



## Germany in the refugee crisis – background, reactions and challenges

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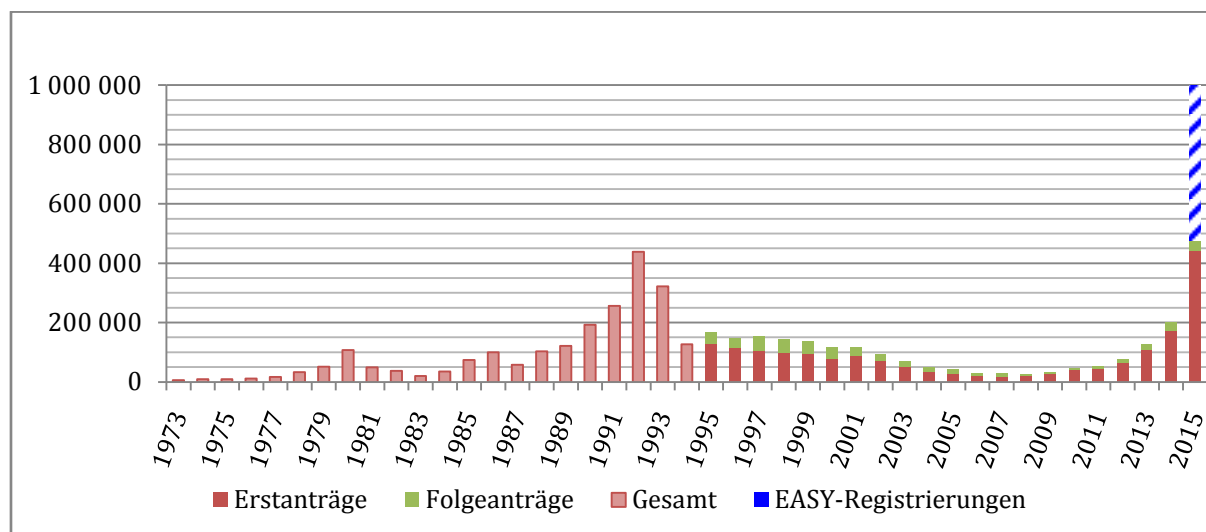
Since the summer of 2015, Germany has been the target country for flows of refugees seeking sanctuary, mostly from Syria, Iraq and Afghanistan. The influx of refugees has entirely dominated the political and social debate. Over time, there has been more and more disagreement as to the ways of dealing with refugees. So far, the implementation of a pan-European solution proposed by the German federal government and aimed at a fairer distribution of asylum seekers between all the member states of the European Union has proved impossible. For Germany, the large influx of refugees presents a significant social challenge. A great deal of the newly arrived refugees will stay in Germany for a long period or even for good. On the one hand, in the face of the demographic ageing of the German population and growing shortages of skilled labour, this may be seen as an opportunity. On the other hand, the inflow of refugees entails a significant challenge, involving the integration of hundreds of thousands of people from a distant culture and with very different outlook concerning participation in society and the labour market. Despite the situation on the labour market and integration policies now being more favourable than they were in the past, this integration process will take place over a long period of time and will entail social conflict.

The number of asylum seekers in Germany has increased consistently for the last several years. Since the summer of 2015, the influx has taken on a dimension hitherto unknown. In 2015, more people seeking sanctuary came to Germany than ever before (see the chart). In 2015, 441,899 initial applications were lodged. In total, including subsequent applications, 476,649 requests for asylum were submitted. However, the number of asylum seekers actually coming to Germany in 2015 was significantly higher than this number – due to the surge of refugees and resulting registration issues, it took considerable time to lodge formal applications. Several hundred thousand people arrived in Germany but could not formally apply for asylum. According to the German federal government, last year the arrivals of almost 1.1 million asylum seekers were registered in the so-called EASY system.<sup>1</sup> On top of this number, Germany received several thousand refugees through humanitarian aid schemes.

