

Germany at a glance



- **Population:** 81 843 743
- **GDP (per capita):** 121 PPS (available for 2011 only)
(PPS=Purchasing Power Standard, based on the EU 27 average of 100)
- **Asylum applications total:** 77 540
- **Total decisions reached in 2012:** 58 645
- **Positive decisions (refugee status and subsidiary protection and humanitarian grounds):** 17 140

2012 data, published by Eurostat in May 2013

The German resettlement programme at a glance

Resettlement quota and actors

Start of ad-hoc or pilot programme: 2012

Current quota: 300

Main national actors: Federal Ministry of the Interior, the Federal Office for Migration and Refugees (BAMF), the Federal Foreign Office, Caritas, German Red Cross, Diakonisches Werk, Munich Refugee Council and other civil society actors.

Resettlement numbers³⁷

YEAR	ARRIVALS	NATIONALITY ⇄ COUNTRY OF ASYLUM OF LARGEST GROUPS	ETHNIC AND OTHER MINORITIES (IF APPLICABLE)
2013 <i>anticipated</i>		Iraqis ⇄ Turkey (101); Iraqis, Somalis	
2012	202 105	Somalis, Eritrean, Ethiopian (ex-Libya) ⇄ Tunisia; Iraqis ⇄ Turkey	Christians
2011	50	Iranians ⇄ Turkey and North of Iraq	
2010 - 2009	2501 (125 medical cases)	Iraqis ⇄ Syria, Jordan	Christians, Mandaeans, Yazidi, Sunni, Shia

³⁷ During 2013, 5,000 Syrian refugees who have fled to Lebanon are also due to arrive into Germany under a Humanitarian Evacuation Programme (HEP). This group will be granted temporary residence in Germany.

UNHCR Submission categories considered for resettlement

- Legal and physical protection needs
- Survivors of violence and torture
- Medical needs
- Women and girls at risk
- Family reunification
- Children and adolescents at risk
- Lack of foreseeable alternative solutions

UNHCR Priority levels accepted (with sub-quota where applicable):

- Emergency** *max. 7 days between submission and resettlement*
- Urgent** *within 6 weeks between submission and resettlement*
- Normal** *within 12 months between submission and resettlement*

Germany's Resettlement Programme

Legal Basis & Background

Germany has only recently become involved in resettlement. In November 2008, Germany responded to an EU plea to resettle up to 10,000 particularly vulnerable Iraqi refugees.³⁸ During 2009, 2501 refugees from Iraq were resettled to Germany.

Three years later, in December 2011, the Conference of the Ministers of the Interior of the Federal States (Innenministerkonferenz) established

an annual resettlement quota of 300 refugees for the period 2012-14 (900 refugees in total).

There is no explicit legal basis for the German refugee resettlement programme. In its absence, resettled refugees are currently admitted onto German territory via Section 23 (2) of the **Residence Act**, which enables the Federal Government - in consultation with the governments of the individual Länder (regions/states) - to admit groups of foreigners who are granted temporary or permanent residence permits on arrival. Resettled refugees are thus not admitted to Germany as refugees and are not granted refugee status when on German territory.

³⁸ See Chapter V for more information on the joint EU response for Iraqi refugees.



Resettlement Criteria

Basic criteria

Legal and physical protection needs are the primary criteria for resettlement. Special protection needs may also be considered, namely:

- members of persecuted minorities, including religious minorities;
- refugees with special medical needs;
- victims of torture and trauma;
- single female heads of households.

Criteria related to integration

Germany considers the ability of individual refugees to integrate into German society within the resettlement selection process using one or all of the following indicators:

- level of education and professional experience;
- work experience;
- knowledge of languages; and
- religious affiliation;
- family connections in Germany and/or other specific factors supporting integration in Germany such as knowledge of the German language.

Germany also considers the need to preserve family unity within the selection process.

Identification and Selection

Germany does not select refugees on a dossier basis. The Federal Office for Migration and Refugees (BAMF)

in Nuremberg examines resettlement submissions made by UNHCR within 2-4 weeks of receiving them, and organises **selection missions** to interview those refugees in the pre-selected approved caseload. The organisation of selection missions takes approximately 2 months, and interviews are carried out by BAMF field representatives. The selection interview also facilitates security check procedures (in collaboration with the Foreign Office) and the collection of biometric data, enabling a final decision to be taken within 14 days of the mission.

Timescales for final departure are subject to the organisation of transport, and can be lengthened by factors specific to the particular refugee group or situation. In normal circumstances, processing time from decision to departure takes approximately **3-4 months**.

