PRESS RELEASE

Germany has joined the ranks of progressive immigration countries in an international comparison – SVR calls for overall migration policy concept which also strategically positions Germany as an immigration country

The SVR’s sixth Annual Report compares Germany’s migration and integration policies with the policies of selected EU countries as well as with traditional immigration countries such as Canada and the USA. Germany performs better than the current public discourse would lead one to believe. In its recommendations for action, the SVR proposes evaluating a new procedure for EU refugee policy: refugees, after their asylum petition has been approved, would be allowed to move to the EU country of their choice, particularly to look for work; the principle of the basic responsibility of the country of first entry (Dublin Regulation) would be retained and strengthened for the asylum process.

Berlin, 28 April 2015. “Germany has joined the ranks of progressive immigration countries in an international comparison,” said Prof. Dr. Christine Langenfeld, Chairwoman of the Expert Council of German Foundations on Integration and Migration (SVR) at the presentation of the SVR’s 2015 Annual Report in Berlin. “The result is not consistent with Germany’s own perception of itself in the public discourse. We are better than we think,” said Langenfeld. Germany has made great strides in many areas of migration management and integration policy in a political and conceptual sense over the last few years and its achievements are impressive compared to traditional immigration countries. “This is often overlooked in the political debate in Germany,” said Langenfeld. “Germany’s good performance, however, doesn't mean that we can rest on our laurels. An overall migration policy strategy is still lacking. This strategy would also have to identify which countries the immigrants of the future will come from so that Germany can position itself in these places as an immigration country. Germany’s self-image as an immigration country also needs to be reinforced.”

The SVR’s 2015 Annual Report focuses on learning from others. The issue was taken up because there are often calls in political discourse to do things the way they do in Canada or Sweden or the USA. At the same time, the prevailing opinion is that Germany is a ‘straggler’ when it comes to migration policy. These claims, however, do not demonstrate much knowledge of the facts. The Annual Report therefore systematically compares Germany’s migration and integration policies to the policies mainly of countries perceived to be particularly successful and therefore considered potential migration and integration policy role models by the public (Canada, USA and Sweden as well as other European countries). The country comparison looks at three core areas of German migration and integration policy: labour migration, citizenship law and asylum policy. It comes to the conclusion that Germany can only partially learn from successful immigration countries: “Germany cannot simply transfer ‘blueprints’ developed in other countries for three reasons,” said Langenfeld. On the one hand, different country-specific political, economic, social or geographic conditions call into question the recommendation popular in the political and media discourse of simply importing a policy – that was (apparently) successful in another country. On the other, Germany itself has become one of the pioneers of modern migration policy in areas such as labour migration policy. Finally, there is a tendency towards convergence – with the result that the policies in many immigration countries are drawing closer and becoming increasingly similar. The labour migration policies of Canada and Germany in particular have come to resemble one another much more closely: Canada has waved goodbye to its purely human capital-based system, i.e. a scheme that awarded points for the applicant’s qualifications (immigration is now determined mainly by whether the
applicant has an employment contract), while Germany has abandoned its exclusive principle of ‘no immigration without an employment contract’. Since 2012, third country nationals with a university degree have been issued visas to look for work without an employment contract (Section 18c of the German Residence Act (Aufenthaltsgesetz)). A similar regulation is planned for non-academic skilled workers (Section 17a of the draft law to redefine the right for leave to remain and the termination of residence). Calls to introduce a point system like the one in Canada fail to recognise these measures. “The possibilities and limits of learning from one another outlined in the Annual Report,” said Langenfeld, “can still be useful for policymakers because they show how much scope for political action there is under which societal conditions.”

“A successful migration and integration policy, however, encompasses far more than just liberal laws,” said Langenfeld. “Germany has to credibly define and position itself much more as an immigration country, not just internationally, but also internally. One of the main tasks of politicians is to encourage citizens to embrace Germany’s broad-based self-image as an immigration country. Asylum homes in flames send a terrible message.” As a result, politicians will have to explain decisions and contexts more effectively in this emotionally charged policy field and show that immigration is an opportunity and a necessity for Germany, not least of all due to the shortage of skilled workers brought about by changing demographics. Politicians will have to intensify their efforts to seek proximity to and dialogue with citizens. A modern immigration country needs a clear self-image and unambiguous rules for immigration and coexistence. In Germany, these values are captured in the Basic Law that everyone is called on to respect. The overall migration policy concept proposed already several times by the SVR would also be helpful for dialogue with citizens.

Rapidly effective changes in the individual asylum procedure and structural reforms to the Common European Asylum System: SVR urges adoption of a package solution

