



Germany

## “Feeding in” and “Feeding out”, and Integrating Immigrants and Ethnic Minorities

A Study of National Policies

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## Summary

The national reform agenda of the NRP is closely linked to the revised Lisbon Strategy. With regard to style and contents, the NRP and the Implementation Report are both in the first line a "National Strategy Report on Economic Policy", including a concentration on feeding in measures. Only secondly and imparted before all through expectations on economic and fiscal effects (feeding out), bridges to socio-political objectives are built by the reports. The promotion of growth and employment is to lead to a general increase of wealth, the safeguarding of social participation is to come about before all through newly arising employment opportunities, and the consolidated social security system orientated to the principles of personal responsibility and solidarity is in essence to assume safeguarding of the risks of life. In its chapter on employment, the NRP Implementation Report makes direct reference to the National Strategy Report on Social Protection. Insofar, this can be called an integrated approach, showing consideration for certain problem groups as well. However, with its understanding of target groups focusing very narrowly on the labour market, the Implementation Report falls back behind more encompassing notions about the analysis and evaluation of social exclusion criteria and integrated socio-political approaches for action derived from them which had already been developed by the federal government within the context of reporting on poverty and wealth.

As far as procedural quality is concerned, it becomes apparent that the OMC essentially gets formal participation proceedings going under the conditions of streamlining as well. What is still missing are suitable structures to get a continuous discourse of the relevant actors of all state levels under way.

Concrete feeding in/feeding out results in the sense of empirical data are difficult to describe. One reason for this is that the NRP and Implementation Report dispense to a large extent with a statement of concrete objectives. Secondly, a number of evaluation reports are not yet to hand. Seen all in all, it is to be assumed that the very people who are furthest away from the labour market are not yet sufficiently reached through the labour market reforms. The discussions about the form of the low wage sector point to a requirement for action to make work pay on the one hand and on the other hand adapt the social security system better to discontinuous employment biographies (flexicurity).

Although people have immigrated to the Federal Republic without interruption since the end of the Second World War, German society has refused for a long time to see itself as immigration society. The SPD-Green coalition (1998 - 2005) was the first to react to the situation by means of fundamental reforms of the Aliens and Citizenship Act and to improve the possibilities of an integration of immigrants.

In the coalition agreement, the present federal government has formulated some key points for further changes to immigration policy in the legislative period 2005 - 2009. They aim at a better integration of people coming to Germany on a permanent basis. According to the government, this can only succeed, if immigration is controlled and restricted. Obstacles standing in the way of a deportation of people obliged to leave the country are to be removed, if possible; the possible abuse of the legal regulations concerning aliens and citizenship is to be prevented. The tenor of these statements on legal questions in respect of aliens can be pointedly summarised in the formula: a) better integration of the "migrant workers" and their descendants and b) otherwise pursuing again a more restrictive immigration policy and more rigorous policy of rejection and deportation.

In the summer of 2006, the federal government began two processes, with the active participation of the people of foreign origin and their associations, aiming at an improvement of their social integration: a summit on integration and an Islam Conference. In parallel, the changes which have occurred due to the amended laws concerning aliens are evaluated and new legislative amendments are discussed. These are necessary in themselves, because eleven relevant EU Directives still need to be incorporated into domestic law.

## A. Key trends and feeding in/feeding out analysis

### I. Key trends and recent developments on social inclusion

Since the submission of the First Semester Report, the altogether positive economic development is to be specifically emphasised. Due to the strong export business, the economy is embarking on a course of growth. At the same time, the tax revenue has grown to such an extent that serious predictions proceed on the assumption that Germany will reduce net borrowing to a value below the three-percent threshold this year already. During the second half of 2006, the number of employed persons has gone up again for the first time; the reduction in unemployment - seasonally adjusted - is lower than during the last years.<sup>1</sup> However, it must be left open in this connection whether these are "Hartz effects", i. e. positive effects of the Hartz reforms becoming apparent, or a cyclical or structural change on the labour market. On 1 August 2006, corrections concerning before all the SGB II have come into force which, all in all, strengthen the element of demanding vis-à-vis long-term unemployed persons, but modify the element of "promoting".

The key points of the reform of the health care system were agreed between the coalition partners before the summer break. But only a short time later a controversial discussion about the agreed compromise flared up before all inside the CDU/CSU. Many of their Prime Ministers do not support the key points.

As regards family policy, a legislative procedure fixed in the coalition agreement has meanwhile been concluded with the introduction of parental benefits as a system of benefits in lieu of wages to take effect on 1 January 2007. Whereas on the one hand it means stronger financial promotion of persons with larger income, when compared to the currently valid regulations on child benefits, persons with lower income are rather disadvantaged, before all because of the reduced promotion period. This last point in particular has been critically emphasised by the opposition.

Altogether, a blend of economic growth and increased tax revenue, continuing high unemployment figures and problems with funding of the large social security systems remains to be observed. Interests of the federal states stand against interests of the Federation, interests of the different branches of the social security system do not mutually correspond, tax reliefs and tax burdens hit different groups and are socially rather imbalanced. In the elections in the *Länder* Berlin and Mecklenburg-Western Pomerania, voter turnout continued to go down considerably; in both *Länder*, the extreme right-wing NPD could gain votes and in Mecklenburg-Western Pomerania even got enough votes for seats in the state parliament. The political mood vacillates between the hope for a solution of the impending problems and the suspicion that the grand coalition, at least in its present condition, will hardly make a contribution to dissolving this contradiction.

## II. Feeding in analysis

### 1. Stakeholders' involvement in the Lisbon Implementation Report (NRP)

The Implementation Report on the National Reform Programme 2005 - 2008 was drawn up with the Federal Ministry of Economics in charge. As usual in such cases, other Departments are involved in the preparation of the report through inter-departmental circular proceedings so that it is ensured that the

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<sup>1</sup> Bundesagentur für Arbeit 9/2006: Der Arbeits- und Ausbildungsmarkt in Deutschland. Monatsbericht September 2006, Nürnberg, page 4 f.

respective specialised sections and divisions can contribute the measures and strategies regarded as relevant from the point of view of the federal government. The report was introduced in the *Bundestag* so that participation by the political parties was possible as well. The *Länder* were involved in the proceedings via the *Bundesrat*.

As relevant stakeholders, trade unions, trade associations and leading associations representing local authorities had received the draft of the report, giving them an opportunity to comment. Both social partners were thus involved in the process; however, especially with a view to an evaluation of mutual feeding in/feeding out effects of social and economic policy, core civil society actors, such as the voluntary welfare associations which still are the central providers of social services as well as other non-governmental interest groups or groups of affected persons are left out.

The Implementation Report reveals a rather formal participation procedure. While actors relevant beyond the government level are involved, an integrated discussion within the meaning of the OMC hardly emerges in the process. Hence it is not surprising that the National Reform Programme and the Implementation Report are hardly able to generate attention in the public debate. Nonetheless, controversies relevant to feeding in/feeding out are currently taking place, especially with regard to the reform of the health care system and the further development of labour policies. However, they proceed along the lines of the coalition's arithmetic and are not derived from the context of European policy.

The supporting forums for discussion and an exchange of views established within the framework of the OMC, as for example the "Forum Participation and Integration" (FORTEIL) set up by the Federal Ministry for Labour and Social Affairs or the project "National Sensitisation Measures on the Subject Social Integration" (NAPsens) financed by the European Commission, have also not been used systematically (so far) to accompany an integrated process of exchange, strategy formation and/or reporting. This is certainly also due to the fact that in the federal government competencies for obligatory reporting within the framework of streamlining are not concentrated in one place or centrally co-ordinated by a permanent steering group. For example, the National Reform Programme was prepared in a working group attached to the Office of the Federal Chancellor, the Federal Ministry of Economics was responsible for co-ordination of the NRP Implementation Report and the Europe Section of the Federal Ministry for Social Affairs for the National Strategy Report.

As a result, knowledge of the OMC and streamlining remain restricted to a limited, relatively small number of experts on the government level, the providers of social services and the representatives of their interests and to scientists. No substantial changes have occurred to these findings within the last five years.

## 2. Social inclusion/Social protection challenges

The National Reform Programme 2005 - 2008 and thus also the Implementation Report focuses on measures for the promotion of growth and employment under the conditions of globalisation and the demographic change. In conformity with the (revised) Lisbon Strategy, the transition to the services and knowledge society is to be organised. The National Reform Agenda which is set out in the NRP and whose implementation is accounted for in the Implementation Report is orientated towards "strengthening of the forces of growth through more employment, more investments and higher productivity dynamism" (p. 3). Insofar, both the NRP and the Implementation Report are in the first line a "National Strategy Report on Economic Policy" with regard to style and contents, including a concentration on feeding in measures. Only secondly and imparted before all through the expectations of economic and fiscal effects (feeding out), bridges to socio-political objectives are built by the reports.

The “magical square” of the NRP is defined as budget consolidation, economic growth and innovation, employment liable to contribute to the social security systems and coping with the demographic change.

Simultaneously, this describes the feeding in/feeding out logic on which the NRP and the Implementation Report are based: The ability of the welfare state to provide social security systems and the interconnected ability to create chances of social participation are dependent on a successful economic and employment policy. In this context, the social security systems are to be made so efficient that they are able to provide compensation for the negative consequences of the economic and social change; however, in case of doubt easing of the burdens on the factor labour takes priority over individual requirements for security, which becomes evident for example in the debate about form and organisation of the low wage sector or the introduction of minimum wages.<sup>2</sup>

Whereas the NRP deals with the safeguarding of participation and social integration within the context of a political agenda developed on the basis of this self-image only in a very vague way, the Implementation Report now explicates the importance of socio-political implications and control needs more clearly. For example, it is pointed out in Chapter 2 that the process of economic restructuring triggered by international competition places before all persons with a low income at a disadvantage and also contains individual social and health risks. Therefore, a “holistic” political approach which is supposed to go beyond the “mere safeguarding of subsistence” by creating a new “balance of personal responsibility and solidarity” is said to be in the centre of social policy (p. 10). Insofar, the consolidation of the social security systems is to be accorded central importance, but conversely the reform of these systems would have to strengthen the competitiveness of the economy.

Nevertheless, the notion of target groups in the NRP and the Implementation Report is strongly limited to the labour market, although explicit reference is made there to the supporting measures to avoid tendencies of exclusion and to safeguard social participation as identified in the National Strategy Report Social Protection and Social Integration 2006. Insofar, the objectives, risk groups, measures and strategies reported there are also to be seen as component of the NRP and its Implementation Report. As regards the measurement of actual distribution results, the 3<sup>rd</sup> National Report on Poverty and Wealth which the grand coalition will submit in the course of the legislative period will certainly be a more interesting yardstick. Unfortunately, the NRP and the Implementation Report do not contain an indication how the statements made in the NRP and its Implementation Reports which are mainly of a strategic and programmatic nature could be better linked in future to the existing reporting on social affairs by the Federation, but also by the *Länder*.

