

In-Dialogue

Social inclusion in Germany

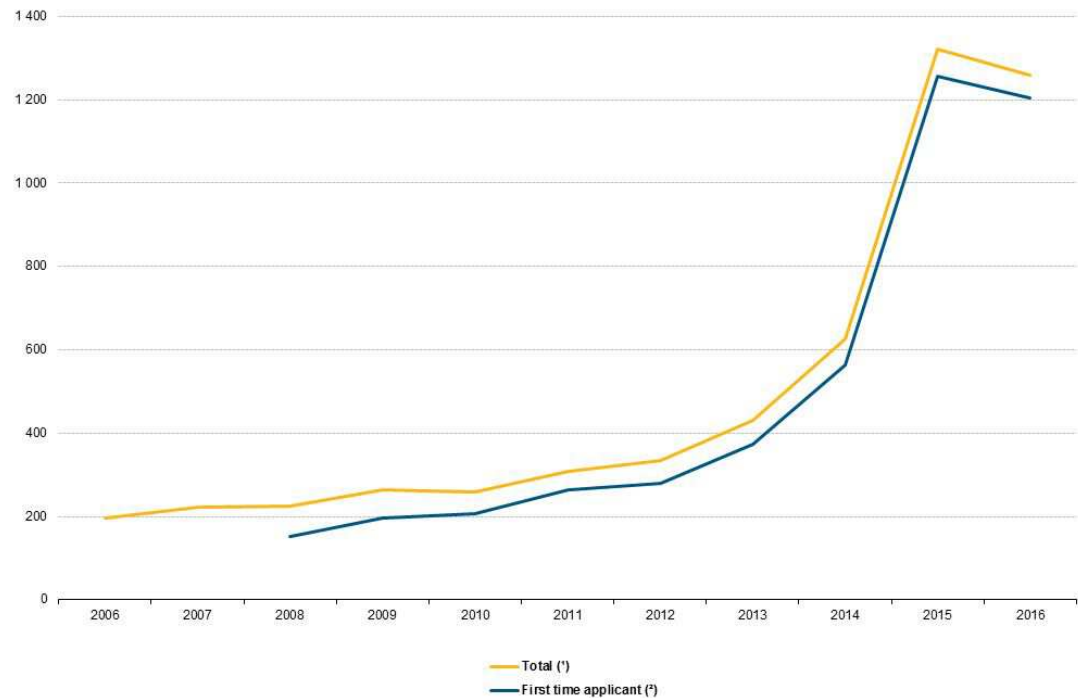


Germany

- Legal perspective & asylum procedure
- Living conditions for asylum seekers
- Mental health of asylum seekers/refugees
- Case studies
- Evaluation of professional competencies and educational needs of migrants/refugees
- Questions, comments ?

The Right to Asylum in Germany

Legal Aspects & Asylum Procedure



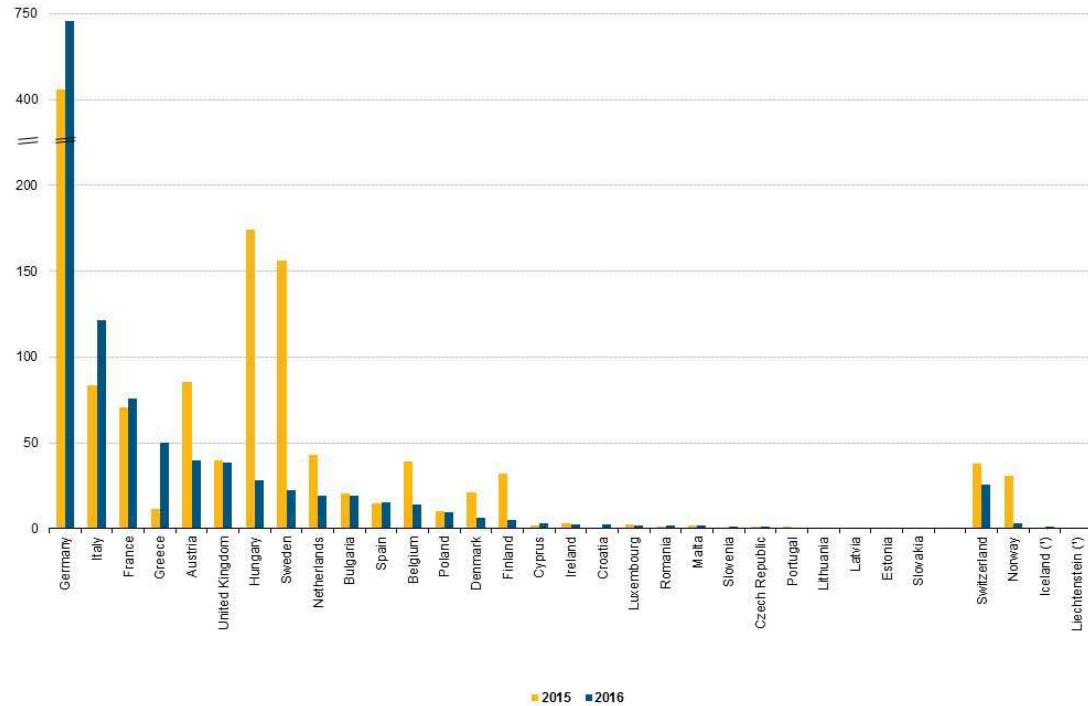
(*) 2006 and 2007: EU-27 and extra-EU-27.

(*) 2006 and 2007: not available.

Source: Eurostat (online data codes: migr_asyctz and migr_asyappctza)

Asylum applications (non-EU) in the EU-28 Member States, 2006–2016 (thousands)

Source: Eurostat



Note: the y-axis is interrupted with a different interval above the interruption from that below it.

(*) 2015: not available.

