

Germany

Germany was a country of emigration in the 19th and first half of the 20th century. Since the mid-1950s, however, Germany has become one of the most important European destinations for migrants. The recruitment of guest workers, the influx of (*Spät-*)*Aussiedler* (ethnic Germans from Eastern Europe and the former Soviet states), as well as the reception of asylum-seekers have led to the growth of the immigrant population in the country.

Since the beginning of the 1990s, when the immigration of asylum-seekers and *Aussiedler* reached its peak, immigration and integration have become important and highly contested topics in domestic policy discussions. Important policy developments since then include:

- the “asylum compromise” of 1993, which amended the German constitution to allow for limitations on access to political asylum;
- a new Nationality Act, which came into effect in January 2000;

Background information

Capital: Berlin

Official language: German

Area: 357,027 km²

Population (2005): 82,437,995

Population density: 231 inhabitants per km²

Population growth (2004-2005): -0.1 %

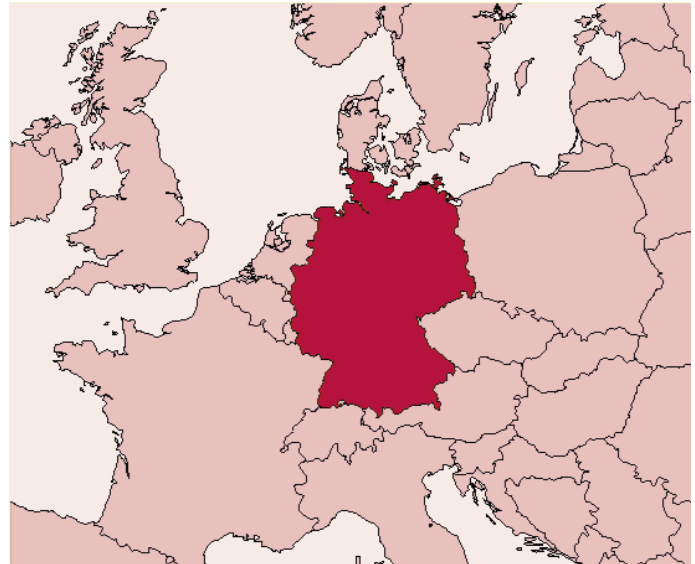
Labour force participation rate (2005): 73.8% (OECD)

Foreign population as a percentage of total (2006): 8.2% (6,751,002 people)

Percentage of foreign employees among gainfully employed (2004): 9.1% (OECD)

Unemployment rate: 11.3% (2005); 10.4% (2004); 9.4% (2003) (OECD)

Main religions: 26,466,000 Catholics (2002), 26,211,000 Protestants (2002), 3,200,000 Muslims (2001), 935,000 Orthodox Christians (1999), 383,000 New Apostolic Church, 164,000 Jehovah's Witnesses (2001), 100,000 Jews (2002) (according to the individual religious communities)



- the introduction in 2000 of a “Green Card” system aimed specifically at recruiting IT professionals;
- the protracted process of adopting the Immigration Act, which came into force in January 2005.¹

The issue of immigrant integration has also become highly topical in recent years. Two events exemplify this. First, the PISA study² of 2001 brought to light the weaknesses of the German education system and, in particular, the difficulties experienced by pupils with an immigrant background. Second, the terrorist attacks of 11th September 2001 brought questions of security and the integration of Muslim immigrants into the foreground. In 2006, the cartoon dispute in Denmark, the failed suitcase-bomb attempts in Germany, the reactions to the Pope's talk at the University of Regensburg and the temporary suspension of a Mozart opera³ in Berlin inspired and accompanied the debate as to whether and how the “naturalisation of Islam” was possible in the context of Germany's liberal and democratic fundamental order.

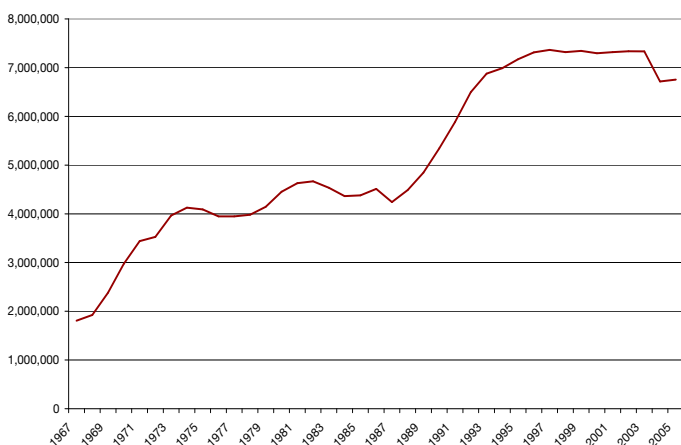
In addition, immigration plays an important role in the debate about the consequences of demographic development. Here, the question arises as to how far immigration can counteract the consequences of an ageing population and the associated economic repercussions.⁴ Also forming part of this debate is how the potential of migrants already living in the country, and of the second generation who were born there, might be put to better use and promoted.