In summary, a clear connection of the German reform programme to the European job-and-growth strategy can be noted with regard to the Implementation Report. The contents of the German reform policy are in accord with the European Lisbon Strategy. Moreover, a co-ordination of contents of the National Reform Programme and the National Strategy Report on Social Integration has taken place. This can be seen before all in the chapter on employment of the NRP Implementation Report. In the proposals on the safeguarding of the basis of refinancing of the social security systems, feeding in and feeding out are becoming two sides of one coin. Steady contributions are supposed to decrease labour costs and promote more employment. As a result of more employment (liable to contribute to social security), the income basis of the social security schemes is then expected to improve. But so far opposite trends are rather becoming apparent. The Federal Statistics Office has announced that, in spite of continuing economic growth, employment in industry has decreased by 0.9 % between January and July 2006, whereas the turnover has increased by almost 7 %.<sup>3</sup>

<sup>2</sup> see Frankfurter Rundschau vom 20.9.2006: Die Union bleibt beim gesetzlichen Mindestlohn hart; see epd sozial vom 12.5.2006: Mehr Druck auf Arbeitslose gefordert.

<sup>3</sup> see Frankfurter Rundschau vom 15.9.2006: Aufschwung ohne Folgen. Industrie schafft keine Stellen

Because of the aggravated conditions attached to social security benefits - especially in the context of SGB II -, the social obligations of the addressees of social benefits are indeed clearly identified. On the other hand, the concept presented there largely dispenses with similarly clear procedural hints for the case that the beneficiaries of the social feeding in permanently contravene the implementation of their feeding out obligations. Insofar, the stakes are high, for if feeding in essentially turns out to take the form of concessions to business (with no strings attached) and the intended economic growth and increase in overall economic wealth fail to materialise in future in the form of employment securing subsistence as well, the National Reform Programme of the NRP coupled to the Lisbon Strategy will rather lead to cutbacks in the social welfare system than to the promotion of social participation.

### III. Feeding out analysis

#### 1. ... in relation to employment

Labour policies and the structural reforms initiated by the federal government have been accorded special emphasis in all of our previous reports. Insofar, the review in the present report takes up the previous reports without a rupture. The NRP and the Implementation Report place special emphasis on the support of older unemployed persons, young people under the age of 25, the compatibility of family and vocation as well as the establishment of a low wage sector. In this context, Chapter 4 of the Implementation Report mentions a number of feeding in measures whose results are to contribute as feeding out to a reduction of structural unemployment becoming particularly obvious in the increase of long-term unemployment. The importance of the labour policy reforms Hartz I - IV is stressed again, and a number of political approaches - already known and reported about in other contexts - are listed. In as far as special target groups like immigrants as well as juvenile and older unemployed persons are also considered in this connection, the creation of social participation and social integration is simultaneously emphasised much more clearly as (socio-) political mission than in the other fields of action of the Implementation Report. At the same time, the Implementation Report adopts the basic (socio-)political attitude already known from the NAPincl that the guarantee of participation and social integration is to be reached in the first line through employment (liable to contribute to social security).

Following the model of the activating welfare state, the new basic security for job-seekers (SGB II) before all is to make an important contribution to the fight against long-term unemployment. In order to be able to adjust the labour market reforms continuously in the sense of feeding in/feeding out, the introduction of basic security (ALG II) is accompanied scientifically. But it seems that the federal government has not sufficiently anticipated before all the financial consequences of the labour policy reforms. Until 1 August 2006, no fewer than three laws amending or supplementing the SGB II have been passed already, although the evaluation report on ALG II will not be presented until the end of 2008.<sup>4</sup> In our last two reports, we have already dealt in detail with the contradiction that the federal government is already interfering to a massive extent with the benefits, without awaiting the empirical results of the feeding out. Suffice it to recall here that this additional feeding in has led in the first line to cuts in benefits for recipients under the age of 25 and to aggravated control and penalty regulations for all SGB II recipients.<sup>5</sup>

According to the Implementation Report, another feeding in is the promotion of a pilot project in six regions with which the federal government intends to give the starting signal for the establishment of a

<sup>4</sup> see Der Spiegel vom 18.9.2006: Die große Enttäuschung, p. 25

<sup>5</sup> see epd sozial vom 24.2.2006: Leistungen für junge Arbeitslose beschnitten; epd sozial vom 5.5.2006: Regierung: Sanktionen gegen Langzeitarbeitslose. Kontrollen von ALG-II-Beziehern werden ab 1. August ausgeweitet - Verschärfte Sanktionen; see Buestrich, Michael 2006: Reform der Reform. Anmerkungen zu den Begründungen eines »Hartz IV-Fortentwicklungsgesetzes«, in: Neue Praxis 3/2006, p. 260 - 268

nation-wide information and counselling network for the vocational integration of persons with a migration background. The project will be evaluated and is to lead to regular promotion within the framework of the promotion of employment. Insofar no statement on the possible feeding out can be made on this project as yet.

Successful feeding out is seen by the Implementation Report before all in the law on part-time employment and limited job contracts which allegedly makes an effective contribution to the safeguarding and establishment of employment and to a better compatibility of family and vocation. The background for this is the quota of part-time employment which is rising in Germany. However, systematic hints are missing here how the federal government intends to react to negative consequential effects of flexible working conditions, concerning for example sufficient conditions of pay and employment or the compatibility with the social security system (flexicurity). As the 1<sup>st</sup> Gender Data Report of the Federal Ministry for Families reports, unfavourable labour market conditions partially push job-seeking women and men into atypical forms of employment, with employed persons in East Germany, and among them in the first line women, being confronted before all else with unwanted part-time employment.<sup>6</sup> Besides, precarious employment relations are an important reason why people have to apply to a growing extent for supplementary benefits increasing their income from gainful employment under SGB II. Additional social segregation effects occur, because only about one third of all registered unemployed persons can still claim benefits according to SGB III, whereas two thirds are dependent on social benefits under SGB II.<sup>7</sup> The trade unions especially point out in their campaign for the introduction of a minimum wage securing subsistence that for a growing number of employed persons in Germany the formula "employment = secure social participation" works out less and less.<sup>8</sup> And in view of the easing of terms introduced within the context of the Hartz I law as feeding in for the sector of temporary employment companies, the Federation of German Trade Unions currently demands more protection against wage dumping.<sup>9</sup> Yet it is entirely unclear at the moment how the low wage sector is to be shaped in future. Different concepts, ranging from an add-on wage to a minimum wage, have been introduced; but the grand coalition is still far away from an agreement.

As another success of the labour market reforms, the report mentions that in 2005 the activation quota of 12.8 % among long-term unemployed adults was still far below the EU target of 25 % aimed at for the year 2010, whereas the quota of 32.4 % for long-term unemployed youths was already clearly better. However, activation in itself does not yet constitute a positive feeding out. The German *Paritätische* Association of Private Welfare Work calls the intention of the coalition to make an employment offer to each new applicant in future an "illusion". Besides, the job opportunities according to SGB II called "1-Euro jobs" are said to be "frequently the opposite of promoting".<sup>10</sup> On the other hand, following the submission of the evaluation report on the Hartz I - III laws, positive activation effects result in the first line from the promotion of self-employment ("Ich-AG").

Feeding in measures with a rather low access threshold for persons with several employment impediments, which were to be realised for example by the Personnel Service Agencies, have hardly proven their worth. The very instruments supposed to offer integration chances for the most vulnerable persons on the labour market are thus regarded as failure of the labour market reform. In addition, it

<sup>6</sup> see BMFSFJ (ed.) 2005: Gender Datenreport. 1. Datenreport zur Gleichstellung von Frauen und Männern in der Bundesrepublik Deutschland, München/Berlin, p. 100

<sup>7</sup> see Trube, Achim 2006: Zynismus siegt? Zur Diffamierungskampagne gegen Langzeitarbeitslose und der Inszenierung eines »Hartz IV-Finanzskandals«

<sup>8</sup> see Frankfurter Rundschau vom 20.9.2006: Die Union bleibt beim gesetzlichen Mindestlohn hart. Der Stufenplan der Gewerkschaften und SPD bietet aber Raum für Kompromisse gemäß der Koalitionsarithmetik

<sup>9</sup> see Frankfurter Rundschau vom 1. August 2006: Zeitarbeit boomt dauerhaft. DGB fordert mehr Schutz vor Lohndumping

<sup>10</sup> see epd sozial vom 28.4.2006: „Ein-Euro-Jobs sind oft das Gegenteil von Fördern.“ Paritätischer Wohlfahrtsverband nennt Vorschläge zur Hartz-IV-Optimierung lebensfremd

seems that on the local level the disputes about the distribution of competencies in the Working Teams often impair the quality of advice and that back-up support cannot be organised in a satisfactory way.<sup>11</sup> As the news magazine *Der Spiegel* notes, the "legislative machine in Berlin" has "long since caused shrugging of the shoulders in resignation", promoting "chaos" in the Job Centres "instead of fighting it", notwithstanding the fact that in the meantime "close to 10 per cent of the population" are allegedly affected by Hartz IV.<sup>12</sup> As a result, a "complicated mixed administration by local and federal authorities" has been created, where "organised irresponsibility" is said to be prevalent. As an expert opinion by the Federal Audit Office has stated, this has led to the consequence that it takes an average of three months, until new SGB II customers can have an initial discussion with their competent job placement clerk.<sup>13</sup> In addition, promotion measures are reorganised by the Federal Agency for Employment. Instead of expensive further training or education courses lasting for several years, courses running for a short time only are now offered to an increasing degree.<sup>14</sup>

Altogether, it seems that labour policies are aiming in the first line at placing and supporting the "good risks" ("creaming the poor"), whereas people requiring special support are not reached any better than before the labour policy reforms. Consequently, the feeding out results of the labour policy reforms have failed to bring about the desired results especially for the most vulnerable. This is all the more true, if one takes the ambitious initial target set by the former Federal Chancellor Gerhard Schröder as yardstick who wanted to cut the number of unemployed persons in half by means of the Hartz legislation. But more sophisticated possibilities for analysis and evaluation will not be to hand, until the report on the effects of Hartz IV which has been announced for the end of 2008 as well as two other reports reviewing the labour policy reforms from the specific point of view of women and immigrants will be available.