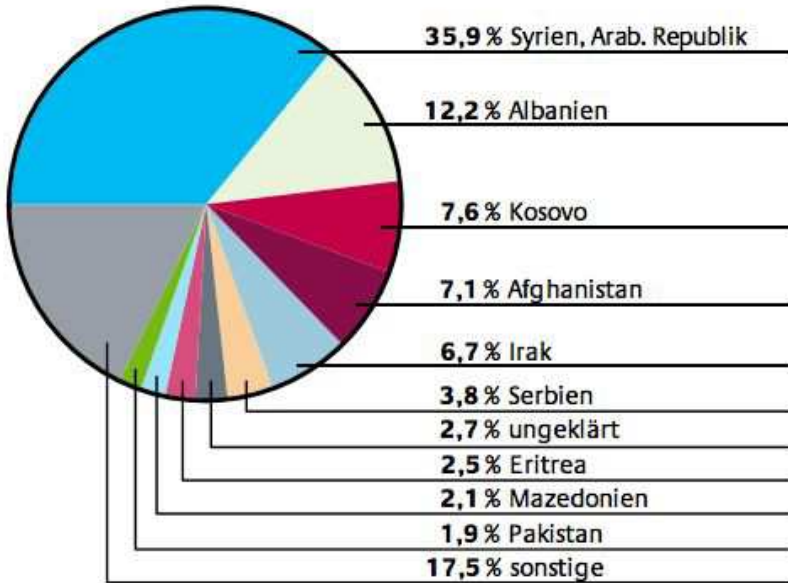
Source: Eurostat (online data code: migr_asyappctza)

Number of (non-EU) asylum seekers in the EU and EFTA Member States, 2015 and 2016

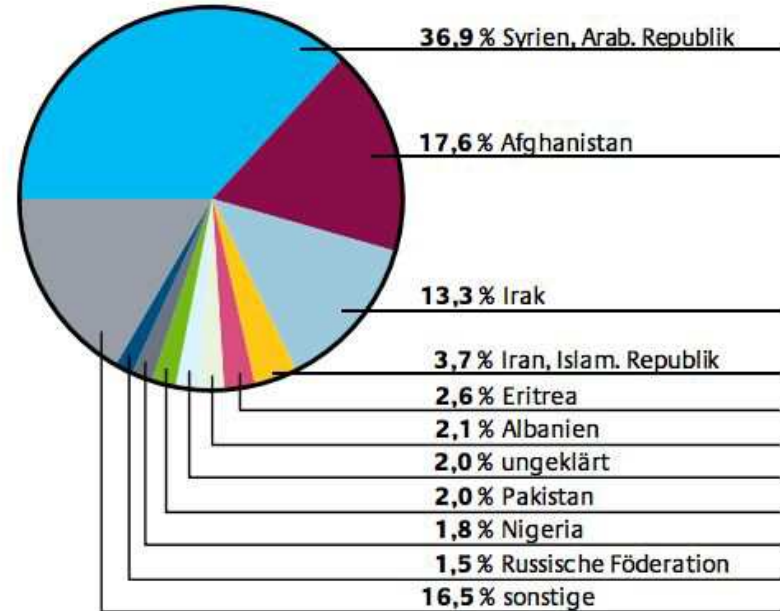
Source: Eurostat

Initial Asylum Applications

2015 total: 444.899



2016 total: 722.370



Source: BAMF

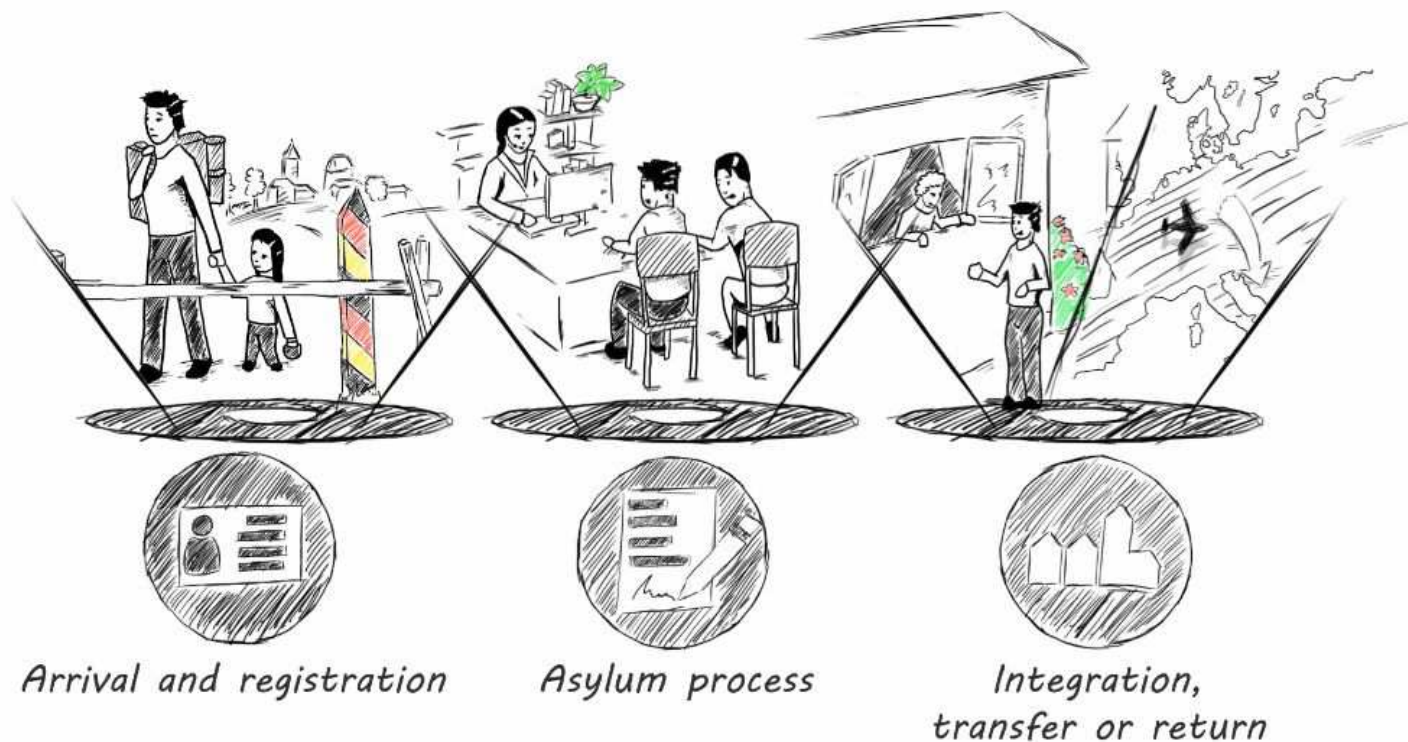
https://www.bamf.de/SharedDocs/Anlagen/DE/Publikationen/Flyer/flyer-schluesselfzahlen-asyl-2016.pdf?__blob=publicationFile