Developments since the Second World War

Displaced persons, refugees and Übersiedler

Between 1945 and 1949, around 12 million displaced persons and refugees entered the territories of East and West Germany. From the foundation of the German Democratic Republic (GDR) in 1949 until the Berlin Wall was built in 1961, 3.8 million people relocated from the GDR to the Federal Republic of Germany (FRG).

Figure 1: Development of foreign population



Source: Federal Statistical Office Germany

Foreign workers and their families

During this period, the Federal Republic concluded its first bilateral agreement on labour recruitment (*Anwerbeabkommen*) with Italy (1955). The agreement was necessitated by the fact that the Federal Republic was experiencing rapid economic growth while simultaneously suffering from labour shortages. Similar agreements followed with Spain (1960), Greece (1960), Turkey (1961) and Yugoslavia (1968).

In 1968, there were 1.9 million foreigners living in the Federal Republic, one million of whom were employed. Within five years, up to the cancellation of the labour recruitment agreements (*Anwerbestopp*) in 1973, the number of employed foreigners reached its highest level to date at 2.6 million. The largest groups at that time were from Turkey (605,000), Yugoslavia (535,000), Italy (450,000), Greece (250,000) and Spain (190,000).

Over the same period, the total number of foreigners increased to four million, more than double the figure from 1968. The disparity between the number of foreign employees and the total foreign population has widened steadily since the beginning of the 1960s.

Initially, policy-makers and the public did not envisage the permanent immigration of foreign workers; on the contrary, the workers were expected to go back to their home country after a limited period of stay. However, this so-called “rotation model” met with resistance from a number of quarters. From the outset, employers complained that they had to continuously train new workers. In response to this, residence permit renewal was made easier in 1971. The residency status of the “guest work-

ers” was thereby strengthened, and many brought over their families. The rights of foreign workers in West Germany were also expanded by a series of constitutional rulings in the 1970s and 1980s, which awarded many a status that allowed access to employment irrespective of labour market conditions. By May 1972, 40% of all “guest workers” residing in Germany (900,000 people) had benefited from this improved legal status, including 400,000 Italians, who were also members of an EEC-country.⁵

The GDR also began recruiting so-called “contract workers” in the 1960s. To this end, it concluded agreements with other socialist states, including Poland (1965), Hungary (1967), Mozambique (1979) and Vietnam (1980). While the main focus of these agreements was initially on the provision of education and training for workers, this recruitment later served primarily to cover labour shortages. However, the GDR concentrated more rigorously on limiting periods of residency than the Federal Republic did, as it wanted to avoid any “creeping integration”. At the end of 1989, about 190,000 foreigners were resident in the GDR; around 90,000 were “contract workers”, of whom roughly 60,000 were from Vietnam.⁶

Since the end of the 1980s, the temporary employment of foreign workers, including contract employees, seasonal workers and showman’s assistants has once again assumed a significant role. In 2005, 320,383 permits were granted to seasonal workers and showman’s assistants. The average number of contract employees in 2003 was 43,804; the decline in this figure to 21,916 in 2005 is, above all, attributable to Central and East European states joining the European Union. Since that time, people from these states have been able to offer their services in certain economic sectors independently of bilateral labour contract agreements.

The so-called Green Card also served to recruit manpower for a limited period (five years). Between 1st August 2000 and the 31st December 2004, 17,931 work permits were granted to foreign professionals in the information technology (IT) sector, of which 13,041 were actually taken up.

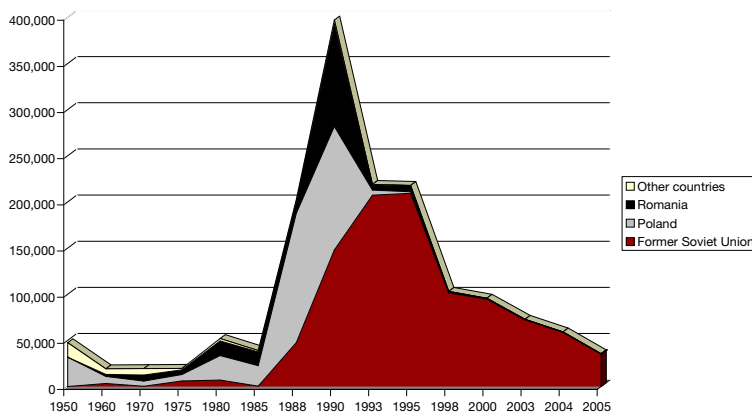
(Spät-)Aussiedler

Alongside labour recruitment, (*Spät-)Aussiedler* were a further important source of immigration. (*Spät-)Aussiedler* are ethnic Germans, so-called repatriates, from Central and Eastern Europe as well as the former Soviet Union.⁷ Between 1950 and 1987, 1.4 million *Aussiedler* came to Germany, primarily from Poland and Romania. As with the number of asylum-seekers (see below), the number of *Aussiedler* immigrating in subsequent years increased enormously, reaching a peak in 1990 at 397,000.