The structural problems of the Common European Asylum System (CEAS) were already evident for quite some time, even before the mass exodus from Syria focused public attention on European refugee and asylum policy again. To make European asylum policy viable for the future, the SVR proposes restructuring the CEAS. This new structure would, on the one hand, retain the Dublin principle of the responsibility of the country of first entry, but would also link ‘Dublin’ to the principle of free choice of EU country after a refugee’s asylum petition has been approved: the country of first entry would still be responsible for reception, the asylum procedure and the return of refugees whose status is not recognised. Financial and logistical support would be provided to countries that reach the objective limits of their capacity due to a heavy influx of asylum seekers. The countries of first entry would be required to strictly comply with the standards set forth in the Common European Asylum System (CEAS) for refugee housing and the asylum procedure. If this is successful and the countries of first entry in southern Europe were to apply recognition criteria the same way as in the other EU countries, the right to freedom of movement within the EU for recognised refugees could be introduced in a second step. “The key innovation in the SVR model is that after refugees have been granted refugee status in the asylum procedure (for which there are already European regulations in existence), they may move to the EU country of their choice if they think they have good job prospects or have family members living there,” said Langenfeld. “This gives recognised refugees greater rights and allows them to move freely within the EU for the first time. We would move closer to establishing a European right of residence for recognised refugees,” said Langenfeld. “This new process would also be a clear demonstration of European solidarity and burden-sharing in terms of accepting refugees.”
The proposed procedure would also be a compelling development in the Common European Asylum System which would include the right of free movement in addition to uniform procedural and protection standards. The advantage of this kind of reform for the member states is obvious: the countries of first entry would receive financial and logistical support to admit refugees. And they would no longer remain solely responsible for all recognised refugees. In return, the northern European countries would no longer have to process large numbers of asylum petitions from refugees who were not registered in the country of first entry in violation of regulations. To limit potential pull effects stemming from the different living conditions in the EU, it would be conceivable to establish "prevention" mechanisms between the EU countries. “For Germany, the proposal would most likely mean the arrival of fewer asylum seekers and fewer asylum applications to process as a result, but it would also mean the arrival of more recognised refugees," said Langenfeld. But because asylum would have already been granted, they would be able to look for work and make their own living. This would increase the public's acceptance of taking in refugees. “Integration measures such as language courses could take effect immediately and the job search could be supported by the existing infrastructure, i.e. employment agencies, advisory centres for refugees as well as the private sector,” said Langenfeld.

Structural reforms to asylum and refugee policy, such as the SVR's proposal to expand the scope of the Dublin principle, can and must put European asylum and refugee policy on solid ground over the long run. In light of the dramatic events in Syria and other crises at ‘Europe's door’, Europe and above all, the EU as a community of shared values are facing acute challenges in refugee and asylum policy that, until recently, were scarcely imaginable in terms of intensity and sense of urgency. An “immediate assistance programme” is therefore needed which would provide the framework for collective acceptance procedures to supplement individual asylum and in which all EU countries would participate in the spirit of burden-sharing. A suitable instrument, the Mass Influx Directive, has been in place for many years at European level. It could currently offer Syrian refugees in particular a fast and unbureaucratic alternative to individual asylum procedures. The Directive has failed to enter into force, however, due to a lack of consensus in the EU Council of Ministers.

This immediate assistance must be accompanied by a stronger commitment from the EU to fight the reasons people become refugees in the countries of origin and expand the options for legal immigration for labour migrants. What are known as mobility partnerships should also be expanded with suitable countries as part of these efforts, saving many people from making the dangerous trip across the Mediterranean. More information needs to be provided about the current options for legal immigration so that people who want to come to Europe in search of work do not go down the asylum road.

Support for an active nationalisation policy and a modern citizenship law
A modern immigration country needs a modern citizenship law. The SVR therefore recommends a package of reforms for citizenship policy. First, Germany should practice an active policy of nationalisation: immigrants should have the opportunity to become citizens with all rights and duties, including the right to vote. The Laender responsible for nationalisation should specifically target people eligible for citizenship and actively campaign for nationalisation. Second, there should be a ‘fast-track’ process to nationalise well-integrated immigrants. And third, Germany must also make itself strong for a modern citizenship concept that reflects the reality of a migration society.

This is the ‘dual passport model with generational cut-off’. The SVR's 2015 Annual Report shows that this model is not only practiced by Germany with its own nationals living abroad, but also, for example, by Canada and Sweden. The SVR also recommends this model for dealing with immigrants and their
descendants in Germany: dual or multiple nationalities will be accepted for the children of immigrants born in Germany. At the same time, a mechanism would be established that prevents unlimited inheritance of nationality through *jus sanguinis* (principle of origin). This aims to prevent multiple nationalities from being accumulated across generations even though there are no longer any ties to the country of origin of the forbears. Because the dual passport with generational cut-off can only be implemented in collaboration with the countries of origin, the SVR recommends that the German federal government negotiate, e.g. with Turkey, as one of the main countries of origin, to prevent Turkish citizens who have lived in Germany for generations from inheriting Turkish citizenship. The SVR also recommends a political initiative in international bodies to promote the dual passport model with generational cut-off as a standard or best practice.

You can download the SVR Annual Report “Immigration Countries: Germany in an International Comparison” from [www.svr-migration.de](http://www.svr-migration.de).

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**About the Expert Council**

The Expert Council of German Foundations on Integration and Migration is based on an initiative of the Stiftung Mercator and the VolkswagenStiftung and consists of seven member foundations. In addition to the Stiftung Mercator and the VolkswagenStiftung, these are: Bertelsmann Stiftung, Freudenberg Stiftung, Robert Bosch Stiftung, Stifterverband für die Deutsche Wissenschaft and the Vodafone Foundation Germany. The Expert Council is an independent and non-profit monitoring, evaluating and advisory council which takes a stand on issues relevant to integration and migration policy and offers practically oriented policy consultation. The results of its work are published in an annual report.

The SVR includes nine researchers from different disciplines and research institutes: Prof. Dr. Christine Langenfeld (Chairwoman), Prof. Dr. Ludger Pries (Deputy Chairman) and Prof. Dr. Gianni D’Amato, Prof. Dr. Thomas K. Bauer, Prof. Dr. Wilfried Bos, Prof. Dr. Claudia Diehl (from 2015), Prof. Dr. Heinz Faßmann, Prof. Dr. Christian Joppke (from 2015), Prof. Dr. Yasemin Karakaşoğlu (until 2015), Prof. Dr. Ursula Neumann (until 2015) and Prof. Dr. Hacı Halil Uslucan.

More information can be found at: [www.svr-migration.de](http://www.svr-migration.de)