Die 10 stärksten Herkunftsländer im Jahr 2016* (TOP-TEN)		ASYLANTRÄGE			ENTSCHEIDUNGEN ÜBER ASYLANTRÄGE							
		insgesamt	davon Erst- anträge	davon Folge- anträge	insgesamt	davon Rechtsstellung als Flüchtling	davon subsidiärer Schutz gem. § 4 Abs.1 AsylG	davon Abschiebungs- verbot gem. § 60 Abs. 5/7 AufenthG	Gesamt- schutz- quote	davon Ablehnungen (unbegr. abgelehnt/ o.u. abgelehnt)	davon sonstige Verfahrens- erledigungen	
						darunter Anerken- nung als Asyl- berechtigte (Art. 16a u. Fam.Asyl)						
1	Syrien, Arabische Republik	268.866	266.250	2.616	295.040	166.520	756	121.562	910	98,0%	167	5.881
2	Afghanistan	127.892	127.012	880	68.246	13.813	80	5.836	18.441	55,8%	24.817	5.339
3	Irak	97.162	96.116	1.046	68.562	36.801	247	10.912	439	70,2%	14.248	6.162
4	Iran, Islamische Republik	26.872	26.426	446	11.528	5.443	453	257	150	50,7%	3.806	1.872
5	Eritrea	19.103	18.854	249	22.160	16.666	109	3.652	119	92,2%	135	1.588
6	Albanien	17.236	14.853	2.383	37.673	18	1	73	78	0,4%	30.020	7.484
7	Ungeklärt	14.922	14.659	263	15.371	6.782	26	6.084	111	84,4%	1.189	1.205
8	Pakistan	15.528	14.484	1.044	12.935	275	10	49	105	3,3%	8.201	4.305
9	Nigeria	12.916	12.709	207	3.786	127	11	34	213	9,9%	1.787	1.625
10	Russische Föderation	12.234	10.985	1.249	12.799	357	21	127	177	5,2%	5.712	6.426
	Summe Top 10	612.731	602.348	10.383	548.100	246.802	1.714	148.586	20.743	75,9%	90.082	41.887
	Herkunftsländer gesamt	745.545	722.370	23.175	695.733	256.136	2.120	153.700	24.084	62,4%	173.846	87.967

* Reihung entsprechend der Top-Ten-Liste der Erstanträge im Berichtsjahr 2016.

Total number of asylum applications in Germany 2016: 745.545







Source: BAMF



Representation of the “new integrated refugee management” approach by the BAMF

Source: <http://www.bamf.de/SharedDocs/Videos/EN/BAMF/integriertes-fluechtlingsmanagement.html?nn=8167924>

Integrated refugee management

-  *Channel the asylum process*
-  *Register all asylum seekers*
-  *Ensure high standards of safety and quality*
-  *Integrate processes at federal and state levels*
-  *Speed up the overall process by systematically clustering the steps in the process*
-  *Support integration into society and the worlds of work and education*

The “positive improvements” aimed by BAMF

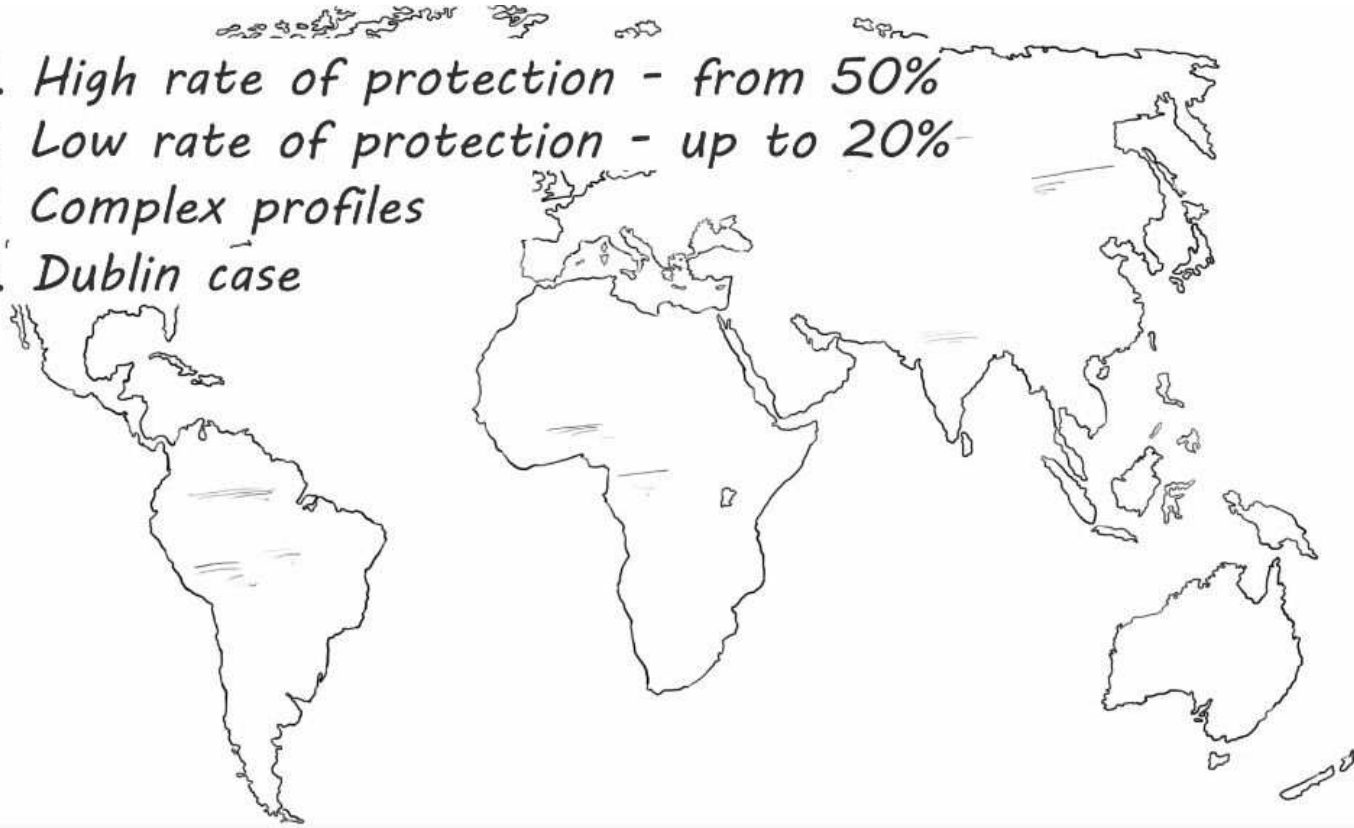
Source: <http://www.bamf.de/SharedDocs/Videos/EN/BAMF/integriertes-fluechtlingsmanagement.html?nn=8167924>

A. High rate of protection - from 50%

B. Low rate of protection - up to 20%

C. Complex profiles

D. Dublin case



The “clustering system” by the BAMF

Source: <http://www.bamf.de/SharedDocs/Videos/EN/BAMF/integriertes-fluechtlingsmanagement.html?nn=8167924>

Differential Treatment of Specific Nationalities

Between 2012 and 2016 the applications of asylum seekers from certain countries were prioritised, either on the grounds that they were considered to be manifestly unfounded (Albania, Bosnia-Herzegovina, Montenegro, FYROM, Serbia, Kosovo) or on the grounds that they were considered to be well-founded (Syria, Eritrea, religious minorities from Iraq).