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<sup>1</sup> The EASY system is an IT application for the initial allocation of asylum seekers between the German states. Errors and double counting cannot be excluded.

## Asylum applications in Germany 1973-2015



Source: Federal Office for Migration and Refugees 2016, own analysis

■ initial applications ■ subsequent applications ■ total ■ registrations with the EASY system

The overwhelming majority of asylum seekers came from war-torn countries such as Syria, Iraq and Afghanistan or from the Western Balkans (see the table). Last year approximately every second asylum seeker was recognised as being in need of protection. In 2015, the so-called protection rate, which includes all the forms of protection (i.e. eligibility for asylum, refugees received under the Geneva Convention and subsidiary protection) stood at 50%.<sup>2</sup> This can be attributed to, above all, a high proportion of asylum seekers from Syria and other war-torn countries such as Iraq and Eritrea, who were almost all given refugee status. On the other hand, the protection rate for applicants from the Western Balkans stood at close to 0%. High protection rates for the first group of refugees, along with the large number of applications, led to several hundred thousand people being granted the right to longer-term or even permanent residence in Germany, which also gives them the right to bring their spouses and children to the country.

### 10 most important countries of origin and overall protection rates in 2015

	Country of origin	Initial asylum applications	Registrations with the EASY system	Overall protection rate
1	Syria	158,657	428,468	96.0%
2	Albania	53,805	69,426	0.2%
3	Kosovo	33,427	33,049	0.4%
4	Afghanistan	31,382	154,046	46.5%

<sup>2</sup> In fact, the level of protection is even higher if the protection rate is adjusted for so-called "formal decisions", and if successful complaints against negative asylum decisions by the Federal Office for Migration and Refugees (BAMF) are taken into account.

5	Iraq	29,784	121,662	86.1%
6	Serbia	16,700	20,365	0.2%
7	Eritrea	10,867	25,505	92.4%
8	Macedonia	9,083	14,004	0.6%
9	Pakistan	8,199	28,392	9.2%
10	Iran	5,394	29,826	59.6%
	<b>Total</b>	<b>441,899</b>	<b>1,091,894</b>	<b>49.8%</b>

Source: Federal Office for Migration and Refugees 2016

### **Merkel's alleged open-door policy**

Interpretation of the reasons for the surge of immigrants is controversial. Numerous media outlets and some political parties in Germany and other European countries have argued that the influx resulted primarily or exclusively from the open-door policy of the federal government – often reduced to the person of the chancellor Angela Merkel. In early September 2015, the government agreed with Austria to allow refugees from Hungary to enter Germany, and this, allegedly, triggered a knock-on effect. Furthermore, the “we can do it” rhetoric of the government and selfies taken with refugees are believed to have been understood as an invitation to come.

In the first place, it should be noted that the decision taken in Germany was meant as a reaction to the humanitarian refugee crisis in Hungary and in no way as an invitation addressed at refugees in non-European crisis-torn countries. However, it was understood differently there. It is difficult to quantify the impact of political decisions and symbols on migratory movements. On the one hand, the step taken by the federal government is likely to have strengthened people in their decisions to come to Germany and Europe. However, it cannot serve as the only explanation for the unprecedented scale of the surge of refugees from outside Europe. It should instead be assumed that several factors played a role here. First of all, it should be stressed that at present the number of people in search of protection has reached an all-time high. According to the data from the United Nations High Commissioner for Refugees (UNHCR), at the end of 2014, 59.5 million people were fleeing from persecution, violence and human rights violations,<sup>3</sup> the highest figure since such statistics were first produced in 1989. What should be particularly stressed is the civil war in Syria, which has been ongoing since 2011 and has caused a huge spillover of refugees, both within the country and into neighbouring countries. In the states of first arrival – mainly Turkey, Lebanon and Jordan – refugees are confronted with an extremely difficult situation and a lack of prospects. They are usually granted no regular status or work permits and have hardly any access to educational institutions for children. Moreover, the cost of living is high and the resources they bring from their home countries are being used up. Deterioration in the supply of World Food Programme (WFP) food aid during 2015 was for many refugees an additional reason to make their way to Europe.<sup>4</sup> Insufficient resources in the region and the fact that industrialised countries launched few legal admission schemes resulted in a growing number of refugees setting off at their own risk. This movement was marked by changes to the main migratory routes. Until 2014, the Mediterranean route via Italy was most

<sup>3</sup> This number may have increased in the meantime. However, UNHCR only publishes this data once a year, on World Refugee Day (20th June).