Between 1988 and 2005 a total of three million people entered Germany by this means. However, the number of *Spät-aussiedler* arriving annually has declined since the mid 1990s. Among other reasons, this is because of legislative measures such as the introduction of an annual quota system and the obligation to prove fluency in German before entering the country. In 2005, 35,522 *Spätaussiedler* were counted entering the country.⁸ Since 2005, accompanying family members have also been required to prove fluency in German.

(*Spät-)Aussiedler* and their descendants play a somewhat subordinate role in the political and public debate on integra-

Figure 2: Inflows of (Spät-)Aussiedler 1950–2005, by country of origin



Source: German Federal Office of Administration

tion, although these are in fact migrants who, like other immigrant groups, are confronted by integration problems in education and within the labour market.

Immigration Flows

Immigration statistics for 2005 reveal a total influx of 579,301 foreigners into Germany, while the outflow of foreigners was 483,584 (net migration: + 95,717). Polish citizens constituted the largest group of foreigners entering the country (147,716), followed by citizens of Turkey (36,019) and Romania (23,274).⁹

The Resident Foreign Population

The foreign population includes all persons who are not German citizens, in other words, persons who do not hold a German passport.

Figure 3: Foreign population as of 31st December 2006, 10 most common citizenships

Citizenship	Total
Turkish	1,738,831
Italian	534,657
Polish	361,696
Serbian-Montenegrin ¹⁰	316,823
Greek	303,761
Croatian	227,510
Russian	187,514
Austrian	175,653
Bosnian-Herzegovinian	157,094
Ukrainian	128,950

Source: German Federal Statistical Office

In 1968 the resident foreign population numbered 1.9 million. In the following five years, until foreign worker recruitment was stopped in 1973, this figure increased to four million. In the 1970s, the number of foreigners remained relatively constant; thereafter, until 1989, it rose to 4.9 million. Subsequently, the number of foreigners increased further; it has remained constant at 7.3 million since the mid-1990s. The decline to 6.7 million in 2004 is primarily due to an adjustment of the central register of foreigners. At the end of 2006, there were 6,751,002 foreigners living in Germany, corresponding in percentage terms to 8.2% of the total population. This figure also includes 1.4 million foreign nationals who were born in Germany.

Recruitment during the “guest worker” era has left clear marks on the composition of the foreign population: 57% of the foreigners living in Germany are citizens of a former recruitment state. A total of 33% of foreigners living in Germany originate from a member state of the European Union, and a further 47% from another European state.

The Immigrant Population

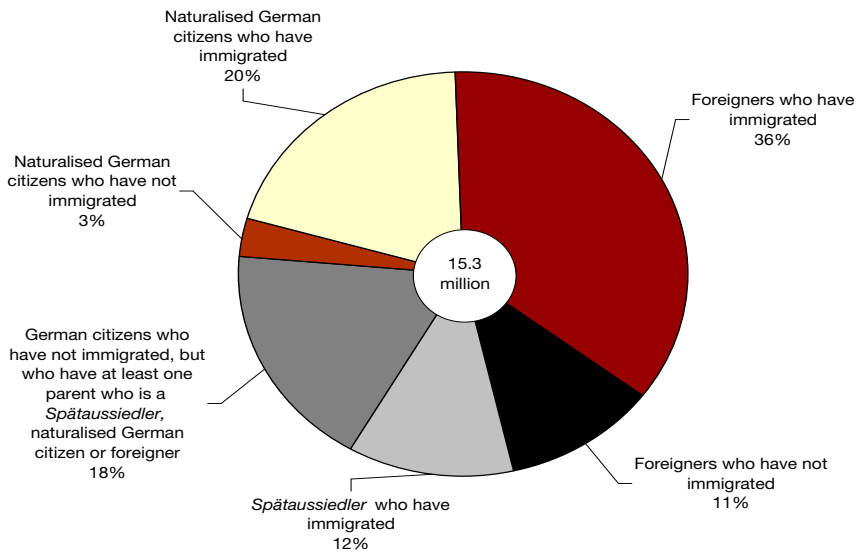
Official statistics are only of limited value when describing the immigrant population and subsequent generations, as they essentially identify only foreigners, i.e. persons without German citizenship. This is a problem because a considerable number of foreigners did not themselves migrate to Germany, but were born there. This applies to 1.4 million (20%) of the 6.7 million foreigners living in Germany. Moreover, focusing on foreigners excludes those immigrants who have become naturalised during their stay or who have entered the country as Germans (*Spätaussiedler*).