Prioritisation of applications from certain countries was revoked in the second quarter of 2016. Since then, branch offices of the BAMF are entitled to set their own priorities in dealing with caseloads, in order to respond effectively to the local situation.¹ Furthermore, prioritisation has partially been replaced by “clustering” of cases in the newly established “arrival centres” (*Ankunftscentren*) as discussed in [Prioritised Examination and Fast-Track Processing](#). In these centres, asylum cases are divided into the following four groups:

- Cluster A: Countries of origin with a high protection rate (from 50 % upwards)
- Cluster B: Countries of origin with a low protection rate (up to 20 %)
- Cluster C: “Complex cases”
- Cluster D: “Dublin cases”

Asylum seekers belonging to the groups of “Cluster A” and “Cluster B” should usually be interviewed within a few days after the registration of their asylum applications.

Due to a policy change in the first months of 2016, the BAMF granted subsidiary protection instead of refugee protection in a record number of cases. This policy change affected Syrian nationals in particular, but also asylum seekers from Iraq or Eritrea: For instance, 95.8% of Syrians had been granted refugee status in 2015, this rate dropped to 56.4% in 2016. Conversely, the rate of Syrians being granted subsidiary protection rose from 0.1% in 2015 to 41.2% in 2016. The policy change at the BAMF coincided with a legislative change in March 2016, according to which family reunification was suspended for beneficiaries of subsidiary protection until March 2018. Tens of thousands of beneficiaries of subsidiary protection appealed against the authorities’ decisions in order to gain refugee status (“upgrade-appeals”), with a success rate of more than 75% in 2016.

Text retrieved from:

<http://www.asylumineurope.org/reports/country/germany/asylum-procedure/treatment-specific-nationalities>

Main Legislative Acts

- Residence Act (Aufenthaltsgesetz - AufenthG)
- Asylum Act (Asylgesetz - AsylG)
- Asylum Seekers' Benefits Act (Asylbewerberleistungsgesetz AsylbLG)
- Basic Law (German Constitution - Grundgesetz GG)

Different Status of Protection

- Refugee Protection § 3 Abs. 1 AsylG
- Entitlement to Asylum Art. 16 a GG
- Subsidiary Protection § 4 Abs. 1 AsylG
- National Ban on Deportation § 60 Abs. 5 o. 7 AufenthG

Refugee Protection § 3 Abs. 1 AsylG

On the basis of the **Geneva Refugee Convention**, people are regarded as **refugees** who are outside their country of origin and are unable or, because of a well-founded fear of being **persecuted** by **state or non-state** players, are unwilling to avail themselves of the protection of their country of origin for reasons of:

- race (The term "race" is used in accordance with the wording of the Geneva Refugee Convention.),
- nationality,
- political opinion,
- fundamental religious conviction, or
- membership of a particular social group (A group may also be regarded as a specific social group on the basis of the joint characteristic of sexual orientation.).

The legal basis and consequences

- residence permit for three years
- settlement permit possible after three or five years if other preconditions are met, such as the ability to make a secure living and adequate knowledge of German
- unrestricted access to the labour market – gainful employment permitted
- entitled to privileged family reunification

[section 3 subs. 1 of the Asylum Act \(AsylG\)](#)

Entitlement to Asylum Art. 16 a GG

Accordingly, persons who would be subject to a serious human rights violation should they return to their country of origin are entitled to asylum and deemed to have been **persecuted on political grounds** because of their

- race (The term "race" is used in accordance with the wording of the Geneva Refugee Convention.)
- nationality,
- political opinion,
- fundamental religious conviction, or
- membership of a particular social group (A group may also be regarded as a specific social group on the basis of the joint characteristic of sexual orientation.)

without having an **alternative of refuge within the country of origin** or other possibility of protection against persecution.

The legal basis and consequences

- residence permit for three years
- settlement permit possible after three or five years if other preconditions are met, such as the ability to make a secure living and adequate knowledge of German
- unrestricted access to the labour market – gainful employment permitted
- entitled to privileged family reunification

[Article 16a para. 1 of the Basic Law](#)

Subsidiary Protection § 4 Abs. 1 AsylG

People are entitled to subsidiary protection who put forward substantial grounds for the presumption that they are at risk of **serious harm** in their country of origin and that they cannot take up the protection of their country of origin or do not wish to take it up because of that threat. Serious harm can originate from both **governmental and non-governmental players**.

The following are regarded as constituting serious harm:

- the imposition or enforcement of the death penalty,
- torture or inhuman or degrading treatment or punishment, or
- a serious individual threat to the life or integrity of a civilian as a result of arbitrary force within an international or domestic armed conflict.

The legal basis and consequences

- residence permit for one year
- if extended: two more years in each case
- settlement permit possible after five years (the duration of the asylum procedure is included) if other preconditions are met, such as the ability to make a secure living and adequate knowledge of German
- unrestricted access to the labour market – gainful employment permitted
- not entitled to privileged family reunification

[section 4 subs. 1 of the Asylum Act \(AsylG\)](#)

National Ban on Deportation § 60 Abs. 5 o. 7 AufenthG

A person who is seeking protection may **not be returned** if

- return to the destination country constitutes a **breach of the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR)**, or
- a considerable **concrete danger to life or liberty exists** in that country.

The legal basis and consequences

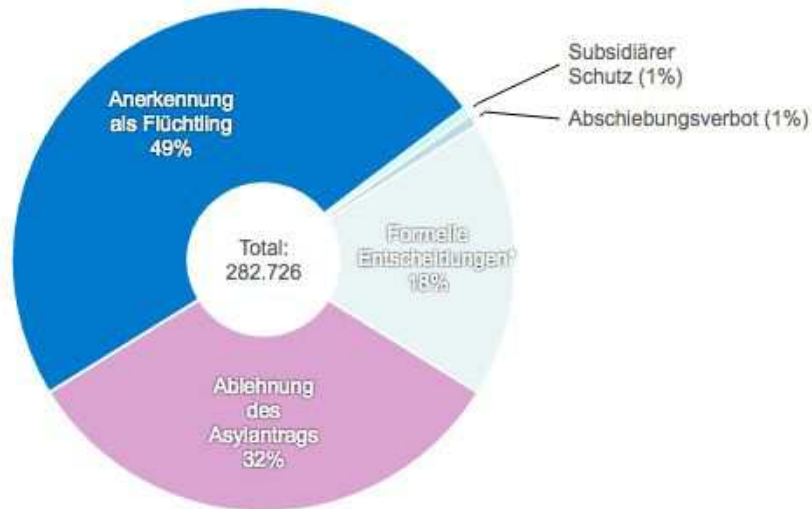
- residence permit for at least one year
- repeated extension possible
- settlement permit possible after five years (the duration of the asylum procedure is included) if other preconditions are met, such as the ability to make a secure living and adequate knowledge of German,
- employment possible – permission must be obtained from the immigration authority
- not entitled to privileged family reunification

