementation: Local/Regional/National	National
Brief description (max. 1000 chars)	During "Intercultural Week" there are around 5,000 presentations and events designed to encourage intercultural dialogue in more than 500 cities. Every year the ecumenical preparatory committee (Ökumenischen Vorbereitungsausschusses) – which is made up of members of 15 churches and up to six members of other institutions – recommends points of emphasis for the intercultural week. The website of the ecumenical preparatory committee publicises the programmes planned in each locality. The website also presents good practice examples of local intercultural weeks.
Highlight any element of the actions that is transferable (max. 500 chars)	Aspects of the programme that are likely transferable are the diverse range of stakeholders and local control over the programme activities.

<p>Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')</p>	<p>The programme has existed since 1975, which suggests that is a sustainable approach.</p>
<p>Give reasons why you consider the practice as having concrete measurable impact</p>	<p>The fact that the programme has existed for 40 years and has spread to more than 500 cities throughout Germany indicates that it has facilitated intercultural dialogue on a large scale.</p>
<p>Give reasons why you consider the practice as transferrable to other settings and/or Member States?</p>	<p>The programme now takes place in more than 500 cities throughout Germany, which suggests that it is likely also transferable to other Member States.</p>
<p>Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice.</p>	
<p>Explain, if applicable, how the practice provides for review and assessment.</p>	

Annex 8: Discrimination complaints submitted to Equality Bodies

Table 3 – Numbers of discrimination cases on any ground submitted by third country nationals (TCNs) in 2014*

Number of cases (report the 10 Largest nationality group that submitted a complaint by the end of 2014)**	Grounds								
	Racial or ethnic origin	Nationality (where applicable)	Race / skin colour	Religion / faith/ belief	disability	gender	Sexual orientation / gender identity	age	other
African (26)	25					1			
Asian (14)	13				1				
Arabic (30)	30								
East European (49)	48						1		
Turkish (40)	37			3					
Other EU Member States (41)	40							1	

* Provide data for 2013 if 2014 not available by March 2015,

** The Annex was completed by the Federal Anti-Discrimination Agency (*Antidiskriminierungsstelle des Bundes*), that only distinguish between African, Asian, Arabic, East European, Turkish and other EU Member States. No further distinction between third country nationals. No data is available for Table 2.

Annex 9: Case law – max 5 leading cases

<p>1 - Thematic area</p>	<p>Promoting equal treatment and non-discrimination - 2.3 Key developments and trends – AGG Discrimination in the housing market</p>
<p>Decision date</p>	<p>19.12.2014</p>
<p>Reference details</p>	<p>District Court Tempelhof-Kreuzberg (Amtsgericht Tempelhof- Kreuzberg) 25 C 357/14</p>
<p>Key facts of the case (max. 500 chars)</p>	<p>The claimant with a Turkish migrant background was living in tenancy from 01 January 2000 – 31 October 2010. The respondent was registered on 26 January 2010 as the new owner of a residential complex of 44 apartments. Until 28 February 2010 the net rent (not including utilities) was 5,33 €/m². In a declaration from 10 February 2010 the respondent has increased the net rent up to 7,04 €/m² to go into effect on 01 March 2010. The claimant received the right for a termination till 19 March 2010.</p> <p>The claimant and 6 other tenants made use of the right to termination. The tenancy has been continued. By letter dated 15 April 2010 the respondent has increased the net rent up to 9,62 €/m², only for the apartment of the claimant and two other parties. At this time the apartment of the claimant did not differ from the other apartments.</p> <p>By a letter from a lawyer from 14 June 2010, the claimant has called the despondent to withdraw the rent increase from 15 April 2010 and claimed for compensation in accordance with §21 par. 2 General Act on Equal Treatment (Allgemeines Gleichbehandlungsgesetz, AGG). The despondent has refused the demands. On 07 July 2010 the despondent takes action in order to evict the apartment of the claimant.</p>
<p>Main reasoning/argumentation (max. 500 chars)</p>	<p>After the rent increase 17 tenats of 32 has terminated their rent contract. 13 of the 17 parties had a Turkish or Arab migrant background. None of the new tenants from 11 September 2011 had a Turkish or migrant background. The claimant argued that the second rent increase and the reactions of the respondent in regard to the refused request, concerning the extension of a eviction deadline, was a violation of general personal rights as well as a case of discrimination in accordance with the General Act on Equal Treatment (Allgemeines Gleichbehandlungsgesetz, AGG).</p> <p>In regards to the rent increase from 15.04.2010 as well as the refused extension of an eviction deadline, the respondent has</p>