As a result, rather than referring to foreigners, there is an increasing tendency in Germany to refer to “persons with a migration background” in order to illustrate that citizenship as the sole indicator is insufficient to adequately describe the immigrant population. Persons with a migration background can be foreign or German citizens, and include the following groups of people: foreigners born abroad, foreigners born in Germany, (*Spät-)Aussiedler*, naturalised citizens who have themselves immigrated, as well as their children who have no personal, direct experience of immigration. Persons with a migration background have either immigrated themselves or are the second or third-generation descendants of immigrants.

Legislators have reacted to the poor data situation with the 2005 Microcensus Law. In the future, this annual, representative population census will contain additional details such as a person’s former citizenship and the year of naturalisation, thereby allowing for a more accurate representation of the population structure.

According to estimates based on the first such microcensus, there are 15.3 million people with a migration background living in Germany (2005), corresponding to 19% of the population (see Figure 4).

Within the group with a migration background, the number of Germans (8 million) is only slightly greater than the number

Figure 4: Population “with a migration background” in 2005

Source: German Federal Statistical Office

of foreigners (7.3 million). If personal migration experience is taken as a criterion, then immigrant foreigners (5.6 million or 36 %) and naturalised citizens (3 million or 20 %) form the largest groups. These are followed by (*Spät*-)*Aussiedler* (1.8 million or 12 %). This, however, does not include all (*Spät*-)*Aussiedler* living in Germany; those who immigrated before the 1st August 1999 are contained in the group of naturalised citizens and cannot be distinguished in the microcensus from other naturalised citizens.

The group of Germans who do not have personal migration experience, but who do have one parent who is either a (*Spät*-)*Aussiedler*, naturalised citizen or foreigner comprises around 2.7 million persons (18 %).

Citizenship

Until 1993, foreigners in Germany were generally not entitled to German citizenship. Naturalisation decisions were left to the discretion of the authorities. In 1993, the Nationality Act was reformed to establish a right to naturalisation. The prerequisite for this was 15 years of legal and permanent residency in the Federal Republic, or eight years for foreigners between 16 and 23 years of age.

In 2000, a new Nationality Act came into force. Since then foreigners are entitled to be naturalised after eight years of legal and permanent residency in Germany. Other prerequisites for this are proof of adequate fluency in German, no criminal record, allegiance to the constitution and an independent source of livelihood.

According to the new law, children of foreign parents can acquire German citizenship at birth (*ius soli*) if (1) at least one parent has lived legally and continuously in Germany for at least eight years prior to the birth, and if (2) at the time of the birth, that parent has been in possession of a permanent residence permit for three years prior to the birth. Children can retain the citizenship of their parents, but must decide between the ages

of 18 and 23 which citizenship they want to keep. Between 2000 and 2004, 191,107 children of foreign parents became German citizens at birth.

Until 1990, between 10,000 and 20,000 foreigners were naturalised annually. In the period thereafter this figure rose continuously. Its highest level was registered in 2000, the year the new Nationality Act came into effect, when it reached 186,688. Since then the figure has started to decline: in 2005, 117,241 foreigners were naturalised.

Turkey is the most frequent country of origin for naturalised persons in Germany. In 2005, 32,661 persons of Turkish origin were naturalised; the former Serbia and Montenegro was the second most frequent country of origin (with 8,824 persons), followed by Poland (with 6,896 persons).

In principle, the new Nationality Act excludes dual citizenship. Exceptions to this are granted, for example, when the country of origin does not allow the applicant to give up their original citizenship, or when giving up their citizenship would entail undue hardship. However, naturalisation statistics show that multiple citizenships are certainly not the exception. Indeed, in 2005, almost every second person naturalised (47%) was able to keep their original citizenship.

Most probably, the largest group of dual citizens in Germany are the (*Spät*-)*Aussiedler*. Although there is no statistical record of dual citizenship among this group, the Ministry of the Interior disclosed in 2002 that, between 1993 and 2000 alone, around 1.2 million (*Spät*-)*Aussiedler* were allowed to retain their former citizenship.¹¹

Flight and Asylum

The number of asylum applicants rose significantly in the second half of the 1980s and peaked at 440,000 in 1992, partly as a result of the war in the former Yugoslavia. Between 1988 and 1992, 1.1 million asylum-seekers filed applications. As a reaction to this, the Lower House of the German Parliament (*Bundestag*) agreed to the “asylum compromise” in 1993, which made applying for political asylum in Germany considerably more difficult. Since then, those entering Germany from a so-called “safe third country” can no longer invoke the basic right of asylum. If someone is picked up at or near the border, they can be sent back immediately. If the person comes from a “safe country of origin”, their application for asylum will normally be rejected. As a result of this, the number of applications for asylum has declined steadily. In 1995, the number of first-time applications was 128,000; in 2000, it was 78,564; by 2005, it had fallen to its lowest level since 1984, 28,914.