[Section 60 subs. 5 of the Residence Act](#) (*AufenthG*)

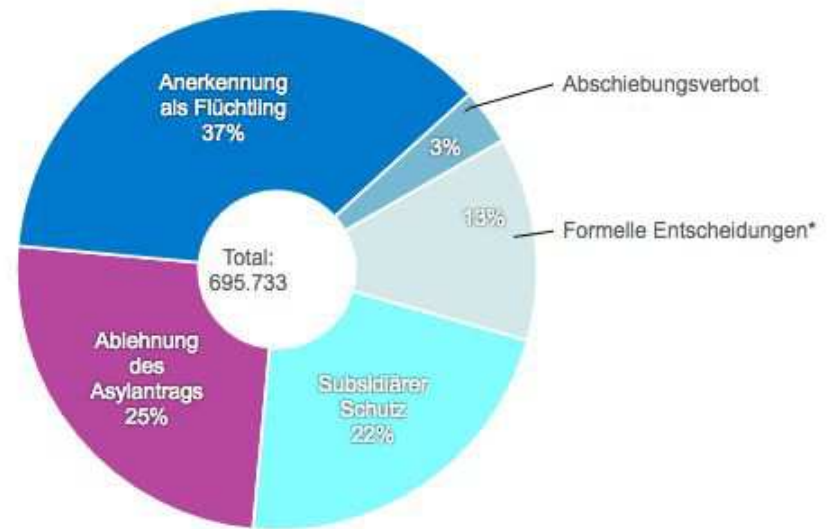
[Section 60 subs. 7 of the Residence Act](#) (*AufenthG*)

Asylum Decisions and Status of Protection

2015



2016



Source: <https://www.bpb.de/politik/innenpolitik/flucht/218788/zahlen-zu-asyl-in-deutschland>

“Bearbeitungsstau” BAMF

Due to the massive increase in numbers of newly arriving asylum seekers in 2015, the BAMF has not managed to keep up with the registration of applications.

Asylum statistics for the period January through October 2015 indicated that 331,226(first) asylum applications had been registered, while about 758,000 persons had been recorded as new arrivals by various authorities.

-> This implies that more than **425,000 asylum seekers** had to wait for their applications to be registered at the end of October 2015.

Bearbeitungstau bei Asylanträgen



Quelle: Bundesamt für Migration und Flüchtlinge (BAMF) 2015
© Mediendienst Integration

Average duration of the procedure (in months) per country of origin				
	2013	2014	2015	2016
All countries	7.2	7.1	5.2	7.1
Serbia	2.1	4	4.2	8.9
Afghanistan	14.1	13.9	14.0	8.7
Syria	4.6	4.2	3.2	3.8
Iraq	9.5	9.6	6.8	5.9
FYROM	2.4	5.3	4.5	:
Iran	13	14.5	17.1	12.3
Pakistan	15	15.7	15.3	15.5
Russia	5.6	10	11.8	15.6

<http://www.asylumineurope.org/reports/country/Germany/asylum-procedure/procedures/regular-procedure>



Bundesamt
für Migration
und Flüchtlinge



Application



Interview

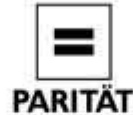


Collection of information



Notification of decision

Free Legal Assistance is offered by



In Kooperation mit



The Refugee Law Clinic Berlin

is an Initiative at the Humboldt University of Berlin formed by undergraduate and PhD students in cooperation lawyers and other initiatives

- offers free and competent legal advice for migrants and refugees in Berlin
- provides information about asylum procedures and rights
- assistance & preparation for the personal interview at the Federal Office for Migration and Refugees (BAMF)

Link: <https://rlc-berlin.org/>



Some legal aspects

- “Upgrade appeals” against subsidiary protection status
- 2 year suspension period of family reunification
- Inadmissible applications incl. “Dublin cases”
- Problems with identifying and offering adequate assistance to asylum seeker with special needs (LGBTQI, single mothers, people with disabilities, etc.)
- Lack of protection for asylum seeker from “safe countries” or countries “with safe regions” Afghanistan (and others)

An EU List:

12 EU countries* already have national lists of safe countries of origin. The Commission is proposing one, common EU list designating as 'safe'.

Albania:

- 7.8% of applications were well-founded in 2014
- 8 Member States already designate as a safe country of origin
- An EU candidate country

Bosnia and Herzegovina:

- 4.6% of applications were well-founded in 2014
- 9 Member States already designate as a safe country of origin

The Former Yugoslav Republic of Macedonia:

- 0.9% of applications were well-founded in 2014
- 7 Member States already designate as a safe country of origin
- An EU candidate country

Kosovo:

- 6.3% of applications were well-founded in 2014
- 6 Member States already designate as a safe country of origin

Montenegro:

- 3% of applications were well-founded in 2014
- 9 Member States already designate as a safe country of origin
- An EU candidate country

Serbia:

- 1.8% of applications were well-founded in 2014
- 9 Member States already designate as a safe country of origin
- An EU candidate country

Turkey:

- 23.1% of applications were well-founded in 2014
- 1 Member State already designates as a safe country of origin
- An EU candidate country

+ Others may be added in the future

* Austria, Belgium, Bulgaria, Czech Republic, Germany, France, Ireland, Luxembourg, Latvia, Malta, Slovakia and the United Kingdom.

The Commission can suspend a country from the list immediately, in case of a sudden deterioration of the situation in that country which would mean it could no longer be considered 'safe'.

Source: https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/background-information/docs/2_eu_safe_countries_of_origin_en.pdf



De Maizière (Minister for inner affairs) travels to a “safe country”
Photo: dpa

Hashtag #Bleibistan

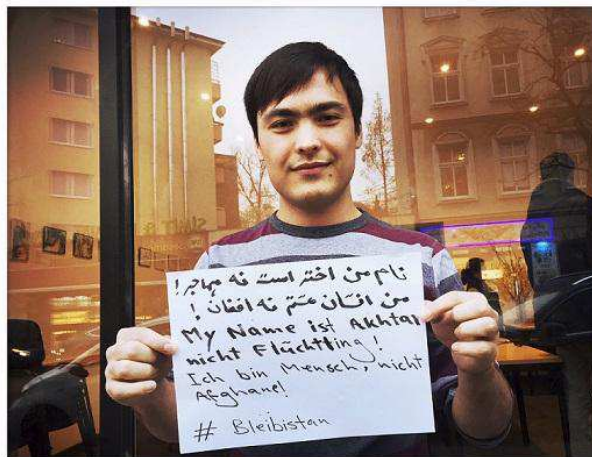
Campaign against deportation to Afghanistan

#Bleibistan

#Abschiebestopp

#AfghanistanIstNichtSicher

<https://twitter.com/bleibistan>



ist

#Bleibistan

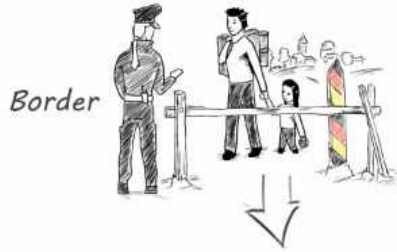
A Common European Asylum Procedure?