	committed a violation concerning the prohibition of discrimination on grounds of ethnic origin in accordance with §19 par. 2 General Act on Equal Treatment (Allgemeines Gleichbehandlungsgesetz, AGG).
Key issues (concepts, interpretations) clarified by the case (max. 500 chars)	A case of direct discrimination in accordance with §3 par. 1 General Act on Equal Treatment (Allgemeines Gleichbehandlungsgesetz, AGG) is given where one person is treated less favourably than another is treated in a comparable situation on any of the grounds that are mentioned under § 1 AGG, including discrimination on grounds of ethnic origin. Due to the rent increase from 15 April 2010 the claimant has determined that he was treated less favourably, because 2 other tenants in a "comparable situation" in regard to the size, the number of rooms as well as the equipment of the apartments, did not receive a rent increase.
Results (sanctions) and key consequences or implications of the case (max. 500 chars)	The respondent was convicted to pay a compensation of €15.000. The compensation should not only contribute for the satisfaction the victim and prevention but also aims at having a deterrent effect.
Key quotation in original language and translated into English with reference details (max. 500 chars)	<i>"Für eine überwiegende Wahrscheinlichkeit des Beruhens der Ungleichbehandlung auf der türkisch-orientalischen Herkunft spricht neben den übrigen vorgetragenen Umständen ganz entscheidend, dass von allen damaligen Bewohnern der Häuser 5 und 5a, deren Mietverhältnisse ungekündigt bestanden, neben den Kläger nur noch Mietparteien xy und xy beide ebenfalls nicht-europäischer Herkunft, ebenfalls eine Mieterhöhung erhielten, nicht hingegen die Mietparteien deutscher oder mitteleuropäischer Herkunft"</i> ³⁶⁴ <i>„The indication of the unequal treatment on grounds of the Turkish- oriental background is based, beside the facts already presented, especially on the fact that the tenants at this time of House 5 and 5a, with an continued and untermiated rental contract, only two further parties also with a non-European background, have received a rent increase, whereas the other parties of German or mid-European background did not"</i>

2 - Thematic area	Promoting equal treatment and non-discrimination - 2.3 Key developments and trends – Racial Profiling
Decision date	23 October 2014
Reference details	Administrative Court Koblenz (Verwaltungsgericht Koblenz) 1 K 294/14.KO
Key facts of the case	The two claimants possess the German citizenship and were on board a regional train from Mainz to Cologne. During their

³⁶⁴ Germany, District Court (Amtsgericht), Tempelhof-Kreuzberg/25 C 357/14, 19 December 2014.

<p>(max. 500 chars)</p>	<p>journey, police officers got on the train and asked the claimants to show their passports and carried out an identity control. Apart from this check, no other measures were taken by the police in this train. Thus, the claimants suppose that the reason for this police stop was their dark skin colour.</p> <p>The court decided in favour of the claimants and concluded that the substantial privacy rights provided by the German Constitutional Law (<i>Grundgesetz</i>, GG) were violated because no sufficient reasons existed that could have indicated an illegal crossing of borders by the claimants.</p>
<p>Main reasoning/argumentation (max. 500 chars)</p>	<p>The court did not base its decision on the Equal Treatment Law (<i>Allgemeines Gleichbehandlungsgesetz</i>, AGG) but emphasized the importance of the personality rights in the constitutional law (Article 2 (1) in connection with Article 1 (1) GG). Even if the Administrative Court agreed with the general necessity to monitor and prevent unauthorised border crossings it was reasoned that the trains and other means of transport have to be operated in the immediate cross-border territory to justify checks of the police without a clear suspicion which was not the case in the respective situation.</p>
<p>Key issues (concepts, interpretations) clarified by the case (max. 500 chars)</p>	<p>The court clarified that special requirements need to be fulfilled in order to carry out police checks without a clear suspicion. Otherwise they are outweighed by the personality rights guaranteed in the Constitutional Law.</p>
<p>Results (sanctions) and key consequences or implications of the case (max. 500 chars)</p>	<p>The judgement on the case might have fundamental implications because the judges stated that police officers who are searching for illegal immigrants do not have the right to carried out checks in trains which do not cross any German border. However, the case was decided at a lower court, higher courts have not been in charge with similar decisions on this specific issue yet.</p>
<p>Key quotation in original language and translated into English with reference details (max. 500 chars)</p>	<p><i>"Damit verkennt die Beklagte [die Bunderepublik Deutschland, vertreten durch den Leiter der Bundespolizeidirektion] jedoch, dass es für Zugkontrollen nicht ausreicht, dass die benutzte Zugstrecke von ‚Schleusern‘ genutzt wird, sondern der Zug, in dem die Personenkontrolle erfolgt, muss zur unerlaubten Einreise genutzt werden. Ein regionaler Zug, der seinen Ausgangs- und Endpunkt im Bundesgebiet hat und bei dessen Fahrt weder Flug- oder Seehäfen passiert werden, noch Grenzen zu anderen Staaten erreicht oder überschritten werden können, kann indes von vornherein nicht im Sinne dieser Vorschrift zur unerlaubten Einreise genutzt werden."</i>³⁶⁵</p> <p><i>"Thereby the defendant [the Federal Republic of Germany, represented by the head of the Federal Police Headquarters] misjudges the fact, that the utilisation of a train connection by 'traffickers' is not a sufficient precondition for a train control, but the train, in which the identity checks are performed have to be utilised for unauthorized immigration. A local train, whose starting</i></p>