In 2005, the Federal Ministry for Migration and Refugees (BAMF) took 48,102 decisions on asylum cases. The share of persons granted full asylum reached the historic low of 0.9%. A total of 4.3% of applicants were granted the so-called “little asylum” or subsidiary protection (authorisation of deportation protection according to the Geneva Refugee Convention),

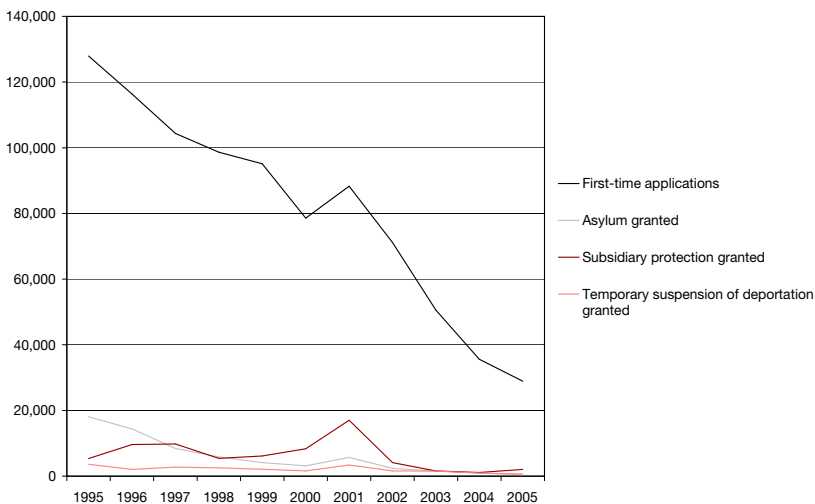
a further 1.4% were granted statutory temporary suspension of deportation (*Duldung*). Overall, 6.6% of all applicants were granted some form of protection.

From 1999 to 2003, the most important countries of origin for asylum-seekers were Turkey (12%, of whom 81% Kurds), Serbia and Montenegro (10%, of whom 41% Albanian and 34% Roma) and Iraq (8%, of whom 44% Kurds).

In the 1990s, Germany granted asylum to more people than any other European country. In 2000, Great Britain occupied this position for the first time. Since 2003, France has been the primary destination in Europe for refugees.

According to the Federal Ministry of the Interior, of the 6.7 million foreigners in Germany in 2006, 60,000 had received deportation protection according to the Geneva Refugee Convention, 40,000 were asylum-seekers, and 76,000 had received asylum status or had been recognised as refugees prior to entering Germany.

Figure 5: Asylum applications and decisions taken, 1995-2005



Source: German Federal Ministry for Migration and Refugees (BAMF)

Jewish immigrants from the former Soviet Union comprise another significant refugee group in Germany. They had begun emigrating to the DDR in 1990, due to increasing anti-Semitism and the economic situation in the former Soviet Union, among other reasons. Subsequently, this immigration flow was allowed to continue as a means of sustaining and strengthening the Jewish community. Until 2004, the Act on Measures in Aid of Refugees Admitted under Humanitarian Relief Programmes (the so-called Quota Refugee Act) served as the legal basis for admitting Jewish immigrants; since the new Immigration Act came into effect in 2005, admissions have been based on instructions from the Ministers and Senators of the Interior of the federal states, in accordance with the Residence Act. Since 1993, the first year for which statistics on these immigrants were collected, 207,000 Jewish emigrants have entered Germany using these provisions.

Irregular Migration

There are no statistics concerning irregular immigration or immigrants staying in Germany without a permit. Unofficial estimates, which refer to between 500,000 and one million irregular immigrants residing in Germany, are not based on scientific assessment.

The group of persons who have no legal residence status is doubtless as diverse as their reasons for immigrating and the routes they have taken to enter the country. Their numbers may well include rejected asylum-seekers and refugees, job-seekers, students or au pairs. The majority of these probably entered the country legally with a visa.

In contrast to other European countries such as Spain and Italy, Germany has not yet introduced any means of regularising irregular immigrants. Public debate on irregular immigration focuses not least on aspects of domestic security and the consequences of “underground” labour.

Although the living conditions endured by persons living in Germany without authorisation have been the subject of ever more research in recent years, the issue tends to play a subordinate role in political discussion. However, the Churches in particular regularly draw attention to the precarious social situation irregular immigrants find themselves in.

Current Developments

Immigration policy

Current developments in German immigration policy are rooted in the reform process which began with the reform of the Nationality Act after the red-green¹² federal government assumed office in 1998. This legislative reform triggered a general debate about immigration and integration. When the opposition parties refused to permit naturalised German citizens to hold multiple citizenships, immigration and integration began to emerge as highly controversial social and domestic policy issues. This was confirmed in the process leading to the adoption of the new Immigration Act.