Refugee Status, Permanent Residency & Citizenship

As indicated above, resettled refugees do not receive refugee status but are rather granted **temporary residence permit** on arrival in Germany. The periods during which these permits are valid vary across the different Länder, ranging from 12 months to 3 years. On expiry, permits must be renewed on an annual basis in order to maintain legal residency.

After holding a residence permit for 5 years, resettled refugees may apply for **permanent residency** subject to their:

- having a 'secure livelihood' and access to accommodation adequate for all members of their household;
- having access to the state pension (having paid contributions for at least 60 months) or a comparable private scheme;
- posing no threat to public order or safety; and
- demonstrating adequate knowledge of the German language, legal and social system by passing the final tests of the orientation and B1 level language courses (see 'Integration Programme', below).

Applicants can be exempt from the requirements if they are unable to complete them due to physical or mental illness or disability. For cohabiting spouses, it is sufficient for one person to satisfy the requirements in order for both to acquire permanent residency.

The requirements for acquiring German **citizenship** through naturalisation are laid out in Section 10 of the Nationality Act. Naturalisation typically requires eight years of legal and habitual residence in Germany. However, depending on the successful completion of integration programmes, it is possible to become naturalised within six to seven years. Applicants must be

self-supporting and must pass the naturalisation test, which consists of questions relating to 'living in a democracy', 'history and responsibility', 'people and society' and questions about the Land where the applicant lives. Applicants must also demonstrate B1 level German language knowledge.³⁹

The legal status of resettled refugees in Germany contrasts sharply with that of those formally recognised as refugees via the domestic asylum procedure. NGOs in Germany therefore advocate that the German government adopts legislation to ensure that resettled refugees obtain refugee status. Recognised refugees are generally granted 1-3 years temporary residency, after which they can apply for permanent residency – a routine process which will normally result in approval.

Recognised refugees are exempt from the language, social/legal knowledge and social welfare requirements that apply to resettled refugees applying for permanent residency. Additionally, recognised refugees naturalised as German citizens can assume dual German-country of origin nationality, whilst resettled refugees must surrender their original nationality in order to acquire German citizenship. Formal refugee status also means that

³⁹ Common European Framework of Reference for Languages



recognised refugees can request a Convention Travel Document to facilitate travel outside of Germany. This is not available to resettled refugees, who can instead apply for the much less widely-recognised German Travel Document for Foreigners.

Family reunification

Unlike recognised refugees,⁴⁰ resettled refugees applying for family members to join them in Germany must comply with the general rules of family reunification applied to many other migrant groups. They must demonstrate that they can independently provide sufficient financial support and accommodation to meet the needs of their family members, and the family members must also pass a pre-entry German language test. By contrast, recognised refugees and their family members are exempt from these requirements.

Resettlement in Practice

Linking Phases

How is information transferred between selection and reception of refugees in order to prepare for their arrival?

⁴⁰ Resettled refugees do not access asylum procedures as part of the resettlement process, and are not granted legal refugee status in Germany. See section on refugee status, permanent residency and citizenship for more details.

- ☑ Briefing stakeholders after selection through missions or dossiers
- ☑ Forwarding pertinent information from Refugee Referral Form (RRF) to integration actors
- ☑ Sharing of information gathered during Cultural Orientation (CO)

Pre-departure

- ☑ **Cultural Orientation:** The new German pilot programme for 2012-14 incorporates more extensive pre-departure cultural orientation. The NGO **Diakonie** provides a **4-5 day course** for refugees awaiting resettlement out of Turkey. This course replicates the 'Preparation for Arriving in Your New Homeland' course that Diakonie previously delivered in Turkey for those with permission to enter Germany as labour migrants or via family reunification processes. Course content covers general information about German life, federal government, the legal status of resettled refugees in Germany, housing, naturalisation in Germany and some basic language tuition. **IOM** provided CO to refugees in Shousha refugee camp in Tunisia. Other organisations may be contracted to deliver CO to refugees selected for resettlement in the future.

- ☑ **Medical Exam:** IOM
A pre-travel medical examination

is carried out for all refugees by IOM after selection interviews have been completed and prior to final resettlement decisions being made. The medical examination screens for communicable diseases, and provides additional information on individual health condition and needs that do not constitute the primary reason for resettlement but for which individuals might require specific support and assistance post-arrival.

☑ **Travel arrangements:** IOM

IOM organises travel to Germany in collaboration with the BAMF, in groups and on chartered or scheduled flights

where they stay for a period of up to 14 days. The reception centre in Friedland is operated by the Lower Saxony Ministry of Internal Affairs & Sports, and refugees staying there are provided with an **initial orientation programme** ('Welcome to Germany'). The **5-day course** includes language tuition and practical information about living in Germany. NGOs provide advice and counselling for refugees in the evenings and recreational and educational activities for refugee children and young people.