## 2. ... in relation to growth

In Chapter 2, the Implementation Report lists a number of feeding in measures which are supposed to contribute to easing the federal budget and consolidating the social security systems. Under the aspect of feeding out, the following measures for the safeguarding of participation and social integration are of foremost importance:

### *Consolidation of the public budgets*

In view of the fact that about two thirds of the federal budget are tied up for social security, pensions and related benefits for civil servants and interest payments, the NRP and the Implementation Report attach central importance to the consolidation of the federal budget. The aim is for one to keep to the stability criteria of the Monetary Union; secondly, the declining development of the public spending quota is to be continued. Standing at 46.7 % in 2005, it has reached the lowest level since 1991. Among the concrete measures of feeding in within the framework of the consolidation policy are before all the tax increases passed in the Budget Law for 2006 (increase of the insurance tax and value-added tax by three per cent), the abolition of the grant from the tobacco tax revenue to the compulsory health insurance system (GKV), the cutback of grants for the local public passenger transport as well as the reduction of the Christmas bonus for the federal civil servants. In addition, there will be further cutbacks of tax benefits and subsidies to relieve expenditures (e. g. the cancellation of the tax grants for owner-occupied homes or the reduction of the tax benefits for commuters).

<sup>11</sup> see *Der Spiegel* Nr. 36/2006: Lästige Störung, p. 66

<sup>12</sup> see *Der Spiegel* vom 18.9.2006: Die große Enttäuschung, p. 25

<sup>13</sup> see *Der Spiegel* Nr. 22/2006: Angriff auf das rote Herz, p.31

<sup>14</sup> see *Frankfurter Rundschau* vom 2.8.2006: Warum die BA in Geld schwimmt

Whereas the Implementation Report clearly emphasises the possible positive effects of the budget consolidation in relation to the promotion of growth and employment, there is no indication of feeding out consequences which may be problematical from a social point of view. Before all, the increase of the value-added tax may well have serious effects in terms of social inclusion. We have already reported several times about the discussion on the appropriateness of the standard rates in the minimum security systems SGB II and SGB XII. While a small part of the tax increases and the cuts for persons in employment relations liable to contribute to social security will basically be cushioned again by a reduction of the contribution to the unemployment insurance from 6.5 % to 4.5 % (half of which of benefit to the employers), the VAT increase will nonetheless lead to a noticeable cutback of the monthly household income especially for the recipients of transfer payments whose expenditures tied to consumption serve as a rule to cover their direct subsistence. Low income recipients will be additionally burdened, because with effect from 1 January 2007 they will no longer be able to claim travel costs incurred as a rule in short distance transport of up to 20 km to their place of work as tax deductible expenses. No concepts for possible compensations have so far been presented in the political debate. To the contrary: With regard to transfer benefits, political pressure to reduce cash benefits even further is mounting in the course of the debate about an alleged "explosion" of the costs of Hartz IV.<sup>15</sup>

#### *Reform of old age provision and the health care system*

A central feeding in objective is a reduction of the ancillary wage costs in order to create additional employment. Part of the revenue accruing from the VAT increase will be used for counter-financing the reduction of the contributions to unemployment insurance. Moreover, especially the reform of old age provision and the health care system burdened with high expenses is to contribute to a permanent reduction of the social security contributions to below 40 per cent.

Principally, the Implementation Report assumes that pension recipients will continue to belong to the social classes well provided for in future as well. It is, however, taken for granted that those who are gainfully employed today will make private provision for old age, for example by means of the government sponsored "Riester" pension. Feeding in incentives to strengthen private provision are the improved support of families with children to come into effect in 2007 and plans for a better consideration of residential property in the promotion of old age provision. However, the increased utilisation of the Riester pension cannot cover up one systematic problem of feeding out: Private provision can only be made by somebody who has a sufficient income. An economic problem is added to this, for the choice of the right insurance company is a decisive criterion for the amount of the future old age income. The Foundation Products Test has recently compared 110 private pension schemes (excluding the Riester pension) and found differences in benefits - all calculated on the basis of 20 years of payments - amounting to up to EUR 7,680.<sup>16</sup> The Implementation Report does not contain a systematic analysis how a provision for old age which is poverty-proof due to the combination of private and public provision and reacts to the security needs of a world of employment becoming more and more flexible would have to be designed as social feeding out.

An increase of the employment quota of older employees, connected with a reversal of the trend towards early retirement, is supposed to lower the pressure on the social security contributions. The most important feeding in measure in this connection is the gradual raising of the pension entry age from 65 years to 67 years. In addition, a "change of mentality in personnel policy" is to contribute to an

<sup>15</sup> see Spindler, Helga 2006: Hartz IV: Ist das Existenzminimum für arme Familien zu hoch?, in: Neue Praxis 3/2006, p. 251-256.

<sup>16</sup> see Frankfurter Rundschau vom 20.9.2006: Krasse Unterschiede bei der Privatrente. Stiftung Warentest vergleicht Versicherungsangebote. Fehlentscheidung kann Tausende von Euro kosten.

improvement of the situation of older employees on the labour market. An important impulse in this connection is to be provided by the "Initiative 50plus" as labour policy instrument. In essence, these are simply measures which are known already, e. g. regulations concerning add-on wages, integration grants for employers, the promotion of further vocational training and the Initiative New Quality of Employment (INQA) which is to support enterprises in their efforts to design working conditions in a modern and age-specific way.<sup>17</sup> It needs to be paid attention in future in how far these proposals actually have effects promoting employment in the sense of feeding out.

The planned reform of the health care system is regarded by leading politicians of the coalition as central touchstone for the capability of the grand coalition to function.<sup>18</sup> After the coalition partners had agreed on a basic policy paper,<sup>19</sup> a fierce political dispute about its implementation and interpretation has erupted which in the opinion of observers even contains enough dynamite to break up the grand coalition in the end.<sup>20</sup> Before all, the so-called Health Fund is contested which is to combine the per capita lump sum (CDU/CSU) and the citizens' insurance (SPD) as compromise proposal; for the time being, it has been postponed by one year. Moreover, the lobby groups of the private health insurance companies are vehemently defending themselves against the planned alterations to their contractual possibilities to choose "good actuarial risks" and are finding political support for this position, for example by the Prime Minister of Lower Saxony, Christian Wulff.<sup>21</sup> On the other hand, it is widely agreed to finance the insurance for children which is so far included free of charges out of the general tax revenues and no longer out of members' contributions. For this, a gradually increasing grant taken from tax revenues is to be allotted to the Health Fund.<sup>22</sup> However, as a larger share of tax revenue ceases to be taken in due to the abolition of the grant from the tobacco tax to the compulsory health insurance system than is allocated through the introduction of the tax-financed children's insurance, this reform step - provided it becomes law - will lead to the paradoxical situation that the contributions to the compulsory health insurance system will at first have to be increased. Caught in the political dispute, the potential positive feeding out effects of the planned reform have completely faded into the background. The German *Paritätische* Association of Private Welfare Work for one welcomes that as a result of the reform the number of persons without health insurance (nation-wide ca. 200,000 people) will considerably go down.<sup>23</sup>

The legislation affecting the compulsory health insurance system during the last few years shows in an exemplary manner how feeding in/feeding out processes can be to no avail in two ways. In spite of controlling in keeping with the market (cutbacks in the catalogue of benefits, extra payments) in the sense of feeding in, a sustainable limitation of costs fails to materialise in the health care system. To the contrary, the rates of contributions have been rising almost continually for years. On the supply side, the feeding out results are dubious as well. As the latest Health Report 2006 points out, the health of Germans has, all in all, improved during the last years, but at the same time socially selective mechanisms with regard to the health status are increasingly taking effect. Poor and unemployed

<sup>17</sup> see Bundesministerium für Arbeit und Soziales 2006: Initiative 50plus: Eckpunkte zur Erhöhung der Beschäftigungsfähigkeit und der Beschäftigungschancen älterer Menschen in Deutschland, Berlin

<sup>18</sup> see Der Spiegel 38/2006: Die große Enttäuschung, p. 26

<sup>19</sup> Bundesministerium für Gesundheit vom 4. Juli 2006: Eckpunkte zu einer Gesundheitsreform, Berlin

<sup>20</sup> see Frankfurter Rundschau vom 13.9.2006: Koalitionsspitze ringt um Autorität. Im Streit über die Gesundheitsreform geht es für die Kanzlerin und SPD-Führung längst nicht mehr nur um Fachliches; Frankfurter Rundschau vom 22.9.2006: Große Koalition steckt in tiefer Krise. Wulff widerspricht der Kanzlerin / Nahles sieht Mißtrauenskultur

<sup>21</sup> see Frankfurter Rundschau vom 16.6.2006: Privatkassen drohen mit Klagen. Koalitionäre ringen um umstrittene Einbindung der PKV ins Gesundheitsfonds-Modell / Beck mahnt Solidarität an; cf. Frankfurter Rundschau vom 22.9.2006: „Mehr Optimismus und Vertrauen in die Zukunft“. Der niedersächsische Ministerpräsident Christian Wulff (CDU) über Veränderungen durch die Regierung Merkel und Herausforderungen an die Große Koalition.

<sup>22</sup> see Frankfurter Rundschau vom 27.6.2006: Kinder werden vom Staat versichert. Koalition verständigt sich auf erste Schritte zur Gesundheitsreform

<sup>23</sup> see epd sozial vom 27.7.2006: GKV-Schutz für mehr Menschen

people, for example, are much more frequently sick than other groups of society.<sup>24</sup> Insofar, the increasing privatisation of health costs has not led to any decisive progress either in the sense of keeping contribution rates consistent or with a view to promoting participation and social integration.

In view of the fierce political dispute which has arisen about the health care reform, the need for a reform of the nursing care insurance system is more and more pushed to the background. The Implementation Report announces a reform concept which is to supplement the current contribution procedure for funding of the nursing insurance companies and make it more resilient to demographic change. But contrary to the arrangements in the coalition agreement, concrete policy proposals are not to be expected before 2007.<sup>25</sup>

#### *Completion of reunification: Development of East Germany*

The development of East Germany is an important internal German policy objective. Although according to the Implementation Report the new *Länder* have "noticeably caught up" during the last few years, high unemployment nonetheless remains the "largest challenge for social unity". This statement shows in an exemplary way that economic promotion can foster social participation and integration by itself only up to a point, and then socially in a rather selective way. In order to support the feeding out process actually hoped for due to the large annual transfer payments, a massive additional social feeding in attempt is made by way of the concentration of "40 % of all integration funds of the Federal Agency for Employment for measures of benefit to long-term unemployed persons and youths in the new *Länder*" (p. 16).

