



Federal Office
for Migration
and Refugees

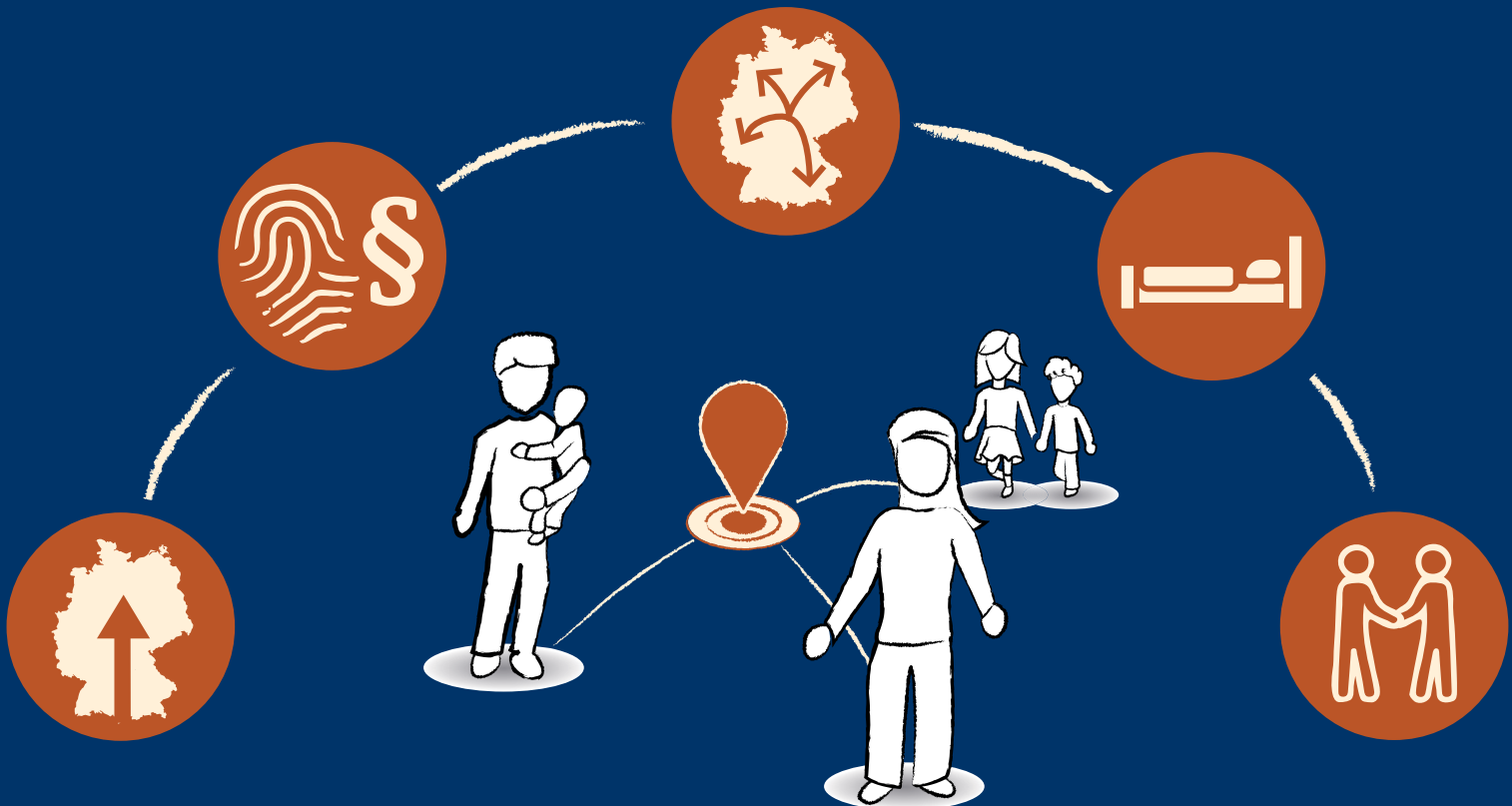


The Changing Influx of Asylum Seekers in 2014-2016: Responses in Germany

Focussed Study by the German National Contact Point
for the European Migration Network (EMN)

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Janne Grote



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Summary

Germany has been one of the most popular destination and host countries for asylum seekers in Europe in recent years, admitting approx. 1.5 million asylum seekers between 2014 and June 2017, with the vast majority of asylum seekers arriving between July 2015 and February 2016 (cf. Chapter 2). The high number of newly arrived asylum seekers within a comparatively short space of time placed a huge burden on established administrative structures, accommodation at initial reception facilities, registration, the asylum procedure as well as the administrative courts that have had to deal with a significant increase in appeals against asylum decisions, follow-up accommodation and timely participation in society.

One goal of the study was to document relevant measures concerning refugee policies in the given timeframe, which were initiated on national level but also in relation to other EU member states and third-countries. Some key developments were the closing of the border along the Balkan route, the EU-Turkey Statement, the EU relocation procedure as well as the EU-Resettlement programme, border control cooperation especially by staff of the Federal Police with other EU Member States and within Frontex operations and the stepping up activities within the framework of the so-called hotspot approach by staff of the Federal Office for Migration and Refugees in Greece and Italy (cf. Chapter 3.1). On national level the sharply increased numbers of asylum seekers again led to several new cooperations of different actors, whether this was by a closer cooperation between the Federal Office for Migration and Refugees and the Federal Employment Agency and a closer link of procedures as part of the 'integrated refugee management', or by a new dimension of data exchange between federal levels as well as different authorities on the basis of the Central Register of Foreigners (core data system) or new cooperations amongst the main national associations of welfare organisations and the honorary office (cf. Chapter 3.2). The situation ultimately triggered dozens of nationwide, hundreds of regional and thousands of local measures, responses and initiatives by state and non-state actors to ease the burden and safeguard orderly and reliable procedures and reception processes. At civil society and local level, it is estimated that up to 15,000 measures and projects "focused primarily on the challenges presented by migration" have arisen (Schiffauer/Eilert/Rudloff 2017: 13).

The large number of individual measures did not only differ in the extent to the initiating and implementing actors, but also on the outreach of their focus and the conditions

they targeted. Roughly six types of measures may be distinguished as follows (cf. Chapter 4):

- **Regulatory measures:** capacity-building in relation to control structures, simplification of working processes (inter alia staff increases; developing new infrastructure; organizing additional integration courses; outsourcing of tasks, e.g. to private security companies; introducing 'simplified asylum procedures' waiving the requirement of personal interviews; reducing the qualification and training period of decision-makers in the asylum procedures within the Federal Office for Migration and Refugees; Strengthening prevention programmes against right wing and islamist motivated violence.
- **Emergency measures:** ensuring that all asylum seekers had accommodation and access to initial care as well as securing central administration processes as well as support measures (inter alia, reintroducing border controls; amending construction planning law; enlisting the services of hundreds of thousands of volunteers; developing emergency accommodation; taking over of tasks and responsibilities by the next higher administrative unit (inter alia, Federal Government Coordination Office for the Distribution of Refugees); mobile teams for post-registration,
- **Innovative measures:** responding to new challenges and reforming existing processes (inter alia, digitisation of procedural steps; 'integrated identity management'; setting up arrival centres in all Länder; arranging for video interpreting; organizing courses for asylum seekers who need to learn to read and write using the Roman alphabet; right of residence for victims of right wing motivated violence in the Land of Brandenburg),
- **Participatory measures:** creating additional participation possibilities in general (inter alia, the 'Arrival App'; full-time jobs for coordinators of volunteers) as well as for asylum applicants from countries of origins with a high overall protection rate (good prospect to remain) in particular. For the latter additional participation possibilities even prior to completion of their asylum procedure (inter alia, earlier access to integration courses, courses in German for professional purposes and the labour market),
- **Restrictive measures:** tightening of conditions for asylum applicants from countries of origin with a lower, average protection rate in particular (safe countries of origin/little prospect to remain) (inter alia, they received benefits in kind rather than in cash and were required to stay longer at initial reception facilities),

- **Preventive measures:** reducing the number of newly arriving asylum seekers with externalised solutions in respect of admission and the causes making people seek refuge (inter alia, EU-Turkey-Statement; support for border police along the EU's external borders; limiting family reunification rights for beneficiaries of subsidiary protection; creating alternative, legal immigration possibilities; combating the causes making people seek refuge in the medium and long term).

The issue relating to finance of the individual measures presented challenges resulting, for instance, in particular from the financial burden on the Länder and municipalities that needed to determine who was responsible for providing accommodation and initial care. The Federal Government appropriated funds in the years 2015 to 2017 to ease the burden on the Länder and municipalities through a number of different channels. Charitable associations and non-governmental organisations financed their work with increased funds, public procurement and partly with increases in donations and equity (cf. Chapter 5).

Even though there was a sharp decline in the number of newly arrived asylum seekers from the spring of 2016 onwards, many of the areas under consideration continued to receive a large number of newcomers also in 2017 owing to the steps involved in downstream processes and the backlog that ensued. The burden was greatly eased in 2016 first and foremost in the area of border control, emergency and initial care, accommodation and registration. These and some other areas were marked by the consolidation of processes, the stabilisation of newly-created structures, the easing of the burden on staff and volunteers, the standardisation of procedures, the (re)-introduction of quality standards, the provision of follow-up training for staff and the intensification of information sharing among the individual actors (cf. Chapter 6).

Many of the actors learned initial lessons from the experience gained in recent years. This means they should be better equipped to cope if Germany were to experience another increase in asylum seekers in future. As such, some of the planned measures were aimed at the refunctioning and flexibilisation of existing structures and processes (e.g. "flexible authority"), whereas others were aimed at creating new structures, processes and procuring new equipment (e.g. digitisation of processes involved in the asylum procedure; cf. Chapter 7).

The European Migration Network

The European Migration Network (EMN) was launched by the European Commission in 2003 on behalf of the European Council in order to satisfy the need of a regular exchange of reliable information in the field of migration and asylum at the European level. Since 2008, Council Decision 2008/381/EC forms the legal basis of the EMN and National Contact Points have been established in the EU Member States (with the exception of Denmark, which has observer status) plus Norway.

The EMN's role is to meet the information needs of European Union institutions, Member States' authorities and institutions as well as the wider public by providing up-to-date, objective, reliable and comparable information on migration and asylum, with a view to supporting policymaking in these areas. The National Contact Point for Germany is located at the Federal Office for Migration and Refugees in Nuremberg. Its main task is to implement the annual work programme of the EMN. This includes the drafting of the annual policy report "Migration, Integration, Asylum" and of up to four topic specific studies, as well as answering Ad-Hoc Queries launched by other National Contact Points or the European Commission. The German National Contact Point also carries out visibility activities and networking in several forums, e.g. through the organisation of conferences or the participation in conferences in Germany and abroad. Furthermore, the National Contact Points in each country set up national networks consisting of organisations, institutions and individuals working in the field of migration and asylum.

In general, the National Contact Points do not conduct primary research but collect, analyse and present existing data. Exceptions might occur when existing data and information are not sufficient. EMN studies are elaborated in accordance with uniform specifications valid for all EU Member States plus Norway in order to achieve comparable EU-wide results. Furthermore, the EMN has produced a Glossary, which ensures the application of comparable terms and definitions in all national reports and is available on the national and international EMN websites.

Upon completion of national reports, the European Commission drafts a synthesis report with the support of a service provider. This report summarises the most significant results of the individual national reports. In addition, topic-based policy briefs, so-called EMN Informs, are produced in order to present and compare selected topics in a concise manner. The EMN Bulletin, which is published quarterly, informs about current developments in the EU and the Member States. With the work programme of 2014, the Return Expert Group (REG) was created to address issues around voluntary return, reintegration and forced return.

All EMN publications are available on the website of the European Commission Directorate-General for Migration and Home Affairs. The national studies of the German National Contact Point as well as the synthesis reports, Informs and the Glossary are also available on the national website: www.emn-germany.de

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1 Introduction

Between 2014 and 2016, the number of refugees rose globally from 59.5 million to 65.6 million, including 40.3 million internally displaced persons and around 25.3 million persons who had been forced to flee their country of origin in 2016 (UNHCR 2017: 2). The countries hit the hardest by cross-border displacement were, in particular, neighbouring countries bordering directly on the crisis-ridden regions. However, the growing number of refugees has also had a growing impact on European countries in recent years. As such, Germany has become both one of the main countries of final destination and a host country. It admitted approx. 1.5 million asylum seekers between 2014 and June 2017, the vast majority of new arrivals taking place between July 2015 and February 2016. The large number of refugees arriving in Germany in a comparatively short space of time placed a huge strain on established administrative structures, accommodation capacity at reception centres, registration, the asylum procedure, administrative courts having to deal with a sharp rise in appeals filed against asylum decisions, follow-up accommodation and timely participation in society. The situation culminated in the launch of hundreds of regional and thousands of local measures, responses and initiatives by state and non-state actors aimed at easing the burden on resources and at ensuring regulated and reliable procedures and reception processes were in place.

Key measures implemented in response to the challenges that arose will be outlined in this study, with a distinction being made between the phase involving a sharp rise in asylum seekers after 2014 (Chapter 4.1-4.3), the phase of a relative slowdown after early 2016 (Chapter 5) and plans for the future (Chapter 7). The documentation will focus on the period covering the arrival of asylum seekers in Germany right up to completion of the asylum procedure, with a distinction being made between eight subject areas:

- a. Border control
- b. Reception centres / accommodation arrangements and other housing
- c. Wider reception services
- d. Registration process of the asylum seeker
- e. Asylum procedure
- f. Infrastructure, personnel and competencies
- g. Law enforcement (inter alia, police, security authorities, private security firms)
- h. Integration measures for asylum applicants

It is not possible to take measures relating to the phase after completion of the asylum procedure into account in this

study. The study therefore does not describe any measures that were implemented for recognised beneficiaries of international protection or asylum seekers whose applications have been rejected,¹ nor does it take any legal amendments or measures broadly associated with asylum into account that were initiated during the period under review but were not explicitly implemented in response to the sharp rise in the number of asylum seekers.²

The challenge in outlining the measures implemented involved determining what actors (inter alia, state and non-state actors) needed to be taken into account, what levels of action were required (among others the Federal Government, the Länder, municipalities) and the (exemplary) individual measures that needed to be taken. During the period under review alone, for instance, a dozen laws relating to asylum were amended at federal level (cf. Chapter 3.3). In addition, a number of legal amendments were made and decrees were issued at the level of the 16 Länder alongside reforms to administrative structures and processes. It is estimated that up to 15,000 measures and projects were implemented at civil society and local level which "dealt intensively with the challenges presented by migration" (Schiffauer/Eilert/Rudloff 2017: 13). It was therefore necessary to select which areas to cover in the specified timeframe available within the EMN network. In the final analysis, the selection was made based on the pattern described below.

This study will outline measures implemented at federal level by the most important actors responsible for the areas of asylum policy, migration policy and integration policy. At national level, they include in particular the Federal Ministry of the Interior and its subordinate authorities, specifically the Federal Office for Migration and Refugees (BAMF), the Federal Police who are responsible for border control in the federal territory as well as the Federal Criminal Police Office (BKA).

Measures implemented by the Federal Ministry of Labour and Social Affairs (BMAS) and the subordinate Federal

1 One example is the residence requirement for recognised refugees that entered into force with the Integration Act (Integrationsgesetz) on 17 March 2017.

2 For instance, the easing of conditions under the Residence Act (Aufenthaltsgesetz) for persons whose deportation had been suspended in 2014 or the facilitation of family reunification for resettlement refugees and victims of human trafficking with the entry into force of the Act Redefining the Right to Remain and the Termination of Residence (Gesetz zur Neubestimmung des Bleiberechts und der Aufenthaltsbeendigung) in 2015.

Labour Office (BA) will also be covered.³ Laws that entered into force or were under negotiation in the period under review, project reports, evaluation reports as well as press releases on the individual measures implemented by the Ministries and public authorities, to name but a few, will also be used for documentation purposes. Furthermore, the Federal Government's responses to minor and major interpellations in the German Bundestag (Federal Parliament), studies conducted by individual universities and foundations and last year's EMN policy reports "Migration, Integration, Asylum" will also be used as sources.⁴

It was necessary to limit documentation at regional and local level to a few measures involving the original area of competence of the Länder and municipalities (in particular initial and follow-up accommodation). The results of studies on local and regional measures were used in addition to publicly accessible information provided by the Länder governments (Meyer/Ritgen/Schäfer 2016; Schiffauer/Eilert/Rudloff 2017; Bogumil/Hafner/Kastilan 2017).

In the area of non-state actors, a questionnaire was sent to six national associations of non-statutory welfare ("Spitzenverbände der Freien Wohlfahrtspflege")⁵ pertaining to key measures they or their member associations had implemented. Publicly accessible reports by the national associations were also used as sources. Responses were received from the national associations of the Federal Workers' Welfare Association (AWO), Caritas, the German Red Cross, the Central Board of Jewish Welfare in Germany (Zentralwohlfahrtsstelle der Juden in Deutschland), individual regional associations and one district association of the German Red Cross (cf. overview in the Annex). Owing to the limited amount of time available, it was not possible to take the work performed by other actors (e. g. sport federations and clubs, foundations, social work, schools and companies) into account.

3 The Federal Employment Agency is responsible for "access to the labour market (jobs, training, internships), work permit procedures, access to funding measures [...] educational and upskilling measures" (Federal Employment Agency 2016).

4 I wish to thank Joscha Justen, Jonathan Herbst and Sarah Popp for the assistance they provided and the research they undertook within the framework of their internship at the Federal Office for Migration and Refugees.

5 National associations of the "Freie Wohlfahrtspflege" (association of non-statutory welfare): Arbeiterwohlfahrt (AWO) (Workers' Welfare Federal Association), Deutsche Caritasverband (DCV) (German Caritas Association), Deutsche Paritätische Wohlfahrtsverband (Der PARITÄTISCHE) (German Non-Denominational Welfare Association), the German Red Cross (DRK), Diakonie Germany (Diakonie) (social welfare organisation of Germany's Protestant churches) and Zentralwohlfahrtsstelle der Juden in Deutschland (Central Board of Jewish Welfare in Germany) (ZWST).

2 Fluctuation in number of asylum seekers

2.1 Asylum seekers to Germany

Since 1953, around 5.3 million persons have filed an application for asylum in the Federal Republic of Germany (first time and follow-up applications). More than 1.5 million of these applications for asylum were filed between 2014 and June 2017 alone, the period covered by this study (BAMF 2017a: 11). In 2014, 202,834 asylum seekers filed a first time or follow-up application for asylum, in 2015 the number increased two-fold to 476,649 and in 2016 it strongly increased again to 745,545. However, the number of applications for asylum filed is just one of several relevant indicators outlining the challenges facing the various actors in the Federal Republic. Other helpful indicators include the number of newly arrived asylum seekers, the number of asylum decisions filed and the protection rates broken down by countries of origin⁶

2.1.1 Asylum seekers, applications for asylum and asylum decisions

Asylum seekers

Anyone who expresses an intention to file an application for asylum vis-à-vis a public authority (e.g. the Federal Office for Migration and Refugees, a reception facility, foreigners authorities, a police officer or a member of the Federal Police) after they have crossed the border into Germany is defined as an asylum seeker. The competent authority subsequently enters the asylum request into the so-called "EASY system"⁷,

which arranges the distribution among the 16 Länder in accordance with the specified quota ("Königstein key") and informs asylum seekers which initial reception facility they need to go to in order to file a formal asylum application. This is generally located at the nearest branch office of the Federal Office for Migration and Refugees. This means that the entry in the EASY database takes place before the asylum seeker files a formal application for asylum.

The database is intended to act as an initial benchmark for federal and regional authorities, enabling them to estimate how many newly arrived asylum seekers will require accommodation at the initial reception facilities and allowing the Federal Office for Migration and Refugees to estimate how many asylum seekers to expect. However, the statistics on newly arrived asylum seekers provided by the EASY database are based on entries made in the EASY system which do not record any personal data, making it susceptible to errors and multiple entries. The statistics in the EASY database for 2015 indicated that just under 1.1 million asylum seekers had arrived in Germany whereas the figure for 2015 was retroactively estimated to have been around 890,000 newly arrived asylum seekers (BMI 2017a).

Despite the inaccuracies that exist with the EASY system, its statistics are one of the most important indicators even for this study as they highlight when and to what extent challenges were faced in terms of border control, emergency and initial reception facilities in the Federal Republic, initial care during the arrival phase, security authorities and the asylum system resulting from the influx of so many asylum seekers in the previous years.