365 Germany, Administrative Court (*Verwaltungsgericht*), Koblenz/ 1 K 294/14.KO, 23 October 2014.

	<i>and end point are both in the territory of the Federal Republic of Germany and which does not leave the territory during its operation or does not pass airports, harbours or passes or crosses the German border, cannot be used for an unlawful entry.”</i>
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3 - Thematic area	Promoting equal treatment and non-discrimination – 2.3 Key developments and trends – headscarf ban
Decision date	27 January 2015
Reference details	Federal Constitutional Court (<i>Bundesverfassungsgericht</i>) - 1 BvR 471/10 - - 1 BvR 1181/10 -
Key facts of the case (max. 500 chars)	<p>The case was concerned with two constitutional complaints of two women, teacher and a social pedagogue, with a Muslim faith wearing a headscarf (alternatively a wool cap) at public school and who received a warning and a dismissal. Both women have taken action against the headscarf ban of the state law of North Rhine- Westphalia §57 par. 4.</p> <p>The Federal Court (<i>Bundesverfassungsgericht</i>) has ruled that banning teachers from wearing headscarves is unconstitutional. The decision will also apply to other federal states which have headscarf bans.</p>
Main reasoning/argumentation (max. 500 chars)	<p>The judicial regulations of §57 par. 4 sentence 3 education act (<i>Schulgesetz North Rhine- Westphalia, SchulG NW</i>), would be against the constitution, because it bans religious clothes of Muslims but not of Christians. This would be at the same time an unequal treatment on grounds of Religion. Furthermore, by allowing habit and kipa as an expression of Christian and Western educational and cultural values, the legislator of the federal state has rather regulated individual convictions than regulating the curricular (par. 42).</p> <p>In addition, the unequal treatment could not be justified in accordance with §8 General Act on Equal Treatment (<i>Allgemeines Gleichbehandlungsgesetz, AGG</i>).</p>
Key issues (concepts, interpretations) clarified by the case (max. 500 chars)	<p>The protection of school peace and neutrality of the state, mentioned as regulations of the education act of North Rhine- Westphalia (<i>Schulgesetz North Rhine- Westphalia, SchulG NW</i>), are not directly objects of legal protection (<i>Rechtsgüter</i>) by the constitution. These are rather objectives in order to achieve a balance with other constitutional legal interests (par. 45).</p> <p>Concerning the endangerment of school peace and neutrality of the state, the legislator of the state has made his decision on an abstract and general prediction of future danger (par. 46).</p>

<p>Results (sanctions) and key consequences or implications of the case (max. 500 chars)</p>	<p>The freedom of wearing a headscarf at public schools is covered and therefore guaranteed by the fundamental right to faith, conscience and creed (Art. 4 par. 1 and 2 of the basic law (<i>Grundgesetz, GG</i>)) (par. 83). In addition, the prohibition of wearing a headscarf is a serious interference into individual fundamental right to freedom of faith (par. 44).</p> <p>In case of banning religious expressions by laws, in order to guarantee neutrality of the State and school peace, this has to apply to all faiths.</p> <p>The General Act on Equal Treatment (<i>Allgemeines Gleichbehandlungsgesetz, AGG</i>) does not apply here.</p>
<p>Key quotation in original language and translated into English with reference details (max. 500 chars)</p>	<p><i>„Ein Verbot religiöser Bekundungen durch das äußere Erscheinungsbild, das bereits die abstrakte Gefahr einer Beeinträchtigung des Schulfriedens oder der staatlichen Neutralität ausreichen lässt, ist im Blick auf die Glaubens- und Bekenntnisfreiheit der Pädagogen jedenfalls unangemessen und damit unverhältnismäßig, wenn die Bekundung nachvollziehbar auf ein als verpflichtend empfundenen religiöses Gebot zurückführbar ist. Erforderlich ist vielmehr eine hinreichend konkrete Gefahr.“</i> ³⁶⁶ (par. 80)</p> <p><i>„The ban of religious avowals through outward appearance, that is reasoned on an abstract endangerment in having a negative impact on school peace and neutrality of the State, is in regard to freedom of faith and creed for pedagogues, disproportionate and unreasonably, as long as the religious avowals can be explained as an compulsory feeling of a religious duty. What is rather needed is a sufficient and a concrete endangerment.“</i></p>