#### *Restructuring of the German multi-level system: Reform of federalism*

In the past, we have reported in detail about the strengths and weaknesses of the German multi-level system with regard to the structuring of social processes.<sup>26</sup> The reform of federalism mentioned in the Implementation Report is not explicitly put into the context of promoting social inclusion. The effects are rather to come about indirectly in that the ability of the Federation and the *Länder* to act is to be strengthened, competencies are to be assigned more clearly and the possibilities of a policy of mutual blockades between the *Länder* and the Federation are to be limited. However, with this reform the Implementation Report does not anticipate political control deficits which could arise, for example, from the transfer of federal competencies to the *Länder* in the field of education. In the sphere of support for children and youths (SGB VIII) experts are likewise concerned that the quality of care in the various *Länder* and municipalities could drift apart in the medium term. Very close attention will have to be paid in future to which consequences the desired stronger federal competition between the *Länder* will lead especially with a view to the social inclusion of children and youths.

<sup>24</sup> Robert Koch Institut, Statistisches Bundesamt (Hg.) 2006: Gesundheit in Deutschland, Berlin

<sup>25</sup> see Frankfurter Allgemeine Zeitung vom 8. Juli 2006: Auch die Pflegeversicherung wird teurer

<sup>26</sup> see Implementation of the National Action Plan of Germany against Poverty and Social Exclusion (NAPincl) on the Regional and Local Level Second Report 2004

### *Advancement of the knowledge society*

In the sphere of the knowledge society, feeding in aims at “new impulses for growth and innovation” in order to advance structural change (p. 18). The development of the knowledge society aims firstly at the promotion of research, innovation and state-of-the-art technology. Expenditures for research and development are to rise to 3 % of the GDP by 2010, thus advancing the “innovation competence and excellence in science and industry”. Social inclusion goals in the sense of promoting groups of underprivileged persons do not play any role in this connection; however, the EU structural funds are to be linked more closely with the objectives of the Lisbon Strategy in order to utilise the chances of growth of the knowledge society for the structurally rather weak regions as well. But what exactly this is to look like remains open. Secondly, in order to prevent a shortage of qualified personnel in future, the education systems are to be strengthened. Since education policy comes under the competency of the *Länder*, the strategy of the federal government sets in at four points: 1. promotion of vocational training, 2. educational grants for outstanding pupils or students, 3. promotion of young academics, 4. recruitment of young, top quality international academics (p. 20).

In his “Berlin Speech” on 21 September 2006, Federal President Horst Köhler has taken up a central reform topic, when he demanded a “society which is open and pervious and comes up to the goal: education for all”, while at the same time calling for a concentration of politics “on the essential”, i. e. the promotion of educational chances for all children and youths.<sup>27</sup> In the Implementation Report, the full chapter on the advancement of the knowledge society has 21 sub-sections, but only two of them refer directly to the improvement of educational chances for underprivileged children and youths. In the tables in the Annex, reference is made in summary to the activities of the federal states with regard to the establishment of all-day schools, the promotion of early childhood education and the improvement of competencies at school. Following the agreed reform of federalism, the educational scene in Germany is likely to become even more fragmented.

### **3. Analysis of the contribution of economic and employment policies on social inclusion**

As already explained, the NRP refers only indirectly to the implementation of social targets. Social integration is to be brought about before all through the results of economic and employment policies. This does not exclude promotion programmes geared to specific target groups, but leads to an understanding of social integration focusing, all in all, very narrowly on the labour market. Insofar, there is a potential danger that especially those persons are permanently pushed aside and into the welfare systems who have the highest need for support. The NRP refrains from continuing the discussion about the future of the society of the gainfully employed begun in the late 1980s/early 1990s. Thus it holds to the idea that full employment is possible, although past experience shows that full employment and a shortage of qualified personnel occur only in specific trades and even longer phases of economic growth accord no protection against job cuts. This affects almost always the least qualified persons with sometimes even multiple employment impediments. The NRP does not propose a strategy how this division of the society of the gainfully employed might permanently be counteracted.

<sup>27</sup> see Frankfurter Rundschau vom 22.9.2006: Bildung für alle. In seiner Berliner Rede plädiert Bundespräsident Köhler dafür, die Chancengleichheit für Jugendliche zu erhöhen

## IV. Analysis of the integrated guidelines

### *The awareness of corporate social responsibility*

Taking the model of the activating social state as basis, clear expectations in respect of behaviour and threats of sanctions before all for labour policies, and particularly for the recipients of benefits in the legal sphere of SGB II, are formulated in the NRP and Implementation Report. This way, the readiness to take up a job is to be promoted and thus the will of the unemployed to help themselves to be documented. That this strategy is conclusively based on the necessity to create jobs in all segments of the labour market and for a variety of different qualification profiles, in fact presupposes a broad corporate social responsibility of business. However, it is explicitly demanded in one instance only, namely when business enterprises are requested to review their staff policy vis-à-vis older employees within the framework of the Initiative 50plus. But experience with the Training Covenant shows that at least this voluntary self-commitment leads to heavy controversies time and again, when it comes to evaluating the results. When a shortage of ca. 30,000 apprenticeship places became apparent in May 2006, circles close to business did not concede a lack of corporate social responsibility on the side of business enterprises, but demanded more feeding in through a reduction of the pay for apprentices.<sup>28</sup>

Strictly speaking, the National Reform Programme remains a one-sided contract with regard to its basic structure. Ideas how the transformation of the expected economic growth into employment securing subsistence and social inclusion could be better controlled, either through the training place levy already discussed and threatened years ago or by means of a tax law promoting before all investments in innovation and employment, are conspicuous by their absence. In this respect, the NRP and its Implementation Report miss the breaching of the gap between economic and social objectives in the reformulation of a vision for a new social market economy under the conditions of globalisation and demographic change.

### *The attention given to social inclusion in terms of balance among the three overarching objectives*

The question to which degree the three overarching objectives are taken into consideration in the National Reform Programme can only be answered in the sense of a political evaluation, because the federal government of course proceeds on the assumption that it contributes to the implementation of these three objectives through the NRP. But in the final analysis, it remains open how and against which criteria the target achievement is to be measured. In the feeding in as well as the feeding out analysis we have already pointed out possible problems of the National Reform Strategy in terms of social inclusion. However, depending on the political viewpoint and the basic understanding of economic and social policy, completely different assessments are likely to be arrived at whether the proposed steps go too far, are measured exactly correctly or come off badly. Besides, there is no unity even within the grand coalition, if one looks for example at the different ideas on the health care reform or labour policies. Insofar, the NRP is as comprehensive or as insufficient with regard to the overarching objectives as such a description can be under the political evaluation standard applied from case to case.

<sup>28</sup> see Frankfurter Rundschau vom 29.5.2006: Heftiger Streit über Lehrstellen. Müntefering kritisiert Angebot / Hundt weist Vorwurf zurück / Gloss für Kürzung der Ausbildungsvergütung

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*The cross-reference to the SI/SP process*

Cross-references to the National Strategy Report Social Protection and Social Integration are explicitly made only in the chapter on employment. In the other fields of action, such a reference is missing. We have already pointed out that the NRP and the Strategy Report let themselves be governed by the same spirit with regard to the strategy for growth and employment. In this connection, the NRP places stronger emphasis on requirements of economic policy, the Strategy Report on supporting packages of social measures. Insofar one can in fact speak of the formation of an integrated strategy.

The question whether the Implementation Report on the NRP appropriately takes up the challenges mentioned in the Strategy Report is difficult to answer. As far as the health care sector is concerned, the National Strategy Report in essence delivers a description of the prevailing health care system. The Implementation Report itself cannot fill this gap, because due to the current quarrel about the health care reform within the grand coalition it is entirely unclear at the moment, whether and in which way a change of systems can be initiated in the compulsory health insurance and nursing care insurance schemes. With regard to old age provision, the connection between the NRP and the National Strategy Report is clearer: In both documents, the strengthening of private provision and the raising of the retirement entry age to 67 years are part of the reform strategy. This policy is accompanied by the Initiative 50plus which is to improve the employment chances of older employees. As far as the harmonisation of social security systems and the labour market is concerned, systematic problems arise which are not taken up in the NRP and the Implementation Report. In Germany, the labour market risk is essentially safeguarded through the compulsory unemployment insurance (SGB III), comprising all employed persons liable to contribute to social security. Due to the increasing number of precarious employment relations, either in the form of temporary work, limited contracts, low pay or lack of obligatory social security, this system fails to provide sufficient cover to a growing number of people. Concerning the promotion of the gainful employment quota for women in fields requiring higher qualifications, the Implementation Report puts its hopes on the principle of self-commitment, taking the form of an agreement of the federal government with the leading trade associations for the promotion of equality of opportunity. As supporting measure, an information portal was established ([www.frauenmachenkarriere.de](http://www.frauenmachenkarriere.de)). As for the compatibility of family and vocation, the Implementation Report puts its hopes on the introduction of parental benefits as material pillar of family policies. At the same time, child care offers are to be further developed. But all in all, both the NRP and the Implementation Report are lacking a concept of flexicurity and thus an idea how the loss of importance of the normal employment relation, but also the increasing (insignificant) employment of women can be safeguarded for the event of unemployment and, in the long run, also of old age.

With its narrow focus on a notion of integration which, in the final analysis, finds fulfilment only in employment, the NRP and the Implementation Report clearly fall behind in terms of social inclusion, when compared to analysis and strategy reports already presented by the federal government previously. For example, reporting by the Federation on poverty and wealth has taken up the situation-in-life approach developed by the social sciences, thus contributing to a much broader understanding of social integration. This aspect is missing in the NRP and the Implementation Report almost completely so that basically everybody can interpret everything into the proposed measures on social and economic policy - or leave it.

*The question of promoting an inclusive labour market*

At different places of this report it has already become clear that we see the consequences of labour policies especially for the persons furthest from the labour market rather negatively. These groups of persons are not mentioned in the NRP and the Implementation Report. Even if one takes into account that the Implementation Report offers only a limited number of pages and thus limited space for a description of sophisticated political strategies, perhaps the most serious vacuum in terms of social inclusion and feeding out arises at this place. Taking up this point, it is to be criticised that the complete area of the effects of social services on the promotion of social inclusion remains underexposed. This fits in with the observation that the word "poverty" does not appear even once in the whole Implementation Report.