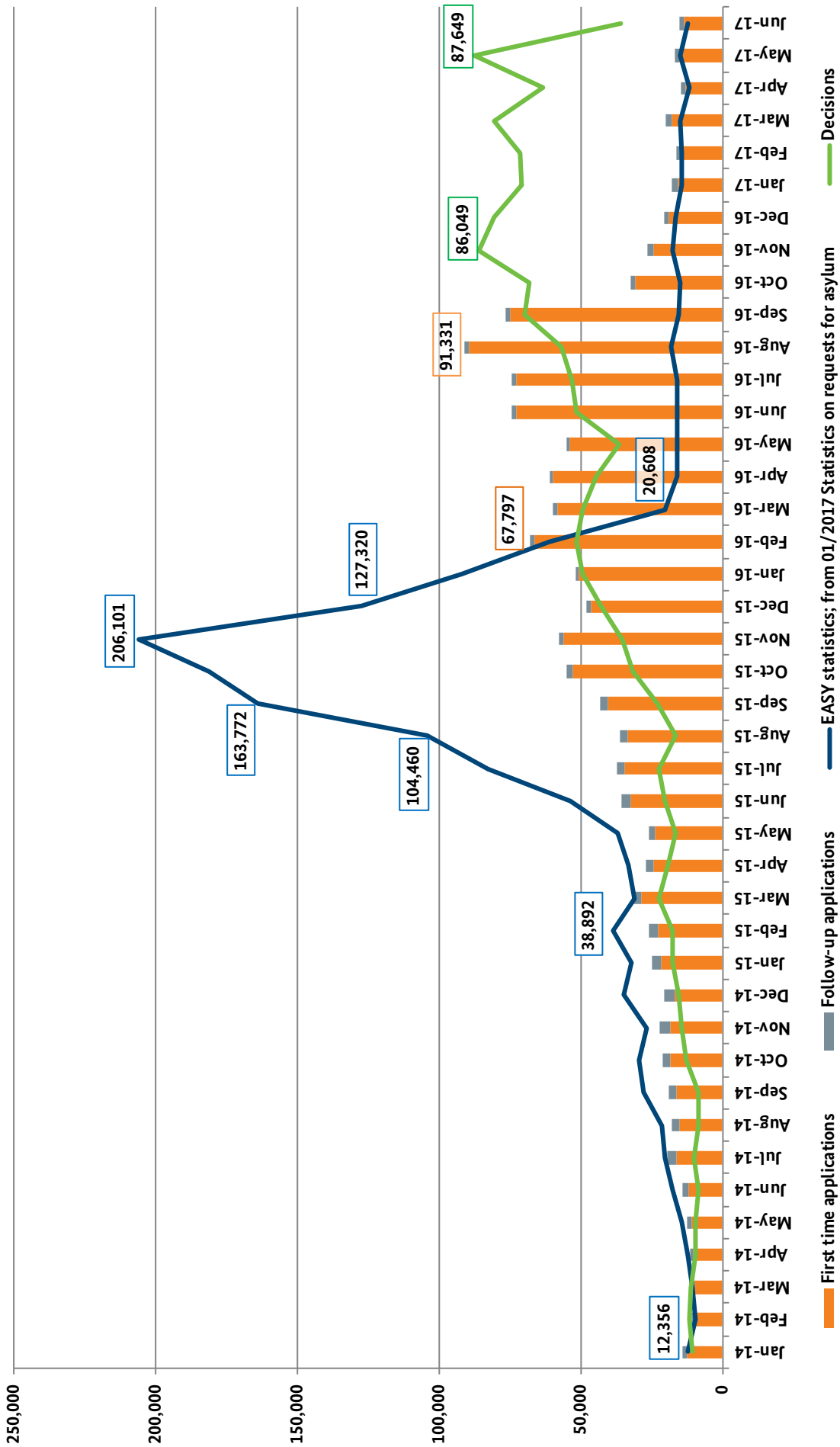
The arrival of almost one million new asylum seekers within a period of eight months, particularly in the months between July 2015 and February 2016 (cf. Figure 1, blue line), caused problems regarding the prompt registration of asy-

⁶ Other relevant indicators that cannot be outlined in detail in this study, some of which may be referred to in the individual chapters, are the number of initial reception facilities available in the Länder, the number of communal accommodation facilities and decentral housing units provided by municipalities, the length of time it takes to process applications for asylum, the number of appeals lodged against asylum decisions, the number of integration courses and courses in German for professional purposes on offer, the number of teachers available at schools for unaccompanied minors and accompanied underage refugees, the number of racist crimes and attacks against asylum seekers, their accommodation and support networks as well as the number of asylum seekers who have come to Germany to join their families.

⁷ IT application for the initial distribution of asylum seekers among the Länder. The recording of asylum seekers' data was reformed in 2016 owing to a change in the registration procedure and has been issued in the form of statistics on asylum seekers since January 2017. It is now based on asylum seekers'

valid personal data. This has, in particular, minimised the number of multiple entries (cf. Chapter 4.3.4 on the introduction of the core data system and proof of arrival). There is only a limited extent to which the EASY statistics can be compared to the statistics on asylum applications. The figures on asylum applications indicated in Figure 1 reflect the EASY statistics up to the end of 2016 as well as the statistics on asylum applications from January 2017 onwards (blue line).

Figure 1: Requests for asylum, asylum applications and decisions (01/2014 to 06/2017)



Source: Federal Office for Migration and Refugees

lum applications.⁸ The number of newly arrived asylum seekers entered into the EASY system peaked at 206,101 in November 2015. However, after multiple registrations were deducted, the actual number of newly arrived asylum seekers is thought to have been fewer than 200,000. The number of new arrivals each month fell sharply once again after November 2015. In March 2016, just under 20,000 newly arrived asylum seekers were recorded in the EASY system, with the number falling to 15,400 on average between April 2016 and June 2017 (as illustrated by the statistics on asylum requests⁹ in Figure 1 from January 2017 onwards).

Selection of measures implemented in relation to asylum seekers and their initial reception

- Reintroduction of border controls to facilitate controlled entry and registration
- Establishment of the Federal Government Coordination Office for the Distribution of Refugees (Koordinierungsstelle Flüchtlingsverteilung Bund (KoSt-FV Bund)) to ease the burden the Free State of Bavaria faced in distributing asylum seekers among the Länder,
- Establishment of five processing lanes for faster registration,
- Establishment of 170 mobile teams for post-registration in the municipalities,
- Introduction of proof of arrival and the core data system,
- Establishment of hundreds of emergency accommodation and initial reception facilities, many subject to the operational responsibility of charitable associations on behalf of the Länder,
- Refugee initiatives and charitable associations provided initial care, orientation support and language courses, amongst other things, particularly in areas where state regulatory structures were proving to be insufficient (leaving asylum seekers in limbo regarding their residence status).

cf. Chapter 4 for more details

Applications for asylum

The number of formal applications for asylum submitted to the Federal Office for Migration and Refugees reflects

⁸ Although the number of newly arrived asylum seekers was slightly higher than the number of applications for asylum filed in mid-2014, this does not necessarily mean a backlog existed. There is always a certain proportion of asylum seekers who do not actually file a formal application for asylum despite having requested asylum initially, either because they intend to leave Germany again or if other reasons preclude the filing of an application.

⁹ cf. Footnote 7.

the number of asylum seekers who have actually remained in Germany. However, the large discrepancy between the number of newly-arrived asylum seekers and the number of asylum applications filed highlights the Federal Office's lack of capacity to record the asylum applications of all newly-arrived asylum seekers promptly after they enter the Federal Republic. This discrepancy and the backlog of hundreds of thousands of asylum applications became referred to as the "EASY gap" which matches the term the "EASY system".

The EASY gap peaked in the second half of 2015, as illustrated in Figure 1, based on the gap between the number of first time and follow-up applications registered (orange-grey bar) and the number of persons originally requesting asylum (blue line). Whereas the number of persons requesting asylum registered in June 2015 was just a little more than 50% higher than the number of applications for asylum actually registered (53,721 compared to 35,449), the number of persons requesting asylum had more than doubled by July 2015, had trebled by August 2015 and had almost quadrupled between September and November 2015 (November 2015: 206,101 entries were made in the EASY system compared to 57,816 first time and follow-up applications). However, by February 2016 it had become possible once again to register more first time and follow-up applications than newly-arrived asylum seekers (February 2016: 61,428 entries were made in the EASY system compared to 67,797 first time and follow-up applications). Nonetheless, by early 2016, the EASY gap still consisted of an estimated 300,000 asylum seekers.

Selection of measures involving the registration of applications for asylum and follow-up registrations

- Massive staff increases at the Federal Office,
- Establishment of dozens of new branch offices of the Federal Office,
- Integrated refugee management,
- Integrated identity management (intra-agency registration system).

cf. Chapter 4 for more details

Since the number of newly arrived asylum seekers had dropped to just under 20,000 by March 2016, subsequently falling steadily to 15,400 on average, while the number of first time and follow-up applications registered each month continued to rise to 91,331 until August 2016, it was possible to eliminate the EASY gap nationwide by early November 2016 thanks to a number of measures¹⁰ implemented. From this point onwards, third-country nationals were able to file an application for asylum anywhere in Germany as soon

¹⁰ Some actors also referred to the package of measures as the "EASY gap system" (Koordinierungsstelle „Ehrenamtliche Aktivitäten im Flüchtlingsbereich in RLP" 2016: 1 et. seq.)

as they arrived without having to face any waiting periods (Deutscher Bundestag 2016d: 14). It was vital to eliminate the backlog and to find solutions to the waiting periods as additional benefits under the Residence Act (Aufenthaltsge-
setz) and Social Code were contingent on an application for asylum being filed.

Decisions on asylum applications

The number of asylum decisions taken represents the third important indicator highlighting the specific challenges facing Germany as a result of the change in influx of asylum seekers since 2014. As shown in Figure 1 (green line), the number of monthly decisions taken had increased more than eight-fold from just under 10,655 in January 2014 to 87,649 by May 2017. At the same time, similar to the EASY gap, it is necessary at this point to consider the ratio between the number of applications for asylum registered and the number of asylum decisions taken. This shows that between March 2014 and September 2016 inclusive, the monthly number of asylum applications exceeded the number of asylum decisions taken. The widest gap occurred in August 2016 when 91,331 first time and follow-up applications were accepted but just 57,058 decisions were taken (resulting in a monthly backlog of 34,273 decisions).

Once the EASY gap had been eliminated by October 2016, the number of decisions taken exceeded, for the first time in two and a half years, the number of asylum applications registered (October 2016: 68,135 decisions compared to 32,640 first time and follow-up applications). By the end of September 2016, a backlog of 579,000 pending procedures had built up that subsequently needed to be worked through alongside the new applications for asylum filed every month. Within the following twelve months, the Federal Office for Migration and Refugees managed to reduce the number of asylum procedures pending to 99,334 by the end of September 2017, bringing it below the 100,000 threshold for the first time (BAMF 2017h: 2).

This was achieved, among others, by shifting priorities from filing new asylum applications to processing the asylum applications themselves while the procedure of eliminating the EASY gap was drawing to an end, with the result that by the fourth quarter of 2016 employees of the Federal Office for Migration and Refugees were taking in excess of 80,000 decisions per month. The Federal Office managed to maintain this high volume of decisions, peaking at 87,649 decisions per month by May 2017 (cf. Figure 1). Since June 2017, there has once again been a sharp decline in the number of decisions taken owing to a range of measures and staff restructuring steps implemented with the result that the average number of decisions taken each month has levelled off at 35,000.

Selection of measures involving asylum decisions

- Staff increases at the Federal Office for Migration and Refugees,
- Establishment of dozens of new branch offices of the Federal Office,
- Establishment of "integrated refugee management" including arrival centres in all Länder,
- "Simplified asylum procedures" and prioritisation of the processing of asylum applications filed by nationals of certain countries of origin,
- Digitisation measures and process optimisations (inter alia, IT expansion, video interpreting, electronic entry system in asylum procedures),
- Establishment of "central mailboxes" at the Federal Office (inter alia, establishment of a scan centre and conversion to electronic document transmission in asylum procedures).

cf. Chapter 4 for more details

2.1.2 Overall protection rates and breakdown into groups with good prospects to remain and little prospect to remain in Germany

There is another important statistical indicator that helps to convey a better understanding of the measures implemented in Germany in the past few years, namely the overall protection rate broken down by country of origin or, to be more precise, the very high overall protection rate of some countries of origin and the very low overall protection rate of others. The overall protection rate is derived from the number of asylum status granted, the number of cases in which refugee status was recognised and obstacles precluding removal were established in relation to the total number of decisions taken in the period under review. The following tables illustrate the overall protection rate for ten countries of origin that played a key role in respect of the measures implemented during the period under review.

On the one hand, this applies to the countries of origin Eritrea, Iraq, Iran and Syria. In the period under review, decisions were taken on applications filed by 724,788 asylum seekers from these four countries of origin, the common denominator being that on an annual average, they were granted protection in over 50% of the cases. Syrians accounted for the highest overall protection rate which fluctuated between 89.3% and 98% over the years (cf. Table 1).

On the other hand, there are the six Western Balkan countries Albania, Bosnia and Herzegovina, Kosovo, Macedonia, Montenegro and Serbia. In the period under review, decisions were taken on 276,161 asylum applications filed by nationals of these six countries of origin. In less than 1%

Table 1: Number of decisions taken and overall protection rates of the countries of origin that had an overall protection rate of over 50% (good prospects to remain)

Decisions taken on applications for asylum (first time and follow-up applications for asylum) and overall protection rates									
Country of origin	2014		2015		2016		01/ - 06/2017		01/2014 - 06/2017
	Decisions taken	Overall protection rate	Decisions taken	Overall protection rate	Decisions taken	Overall protection rate	Decisions taken	Overall protection rate	Decisions taken
Syria	26,703	89.3%	105,620	96.0%	295,040	98.0%	67,186	93.8%	494,549
Iraq	4,583	73.9%	16,796	88.6%	68,562	70.2%	52,509	57.7%	142,450
Eritrea	1,794	55.2%	10,099	92.1%	22,160	92.2%	14,675	77.3%	48,728
Iran	4,109	51.8%	2,664	59.6%	11,528	50.7%	20,760	52.4%	39,061
Total	37,189	81.7%	135,179	94.1%	397,290	91.5%	155,130	74.5%	724,788
All countries	128,911	31.5%	282,726	49.8%	695,733	62.4%	408,147	44.7%	1,515,517

Source: Federal Office for Migration and Refugees; own calculations

of their applications a protection status was granted (cf. Table 2). The asylum applications filed by the vast majority of asylum seekers from these countries were rejected.

All in all, around one million first time and follow-up applications were filed by nationals of these ten countries of origin between January 2014 and June 2017, accounting for two-thirds of the total number of decisions taken (1,000,949 out of a total of 1,515,517 first time and follow-up applications). The decisions taken on the asylum applications filed by nationals of the Western Balkan countries accounted for more than 25% of all decisions taken (276,161 decisions).

Notwithstanding this, in 2014, the number of decisions taken on the asylum applications filed by nationals of the Western Balkan countries exceeded that of the four countries of origin which had a high overall protection rate (45,083 compared to 37,189 decisions). This obviously meant that around this time policy and public discussions focused very much on the Western Balkans countries and on the very

high number of applications rejected. In 2015, the number of decisions taken exceeded the 100,000 threshold for both groups, with 106,000 decisions taken on applications filed by nationals of the Western Balkan countries and 135,179 decisions taken on applications filed by nationals of Eritrea, Iraq, Iran and Syria. It was not until 2016 that a noticeable gap emerged between the number of decisions taken for both groups. Whereas in 2016, nearly 400,000 decisions were taken on applications filed by nationals of Eritrea, Iraq and Syria, just over 100,000 decisions were taken on applications filed by nationals of the six Western Balkan countries. In the first six months of 2017, the number of decisions taken on applications filed by nationals of the six Western Balkan countries dropped noticeably to 20,636 compared to 155,130 decisions taken on applications filed by nationals of Eritrea, Iraq, Iran and Syria. The sharp decline in the number of decisions taken in the first six months of 2017 indicates an impact of the measures implemented the previous years ultimately had (cf. Chapter 4.2 and 4.3).

Table 2: Number of decisions taken and overall protection rate of Western Balkan countries which have been designated safe countries of origin (little prospect to remain)

Decisions taken on applications for asylum (first time and follow-up applications) and overall protection rates									
Country of origin	2014		2015		2016		01/ - 06/2017		01/2014 - 06/2017
	Decisions taken	Overall protection quota	Decisions taken	Overall protection quota	Decisions taken	Overall protection quota	Decisions taken	Overall protection quota	Decisions taken
Albania	3,455	2.2%	35,721	0.2%	37,673	0.4%	6,316	1.5%	83,165
Serbia	21,878	0.2%	22,341	0.1%	24,178	0.3%	5,028	0.7%	73,425
Kosovo	3,690	1.1%	29,801	0.4%	18,920	0.8%	3,071	2.2%	55,482
Macedonia	8,548	0.3%	8,245	0.5%	14,712	0.3%	4,187	0.7%	35,692
Bosnia and Herzegovina	6,594	0.3%	6,500	0.2%	6,885	0.7%	1,446	1.6%	21,425
Montenegro	868	0.0%	2,297	0.3%	3,219	0.5%	588	1.2%	6,972
Total	45,033	0.4%	104,905	0.3%	105,587	0.5%	20,636	1.2%	276,161
All countries	128,911	31.5%	282,726	49.8%	695,733	62.4%	408,147	44.7%	1,515,517

Source: Federal Office for Migration and Refugees; own calculations

As outlined in Chapter 2.1.1, the sharp rise in the number of asylum seekers and the temporary strain this put on the individual process-related steps in the ensuing asylum procedure led to waiting periods of several months both in respect of the number of asylum applications registered and the number of applications processed. Against the backdrop that long waiting periods are generally deemed to hinder the integration of refugees, also causing frustration among refugees (IAW/IfW/Soko Institut 2017: 39, 41; Thränhardt 2015: 16), the entry into force of the Asylum Procedures Acceleration Act (Asylverfahrensbeschleunigungsgesetz) on 24 October 2015 resulted in a distinction being made between asylum seekers who have good prospects to remain in Germany and those who have little prospect to remain. The latter group was defined as a group of people with a “permission to remain pending the asylum decision and who are expected to be permitted to remain lawfully and permanently” (Section 44 subs. 4 sentence 2 of the Residence Act). On the contrary, it “shall be assumed that asylum seekers originating from a safe country of origin [...] will not be permitted to remain lawfully and permanently” (Section 44 subs. 4 sentence 3 of the Residence Act). Later, a „good prospects to remain“ was further specified and henceforth requires in particular an overall protection rate of more than 50 % over a longer period of time (BAMF 2017j).

At the end of 2015 and 2016, the above-mentioned countries Eritrea, Iraq, Iran and Syria measured up to the requirements of a country of origin with good prospects to remain; from 1 August 2016 on and continuing in 2017 this also applied to Somalia (first six months of 2017: 65% of the total protection rate with a total of 12,017 decisions taken). In turn, the countries whose nationals have little prospect to remain in Germany are countries of origin with a low overall protection rate, which applies in particular to safe countries of origin and therewith to all six of the above-mentioned Western Balkan countries which were designated safe countries of origin during the period under review.

Whereas a number of measures were implemented for asylum seekers from countries with good prospects to remain in Germany in order to offer them priority access to support benefits and participatory structures prior to completion of their asylum procedure, a number of restrictive measures were implemented for asylum seekers, in particular from safe countries of origin (with little prospect to remain) (cf. Chapter 4.3.3). According to the Federal Government, the restrictions were aimed at enhancing motivation among asylum seekers to return to the safe countries of origin voluntarily in the near future on the one hand, while greatly reducing asylum migration from these countries on the other. The draft of the Asylum Procedures Acceleration Act drawn up by the parliamentary parties of the CDU/CSU (Christian Democratic Union of Germany/Christian Social Union in Bavaria) and SPD (Social Democratic Party of Germany) in

September 2015 says accordingly that “disincentives leading to a further increase in unfounded asylum applications”, need to be eliminated (Deutscher Bundestag 2015b: 1).

In May 2016, the group with an unclear prospect to remain was added to the categories of asylum seekers having good or little prospect to remain, including those asylum seekers who neither belong to the group with good prospects to remain nor to the group who come from safe countries of origin. With the Meseberg Statement on Integration issued on 25 May 2016, the Federal Government agreed “to develop initial orientation courses for asylum seekers with unclear prospects to remain” (BMI 2016b: 6; cf. also Chapter 4.3.3).

Selection of measures relating to the category of asylum seekers who have good prospects or little prospect to remain

Privileged measures for asylum seekers with good prospects to remain

- Earlier access to integration courses and courses in German for professional purposes,
- Earlier access to the labour market;

Restrictive measures for asylum seekers from safe countries of origin (with little prospect to remain)

- Albania, Bosnia and Herzegovina, Kosovo, Macedonia, Montenegro and Serbia are designated safe countries of origin,
- The length of time asylum seekers are obliged to stay at initial reception facilities is extended at the very least until their asylum procedure has been completed,
- Establishment of and accommodation in special reception centres (inter alia applies also to persons, who have clearly misled the authorities as to their identity or nationality by presenting false information or documents or by withholding relevant documents; cf. Section 30a subs. 1 No 2 of the Asylum Act),
- Exclusion of a range of support services;

Additional measures for persons from safe countries of origin in the Western Balkans

- Facilitation of labour migration to Germany for migrants from the Western Balkan countries.

cf. Chapter 4 for more details

2.2 National concept of a significant influx of asylum seekers

In Germany, it is not defined in the Residence Act or in the Asylum Act (Asylgesetz) when precisely the number of newly arriving asylum seekers is considered to be a mass influx.

However, Section 24 of the Residence Act takes the possibility of a particularly mass influx of asylum seekers explicitly into account. This provision has transposed Council Directive 2001/55/EC on Mass Influx (Council Directive 2001/55/EC)¹¹ into national law which is based on the situation involving a "mass influx of displaced persons". As such, 'mass influx' "means arrival in the Community of a large number of displaced persons, who come from a specific country or geographical area, whether their arrival in the Community was spontaneous or aided, for example through an evacuation programme" (Article 2 letter d of Council Directive 2001/55/EC). No precise figure specifying what consists of a 'mass influx' has been defined in the Council Directive or indeed in national legislation. However, an excessive strain is deemed to exist "if there is also a risk that the asylum system will be unable to process this influx without adverse effects for its efficient operation, in the interests of the persons concerned and other persons requesting protection" (Article 2 letter a of Council Directive 2001/55/EC; Schmidt 2015: 207). However, it is ultimately up to the European Council and therefore to the Member States themselves to define when 'mass influx' exists (Article 5 paragraph 1 of Council Directive 2001/55/EC). Up to now, no mass influx has been defined over the course of the number of asylum seekers experienced in recent years, nor indeed at any time previously. In the event that a relevant Council decision was adopted, the individual Member States would indicate their capacity to receive displaced persons (Article 25 of Council Directive 2001/55/EC), although it is not defined in the Directive or in national legislation, meaning that the principle of voluntariness would apply.¹²

In addition to the Council Directive on Mass Influx, Article 78 paragraph 3 of the Treaty on the Functioning of the European Union (TFEU) makes provision for the eventuality of one or more Member States being confronted by an emergency situation characterised by a sudden inflow of nationals of third countries. In any such case, the Council, on a proposal from the Commission, may adopt provisional measures for the benefit of the Member State(s) concerned (Article 78 paragraph 3 of the TFEU; cf. Chapter 3.1.4 on the EU relocation procedure).

There are no provisions in place governing the administrative processes associated with the admission of asylum seekers either that indicate what specifically defines a sharp rise or low rise in migration, although there are some quantifi-

ble variables specifying from what numbers certain amendments need to be made. This applies, for instance, to the establishment of branch offices which, pursuant to Section 5 subs. 3 sentence 1 of the Asylum Act, the Federal Office for Migration and Refugees should set up at each central reception facility (reception centre) for asylum seekers with a capacity to accommodate at least 1,000 persons. Additional branch offices can be set up in coordination with the Länder (Section 5 subs. 3 sentence 2 of the Asylum Act). The Länder are, in turn, obliged to set up and maintain the necessary number of places in the reception centres for newly arrived persons requesting asylum allocated to them on the basis of their respective admission quotas (Section 44 of the Asylum Act).

11 Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof.

12 cf. Schmidt 2015 on the discussion about why the Council Directive was not taken into account in view of the huge increase in the number of asylum seekers in recent years.