- Recognition of positive vs negative asylum claims (other EU countries)
- Implementation of EU Directives
- Minimum Standards (procedure, accommodation, etc.)
- Access to Social Benefits
- Dublin III
- “Shared burden”
- EU-Turkey Deal

Integrated refugee management for Germany



Phase 1: Arrival and registration



Border



Reception center



Bundesamt
für Migration
und Flüchtlinge



Phase 2: Asylum process



countries of origin with
low rate of protection

Dublin cases



Phase 3: Integration, transfer or return

Asylum
approval likely

Local government



Federal
Employment Agency

Complex cases



BAMF
field office

Return/transfer



Refugee Law Clinic Abroad



In Chios, Refugee Law Clinic Berlin provides:

- General legal information about the asylum procedure under Greek Law 4375/2016, EU Directive 2013/32, EU Directive 2011/95 and EU Directive 2001/55;
- Help preparing applicants for their interviews (admissibility and eligibility);
- Assistance to applicants with their asylum procedure;
- Support for family reunification to Germany under the Dublin Regulation.

Link: <https://refugeelawclinicsabroad.org/>

Wir sind Sozialarbeiter*innen und keine Abschiebehelfer*innen!

engl. translation “we are social worker and not deportation assistants”

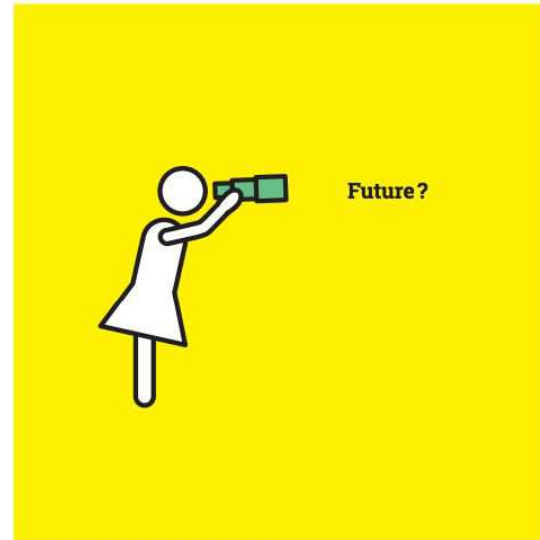
In Bavaria Rights Social Worker and Legal Assistants are currently under attack by the local government for informing asylum seeker about their full rights (for example to appeal against negative asylum decisions.). Counselling places were threatened to lose their funding if they inform people “too positively about their rights”.

There was a petition signed by Social Worker stating that legal assistance should give people all information on legal possibilities so they can make an informed decision for themselves.

Source: <http://www.aks-muenchen.de/wp-content/uploads/AKSAbschiebehelferPositionspapier2.pdf>

Position Paper:

Social Work with Refugees in Refugee Accommodations Centers



Goals and Tasks of Social Work with Refugees

- 1. Recognition:** Full recognition of the individual, irrespective of their legal status
- 2. Material wellbeing:** The achievement of their full social participation, security, development, equal access to the housing-, job- and consumer market, self-determined accommodation, access to social support, comprehensive and unconditional healthcare from the first day onwards
- 3. Individual development:** Promotion of education, training, advanced training, recognition of life experience and existing competence, promotion of employment
- 4. Social proximity:** The reduction of social distance to surroundings, support in the use of neighbourhood services as well as access to communities of shared experience and interests
- 5. Participation and Engagement:** Promotion of opportunities to take decisions which impact one, promotion of engagement and networks
- 6. Transformation of relations of power:** (Self-)critical engagement with relations of power (racism, racialization and discrimination among others) at all levels of action.

Living conditions for Asylum Seeker in Germany

An overview on the journey Refugees take towards being accommodated in Germany

- Reception centers
- Emergency camps
- Collective accommodation
- Houses

Housing Refugees in German School Gyms

The situation in emergency camps

- Private companies managing the camps
- Discrimination within the refugee's groups
- women special experience in emergency camps (living conditions + pregnant women+ lack of privacy)
- workers situation with Refugee's experience (supervision)

Integrating problems

- Isolation
- education
- psychological health issues

Psycho-social therapy and integration projects

- Integrating refugees through activities and Sports
- Project Amal (Psycho-social therapy + cultural exchange)

Mental health of asylum seekers and refugees in Germany

Refugee camps

- Isolation: Refugee's camps are consisted of refugees who applied for asylum, in process of their application, and sometimes their stay extend even after they get the residency permit. This has lead to different psychological problems such as isolation from the local community, since they are living in affiliate groups, less integration rates, depression..
- Dehumanizing situations: These camps were not prepared to host refugees for a long period, and people there were having unhealth food, low privacy and no future planning due to the long waiting period.



Residency and kinds of health insurance refugee's have in Berlin

- Basic health insurance (before 2015) for asylum seekers: Refugees had the German Asylum Seeker's Medical Benefits Act (AsylbLG), which only guarantees emergency treatment, not psychiatric treatment—unless individual cases are deemed 'acute'. Authorities were sending these trauma victims through endless hoops of paperwork just to receive emergency treatment.
- Refugee's health insurance (including asylum seekers in the beginning of 2016): The refuge health card was in use since January 2016 in Berlin.

The convention on economic, social and cultural rights, mentions that: "The States Parties to the present Covenant recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health" (International Covenant on Economic, Social and Cultural Rights, 1966)

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Auftragsweise Durchführung der ambulanten gesundheitlichen Versorgung für das Land Berlin durch die
AOK Nordost – Die Gesundheitskasse

Behandlungsausweis und Abrechnungsschein für vertragsärztliche Behandlung

Dieser Behandlungsausweis gilt – falls nicht eine kürzere Gültigkeit vermerkt wurde –
für das im rechten Feld eingedruckte Kalendervierteljahr.