A special committee was set up, known as the “Süssmuth Commission”¹³, to develop recommendations for structuring immigration and promoting integration. In 2001, the first draft of the law, based on the Commission’s report, contained a points system¹⁴ along the lines of the one in place in Canada.¹⁵ However, this passage was ultimately removed from the bill following heated discussions between the government and the official opposition.

In 2004, the red-green federal government, the official opposition and the federal states agreed on an Immigration Act, which came into force on the 1st January 2005. The law contains provisions on the immigration of foreign workers, the reception of refugees and asylum-seekers and the integration of immigrants. Moreover, it covered aspects relating to security in the fight against terrorism, such as the deportation of those deemed “preachers of hatred”. Even without the points system,

the Federal Republic's first Immigration Act was groundbreaking in its focus on promoting the integration of the immigrant population and on increasing the number of highly-skilled and self-employed immigrants.

In the intervening period, however, the provisions relating to the immigration of highly-skilled persons in particular have proved relatively ineffective. According to the Immigration Act, highly-skilled persons are "scientists with special technical knowledge", "scientific personnel in prominent positions" or "specialists and executive personnel with special professional experience" who earn a high salary.¹⁶ These persons may immediately receive an unlimited settlement permit.¹⁷ It is estimated that some 700 to 900 highly-skilled persons received a settlement permit on the basis of this regulation in 2005; in 2006 (up to and including November), the unofficial number was 421 persons, of whom the majority had already been residing in Germany before 2006.¹⁸ The current debate, accordingly, revolves around lowering the hurdles for the permanent immigration of highly-skilled persons.¹⁹

The fact that immigration to Germany could also be controlled by a points system is shown by the regulation governing the admission of Jewish immigrants from countries of the former Soviet Union, which was agreed by state and government officials, the Central Council of Jews and the Union of Progressive Jews in 2005. According to the regulation, Jewish immigrants from this region require, among other things, a positive integration prognosis based on such criteria as linguistic fluency, qualifications, professional experience and age, before they are permitted to immigrate. This procedure was developed by the government, the federal states and Jewish associations, in response to the growing difficulties Jewish immigrants were experiencing in integrating into German society.

Integration policy

There is now consensus that knowledge of the German language is an essential prerequisite for the professional and social integration of immigrants. The new Immigration Act takes this fact into account by providing for mandatory integration courses. Since 2005, new immigrants from non-EU countries must take part in integration courses. These consist of a 600-hour course in German, plus a 30-hour orientation course in which participants are instructed on Germany's legal system, history and culture.

Alongside the importance of language fluency, the education system plays a major role in the debate on integration. The PISA study has shown that first and second-generation immigrant children are less successful in the German education system than their German classmates. In this context, discussion has focused mainly on the abolition of the three-tiered²⁰ school system, but also on the necessity to promote language at an early age, as well as the need to introduce a compulsory pre-school year and to expand all-day schools. Educational researchers have indicated that pupils in the German school system are separated into the three tiers too soon (after the fourth or sixth grade, depending on the federal state). Along with children from the lower social strata, above average numbers of children with a migrant background are sent to the *Hauptschule* (the lowest tier of secondary education) on account, among other things, of their poor knowledge of the language. This divi-

sion makes social contact and friendship between young people from different social strata more difficult, if not impossible, and, quite apart from the early restriction of professional prospects, contributes to the social segregation of children with a migrant background.

Just how important the subject of integration has become in politics was shown by the integration summit, which took place in July 2006 at the invitation of the German Chancellor, Angela Merkel (Christian Democratic Union, CDU), and under the direction of the Integration Commissioner of the German Federal Government, Maria Böhmer. The summit brought together state and government officials, town councillors, employers and trade union representatives, welfare organisations, religious communities, the media, charitable foundations, scientists and migrant organisations. Participants in the integration summit are meeting until summer 2007 in different thematically grouped working parties in order to draft a national plan for integration. However, it is not clear to what degree the results will be integrated into the federal government's integration policy.

Integration of Muslims

Just as PISA brought the relevance of education onto the agenda, the 11th September 2001 helped turn the socio-cultural integration of the more than three million Muslims living in Germany into a subject of intense discussion. The issue of Muslim integration is particularly reflected in discussions about such topics as forced marriages, honour killings, the wearing of headscarves, Islamic religious teaching in state schools, and the appointment of Muslim political representatives. Moreover, the terrorist attacks in the United States were taken as grounds to tighten security measures in the Immigration Act, such as by facilitating the deportation of so-called "hate preachers".

Shortly after the new federal government (lead by the Christian Democratic Union, CDU; the Christian Social Union, CSU; and the Social Democratic Party, SPD) assumed office in the autumn of 2005, the Federal Minister of the Interior, Wolfgang Schäuble (CDU), initiated the German "Conference on Islam". The first meeting, between state and government officials and representatives of the Muslim community plus other individuals who were not members of any Muslim organisation, took place in September 2006. In future years, the Conference on Islam is to establish measures to clarify the relationship between the state and Islam and to improve the integration of Muslims.