3 New cooperations and the impact of asylum-related measures implemented by other EU Member States

Within the framework of the rise in numbers of asylum seekers experienced in recent years, Germany has cooperated with European institutions on several levels and with individual Member States on a bilateral and multilateral basis, for instance, regarding the admission of refugees from Hungary in coordination with Austria, providing support for the protection of EU external borders, within the framework of the EU-Turkey Statement and with its involvement in the EU relocation and EU resettlement system. A number of these collaborations and specific asylum-related decisions taken by other EU Member States that have impacted the situation in Germany will be outlined in the following.

3.1 European cooperation, consultations with neighbouring EU Member States and the effect of asylum-related measures implemented in other EU Member States on Germany

3.1.1 Trilateral agreements concluded between Germany, Austria and Hungary on the entry and onward movement of asylum seekers (09/2015)

In late August and early September 2015, the death of hundreds of refugees making their way to Europe sparked outrage in Germany and among the international community. These included, for instance, a report issued on 26 August 2015 that 71 refugees from Afghanistan, Iraq, Iran and Syria (Sueddeutsche.de 2015c) had died from lack of oxygen in the back of a lorry on the motorway near Parndorf in Austria, a press release issued on 28 August 2015 that up to 200 refugees had drowned off the coast of Libya (taz.de 2015) and on 2 September 2015 reports on the death of the three-year-old Kurdish boy Aylan Kurdi from the North Syrian town of Kobane, whose body had been washed up on the beach at Bodrum in Turkey, after the boat steered by human traffickers carrying his family and other refugees capsized on its way to the Greek Islands. Eleven refugees drowned (Zeit

Online 2015c). In 2015 alone, 3,785 people drowned while crossing the Mediterranean Sea (IOM 2017).¹³

In early September 2015, thousands of refugees who intended to travel on to Germany in particular had also been left stranded in Hungary. Days before, on 25 August 2015, the Federal Office for Migration and Refugees had tweeted that "by and large, we are not actually pursuing the Dublin procedure in relation to Syrian nationals [...]"¹⁴ (Deutscher Bundestag 2015a: 4). Transfers of Syrian asylum seekers under the Dublin Regulation had been suspended from 21 August until the end of October 2015 (Deutscher Bundestag 2015a: 5; EMN/Federal Office for Migration and Refugees 2016: 51). Media research revealed that this message subsequently spread among many refugees travelling along the Balkan route (Blume et al. 2016).

Eventually, at noon on 4 September 2015, several thousand refugees decided to walk from the main railway station in Budapest towards the Austrian border. The Hungarian authorities notified the Austrian authorities accordingly. Later in the evening, Hungary also announced that it would bring up to six thousand refugees by coach to the Austrian border (Blume et al. 2016). Later during the evening of 4 September 2015, Germany and Austria finally agreed to admit several thousand asylum seekers from Hungary in order to put an end to the "emergency situation" facing Hungary (Bundesregierung.de 2015c). This exceptional regulation had been thrashed out both in direct telephone consultations between the Federal Chancellor Angela Merkel (CDU), Hungary's Prime Minister Viktor Orbán (Fidesz – Hungarian Civic Alliance) and the then Austrian Federal Chancellor Werner

13 Within the timeframe from 2015 to 27 November 2017 almost 12,000 people drowned by trying to cross the Mediterranean Sea (IOM 2017). At the same time more than 620,000 people were rescued by Italian and Greek rescue operations as well as by operation Triton and Poseidon of the European border and coast guard and operation SOPHIA (COM 2017d: 1).

14 Tweet by the Federal Office for Migration and Refugees: https://twitter.com/bamf_dialog/status/636138495468285952 (31 October 2017).

Faymann (SPÖ) (Social Democratic Party of Austria), and in talks with the then Vice-Chancellor Sigmar Gabriel (SPD), the then Federal Foreign Minister Frank-Walter Steinmeier (SPD) and his Austrian and Hungarian counterparts (Blume et al. 2016). The discretionary clause which says that a Member State may decide to examine an application for international protection set forth in the Dublin III Regulation provides the statutory basis in Germany (Article 17 paragraph 1 of Regulation (EU) 604/2013)^{15,16}. The following day, France undertook a commitment vis-à-vis Germany to admit 1,000 of the newly-arrived asylum seekers.

On 5 September 2015, the day after the trilateral agreement was concluded an estimated 7,000 refugees crossed the Austrian border and arrived at the main railway station in Munich. The following day saw the arrival of just under 10,000 more, with up to 20,000 refugees arriving each day in the days and weeks that followed (Blume et al. 2016). Given that in this phase many refugees did cross the border without proper control, Germany took the decision on 13 September 2015 to reintroduce internal border controls focusing on the border with Austria. It did not actually close the border since nobody expressing a request for asylum was turned away (Deutscher Bundestag 2016a: 3). The aim of the measure according to the Federal Ministry of the Interior was initially to "limit the influx to Germany and to restore an orderly entry procedure" (BMI 2015d). On 24 September 2015, two "waiting centres" were set up in Bavaria offering short-term accommodation, initial care, registration and systematic onward distribution of newly arrived asylum seekers among the Länder within the framework of administrative assistance provided by the Federal Government for the benefit of the Länder (cf. Chapter 7.1.1). On 30 October 2015, Germany and Austria also decided to limit the organisation of refugee transfers to five border crossing points (Freilassing, Laufen, Neuhaus, Simbach am Inn, Wegscheid); it was also stipulated that only 50 refugees were to be allowed to cross each border crossing point per hour (WAZ.de 2015), although the actual number of refugees admitted through the border crossing points in the weeks that followed was much higher (Lettenbauer 2015). In the following weeks, the Ministries of EU Member States responsible for Justice and Home Affairs adopted a number of decisions to redistribute a total of 160,000 asylum seekers from Italy and Greece who were in clear need of international protection (cf. Chapter 3.1.4).

15 Regulation (EU) No. 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person.

16 For information about the legal discussion on the right of Member States to take a discretionary decision to examine an application for international protection and the decision to open the borders taken in early September 2015, cf. Deutscher Bundestag 2015a; Di Fabio 2016; Deutscher Bundestag 2016c).

Internal border controls were extended several times for six months each time. The Federal Minister of the Interior Thomas de Maizière (CDU) decided on 12 October 2017 to extend internal border controls beyond 12 November 2017 for an additional six months, although these border controls were confined to the land border between Germany and Austria and to flight connections from Greece to Germany. He said the renewed extension of internal border controls resulted from the "deficits in protecting the EU external borders as well as the sheer scale of irregular migration within the Schengen area." According to the Federal Ministry of the Interior, the decision was taken "in close consultation with the Interior Ministries of Austria, Denmark, Sweden and Norway" (BMI 2017b).

3.1.2 Closing of the border along the Balkan route (from 06/ and 09/2015)

The Hungarian government issued instructions for a fence to be built along the border with Serbia as far back as 17 June 2015. Construction of the fence was completed on 14 September 2015 and the border with Serbia was closed. On 17 September 2015, Hungary began constructing a border fence along the border between Hungary and Croatia which was closed on 17 October 2015 (FAZ 2015; Spiegel Online 2015; Zeit Online 2015a). Asylum seekers had already been seeking out and continued to seek out alternative routes prior to construction of the border fence, subsequently switching to alternative routes through neighbouring countries which in turn began tightening border control measures (Zeit Online 2015b; Sueddeutsche.de 2015b). On 18 and 19 November 2015, Macedonia, Serbia and Slovenia began allowing only asylum seekers from Afghanistan, Iraq and Syria to cross their borders whereas Croatia also allowed Palestinians to pass through. Asylum seekers from other countries of origin were refused entry at the border, reaping criticism from international organisations (UNO-Flüchtlingshilfe 2015). Government representatives explained the partial closing of the border, inter alia, with the fear that Germany in particular might close its borders, preventing asylum seekers from continuing their onward journey (Mappes-Niediek 2015). 9 March 2016 is ultimately considered to be the day on which the Balkan route was fully closed (Peerenboom 2016; Kingsley 2016). It is frequently referred to in the public and political debate as one of the key measures aimed at curtailing the number of asylum seekers to the EU – alongside the EU-Turkey Statement (see below).

3.1.3 EU-Turkey Action Plan (10-11/2015) and EU-Turkey Statement (03/2016)

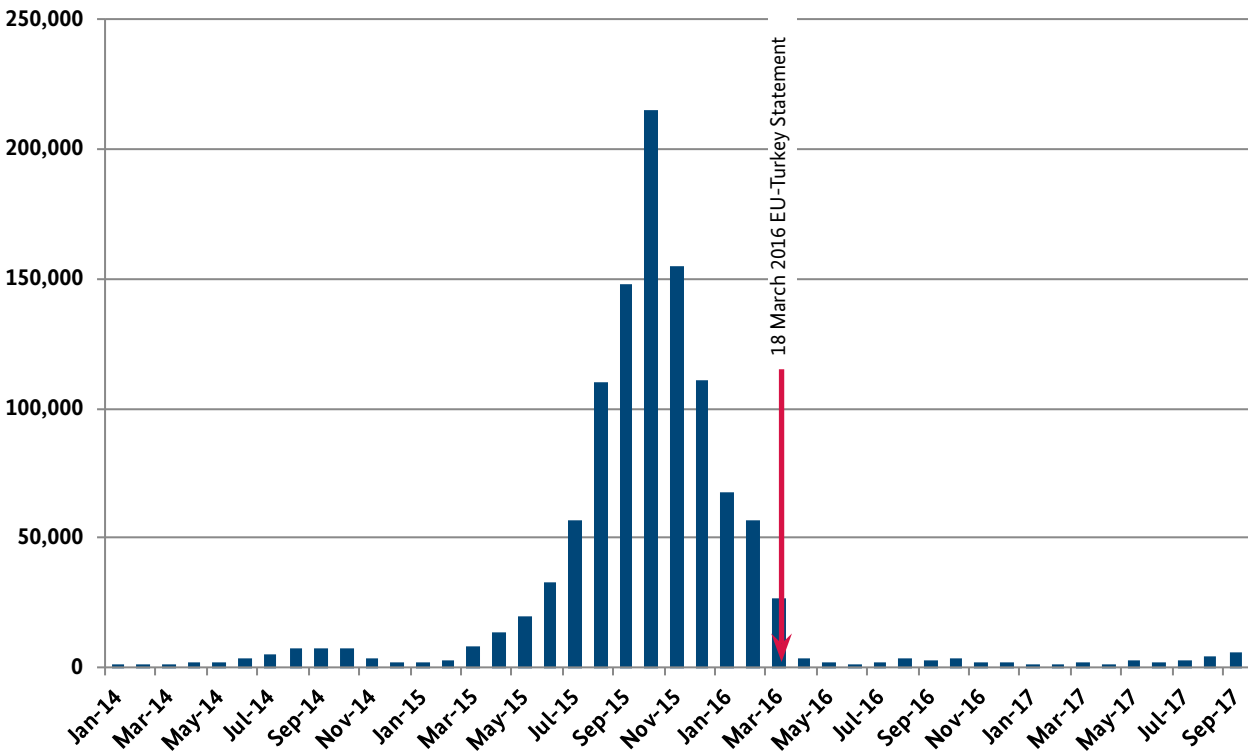
The intensified cooperation with Turkey on refugee-related issues since 2015, which led to the adoption of the so-called EU-Turkey Joint Action Plan and the issuing of the EU-Turkey Statement, is viewed as a further important measure

aimed at restricting the number of asylum seekers to EU Member States. At joint meetings held on 15 October 2015 (COM 2015a) and 29 November 2015, the "Joint EU-Turkey Action Plan", brokered in no small measure by Germany, was negotiated, with the EU pledging support payments worth several billion euros to Turkey in return for Turkey ensuring that Syrian refugees could access public services for the duration of their stay in Turkey, also curtailing irregular crossing of the border via the Mediterranean to Greece and via the land border to Bulgaria and Greece (COM 2016a). The action plan ultimately paved the way for the EU-Turkey Statement that was issued as an agreement concluded by the Heads of State and Government of the European Union and the Turkish Prime Minister on 18 March 2016 (COM 2017a; EuGH 2017: 1). It was agreed in this joint action plan that from 20 March 2016 onwards, any third country nationals entering the Greek Islands irregularly from Turkey who did not intend to file an asylum application or whose asylum application had been rejected as unfounded or inadmissible would be returned to Turkey. At the same time, the EU Member States agreed that by way of humanitarian admission or admission via other lawful routes, for every Syrian being returned to Turkey from the Greek islands, another Syrian would be resettled to the EU (1:1 mechanism; cf. below for more details about EU relocation and EU resettlement). The EU-Turkey Statement also envisages the provision of financial support for Syrian refugees and host communities in

Turkey. To begin with, the EU will appropriate €3 billion via the Facility for Refugees in Turkey, €1 billion of which will come from the EU budget and €2 billion of which will come from bilateral contributions by the EU Member States. The Federal Government will make a significant contribution, accounting for around 21% of the funds (approx. €428 million). Once all commitments undertaken in the EU-Turkey Statement have been fulfilled, the EU will mobilise a further €3 billion for the Facility by the end of 2018.

October 2015 when more than 200,000 persons arrived in Greece from Turkey, in fact represents the month with the highest number of newly arrived asylum seekers. After the Joint EU-Turkey Action Plan was introduced, the number of newly arrived asylum seekers from Turkey to Greece had fallen to around 60,000 by January 2016 (COM 2016c), decreasing sharply by the time the EU-Turkey Statement was issued in March 2016, initially to a couple of thousand new arrivals per week, eventually levelling out permanently to fewer than 100 new arrivals per week (cf. Figure 2). This trend continued throughout the course of 2017 (COM 2017c: 3).

Figure 2: Monthly arrivals of persons crossing the border irregularly to the Greek islands from Turkey (01/2016 to 02/2017)



Source: Frontex 2017 - Detections of illegal border-crossings statistics; see also COM 2017b: 3; *Eastern Mediterranean Route by sea covers Cyprus and Greece, the data refer to detections rather than the number of persons, as the same person may cross the external border several times.

3.1.4 EU resettlement, EU relocation and humanitarian admission within the framework of the EU-Turkey Statement (from 09/2015)

EU resettlement

In 2015, Germany's annual admission contingent was raised from 300 to 500 persons. In 2016 and 2017, Germany also participated in the pilot resettlement programme launched by the European Union, undertaking to admit a total of 1,600 resettlement refugees, from which the annual national contingent of 500 asylum seekers was deducted. In 2016, Germany admitted 1,060 Syrian nationals in need of international protection from Turkey. In addition, Germany admitted Syrian nationals in need of international protection from Lebanon in 2016 and 2017 (155 of whom were admitted in 2016 and 22 of whom were admitted in 2017). By 30 September 2017, Germany had therefore admitted a total of 1,237 persons within the framework of the EU resettlement programme in 2016/2017 (cf. Table 3). The remaining 363 places will be used to admit persons in need of international protection from Egypt.

EU relocation and humanitarian admission of Syrian nationals in need of international protection from Turkey within the framework of the EU-Turkey Statement

In order to achieve a more fair distribution of asylum seekers within Europe¹⁷ and above all to ease the burden on Italy and Greece which bore the brunt of asylum seekers across the Mediterranean and of first admissions, the Justice and Home Affairs Council (JHA/EU Council) adopted a decision on 14 September 2015 to initially admit 40,000 asylum seekers from Italy and Greece and to relocate them within two years ((EU) 2015/1523)¹⁸. Germany pledged to admit 10,500 of these asylum seekers.

The Council adopted another decision on 22 September 2015 (2nd Relocation Decision) in order to ease the burden on Italy and Greece and temporarily also on Hungary¹⁹, pro-

viding for the relocation of 120,000 additional asylum seekers to other Member States ((EU) 2015/1601).²⁰ As such, a distribution key based on four criteria was used to determine the number of persons to be relocated to each Member State:

- "a) The size of the population (40% weighting). This criterion reflects the capacity of a Member State to absorb a certain number of refugees;
- b) Total GDP (40% weighting). This criterion reflects the absolute wealth of a country and is indicative of the capacity of an economy to absorb and integrate refugees;
- c) Average number of asylum applications per one million inhabitants over the period 2010-2014 (10% weighting, with a 30% cap of the population and GDP effect on the key). This criterion reflects the existing burden on a Member State in terms of asylum applications;
- d) Unemployment rate (10% weighting, with a 30% cap of the population and GDP effect on the key). This criterion reflects the capacity to integrate refugees. (COM 2015b: 2).

The 120,000 asylum seekers who were to be relocated originally corresponded to 43% of third country nationals who had entered the three countries irregularly in July and August 2015 and who were "in clear need of international protection" (cf. Recital 26 of Council Decision 2015/1601).

The relocation of 120,000 asylum seekers in accordance with the second Council Decision was to be broken down into two stages of 66,000 and 54,000 places. The first stage envisaged Germany taking in 17,036 asylum seekers²¹ from Greece and Italy, having reserved a monthly contingent of 500 places for both countries since September 2016 (cf. Chapter 7.1.1 on the refunctioning of the waiting centre in Erding for relocation cases from the autumn of 2016 onwards). The host Member State receives a payment of €6,000 from the EU for every person relocated in the relocation mechanism.

By 30 September 2017, Germany had admitted a total of 8,479 asylum seekers from both countries, specifically 3,641 asylum seekers from Italy and 4,838 from Greece (cf. Table 3). The European Council adopted a Decision (Council Decision 2016/1754)²² for the second stage of the relocation of

17 The information and figures provided in this Chapter are based on Germany's National EMN Policy Report 2016 "Migration, Integration, Asylum" (EMN/Federal Office for Migration and Refugees 2017).

18 Council Decision 2015/1523 of 14 September 2015 establishing provisional measures in the area of international protection for the benefit of Italy and of Greece.

19 Before the Council adopted the decision, Hungary announced during the plenary debate at the European Parliament to approve the Commission proposal that it did not want to be included in the relocation measure (EU Parliament 2015), so that the final Council Decision 2015/1601 of 22 September 2015 only provided for the relocation of 15,600 asylum seekers from Italy and 50,400 from Greece. The distribution of 54,000 asylum seekers from Hungary who were originally to be relocated was left open for the time being (Article 4 paragraph 1 letter c of Council Decision 2015/1601). A decision concerning them was taken on 29 September 2016. It was decided that relocations from

Turkey would be included in the respective national relocation contingents.

20 Council Decision 2015/1601 of 22 September 2015 establishing provisional measures in the area of international protection for the benefit of Italy and Greece.

21 The 17,036 relocation places approved were to be distributed among the two countries as follows: 4,027 asylum seekers from Italy and 13,009 asylum seekers from Greece.

22 Council Decision (EU) 2016/1754 of 29 September 2016 amen-

54,000 asylum seekers on 29 September 2016, enabling these places to be made available for Syrian asylum seekers from Turkey instead within the framework of the EU-Turkey Statement (1:1 mechanism).

Germany participated initially in the 1:1 mechanism within the framework of its increased resettlement contingent, taking in a total of 1,060 Syrian nationals from Turkey in 2016 (see above EU resettlement). On 11 January 2017, the Federal Ministry of the Interior then issued instructions for Syrian asylum seekers to be admitted from Turkey in accordance with Section 23 subs. 2 of the Residence Act. Another 2,265 Syrians were admitted from Turkey leveraging the option of humanitarian admission on 30 September 2017 which also comes under the 1:1 mechanism (cf. Table 3).

3.1.5 The Federal Office for Migration and Refugees' involvement in EASO

In addition to providing operational assistance, EASO (the European Asylum Support Office)²³ coordinates the multi-lateral components of the EU relocation system (see above). Activities were also stepped up within the framework of the so-called hotspot approach. Member States can apply for support in critical situations triggered by high migration pressure. EASO, FRONTEX and EUROPOL are then required to provide assistance locally in a bid to quickly identify and register newly arrived migrants. Persons in clear need of international protection are to be incorporated into the pan-European "relocation system". Persons who are not in need of international protection are to be returned. In cases of doubt, the respective Member State is supposed to carry

ding Decision (EU) 2015/1601 establishing provisional measures in the area of international protection for the benefit of Italy and Greece.

23 The European Asylum Support Office (EASO) is an institution of the European Union. The main tasks performed by EASO are offering support to Member States whose asylum and admission systems face particular pressures, implementing operational measures and coordinating any such support, strengthening practical cooperation between the Member States in the area of asylum and helping to strengthen the Common European Asylum System including cooperation with the riparian states of the EU (cf. EMN/Federal Office for Migration and Refugees 2017: 45).

out the asylum procedure itself (cf. EMN/Federal Office for Migration and Refugees 2017: 45).

Germany has greatly expanded its participation in EASO in recent years. The Federal Office for Migration and Refugees supported the above-mentioned EASO measures in 2016 on around 5,000 man-days with a total of 75 employees, of whom 67 were deployed in Greece and 8 of whom were deployed in Italy. The Federal Office for Migration and Refugees was also involved in training measures, for instance, by seconding trainers and helping to develop training modules. In doing so, the Federal Office itself also benefited by arranging for its employees to undergo EASO training and by organising training events for its staff based on EASO training modules (cf. EMN/Federal Office for Migration and Refugees 2017: 45 et seq.).

3.1.6 Decision to carry out the asylum procedure and suspension of the Dublin procedure

Germany did not make any transfers to Greece within the framework of the Dublin procedure because of the on-going deficiencies in the system. In doing so, it also heeded the recommendation made by the EU Commission. The Federal Office for Migration and Refugees has not sent any asylum seekers back to Greece since 2011 (EMN/Federal Office for Migration and Refugees 2017: 44). The Dublin procedure with Greece is to be resumed before the end of 2017 "gradually and in close cooperation with the Greek authorities in order to prevent the Greek asylum system from being stretched to its limit" (Deutscher Bundestag 2017b: 20).

Furthermore, no families with children under the age of 16 were transferred to Italy from the end of 2014 until 1 June 2017, an arrangement that has been implemented once again since then. However, an exception was made for babies and very young children.

Since 11 April 2017 up to the point when this study was completed (October 2017), no transfers were made to Hungary under the Dublin Regulation (Deutscher Bundestag 2017b: 21). Although transfer requests are still being filed with Hungary, they "are only being implemented if the

Table 3: Number of persons admitted to Germany within the framework of the EU Admission Programmes (2015 to 2017)

Admission programme	2015	2016	January to Sept. 2017	Total
Relocation from Italy	11	444	3,186	3,641
Relocation from Greece	10	634	4,194	4,838
Resettlement from Turkey	-	1,060	-	1,060
Resettlement from Lebanon	-	155	22	177
Humanitarian admissions from Turkey	-	-	2,265	2,265
Total	21	2,138	9,645	11,804

Source: Federal Office for Migration and Refugees, as at: 20 September 2017

Hungarian authorities give written assurance (in individual cases) that asylum seekers transferred under the Dublin Regulation in accordance with Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 laying down standards for the reception of applicants for international protection will be provided with accommodation and that their asylum procedures will be implemented in accordance with this Directive" (Deutscher Bundestag 2017b: 21).

