

# Ten core messages of the SVR Annual Report 2024

Developments in migration and integration policies over the last five years have been characterised by very high numbers of people seeking protection and the pressures this entails, a growing need for labour from third countries and an intensification of policy debates and proliferation of proposed solutions. German legislators and the responsible public authorities have responded with numerous measures. Efforts to reform the Common European Asylum System, which had been stuck for years, finally resulted in agreement at European Union level.

The SVR's analysis shows that although public debate was at times very heated and created political pressure for action, the direction of travel of policy and legislation remained largely unchanged. However, there was also a shift in emphasis in certain areas and greater use was made of existing leeway. In this annual report, the SVR explains the measures that have been taken and how they work in practice.

## **1** Germany as a country of immigration: Between openness and restriction

An analysis of developments in integration and migration policy reveals the struggle for a balance between openness and restriction, between promoting integration and controlling immigration, which was already familiar from earlier periods. This demonstrates that migration has been the norm in Germany for a long time and must be organised. In their 2021 coalition agreement, the current governing parties recognised that Germany is a country of immigration. They also drew up political plans for the further development of integration and migration policy. Many of these have already been implemented.

Migration and integration policies are currently shaped by the need for labour immigration on the one hand and the strains of admitting people in need of protection on the other. Labour migration has been relatively liberalised in response to the labour shortages caused and exacerbated by demographic factors. In contrast, more restrictive asylum policies have been adopted as the number of asylum seekers began to rise again from 2022. At the same time, the labour market has also been opened up for those whose asylum application has not or not yet been approved.

All of this was accompanied by a number of new developments. The reform of citizenship law has removed key obstacles to naturalisation. The fundamental acceptance of multiple citizenship in particular represents a paradigm shift in this respect. New ground has also been broken in labour migration

policy. In non-regulated professions, for example, it is no longer necessary to demonstrate that qualifications acquired abroad are equivalent to German standards; in future, qualifications recognised abroad will also suffice as proof (see core message 3).

## **2** EU refugee and asylum policy is capable of responding in times of crisis; human rights must continue to be respected

The management of refugee migration is just as controversial in other EU countries as it is in Germany. However, discussion at the European level, especially in the Council, often revolves around disagreements concerning responsibilities, admission procedures and the allocation of asylum seekers across the EU. However, following Russia's attack on Ukraine, the international community reacted quickly and prudently, demonstrating its ability to respond by activating the Temporary Protection Directive for the first time. Over 4 million Ukrainian refugees have been accepted in the EU, more than a quarter of them in Germany.

In addition, the European Parliament, the Council of the European Union and the European Commission announced the agreement on a reform of the Common European Asylum System (CEAS) in December 2023 after many years of negotiations. The urgent need for reform is not only demonstrated by the renewed increase in the number of people seeking protection in Europe. Some member states are also increasingly undermining applicable law, as evidenced by human rights violations such as pushbacks at the EU's external border. The divergent interests and positions of individual EU member states regarding the burden-sharing of refugee admissions and the increasingly frequent closure of internal borders also pose a threat to fundamental achievements of the EU, such as the free movement of persons. The SVR therefore welcomes the agreement reached at EU level. The reliable control of asylum immigration cannot be achieved through national measures alone, but only in a coordinated manner at European level. However, human rights and refugee rights standards must be upheld at all costs – they are the key benchmark for the success of the reform.

The centrepieces of the reform are a new Regulation on Asylum and Migration Management, which introduces a new solidarity mechanism, a new Asylum Procedure Regulation and a new Screening Regulation. Accelerated asylum procedures are to be carried out at the EU's external borders for asylum seekers with low chances of being accepted (from countries with quotas below 20%) under the fiction of non-entry. In the event of massive refugee

movements, these border procedures can be extended to other groups under the new so-called Crisis Regulation. The SVR emphasises that people involved in such procedures must have access to independent legal advice at all times. Accommodation must also be organised in a humane manner. People with special protection needs in particular – e.g. minors or the elderly – require extended protection. Experience from Greek reception centres shows how difficult it is to provide adequate accommodation for people seeking protection under such circumstances. Overcrowding and excessive length of stay should be avoided. The EU member states bear joint responsibility for this (cf. core message 4).