<sup>4</sup> UNHCR, “Seven factors behind movement of Syrian refugees to Europe”, *Briefing Notes*, 25 September 2015, available online at: <http://www.unhcr.org>

popular. Since mid-2015, an increasing number of refugees have chosen the eastern Mediterranean route (through Turkey and Greece) as it is cheaper and less dangerous.<sup>5</sup>

In the public debate the question is often posed as to why asylum seekers look for protection in Germany (and a few other countries). Research has shown that in this case too numerous factors come together, the most important being structural aspects and circumstances that short-term political decisions have no influence upon, such as the level of prosperity, social support and, above all, migrants' already existing social networks. This might also explain why there are substantial differences within the EU with respect to the countries of origin of refugees. Germany receives particularly many Afghans, Syrians and refugees from the Western Balkan countries as, in comparison to the rest of Europe, there are large communities from these nations already in the country.

### **New controversies regarding asylum policy**

Over the past years, the refugee policy in Germany has been gradually liberalised, i.e. the rights of refugees have been reinforced. This has been facilitated by favourable conditions: a moderate number of applications, positive economic development and an awareness of accelerating demographic ageing. In view of these factors, migration and integration policies have been gradually modernised.<sup>6</sup> On the one hand, Germany does not want to lag behind in the competition for the most talented people. On the other hand, however, it has to avoid the mistakes of the past, when the failed integration of "Gastarbeiter" led to numerous social problems. As a result, the integration of refugees is encouraged. In particular, refugees should be given access to language and integration courses in order to promote their integration into the labour market. In September 2014, for instance, a legislative package was adopted which shortened the ban on employment for asylum seekers from nine to three months.

A more humanitarian German refugee policy also included an increase in organised admission schemes, through which refugees can enter Germany in a safe and legal manner. The Federal Republic of Germany had consistently taken part in individual organised admission schemes for refugees from crisis-torn areas in the past.<sup>7</sup> However, it is only since 2012 that the country has been regularly engaged in the UNHCR resettlement scheme. Furthermore, in reaction to the crisis in Syria, Germany is one of the few European countries to have developed programmes for admitting temporary refugees from Syria on a larger scale. Between May 2013 and June 2014 the federal government and the states decided to create a total of 20,000 places for refugees from crisis-torn countries. The refugees received in this way are granted a residence permit for an initial period of two years and are allowed to start work immediately. Moreover, 15 states made it possible for Syrians living in Germany to bring their family members, provided that they commit themselves to cover the cost of their accommodation and living. By the end of 2015, approximately 20,000 people were received in this way.

A considerable increase in applications has again sharpened the political and social debate on asylum and refugee protection in Germany. Municipalities were faced with a growing challenge concerning the accommodation of refugees. Across the country, temporary accommodation was offered, including in barracks, containers, tents and school

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<sup>5</sup> P. Fargues, *The year we mistook refugees for invaders*, Policy Briefs, European University Institute and Migration Policy Center, San Domenico di Fiesole, 2015.

<sup>6</sup> Sachverständigenrat deutscher Stiftungen für Integration und Migration, „Deutschlands Wandel zum modernen Einwanderungsland“, *Jahresgutachten 2014 mit Integrationsbarometer*, Berlin; Sachverständigenrat deutscher Stiftungen für Integration und Migration, *Unter Einwanderungsländern: Deutschland im internationalen Vergleich*, Jahresgutachten 2015, Berlin.