3.2 New cooperations at national and regional level

3.2.1 Federal Office for Migration and Refugees and the Federal Labour Office (from 2014 onwards)

The Federal Office for Migration and Refugees has intensified its cooperation with the Federal Labour Office in response to the sharp rise in the number of asylum seekers since 2014, stepping it up even further in 2015. In October 2015, they agreed to engage in "intensified cooperation" covering "all areas of administrative activity" and "inter alia, including the recruitment, secondment and upskilling of personnel, the provision of IT equipment and facilities and real estate" (BAMF/BA 2015: 1). The cooperation was formalised with the conclusion of an administrative agreement on 9 October 2015, with the provisions governing the settlement of accounts applying retroactively for services already rendered (Section 10 subs. 2 of the Administrative Agreement (Verwaltungsvereinbarung)). The services to be provided included, inter alia, human resources and advisory support, support for upskilling measures (also in respect of infrastructure and concept), IT equipment and facilities as well as material resources (Section 1 of the Administrative Agreement).

The intensified cooperation covered other areas as well. In September 2015, the former CEO of the Federal Labour Office, Frank-Jürgen Weise, was appointed interim head of the Federal Office for Migration and Refugees until the end of 2016, filling both positions, before being appointed Commissioner for Refugee Management in 2016 (see below). The cooperation eventually extended to various new refugee policy measures which were adopted against the backdrop of the rise in the number of applications filed. The provision of information about access to the labour market and the recording of asylum seekers' personal data by the Federal Labour Office, for instance, were oriented much more effectively to the overall asylum process and were linked directly to the filing of applications at the newly-established arrival centres. In addition, cooperation in the area of integration courses and courses in German for professional purposes was expanded to include the level of content, coordination and technology (cf. Chapter 4.3.8).

3.2.2 Federation-Länder Coordination Taskforce for Asylum (from late 08/2015 onwards) and the Refugee Taskforce at the Federal Chancellery (from 10/2015 onwards)

The Federation-Länder Coordination Taskforce for Asylum (Bund-Länder-Koordinierungsstab Asyl – BLKA) held a constituent meeting on 26 August 2015 chaired by State-Secretary Emily Haber (Federal Ministry of the Interior). The establishment of this taskforce had been agreed at a meeting held by the Federal Government and Länder on 19 August 2015 to discuss asylum and refugee policy. The Taskforce was composed of permanent representatives of the Länder, the Federal Ministry of the Interior and the Federal Chancellery as well as occasionally other federal ministries depending on what issues were being discussed (BMI 2015e; Götz/Meier 2016: 68).

The Taskforce had an operational focus first and foremost and was supposed to "above all provide a solid framework that would enable the Federal Government, the Länder and municipalities, in operational terms, to find joint solutions to pressing problems associated with the registration, distribution, accommodation and provision of services for asylum seekers, to manage the asylum procedure and subsequently to implement these solutions" (BMI 2015e).

On 7 October 2015, the Federal Government adopted a general concept for the management of the refugee situation that also envisaged the establishment of a "Refugee" taskforce for the overall coordination of refugees. It was intended to complement the Federation-Länder Coordination Taskforce for Asylum which focuses more on operational aspects. The taskforce was set up at the Federal Chancellery and was headed by the Minister of the Federal Chancellery, Peter Altmaier (CDU) (Bundesregierung.de 2015a).

3.2.3 Federal Government Coordination Office for the Distribution of Refugees (from 09/2015 onwards)

The heads of government of the Länder agreed to set up a Federal Government Coordination Office for the Distribution of Refugees (KoSt-FV Bund) at the Conference of Minister-Presidents on 16 September 2015. It assumed responsibility for the distribution and transport of newly arrived asylum seekers among the Länder based on the Königstein key, a task that had previously been performed by Bavaria. For the most part, this task had been performed via the "waiting centres" and "processing lines" set up in several locations, most of which were in Bavaria (cf. Chapter 7.1.1 for information about the role of waiting centres).

After the number of newly arrived asylum seekers began to rise sharply once again in early September 2015 compared

to the previous months, Bavaria came under excessive pressure, leading to the establishment of the new Coordination Office. Responsibility was initially transferred to the Federal Office of Civil Protection and Disaster Assistance (BBK) and to the German Federal Armed Forces but was subsequently transferred to the Federal Ministry of Transport and Digital Infrastructure (BMVI) on 1 November 2015. The Federal Office for Goods Transport (BAG) was entrusted with the organisation and operation of the Federal Government Coordination Office for the Distribution of Refugees.

"Up to 45 Federal Office employees volunteered to work additional shifts every day over a period of several weeks at the headquarters of the Coordination centre and other affiliated administrative areas of the Federal Government Coordination Office for the Distribution of Refugees subject to continuous coordination with all stakeholders of the Federal Government and the Länder in order to ensure transportation with special trains ran smoothly and that the deployment of coach fleets was in line with demand" (BAG 2016: 63).

One challenge the Coordination Office faced was to train the staff seconded to it from the various agencies within a short space of time and to come up with a strategic plan, which had not been developed up to that point, for managing this type of situation (Roth 2017: 11).

In the meantime, up to 200 coaches were deployed each day that had been procured after the Federal Ministry of Transport and Digital Infrastructure filed a formal request for assistance and the Federal Association of German Bus Companies (BDO) became involved (BDO 2015: 6). In addition, management was assisted by the geo team of the Federal Office of Civil Protection and Disaster Assistance which took over the graphic processing of data material, providing geographic information (DDGI 2016: 9). Satellite images of border crossings provided by the Centre for Satellite-Based Critical Information (ZKI) represent another integrated service. Basic data supplied by the Federal Agency for Cartography (BKG) provides the basis for mapping" (DDGI 2016: 9).

3.2.4 Cooperation among the Länder in organising initial accommodation (from 10/2015 onwards)

The entry into force of the Asylum Procedures Acceleration Act on 24 October 2015 placed cooperation between the Länder in organising accommodation for asylum seekers on a legal footing (Section 45 subs. 2 of the Asylum Act). Subsequently, the Land Hamburg cooperated with Schleswig-Holstein and Berlin with Brandenburg (Lechleitner 2017: 6 et seq.).

3.2.5 Project group "Digitisation of the asylum procedure" (from 10/2015)

The IT Planning Council²⁴ adopted the "Digitisation of the asylum procedure", among other things, on 1 October 2015 (IT-Planungsrat 2016: 22 et. seq.). The coordination project "Digitisation of the asylum procedure" was adopted on 30 November 2015. It led to the establishment of the "Project group for the digitisation of the asylum procedure" (PG DAS) under the overall management of the Federal Ministry of the Interior. The coordination project was subdivided into three partial projects, each of which has been placed under different management.²⁵ In addition to the Federal Ministry of the Interior, representatives of the Federal Office for Migration and Refugees, the Federal Criminal Police Office, the Federal Office of Administration, the Federal Printing Office, the Länder and national associations of local authorities were involved in a number of projects. The aim was initially to facilitate the registration of newly arrived asylum seekers, to avoid multiple registrations and to enhance the exchange of data between public authorities by introducing a core data system that is based on the Central Register of Foreigners (cf. Chapter 4.3.4 for further details). The core data system which is subject to ongoing further development and the exchange of personal data at all levels, integrating all public authorities, are unparalleled in the history of the Federal Republic.

3.2.6 Digitisation of process steps at the Federal Office for Migration and Refugees

The IT Department at the Federal Office for Migration and Refugees began its endeavours to enhance performance and to stabilise the central workflow and document management system "MARiS" as far back as 2014. This system is essential for processing files in asylum procedures and the Dublin procedure but it has been stretched to its limits as a result of the continuous rise in the number of asylum applications filed. A project group was ultimately set up in the spring of 2015 with a view to pressing ahead with the further digitisation of individual process steps particularly in cooperation with external service providers. It was aimed, for instance, at helping to further digitise and enhance the performance of "MARiS" (from April 2015 onwards).

²⁴ The IT Planning Council coordinates "cooperation between the Federal Government and the Länder on all issues relating to information technology and manages projects involving IT and communication-based governance and administration (e-Government)" (IT-Planungsrat 2016: 4).

²⁵ Partial project 1 "Standardisation and Interfaces" under the auspices of the Coordination Office for IT Standards (KoSIT); partial project 2 "Using systems of the Länder to record data" managed by the Free State of Bavaria; partial project 3 "Processes and Architecture" under the guidance of the Federal Office for Migration and Refugees.

A universal approach was subsequently developed from this and other project groups as well as from the Project group for the digitisation of the asylum procedure and the Digitisation Agenda 2020 developed by the Federal Office for Migration and Refugees. This Agenda has consisted of more than 30 individual projects since the summer of 2016. They are being implemented in three states, the implementation stage, the pilot stage or planning stage. The Federal Office has since cooperated closely with individual actors within the framework of the individual projects – from public authorities at all levels of the federal structure, the courts, integration course providers right up to a range of companies involved in software development and implementation (BAMF 2017k; cf. Chapter 4.2 and 7.2.1).

3.2.7 Commissioner for Refugee Management (2017)

The Federal Minister of the Interior, Thomas de Maizière, created the position of Commissioner for Refugee Management in order to continue and broaden cooperation between all of the actors involved in the area of refugee management. He appointed Frank-Jürgen Weise, the interim Head of the Federal Office for Migration and Refugees from September 2015 until the end of 2016, to this post for the year 2017. The Commissioner was entrusted with initiating solution approaches, integrating all levels and public authorities, implementing asylum procedures, promoting returns, enhancing the quality of data in the area of asylum and strengthening cooperation in respect of integration (BMI 2017c). The Commissioner for Refugee Management was supported by two deputy commissioners and by a small team.

The strategies were developed and implemented at the various federal levels in 2017 in a close dialogue with the relevant authorities (at federal level in particular the Federal Ministry of the Interior and the Federal Office for Migration and Refugees). Concrete, inter-agency projects were launched and coordinated and strategic initiatives were developed in the above-mentioned areas of activity. Although the work performed by the Commissioner for Refugee Management in no way replaced the core tasks of the Federal Office for Migration and Refugees or of any other public authorities, the Commissioner was able to offer support in accomplishing the goals, if and when needed. The services of management consultants also were enlisted to help implement the projects (Deutscher Bundestag 2016e: 84; BAMF 2016d).

Three of the measures relevant for the period covered by this study and/or measures coordinated by the Commissioner for Refugee Management involved firstly enhancing the quality of data in the Central Register of Foreigners with a view to optimising the basis for policy-related, legal and operational decisions, particularly in connection with return measures; secondly assisting foreigners authorities

facing huge pressure with staff recruitment in the federal ministries and last but by no means least participating in the pilot project "integrated return management".

3.2.8 Cooperation with national associations of the non-statutory welfare (from 09/2015 onwards)

Five national associations of the non-statutory welfare ("Spitzenverbände der Freien Wohlfahrtspflege") have cooperated with each other since September 2015 within the framework of the programme "Coordination, upskilling and promotion of voluntary support for refugees". This programme was launched by the Federal Government Commissioner for Migration, Refugees and Integration, Minister of State, Aydan Özoğuz, and is co-financed to the tune of €3.5 million:

- Federal Workers' Welfare Association (AWO Bundesverband),
- German Caritas Association (Deutscher Caritasverband),
- German Red Cross (Deutsches Rotes Kreuz),
- Diakonie Germany – Evangelischer Bundesverband (social welfare organisation of Germany's Protestant churches) and
- German Non-Denominational Welfare Association (Der Paritätische – Gesamtverband).

The impetus for joining forces within the programme and for funding by the Federal Commissioner came from the huge burden facing the many volunteers in September 2015 which continued to grow as a result of the sharp rise in the number of asylum seekers. The huge number of volunteers was joined by thousands of new volunteers nationwide each month. "A large number of volunteers have become involved for the first time in their lives but unfortunately they are not receiving any induction into the tasks that lie ahead" (Bundesregierung.de 2015b). The programme enabled the associations participating in the programme to appoint full-time voluntary coordinators at many locations in Germany and to organise upskilling measures for volunteers. Information material and documentation of the individual measures can be accessed on the central website <https://fluechtlingshelfer.info/>.

The programme enabled many regional projects to be launched on the coordination of volunteers at regional level and in the numerous regional and district organisations of charitable associations. Projects include "Strengthening refugee work performed by volunteers" in the Lower Saxony Regional Association of the German Red Cross and "Coordination of refugee work performed by volunteers" (written response by Lower Saxony Regional Association of the German Red Cross).

3.2.9 Cooperation at the level of volunteers (particularly from 2015 onwards)

As shown by recent academic studies on structures of and motivation behind volunteer work with refugees (Karakayali/Kleist 2016) as well as local projects and measures, many of which are supported by volunteers (Schiffauer/Eilert/Rudloff 2017), the sharp rise in the number of asylum seekers from 2015 onwards led to cooperation between actors and groups of persons at local level who "had previously been reluctant to volunteer their services" (Schiffauer/Eilert/Rudloff 2017: 19f. with reference to Karakayali/Kleist 2016: 3).

"Even established political divides were overcome. Suddenly coalitions that had previously been the exception became a matter of course: coalitions were formed between Christians, Jews and Muslims; between activists and companies; between members of left-wing and conservative parties. The sudden appreciation of Angela Merkel among left-wingers that would have been inconceivable before was in itself remarkable. The involvement of Islamic communities is also very important in this context" (Schiffauer/Eilert/Rudloff 2017: 19f.).

The voluntary involvement of many citizens played an important role regarding the local and temporary maintenance, compensation and bridging of support services in many regions in view of the sharp rise in the number of asylum seekers, the challenges that went hand in hand with it and the sometimes excessive burden on administrative structures (Hamann et al. 2016; Roth 2016: 109; Schamann/Kühn 2016: 23; Schiffauer/Eilert/Rudloff 2017; written responses, inter alia, by the Federal Workers' Welfare Association (AWO), Saarland and Rhineland-Palatinate Regional Branches of the German Red Cross, German Caritas Association).

3.3 Legislative changes to address and manage fluctuations in the number of asylum seekers made between 2014 and 2017

In the period under review, a number of legislative amendments entered into force at federal level that had a wide-ranging impact on the organisation and management of fluctuations in the number of asylum seekers as well as on the reception of asylum seekers, asylum procedures and returns. Important measures that go hand in hand with the laws and which were implemented in response to the changing influx will be outlined in Chapters 4 to 7. In addition to the legislative amendments indicated in Figure 3, a number of measures were established by way of decree or on instruction, such as the temporary reintroduction of border controls along Austria's internal borders (BMI 2015a).

Numerous actors criticised the large number of legislative measures themselves as well as the legislative procedures introduced at short notice which in turn gave the non-state actors (associations, for instance) very little time for comment. They said this practise called the involvement of associations and the participation of non-governmental organisations in the legislative procedure into question (Deutscher Bundestag 2017: 1 et. seq.).

Figure 3: Asylum-related legislative amendments that entered into force between 2014 and 2017**2014**

- Act on the Classification of Further Countries as Safe Countries of Origin and to Facilitate Labour Market Access for Asylum Seekers and Foreigners Whose Deportation Has Been Suspended (Gesetz zur Einstufung weiterer Staaten als sichere Herkunftsstaaten und zur Erleichterung des Arbeitsmarktzugangs für Asylbewerber und geduldete Ausländer - Kommunalinvestitionsförderungsgesetz (KinvFG)) (which entered into force on 6 November 2014; Federal Law Gazette 2014, I No. 49: 1649),
- Act on Measures in Construction Planning Law to Facilitate the Accommodation of Refugees (Gesetz über Maßnahmen im Bauplanungsrecht zur Erleichterung der Unterbringung von Flüchtlingen) (which entered into force on 26 November 2014; Federal Law Gazette 2014, I No. 53: 1748),
- Act Amending the Act on Benefits for Asylum Seekers and the Social Court Act (Gesetz zur Änderung des Asylbewerberleistungsgesetzes und des Sozialgerichtsgesetzes) (important parts of which entered into force on 1 March 2015; individual parts of which entered into force on 19 December 2014 and 1 January 2016; Federal Law Gazette 2014, I No. 59: 2187),
- Act to Improve the Legal Status of Asylum Seekers and Foreigners Whose Deportation Has Been Suspended (Gesetz zur Verbesserung der Rechtsstellung von Asylsuchenden und geduldeten Ausländern) (important parts of which entered into force on 1 January 2015; individual parts of which entered into force on 1 March 2015; Federal Law Gazette 2014, I No. 64: 2439).

2015

- Act on the Promotion of Investment in Financially Weak Municipalities and to Ease the Burden on Länder and Municipalities Receiving and Accommodating Asylum Seekers (Gesetz zur Förderung von Investitionen finanzschwacher Kommunen und zur Entlastung von Ländern und Kommunen bei der Aufnahme und Unterbringung von Asylbewerbern) (which entered into force on 30 June 2015; Federal Law Gazette 2015, I No. 24: 974),
- Act Redefining the Right to Remain and the Termination of Residence (Gesetz zur Neubestimmung des Bleiberechts und der Aufenthaltsbeendigung) (important parts of which entered into force on 1 August 2015; individual parts of which entered into force on 1 January 2016; Federal Law Gazette 2015, I No. 32: 1386),
- Asylum Procedures Acceleration Act (Asylverfahrensbeschleunigungsgesetz) (important parts of which entered into force on 24 October 2015; individual parts of which entered into force on 1 November 2015, 1 January 2016 and 1 November 2016; Federal Law Gazette 2015, I No. 40: 1722) and the Ordinance on the Asylum Procedures Acceleration Act (Verordnung zum Asylverfahrensbeschleunigungsgesetz) (which entered into force on 28 October 2015) as well as the Ordinance on German language support for professional purposes (Verordnung über die berufsbezogene Deutschsprachförderung (DeuFÖV)) of 4 May 2016 (which entered into force on 1 July 2016),
- Act on the Improvement of Care Arrangements for Foreign-Born Children and Adolescents (Gesetz zur Verbesserung der Unterbringung, Versorgung und Betreuung ausländischer Kinder und Jugendlicher) (important parts of which entered into force on 1 November 2015; individual parts of which entered into force on 1 July 2017; Federal Law Gazette 2015, I No. 42: 1802),
- Act Strengthening the Victims of Crime in Criminal Proceedings (Gesetz zur Stärkung der Opferrechte im Strafverfahren) (3rd Victims' Rights Reform Act) (Opferrechtsreformgesetz) (important parts of which entered into force on 31 December 2015; individual parts of which entered into force on 1 January 2017; Federal Law Gazette 2015, I No. 55: 2525).

Figure 3: Asylum-related legislative amendments that entered into force between 2014 and 2017**2016**

- Act to Improve the Registration and Sharing of Data for Purposes of Residence and Asylum Law (Gesetz zur Verbesserung der Registrierung und des Datenaustausches zu aufenthalts- und asylrechtlichen Zwecken) (Data Sharing Improvement Act) (Datenaustauschverbesserungsgesetz) (important parts of which entered into force on 5 February 2016; individual parts of which entered into force on 1 May 2016 and 1 November 2016; Federal Law Gazette 2016, I No. 5: 130) and the Ordinance on the Proof of Arrival for Asylum Seekers (Proof of Arrival Ordinance) (Ankunftsnachweisverordnung) (which entered into force on 6 December 2016),
- Act on the Introduction of Accelerated Asylum Procedures (Gesetz zur Einführung beschleunigter Asylverfahren) (Asylum Package II) (which entered into force on 17 March 2016; Federal Law Gazette 2016, I No. 12: 390),
- Act on the Facilitation of Expulsions of Criminal Foreigners and Extended Reasons for Refusing Refugee Recognition to Criminal Asylum Seekers (Gesetz zur erleichterten Ausweisung straffälliger Ausländer und zum erweiterten Ausschluss der Flüchtlingsanerkennung bei straffälligen Asylbewerbern) (which entered into force on 17 March 2016; Federal Law Gazette 2016, I No. 12: 394),
- Integration Act (Integrationsgesetz) and the accompanying Ordinance (major parts of which entered into force on 6 August 2016; individual parts of which entered into force on 1 January 2017; Federal Law Gazette 2016, I No. 39: 1939),
- 50th Act Amending the Criminal Code – Enhancing Protection of the Right to Sexual Self-Determination (Fünfzigstes Gesetz zur Änderung des Strafgesetzbuches – Verbesserung des Schutzes der sexuellen Selbstbestimmung) (which entered into force on 10 November 2016; Federal Law Gazette 2016, I No. 52: 2460),
- Act on Federal Contribution to the Costs of Integration and on Further Relief for the Länder and Municipalities (Gesetz zur Beteiligung des Bundes an den Kosten der Integration und zur weiteren Entlastung von Ländern und Kommunen) (which entered into force on 7 December 2016; Federal Law Gazette 2016, I No. 57: 2755).

2017

- Act on the Reform of Criminal Asset Recovery (Gesetz zur Reform der strafrechtlichen Vermögensabschöpfung) (which entered into force 1 July 2017; Federal Law Gazette 2017, I No. 22: 872),
- Act Prohibiting Child Marriages (Gesetz zur Bekämpfung von Kinderehen) (which entered into force on 22 July; Federal Law Gazette 2017, I No. 48: 2429),
- Act Amending the Federal Act on Compensation for Victims of Violent Crime and Other Provisions (Gesetz zur Änderung des Bundesversorgungsgesetzes und anderer Vorschriften) (parts of which entered into force on 25 July 2017; forthcoming entry into force of amendments relating to the Asylum Act and the Act on the Central Register of Foreigners (AZRG) by virtue of Articles 4, 5, 6 and 29 of the Amending Act; Federal Law Gazette 2017 Part I No. 49: 2541),
- Act to Improve the Enforcement of the Obligation to Leave the Country (Gesetz zur besseren Durchsetzung der Ausreisepflicht) (which entered into force on 29 July 2017; Federal Law Gazette 2017 Part I No. 52: 2780).