Berechtigter:

Saleh, Naya

25.09.1999

(Zuname)

(Vorname)

(Geburtsdatum)

(Wohnung)

S1320280654063

(ggf. Zuname und Vorname des gesetzlichen Vertreters)

(Geburtsdatum)

Zentrale Leistungsstelle für Asylbewerber

Landesamt für Gesundheit
und Soziales Berlin
Turmstraße 21 / Haus A
10559 Berlin

04.04.2016

(Datum)

(Stempel der ausgebenden Behörde und Unterschrift)

A

Krankenkassen-Nr.
Keine Zuzahlung

01. 04.2016 bis 30.06.2016
Kalendervierteljahr der Gültigkeit:

KV-Abrechnungsstelle 72
Masurenallee 6a
14057 Berlin

eine evtl. kürzere Gültigkeit ist hier
zu vermerken:

Leistungen im Rahmen des § 4 des Asylbewerberleistungsgesetzes werden nur **zur Behandlung akuter Krankheiten und Schmerzzustände, bei Schwangerschaft und Geburt sowie für amtlich empfohlene Schutzimpfungen und medizinisch gebotene Vorsorgeuntersuchungen** gewährt.
Gemäß § 6 dieses Gesetzes können sonstige Leistungen insbesondere gewährt werden, wenn sie zur Sicherung der Gesundheit im Einzelfall **unerlässlich** sind.

Zur Beachtung für den Berechtigten!

Der Behandlungsausweis ist dem Vertragsarzt **vor Beginn der Behandlung** auszuhändigen.

Der Vertragsarzt ist berechtigt, sich von der Identität des bei ihm Erschienenen mit der auf dem Behandlungsschein benannten Person zu überzeugen.

Berufskrankheit, Unfall oder Unfallfolgen sind vom Berechtigten sofort der betreuenden Dienststelle (Aussteller des Behandlungsausweises) zu melden.

Dieser Behandlungsausweis ist nicht zu verwenden bei Familienangehörigen, die wegen der Folgen eines Kindergarten- oder Schulunfalles behandelt werden. Eines besonderen Behandlungsausweises bedarf es in diesen Fällen nicht.



Berlin

Einführung (Beschluss) Die Gesundheitskarte für Flüchtlinge wurde Anfang Januar 2016 eingeführt.

Landesrahmenvereinbarung Vertragspartnerinnen des Landes Berlin sind die AOK Nordost, die DAK-Gesundheit, die BKK-VBU und die Siemens-Betriebskrankenkasse (SBK) Umsetzungsebene In Berlin bilden die Bezirke die kommunale Ebene.

Den Bezirken wird aber nur ein Teil der kommunalen Aufgaben übertragen und die entsprechenden Befugnisse können jederzeit auf die Ebene des Landes zurückgeholt werden.

Leistungsspektrum Der Umfang der gesundheitlichen Leistungen orientiert sich an den bundesweit geltenden rechtlichen Vorgaben der §§ 4 und 6 des AsylbLG. Der Leistungskatalog war zum Zeitpunkt der Erstellung dieser Expertise noch nicht veröffentlicht.

Kosten Verwaltungsgebühr: 6 Prozent der entstandenen Leistungsaufwendungen, mindestens aber 10 Euro pro angefangenen Monat und Leistungsempfänger Finanzierung Die Kosten der Gesundheitsversorgung von Asylsuchenden trägt vollständig das Land Berlin.

Evaluation Nach zwei abgerechneten Quartalen werden die tatsächlichen

Behandlungskosten evaluiert.

Language barriers

- Difficulties in speaking the language: Language can be one of the most important factors towards feeling welcomed in a community and being able to connect to the new society. Refugees are facing big challenges due to language difficulties.
- Lack of psychologists who speak the mother tongue language of refugees: After refugee's have their health card, they can search for psychologists who are covered by public health insurance. Then the problem that they face is that there are hardly any psychologists that speak their language, or even when they exist, refugees have to wait on a long waiting list to be able to see a psychologist.
- Translators (payment and qualifications): The topic that is mostly discussed in Germany (Berlin) now is the translators, how are their qualification's measured and who is paying them to do the job of translation.

Social system accessibility

- Knowledge about the various projects for refugees: There are a variety of projects that are functioning in Berlin and targeting the mental and psychological health of refugees (charite, ipso..) but less refugees know about them, due to several reasons: less information given from the projects, language barriers...
- Self-help groups (Bottom-top approach): a project based on the needs of refugees (LouLou Begegnungsort für alte und neue Nachbar*innen)





















Results of low mental health

- Less motivation to learn the language
- Less integration
- Higher rates of aggressiveness

Sharehaus Refugio

Inclusion instead than integration – more effort and active role by the local community

- Alternative to accommodation centers since they are not protecting – by grouping the inhabitants and de-humanise them
- Mix locals and new comers: already a step into the process of settling into the new society
- Two-way process
- at same eye level

Description of the project

- Five floors share house where locals and new comers live in Neukölln, one of the cosiest multi-cultural districts in Berlin, highly frequented by young people
- Meeting space for cooking and eating together every day
- Regular activities organised together during the weekend like cultural events, dinners, workshops, and hosting events
- Catering and cooking classes developed by chefs from Syria
- German classes offered by mother tongues and self-organised Coaching program before starting a new job or new education courses
- The “Refugio Café” is a coffee shop next door run by people living in the house and represent a first step to enter the labour market



Critical aspects

- Working aspect: do people receive enough money for their work?
- Transparency on the incomes?
- People are supposed to rotate every 12/18 months – how many people in reality can actually benefit? People needs?
- Any other points?

Queere Unterkunft Treptow

Official Shelter for LGBTI
refugees

- Concept of Diversity
- It highlights the needs of a particular vulnerable group
- Standards of social work respected (social workers, languages needed...)
- Psychosocial support – generally needed also by other people seeking asylum (psychotherapists, housing, support in settling in the new city with special offers)
- Legal advice e.g. preparation for the interview
- Cooperation with external offers planned for this specific group – and with LGBTI Organizations but also sensitive doctors, counseling places with translators

Description of the project

- Special protection from violence and discrimination, granting them a safe LGBTI-friendly environment.
- Support in the process of integration through language courses, job offers, and cultural activities in LGBTI-friendly environments.
- An external pool of interpreters and translators available for activities outside the centre.
- Connection to other external offers by Schwulenberatung Berlin such as:
 - - “Café Kuchus”, Drop-in counselling centre for - LGBTI refugees;
 - - Legal advice on asylum procedures and migration laws for LGBTI refugees;
 - - Psychological counselling for LGBTI refugees;
- The collaboration between Schwulenberatung Berlin and other LGBTI rights organisations permit the implementation of LGBTI refugees’ rights through the cooperation with local authorities.

