



## PRESS RELEASE

### **New SVR Annual Report: What can immigration and integration laws do to better steer migration and promote integration?**

**The SVR Annual Report 2018 explores the legislative possibilities for steering migration and promoting the social participation of all. It summarises the existing legal situation at the national and EU levels and points to political fields of action as well as the limits of legislative design. The Expert Council of German Foundations on Integration and Migration (SVR) proposes to facilitate immigration above all for skilled workers within the framework of a German Immigration Code (*Einwanderungsgesetzbuch*). Integration should be understood as a cross-sectional task: In general, the fine-tuning of basic laws that apply equally to all members of society is preferable to integration measures that apply only to specific segments of the population. The German Federal Government should legislate for integration monitoring, better coordinate its government departments and support local communities in their integration efforts. The communities, for their part, should seek to align their integration measures more closely with one another. At the same time, administrations at all government levels – federal, state and local – should promote a more intercultural approach.**

**Berlin, 24 April 2018.** The new German government has set itself the goal of creating equal participation opportunities for all who live in Germany and of facilitating immigration for skilled workers. Its interest in greater control over immigration and integration is understandable, and society at large is again debating the benefits which new laws could bring – especially against the background of the large number of refugees who came to Germany in 2015 and 2016. The SVR 2018 Annual Report 'Steering What Can Be Steered: What Can Immigration and Integration Laws Do?' analyses the opportunities offered by immigration and integration laws as well as the limits of any such laws, and makes policy recommendations as to how the government may achieve the goals it has set for itself.

#### **As for migration policy, the SVR recommends:**

A German Immigration Code could summarise, simplify and systematise the existing immigration regulations. This would make it easier for those in Germany as well as those abroad to understand Germany's legal framework regarding immigration, which is presently enacted through various laws. Such a code would also send a signal to the world that Germany understands itself as an immigration country. At the same time, the existing framework should be changed at a decisive point: the immigration possibilities for skilled labour should be expanded with a view to the increasing demand for skilled workers.

Currently, labour migration to Germany takes place mainly as part of the freedom of movement within the European Union, whereby EU nationals can move freely within the EU and take up work. However, this labour migration is expected to lose in significance in the future, partly because of the demographic developments in the European Union. For this reason, Germany would do well to attract and retain third-country nationals. In the area of academically trained professionals, this is already happening; for example, German law offers many perspectives for prospective university students and graduates. In fact, German immigration regulations are now amongst the most liberal in the world for highly qualified



workers. The SVR thus considers far-reaching reforms for this group of immigrants to be unnecessary, and to be difficult to implement given the EU-wide requirements. However, it does posit that opportunities for immigrating to Germany should be increased in the area of skilled workers with vocational qualifications.

Prof. Dr. Thomas Bauer, chair of the SVR, explains: 'In principle, qualifications acquired abroad must be recognised as equivalent to German standards before anyone from a country outside the EU can receive a residence permit for purposes of taking up employment. In the academic field, this is relatively easy. By contrast, for skilled workers, such as geriatric nurses or mechatronics engineers, it is more difficult. For many, the proof of equivalence poses a daunting barrier seeing that the training and certification infrastructure for such trades exists primarily in Germany and not abroad. The SVR therefore proposes the "two plus" model. The aim is to retain existing training standards while nevertheless allowing for more room to manoeuvre as regards the equivalency requirement: Skilled workers who have completed training abroad and who can present an employment contract should be able to come to Germany and work here without proof of equivalence provided they fulfil at least one additional criterion in lieu of the latter. This criterion could be advanced proficiency in German, or that the employer make regular payments into a fund to finance the employee's continuing education or social benefits in the case of unemployment. Having a shortage occupation could also be a criterion.'

However, the steering power of a German Immigration Code should not be overestimated: German immigration law is only one factor influencing immigration, with a lot already regulated at the European level. Especially in the field of refugees and asylum, as well as in selected areas of labour migration, Brussels now wields more clout in terms of standardisation than Berlin. This is illustrated by the EU Blue Card for the immigration of highly qualified workers, the reform of which is currently being negotiated at the European level ('limits in law'). In addition, other factors have been shown to have a greater influence on individuals' migration decisions, such as the language spoken in the country, the economic situation or social networks ('limits of law').

'In addition to improving immigration regulations for workers who are already qualified for a trade or vocation, Germany could establish long-term education partnerships to help other countries build structures that are comparable to the German dual system,' says Prof. Bauer with regard to the proposals of the SVR Annual Report. 'That would benefit those countries. It would also make it easier for graduates of those programmes to prove the equivalence of their vocational training should they decide to move to Germany. It would also be conceivable to step up our efforts to encourage young high school graduates from third countries to come to Germany to complete a vocational training programme – and to offer them practical support for that.'

With regard to labour migration, the SVR's Annual Report also points to major structural differences between shrinking rural areas on the one hand and growing cities on the other. 'In view of regional particularities, special immigration programmes are conceivable,' says Prof. Bauer. 'For example, shortage occupations can already be identified regionally; this makes it easier for skilled workers who are qualified in those occupations to migrate to those regions. In addition, a regional or local-level residence management could ensure that the recruited immigrants want to stay over the long term and make the given region and community their home.'