4 Phase of increase from 2014 on: challenges and measures

The many individual actors, and indeed the individual actors involved in the new collaborations initiated measures at all federal levels during the period under review in response to the sharp rise in the number of asylum seekers arriving in Germany. The challenges posed by the sharp rise in the number of asylum seekers and the relevant measures implemented will be outlined in this study for eight subject areas ranging from border control procedures right up to completion of the asylum procedure:

- A. Border control
- B. Reception centres / accommodation arrangements and other housing
- C. Wider reception services
- D. Registration process of the asylum seeker
- E. Asylum procedure
- F. Infrastructure, personnel and competencies
- G. Law enforcement (inter alia, police, security authorities, private security firms)
- H. Integration measures for asylum applicants

This involved a package of measures that was characterised by the simultaneous implementation of certain measures responding to different conditions. Chapter 4.1 outlines in tabular form 50 key challenges presented by the sharp rise in migration for the eight above-mentioned subject areas. Chapter 4.2 subsequently outlines 100 measures that were implemented in response to the individual challenges faced and 15 of these measures are described in more detail in Chapter 4.3. The measures that will be described in more detail have been highlighted in light blue for the purposes of easy recognition.

For each subject area covered in this study at least one relevant measure was chosen for more detailed description and the overall selection shall reflect the spectrum of regulatory, emergency, innovative, participatory, restrictive and preventive measures.

4.1 50 challenges and obstacles of the increased influx of asylum seekers

Table 4: 50 key challenges presented from asylum seekers' arrival at the border right through to completion of asylum procedures (2014 to 2017)

Area	Timeframe	Key challenges presented by the sharp rise in the number of asylum seekers between 2014 and 2017
A. Border control	A1. In particular 09/2015 to 11/2015	A1. Tens of thousands of irregular, partly uncontrolled entries of future asylum seekers across the German-Austrian border (Deutscher Bundestag 2016: 2); Suspension of the train service between Salzburg (Austria) and Munich (Germany).
	A2. In particular from 2016	A2. The EU Member States along the EU's external borders needed support with border controls which had a direct impact on migration to Germany owing to the freedom of movement within the Schengen area.
	A3. In particular between 09/2015 and 03/2016	A3. Border control authorities (the Federal Police in particular) were stretched to their limits.
B. Reception centres / accommodation arrangements and other housing	B1. Regionally from 2014; nationwide from 09/ 2015 until 2017	B1. Capacity constraints at initial reception facilities come under the remit of the Länder, initially in cities already experiencing a strong increase of asylum seekers, later nationwide; lengthy approval procedures for the development and construction of new accommodation facilities for refugees.
	B2. Until 10/2015	B2. Lack of cooperation between individual Länder regarding initial accommodation for asylum seekers; uncertain legal situation for any such cooperation, particularly between city states experiencing a huge shortage in housing and non-city states that had more housing options (Lechleitner 2017).
	B3. In particular 07/ to 09/2015	B3. The Länder close to the border (Bavaria in particular) were stretched to their limits regarding the coordination of nationwide distribution and transportation (BAG 2016; Roth 2017).

Area	Timeframe	Key challenges presented by the sharp rise in the number of asylum seekers between 2014 and 2017
	<p>B4. Particularly in the winter months of 2015/2016</p>	<p>B4. Asylum seekers faced health risks owing to waiting periods after they crossed the border when they were distributed among other Länder since they frequently arrived late in the evening or during the night and were sometimes unable to travel onwards immediately.</p>
	<p>B5. Until 10/2015</p>	<p>B5. Youth welfare offices close to the border were stretched to their limits owing to the sharp rise in the number of unaccompanied minor refugees and the regulation that the municipalities and youth welfare officers of the Länder in which they arrived were responsible for them.</p>
	<p>B6. Locally from 2014; nationwide from autumn 2015 until 2017</p>	<p>B6. Municipalities were stretched to the limits in terms of follow-up accommodation in collective accommodation facilities/decentral housing (particularly due to the general lack of housing in urban areas); cf. sweeping refusal vis-à-vis refugees and attacks against asylum seekers and their accommodation facilities. G5.</p>
	<p>B7. In particular from mid-2015 onwards</p>	<p>B7. Frustration was rife among volunteers because of their lack of experience, the high level of responsibility and density of tasks as well as lack of coordination and professional support (Götz/Meier 2016: 72).</p>
<p>C. Wider reception services</p>	<p>C1. Mid-2015 to spring 2016</p>	<p>C1. Local bottlenecks in the initial supply of food, clothing and hygiene articles.</p>
	<p>C2. In particular from mid-2015 until 2017</p>	<p>C2. Local bottlenecks in healthcare services and emergency medical care, particularly in (rural) regions and areas that were newly developed for refugee accommodation (DStGB 2015a: 3); some asylum seekers also faced obstacles locally when they applied to social welfare offices for medical treatment and were unsure how medical treatment would be financed (MS Niedersachsen 2016).</p>
	<p>C3. In particular from 07/ until 09/2015</p>	<p>C3. Lack of orientation and mistrust among asylum seekers after crossing the border about distribution among the Länder based on the Königstein key.</p>
	<p>C4. In particular from 2015 until mid-2016</p>	<p>C4. Limited insurance cover, limited qualifications and in some places a lack of support for volunteers involved in refugee aid (Roth 2016: 16).</p>
	<p>C5. Until 10/2015</p>	<p>C5. Very low overall protection rate of less than one percent for asylum seekers from certain countries of origin (particularly from the Western Balkan countries), meaning the asylum procedure channel for these groups of persons was called into question (Deutscher Bundestag 2015b: 1; BAMF 2015b); the challenge faced under this premise was to identify the high number of persons in need of international protection among the large number of persons who were not and to take preventative measures in order to discourage persons who are not in need of international protection from travelling to Germany, or to create alternative legal migration channels (cf. Chapter 4.3.9, Deutscher Bundestag 2015b: 1); the governing parties said cash payments at initial reception facilities and the early follow-up accommodation in municipalities which generally extended asylum seekers' stay were "disincentives" for persons not entitled to international protection who apply for asylum in Germany even though they are not entitled to international protection (Deutscher Bundestag 2015b: 1).</p>
	<p>C6. Up to 05/2016</p>	<p>C6. Lack of services for asylum seekers who do not belong to the group with good prospects or little prospect to remain.</p>
<p>D. Registration process of the asylum seeker</p>	<p>D1. In particular from 07/2015 until spring, 2016</p>	<p>D1. Lack of clarity about the actual number of newly arrived asylum seekers given that data entered into the EASY system does not include personal data (cf. Chapter 2.1.1). In addition, high staff requirements and intense need for coordination since asylum seekers were registered several times by the various public authorities using different systems that were not connected (inter alia, Federal Police, Federal Office for Migration and Refugees, foreigners authorities, reception facilities of the Länder, Land police forces, social welfare offices; Eichenhofer 2016: 433).</p>
	<p>D2. In particular from 09/2015 until around mid-2016</p>	<p>D2. The need to register newly arrived asylum seekers promptly close to the border after they have entered Germany for the first time meant the Federal Police and municipalities were stretched to their limits.</p>
	<p>D3. In particular from 07/2015 until around the spring of 2016</p>	<p>D3. The data sharing system between the Federal Office for Migration and Refugees and the Federal Criminal Police Office carrying out security checks and checking the identities of asylum seekers was stretched to its limits temporarily, causing delays in the individual asylum process steps (written response by the Federal Criminal Police Office).</p>

Area	Timeframe	Key challenges presented by the sharp rise in the number of asylum seekers between 2014 and 2017
	D4. In particular from 07/2015 until around the spring of 2016	D4. Time-consuming tracing and address inquiry system at the Federal Office for Migration and Refugees, inter alia, owing to the delay in registering asylum applications and in the subsequent distribution among initial reception facilities in municipalities, with new addresses not always been transmitted to the Federal Office for Migration and Refugees.
	D5. No specific time, but in particular from 07/2015 until early 2017	D5. Very large volumes of documents needed to undergo physical and technical examinations at the Federal Office for Migration and Refugees, within the asylum procedure in cases where forged documents were suspected (ca. 500,000 documents were examined in 2016; Deutscher Bundestag 2017c).
	D6. Until spring 2016	D6. Time-consuming process of recording and matching fingerprints within the framework of fingerprinting and photographing of asylum seekers whose data was not yet being recorded digitally as a matter of routine (by all the actors relevant for procedures) (Lejeune 2017).
	D7. No specific time (measure is in the pilot phase)	D7. Multiple registration of persons who spell their names in different ways, particularly if they were not using the Roman alphabet, leading to complications in establishing identities and multiple registrations.
E. Asylum procedure	E1. From 07/2015 to 11/2016	E1. The Federal Office for Migration and Refugees was meanwhile no longer able to guarantee the timely registration of asylum applications; waiting periods of several months ensued in some places (so-called EASY-GAP); the EASY gap peaked at 300,000 asylum seekers in early 2016 (Meyer 2016: 54).
	E2. Highest number in late 09/2016	E2. Up to 579,000 procedures were pending, creating, inter alia, uncertainty among asylum seekers about their status, stretching the Federal Office for Migration and Refugees to its limits, causing planning uncertainty among municipalities (BAMF 2017: 4).
	E3. In particular from mid-2015 until spring 2016	E3. Delays in sending files within the Federal Office for Migration and Refugees and to external players (in particular foreigners authorities, administrative courts and asylum seekers' legal advisors), meaning that for a while, deadlines were not communicated on time, creating time-consuming follow-up work and delaying proceedings.
	E4. No specific time	E4. Owing to the very low protection rate for asylum seekers from the Western Balkan countries, the asylum procedure has been called into question for them as a migration channel (cf. C5).
	E5. From 2014, in particular 2015 until mid- 2016	E5. The IT infrastructure of the Federal Office for Migration and Refugees (hardware) and the central asylum IT system "MARiS" were stretched to their limits (they were initially geared to handle a mere 40,000 to 50,000 asylum applications per year).
	E6. No specific time, continuously virulent from 02/2015	E6. Whereas personal interviews which are at the very heart of the asylum procedure take a few hours on average to complete, the individual administrative steps associated with interviews added several weeks to asylum procedures.
	E7. From spring 2016 onwards	E7. The growing demand for interpreters at asylum seekers' interviews could no longer be covered by the existing pool of interpreters. In addition to generally uncommon languages, the demand for interpreters particularly in rural areas often exceeded the capacities available, requiring some interpreters to travel long distances, tying up both time and material resources.
F. Infrastructure, personnel and competencies	F1. In particular 07/ to 09/2015	F1. The federal state of Bavaria which experienced the highest influx of asylum seekers owing to its proximity to the Austrian border, was overwhelmed by having to organise the onward distribution of asylum seekers among the other Länder based on the Königstein key (BAG 2016: 63).
	F2. From 2014 onwards, but particularly from mid-2015 until the end of 2016	F2. The number of branch offices of the Federal Office for Migration and Refugees which register and process asylum applications was completely insufficient. It also needed to be ensured that buildings were suitable (in terms of process flow, fire safety, occupational health and safety, to name but a few) before new branch offices could be established in the Länder. Comprehensive repair measures had to be carried out in some locations, for instance, in buildings formerly owned by the U.S. Army. From the autumn of 2015 onwards, this also needed to be done at an ever-increasing pace. Some of the Federal Office for Migration and Refugees' plans to rent properties for short periods only proved to be an obstacle to rentals. The Federal Office was also dependent on external service providers such as building authorities, telecommunications companies and the Institute for Federal Real Estate (BlmA) to carry out repairs and fit out the buildings.

Area	Timeframe	Key challenges presented by the sharp rise in the number of asylum seekers between 2014 and 2017
	<p>F3. In particular 2015 until the end of 2016</p> <p>F4. No specific time</p> <p>F5. No specific time; in particular from mid-2015 onwards</p> <p>F6. No specific time</p> <p>F7. In particular from 09/2015</p> <p>F8. From 2014 onwards</p>	<p>F3. The Federal Office for Migration and Refugees alone needed thousands more employees to process asylum applications and to perform its other tasks; the recruitment of qualified (administrative) staff at short notice proved to be difficult.</p> <p>F4. Foreigners authorities were stretched to their limits to varying degrees in the various regions (Bundesregierung.de 2017a: 4).</p> <p>F5. There were staff shortages at other institutions in the Länder (in particular schools, administrative courts, youth welfare offices, integration and language course providers, asylum and social advisory agencies).</p> <p>F6. The police forces of the Länder were stretched to their limits, at least temporarily.</p> <p>F7. The Federal Police was stretched to its limits, at least temporarily.</p> <p>F8. Charitable organisations and NGOs took over a wide range of additional tasks; but there was also a sharp rise in the uptake of the advisory and support services they provide for refugees, leading to staff shortages.</p>
G. Law enforcement (inter alia, police, security authorities, private security firms)	<p>G1. In particular from 07/ 2015 until 02/2016</p> <p>G2. In particular during the winter of 2015/2016</p> <p>G3. In particular from 11/2015 until 2017</p> <p>G4. No specific time, but particularly in the wake of the attacks in Würzburg (18/7/2016), Ansbach (24/7/2016) and Berlin (19/12/2016)</p> <p>G5. No specific time, but particularly from mid- 2015 until late 2016</p> <p>G6. No specific time</p> <p>G7. No specific time</p> <p>G8. No specific time</p> <p>G9. cf. D3</p>	<p>G1. The Federal Police and the police force of Bavaria were stretched to their limits carrying out controls along the internal borders (Di Fabio 2016: 20).</p> <p>G2. Increased security risk posed by uncontrolled entry and persons who could potentially pose a threat to security.</p> <p>G3. Not all newly arrived persons had their fingerprints or photographs taken, or had their passports undergo physical and technical examinations right away; this also applied to asylum seekers going through the "simplified asylum procedure" over the medium term (cf. E2.3).</p> <p>G4. Increase in the number of attacks carried out by asylum seekers in Germany, some with Islamist motivation (inter alia, attack in Würzburg in which five persons were wounded, Auer/Przybilla/Krüger 2016; a suicide bombing in Ansbach injuring 15 persons, Wolff 2016; lorry attack at a Christmas market in Berlin, killing twelve persons, Schneider 2017). In the wake of the attacks, there was an increase in tip-offs and the need for advice regarding potential radicalisation of refugees which placed a huge burden on regional advisory services.</p> <p>G5. Several private security firms began providing security services at initial reception and communal reception facilities nationwide. The need to hire thousands of new employees at short notice meant that some employees lacked adequate training even though they were required to perform sensitive tasks (they were stretched to their limits owing to staff shortages and the need to perform a wide range of tasks. Rumours of abuse began to circulate, staff were not sufficiently aware of diversity and were not trained in how to prevent discrimination; in individual cases, security guards were identified as right-wing extremists).</p> <p>G6. Each year, hundreds of attacks are carried out against asylum seekers, refugee accommodation facilities and supporters, some of which are motivated by prejudice, sweeping refusal, racism and right-wing terrorism (Deutscher Bundestag 2017e); prevention programmes and advisory services against right-wing extremism are stretched to their limits.</p> <p>G7. Frustration and isolated acts of violence as well as inter-ethnic and inter-religious tension among asylum seekers in (emergency) initial reception and communal accommodation facilities (e.g. gymnasiums, tents, aircraft hangars, containers, unused warehouses), fuelled, inter alia, by overcrowding, lack of privacy, lengthy processes, concern about relatives left behind in crisis-ridden regions, posttraumatic stress disorder (LPR-Niedersachsen 2015: 1f.; Ombudsstelle für Flüchtlingsaufnahme Baden-Württemberg 2016: 13 et. seq.).</p> <p>G8. Attacks against LGBTTIQ* refugees^{a)} and (sexual) assaults against female refugees at initial reception and communal accommodation facilities (Hokema 2017: 47 et seqq.; MASGF Brandenburg 2016).</p> <p>G9. cf. D3 on cooperation between the Federal Office for Migration and Refugees and the Federal Criminal Police Office.</p>

a) LGBTTIQ* stands for lesbian, gay, bisexual, transsexual, transgender, intersex and queer.

Area	Timeframe	Key challenges presented by the sharp rise in the number of asylum seekers between 2014 and 2017
H. Integration measures for asylum applicants	H1. For asylum seekers with good prospects to remain until 24/10/2015	H1. Delayed access to integration courses owing to the backlog in filing and processing of applications and the regulation that asylum seekers are generally not eligible to attend integration courses.
	H2. No specific time; in particular until mid-2016	H2. The demand for places on integration courses exceeded capacities; Emerging demand for new courses (e.g. for asylum seekers learning to read and write the Roman alphabet).
	H3. Until early 2016	H3. Scheduling and temporary coordination difficulties of integration courses as well as overlapping or lack of integration of local courses and demand.
	H4. No specific time	H4. Delayed access to the labour market owing to the backlog in the filing and processing of applications; obstacles in accessing the labour market for asylum seekers whose applications are still pending.
	H5. No specific time	H5. Hundreds of thousands of volunteers got involved in order to support refugees (organising language courses, leisure activities, accompanying refugees to appointments with public authorities). However, there was a lack of coordination in multiple structures in some places and/or there was an excessive burden on volunteers.
	H6. Up to 10/2016	H6. Lack of clarity on access to universities for asylum seekers.
	H7. No specific time	H7. High demand for social and psychotherapeutic support services (inter alia, owing to post-traumatic stress disorder).
	H8. No specific time	H8. Charitable associations and other organisations involved in refugee aid were stretched to their limits in respect of the advisory services they provide on asylum procedures and social services for asylum seekers (written responses by AWO, Caritas and the German Red Cross).
I. Other	I1. No specific time	I1. Reduce the number of newly arriving asylum seekers to Germany.

4.2 100 responses and measures by state and non-state entities

The challenges described in the foregoing resulted in a range of measures being implemented by state and non-state actors at all levels (at the level of the Federal Government, the

Länder and municipalities) that will be illustrated initially in tabular form (Table 5). Fifteen out of the 100 responses and measures outlined will then be described in detail in Chapter 4.3. The measures that are to be described in more detail have been highlighted in light blue for the purposes of easy recognition.

Table 5: 100 Responses and measures implemented as a result of the sharp rise in the number of asylum seekers since 2014

Area	Timeframe	Responses and measures implemented (brief outline)
A. Border control	A1.1 From 09/2015	A1.1 Reintroduction of border controls along the German-Austrian border (BMI 2015d) and additional staffing of the border management.
	A1.2 From 11/2015	A1.2 A contingent of 50 asylum seekers per hour was distributed among five border crossing points between Germany and Austria to facilitate controlled transfers (WAZ, de 2015; Lettenbauer 2015).
	A1.3 Since 11/2015; until 06/2016 (border controls Salzburg)	A1.3 Installation of checkpoints on three national highways, early border controls at the train station of Salzburg (Austria) as well as reopening of the long-distance transport of the Deutsche Bahn between Salzburg and Munich, which was stopped on 22/9/2015; Return to an ordered procedure.
	A2.1 No specific time, but more from 2016	A2.1 Increased support for EU external border controls by police officers of the Federation and the Länder as well as by staff of the federal customs administration officers in EU Member States under particular pressure (EMN/Federal Office for Migration and Refugees 2015: 37; 2016: 35; 2017: 34).
	A3.1 From 09/2015	A3.1 The Federal Government announced plans to hire 3,000 new cadets for the Federal Police by 2018 (GdP 2015; BMI 2016; BPOL 2016:3)
	A3.2 From 12/2016	A3.2 The Riot Police of Bavaria assisted the Federal Police in carrying out internal borders controls (BMI 2016c).

Area	Timeframe	Responses and measures implemented (brief outline)
	A3.3 From 09/2015	A3.3 The Federal Police were assisted at individual border crossing points (mainly in Bavaria) with the controlled admission of newly arriving asylum seekers, the establishment of emergency accommodations in the immediate vicinity of the border and the provision of "medical care and support services" by individual charitable associations (e. g. at the border crossing point in Simbach/Inn and Erding by the Bavarian Red Cross, written response by Rottal-Inn District Association of the Bavarian Red Cross).
B. Reception centres / accommodation arrangements and other housing	B1.1 From 26/11/2014	B1.1 Reform of construction planning laws to facilitate the accommodation of refugees (it is now easier to arrange accommodation in industrial estates and in undeveloped areas).
	B1.2 From 24/10/2015	B1.2 Additional amendments to construction planning laws and to the Renewable Energy Sources Act to facilitate the accommodation of refugees (Act to Expedite Asylum Procedures).
	B2.1 From 24/10/2015	B2.1 Cooperation is facilitated between the individual Länder for the accommodation of asylum seekers; two or more Länder may agree that persons who are requesting asylum who are to be admitted by a specific Land in line with its admission quota, are admitted by another Land (Section 45 subs. 2 of the Asylum Act); Hamburg subsequently concluded relevant admission agreements with Schleswig-Holstein and Berlin did so with Brandenburg (Asylum Procedures Acceleration Act; Lechleitner 2017).
	B3.1 From 09/2015	B3.1 The newly-established Federal Government Coordination Office for the distribution of refugees (KoSt-FV Bund) took over responsibility for the distribution and transportation of asylum seekers who had just arrived at the German-Austrian border among the Länder, a task that had previously been performed by the federal state of Bavaria.
	B4.1 Feldkirchen: 10/2015 until 12/2016; Erding: since 10/2015 (later relocation procedure)	B4.1 Two "waiting centres" (also referred to as "waiting rooms") were set up in Erding and Feldkirchen (Bavaria) for the initial registration and accommodation of asylum seekers, offering protection from cold winter temperatures for up to 72 hours and enhancing the organisation of the distribution of newly arrived asylum seekers among the Länder (inter alia, with the overall responsibility of the Federal Office for Migration and Refugees and under participation of the German Federal Armed Forces, the German Red Cross, the German Federal Agency for Technical Relief (THW) and the Association of Refugee Aid Volunteers Erding) (BMI 2015b; Flüchtlingshilfe Erding not dated). Meanwhile, up to 1,700 registrations could be processed in 24 hours. From October 2015 until February 2016 more than 110,000 people arrived at the waiting centre in Erding alone (Interview Groenhagen; cf. in detail Chapter 7.1.1).
	B5.1 From 1/11/2015	B5.1 Reorganisation of the distribution of unaccompanied minor refugees; with immediate effect, they are allowed to be distributed among the Länder nationwide based on the quota regulation (Act on the Improvement of the Accommodation, Care and Assistance for Foreign-Born Children and Young People).
	B5.2 From 2014, but in particular from July 2015	B5.2 Establishment of accommodation facilities for unaccompanied minor refugees in municipalities, leveraging youth welfare structures and associations (written responses by Caritas, AWO, the German Red Cross);
	B6.1 From 24 October 2015	B6.1 Extension of the maximum length of time asylum seekers may be accommodated at initial reception facilities (cf. D4.1).
	B6.2 From 2013 regionally; from 07/2015 nationwide	B6.2 Hundreds of emergency accommodation facilities were developed and set up by the Länder (including empty barracks, warehouses, aircraft hangars, former department stores); hundreds of thousands of follow-up accommodation facilities were developed in the municipalities (temporary emergency accommodation was frequently arranged, for instance, in gymnasiums) often by charitable associations and private providers at the behest of municipalities.
	B7.1 To an increased extent from 07/2015 and 2016	B7.1 Full-time voluntary coordinators were appointed and training was provided at local and regional level, particularly by charitable associations (written responses by AWO, Caritas, the German Red Cross; ZWST 2017: 31; cf. also BIM/Bertelsmann Stiftung 2016); nationwide networks were set up for the coordination of volunteers and upskilling such as the overall project "Coordination, upskilling and promotion of voluntary support for refugees" for which the Federal Commissioner for Migration and Integration appropriated €3.5 million (http://www.fluechtlingshelfer.info/ ; cf. Chapter 3.2.9