The SVR welcomes the introduction of a binding solidarity mechanism between the EU member states in principle. The fact that the previous system did not provide for burden- and responsibility-sharing was one of the key design flaws of the CEAS. The tasks and responsibilities associated with taking in refugees should be distributed more evenly across the EU. This would not only benefit countries of arrival such as Italy and Greece, but also countries of destination such as Germany. However, the solidarity mechanism depends on all member states participating. It remains to be seen whether this can be guaranteed and whether the mechanism will live up to expectations.

### **3 Labour market has been opened to further immigration; gainful employment can lead to continuation of residence**

There have been a variety of legislative measures and reforms in the area of labour migration over the last five years. Some of these continued previous developments. Others, however, have introduced significant changes to German labour migration law. This is due not least to demographic change, which is putting increasing pressure on the German labour market. Not only highly skilled workers, but labour in general is becoming scarce in an increasing number of occupations and regions.

To remedy this situation, the Bundestag (German parliament) passed the Law and Ordinance on the Further Development of Skilled Labour Immigration in 2023. The reform builds on the Skilled Immigration Act, which came into force in 2020 and opened up the labour market to the immigration of skilled workers from third countries. It also creates new and more far-reaching opportunities for other groups. In non-regulated professions, for example, it will no longer be mandatory to prove the equivalence of a qualification acquired abroad. The opportunities for

labour immigration will also be significantly expanded for people without formal qualifications.

The SVR welcomes the fact that the labour market will also be opened up to people who do not have recognised qualifications that comply with German standards. However, it also urges caution. The expansion of immigration opportunities for foreign labour must not be at the expense of worker protection. This applies in particular to the low-wage sector. Here, close scientific monitoring is required to examine the impact of the changes and the extent to which opportunities for further qualification exist and are utilised. Challenges are also to be expected in terms of communication and administrative implementation, as the new legal provisions are very complex in some cases. As the authorities are chronically overburdened, this could make it more difficult, rather than easier, to recruit skilled workers from abroad.

However, the current federal government has not only made it easier for labour and skilled workers from abroad to move to Germany. It also wants to make better use of the potential offered by migrants who are already living in Germany. One such measure is the Opportunity Residence Act. This is aimed at foreign nationals who are in fact required to leave the country but who have tolerated stay status. In future, they will be given the opportunity to obtain regular residence status by demonstrating integration efforts and taking up gainful employment. The SVR supports this development not only in view of the increasing labour shortage, but also from an integration policy perspective. However, it points out that measures that facilitate such a change of track relativise regulatory considerations. These measures therefore also harbour considerable risks: the options available for the regularisation of residence status blur the distinction between the two different migration routes of asylum and labour migration. If there is too much permeability, at some point it will no longer matter whether a person enters the country regularly, for example with a pre-issued visa, or irregularly, i.e. without a pre-issued residence permit. This could increase the motivation for irregular entry. It is therefore important to conduct accompanying research into such effects.

### **4 Strengthening assisted return, negotiating effective migration agreements**

Germany has performed a balancing act in its asylum policy in recent years. Repatriation measures have been combined with integration support programmes: opening elements are designed to enable refugees

to take up work quickly; restrictive measures are designed to prevent reception capacities from being overstretched. The SVR welcomes this approach. It makes it possible to maintain a balance between integration policy and control policy elements.

The fact that many more refugees are once again arriving in Germany as a result of violent developments worldwide – above all the war in Ukraine – presents political decision-makers and the responsible authorities with major challenges. In this context, the debate on stronger migration management is not new; politicians have been trying to implement a more effective return policy for a number of years. This concerns first and foremost people whose asylum procedure has been concluded without their claim being recognised. Assisted return and reintegration programmes have been implemented and developed, and migration agreements have been concluded with various countries of origin.

One of the main obstacles to return is the lack of cooperation with important countries of origin. If negotiations on readmission and migration agreements are to have a lasting effect, the SVR therefore believes that they must be conducted on an equal footing: the interests of the countries of origin must also be taken into account. In addition, a joint approach needs to be taken to a range of migration matters. A readmission obligation could, for example, be accompanied by an easing of the work visa regime. The fact that the first agreements of this kind have now been concluded is to be welcomed. Planning now needs to begin on the evaluation and possible follow-up of these agreements.