## **Annex: Table of priority objectives as mentioned in the Implementation Report**

In the National Reform Programme 2005 - 2008, the federal government identifies six priorities guiding its actions with regard to the planning and implementation of policy. At the centre of attention is the development of the knowledge society as central key for the capability of a modern society to meet the challenges of the future and the establishment of participation and social integration. Moreover, improved framework conditions are to support the competitiveness of enterprises and benefit before all medium-sized companies. The consolidation of the public budgets and the protection of the environment by means of promoting ecological innovations are given priority. But the main task is the orientation of economic, financial and labour policies towards the promotion of more employment.

The Implementation Report then mentions a whole array of legislative and other measures whose analysis and evaluation have been dealt with in the preceding feeding in/feeding out analysis. In this context it has already become obvious that the Implementation Report dispenses with a description of the multitude of individual activities orientated towards specific target groups. While all (legislative) activities mentioned in the text are listed on 43 pages in tabular form following the structure of the Implementation Report, the idea of the Commission to assign at least part of these measures systematically to a certain field of action is not taken up. The chosen form of the description does not permit an evaluation of intended feeding in/feeding out processes for selected policy fields in the sense of an assessment of the consequences of certain policies beyond the extent already reported.

Referring to the concrete sphere of action, it thus remains open whether the political approach outlined in the NRP and described in the Implementation Report will actually lead to an increase of social integration and justness of distribution. The Implementation and Progress Report hardly makes any empirical data on this issue available and also dispenses with the formulation of an integrated and sophisticated system of targets and indicators for measuring feeding in/feeding out effects below the guiding targets of growth and employment. The main emphasis is in fact placed on the reporting about the state of affairs with regard to the implementation of laws, programmes, political projects and the placement of priorities. Insofar both the report and the outline in tabular form provide hardly any starting points for either an ex ante or an ex post evaluation.

Taking up the analytical approach stipulated by the Commission nonetheless, the following section attempts to describe the central measures of the Implementation Report with regard to the issue of immigration. It is intended to show in how far an integrated policy approach may be traced from the available information and where the main emphasis of action and deficits is to be seen.

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Priority Objective: Ensure Inclusion of Immigrants and Ethnic Minorities												
Targets	Indicators		Policy Measures									
			(1) Employment	(2) Economic	(3) Income: tax, social protection	(4) Education & Training	(5) Housing, Environment, Basic Services	(6) Health, Social & Family Services	(7) Culture, Sport & Leisure	(8) Transport	(9) Financial & Legal Services	(10) Non Discrimination & Gender Equality
(4.1) minimise circles of short time toleration ("Kettenduldungen")	(4.1) review within the evaluation of the immigration law	<b>Key existing measures</b>	(1.1) Green Card (1.2) "IQ"-Network for advise and information	(2.1) Green Card		(4.1) minimise circles of short time toleration (which hinders vocational training) through the new immigration law (4.2) integration courses	(5.1) Federation /Länder-Programme "Soziale Stadt"		(7.1) rights of ethnic minorities			(10.1) Article 3. 3 of the constitution (10.2) new law on citizenship
(4.3) 10.000 vocational training places within 4 years	(4.3) number of additional vocational training places	<b>Main new measures</b>				(4.3) Initiative „Aktiv für Ausbildungsplätze“	(5.2) Common law on equal treatment		(7.2) Islam Conference (7.3) Integration summit			(10.3) Common law on equal treatment
		<b>Additional resources</b>	(1.2) Federal and EU means			(4.2) Federal means	(5.1) Federal and regional (Länder) means					
		<b>Addressing gender</b>	(1.3) Common law on equal treatment				(5.2) Common law on equal treatment		see (7.2.) and (7.3)			

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		<b>Agencies responsible (national, regional, local)</b>	(1.1) (Federation) (1.2) politics, administration, NGO (Federation, Länder, Municipalities) (1.3) justice (Federation, Länder, Municipalities)	(2.1) see (1.1)		(4.1) administration (Municipalities) (4.2) politics, administration, NGO (Federation, Länder, Municipalities) (4.3) Federal ministry on education	(5.1) politics, administration, NGO (Federation, Länder, Municipalities) (5.2) see (1.3)		(7.1) politics, administration, justice (Federation, Länder, Municipalities) (7.2) Federal Home Office (7.3) Prime Minister		(10.1) Constitution Court (10.2) administration (Federation, Länder, Municipalities) (10.3) see (1.3)
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In the area migration (page 86), the Annex to the Implementation Report in tabular form refers merely to the advice and information network "IQ Programme" for the promotion of vocational integration of people with a migration background which began in 2005. By contrast, the corresponding chapter 4.4 of the Implementation Report (page 39 ff.) also deals at least with the Immigration Act and its evaluation and with the offer of language courses within the framework of SGB III. For an operationalisation of the priority objective, i. e. the promotion of the social integration of ethnic minorities and people with a migration background, the General Law on Equality of Treatment as well as the Islam Conference and the Integration Summit would certainly have to be added here as measures. The table clearly shows that the key measures are currently addressing the fields employment, education, housing, culture as well as non-discrimination and gender equality. The table only looks for measures promoting integration, whereas our report in addition also points out measures and political demands whose effect in terms of promoting integration is at least dubious.

## **B. Integration of immigrants (first and second generations) and/or ethnic minorities**

### **1. General background information on the situation of immigrants and ethnic minorities, using as far as possible available EU and national statistical data**

Although Germany has experienced immigration without interruption since the end of the Second World War, increasingly so since the late 1950s and in the 1960s through the influx of migrant workers, German society has refused for a long time to see itself as immigration society. Only after 1998, the SPD-Green coalition first took up this phenomenon against the fierce resistance of the opposition back then and improved the possibilities of an integration of immigrants by means of two legislative reforms.

- The revised Law on Citizenship (it came into force in 2000): With the revised Law on Citizenship it became much easier for aliens to get a German passport. About one out of five "aliens" in Germany has been born here already.<sup>29</sup> After the number of naturalisations had greatly increased, after the law had come into force, they have been decreasing again considerably in the last few years: from 186,688 naturalisations in 2000 to 117,240 in 2005.
- The Immigration Act (since 2005): The implementation of the Immigration Act is an ongoing process today. The core of the Act is better steering of the extent of immigration and a reform of the educational and social services for immigrants from non-EU countries, asylum seekers and late repatriates. In July 2006, the Federal Ministry of the Interior has presented a first evaluation report on the Immigration Act - some 250 pages strong - which also documents an experts' workshop as well as statements by the *Länder*, public authorities, NGOs and other actors in its annexes covering several hundred pages.<sup>30</sup> On the whole, the report presents a positive initial interim balance of the amendment of the law and its implementation.

In the coalition agreement of November 2005, the federal government has formulated some key points for further changes to immigration policy in the legislative period 2005-2009. It describes here<sup>31</sup> a conceptual orientation aiming at a better integration of people coming to Germany on a permanent basis. According to the government, this can only succeed, if immigration is controlled and restricted.

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<sup>29</sup> Beauftragte der Bundesregierung für Migration, Flüchtlinge und Integration (Hg.): Bericht ... über die Lage der Ausländerinnen und Ausländer in Deutschland, Berlin 2005, p. 565

<sup>30</sup> Bundesministerium des Innern: Bericht zur Evaluierung des Gesetzes zur Steuerung und Begrenzung der Zuwanderung und zur Regelung des Aufenthalts und der Integration von Unionsbürgern und Ausländern (Zuwanderungsgesetz), Berlin July 2006

<sup>31</sup> CDU / CSU / SPD: Gemeinsam für Deutschland – mit Mut und Menschlichkeit, Koalitionsvertrag, Berlin 11 November 2005, p. 117ff

Obstacles standing in the way of a deportation of people obliged to leave the country are to be removed, if possible; the possible abuse of recognition's of paternity to obtain advantages under the legal regulations on aliens and citizenship is to be prevented. The tenor of these statements on legal questions in respect of aliens can be pointedly summarised in the formula: a) better integration of the "migrant workers" and their descendants and b) otherwise pursuing again a more restrictive immigration policy and more rigorous policy of rejection and deportation. The efforts at integration find expression, inter alia, in the Integration Summit of the Federal Chancellor and the Islam Conference of the Federal Minister of the Interior in the autumn of 2006, and the restrictive efforts in particular in the current legislative procedure regarding the Second Amending Law in Respect of the Law on Residence which is intended to adapt national law to Community law "for the purpose of implementing directives of the European Union in respect of residence and asylum".<sup>32</sup> Besides, the federal coalition agreement of CDU/CSU and SPD states: "EU nationals staying in Germany only for the purpose of seeking employment and who have not worked in Germany before, are no longer to have a claim for unemployment benefits II in future."<sup>33</sup> This is, however, clearly opposed to Community law regarding the first months of residence. At the end of the legislative proceedings, the Federal Parental Benefits Act and Parental Domestic Release Act were also amended to make them more restrictive for aliens.

The current federal government favours a European-wide refugee policy, but wants access to the labour market to remain a national matter. With the Second Amending Law in Respect of the Law on Residence now still in the legislative stage, the federal government intends to incorporate eleven EU Directives regarding the law on aliens and asylum into domestic law without further delay.

Including the late repatriates, ca. 15 million people with a migration background are living in Germany; this equals almost one fifth of the population. The most important groups to be mentioned are:

- In the western part of the country: "migrant workers" from the old EU countries (especially from Italy and Greece) and from Yugoslavia and Turkey, since a few years also from the new eastern member states of the EU (the migrant workers from Vietnam in the former GDR went home in the first years after Germany's reunification).
- Refugees and asylum seekers: A small group of persons, after a boom in the late 1980s and early 1990s and a few aggravations of the respective legislation and administrative practice. In view of the shielding of the borders in practically all Schengen States, the number of asylum seekers has drastically gone down in Germany as well; the recognition quota continues to be extremely low. In 2005, only 411 asylum seekers were accepted. Including the persons admitted in accordance with the Geneva Convention on Refugees, 0.9 % out of 29,000 asylum seekers were granted the right to stay in Germany last year according to information by the Catholic Welfare Association Caritas.<sup>34</sup>
- In addition to recognised asylum seekers and refugees, ca. 200,000 persons are living in Germany on sufferance. They cannot be deported for personal reasons or because of the situation and acceptance of a repatriation in their country of origin and therefore get an extension of their sufferance for a few months at a time only.
- Furthermore, there is a heterogeneous group of "illegal" immigrants. According to estimates, up to one million persons with illegal status are living in Germany.<sup>35</sup>
- Last but not least, there are German late repatriates from Eastern Europe. After high re-migration figures in the early 1990s (ca. 300,000 persons annually) and mid-1990s (somewhat more than 200,000 persons annually), these figures are continuing to decrease. Following ca.