Area	Timeframe	Responses and measures implemented (brief outline)
C. Wider reception services	C1.1 2014 to 2016; to a special extent from 09/2015 until mid-2016	C1.1 Volunteers from diverse sections of civil society assisted with initial reception facilities and emergency accommodation close to the border, at public traffic junctions and in municipalities in response to the sharp rise in and sometimes spontaneous arrival of asylum seekers (inter alia from local associations of the national associations of non-statutory welfare); refugee associations; neighbourhood initiatives; Christian, Muslim and Jewish communities; migrant organisations) providing initial care, clothing and toiletries, until relevant control structures and agreements were concluded with caterers, for instance; in many cases local and supraregional companies made material donations and/or provided means of transport and storage facilities (written responses by Caritas, German Red Cross, AWO; Di Fabio 2017: 29; Gerlach 2017).
	C2.1 Particularly in the autumn of 2015 and the spring of 2016	C2.1 Healthcare provided on a voluntary basis by physicians in the vicinity of emergency accommodation facilities, reception centres and communal accommodation facilities (Götz/Meier 2016: 72).
	C2.2 From 24/10/2015, limited until 24/10/2017	C2.2 For a limited period of two years, asylum seekers who can prove they have undergone medical training were permitted to provide temporary medical care to other asylum seekers at initial reception facilities and communal accommodation facilities if it was not possible otherwise to safeguard medical care (Section 90 of the Asylum Act; Asylum Procedures Acceleration Act).
	C2.3 24/10/2015; individual Länder from the autumn of 2015 until 2016	C2.3 Facilitation of the introduction of electronic health cards for asylum seekers following an amendment to Section 264 subs. 1 of the Social Code Book V by virtue of the Asylum Procedures Acceleration Act and the federal framework recommendations of 27 May 2016; in addition to Bremen (since 2005) and Hamburg (since 2012), the Länder, inter alia, Berlin, Brandenburg, Lower Saxony, North Rhine-Westphalia, Rhineland-Palatinate, Schleswig-Holstein and Thuringia introduced the electronic health card (GKV not dated; MS Niedersachsen 2016).
	C3.1 From 10/2015	C3.1 In order to inform newly arrived asylum seekers about the individual steps involved in initial distribution among the Länder, filing an asylum application, asylum procedures and other areas of life and also to eliminate mistrust, the Federal Office for Migration and Refugees developed a number of information products (inter alia, a multilingual information flyer on the asylum procedure in October 2015; an Arrival app in January 2016 (cf. C3.2); a website embracing diversity to provide information ^{b)} encompassing a film, an accompanying brochure and fact sheets on the individual steps involved in the asylum process).
	C3.2 From 01/2016	C3.2 The Federal Office for Migration and Refugees developed the free "Arrival app" in collaboration with the Federal Labour Office, the broadcasting corporation "Bayerischer Rundfunk" and the Goethe-Institut ^{c)} . It is intended to assist refugees in the first few weeks of their stay in Germany, providing information about the asylum procedure, access to the labour market, life in Germany as well as an online language course. The app is available in Arabic, English, Farsi, French and German. It has already been downloaded 230,000 times and has won several awards (Goethe Institut 2017).
	C3.3 In particular from autumn 2015	C3.3 Signposting based on pictograms is being used increasingly as the universal means of communication at emergency accommodation facilities, initial reception and communal accommodation facilities as well as at central registration and traffic junction points (written response by the German Red Cross).
	C4.1 No specific time	C4.1 Volunteers involved in refugee aid have been and continue to be automatically covered by statutory insurance free of charge if their involvement is regular and has been organised by a municipality or charitable association, according to information provided by the competent insurance providers (DGUV 2015; Verbraucherzentrale 2015).
C5.1 First Expansion of safe countries of origin: 6/11/2014 2nd expansion: 24/10/2015	C5.1 Shortening of the procedure for nationals of the Western Balkan countries after Bosnia and Herzegovina, Serbia and Macedonia (FYROM) were designated safe countries of origin (Act on the Classification of Further Countries as Safe Countries of Origin and to Facilitate Labour Market Access for Asylum Seekers and Foreigners whose Deportation has been Suspended); classification of Albania, Kosovo and Montenegro as safe countries of origin (Asylum Procedures Acceleration Act). Recategorisation of asylum seekers into those with "good prospects to remain" (in particular over 50 percent average overall protection rate of the country of origin; cf. Section H) and those who have "little prospect to remain" (in particular safe countries of origin); ramifications: easing of participation requirements for the former and restrictive measures for the latter.	

b) Website providing information: www.bamf.de/inforefugees (30 October 2017).

c) Website for information about the Arrival app: <http://ankommenapp.de> (30 October 2017).

Area	Timeframe	Responses and measures implemented (brief outline)
	C5.2 From 24/10/2015	C5.2 Priority was given to benefits in kind over cash benefits while asylum seekers were staying at initial reception facilities; the length of stay there was extended (cf. C5.3; Section 3 subs. 1 of the Act on Benefits for Asylum Seekers, Asylum Procedures Acceleration Act).
	C5.3 From 24/10/2015	C5.3 Extension of the length of time asylum seekers may be obliged to stay at initial reception facilities from three to six months for all asylum seekers and extension until the end of their asylum procedure for asylum seekers from safe countries of origin respectively those with little prospect to remain (Section 47 subs. 1 of the Asylum Act; Asylum Procedures Acceleration Act).
	C5.4 From 24/10/2015	C5.4 Reintroduction of geographical restriction of asylum seekers' stay (residence requirement) to the district of the competent foreigners authority for the duration of the compulsory stay at initial accommodation facilities, for persons from safe countries of origin meaning at least until completion of their asylum procedure (Section 59a subs. 1 sentence 2 of the Asylum Act; Asylum Procedures Acceleration Act; cf. C5.3).
	C5.5 From 17/3/2016	C5.5 Two "special reception centres" are set up in Bamberg and Manching (Bavaria) to accommodate asylum seekers from safe countries of origin and to facilitate subsequent returns (Asylum Procedures Acceleration Act).
	C6.1 From 06/2016 (pilot project); from 07/2017 (nationwide)	C6.1 Pilot project "Initial orientation courses for asylum seekers with unclear prospects to remain" (Erstorientierungskurse für Asylbewerber mit unklarer Bleibeperspektive) (EOK) under the management of the Federal Office for Migration and Refugees; the project is being implemented by the German Employee Academy (Deutsche Angestellten-Akademie – DAA), Johanniter International Assistance and the Order of Malta. The target group will learn basic German and how to get by in everyday life, followed by nationwide roll-out.
D. Registration process of the asylum seeker	D1.1 From 01/2016; Data Sharing Improvement Act entered into force on 5 February 2016;	D1.1 "Integrated identity management": when the Data Sharing Improvement Act entered into force, an integrated core data system containing personal data was created based on the Central Register of Foreigners), which can be accessed by all public authorities at federal, regional and local level who are involved in asylum procedures based on their role. They can also add to data records. Technically feasible for all asylum seekers to be registered and have their identity authenticated and their request for asylum recorded in the core data system upon their first contact with one of the competent public authorities.
	D2.1 From 09/2015; Greven until 15/9/2016, Niederaußem/Bergheim until 22/2/2016	D2.1 In cooperation between the Federal Office for Migration and Refugees and the Federal Police, five processing lines were set up in Freilassing, Passau and Rosenheim (all of which are in Bavaria) as well as Greven and Niederaußem/Bergheim (both of which are in North Rhine-Westphalia) to facilitate swifter registration (incl. photographing, fingerprinting, initial medical examinations and security checks) (BAMF 2017f).
	D2.2 cf. E.1.2 and Chapter 4.3.5	D2.2 "Integrated refugee management" and establishment of arrival centres (cf. E.1.2 and Chapter 4.3.5).
	D2.3 cf. B4.1	D2.3 Establishment of two waiting centres (cf. B4.1).
	D3.1 Ad-hoc: in particular in the second half of 2015; in parallel participation in creating the core data system; entry into force of the law on 5/2/2016	D3.1 Optimisation of the data exchange procedure both between the Federal Office for Migration and Refugees and the Federal Criminal Police Office also in respect of internal processes at the Federal Criminal Police Office; technical and organisational interim solutions were introduced at short notice as ad-hoc measures (some of which were personnel-intensive) in order to speed up the criminal checks of the many asylum seekers by way of administrative assistance for the Federal Office for Migration and Refugees; in parallel, steps were initiated to implement the common core data system and the associated interfaces using all applications (written response by the Federal Criminal Police Office).
	D4.1 From 09/2015 post-registration completed by 09/2016	D4.1 Deployment of ca. 170 "mobile teams" (comprising around 350 employees) for the post-registration of newly arrived asylum seekers who had been unable to file an asylum application up to that point and were not registered, yet. Under the auspices of the Federal Office for Migration and Refugees, mobile teams consisting of two employees travelled into communities using leased vehicles (belonging to the German Federal Armed Forces) equipped with laptops and fingerprint scanners to post-register asylum seekers. The Federal Office for Migration and Refugees was assisted primarily by staff of the German Federal Armed Forces and the customs authorities (BAMF 2016b).

Area	Timeframe	Responses and measures implemented (brief outline)
	D4.2 From 24/10/2015	D4.2 When the Asylum Procedures Acceleration Act entered into force, the maximum length of time asylum seekers could be obliged to stay in initial reception facilities (which comes under the remit of the Länder) was extended from three to six months for all asylum seekers; this intentionally delayed the onward distribution among the municipalities in order to safeguard contact between the Federal Office for Migration and Refugees and asylum seekers; asylum seekers from safe countries of origin are obliged to remain at the initial reception facility until their asylum procedure has been completed (Section 47 of the Asylum Act).
	D5.1 In particular over the course of 2017	D5.1 New methods of establishing a person's identity more easily (inter alia, automatic facial and dialect biometrics, evaluation of mobile data carriers; cf. Tangermann 2017).
	D6.1 Nationwide commissioning from mid-2016 onwards	D6.1 Around 1,200 so-called PIK stations (personalisation infra-structure components) were commissioned for the biometric registration of asylum seekers and for simplified matching of data. The Federal Government provided all initial reception facilities in the Länder with PIK stations to record asylum seekers' data (Data Exchange Improvement Act).
	D7.1 From autumn 2017	D7.1 Introduction of "name transliteration and analysis": asylum seekers can enter their names on a keyboard accommodating the characters of their language; the transliteration assistant converts the entry automatically and in standardised form into Roman letters. This eases the burden on staff of the Federal Office for Migration and Refugees in terms of personal interviews and decision-making; it also enhances the quality of data and the ability of all public authorities to authenticate asylum seekers' identity (BAMF 2017k: 21).
E. Asylum procedure	E1.1 2014 to 2016	E1.1 New branch offices of the Federal Office for Migration and Refugees were set up, thousands of new employees were recruited, extra work, upskilling measures were shortened for new employees in the asylum procedure.
	E1.2 AZ: Arrival centres: since 03/2016; cluster system was adopted until spring 2017	E1.2 Establishment of "integrated refugee management": closer integration of 1. the arrival and registration process, 2. asylum procedures and 3. integration and returns; to this end arrival centres were set up in all of the Federal Länder and a cluster system was introduced for the processing of asylum applications.
	E2.1 Kosovo from 18/2/2015; additional countries (inter alia Albania) from July 2015 until 12/2015 after which a general cluster system was introduced (cf. E1.2);	E2.1 Prior to the introduction of integrated refugee management (cf. E1.2) and prior to categorisation as safe countries of origin: in order to speed up asylum procedures, the processing of applications for asylum filed by persons from the Western Balkan countries was centralised at certain branch offices of the Federal Office for Migration and Refugees and was prioritised, meaning they were processed within 14 days (EMN/Federal Office for Migration and Refugees 2016: 49); swift asylum procedures and hence short stays were intended to act as a deterrent for other asylum seekers who were planning on coming to Germany (Bröker 2015: 2).
	E2.2 From 18/11/ 2014 until 12/2015 (Eritrea from 07/2015)	E2.2 "Simplified asylum procedure": temporary suspension of personal interviews initially for asylum seekers from Syria, Yezidi and Christian minorities from Iraq as well as Eritrean asylum seekers; decisions on asylum applications were taken based on a questionnaire (Deutscher Bundestag 2015c: 27). However, the written procedure gave rise to new challenges in terms of retroactive fingerprinting, photographing and examining passports (cf. G.3 and G.3.1).
	E2.3 Nuremberg: from 07/2015; Berlin, Bonn and Mannheim from 10/2015	E2.3 Establishment of four "decision-making centres" at the Federal Office for Migration and Refugees with up to 50 decision-makers respectively: decision-making centre East (Berlin), decision-making centre West (Bonn), decision-making centre South-West (Mannheim) and the decision-making centre South (Nuremberg); no interviews were held at the decision-making centres, cases ready for decision-making were referred by the branch offices and arrival centres; the aim being to ease the burden on the branch offices of the Federal Office for Migration and Refugees and to eliminate the backlog; in 2016, a decision was taken at the decision-making centres on 66.2% of all asylum applications (460,449 out of a total of 695,733 decisions; Deutscher Bundestag 2017d: 11). In technical terms, the decision-making centres facilitated the digital transmission of procedures ready for decision-making so that copies of the decision notices were created decentrally at organisational units that had free capacity. This was considered to be an important part of equalising the burden nationwide.

Area	Timeframe	Responses and measures implemented (brief outline)
	E2.4 From spring 2016 (guidelines figures); From mid- 2016 (performance dialogues)	E2.4 Communication of reference values at the Federal Office for Migration and Refugees on the average number of asylum applications processed each day and week (targets); three interviews or 3.5 decisions daily were provided as reference values (Deutscher Bundestag 2017c: 5); in "complex cases", it is possible that fewer interviews are held each day. The length of time it takes to process applications also varies by country or origin: interviews with asylum seekers from the Western Balkan countries "are shorter than the interviews of Iraqi or Somali asylum seekers" (Deutscher Bundestag 2017c: 5). So-called performance dialogues were also introduced when the reference values were communicated. The latest challenges and developments were discussed at the branch offices and arrival centres at regular intervals, deriving measures in order to help reach the reference values. The measure was also used to enhance the flow of information between the Federal Office's Headquarters and its branch offices.
	E2.5 From 24/10/2015	E2.5 Extension of the maximum length of time asylum seekers may be obliged to stay at initial reception facilities. This was also intended to facilitate the filing of applications and organisation of interviews, thereby speeding up the entire process (Section 47 subs. 1 of the Asylum Act; Asylum Procedures Acceleration Act). Ct. C5.3.
	E3.1 From 02/2016	E3.1 In order to ease the burden on branch offices, a scan centre was set up in Düsseldorf as an immediate measure where incoming documents are digitised and are transmitted to "MARiS" for processing. With the implementation of "central mailboxes", all incoming documents from the areas of asylum and appeals have been scanned centrally including an electronic signature and have been transmitted to (MARiS) (BAMF 2017i).
	E3.2 From mid-2016	E3.2 Creation of electronic transmission mailboxes for the courts and public administrations which provide legally secure and encrypted data communication with the administrative courts, (partly) replacing the sending of files through the post (BAMF 2017k: 13).
	E4.1 From 6/11/2014	E4.1 Categorization of the six Western Balkan countries as safe countries of origin; later on, division into groups of asylum seekers with good prospects to remain and little prospect to remain; amongst others restrictions for asylum seekers with little prospect to remain (cf. C5.).
	E5.1 From spring 2015	E5.1 Cooperation between the Federal Office for Migration and Refugees and the Federal Labour Office in respect of the IT infrastructure and external IT service providers (cf. Chapter 3.2.1).
	E6.1 From 2015	E6.1 Additional digitisation projects were implemented in the asylum procedure for process optimisation purposes (cf. Chapter 7.2.1 on the Digitisation Agenda 2020 developed by the Federal Office for Migration and Refugees).
	E7.1 From 02/2016	E7.1 Introduction of video interpreting and video interpreting hubs at the Federal Office's Headquarters in Nuremberg and individual other Federal Office buildings.
	E7.2 No specific time	E7.2 Enlargement of the pool of interpreters.
F. Infrastructure, personnel and competencies	F1.1 From 16/9/2015	F1.1 The Federal Government took over the task of coordinating the transportation of newly arrived asylum seekers to other Länder from the Land Bavaria (cf. Chapter 3.2.4).
	F2.1 From 2014; to a growing extent from autumn 2015	F2.1 In early 2014, the Federal Office for Migration and Refugees had 25 decentral branch offices with approx. 2,500 IT workstations at its headquarters in Nuremberg. There was at least one branch office in each Land. New branch offices were gradually opened in the Federal Länder and the structure of branch offices was adapted, for instance, by establishing new types of branch offices (arrival centres, Dublin centres, decision-making centres, delivery centres and waiting centres as well as processing lines). By the end of 2015, the Federal Office for Migration and Refugees had 50 properties; by the end of 2016 it had more than 140 properties at around 80 locations. Between 2014 and 2016, more than 10,000 IT workstations were set up and the relevant equipment and facilities were procured (e.g. office furniture).
	F3.1 From 2014; to an increased extent from autumn 2015	F3.1 The Federal Office hired thousands of new staff in the period under review; the workforce had increased from around 2,100 employees (in terms of fulltime equivalent – FTE) to 7,400 FTE by early 2014 as at 15 November 2017. Furthermore, several thousand employees of other ministries, public authorities and civil servants of formerly state-owned companies were temporarily seconded or transferred to the Federal Office, cf. F3.2.
	F3.2 In particular from 2015	F3.2 In order to solve the acute staff shortage at the Federal Office, more than 3,100 employees of the German Federal Armed Forces, Federal Labour Office and other federal ministries, federal authorities and formerly state-owned companies Deutsche Telekom, Deutsche Bahn, Deutsche Post and Vivento have meanwhile been seconded or transferred temporarily to the Federal Office in a supportive capacity.

Area	Timeframe	Responses and measures implemented (brief outline)
	F3.3 From 08/2015	F3.3 Establishment of an upskilling centre at the Federal Office for Migration and Refugees in Nuremberg for the (follow-up) training and upskilling of employees. To begin with, there were only five PC training rooms offering 75 places available in Nuremberg. In the meantime, training facilities have been set up at ten locations, comprising 32 training rooms offering 675 places.
	F4.1 9/2/2017 Federal Government employees commence training-accompanying measures in late 07/2017	F4.1 At a meeting held between the Federal Chancellor and the Heads of State and Government of the Länder, a decision was taken to second employees of the Federal Government (working in the area of returns) to the foreigners authorities of the Länder in a supportive capacity (item 6 of the decision; Bundesregierung.de 2017a: 4 et. seq.); the Federal Government Commissioner for Migration, Refugees and Integration is responsible for coordination and the selection procedure; it was determined that just under 400 positions needed to be filled; 100 employees had been hired by the end of August 2017.
	F5.1 In particular from 2015	F5.1 A wave of recruitment began at regional and local level in schools, at administrative courts, youth welfare offices, at integration and language course providers, asylum and social advisory agencies throughout Germany; in North Rhine-Westphalia alone, 6,970 new "positions relevant for refugees" were created in 2016/2017 alone (Land NRW 2017), that can be broken down into the following areas, amongst others: teachers: 5,766 teaching positions relevant for refugees (2015: 3,653; 2016: 2, 133). Justice: 119 positions relevant for refugees, of which 72 positions were for judges (2015: 98; 2016: 21). City district governments: 726 positions relevant for refugees (2015: 520; 2016: 206).
	F6.1 In particular from 2015	F6.1 The Länder increased the staff of their police forces. Bavaria, for instance, announced its plan to recruit 2,000 new police cadets by 2020 (Bayerische Staatsregierung 2016: 5); in North Rhine-Westphalia, 500 additional positions were created in the police force (2015: 250; 2016: 250; Land NRW 2017).
	F7.1 09/2015	F7.1 The Federal Government announced plans to recruit 3,000 additional police cadets by 2018 (GdP 2015; BMI 2016d; BPOL 2016: 3).
	F8.1 In particular from 2015	F8.1 Charitable associations hired thousands of new staff nationwide, in the areas of social work, housing support, youth welfare service, psychosocial counselling services (written responses by AWO, Caritas, the German Red Cross).
	F8.2 In particular from July 2015 until spring 2016	F8.2 The full-time employees and volunteers of the charitable associations managed to fulfil the tasks in spite of the initial strong increase of newly arriving asylum seekers between July and August 2015 in many cases, even without the employers of the volunteers having to release staff from their normal duties. However, with the sharp rise in newly arriving asylum seekers between September 2015 and January 2016, it proved necessary for employers to release staff from their normal duties and to issue public calls for the recruitment of volunteers (written response by the German Red Cross).
G. Law enforcement (inter alia, police, security authorities, private security firms)	G1.1 cf. F6.1 and F7.1	G1.1 New cadets were hired at the Federal Police and Land police forces (cf. F6.1 and F7.1).
	G1.2 No specific time	G1.2 Certain tasks were outsourced to private security firms (e.g. building and access protection at refugee accommodation facilities; Schnee/Unterberg 2016); in 2015 alone, 33,000 new positions were created at private security firms, a large number of which accounted for tasks pertaining to refugees (BDSW 2016b); cf. G2.1.
	G2.1 No specific time	G2.1 Observation of extremist (in particular Islamist) motivation among individual refugees who were, if applicable, reported to the security authorities; additional staffing of the investigation service (Police, Federal Police and authorities responsible for protection of the constitution) (Selbach 2016: 87).
	G3.1 from May/2017	G3.1 Fingerprinting, photographing and the physical-technical examination of passport documents was implemented retroactively in cooperation between the Federal Office for Migration and Refugees and the foreigners authorities for persons whose applications were decided upon in writing (cf. E2.2).
	G4.1 Since 1/7/2017	G4.1 The 'Counselling Centre Radicalisation' (Federal Office for Migration and Refugees) promotes pilot projects on intervention/deradicalisation in the area of refugees on a nationwide basis. The projects are implemented by local providers who report the facts of the respective cases back to the counselling centre of the Federal Office on a regular basis by issuing case reports. Wherever possible, the providers cooperate with the respective control structures at local level. In cases relevant for security, the counselling centre or its cooperation partners get in touch with the competent security authorities. Funding is appropriated by the Federal Ministry of the Interior.