In parallel to migration agreements, the German government has also tried to make it easier to enforce the legal obligation to leave the country in recent years. Regulations on detention pending deportation and custody to secure departure, among other things, will be tightened in 2024. Return policies cannot be abandoned if the distinction between refugee and labour migration is not to be blurred. However, financed voluntary departure is preferable in these instances and should be further expanded. Deportations should only be carried out as a last resort – but then preferably within the legally prescribed time limits.

## 5 Designing sustainable reception and integration structures, distributing refugees intelligently

The reception of asylum seekers from Ukraine and other third countries has pushed many municipalities to their limits. In retrospect, the municipalities that were best prepared were those that already had established structures and resources for reception and

accommodation to fall back on. They reacted more quickly and pragmatically than local authorities that did not have the necessary capacities.

In view of the increasing number of people seeking protection, the federal government has adapted the legal framework for refugee accommodation over the last five years. Special building regulations have been extended and the minimum periods for residence restrictions have been lifted. In addition, following lengthy negotiations in autumn 2023, the federal and state governments agreed on a dynamic system for financing the admission and integration of refugees that takes into account fluctuating trends in refugee numbers. This is a step forward that will secure long-term funding between the federal and state governments. However, the mechanisms by which costs are reimbursed to municipalities by the federal states is also important. The SVR calls for more transparency between all levels in this respect.

However, a comprehensive evaluation of the residence restrictions (that stipulate where people must reside) shows that they do not have the intended effect, but rather hinder integration. Instead of primarily restricting the freedom of settlement, recognised refugees should rather be distributed to the municipalities in such a way that their needs and skills match local living conditions and work opportunities (see also core message 6). For this reason, factors that increase the likelihood that refugees will subsequently voluntarily remain where they are first sent after leaving collective accommodation centres for those seeking protection should be taken into account from the outset. Furthermore, the SVR is in favour of binding minimum standards in refugee accommodation.

One cause of admission bottlenecks is fundamental infrastructure problems. Above all, sustainable solutions depend on policymakers creating framework conditions that enable existing general needs to be met. This applies to the housing market as well as other areas such as education and administration. Immigration sometimes makes structural problems more visible; in most cases, it has not caused them.

## 6 Further facilitate access to education and gainful employment for refugees, speed up recognition procedures

The current German government is not the first to pursue the political objective of promoting the integration of refugees. In addition to housing, access to education and training as well as subsequent entry into the labour market is also a challenge.

Despite the coronavirus pandemic, various integration policy initiatives have already led to some

successes. For example, preparatory training measures specifically for refugees have been strengthened and a legal loophole in the Asylum Seekers Benefits Act has been closed in order to create legal certainty for asylum seekers' access to preparatory training measures. After 2015, instruments that specifically support refugees were trialled. In the following years, programmes for learners with a refugee background were then embedded into the regular system. The SVR strongly supports this development. Positive effects are already recognisable: compared to previous decades, for example, more people with a refugee background have entered employment or education and training.

Nevertheless, decisive hurdles remain. For example, the SVR takes a critical view of prolonged accommodation in collective centres and residence restrictions (see also core message 5). These measures make it more difficult for new immigrants with a refugee background to access the labour market and educational opportunities. In addition, the recognition of existing qualifications, for example, should be simplified and further training promoted throughout the country. Only a coherent approach can create the conditions for people with refugee backgrounds to be able to work as skilled workers in the future, rather than in precarious employment.

To achieve this, structural problems need to be addressed: if children cannot be cared for due to a lack of childcare places, if the journey to work is too long, and if job offers cannot be taken up because evidence of qualifications cannot yet be presented, refugees of working age (especially young women) have little chance of working or gaining further qualifications. There are a number of changes that policymakers need to make here. They also need to be clearer about what Germany's priorities are when it comes to labour market integration. Rapid labour market integration can be in the interests of both those seeking protection and the host municipalities. However, there is also the risk that too little investment is being made in the acquisition of vocational qualifications or language skills, which are important for better social participation in the long term. Flexible programmes should therefore be developed. The aim should be to enable early entry into the labour market and to provide opportunities for further training to improve career prospects and avoid precarious employment.

## **7** Investing in the future, strengthening standardised education systems

Four out of ten children and young people in Germany now have a personal or family history of immigration.