Refugees move directly from the reception centre to the municipality they have been allocated to by their receiving Land. For 2012 arrivals, only those refugees allocated to the Länder of Hessen and Hamburg, did not pass through Friedland but were received directly in these regions.

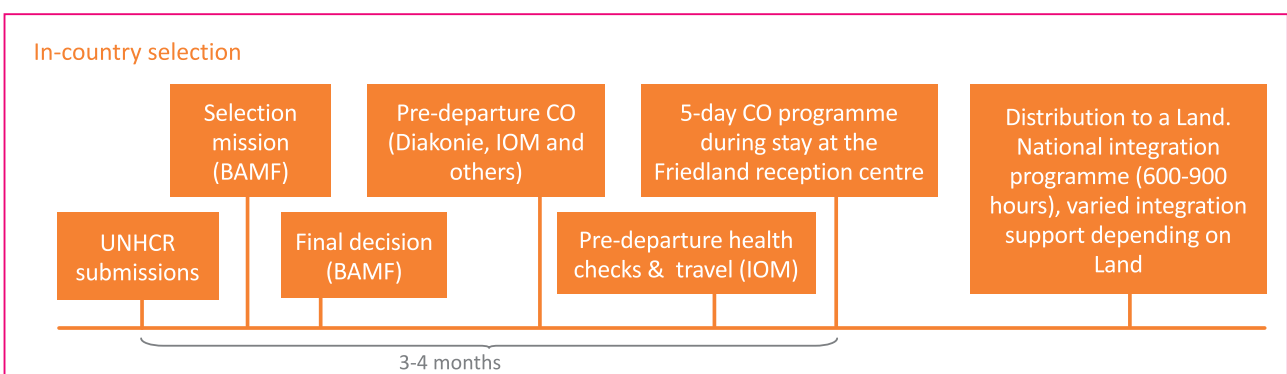
Integration in Practice

Reception

Upon arrival into Germany, refugees are welcome by representatives from BAMF. The vast majority of resettled refugees are taken to a **reception centre in Friedland** near Hanover,

Placement policies

In December 2011, the Standing Conference of the Interior Ministers of the Länder (LMK) unanimously agreed federal participation in the





resettlement of vulnerable refugees from third countries. The BAMF proposes an allocation of resettled refugees to a Land.

Prior to their arrival, the BAMF allocates groups of refugees to a specific Land (state/region) using a **distribution key** based on states' populations and budgetary situations. Refugees' family or other ties with a specific Land may also be included in the allocation process, although there is no specific commitment to prioritise these factors within the allocation process.

Within the Iraqi resettlement programme, in which large groups of refugees arrived frequently during 2009-10, the national distribution formula was applied to each individual arrival group. Within the new programme, the formula is instead applied to the annual quota of 300 persons, thus preventing both the splitting of families and the placement of just one or two refugees within a single Land. The use of a formula does, however, prevent the wishes of refugees as to where they would like to live in Germany from being fully taken into account. Family links and other links to certain Länder may be taken into account in the future, together with the formula.

Individual Länder determine the internal distribution of refugees to

cities and municipalities. Some use a similar distribution formula as that employed on the federal level, while others base allocation on more subjective criteria, for example favouring larger towns where refugee communities already exist. Notice of refugee arrivals provided to municipalities varies from Land to Land, although is generally between one and four weeks.

In Germany, resettled refugees receive social welfare payments to meet housing and subsistence needs (Arbeitslosengeld II). Resettled refugees who are reliant on social welfare and housing must remain in their assigned city or municipality for this support to continue. Only those who find employment are thus able to move to a new location.

Local approaches to **housing** resettled refugees vary across Länder and between individual municipalities within the same Land. Housing is arranged by the municipality from within the stock that they own, or leased from private companies and/or landlords. Some municipalities accommodate resettled refugees in large communal accommodation facilities ('Lager') after they arrive. There is **no obligation for municipalities** to assist refugees accommodated in these facilities to find independent housing, although some do. Local NGOs and volunteers have been active in assisting

refugees in this situation, although many refugees remain in larger accommodation facilities for several months after they arrive.

Integration services & support

Length: Various (federal system)

There is **no national standard integration programme** formulated specifically for resettled refugees in Germany. Together with other migrants with German residence permits, resettled refugees are entitled to attend the national German Integration Course. Attendance is **obligatory** for all those who are unable to make themselves adequately understood in German. When issuing residence permits, the local immigration office ('Ausländerbehörde') will determine if an individual's language skills mean he/she will be obliged to attend the course.