Area	Timeframe	Responses and measures implemented (brief outline)
	G5.1 From 2015	G5.1 In the wake of scandals involving abuse, theft and violence towards refugees by individual private security firms: the Länder or local providers of accommodation terminated contracts of individual security firms; individual Länder issued decrees on quality assurance in security services, (follow-up) training was provided to raise awareness of refugee experience among security staff and to teach them interreligious and intercultural skills and how to prevent discrimination; the Federal Association of the Security Industry published a position paper on the protection of refugees (BDSW 2016a).
	G6.1 No specific time	G6.1 Public meetings were held in the neighbourhood of newly established refugee accommodation facilities or of sites where the latter are to be established in order to dispel fears, prejudice and provide information where it was needed (Götz/Meier 2016: 71; Selbach 2016: 85); many civil society demonstrations against right-wing violence.
	G6.2 from 21/12/2016	G6.2 The Interior Ministry of the Land Brandenburg issued a decree stating that those asylum seekers who are obliged to leave the federal territory and who have been victims of right-wing violence are to be given a temporary right to remain which is intended to fulfil two functions: 1. to act as "restitution" for the victims of right-wing violence and to provide them with security and, 2. at the same time to demonstrate to the "suspected perpetrators of acts of violence that their victims receive justice by having their residence status consolidated, and that they have achieved the exact opposite of what they had set out to do" (Decree no. 08/2016 in legislation on foreigners).
	G6.3 No specific time; "Live democracy!" from 01/2015 to 12/2019	G6.3 Strengthening prevention programmes against right-wing violence in some locations and creating more jobs at victim advice centres against right-wing extremism in individual Länder, inter alia, with funds appropriated by the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth and the "Live democracy!" programme, for which funding of €104.5 million had been earmarked for 2017 (http://www.demokratie-leben.de/).
	G7.1 No specific time locally, Land Prevention Council (Landespräventionsrat (LPR)) from the end of 2015	G7.1 Concepts for the prevention of violence, preventative training and mediation for security personnel and employees at reception facilities provided by regional and/or local providers or charitable associations (LPR Niedersachsen 2015: 1; Diakonie 2016; DIMR 2016a: 18; DIMR 2016b; MASGF Brandenburg 2016).
	G7.2 Since 02/2016	G7.2 The Federal Ministry for Family Affairs, Senior Citizens, Women and Youth and UNICEF (in cooperation with charitable associations and LGBTTIQ*-associations) published for the first time minimum standards for the protection of children, adolescents and women in refugee accommodation that apply nationwide (BMFSFJ/ UNICEF 2017).
	G8.1 e.g. in Berlin from 02/2016 an initial reception facility for LGBTTIQ*- and follow-up accommodation	G8.1 Establishment of special initial reception facilities and communal accommodation facilities in some locations for LGBTTIQ* refugees (e. g. Berlin; Hokema 2017: 47ff.) and separate sections, floors or areas at reception facilities for women with and without children (Mayntz 2017; interview Groenhagen 2017).
	G9.1 cf. D38	G9.1 cf. D3 on cooperation between the Federal Office for Migration and Refugees and the Federal Criminal Police Office.
H. Integration measures for asylum applicants	H1.1 From 24/10/2015	H1.1 Integration courses are launched for asylum seekers with good prospects to remain prior to completion of their asylum procedure and, inter alia, for persons whose deportation has been suspended in accordance with Section 60a subs. 2 sentence 3 of the Residence Act (Act to Expedite Asylum Procedures; Griesbeck 2016: 79; BAMF 2015a: 1 et. seq.).
	H1.2 From 24/10/2015 until the end of 2017	H1.2 Launch of the ESF-BAMF programme for German language courses for professional purposes from proficiency level A1 also for asylum seekers who fulfil the requirements for access to the labour market (Asylum Procedures Acceleration Act).
	H1.3 From 29/3/2017	H1.3 Launch of community-oriented integration projects for young and adult asylum seekers with good prospects to remain prior to completion of their asylum procedure (entry into force of the promotion guideline revised jointly by the Federal Ministry of the Interior and the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth on 29 March 2017).

Area	Timeframe	Responses and measures implemented (brief outline)
	H1.4 From 20/7/2015 (for asylum seekers from unsafe countries of origin); from 6/11/2015 (for all asylum seekers)	H1.4 Opening up of the programme "Integration through Sport" (IdS) initially just for asylum seekers from countries which are not considered as safe countries of origin, subsequently for all asylum seekers (LandesSportBund Sachsen Anhalt 2016). The programme itself was launched in 1989 already for citizens with a migration background. The "Integration through Sport" programme is coordinated by the German Olympic Sports Federation (Deutscher Olympischer Sportbund (DOSB)) and is funded by the Federal Ministry of the Interior in cooperation with the Federal Office for Migration and Refugees (https://integration.dosb.de/). The DOSB operates with the Regional Sport Federations and Youth Sport Federations (Landessportbünden und -sportjugenden) (LSB), which manage the programme on behalf of the respective Land. The aim is to motivate asylum seekers and refugees "to participate in sport [...] and to volunteer in clubs" (DOSB 2017).
	H2.1 10/ until the end of 12/2015	H2.1 As a one-off "emergency measure", the Federal Labour Office is providing German courses for beginners to asylum seekers with good prospects to remain (at the time, asylum seekers from Syria, Iraq, Eritrea and Iran). The aim was to teach them basic German. The course providers said 222,282 asylum seekers had signed up for these courses. The one-off measure was financed from contributions to the unemployment insurance fund; the total costs were estimated to be between €320 million and €400 million (BA 2016). The Federal Court of Audit criticised the effectiveness of the courses in a final briefing paper on the evaluation of the German courses for beginners pursuant to Section 421 of the Social Code Book II, as "no effective measure had been implemented to assess their effectiveness in a structured manner". Furthermore, a majority of the resources invested fizzled out due to a diminishing size in participants as well as the break-up of courses due to the a lack of participants (BRH 2017: 6).
	H2.2 No specific time	H2.2 Admission of additional integration course providers – 400 new integration course providers were admitted between early 2015 and late 2016 alone, 20,000 additional teachers were admitted to the system, facilitating 10,112 more integration courses compared to 2014 (commenced courses in 2014: 9,925; 2015: 11,739 and 2016: 20,047; ct. statistics for nationwide integration course figures of the Federal Office for Migration and Refugees 2014-2016).
	H2.3 From 02/2017	H2.3 Introduction of courses to teach asylum seekers how to read and write using the Roman alphabet, for instance, asylum seekers who had only learned how to read and write in Arabic (BAMF 2017n).
	H2.4 08/2016 until 2020	H2.4 Around 450 positions were created for education coordinators and 100% funding was provided for equipment and facilities via the programme launched by the Federal Ministry of Education, Science, Research and Technology "Local coordination of education services for new migrants" in around 80% of all districts and towns not belonging to a county. They integrate and coordinate the educational offers of the various actors on behalf of the municipalities, for instance, "foundations, initiatives organised by volunteers, clubs, associations as well as social partners, education providers, churches and religious communities, chambers of industry and commerce and company initiatives" (Federal Ministry of Education, Science, Research and Technology 2016a), focusing in particular on refugee children and adolescents. The municipalities participating focus on enhancing the participation in education of asylum seekers and beneficiaries of international protection (BMBF 2016b).
	H3.1 From 2016	H3.1 Creation of digital data exchange within the Integration transaction data system (InGe-Online) between the Federal Office for Migration and Refugees and the providers of basic income support (InGe-Online-TGS), the providers of benefits under the Act on Benefits for Asylum Seekers (InGe-Online-TLA); that was previously in place with foreigners authorities, integration course providers and the Federal Office of Administration (Bundesversicherungsanstalt BVA); 300 job centres of the Federal Labour Office and around 550 providers had been integrated into InGe-Online TLA by May 2017 (BAMF 2017k: 14 et. seq.).
	H4.1 Ab 24.10.2015	H4.1 Earlier access to the labour market for asylum seekers; skilled workers who have been issued with a residence permit are now allowed to work as temporary agency workers after three months; unskilled workers are allowed to take up employment after 15 months (Section 32 subs. 5 of the Ordinance on the employment of foreigners; Asylum Procedures Acceleration Act). Access to certain internships has also been facilitated for asylum seekers with the above-mentioned status (EMN/Federal Office for Migration and Refugees 2016: 30); simultaneous restriction: asylum seekers from safe countries of origin who filed an application for asylum after 31 August 2015 are prohibited from taking up employment (Section 61 subs. 2 of the Asylum Act).
	H4.2 From spring 2016	H4.2 Asylum seekers' master data and qualifications are recorded by employees of the Federal Labour Office after they have filed an asylum application and have registered using the new, direct electronic connection between the Federal Labour Office and the arrival centres (cf. Chapter 4.3.5).

Area	Timeframe	Responses and measures implemented (brief outline)
	<p>H4.3 From 1/7/2016</p> <p>H4.4 From 6/8/2016 until 31/12/2020</p>	<p>H4.3 Expedited expansion of courses in German for professional purposes under the auspices of the Federal Office for Migration and Refugees and granting of access to asylum seekers with good prospects to remain: the ordinance entered into force on 1/7/2016 rather than at the beginning of 2018 as originally planned and will run in parallel with the ESF-BAMF German language courses for professional purposes (Section 45a of the Residence Act; cf. H1.2).</p> <p>H4.4 The creation of 100,000 work opportunities each year offering an expenses allowance of 80 eurocents per hour within the framework of "refugee integration measures" under the auspices of the Federal Ministry of Labour and Social Affairs, with the Federal Employment Office responsible for (Integration Act).</p>
	<p>H4.5 From 24/10/2015, limited until 31/12/2018</p>	<p>H4.5 10,000 additional positions were created in the new Federal Volunteer Service pertaining to Refugees, under the auspices of the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth together with the Federal Office of Family Affairs and Civil Society Functions (BAFzA) (Asylum Procedures Acceleration Act); the aim is to assist with the integration of beneficiaries of international protection and asylum seekers who have reached the age of full legal accountability through involvement by deploying volunteers from this group itself as well as German volunteers willing to support asylum seekers, enabling them to work full-time between six and twelve months. Asylum seekers from safe countries of origin are not eligible to access the programme (Bundes-Freiwilligendienst.de 2017). Half the positions in the Federal Volunteer Service pertaining to Refugees are allocated via the Federal Office of Family Affairs and Civil Society Functions, the other half is distributed among the Länder based on the Königstein key. The Federal Office of Family Affairs and Civil Society Functions will receive €50 million up to the end of 2018 from the federal budget from 2016 onwards.</p>
	<p>H5.1 cf. C9.1</p>	<p>H5.1 Creation of full-time positions for the coordinators of volunteers both in local administrations and in charitable associations; funding is provided, inter alia, by the Federal Government Commissioner for Migration and Integration (cf. Chapter 3.2.9).</p>
	<p>H6.1 No specific time</p>	<p>H6.1 Individual Länder provided universities with additional funds specifically for the integration of refugees at third level institutions that were used, inter alia, to provide specific advisory services, language courses etc. (e.g. North Rhine-Westphalia: €30 million per annum since winter semester 2016/2017, Land NRW 2017).</p>
	<p>H6.2 Since 2016</p>	<p>H6.2 Package of measures by the German Academic Exchange Service (Deutscher Akademischer Austauschdienstes (DAAD)) funded by the Federal Ministry of Education, Science, Research and Technology to facilitate access to third level education for asylum seekers and beneficiaries of international protection. The measures comprise three parts: "targeted initial advice, the use of diagnostic test procedures and checking education certificates" to determine skills and qualifications; specialised advanced training was provided in preparatory courses and similar institutions to prepare asylum seekers for their course at a third level institution; strengthen participation at universities with the funding programme: "Welcome – Students for Refugees" (DAAD 2016; DAAD/DZHW 2017).</p>
	<p>H6.3 12/2016</p>	<p>H6.3 The Federal Office for Migration and Refugees published a brochure for universities, third-level institutions and student associations (Studentenwerke) in cooperation with the Standing Conference of the Ministers of Education and Cultural Affairs of the Länder in the Federal Republic of Germany (Kulturministerkonferenz), the German Academic Exchange Service, the umbrella association of state-run, non-profit organisations for student affairs "Deutsches Studentenwerk" and the German Rectors' Conference (Hochschulrektorenkonferenz) "Access to third level education and courses for refugees" (BAMF 2016c). It covers asylum and residence-related regulations, admission procedures, issues pertaining to grants and other useful support services.</p>
	<p>H6.4 Since 2015</p>	<p>H6.4 Civil society actors also initiated measures relating to access to third-level education for asylum seekers, such as the non-profit Kiron Open Higher Education gGmbH (more commonly known as "Kiron University"). The concept provides an online platform offering a curriculum in certain subjects that can be credited at one of the 45 partner universities if asylum seekers change university at a later stage. The offer is also aimed explicitly at asylum seekers who have not yet filed an application for asylum (https://kiron.ngo).</p>
	<p>H7.1 No specific time</p>	<p>H7.1 Expansion of regular psychotherapeutic treatment services, particularly those provided by charitable associations at their facilities and counselling centres (written responses by AWO, Caritas, German Red Cross); a large number of therapists volunteered their services (e.g. "Psychotherapy for refugees in Berlin") and therapy places financed by crowdfunding (e.g. "Prothege" in Berlin).</p>

Area	Timeframe	Responses and measures implemented (brief outline)
	H7.2 From 01/2016	H7.2 Promotion of the mentorship programme "People strengthening people" under the auspices of the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth. "The programme is based on the idea that mentorships make an important contribution to the successful integration of refugees" (BMFSFJ 2017a: II). The programme is implemented by charitable associations, organisations from the philanthropic sector, migrant organisations, Muslim communities, the Federal Association of Volunteer Agencies (Bundesarbeitsgemeinschaft der Freiwilligenagenturen) (BMFSFJ 2017b). In 2016, 25,000 mentorships were funded for refugees (BMAS 2017: 44).
	H8.1 From 2015	H8.1 Promotion of the pilot counselling project "jmd2start – support for young refugees" at 24 pilot locations under the auspices of the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth. Over 3,600 young refugees were offered support within the first 16 months (JMD 2017).
	H8.2 From 1/1/2017	H8.2 The Federal Ministry for Family Affairs, Senior Citizens, Women and Youth will be opening all 465 JMD advisory centres in Germany for young refugees between the age of 12 and 27 owing to the high demand for the relevant services before the jmd2start pilot phase runs out (JMD 2017).
	H8.3 From 20/7/2016	H8.3 Opening of the Migration Advice Service for Adult Immigrants (MBE) more than 27 years old also for asylum seekers (with a permission to remain pending the asylum decision) who are residing on the territory legally and who are likely to remain permanently or persons whose removal has been suspended pursuant to Section 60a subs. 2 sentence 3 of the Residence Act (ct. No 2.3.5 of the funding guidelines for Migration Advice Service for Adult Immigrants).
I. Other	I1.1 17/3/2016 until 16/3/2018	I1.1 Restriction of family reunification for persons entitled to subsidiary protection in order to limit, at least temporarily, the number of additional family members coming to Germany and to avoid placing an additional burden on the Länder and municipalities receiving them (Act on the Introduction of Accelerated Asylum Procedures – Asylum Package II; Grote 2017: 24)
	I1.2 From 1/8/2015	I1.2 Additional instructions were issued by the Federal Office for Migration and Refugees to impose temporary bans on re-entry for asylum seekers whose asylum applications have been rejected as "manifestly unfounded" because they entered Germany from safe countries of origin (Section 11 subs. 7 of the Residence Act; Act Redefining the Right to Remain and the Termination of Residence).
	I1.3 From 1/1/2016 until the end of 2020	I1.3 Facilitation of legal labour migration for nationals of the Western Balkan countries: nationals of Albania, Bosnia and Herzegovina, Kosovo, Macedonia, Montenegro and Serbia can now obtain a residence permit more easily in order to take up employment (Section 26 sect. 2 of the Ordinance on the Admission of Newly-Arrived Foreigners for the Purpose of Taking up Employment). With the permission of the Federal Employment Agency, which also carries out priority reviews (Vorrangprüfungen), persons from the above-mentioned countries may accept any offer of employment, regardless of whether they have completed vocational training or can prove they speak German (Deutscher Bundestag 2017f: 2, 13; Asylum Procedures Acceleration Act).

4.3 15 responses and measures of state and non-state entities in detail

For each subject area covered in this study at least one relevant measure was chosen for more detailed description and the overall selection shall reflect the spectrum of regulatory, emergency, innovative, participatory, restrictive and preventive measures.

4.3.1 Border control (A)

Border control cooperation with EU Member States and third countries (A2.1)²⁶

The Federal Police stepped up its participation in operations of the European Border and Coast Guard Agency (Frontex) in the period under review from 2014 to 2016. Whereas the Federal Police participated in operations equivalent to

²⁶ The information provided in this Chapter is based on information provided by the Federal Police for the annual EMN/Federal Office for Migration and Refugees Policy Reports for the years 2014, 2015 and 2016.

5,000 man-days between 2014 and 2015 respectively, this figure had risen to 40,000 man-days by 2016. In 2014, the main focus of participation was on Operation Poseidon Land in the area of the Bulgarian-Turkish land border and focal point operations at EU land and external air borders (EMN/Federal Office for Migration and Refugees 2015: 37), in 2015 on operations in the Western Balkan countries along the Hungarian-Serbian land border and also on focal point operations. In 2015, the Federal Police also assisted the Serbian, Albanian and Slovenian border police on the basis of bilateral agreements in order to help manage the sharp rise in asylum seekers on the Balkan route. In 2015, 40 Federal Police officers were also deployed in Frontex operations on the Greek Islands within the framework of so-called hotspot measures (EMN/Federal Office for Migration and Refugees 2016: 35). The strong expansion of participation in Frontex operations in 2016 which accounted for around 40,000 man-days and a total of 924 police officers, then concentrated on hotspot measures in Greece and Italy. Two control- and patrol vessels of the Federal Police have been deployed there since March 2016 and one shipborne operational helicopter was deployed for a period of two months. Owing to the heavy operational burden, the Federal Police were supported by officers of the police forces of the Länder and the Federal Customs Administration. Another 63 Federal Police officers are assisting the border police authorities in Greece, Italy, Slovenia at bilateral level (EMN/Federal Office for Migration and Refugees 2017: 34).

Against the backdrop of the sharp rise in the number of asylum seekers in 2015, Germany assisted the proposal by the European Commission to reform the legal basis of Frontex in December 2015, leading to the adoption of Regulation (EU) 2016/1624 of the European Parliament and of the Council of 14 September 2016 on the European Border on 14 September 2016 that greatly expanded the tasks to be performed. This includes, inter alia, an intervention mechanism in a crisis situation whereby up to 1,500 emergency personnel are made available for Frontex by the member states. The German contingent is 225 persons. This also provides a wider basis for the future development of Frontex. Frontex staff alone is to be increased by approx. 460 employees from 2016 until 2020, with the number of staff increasing to over 1,000 by then (EMN/Federal Office for Migration and Refugees 2017: 34).

In February 2016, Germany and Turkey also signed a joint declaration in the three areas of migration, border police cooperation, the fight against criminal human trafficking as well as against terrorism. They are intended to serve as the basis for "intensified cooperation between the Federal Ministry of the Interior and the Turkish Ministry of the Interior" and "are to initiate a more intensive exchange between the public authorities involved, for instance, in the area of exchange of experts on issues relating to border manage-

ment, irregular migration and combating terrorist groups (BMI 2016a).

In addition, in response to the increase in the number of irregular entries into Switzerland, Germany and Switzerland agreed in October 2016 to adopt "an Action Plan aimed at improving cooperation in the common border area". Amongst others, this involved the extension of "joint patrols in the border region, joint searches and operations as well as communication structures at a number of different levels" (BMI 2016d).

4.3.2 Reception centres/accommodation arrangements and other housing (B)

Reforms of construction planning laws to facilitate the establishment of new accommodation facilities for refugees (B1.1/B1.2)

A decision was taken as far back as 2014 at the initiative of the German Bundesrat to reform construction planning laws in order to assist congested urban areas in particular with the provision of accommodation for asylum seekers that, owing to planning regulations, were experiencing difficulty developing areas for new accommodation and refunctioing building interiors in a timely fashion (Deutscher Bundestag 2014c). The Act on Refugee Accommodation Measures entered into force on 26 November 2014. It enabled initial reception facilities which come under the remit of the Länder and communal accommodation facilities which fall within the area of competence of municipalities temporarily to build accommodation in industrial estates and on used sites to prevent accommodation from being provided in tents. In addition, the reforms included exemptions from certain requirements pertaining to the adaptation of commercial buildings, office buildings and administrative buildings (such as schools, hospitals and retail outlets; BMUB 2016)

Some of the legal reforms were criticised, inter alia, by the Federal Association of Non-statutory Welfare (Bundesarbeitsgemeinschaft der Freien Wohlfahrtspflege (BAGFW)), which all national associations of non-statutory welfare are members of. One issue that reaped much criticism was the limited opportunities refugees living in communal accommodation facilities in particular and in industrial estates in general have to participate in society. They said preference should be given to accommodating refugees decentrally in their own housing units (Deutscher Bundestag 2014a: 1), adding that the lenient building regulations and the growing tendency to accommodate refugees in industrial estates have led to "disintegration and marginalisation" (Deutscher Bundestag 2014a: 2). By contrast, the Federal Union of Local Government Central Associations (Bundesvereinigung der kommunalen Spitzenverbände) was in favour of the lenient building regulations, claiming the amendments were

necessary to ease the burden on municipalities (Deutscher Bundestag 2014b: 2 et. seq.).

With the Asylum Procedures Acceleration Act, important parts of which entered into force on 24 October 2015, additional amendments were made to construction planning laws, comprising, inter alia, an easing of the requirements for the establishment of accommodation in mobile containers (Section 246 subs. 12 sentence 1 No. 1 of the Building Code) as well as an easing of requirements relating to and exemptions from provisions set forth in the Renewable Energy Sources Act (Erneuerbare-Energien-Wärme-gesetz (BMUB 2016).