<sup>7</sup> An overview of organised admissions can be found in M. Engler, *Sicherer Zugang. Die humanitären Aufnahmeprogramme für syrische Flüchtlinge in Deutschland*, Policy Brief, Forschungsbereich beim Sachverständigenrat deutscher Stiftungen, 2015. Available online at: <http://www.svr-migration.de>

sports halls. In March 2016, 687 sports halls nationwide were occupied by refugees.<sup>8</sup> This means that these asylum seekers can enjoy hardly any privacy and are subject to continuous stress. The opening of temporary shelters has often led to conflict with local residents. Despite numerous staff increases, the Federal Office for Migration and Refugees (BAMF), which is responsible for the examination of asylum applications, does not have sufficient capacity. This increases the backlog of cases and extends processing times. At the beginning of January, BAMF had up to 700,000 pending asylum applications.<sup>9</sup>

## **Differentiation of asylum policy**

In view of the above, the main objective of the federal government was to accelerate the processing of applications and to significantly reduce the number of new applications. In particular, the number of asylum seekers from Serbia, Macedonia and Bosnia and Herzegovina, which has been growing since 2012, and the very low recognition rates among this group, sparked a new debate on "asylum abuse". In early November 2014, Serbia, Macedonia and Bosnia and Herzegovina were designated safe countries of origin. This is supposed to accelerate the processing of applications and send a signal to people from these countries of origin that submitting an application is not worthwhile.

The federal government immediately reacted to the dramatic events of the summer 2015 with the so-called Asylum Package I, which was adopted under an accelerated parliamentary procedure and came into force on 24 October. The package provides for a greater participation of the federal government in the cost of financing of refugee accommodation and also contains a number of measures aimed at accelerating the asylum procedure. The objective is also to integrate at an early stage those refugees that are likely to remain in Germany (currently these are refugees from Syria, Iraq, Iran and Eritrea). They are given the opportunity to attend an integration course during the asylum procedure. On the other hand, asylum seekers that are unlikely to stay in the country are supposed to leave Germany more quickly. Furthermore, in reception centres, cash payments should be to a large extent replaced with in-kind benefits. The construction planning law was changed so that accommodation for refugees could be secured more quickly and without much bureaucracy. In the next step, Albania, Kosovo and Montenegro were also recognised as safe countries of origin. In return, access to the labour market for citizens of the Western Balkans was facilitated.

However, in the face of the continuing surge of refugees, these measures seemed to be insufficient from the perspective of the German federal government. At the beginning of November 2015, the coalition leaders agreed upon the Asylum Package II, which provides for the creation of more "special reception centres" for asylum seekers from safe countries of origin who are subject to re-entry restrictions, lodge subsequent applications or are unwilling to cooperate. In these centres, the Federal Office for Migration and Refugees should in future take decisions on asylum applications within one week. Rejected applicants should return to their own countries or be deported directly from these centres. The second asylum package includes additional measures whose aims include limiting family reunification for certain refugees and simplifying deportation. The measures entered into force in mid-March 2016.

Further restrictive measures have become the subject of heated debate, including within the government. Over the last few months, there have been calls for the introduction of a ceiling for asylum seekers. If the ceiling were reached, all further asylum seekers would be turned back at the border. However, this idea raises legal objections. Currently under discussion is the introduction of a compulsory place of residence for recognised asylum

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<sup>8</sup> Deutscher Bundestag, Aktuelle Meldung [German Federal Government, current press release], 17.03.2016 (<https://www.bundestag.de/presse/hib/201603/-/415614>)

<sup>9</sup> „Asylanträge beim Bamf: 280.000 Fälle entschieden, mehr als 670.000 offen“, *Spiegel Online*, 5.2.2016.

seekers – this is in order to reduce the influx of refugees to large cities. Moreover, Algeria, Morocco and Tunisia are to be recognised as safe countries of origin.