<p>4 - Thematic area</p>	<p><i>Doppelte Staatsangehörigkeit – Dual citizenship</i></p>
<p>Decision date</p>	<p>03.07.2014</p>
<p>Reference details</p>	<p>Staatsangehörigkeitsgesetz (StAG)</p>
<p>Key facts of the case (max. 500 chars)</p>	<p>Abolition of the <i>Optionspflicht</i> (choice obligation law) for citizens who were born and raised in Germany.</p>
<p>Main reasoning/argumentation (max. 500 chars)</p>	<p>Persons born in Germany have to fulfil one of the following criteria to count as “raised in Germany”:</p> <ol style="list-style-type: none"> 1 Have been a resident in Germany for eight years or more 2 Have gone to a school in Germany for six years or more 3 Have acquired a school leaving certificate or a vocational education in Germany

³⁶⁶ Germany, Federal Constitutional Court (*Bundesverfassungsgericht*), 1 BvR 471/10 and 1 BvR 1181/10, 27 January 2015

Key issues (concepts, interpretations) clarified by the case (max. 500 chars)	Children with two nationalities, both German and that of the parents, had to choose one nationality by the age of 23. This was a counter-productive measure for the integration of long-time residents with migration background.
Results (sanctions) and key consequences or implications of the case (max. 500 chars)	Citizens, who were born and raised in Germany, but have parents with migration background, no longer have to choose between the German or nationality of their parents. Former citizens who have lost the German citizenship prior to the ruling and were born after 1990, can request a formal re-naturalisation of the German citizenship.
Key quotation in original language and translated into English with reference details (max. 500 chars)	<p><i>„In Deutschland geborene und aufgewachsene Kinder ausländischer Eltern sollen die deutsche Staatsangehörigkeit in Zukunft nicht mehr verlieren können. Für sie, die in der Regel enge Bindungen an Deutschland entwickelt haben, soll die Optionspflicht künftig ersatzlos entfallen“</i>³⁶⁷</p> <p>Children born and raised in Germany to foreign Parents will, in the future, not lose German citizenship. Henceforth and without substitution, the choice obligation law will not apply to those who fulfil the requirements for having developed a connection to Germany</p>

5 - Thematic area	Classification of safe countries of origin.
Decision date	31.10.2014 - <i>Bundestag</i>
Reference details	Law for further classification of nations as safe countries of origin and the easement of access to the labour market for asylum seekers and tolerated residents.
Key facts of the case (max. 500 chars)	New classification of safe countries of origin for asylum applications.
Main reasoning/argumentation (max. 500 chars)	Unfounded asylum applications are a costly and time consuming procedure for the federation, federal states and municipalities. Countries such as Bosnia and Herzegovina, Macedonia and Serbia are deemed as safe countries of origin and therefore not entitled to asylum in Germany.
Key issues (concepts, interpretations) clarified by the	Since the abolition of the visa requirement for citizens from Bosnia and Herzegovina, Macedonia and Serbia, Germany has experienced an abrupt increase in asylum applications from those countries. These applications make up more than one quarter of all asylum applications in Germany ³⁶⁸ .

³⁶⁷ Germany, Printed Matter of the German Federal Parliament (*Drucksache des Deutschen Bundestages*) (2014): Drucksache des Deutschen Bundestages 18/1312 vom 05. Mai 2014. Entwurf eines Zweiten Gesetzes zur Änderung des Staatsangehörigkeitsgesetzes, p. 8.