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<sup>32</sup> Richtlinien 2002/90/EG, 2003/9/EG, 2003/86/EG, 2003/109/EG, 2003/110/EG, 2004/38/EG, 2004/81/EG, 2004/83/EG, 2004/114/EG, 2005/71/EG, 2005/85/EG

<sup>33</sup> CDU / CSU / SPD: Gemeinsam für Deutschland – mit Mut und Menschlichkeit, Koalitionsvertrag, Berlin 11 November 2005, p. 28

<sup>34</sup> Tieben, Angela: Grundrecht auf Asyl. Nur noch eine leere Hülse, in: Neue Caritas, 4/2006, p. 3

<sup>35</sup> Koch, Ute: Illegal leben in Deutschland, in: Neue Caritas, Heft 12/2006, p. 10

100,000 persons annually at the end of the 1990s and 55,000 persons in 2004, only somewhat more than 35,000 late repatriates came to Germany in 2005.

Concerning ethnic minorities rooted in Germany - Sorbs (ca. 60,000 persons), Danes (ca. 50,000 persons) as well as Frisians, Sinti and Roma (Gypsies) - we have already mentioned in our last reports that their advancement, protection and participation is essentially guaranteed. Compared with other European Countries, it can in fact be regarded as exemplary, considering the special public assistance granted to the parties of ethnic minorities, to associations, schools and day care facilities by the Federation, Länder and municipalities as well as the bilingual town and road signs.<sup>36</sup> Moreover, there has been a Minority Commissioner of the federal Government since 2002.

In the Implementation Report 2005 our former Government impressively describes once more the special situation of immigrants in Germany: "The economic and social situation of immigrants still differs from that of the population at whole. Children of foreign origin have comparatively poorer educational qualifications and thus have worse starting opportunities. At 20.4 % (2004), the unemployment rate of foreigners - in terms of the gainfully employed in Germany - was still almost twice as high as that of the population as a whole. The continuing high unemployment is also one of the reasons for a higher poverty risk among immigrants. Their poverty risk rose from 19.6 % to 24.0 % between 1998 and 2003 and thus well above the poverty risk rate of the population as a whole."<sup>37</sup>

## 2. Employment issues

*Measures to combat institutional racism, discriminatory attitudes of public employment/placement services, selection criteria and procedures applied by public and private employers*

Art. 3 para. 3 of the Basic Law of the Federal Republic of Germany states: "No-one shall be prejudiced or privileged because of his sex, his descent, his race, his language, his homeland and origin, his faith, his religious or political opinions." That these far-reaching guarantees binding the legislature, the executive and the judiciary as directly valid law (Art. 1 para. 3 Basic Law) nonetheless need to be put in concrete terms by means of ordinary laws in order to be effective, is elucidated by the long-standing political dispute about the scope of an anti-discrimination law (now "General Law on Equality of Treatment").

The first evaluation report on the Immigration Act also refers to the limits of the possibilities to change the practice of the law on aliens and of integration in Germany by legislation alone. Analogous to the Hartz IV legislation concerning social law, the Immigration Act raises new demands on the public authorities and their employees which these cannot simply meet without trouble right at the time of coming into force of the new law. There is a considerable requirement for qualification, for example at the municipal Aliens Registration Offices, if as a result of the new law they no longer have to fulfil merely public order tasks, but (analogously to the case managers in the Employment Agencies) are to become actors in charge of the vocational and social integration of immigrants.<sup>38</sup>

With the General Law on Equality of Treatment passed in the summer of 2006, a legal instrument has now been created to combat many forms of discrimination in trade and industry as well: hiring of staff, access to discotheques etc. Staff concepts in the sense of Diversity Management can be found to an increasing degree before all in large and multinational enterprises. Moreover, employers' and

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<sup>36</sup> Müller, Sandra: Einfach Däne sein, in: Die Tageszeitung, 11 May 2005, p. 28

<sup>37</sup> Implementation Report 2005, p. 6

<sup>38</sup> See: Barth, Wolfgang: Zuwanderungsbegrenzungs-gesetz verabschiedet: Wie geht es weiter mit der Integration?, in: Theorie und Praxis der Sozialen Arbeit, Heft 5/2004, p. 42

employees' associations make efforts to combat xenophobia and discrimination. In the fields of education and social services, the *Länder*, municipalities and welfare associations recognise more and more the value of intercultural competence, for example among teachers and in advice processes of social work. As the Association Learning and Education (VBE) estimates, only one per cent of the 740,000 teachers in Germany have a migration background today, whereas the figure is stated at two per cent among students preparing for the teaching profession.<sup>39</sup> Not the least due to the new offer of Islam Studies at the schools of some of the *Länder*, this number will certainly grow during the next years.

*Specific measures to monitor the application of the Directives concerning discrimination in employment, and the Directive on racial discrimination and on third country nationals who are long-term residents*

The incorporation of the Antidiscrimination Directives of the EU into national law was effected in Germany in the summer of 2006 within the framework of the General Law on Equality of Treatment, after a draft bill of the SPD-Green federal government had initially been brought down in the summer of 2005 by the opposition of the *Bundesrat* dominated by the CDU/CSU. The protection against discrimination because of age, disability, religion and sexual orientation demanded by the Social Democrats and the Greens and rejected by the CDU/CSU, which goes beyond the contents of the EU Directives, was disputed during both legislative procedures.<sup>40</sup> All these protective elements are contained in the law which has now been passed. There are, however, statutory exemptions, for example for the Churches as employer in certain institutions operated by them and for private (non-commercial) lessors.

*Employment opportunities for immigrants and ethnic minorities*

In legal terms, access to the labour market is limited by the transitional arrangement concerning the free movement of workers in respect of labour migration from the EU acceding states as well as refugees, asylum seekers and persons on sufferance. But de facto, immigrants have aggravated access to gainful employment. Conversely, because of the long immigration history of the Federal Republic with a - sometimes deliberate - recruitment of foreign workers ("migrant workers"), distinct economic structures among people with a migration background have meanwhile developed before all in the West German conurbation's. Small and medium-sized enterprises are frequently found there for instance in the catering trade, retail trade and mechanical workshops. Finally, a grey market of employment of foreign nationals from the Middle and East European states exists in the fields of housekeeping services and looking after people in need of nursing care.

*Corporate social responsibility programmes*

The federal initiative "Active for Training Places" to improve the training potential in enterprises of immigrants is only one example for the distinct programme promotion network in Germany in which foundations, government departments and the various federations of business enterprises are active, in part independently and in part co-operatively. In these programmes and beyond any programmes, small, medium-sized and large enterprises and employers' associations are active in different fields of "corporate social responsibility" (equality of the genders, Managing Diversity, promotion of child care,

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<sup>39</sup> Migranten als Lehrer gewinnen, in: Die Tageszeitung, 29 September 2006, p. 6

<sup>40</sup> Annäherung bei Gesetz gegen Diskriminierung, in: Frankfurter Rundschau, 2 March 2006, p. 4

combating xenophobia at the work place etc.), in part aiming simplistically at the forming of public and intra-company opinion, but in part also in a substantially operative way.

### 3. Education and training issues

*The role of education and training as means of integrating immigrants (first and second generations, and if appropriate later generations) and ethnic minorities*

In Germany, the vocational, educational and social integration of ethnic minorities does not constitute a significant problem comparable to other European countries. However, with regard to the population of foreign origin these problems have been known for a long time, but have not been addressed sufficiently in the past. As early as 1979, Heinz Kühn, the former Prime Minister of Land NRW and later Aliens Commissioner of the federal government, drew attention to the importance of day nurseries and schools for the social integration of immigrating people and pointed out the huge deficits of politics in this area, but without success.<sup>41</sup> Meanwhile, especially the problems of dropping out of school or leaving school after the end of compulsory education without secondary qualifications and of missing German language skills are at least publicly debated.<sup>42</sup> As had happened already in the early and mid-1990s, ca. 20 % of foreign youths left the general education schools without secondary qualifications in 2001/2002, with boys being affected even more strongly (ca. 23 % each) than girls (ca. 16 % each). By contrast, only slightly 7 % of the German pupils failed to obtain secondary qualifications in 1991/1992 and somewhat more than 8 % in 2001/2002.<sup>43</sup> Whether the projects and programmes of the Federation, *Länder*, local authorities and voluntary welfare associations aiming at linguistic abilities and the prevention of dropping out of school, which are quite numerous by now, are already leading to significant and broadly effective improvements, still remains to be evaluated. The increased efforts to improve the German language skills of the children through the participation of their mothers in language courses is also reported in the German NAPincl 2004.<sup>44</sup>

A specific problem is the educational integration of persons staying in Germany on sufferance only. The new immigration law was actually supposed to overcome the practice of so-called "chain sufferance" of persons with an insecure residence status in Germany.<sup>45</sup> However, in many places this has not yet happened. Not infrequently, the children of these persons were born and have grown up in the Federal Republic. As a rule, tolerated persons do not receive a work permit and do not have the right to attend language courses. The right and obligation to attend school (particularly school attendance beyond the period of compulsory education) is handled in the various federal states as differently as the access to training. Stays on sufferance lasting for just a few months in fact make the search for a training place well-nigh impossible and, for want of perspectives, lead to the destruction of the motivation of children and youths to get an education. By the end of November 2006, the Ministers of the Interior of the Federation and the *Länder* intend to come to an agreement on a so-called "old case" regulation for this group of persons.<sup>46</sup>

With regard to the much larger group of children and youths of foreign origin living in Germany with permanent resident status (and mostly having been born here) or even holding German citizenship, a

<sup>41</sup> Kinder in der Außenseiterrolle, Dokumentation, in: Frankfurter Rundschau, 10 December 2004, p. 9

<sup>42</sup> See CDU / CSU / SPD: Gemeinsam für Deutschland - mit Mut und Menschlichkeit, Koalitions-vertrag, Berlin 11 November 2005, p. 33, 97, 119

<sup>43</sup> Beauftragte der Bundesregierung für Migration, Flüchtlinge und Integration: Bericht ... über die Lage der Ausländerinnen und Ausländer in Deutschland, Berlin 2005, p. 573

<sup>44</sup> p. A73

<sup>45</sup> See CDU / CSU / SPD: Gemeinsam für Deutschland – mit Mut und Menschlichkeit, Koalitions-vertrag, Berlin 11 November 2005, p. 118

<sup>46</sup> Gaserow, Vera: Hohe Hürden vor Bleiberecht für Geduldete, in: Frankfurter Rundschau, 23 September 2006, p. 4

debate about the tolerance of different languages of communication in the schools flared up in Germany last year. It was sparked off by regulations in some schools which are now forbidding use of the native language even during breaks between lessons.