**As for the integration policy at the federal, state and local levels, the SVR recommends:**

The following applies with regard to integration for all residents alike, be they refugees, other newcomers or long-time residents: Participation in society is invariably different for each individual and across the different areas of societal life. While the government has limited control over this, it can create the conditions for successful integration. Moreover, it is more effective and systematically convincing to focus on fine-tuning existing basic laws, that is, those that apply equally to all members of society, than on introducing laws that apply only to persons with a migration background. 'For example, in order to facilitate integration into and through education, there is no need for integration laws but rather a permeable education system that provides equal access to opportunities for children and young people from different backgrounds. Such a policy benefits society as a whole,' stresses Prof. Bauer. 'Special programmes make sense only where it is indispensable – for example, integration courses that help new immigrants to understand life in Germany and learn the language.'

In order to improve its understanding of how integration processes evolve, the Federal Government should ensure that integration monitoring is enshrined in law. 'The new government's intention to that effect is therefore very welcome. However, rather than being confined to the structural components of integration (labour market, education), it should also cover social and cultural integration,' emphasises Prof. Bauer. 'The monitoring system in Germany needs to see major improvements; for example, it needs to use standardised indicators and look at the same target groups. Only then are the values measured at different times comparable.' The immigration from refugees of recent years should also be monitored separately to allow analysing the integration of refugees and the other immigrant population separately.

The SVR Annual Report strongly recommends that an intercultural openness on the part of the bureaucracy and administration should be pushed and codified at all government levels. This effort should not only encompass human resources development but also draw on all offers and structures. 'There is still a lack of a single, compact integration policy,' says Prof. Bauer. 'The coherence of the policy could be increased by improving the coordination between government departments, for example, in the area of competence assessment. The federal, state and local governments should strive to align their policies more closely. The relevant ministries could be set up with additional integration units, designed to operate cross-departmentally. This could be overseen by a permanent round of state secretaries who would be mandated to coordinate strategies across different policy fields. The German Federal Chancellery could also take on a coordinating role. For example, it could devise a new National Action Plan on Integration to serve as an impetus and guideline.'

According to the SVR, despite the fact that individual integration cannot be prescribed by law and that many decisive aspects are subject to sectoral policies, integration laws, as already adopted by some German federal states, can work: They can set goals and a direction which create structures at the state and local levels for a successful integration policy, and confirm that integration as a cross-sectoral task is recognised and addressed by the political community. Another option is integration concepts, which are mainly used at state and local levels. Whether integration at the state level is shaped by concepts or laws is less important than a consistent implementation and good integration monitoring.

The municipalities (*Kommunen*) play a key role in the integration of immigrants. One problem that runs through numerous fields of integration policy is the lack of an overview and, often, coordination of the



numerous local integration offers. This creates parallel structures and a loss of energy that lessen the likelihood of integration offers reaching their targeted recipients. 'The influx of refugees has put the integration policies of the municipalities to the test and has shown that they have, by and large, coped well with the big challenges,' says Prof. Bauer. 'But it also showed that there is still a lot of work ahead of us – for example, regarding the coordination and alignment of measures and their sustainability. It is therefore important to consolidate these first steps taken and to build on them, if necessary with the help of federal funds.'

Finally, the SVR Annual Report concludes that immigration and integration laws have, beyond their concrete steering effect, an internal as well as external signal function. SVR Chairman Prof. Thomas Bauer emphasises: 'When an immigration law is passed at the federal level, it can set in motion a process of reflection and self-reassurance within society. And that is necessary; after all, Germany relies on immigration for demographic reasons alone. Integration laws can help people communicate about what living together in an immigration society like Germany should look like. In this sense, Germany has much to gain from sustaining the lively debate and dialogue about this topic.'

The SVR's Annual Report entitled 'Steering What Can Be Steered: What Can Immigration and Integration Laws Do?' can be downloaded [here](#).

**Your contact for press enquiries:**

Dr. Margret Karsch, Communication  
SVR GmbH, Neue Promenade 6, 10178 Berlin, Germany  
Tel. 0049-(0)30/288 86 59-18 and [presse@svr-migration.de](mailto:presse@svr-migration.de)

**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 and the Vodafone Foundation Germany. The Expert Council is an independent and interdisciplinary committee of experts 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. Thomas K. Bauer (Chairman), Prof. Dr. Hacı Halil Uslucan (Vice-Chairman), Prof. Dr. Gianni D'Amato (until 2017), Prof. Dr. Petra Bendel, Prof. Dr. Wilfried Bos (until 2017), Prof. Dr. Claudia Diehl, Prof. Dr. Viola B. Georgi, Prof. Dr. Christian Joppke, Prof. Dr. Sieglinde Rosenberger (since 2018), Prof. Dr. Daniel Thym and Prof. Dr. Hans Vorländer (since 2018).

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