### **Ambivalent social attitudes**

Polling results show that the responses to the challenges of refugee reception vary and, on the whole, can be viewed as ambivalent.<sup>10</sup> On the one hand, German society has demonstrated great and ongoing solidarity with refugees, and has shown spontaneous support for them. Thousands of people welcomed them at railway stations, made in-kind donations, helped by handing out meals in emergency shelters and offered language courses. According to surveys, up to 10% of society was involved.<sup>11</sup> Many people stressed that the current situation is positive in comparison to early 1990s, when hundreds of thousands of refugees fled to Germany from the Balkan wars.

On the other hand, there were civic movements which were sceptical or hostile to the creation of emergency shelters in their neighbourhoods. Right-radicals such as the NPD initiated or exploited numerous protests against the reception of asylum seekers. Protests were also staged in affluent areas, motivated by a fear of a fall in property values. In addition to protests there were also instances of violence against refugee shelters, including many arson attacks. According to the Federal Criminal Office (BKA), in 2015 there were 924 such offences (in 2014 there were 199).<sup>12</sup> Numerous refugees were injured.

There has been a significant rise in popularity of the anti-immigration Pegida movement, which has staged regular demonstrations, as well as the rise of the populist right-wing party Alternative for Germany (AfD). In a nationwide poll conducted in February 2016, 12% of respondents supported the AfD. The party came third in the survey, the highest it had ever polled.<sup>13</sup> Since 2014, the AfD has managed to enter the European Parliament and 8 out of 16 state parliaments.

### **Integration of a great number of people as a long-term process**

It is likely that a significant number of refugees will stay in Germany for a long period, or permanently. It has always been emphasised that refugees also constitute an opportunity for the ageing German society. They are on average substantially younger than the Germans and, thus, could contribute to the stabilisation of German pay-as-you-go social schemes and a reduction in skilled labour shortages. The legislative framework in this respect is more favourable than in the past, at least for those refugees likely to stay in Germany. The situation on the labour market has also improved.

In order to enable the integration of great numbers of refugees as soon as possible it is, however, necessary to make considerable efforts. The enormous number of young refugees, many of whom have not attended schools for long periods, presents the German education and training systems with a major challenge. The existing bottlenecks of highly qualified teachers threaten to delay the integration process. Shortages can also be seen on the housing market, resulting in thousands of recognised refugees being forced to live for longer periods in emergency or community centres. This, in turn, significantly hinders integration.

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<sup>10</sup> <http://www.zdf.de/politbarometer/politbarometer-5990568.html>; <http://www.infratest-dimap.de/umfragen-analysen/bundesweit/ard-deutschlandtrend/2016/maerz/>

<sup>11</sup> "Viele Deutsche helfen, haben aber auch Angst", *Die Welt*, 21.12.2015.

<sup>12</sup> Pro Asyl, „2015: Dramatischer Anstieg von Gewalt gegen Flüchtlinge“, 13.1.2016, available online at: <http://www.proasyl.de>

<sup>13</sup> Infratest Dimap, Eine Umfrage zur politischen Stimmung im Auftrag der ARD-Tagesthemen und der Tageszeitung DIE WELT, February 2016.



Furthermore, the targets that are set should be realistic. There is no reliable data yet available regarding the levels of qualifications of refugees; however, preliminary analyses suggest that these levels vary significantly. It will be a huge challenge to fit the often informal qualifications of refugees into the strongly formalised German labour system. It should be assumed that a considerable number of those in search of protection will not be able to take up employment immediately and will need a certain adjustment period.<sup>14</sup> Also, due to reasons including disease and traumatising, some refugees will not be able to work for the foreseeable future. In each case it will be necessary to first learn the German language, which will take time, not least because there are not enough language courses offered.