In 2000, 40 % of the young adults in West Germany between the ages of 24 and 29 years and not holding a German passport had failed to complete vocational training (Germans: 10 %).<sup>47</sup> According to the latest Vocational Training Report, this situation has not noticeably changed so far: Whereas ca. 11 % of the German youths do not complete vocational training, this holds true for one out of three foreign youths.<sup>48</sup> In 2005, only one out of four foreign youths looking for an apprenticeship place actually found a training place.<sup>49</sup> Not only the status of "immigrant" makes this search more difficult, but also the fact that due to a decreasing number of training places on offer a heavy freeze-out competition leaves its mark on the "training market", where school leavers with University entrance qualifications compete much more successfully for apprenticeship places than secondary modern school leavers.

An improvement of the training situation facing immigrants is specifically aimed at by the initiative "Active for Training Places" by the Federal Ministry of Education. By way of this initiative, 10,000 training places for youths with a migration background are to be created during the next four years. Business enterprises are to be won over for it at eight regional conferences in cities with a high percentage of aliens. Enterprises owned by foreigners constitute an important group in this connection: "Although the number of foreign-owned business enterprises has doubled to 300,000 undertakings since the 1990s, hardly any new training places have been created. Parallel to this development, the portion of trainees or apprentices with a migration background has almost been cut in half since 1994. Last year, only 4.4 % of the 1.5 Mill. apprentices held a foreign passport."<sup>50</sup>

Since 2005, the basic linguistic and social integration of people newly immigrating to Germany is to be advanced before all through integration courses. Out of the budget funds in the amount of Euro 208 Mill. made available by the Federation for this purpose in 2005, only Euro 89 Mill. were actually spent. Funds in the amount of Euro 141 Mill. each have been appropriated for 2006 and 2007. According to the Bavarian Prime Minister, only somewhat more than one half of the 60,000 aliens obliged to attend the integration course have actually met this obligation.<sup>51</sup> But there are also voices, for example from the voluntary welfare associations, which draw attention to very high bureaucratic hurdles for carrying out the integration courses. Besides, the Employment Agencies are said to use the courses rather rarely so far to support unemployed immigrants. In the government parties, an increase of the extent of the integration courses from 630 hours to about 900 hours is under discussion at the moment. An evaluation study on quality and quantity of the integration courses is currently carried out; its results will eventually allow more reliable statements and conclusions.

#### *Measures to assess, validate and certify qualifications, training and work experience previously acquired*

The Bologna Process of the EU leads to a changeover of University and College degrees from the diploma and Master's system to Bachelor's and Master's degrees in Germany as well. As a result, qualification components acquired abroad will be recognised more easily in Germany, while conversely, qualification components acquired in Germany will become more easily "exportable". The changeover of courses of studies to this new system has not yet been brought to a conclusion at the moment.

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<sup>47</sup> Beauftragte der Bundesregierung für Migration, Flüchtlinge und Integration (Hg.): Bericht ... über die Lage der Ausländerinnen und Ausländer in Deutschland, Berlin 2005, p. 577

<sup>48</sup> Meng, Richard: Ausländer im Nachteil, in: Frankfurter Rundschau, 26 April 2006, p. 1

<sup>49</sup> Goebels, Wilfried: Schlechte Karten für Ausländerkinder, in: Recklinghäuser Zeitung, 13 April 2006, p. 2

<sup>50</sup> Akyol, Cigdem: Bildung für Ausländer, in: Die Tageszeitung, 20 September 2006, p. 8

<sup>51</sup> Wer nicht integriert ist, soll künftig raus, in: Recklinghäuser Zeitung, 10 April 2006, p. 1

*Measures to value the diverse background of immigrants and to make use of immigrant-specific informal skills such as intercultural competencies or multi-lingualism?*

It seems that insufficient attention is frequently still paid to positive correlations between immigration and education. Foreign language skills are a generally desired goal at secondary schools. The advancement of bilingualism is greatly recommended to parents and day nurseries. Nonetheless, a "course in the special subject Turkish", "Arabic" or "Modern Greek" is still rarely to be found at German grammar schools, comprehensive schools and vocational schools even in regions, where a particularly large number of people of this origin are living. Because of this lack of a double and deliberate promotion of the native language and German as a foreign language, the phenomenon of "semilingualism" is under discussion in circles of experts.<sup>52</sup> Without a promotion of both languages, knowledge about them remains incomplete, especially in the written language. The value, but also the lack of teachers and social workers with a migration background has already been pointed out.

#### **4. Housing and related issues**

*Access to decent housing*

The specific problem of the quality of living and the living environment for immigrants no longer exists today to the same extent as for example in the early 1990s. Not only homelessness has greatly dropped since then. For one, the considerable decrease in the influx of repatriates, refugees and asylum seekers has led to the result that temporary accommodation and housing developments established back then have partially been abandoned again in the meantime. Secondly, a reinforced town district management, redevelopment programmes (e. g. for residential estates for miners) and the programme Social Town which originated in North Rhine-Westphalia and was finally extended to the whole Federal Republic have made their contribution to the structural renovation as well as the social and infrastructural stabilisation of many neglected urban districts.

*Spatial segregation of immigrants*

Conversely, in the final analysis all these measures cannot prevent the situation that because of the growing number of materially impoverished people and the solidified mass unemployment, old social problem areas remain and new ones are developing where people with a migration background are clearly overrepresented. But all in all, it has so far been prevented in Germany, under observance of urban development, social planning and social work know-how, that ghettos of immigrants and the poor or socially downgraded suburban housing estates are developing to the same extent as in other European countries.

#### **5. Social services**

*Access to social services*

The access of immigrants with a residence permit to common social services (child care, advice, health care etc.) generally is guaranteed in Germany. As examples for the explicit promotion of access of persons with a migration background to social and health care services one can mention the campaign "Kultursensible Altenhilfe" (Culturally Sensitive Care for the Elderly) as common project of several

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<sup>52</sup> Interkulturelles Lernen wurde verschlafen, in: Die Tageszeitung, 9 August 2006, p. NRW 2

voluntary welfare associations<sup>53</sup> and the multi-language campaign “Dr. Schnupper” (Workers Welfare Association et alias), advocating to make use of health care services for children. Both initiatives (among many others) are evidence of a growing sensitivity of politics and of the practitioners in the social welfare and health care field towards questions of a barrier-free access of immigrants to social services, requiring well-directed addressing and conceptual consideration of this target group. On the other side the access of persons living in Germany illegally to rights, services of social advice and assistance, educational facilities etc. is still not secure. Finally, the Law in Respect of Benefits for Asylum Seekers still provides for no more than a very limited provision of health care services for unrecognised and recognised asylum seekers. It is restricted to illnesses requiring urgent treatment, but precludes chronic illnesses as well as services of prevention and rehabilitation.

## 6. Target groups issues

### *Integration of immigrant women*

The coalition agreement of the CDU/CSU and SPD on the federal level pleads for a strengthening of the self-confidence of female immigrants as well as for better care, advice and support offers to deal with coercive marriages,<sup>54</sup> although competency for such support offers rests with the *Länder* and municipalities. Immigration-specific services as well as social facilities and services specifically directed at women exist there to a differing degree, partially sponsored by public agencies and partially by charitable institutions. However, as services frequently provided by the public sector on a voluntary basis, both are particularly affected by the cuts in the social welfare budgets in several *Länder* and numerous municipalities.

Within the framework of legislation to incorporate EU Directives on residence and asylum, aggravated requirements for the joining of spouses are considered. As regards the situation of emancipated girls and women of Turkish origin, the murder of Hatun Sürücü by her brothers in Berlin has triggered off a broad debate about values, honour, freedom and violence against women and families from this region. That “murders in the name of honour” are strictly to be condemned both morally and in court, has been made unmistakably clear by representatives of Turkish associations in Germany as well. As a recent representative study about the conditions of life of young female Turkish immigrants admonishes, such cases should not be used to overlook that they are for the most part satisfied with their family situation and to blend out the positive aspects of original family ties. Negative effects of a rupture of this bond without sufficient alternatives should not be underestimated.<sup>55</sup>

During the football world championship in the summer of 2006, the serious problem of coercive prostitution in Germany was made the subject of discussion in several very effective publicity campaigns. All in all, these poster and info actions coinciding with a large real public event generating broad attention in the media may well be regarded as best-practice example.

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<sup>53</sup> [www.kultursensible-Altenhilfe.net](http://www.kultursensible-Altenhilfe.net)

<sup>54</sup> CDU / CSU / SPD: Gemeinsam für Deutschland - mit Mut und Menschlichkeit, Koalitionsvertrag, Berlin 11 November 2005, p. 119f

<sup>55</sup> Geborgen mit hohem Anspruch, Dokumentation, in: Frankfurter Rundschau vom 21. Dezember 2004, Seite 7; see Bundesministerium für Familie, Senioren, Frauen und Jugend (Hg.): Familien ausländischer Herkunft in Deutschland. Leistungen. Belastungen. Herausforderungen. Sechster Familienbericht, Berlin 2000, p. 94

*Problems of immigrants with disabilities or mental health problems*

Examples for measures specifically aiming at disabled and mentally ill persons with a migration background cannot be identified here, although they may in fact exist. At least there now are the first old people's homes, where the special requirements of immigrants are taken into consideration (e.g. Islamic prayer rooms, special food-stuffs). The standard care in the present health and nursing care system is facilitated not the least by the fact that there is a growing number of persons with a migration background among the medical and nursing staff.

*Tackling of discrimination of second and third generation immigrants*

Whereas the parents of young immigrants of German descent from Eastern Europe mostly find work in Germany, although rather in the low wage or low qualification sector, these children and youths partially experience large problems with integration. Among this group as well as among youths originating from Turkey or the Balkans, property offences and the use of force are occurring increasingly often.<sup>56</sup> Children and juveniles of (Kurdish) civil war refugees from the Lebanon having lived in Germany merely on sufferance for many years are likewise displaying deviant behaviour to an increasing degree. Among all these groups of persons, these indications suggest special integration problems because of a specific socialisation, a formative background from the emigration country and/or a socially unrecognised position in the immigration country. There are in part selective measures directed towards these groups on the local level and forums to discuss these correlations on the regional and state level.