The BAMF develops content for the Integration Course and commissions different organisations across Germany to deliver it. Those eligible to attend can access a specific web-based directory to find integration course providers in their local area, and to select the provider of their choice. Together with other migrants, resettled refugees must pay a contribution toward the costs of the course – generally € 1.20 a lesson, with € 120 of the fee payable

at the start of each course module. Those unable to pay can apply to the BAMF to be exempt, and applications from resettled refugees are generally accepted.

The course has 2 components – 600 hours of German **language tuition** and a 60-hour **orientation course**, both delivered together over a 2-year period. The language course focuses on aspects of everyday life, including shopping, housing, childcare, media, looking for work and further education. The orientation course focuses on German history and culture, the German legal system, social values (including freedom of worship and equal rights) and rights and obligations in Germany.

Attendance at the German Integration Course is solely on a full-time basis, save for exceptional circumstances such as employment or caring responsibilities. There is an intermediate language test at the end of Year 1, and a final integration test after two years. Those who have completed their 600 hours of language tuition but who do not achieve Level B1 in the language test can apply to repeat 300 hours of language tuition, free of charge.

The role of **NGOs and civil society organisations** in assisting resettled refugees varies considerably across Länder and between individual municipalities.



Save Me activists from different cities demonstrate in Berlin with 5,000 lifebuoys/Save Me Berlin

In many municipalities, volunteers from the ‘Save Me’ campaign - a grassroots campaign to build support for and local involvement in refugee resettlement in German cities - are active in assisting refugees in a variety of different ways.⁴¹ In Munich, the city funds a part-time position at the Munich Refugee Council to coordinate reception arrangements and the work of volunteers assisting resettled refugees. In many municipalities, national NGOs such as **Diakonie** and **Caritas** provide advice and support for resettled refugees within their wider programmes for refugees and other migrants.

⁴¹ International Catholic Migration Commission ‘A City Says Yes! Reflections on the experiences of the Save Me campaign to promote refugee resettlement in Germany’, 2013

Use of the European Refugee Fund (ERF)

Persons resettled using 2012 ERF funding:

- Persons resettled under a Regional Protection Programme
- Unaccompanied minors
- Women and children at risk; particularly from psychological physical or sexual violence or exploitation
- Persons with serious medical needs that can only be addressed through resettlement

Pledges made to resettle under ERF resettlement common EU priorities for 2013

- Persons resettled from a country or region designated for the implementation of a Regional Protection Programme
- Women and children at risk
- Unaccompanied minors
- Survivors of torture and violence
- Persons with serious medical needs that can only be addressed through resettlement
- Persons in need of emergency resettlement or urgent resettlement for legal or physical protection needs

Pledges made to resettle under ERF resettlement common EU priorities for 2013

- Congolese refugees in the Great Lakes Region
- Refugees from Iraq in Turkey, Syria, Lebanon, Jordan
- 100 accepted in 2012
- Afghan refugees in Turkey, Pakistan, Iran
- Somali refugees in Ethiopia
- Burmese refugees in Bangladesh, Malaysia and Thailand
- Eritrean refugees in Eastern Sudan

Evaluations

An evaluation of the 2009-10 resettlement of 86 Iraqi refugees in the Schleswig-Holstein region of Germany was published in 2011. The results showed a strong movement of refugees from the smaller municipalities to which they had initially been resettled, mainly to bigger cities within the same Land or to other Länder, in order to join family members, be closer to specialist medical care or be in an area with greater job opportunities. Only one refugee had found employment within the two years following arrival, and poor employment outcomes were linked to lack of knowledge of the German language, age and/or poor health. Positive integration outcomes were found for children attending school, who were proficient in German within one year of arrival and had formed friendships with German children in their class.

Strengths and Challenges

At the time of writing, the pilot German resettlement programme has only been operational for a short period, and its strengths and the challenges it faces are thus usefully assessed in that context.



Strengths:

- BAMF has introduced a streamlined process for the identification and selection of resettled refugees, allowing for **short timescales** between selection and departure.
- A national integration programme enables resettled refugees to access a guaranteed number of hours of German **language tuition**.

Challenges:

- The current legal framework does not grant resettled refugees formal **refugee status** in Germany. Resettled refugees are thus significantly disadvantaged in relation to recognised refugees in the areas of family reunification, permanent residency and dual citizenship.
- Because social benefits and housing assistance are **linked to ongoing residence** in the resettlement municipality, resettled refugees experience problems in moving to other parts of the country post-arrival.

New Developments

At the time of writing, it is still unknown how the German resettlement programme will develop after 2014, and specifically if a continuing or larger annual quota will be introduced.

In March 2013, Germany agreed to grant **humanitarian admission to 5,000 Syrian refugees**. The programme grants those arriving a temporary residence status, with the expectation that refugees will return to Syria when the conflict there has been resolved.