### **Struggle for a European solution**

Since 2013, the German federal government has promoted a European solution to the refugee crisis. This solution was to consist of an even distribution of asylum seekers – those arriving both spontaneously and in an organised way – across the European Community of states. However, such a solution turned out to be difficult to implement as only a few countries were ready to participate to a significant extent.<sup>15</sup> As the other external actions aimed at reduction of the influx of refugees to Germany also required time to be effective, there were increasing calls for a national solution, i.e. partial or complete closure of German borders. On 13 September 2015, the German federal government decided to temporarily reintroduce checks at German borders, particularly the border between Germany and Austria. So far, the government has rejected demands to close its borders and has labelled this a last resort, should the European solution proposed not function in the future. Other states have adopted similar measures (including Sweden, Denmark and France). Austria and countries located on the Balkan route went one step further and, since the end of 2015, have gradually closed the route for refugees. Since March, this has led to a significant decrease in the number of refugees entering Germany.

In order to reduce the number of refugees in a sustainable manner, the German federal government has shown great commitment to cooperation with Turkey. In March, after several months of negotiations, the European Union and Turkey reached an agreement under which, from 20 March, Turkey is supposed to take back all migrants who illegally enter Greece. In return, for each Syrian who enters illegally and is sent back to Turkey, the EU will receive a Syrian from Turkey under resettlement or humanitarian admission schemes. Initially, the programme was limited to 72,000 people and was voluntary. EU leaders assumed that this temporary measure, which is to be closely monitored for efficiency, will stop illegal migration via the Aegean Sea. Provided that this is indeed the case, at a later point more refugees could be received from Turkey under an additional wider humanitarian admission scheme.

### **Outlook**

It is highly questionable to what extent the intended sustainable reduction of illegal migration can actually be achieved under the agreement with Turkey and whether this will be in line with the EU's human rights obligations. In view of the persistently high number of refugees globally, it seems very likely that at least some refugees will switch to other routes.

In any case, the German federal government is presented with an arduous and controversial challenge that is at once political, economic and involves social integration. The influx of asylum seekers must also be considered in the context of the substantial migration of EU

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<sup>14</sup> S. Johansson, „Was wir über Flüchtlinge (nicht) wissen. Der wissenschaftliche Erkenntnisstand zur Lebenssituation von Flüchtlingen in Deutschland“, Eine Expertise im Auftrag der Robert Bosch Stiftung und des SVR-Forschungsbereichs, 2016.

<sup>15</sup> M. Engler, „Europäische Flüchtlingspolitik: Und sie bewegt sich doch“, *Flüchtlingsforschungsblog*, 2.9.2015, available online at: <http://fluechtlingsforschung.net>

citizens from southeast and southern Europe that has been taking place since 2012.<sup>16</sup> In 2015 alone, Germany received a total of approximately 2 million foreigners,<sup>17</sup> whereas the outflow of foreigners was approximately 860,000. This has resulted in net immigration of 1.14 million foreigners, the highest ever recorded in Germany.

Thus, some observers envisage a profound transformation of German society which, in terms of its importance, could be comparable to the reunification of the country.<sup>18</sup> The ethnic, religious and national diversity of German society is bound to increase.

### About the author

Dr. Marcus Engler is a sociologist, migration researcher and political advisor. For many years, he has dealt with trends and political developments in the field of migration, refuge and asylum, particularly in Germany and in Europe. He is the author of numerous publications on the subject. His roles currently include work as a consultant at UNHCR Germany and lecturer at the Humboldt University in Berlin. He is also an author and lecturer for various organisations and media. He is a member of both the editorial team of a blog devoted to research on refugees, and also a member of the Migration in Europa network. From 2013 to 2015, he was a research associate at the Council of Experts (Sachverständigenrat, SVR) of German foundations for integration and migration.

The statements expressed herein reflect solely the opinions of its author.

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<sup>16</sup> M. Engler, M.Weinmann, „EU-Migration nach Deutschland: Aktuelle Trends“, *Note du Cerfa* 121, 2015.

<sup>17</sup> PRESSEMITTEILUNG des Statistischen Bundesamtes (DESTATIS) [press release of the Federal Statistics Office], No. 105 dated 21.03.2016.

<sup>18</sup> S. Vertovec, "Germany's second turning point: long-term effects of the refugee crisis", contribution at openDemocracy, 30.9.2015, available online at: <https://www.opendemocracy.net>