Most of them were born here. However, many have also come to Germany in the last five years as refugees, especially from Ukraine. Linguistic and cultural diversity is therefore the norm in German educational institutions. However, this diversity poses major challenges for the educational system. The coronavirus pandemic and increased refugee migration have both cast a hard light on and exposed structural deficits that have existed in the German education system for some time: the system does a poor job of compensating for the disadvantages caused by a person's background.

However, it turns out that the second generation, i.e. those born in Germany, are increasingly catching up with children without a migrant background. Children and young people who have experienced immigration themselves, and especially those with a refugee background, are particularly disadvantaged: they are less likely to make it to a grammar school and are more likely to have no school-leaving qualifications at all later on. The challenges begin right at the start of their educational career in Germany: due to a shortage of admission capacity, many new immigrants sometimes wait months for a place in a daycare centre or school. Increasing diversity in daycare centres and schools also poses a major challenge for many teachers. A diverse student body is not a new phenomenon in itself, and extensive materials and training courses on diversity-sensitive support are now available, for example in the area of language education. However, due to the acute shortage of specialised staff, many educational institutions are finding it difficult to adapt to the needs of specific target groups and to deploy multi-professional teams, even though many employees are personally very committed.

The SVR urges political decision-makers at both state and federal level to act quickly. It would be disastrous if recently immigrated children and young people became a 'lost generation'. Educating the younger generation – and this also applies to new immigrants – is one of the most sustainable investments that can be made in the future. In order to promote the educational integration of immigrants, all aspects of the education system should be designed to be accessible to all, regardless of their background. This requires sufficient qualified staff and appropriate training programmes. Skilled workers from abroad can make an important contribution in this context. The potential of new immigrants should be utilised at an earlier stage, the recognition of professional qualifications of foreign educational specialists and teachers should be simplified and ideally efforts should be made to provide further on-the-job training.

## 8 Facilitate naturalisation, promote political participation of people with a migration background

The equal participation of all citizens in political decision-making processes is a cornerstone of democracies; it increases the sense of belonging and the acceptance and legitimacy of political decisions. The most important form of political participation is the right to take part in elections. This is generally reserved for people with German citizenship (and EU citizens at municipal level). At the same time, a relatively small number of people from other countries who are eligible to apply for German citizenship are currently opting for naturalisation. As a result of these two factors, the gap between the resident and voting population in Germany has widened in recent years – and with it the problem of under-inclusion.

The reform of citizenship law adopted at the beginning of 2024 has introduced various changes that will facilitate naturalisation. For example, the period of required residence will be shortened. However, a key adjustment is the general acceptance of multiple nationalities, which removes a major hurdle to naturalisation. The SVR welcomes this, but also believes that passing on dual citizenship indefinitely across generations on the basis of place of birth raises fundamental political questions about the nature of democracy. As the reform takes effect, more and more people will be eligible to vote not only in Germany, but also in the country of origin of the person who originally immigrated to Germany. This will allow them to have a say in political decisions that do not affect them at all. The SVR therefore proposes examining approaches that allow multiple nationality in principle, but at the same time limit the problems associated with over-inclusion. These include the model of a dual passport with generational cut-off, which has been further developed by the SVR, as well as the idea of dormant citizenship presented in this annual report. The SVR is also critical of the decision to link naturalisation even more closely to the ability of potential new citizens to support themselves financially. Furthermore, the lack of provisions in the reform to reduce statelessness is seen as a missed opportunity. Overall, the reform of the citizenship law is a big step in the right direction and could sustainably increase the number of naturalisations. However, this presupposes that the authorities can keep pace with the reform's implementation; only then will the facilitated naturalisation intended by the reform be a success. Many of the authorities responsible are already heavily overburdened. The SVR recommends that the naturalisation authorities should be adequately staffed,

that greater centralisation should be considered, that administrative practices should be standardised and that administrative processes should be digitised to a greater extent.

Political participation is not limited to participation in elections. There are various other forms that do not depend on nationality. The political participation of migrants can also be promoted through integration and participation laws. Over the past five years, this area has developed dynamically at the level of the federal states: existing laws have been amended and new laws are currently being drafted or have been passed. At federal level, the coalition agreement of the current governing parties also includes plans for a participation law.

The drafting and amendment of laws on integration and participation can provide the occasion and the framework for wider public debate, from which a common understanding of integration and participation can emerge. To this end, opportunities for the involvement in debate of organised civil society, academia, associations and public administration should be used and expanded at various levels. In the SVR's view, consultative and participatory bodies should be enshrined in the law itself, with tasks and powers as clearly defined as possible, in order to strengthen their position.