*Problems of multiple exclusion faced by young immigrants and young people from ethnic minorities living in poor neighbourhoods*

See (chapter 4 and 6)

## 7. Information, communication and culture issues

As already mentioned in our First Report 2006, a debate about the usefulness and undiscriminating form of naturalisation tests in the course of procedures to obtain German citizenship erupted in the spring of 2006. In Baden-Württemberg such a test to check the loyalty to the constitution has been administered since early 2006 in the first line to Muslims and asks for the handling of sexual orientations.<sup>57</sup> Land Hesse plans the introduction of a test appearing to be socially selective in view of questions at grammar school level.<sup>58</sup> In Saxony such tests are already common practice. In May 2006, the Ministers of the Interior of the *Länder* agreed to make a naturalisation course to obtain German citizenship mandatory throughout the Federal Republic in future. The *Länder* are to determine the concrete form of the courses on the basis of uniform standards. Uniform language tests are to be introduced. Finally, it was agreed to lower the threshold below which criminal offences prevent a possible naturalisation. However, after the agreement by the Ministers of the Interior, the Minister of *Land* Berlin let it be known that he would continue to allow exceptions from the obligation to take a final

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<sup>56</sup> Kriminologe sieht alarmierende Trends bei Jugendgewalt - Christian Pfeifer: Jugendkriminalität ist aber in den vergangenen Jahren gesunken, vom 09.03.2006 in: <http://www.3sat.de/SCRIPTS/print.php?url=/nano/astuecke/89554/index.html>

<sup>57</sup> Fragebogen völkerrechtswidrig, in: Frankfurter Rundschau, 16 March 2006, p. 4

<sup>58</sup> Entwurf eines Einbürgerungstests des Landes Hessen: „84. Der deutsche Maler Caspar David Friedrich malte auf einem seiner bekanntesten Bilder eine Landschaft auf der Ostseeinsel Rügen. Welches Motiv zeigt dieses Bild?“, zit. nach Süddeutsche Zeitung, 17 March 2006, p. 10

language test, and the Hessian state government reserves the right to further pursue test elements of its naturalisation guide which are not covered by the federal standards single-handedly. Insofar, a nationwide uniform practice of naturalisation procedures has so far been approached in parts only.

*Addressing the religious and cultural values of the immigrants and ethnic minorities*

The ruling parties declare in the coalition agreement that they are committed to a holistic integration concept, supporting not only access to the labour market, but also addressing social, religious, cultural, linguistic and country-specific differences. The coalition agreement also confesses to the dialogue with the Churches, Jews and in particular Muslims.

Culturally different values and norms, family models and forms of behaviour between the sexes may well lead to serious orientation difficulties and conflicts for youths and young adults with a migration background and for their families. Some of them, left to their own devices, are hardly able to parry and balance "the discrepancies they witness every day between the traditions experienced in the family and in public, between religious instructions and the modern 'just as you like' attitude."<sup>59</sup> In this connection, the existing advisory and educational measures - although they suffer from decreasing public sector funds - are to be accorded the same large importance as the offers of voluntary youth work where these discrepancies and conflicts can be taken up.<sup>60</sup>

*Awareness raising, targeting the host society with a view to strengthening its capacity to cope with the diversity offered by the presence of immigrants and ethnic minorities*

In the coalition agreement, the ruling parties confess to the fight against extremism and xenophobia and for tolerance, democracy, respect and diversity. Integrated local strategies are said to offer the best chances of success to achieve this.<sup>61</sup> A contribution to this openness of the country towards different cultures was certainly made by the football world championship in 2006; it was conducted under the motto "The world staying with friends". Yet the subject matter of the legislative projects concerning the law on aliens shows how selective and restricted to the guest status this friendship really is.

All in all, the contradiction between an immigration country in reality and the long-lasting denial of this status is and remains pervasive. This has sometimes caused immigrants to cut themselves off from the new society wholly or in part. On the other hand, the working model of a German "guiding culture" demanded in contrast by conservative circles is rightly regarded as a request for assimilation, but not as a contribution to integration. But the notion "migrant" does not sufficiently distinguish: Whereas children and youths of Turkish and (South) Italian origin rather belong to the losers in the school system, their counterparts from Greece and former Yugoslavia have mostly been integrated. Therefore, integration offers aiming at specific target groups are increasingly presented on the local and regional level.

*Role of the local communities in the integration of immigrants and ethnic minorities*

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<sup>59</sup> AGJ: leben lernen. Kinder- und jugendpolitisches Diskussionspapier der Arbeitsgemeinschaft für Jugendhilfe zum 12. Deutschen Jugendhilfetag, Berlin 2004, p. 8

<sup>60</sup> Benz, Benjamin: Bildungsleistungen und Bildungskosten von Familien, in: Arbeiterwohlfahrt Bundesverband e.V. (eds.): Sozialbericht 2006, Bonn/Berlin im Erscheinen

<sup>61</sup> CDU / CSU / SPD: Gemeinsam für Deutschland – mit Mut und Menschlichkeit, Koalitionsvertrag, Berlin 11 November 2005, p. 106

The local Aliens Registration Offices and concrete social policies on the local level play an important role with regard to integration. A number of federal states and local authorities have meanwhile developed local and regional integration concepts. In a large number of municipalities local Aliens Advisory Boards have by now been firmly established. Besides, there are efforts in several *Länder* to extend the right to vote on the local level beyond the group of EU citizens. "However, at the moment a structure worked out in detail, defining the responsibilities and indicators on the respective levels of the federal state, is missing."<sup>62</sup> The Integration Summit and the Islam Conference could make contributions to an integration concept encompassing all political levels and social actors.

### *Civic, cultural and political participation of immigrants and minorities in the host country*

Integration plans so far exist or are drawn up on the local and regional level. Many years ago, the municipal of Essen has already developed its own concept on multiculturalism. The CDU/FDP state government of NRW has passed an "Action Plan Integration" in June 2006. It contains, among others, mandatory language tests and, if necessary, subsequent language courses two years prior to school enrolment, the development of three quarters of all schools to all-day schools by 2008, the deliberate recruitment of teachers with a migration background, the establishment of mandatory co-operation between the *Land* and Muslim organisations, the development of Islam Studies at schools - initially as model - and finally the demand for a right to stay for tolerated aliens having lived in Germany for many years.<sup>63</sup>

For the first time, the Federal Chancellor invited somewhat over 80 representatives of the Federation, *Länder*, municipalities, Churches, trade and industry as well as other associations to an Integration Summit which took place on 14 July 2006. The summit met with a largely positive response and was subsequently also acknowledged by immigrant organisations as an important step towards a better integration of people with a migration background in Germany, although it would have to be followed by further steps. No concrete decisions were made at this meeting as yet, but working groups on six subject areas were agreed (further development of the integration courses, promotion of the German language "from the beginning", education and labour market opportunities, equality of rights and improvement of the life situation of women and girls, support of integration "on site" and strengthening of the citizens' society). The results of the working groups are to lead to an integration plan by mid-2007.

A second initiative on the federal level has been started by the Federal Minister of the Interior with the meeting of Islamic associations and organisations in September 2006. It is to lead to the formation of an institutionalised German Islam Conference. The government intends to enter into a structured dialogue with the Conference. At the end of the dialogue process planned to last for two to three years, a partnership agreement between the German majority society and Muslims is to be concluded. The Islam Conference is for one to guard against a stronger Islamic influence among Muslims in Germany and secondly illustrate that "the Islam will become part of Europe and Germany", as the Federal Minister of the Interior said. The Islam Conference is to be embodied as permanent institution in which representatives of the Federation, *Länder* and municipalities as well as Islamic associations are to be members. In addition, membership of the Conference is to include multipliers who are not firmly religious, as for example artists and entrepreneurs.

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<sup>62</sup> Barth, Wolfgang: Zuwanderungsbegrenzungsgesetz verabschiedet: Wie geht es weiter mit der Integration?, in: Theorie und Praxis der Sozialen Arbeit, Heft 5/2004, p. 46

<sup>63</sup> Gaserow, Vera: CDU-Minister als Vordenker, in: Frankfurter Rundschau, 14 July 2006, p. 4

*Official documentation in language formats accessible to immigrants/minorities*

Government reports, information leaflets by administrative bodies etc. are in part offered in multilingual versions, aiming at different target groups and thus considering different languages. Government reports which are of interest in the international context and/or in the scientific community are partially translated into English (with the EU standards for national reporting contributing to this trend). Local and regional integration concepts aiming at the integration of people of foreign origin are not only published in German, but partially also in Turkish to name an example. Especially in the social sphere, multilingual educational literature can be found to an increasing extent, for example among the materials by the Federal Central Office for Health Education. But in contrast to the access to digital information for partially sighted people ("barrier-free internet"), there is no concrete framework for action for the public administration sector, stating until which time which contents are to be accessible in which form.

*Immigrants/minorities visible in mainstream media*

The German media landscape offers the whole broad spectrum of (not only stereo-typed) presentations; decisive is which users are actually reached by which media. Their contents range from the formation of positive and negative stereotypes up to many-faceted and sophisticated presentations, especially in the public media; but no generalisations are possible here.

There are some local channels especially for immigrants, and the public broadcasting corporations of the *Länder* partially offer special programmes in foreign languages. The Franco-German TV channel Arte as well as the channel 3 SAT produced jointly with Switzerland and Austria are generally accessible. In addition, supplier of radio and TV channels especially in the Turkish language have become established on the private market. Under the present legal regulations on broadcasting it is not possible to make it a condition for these channels to offer at least a minimum of programmes in German.<sup>64</sup> As a relic of the Occupation Powers and consequence of the stationing of NATO troops there are also radio channels in the languages of the armed forces. Moreover, because of the influx of late repatriates a niche of papers and magazines in Polish and Russian has established itself. Asylum seekers often use satellite TV. Commercial internet cafés and international telephone cafés make information and communication opportunities available before all in the conurbation's.

## 8. Emigration

The attention paid by the public to emigration tendencies, for example of people in the health care professions to the United Kingdom, Scandinavia or Switzerland, has increased. In addition to this employment emigration, veritable foreign communities of German old-age pensioners have meanwhile been established, for instance in Spain. An infrastructure reacting to this trend has developed there by now, including old people's homes and health care facilities of private and charitable German providers.

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<sup>64</sup> Cf. das Landesmediengesetz des Landes NRW.

Another phenomenon with relevance to migration is the internal migration from East Germany to West Germany. Because of the partially disastrous training and labour market situation, coupled with a low birth rate, East Germany is especially confronted with the emigration of parts of the population who are capable of gainful employment. This phenomenon of internal migration out of the Eastern *Länder* causes not so much problems of inclusion in the western part of the country but risks of social exclusion of people still living especially in rural areas of Eastern Germany (eroding social infrastructure, demographic unbalances etc.).