Movement is also apparent among the Islamic associations who claim to represent the Muslims in Germany. The state is pushing for a single point of contact in dealing with issues such as Islamic religious teaching. Various associations are therefore currently working within the Coordination Council of Muslims in Germany (KRM) to guarantee a central, representative voice for Muslims. The Coordination Council began its work in April 2007; however, it is debatable whether the Council can serve as a representative organisation, as it does not reflect the diversity of the Muslim population in Germany.

Role of the European Union

The European Union (EU) is playing an increasingly important role in developing Germany's immigration policy. Until now, EU legislation has centred above all on asylum policy. It is in

this area that the various regulations and directives introduced over past years have made the most impact on member states so far. Whereas until 2005 Council decisions were still taken unanimously, the principle of adopting resolutions based on a qualified majority now prevails in this policy area, along with a joint decision-making procedure between the Council and the European Parliament.

The ability of the EU to influence integration policy is still limited; nonetheless, the EU (or the Council with a unanimous decision taken by the ministers concerned) has passed directives affecting this area of policy in recent years. The influence of Brussels is exemplified in Germany by the General Law on Equal Treatment (*Allgemeine Gleichbehandlungsgesetz, AGG*) which has been in force since 2006 and which is based on EU requirements²¹, and by the directive concerning the status of third-country nationals who are long-term residents. This directive grants third country nationals who have lived in a member state for at least five years the right to permanent residence in EU member states and entitles them to take up an occupation or to study within the EU.

One important aspect of EU integration policy is the provision of financial means to support integration policy measures and programmes in the member states. This is the purpose, for instance, of the European Integration Fund, which will provide EUR 825 million for integration activities from 2007 to 2013.

Although the Commission presented a "strategic plan on immigration" in December 2005, the regulation of legal labour migration and control over the inflow of labour migrants will likely remain in the hands of the member states. In its report, the Commission announced that in future years it would be submitting legislative proposals relating to the minimum rights and conditions of immigration and residence applicable to labour migrants from third countries.

In its programme for its EU presidency in the first half year of 2007, the German federal government signalled that the discussion about joint measures for legal migration is to continue. At the same time, however, it stressed that the member states should continue to be able to pass flexible national regulations. Where integration policy is concerned, the emphasis is on the dialogue with Islam. Overall, however, it is apparent that the German EU presidency is increasing its focus on the security aspects of migration. It is the federal government's view that the central challenges are to fight irregular migration, to extend cooperation in the repatriation of third party nationals and to protect external EU borders. The latter is to be achieved above all by providing personnel and material reinforcement for Frontex, the European Agency for the Management of Operational Cooperation at the External Borders. To this end, Rapid Border Intervention Teams (RABIT) are to be deployed to secure borders. These are to be made available to the relevant member states in the event of particularly burdensome irregular immigration.

Future Challenges

Under both the previous and current governments, there have been considerable achievements in terms immigration policy, including the reform of the Nationality Act, the adoption

of the Immigration Act and the initiation of the German Conference on Islam. The integration of the immigrant population and their descendants, as well as the political measures accompanying this process, will continue to be important issues in the future.

One challenge will be to improve the educational opportunities available to immigrants and their children. The federal states of Schleswig-Holstein and Hamburg have already decided to abolish the *Hauptschule* as an independent form of secondary education, which should contribute to a reduction in social and performance-based segregation in schools and, therefore, to an improvement in the educational opportunities for young and second-generation immigrants, who are over-represented in this type of school. Other federal states are currently considering similar moves.

In the context of educational integration, there has been much discussion about expanding the number of childcare places for children under the age of three years. Children of non-German origin in particular stand to benefit from earlier exposure to, and acquisition of, the language. The debate at present, however, revolves mostly around the need to increase the number of childcare facilities, rather than the quality of the care itself, which certainly needs improvement. Care might be improved by increasing the amount of training child caregivers receive (they currently receive no college training in Germany), or by reducing the size of groups, a factor which influences whether or not children can, in fact, be stimulated and encouraged, instead of just being looked after. Nonetheless, the expansion of childcare facilities (just as, for instance, the expansion of all-day schools) is a step in the right direction, particularly where educational integration is concerned.

In order to overcome the economic consequences of an aging population, it will also be important for Germany to promote and use of the potential inherent in the immigrant population. At the same time, however, the federal government needs to lower the hurdles for potential highly-skilled immigrants. Despite relatively high unemployment, there is currently a shortage of specialists in the technology sector. Even if the government is not prepared to introduce a points system, it will eventually need to at least lower the earnings threshold for specialists to a realistic level: the current threshold, set at around EUR 85,500, is clearly too high. It is easy to see that countries faced with demographic challenges, such as Germany, have to make themselves more attractive to potential immigrants. Classic immigration countries such as the United States, Canada and Australia already have an advantage, purely on account of the global spread of the English language.

