



Arriving and Staying in Germany – Facilitating Integration by Assigning Place of Residence?

Summary

The German federal government, the federal states (*Länder*), municipalities and civil society have largely overcome the huge challenges presented by the influx of hundreds of thousands of refugees that began in the summer of 2015. They now face the task of integrating the immigrants entitled to protection at the local level. Until now, these people could freely choose where they wanted to live in Germany once their protected status had been granted and they had received a residence permit. Many then moved somewhere else, often to large cities and metropolitan areas in western Germany. This inward and outward migration creates new challenges for the affected municipalities as well as for the refugees themselves. On the one hand, the municipalities people move to are faced with a heavier financial burden because they have to cover the costs to meet the basic needs of most refugees. At the same time, this makes it difficult for municipalities to adequately plan integration measures – both for those municipalities that lose and those that gain refugees. On the other hand, this can cause the overall conditions for integration at local level, which are often already unfavourable to begin with (e.g. a lack of job opportunities), to become even worse for refugees.

The Integration Act came into force in August 2016. It places significant restrictions on refugees' freedom to choose their place of residence through a new regulation in the Residence Law (*Aufenthaltsrecht*): refugees who receive social transfer payments must live in the *Land* they were assigned to as asylum-seekers for three years starting from the date their protected status was granted (compulsory place of residence regulated by law). Similarly, the authorities at *Land* level can also assign the refugee to a specific location *within* the *Land* (compulsory place of residence mandated by the authorities); however, an assignment of this kind must be founded in integration policy. Under the same proviso, they may also prohibit refugees from moving to certain places. The domicile requirement established in Section 12a of the German Residence Act (*Aufenthaltsgesetz*) therefore acts as an instrument which can be used to manage how refugees are distributed throughout Germany and within the *Länder* based on integration policy aspects.

Using the state of Brandenburg as an example, this Policy Brief looks at how the domicile requirement can be implemented in small towns and rural areas so that it is expedient in integration policy terms. This applies to both the initial distribution to districts and cities as well as the allocation of a specific place of residence within the counties. In its analysis, the Policy Brief considers factors that shed light on the integration conditions on the labour, education and housing markets. It also looks at where the participating state and local political and administrative bodies need to coordinate better. A historical analysis of domicile requirements as well as background discussions with policy-makers and representatives of administrative authorities shows: whether a domicile requirement can encourage integration or not depends on various conditions. Even though domicile requirements can ensure that immigrants are more evenly distributed to the *Länder* and municipalities, this does not imply that integration will necessarily be successful. Instead, what's needed is an integration policy cast from a single mould. It would have to incorporate the key areas for social and societal participation and structure the concrete conditions for integration as best as possible to meet the needs of those affected. The reason is that the refugees and their families will only stay permanently if they have the opportunity to participate at the local level; otherwise they will probably move elsewhere when the requirement ends.

This gives rise to specific recommendations for policy-makers:



- (1) The *Länder* have to consider central structural conditions of the labour, housing and training markets from the first moment they distribute asylum-seekers and refugees to the districts because these distribution mechanisms at *Land* level form the basis for 'prescribing' where refugees are required to live for a period of up to three years. To be able to manage the distribution of recognised refugees over the long run, the *Länder* should develop new distribution keys or supplementary corrective mechanisms. Targeted distribution must continue at municipal level.
- (2) Reliable data should be gathered that illustrate the phenomenon of onward migration. This data would also make it possible to review and assess the measures that have been undertaken. A data pool of this kind could either be created via the federal central register of foreign nationals or new person registers at *Land* level.
- (3) At municipal level all offices that are important for integration, e.g. immigration authorities and social welfare offices, should work together systematically. The heads of district administration as well as the mayors' offices are suitable to assume a regulating and intermediary role as a 'navigator' to systematically coordinate government authorities and public institutions and also involve non-governmental and civil society stakeholders in the interest of horizontal integration. This integration process should continue at the level of the individual municipalities.
- (4) The different levels of administration between the federal government, *Länder*, counties and municipalities must share more information and ideas to make integration political measures effective over the long-term. In particular, closer strategic links need to be established between labour market policy measures, education and training opportunities, language and integration courses, housing and mobility concepts and they need to be coordinated at the institutional level in the future.