³⁶⁸ Germany, Printed Matter of the German Federal Parliament (*Drucksache des Deutschen Bundestages*) (2014): Drucksache des Deutschen Bundestages 18/1528 vom 26. Mai 2014. Entwurf eines Gesetzes zur Einstufung weiterer Staaten

case (max. 500 chars)	High costs and workloads for administrative authorities, due to prolonged stays and long idle times of unfounded asylum applicants from the mentioned safe countries of origins, are supposed to be decreased by this law.
Results (sanctions) and key consequences or implications of the case (max. 500 chars)	The classification of Bosnia and Herzegovina, Macedonia and Serbia as safe countries of origin, helps to process unfounded asylum applications from these nations faster and reduce the stay in Germany of these applicants. Unfounded asylum applications from safe countries no longer require as much time and effort as previously.
Key quotation in original language and translated into English with reference details (max. 500 chars)	<p><i>„Mit dem Regelungsvorhaben sollen [...] Mazedonien, Serbien sowie Bosnien und Herzegowina als sichere Herkunftsstaaten nach § 29a des Asylverfahrensgesetzes (AsylVfG) eingestuft werden. Dadurch sollen Asylverfahren von Antragstellern aus diesen Staaten schneller bearbeitet und der Aufenthalt dieser Antragsteller bei Ablehnung schneller beendet werden können.“³⁶⁹</i></p> <p>With this legislation, Macedonia, Serbia and Bosnia and Herzegovina will be classified as safe countries of origin according to §29a of the asylum procedure law (AsylVfG). Thereby the processing time of asylum applications from those countries and the duration of stay of rejected applicants will be reduced.</p>

6 - Thematic area	Facilitation of access to the labour market for asylum seekers and tolerated residents.
Decision date	31.10.2014 - <i>Bundestag</i>
Reference details	Law for further classification of nations as safe countries of origin and the facilitation of access to the labour market for asylum seekers and tolerated residents.
Key facts of the case (max. 500 chars)	The law aids successful asylum seekers and tolerated residents to integrate into the labour market sooner after arrival.
Main reasoning/argumentation (max. 500 chars)	Asylum seekers and tolerated residents should be granted easier and faster access to the labour market, to cut costs for asylum benefits (<i>Asylbewerberleistungsgesetz</i>). Asylum seekers should be able to pursue financial independence as quickly as possible ³⁷⁰ .

als sichere Herkunftsstaaten und zur Erleichterung des Arbeitsmarktzugangs für Asylbewerber und geduldete Ausländer, p. 19.

369 Germany, Printed Matter of the German Federal Parliament (*Drucksache des Deutschen Bundestages*) (2014): Drucksache des Deutschen Bundestages 18/1528 vom 26. Mai 2014. Entwurf eines Gesetzes zur Einstufung weiterer Staaten als sichere Herkunftsstaaten und zur Erleichterung des Arbeitsmarktzugangs für Asylbewerber und geduldete Ausländer, p. 19.

370 Germany, Printed Matter of the German Federal Parliament (*Drucksache des Deutschen Bundestages*) (2014): Drucksache des Deutschen Bundestages 18/1528 vom 26. Mai 2014. Entwurf eines Gesetzes zur Einstufung weiterer Staaten als sichere Herkunftsstaaten und zur Erleichterung des Arbeitsmarktzugangs für Asylbewerber und geduldete Ausländer.

<p>Key issues (concepts, interpretations) clarified by the case (max. 500 chars)</p>	<p>High costs and workloads for administrative authorities, due to prolonged stays and longer idle times of asylum applicants, will be reduced with this law. Successful asylum applicants and tolerated residents will be granted access to the labour market sooner after arrival, which will help with the integration process reduce asylum benefit costs.</p>
<p>Results (sanctions) and key consequences or implications of the case (max. 500 chars)</p>	<p>The law reduces the time asylum seekers and tolerated residents have to wait before being permitted to seek employment, from nine to three months. This allows faster independence from the <i>Asylbewerberleistungsgesetz</i> and self-sustainability during their application process.</p>
<p>Key quotation in original language and translated into English with reference details (max. 500 chars)</p>	<p><i>„Die Wartefrist, nach der die Ausübung einer Beschäftigung grundsätzlich erlaubt werden kann, wird für Asylbewerber und Ausländer, die eine Duldung besitzen, auf drei Monate verkürzt.“³⁷¹</i> The waiting period, after which asylum seekers are generally permitted to take up employment, will be reduced for asylum applicants, and foreigners who hold tolerated residency, to three months.</p>

371 Germany, Printed Matter of the German Federal Parliament (*Drucksache des Deutschen Bundestages*) (2014): Drucksache des Deutschen Bundestages 18/1528 vom 26. Mai 2014. Entwurf eines Gesetzes zur Einstufung weiterer Staaten als sichere Herkunftsstaaten und zur Erleichterung des Arbeitsmarktzugangs für Asylbewerber und geduldete Ausländer, p. 2.