In Germany, the central challenges will remain the integration of Muslims and ensuring that Islam is placed on the same legal footing as other religious communities. The federal government has taken a decisive step by establishing the German Conference on Islam. It requires that Muslims put forward a unified, representative voice that the state can recognise as a point of contact for consultation on important issues, such as the teaching of Islam in schools. The debate surrounding the establishment of such a representative body sometimes ignores the fact that people of Muslim origin in Germany are not a monolith. Indeed, they are characterised by their tremendous plurality, comprising Sunni, Shia and Alevi Muslims, as well as

conservative, secular and cultural Muslims, with the latter restricting their religious activities to the observance of religious festivals. And, of course, there are also atheists among people of Muslim origin. Much more allowance has to be made for this plurality in the public debate about Muslims.

Endnotes

- ¹ Parts of the Act to Control and Restrict Immigration and to Regulate the Residence and Integration of EU citizens and Foreigners (Immigration Act) had already been implemented in September 2004.
- ² PISA – Programme for International Student Assessment: OECD comparative study on the scholastic performance of 15 year old pupils in 28 OECD and 4 non-OECD countries.
- ³ In September 2006, despite there being no concrete threats, the Deutsche Oper in Berlin dropped the performance of Mozart's opera "Idomeneo" from its programme, out of fear of possible Islamic hostility. In one scene, the decapitated heads of Poseidon, Jesus, Buddha and Mohammed were presented. The opera was reinstated on the programme in December.
- ⁴ For more on this debate, see Boswell and Straubhaar (2005).
- ⁵ EEC: European Economic Community
- ⁶ For data on the GDR, see DFG Bildungswerk (2005).
- ⁷ This group of people was identified as *Aussiedler* until the end of 1992. Subsequent to the redrafting of the Federal Refugees Act, they have been identified since 1 January 1993 as *Spätaussiedler*.
- ⁸ Source: Federal Office of Administration, Federal Ministry of the Interior
- ⁹ Source: Federal Statistical Office
- ¹⁰ The figure includes foreign persons who are citizens of the former State Union of Serbia and Montenegro and of the two subsequently independent states of Serbia and Montenegro.
- ¹¹ Source: Federal Statistical Office
- ¹² Red and green are the colours associated with the Social Democratic Party and the Green Party, respectively.
- ¹³ The "Süssmuth Commission" is officially called the "*Unabhängige Kommission Zuwanderung*" (Independent Commission on Migration).
- ¹⁴ In a points system, points are awarded to an immigration applicant according to certain criteria such as qualifications and age.
- ¹⁵ For more information on the Canadian immigration system, see Elrick, J. (2007): Canada. focus Migration Country Profile No. 8. <http://www.focus-migration.de/Canada.1275.0.html?&L=1>
- ¹⁶ The law requires these persons to have a salary "corresponding to at least twice the earnings ceiling of the statutory health insurance scheme." When this document was being prepared, twice the earnings ceiling amounted to approximately EUR 85,550.
- ¹⁷ For foreigners, the settlement permit is the safest residence status and can normally only be applied for after a stay of five years. It has unlimited validity, no geographical restrictions, and entitles the holder to assume gainful employment. Moreover, it allows the applicant to bring family members into the country who, in turn, also receive the right to work in Germany.
- ¹⁸ See Steinhardt (2007).
- ¹⁹ See Guth (2007) and Steinhardt (2007).
- ²⁰ Secondary education in Germany is divided into three hierarchical tiers (*Hauptschule, Realschule, Gymnasium*), which are often taught in separate schools, and which lead to different diplomas.
- ²¹ The General Equal Treatment Act (AGG) satisfies the EU's Racial Equality Directive and Employment Framework Directive, which prohibit any discrimination on grounds of "race", ethnic origin, gender, sexual orientation, age, disability, ideology or religion. The prohibition of discrimination contained in the AGG, and exceptions from it, are applicable to employment law and civil law.

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- German Federal Office for Migration and Refugees (Bundesamt für Migration und Flüchtlinge, BAMF): <http://www.bamf.de>
- German Federal Office of Administration (Bundesverwaltungsamt): <http://www.bundesverwaltungsamt.de>
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Futher Information

- European Commission, Justice and Home Affairs: http://europa.eu.int/comm/justice_home/index_en.htm
- German Federal Ministry of the Interior (on immigration matters): <http://www.zuwanderung.de/english/index.html>
- Migration Policy Institute, Washington D.C.: <http://www.migrationinformation.org/>
- Organisation for Economic Co-operation and Development (OECD): <http://www.oecd.org>
- Social Science Reserach Center Berlin (WZB), Programme on Intercultural Conflicts and Societal Integration: <http://www.wz-berlin.de/zkd/aki/default.en.htm>
- United Nations High Commissioner for Refugees (UNHCR): <http://www.unhcr.org>

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