## 9 Practical implementation: Reduce bureaucracy, formulate law more comprehensibly

Over the past five years, the SVR has observed rapid and sometimes challenging developments on which it has provided advice as part of its scientific analyses. Old and new violent conflicts, the intensification of man-made climate change, a global increase in refugee migration, the effects and after-effects of the coronavirus pandemic: the world is in a permanent state of upheaval. Political decision-makers need to adapt to this – and do so better than before.

On balance it is true to say that politicians have initiated an extraordinary number of changes in the area of migration and integration. This is one of the most dynamic policy areas. At the same time, federal and state administrations often implement laws too slowly and bureaucratically. The regulations adopted often prove to be far too complicated.

Furthermore, the current challenges – in administrative practice, but also in the housing market or in education, for example – are not only the result of increased immigration (see core messages 5 and 7). Rather, these challenges are due to underinvestment over the years and delays in implementation as a

result of overregulation. The lack of digitalisation of the authorities and their lack of cooperation is an overarching problem that also has a negative impact on the reception and integration management of new immigrants (with or without a refugee background) (see core message 6).

Implementation is made even more difficult by the many changes made in an increasingly complex legal landscape. Every change in the law means additional work for public authorities: new rules have to be implemented in corresponding procedures, staff have to be given further training, new software may be needed. Legislative bodies should give much greater consideration to implementation when developing new regulations. Otherwise, important and correct political initiatives, such as the reform of citizenship law, will come to nothing, causing disappointment among those affected and exhaustion and frustration among already overburdened public authority staff. Many naturalisation authorities already have a dramatic backlog of applications. The SVR therefore urgently recommends that the relevant offices be better equipped and prepared to achieve the reform's intended effects (see core message 8). The SVR points out that strengthening comprehensive systems has priority over special programmes for specific segments of the population. This also simplifies implementation by the authorities.

Finally, the law must become more transparent and easier to understand. This is a challenge for politicians and, in particular, the legislative bodies. German labour migration law, for example, is now so complex that hardly anyone understands it (see core message 3). If Germany wants to recruit foreign labour effectively – and competition is fierce, which is why more effort is needed – then it must also address this issue. More courage to simplify is needed to ensure that existing law can be communicated in an understandable way, both internally and externally.

## 10 **Despite situational scepticism: Population remains fundamentally open to immigration**

Politicians must always demonstrate their ability to act and shape developments – in both calm and turbulent times. This also applies to issues that affect the cohesion of a diverse society. Migration – generally speaking, without differentiating between labour migration and refugee migration – is currently once again cited in surveys as one of the most pressing problems and is also perceived as polarising. At the same time, however, the majority still agree that Germany is a country of immigration. The German

population is not fundamentally sceptical about immigration. A long-term analysis also shows that the population's attitudes towards this issue have become more positive over the last twenty years. However, the majority expect politicians to take control, particularly in the area of refugee migration, for example with regard to the extent of immigration, admission criteria and the expectations to be placed on new arrivals. This would also help to avoid polarisation in public discourse. There is an urgent need to address the topic of migration in an objective, knowledge-based and solution-orientated manner.

There is a growing awareness among the population that Germany is dependent on immigration. The majority of respondents would like people with a job offer to be able to immigrate to the country. Freedom of movement within the EU is also supported by the majority, albeit with certain reservations. Solidarity with refugees from Ukraine is somewhat lower than at the beginning of the war but remains high despite major housing and integration challenges. Nevertheless, many people are worried. In view of infrastructural deficits such as the lack of housing, they wonder whether the country can adequately accommodate new immigrants without increasing competition. These concerns must be taken seriously.

Being a country of immigration does not mean permitting indiscriminate immigration. Instead, clearly defined rules must be applied to determine who is allowed to enter and stay and who has to leave. Refugee movements will foreseeably continue to be part of everyday life. The effects will not only be felt in Germany and Europe, but also in many other countries where most people around the world seek protection. The reception and sustainable integration of people in need of protection is therefore not only dependent on a policy based on solidarity and in compliance with international law, but also very much on the support of society at large – from local businesses and associations, organisations and volunteers. Appropriate structures, especially at local level, are therefore of immeasurable value.