Critical aspects

- Are particularly vulnerable groups really protected in special accommodation centers?
- Identifying who is falling under this definition?
- Stigmatization by grouping as LGBTI? J. Butler
- Suggested alternatives for particularly vulnerable groups? e.g. implementing external offers, like counseling centers, psycho-social support

EVALUATION OF PROFESSIONAL COMPETENCIES AND EDUCATIONAL NEEDS OF MIGRANTS/REFUGEES

- Take into account the different professional competencies as well as educational needs of a group that is often erroneously considered as homogeneous
- The 74% of asylum seekers arriving to Europe and applying for the first time are male and the 82% are below 35 years old. (2015)

THE RIGHT TO WORK



The right to work is a fundamental human right and is strongly related with the concept of dignity of the person, at the core of human rights principles.

The right to work is recognised in art. 23 of Universal Declaration of Human Rights (UDHR) that reads as follow:

“Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment (...) without any discrimination”.

A BARRIER TO INTEGRATION

The residence status in Germany: German authorities do not recognize to everyone the right to work

Refugees who have a temporary permission (*Aufenthaltsgestattung*) or a temporary suspension of deportation (*Duldung*) have no right to work, since they do not have a residence permit (*Aufenthaltserlaubnis*).

In the year 2016, the German Federal Office received:

722,370 initial asylum applications

A total of 695,733 initial applications and follow-up applications were approved in 2016.

Most initial applicants from:

- Syria: 295,040 positive decisions (total protection rate: 98.0%);
- Iraq: 68,562 positive decisions (total protection rate: 70.2%);
- Afghanistan: 68,246 positive decisions (overall protection rate: 55.8%).

<http://www.asylumineurope.org/sites/default/files/resources/201612-statistik-anlage-asyl-geschaeftsbericht.pdf>

EUROPEAN STRATEGIES TO PROMOTE INTEGRATION

At EU level, the short term fiscal costs strategy of providing housing, education, training, and social and health services is more costly but considered more effective than a long-term one that could involve risks of integration failure

(European Parliament's Committee on Employment and Social Affairs)

Evaluation of professional competencies in Germany (*Kompetenzfeststellung*)

Offices are responsible for the evaluation of professional competencies:

- Federal Ministry of Labour and Social Affairs
(*Bundesministerium für Arbeit und Soziales – BMAS*);
- Support Program Integration through Qualification
(*Förderprogramm „Integration durch Qualifizierung*).
- "ESF - Integration directional federation" programs
strictly addressed to migrants and refugees

- the Federal Employment Agency (*Bundesagentur für Arbeit*) conducts the mediation through the employer and the employee, and for further educational courses
- The integration process: migrants/refugees can be economically supported by unemployment benefits (*Arbeitslosengeld*)

The 1 Euro Jobs and internships

- The amendments to § 5 of the Asylum Seekers' Benefits Act (AsylbLG) concern all persons in the current asylum procedure who receive benefits under this law and allow them to work earning 1€ per hour.
- The government, municipal and non-profit organizations offered new job opportunities. For this purpose the program "Refugee Integration Measures" (*Flüchtlingsintegrationsmassnahmen* - FIM) were launched.
- (*Praktikum*) to be accepted by the foreign authority (*Ausländerbehörde*).
- Integration through qualification (*Integration durch Qualifikation*)

Critical aspects

- Only € 0.80 per hour is paid
- exploitation of workers
- Increase the hierarchy in the social structure between refugees workers and other workers.
- This kind of offers promote an erroneous integration process, impeding the full enjoyment of work activities
- Generation of frustration feelings in workers that earn too little, (In Germany official minimum wage rates 8,84 € / H)

Private initiatives supporting State's measures

- Big companies (Telekom and Siemens)
- Online platforms, among others work-for-refugees.de, careers4refugees.de, and everjobs.de.
- practical proposal by smaller organisations/ self-organised initiatives result to be fundamental by supporting a two-way integration process (*“Welcoming culture”*)

Self-organized Initiatives

Case study: ARRIVO BERLIN

- ARRIVO BERLIN offers training and professional support for refugees to integrate in Berlin labour market.
- funded by the Berlin Senate Administration for Work, Integration and Women (*Berliner Senatsverwaltung für Arbeit, Integration und Frauen*), the Berlin Chamber of Crafts (*Handwerkskammer Berlin*) and the Berlin Network for Right of Residence (*Netzwerk für Bleiberecht*) "bridge".
- The initiative has the slogan "Refugee is not a profession" (*Flüchtling ist kein Beruf*)
- ARRIVO BERLIN describes refugees through positive connotations and not as a weak group by defining them "*ambassadors from all corners of the world, who in addition to their professional qualities, can also support intercultural and engaged working atmosphere*".
- Link to the initiative ARRIVO BERLIN:
<http://www.schlesische27.de/s27/portfolio/arrivo-uebungswerkstaetten/>

EVALUATION OF EDUCATIONAL NEEDS OF MIGRANTS/REFUGEES

- Both new comers than hosting community's institutions and organisation can benefit from providing access to education to migrants/refugees
- The European Commission implemented education programs addressed to those groups at different levels: from higher education, to schools and adult education, to specific support programs to facilitate the language learning.

- The Integration course (*Integrationskurs*) is offered to asylum seekers with good perspective to remain in Germany.
- Critical points:
 - discrimination belonging to the nationality of the student
 - students with different educational levels are in the same class (graduated together with non-graduated)

The integration process from the perspective of women

- They generally struggle more to get into the labour market.
- Childcare facilities are required
- Many learning programs addressed to women only have been developed in Germany.
- - Already during the application procedures and reception conditions to be more gender-sensitive and consider the special needs of women.

“Welcoming classes” at school for asylum seekers children and youths

- These classes are a support for pupils to get into regular school classes after one year at the latest.
- Participants are aged between 12 and 18
- And have completely different level of education and socio-cultural backgrounds.

New educational programs and Universities' offers for refugees

- In Germany several new educational programs are regularly created to cope with the integration of new comers over the last years. The programs are a numerous variety of institutional programs but also initiatives of smaller organisations that can be funded both by European Union and State agencies or institutions.
- Also, many universities all over Germany offered special opportunities to refugees and addressed a certain number of available places into the new study programs just to them.

INTEGRATION WITH A HUMAN RIGHTS' APPROACH

- The asylum procedure: very long period of time
- Substantial difference between asylum seekers and migrants life experiences
- migrants, asylum seekers and refugees not the same access to economic, social and cultural rights, and have to go through a range of procedures that foresee quite different steps

- To support labour market inclusion,
implement fundamental social services
 - access to healthcare,
 - psycho-social support and rehabilitation
 - adequate and free of charge legal counsel
 - adequate support in languages spoken by
migrants/refugees.