Establishment and development of emergency accommodation (B6.2)

Some regions and cities experienced a shortage of accommodation as far back as 2014 so that steps were taken to change the use of buildings. It was a key task of society and public authorities nationwide, particularly from the second half of 2015 onwards, to provide emergency accommodation for hundreds of thousands of asylum seekers. The change of use was based on amended and simplified regulations (see above, amendments to construction planning laws). In many cases, counties and districts arranged accommodation on behalf of the Länder by way of administrative assistance (e.g. in Lower Saxony from 16 October 2015; written response by Lower Saxony Regional Association of the German Red Cross; DRK-Landesverband Niedersachsen).

In some locations, emergency accommodation had to be provided in containers and tents, in unused army barracks, warehouses, aircraft hangars, administrative buildings, community centres, hotels, department stores, schools and gymnasiums. Local communities and the Länder sometimes asked charitable organisations and private providers to run accommodation facilities. In the meantime, the AWO alone is managing 100 housing centres and seven initial reception centres nationwide (written response by AWO). New accommodation facilities were developed in the autumn and winter of 2015/2016, many of them within the space of a few days. Repairs were carried out in cooperation between the charitable organisations, the Federal Agency for Technical Relief (THW) and the German Federal Armed Forces as well as numerous other local volunteers and service (caterers, industrial cleaners, security firms). Many of the actors involved in repairing buildings intended to accommodate asylum seekers and organise accommodation and support in their local communities described the tasks involved, for instance, Lower Saxony Association of the German Red Cross, as follows:

"The barracks at Lingsingen in Hameln were fitted out within a matter of three days to accommodate 600 per-

sons initially. As such, the district branch of the German Red Cross in Weserbergland provided support as well as all the operational units of all the surrounding district branches. Furthermore, it made contact with regional service providers, for instance, caterers and industrial cleaners, who were in a position to assist with meals and support services. The services of a security firm were enlisted in close coordination with the Interior Ministry. The medical corps and rescue service deployed personnel, equipment and facilities. Contact was also made with local physicians. A unit of the German Red Cross was also established for the registration of newly arrived refugees as formal registration by the reception authorities of the Federal state of Lower Saxony (LAB NI) will take time. Volunteers frequently assisted the search teams of the German Red Cross who have also been trained in how to register injured persons or evacuees in the event of a disaster and can simultaneously accept search queries. [...] Areas are being prepared for the provision of toiletries and clothing. At the same time, groups of supporters are set up immediately in the vicinity of emergency accommodation. Interpreters volunteering their services immediately have proven to be most helpful. Large amounts of clothing, toys and other articles have been donated by local communities which are sorted, stored and dispensed with the help of many volunteers. [...] The German Red Cross also receives support from the Federal Agency for Technical Relief, the German Federal Armed Forces, the police and local authorities" (Selbach 2016: 85).

A wide range of initiatives aimed at arranging decentral accommodation in apartments and shared housing were also launched nationwide to organise follow-up accommodation in local communities. Online platforms were, for instance, created to help find private housing for asylum seekers (e.g. <http://www.fluechtlinge-willkommen.de> and www.kontaktstelle-wohnen.de). In addition, individual local authorities, charitable associations and other providers set up permanent (housing) advisory centres for refugees looking to rent accommodation (inter alia EJJ undated; AWO Bremen).

4.3.3 Wider reception services (C)

A distinction is made between asylum applicants with high overall protection rate (good prospects to remain) and low overall protection rate (little prospect to remain, in particular from safe countries of origin) and into the ensuing privileged and restrictive measures (C5.1 to C5.5)

Almost 280,000 persons from the Western Balkan countries Albania, Bosnia and Herzegovina, Kosovo, Macedonia, Montenegro and Serbia filed an asylum application in Germany between 2014 and June 2017. However, the overall protec-

tion rate for asylum seekers from these six countries was less than 1% (cf. Chapter 2.1.2). This cast doubt whether the asylum procedure is the right migration channel for this group of persons (Deutscher Bundestag 2015b: 1; BAMF 2015b). In the draft of the Asylum Procedures Acceleration Act drawn up by the parliamentary groups of the CDU/CSU and SPD in September 2015, it says that "disincentives which can lead to a further increase in unfounded asylum applications" need to be eliminated (Deutscher Bundestag 2015b: 1). The former President of the Federal Office for Migration and Refugees Manfred Schmidt (who was in charge of the Federal Office until 09/2015) gave a critical assessment of the situation: "Things are certainly out of kilter if you consider that 82,000 out of the 180,000 newly arrived asylum seekers came from the Balkans alone in the first half of 2015, with a foreseeable protection rate of 0.1 to 0.2%" (BAMF 2015b).

The three Western Balkan countries Bosnia and Herzegovina, Serbia and Macedonia (FYROM) were classified as safe countries of origin when the 'Act on the Classification of Further Countries as Safe Countries of Origin and to Facilitate Labour Market Access for Asylum Seekers and Foreigners whose Deportation has been Suspended' entered into force on 6 November 2014. The classification had already been specified in the coalition agreement by the Grand Coalition of the CDU/CSU and SPD back in 2013 (CDU/CSU/SPD 2013: 109). The Asylum Procedures Acceleration Act entered into force on 24 October 2015, adding Albania, Kosovo and Montenegro to the list of safe countries of origin. The Federal Government has also been seeking to expand the list of safe countries of origin since 2016. Notwithstanding this, the 'Act on the Classification of the Democratic People's Republic of Algeria, the Kingdom of Morocco and the Tunisian Republic as Safe Countries of Origin' adopted by the German Bundestag on 13 May 2016 failed to gain majority approval in the German Bundesrat on 10 March 2017 (EMN/Federal Office for Migration and Refugees 2017: 5).

The consequences of classifying safe countries of origin are far-reaching for asylum seekers:

"The Act defines safe countries of origin as countries in which, on the basis of their democratic system and general political conditions, it can be safely concluded that, generally speaking, there is no risk of state persecution and that the respective country can, in principle, protect its nationals from non-state persecution. [...] The so-called general assumption applies that there is no risk of persecution" (BAMF 2017c).

Asylum applicants must refute this general assumption in their asylum procedure in order to have protection status recognised. If they are unable to do so, their asylum application is rejected as "manifestly unfounded". In the event that asylum applications are rejected as "manifestly unfounded",

a range of more restrictive time limits and other measures, among other things, ensue. For example, the rejected asylum seekers shall be given only one week to leave the country (Section 36 subs. 1 of the Asylum Act) instead of the usual 30 days (Section 38 subs. 1 of the Asylum Act). The period within which asylum seekers can file an appeal is shortened to one week and does not have suspensive effect.

When the Asylum Procedures Acceleration Act entered into force, asylum seekers were divided into groups with good or rather permanent prospects to remain and groups with little or rather non-permanent prospect to remain (Section 44 subs. 4 sentences 3 and 4 of the Residence Act), with the latter corresponding in particular to asylum seekers from safe countries of origin (cf. Chapter 2.1.2 for the criteria). Whereas numerous measures were implemented for asylum seekers from countries with good prospects to remain, facilitating privileged access to support services and participatory structures prior to completion of their asylum procedure, numerous restrictive measures were implemented in particular for asylum seekers from safe countries of origin (with little prospect to remain):

- When the Asylum Procedures Acceleration Act entered into force on 24 October 2015, the length of time all asylum seekers were required to live in the reception centre responsible for receiving them was extended from three to six months. The same applies to asylum seekers from safe countries of origin for the entire duration of their asylum procedure (Section 47 subs. 1 of the Asylum Act).
- By the same token, it was determined that asylum seekers staying at initial reception facilities would have access to benefits in kind rather than cash benefits (Section 3 subs. 1 of the Act on Benefits for Asylum Seekers (AsylbLG). Given that asylum seekers from safe countries of origin are obliged to stay at the initial reception facility at the very least until their asylum procedure has been completed, priority is given to benefits in kind for the entire duration of their stay until their asylum procedure has been completed.
- The provisions governing geographic restrictions for asylum seekers were also tightened with the Asylum Procedures Acceleration Act. It is true that the geographic restriction ceases to apply when foreigners have resided in the federal territory for three months without interruption by virtue of their deportation having been suspended, by holding a temporary residence or permanent settlement permit or by being permitted to remain in the federal territory pending a decision on their asylum application (Section 59a subs. 1 sentence 1 of the Asylum Act). However, the geographic restriction does not cease to apply as long as the foreigner has to live at the reception facility that is responsible for receiving him or her. This effectively means until the completion of the asylum procedure for asylum seekers from

safe countries of origin (Section 59a subs. 1 sentence 2 of the Asylum Act).

- It was specified in the Act on the Introduction of Accelerated Asylum Procedures (Asylum Package II) which entered into force on 17 March 2016 that, inter alia, asylum seekers from safe countries of origin can be accommodated in special reception centres (in Bavaria two "special reception centres" in Manching and Bamberg).
- In terms of support benefits, it was specified in Asylum Procedures Acceleration Act that asylum seekers from safe countries of origin, who had filed their asylum application after 31 August 2015 were not allowed to take up paid employment (Section 61 subs. 2 of the Asylum Act). They were not eligible to attend courses in German for professional purposes either (Section 45a subs. 2 sentences 3-4 of the Residence Act) or to participate in the newly established Federal Volunteer Service pertaining to Refugees (Bundesfreiwilligendienst mit Flüchtlingsbezug).
- The entry into force of the Integration Act on 6 August 2016 saw the creation of 'Refugee Integration Measures' (RIM), which, however, excluded applicants from safe countries of origin (Section 5a subs. 1 sentence 2 of the Act on Benefits for Asylum Seekers).
- Since the 'Act Redefining the Right to Remain and the Termination of Residence' entered into force on 1 August 2015, it has been possible to suspend the deportation of a foreigner under the age of 21 for one year if he or she takes up qualified vocational training in Germany (Section 60 subs. 2 of the Residence Act). This new provision does not include asylum seekers from "safe countries of origin".

The Federal Government says that the restrictions were aimed, on the one hand, at increasing asylum migrants' motivation to return voluntarily to safe countries of origin early on and, on the other, at significantly reducing new asylum migration from those countries (Deutscher Bundestag 2015b: 1). The classification of additional countries as safe countries of origin reaped criticism particularly from charitable associations, churches and non-governmental organisations. It was criticised, on the one hand, that regulations were specifically targeting Sinti and Roma from the Western Balkan countries who were experiencing discrimination in their respective countries (e.g. by the Central Council of German Sinti & Roma) (Zentralrat Deutscher Sinti & Roma 2017; Bayerischer Rundfunk 2016; Bayerischer Flüchtlingsrat 2015), but also that the number of newly arrived asylum seekers from some of the individual countries had decreased anyway before they had been classified as safe countries of origin (Deutscher Bundestag 2017g: 2f.).

In addition to numerous restrictive measures, a simplified legal migration channel was created on 1 January 2016 for the purposes of taking up employment in Germany, in par-

allel for all six countries that had been declared safe countries of origin. Since then, tens of thousands of people have availed themselves of this option (cf. Chapter 4.3.9).

Initial orientation courses for asylum seekers with unclear prospects to remain (C6.1)

In the Meseberg Statement on integration issued on 25 May 2016, the Federal Government announced for the very first time specific funding measures for asylum seekers whose prospects to remain are unclear. They apply to asylum seekers who have neither good prospects nor little prospect to remain. Initial orientation courses were subsequently tested in a pilot project between 2016 and June 2017. "During this period of time, three organisations – the German Employee Academy, Johanniter International Assistance (Johanniter-Unfall-Hilfe) and the Order of Malta (Malteser International) delivered 135 courses for 4,272 attendees nationwide" (BAMF 2017e). The courses delivered for between 12 and 20 attendees comprise 300 lesson units, with each lesson lasting 45 minutes. The course providers were selected by the Länder and were approved by the Federal Office for Migration and Refugees. It was up to the Länder to decide whether the courses were to be delivered at the initial reception facilities, in the local communities or both.

In terms of content, the courses were based on the orientation courses developed in February 2016 in cooperation between the Bavarian State Ministry for Labour and Social Affairs, Family Affairs and Integration and the Federal Office for Migration and Refugees. The modules covered the following eleven subject areas: everyday life in Germany, work, shopping, health and healthcare, preschool/school, using the media in Germany, finding one's way around/transport/mobility, customs and habits in Germany/local particularities, speaking about oneself and others/social contacts, values and living side-by-side as well as housing (Bayerisches Staatsministerium für Arbeit und Soziales, Familie und Integration/BAMF 2016: 6). As such, it is, however, not "primarily about teaching asylum seekers the German language. It is more about helping them to find their feet in Germany. This explains why there can be no language learning target" (BAMF 2017d: 3).

The courses were financed using project funds of the Federal Office for Migration and Refugees. Funding of €40 million has been earmarked for the courses for 2017 that is intended to cover around 2,000 courses and 40,000 places nationwide. The funds were distributed among the Länder based on the Königstein key. An evaluation of the courses by Syspons GmbH, a consultancy for societal innovation, which had been commissioned by Johanniter International Assistance, was published in late June 2017. It arrived at the conclusion that the programme "meets an acute demand for low-threshold orientation courses shortly after arrival. The

features that distinguish initial orientation courses from integration courses are low-threshold access, course flexibility, the focus on everyday language and enabling attendees to acquire a basic command of the German language as well as the focus on issues relevant for everyday life". By contrast, it said that obstacles and challenges arose from "tight time constraints, fluctuating group compositions and sizes and, in some places, a lack of childcare facilities" (Johanniter-Unfall-Hilfe 2017: 21).

Other developments were noted as positive side-effects: "The courses offer regular, meaningful activity for persons, providing them with a routine in their everyday lives. Attendees learn how to learn and are hence prepared for more advanced course formats. Last but by no means least, attending a course with other asylum seekers also helps to prevent conflict at reception facilities because it helps asylum seekers to form social relationships and to share positive experiences" (Johanniter-Unfall-Hilfe 2017: 22).

4.3.4 Registration process of the asylum seeker (D)

Integrated identity management (D1.1 and D6.1)

Provision was made for "integrated identity management" within the framework of the coordination project "Digitisation of asylum procedures" adopted by the IT Planning Council in October 2015 (IT-Planungsrat 2016: 22 et. seq.). The aim was to improve the registration of newly arrived asylum seekers, to avoid multiple registrations and to enhance intra-agency data exchange.

Core data system

A so-called core data system was created on the basis of the existing Central Register of Foreigners (AZR) that integrated the existing IT systems of the individual authorities at federal, regional and local level. The Central Register of Foreigners is at the very heart of this system. For communication purposes and in order to provide role-specific access to data from other relevant systems, interfaces were created which, together, form the core data system. The Data Exchange Improvement Act, important parts of which entered into force on 5 February 2016, created the legal foundation and enabled the Federal Office of Administration, which is responsible for running the Central Register of Foreigners, to expand and involve other agencies (inter alia administrative courts, youth welfare offices, public health offices, social welfare offices, social welfare authorities, job centres). All in all, around 6,700 public authorities were newly connected to the Central Register of Foreigners. This means that a total of 14,000 institutions are now using this database, the AZR (BVA 2016). Furthermore, cooperation was entered into force with a wide range of IT companies offering software, hardware and technical implementation support within the framework of the digitisation of the asylum procedure.

The exchange of personal data integrating the federal, regional and local level as well as all public authorities, which is the first of its kind in the Federal Republic, is what made it possible to manage the challenges posed by the sharp rise in the number of asylum seekers in the first place. The system has since been further developed on an ongoing basis.

PIK stations (Personalisation Infrastructure Component)

After the Data Sharing Improvement Act entered into force, around 1,200 out of the 1,500 PIK stations were put into operation by May 2016. The so-called PIK stations were installed by the Federal Government at all reception facilities in the Länder to record asylum seekers' data. "Since mid-2016 the nationwide biometric registration of newly arriving asylum seekers is ensured by the Länder authorities and BAMF arrival centres as well as the processing-lines near the border. Subsequent registrations of asylum seekers already present in Germany but that had not been registered were completed according to the Länder in September 2016. Using the PIK-stations, the personal data of asylum applicants is automatically stored simultaneously in MARiS as well as in the core data system (the Central Register of Foreigners). The fingerprint data is also simultaneously stored in the police database (AFIS/INPOL pursuant to Section 16 of the Asylum Act in conjunction with Section 89 of the Residence Act), which enables the reception centres of the Länder, the different branch offices of the Federal Office for Migration and Refugees as well as all police stations to carry out a comparison of fingerprints (so-called Fast-ID) when they are in contact with asylum seekers and by this distinct identity marker determine, if or where the person concerned has already been registered and e.g. where s/he can receive benefits for asylum applicants" (Tangermann 2017: 16).

The new core data system also helps to prevent multiple registrations and multiple documents from being issued as the fingerprint data recorded in the system facilitates unequivocal identification by all the relevant public authorities.

Proof of arrival

In addition to setting up the core data system, integrated identity management included the introduction of proof of arrival that is "issued by reception facilities and the competent branch offices of the Federal Office for Migration and Refugees in the form of a paper-based document containing forgery-proof elements" (BAMF 2016a: 17). "Every asylum seeker now is issued a personal document that features the same design nationwide and that is equipped with security features. He or she receives the document from the responsible reception centre as a proof of registration and the allocation to this reception centre. Social security benefits (e.g. accommodation or allowances) can directly be linked to the proof of arrival and distributed to the holder of the document within the district of the reception centre indicated on the document" (Tangermann 2017: 16).

4.3.5 Asylum procedure (E)

Integrated refugee management (E1.2)

"Integrated refugee management" envisages integrating more closely the actors as well as the processes involved in the arrival and registration phase, asylum procedures and the integration and return phase. As such, the measure was implemented at the legal, infrastructural and process level. It was triggered by the sharp rise in the number of asylum seekers during the second half of 2015 and has been continually refined since then.

The arrival centres established during the period covered by this study are at the very heart of integrated refugee management. To begin with, three "registration centres" were set up within the framework of a pilot project in Heidelberg, Trier and Berlin-Tempelhof in late 2015 and early 2016, creating the basis for all of the arrival centres subsequently set up in the Länder.

Arrival centres

The arrival centres integrate the federal and regional processes as well as all public agencies and authorities involved in the process in a single location. These include the initial reception facilities of the respective federal state, registration and recording of data in the new core data system that also comes under the remit of the Länder, an initial medical examination, in some places, advice on asylum procedures by non-governmental organisations (such as charitable associations), the filing of asylum applications and interviews at the Federal Office for Migration and Refugees, a standardised, non-prejudicial information session about returns by the Federal Office for Migration and Refugees lasting just under 10 minutes (some of which are provided by staff of IOM). The data and qualifications of asylum seekers with good prospects to remain are also recorded by staff of the Federal Labour Office. This is relevant for integration into the labour market and for establishing whether or not asylum seekers are eligible to attend integration courses as well as for scheduling the examination to assess their proficiency in the German language.

Proof of arrival is issued immediately after registration at the start of the process. Once the overall process lasting around one week has been completed, asylum seekers are issued with a residence permit for the duration of the asylum procedure. Although this measure does not affect the length of the personal interview which is at the very heart of the asylum procedure, it has been possible to shorten the individual process and coordination steps and procedures in general for newly arrived asylum seekers (BAMF 2017m: 6ff.). The aim was to complete new asylum procedures within three months, although some new asylum procedures were being completed sooner up to October 2017,

with the national average asylum procedure taking around 2.2 months to complete.

Cluster system

Until March 2017, applications for asylum were divided into four clusters based on countries of origin in order to accelerate the procedure for persons from certain countries of origin, reducing it to a few weeks. Decisions on applications filed by persons from countries of origin with good prospects to remain (Cluster A: in 2016, this applied to Syria and Eritrea, as well as to Christian and Yezidi minorities from Iraq) and to those with little prospects to remain (Cluster B: in 2016, inter alia, safe countries of origin) were taken at the arrival centres. Asylum seekers whose cases are more complex (Cluster C) were referred to branch offices and cases that come under the Dublin Regulation (Cluster D) were passed on to the three "Dublin centres" in Bayreuth, Berlin and Bochum since January and June 2017 respectively. Since the summer of 2016, interviews have also been held at arrival centres for older procedures in a bid to ease the burden on the branch offices (EMN/Federal Office for Migration and Refugees 2017: 42). A new concept for process flows is currently in the pipeline.

Simplified asylum procedures for asylum seekers from certain countries of origin (E2.2)

Since November 2014, the Federal Office has been implementing so-called simplified asylum procedures on a temporary basis for asylum seekers from countries of origin with a particularly high protection rate. From November 2014 onwards, this initially applied to asylum seekers from Syria as well as Yezidis, Christians and Mandaeans from Iraq as well as asylum seekers from Eritrea from July 2015 onwards (BAMF 2015a). The aim was to speed up the asylum procedure by abolishing the requirement for personal interviews for asylum seekers from these groups. Instead of having to attend a personal interview, asylum seekers were given a ten-page questionnaire containing questions relevant for determining their refugee status. Simplified asylum procedures can be availed of if the asylum application is limited to international protection and if no other EU Member State is responsible for carrying out the asylum procedure (Section 24 subs. 1 sentences 4 and 5 of the Asylum Act in conjunction with Section 13 subs. 2 sentence 2 of the Asylum Act; BAMF 2014b).

If the evidence was sufficient for recognising refugee status and there were neither concerns about the person's identity or security doubts, refugee status was granted. From December 2015 onwards, case-by-case examinations with an interview were gradually restored owing to security concerns associated with the simplified procedure, among other things, according to Federal Minister of the Interior, Thomas de Maizière (BMI 2015c). With the simplified processing of

applications, fingerprinting and photographing as well as physical and technical examinations of passport documents were waived temporarily although these were carried out in due course. The number of post-examinations has been stepped up since May 2017.

Video interpreting in asylum procedures and video interpreter hubs (E7.1-E7.3)

The Federal Office for Migration and Refugees introduced video interpreting in the spring of 2016. The aim was to enhance operational flexibility and to compensate for capacity bottlenecks by using videoconferencing to connect an interpreter during interviews whose physical attendance is no longer required at the location where the interview is being held. Another benefit is that interpreters are available nationwide even for uncommon languages and bottlenecks in common languages can be more readily eliminated. All interpreters working for the Federal Office for Migration and Refugees can be used in videoconferences provided they are willing to do so. Interpreters employed in videoconferences are expected to meet the same quality standards as interpreters attending personal interviews. The video data is not recorded or stored. So-called "interpreter hubs" have been set up at individual, decentralised units of the Federal Office for Migration and Refugees that have been equipped as central points of contact for interpreters. Furthermore, the relevant equipment has been installed at the branch offices and arrival centres where interviews are held in order to provide a secure video connection. The measure was financed through the Federal Office for Migration and Refugees' budget. A management consultancy provided support during the first few months.

There are many benefits to video interpreting in a range of case scenarios, including flexible elimination of bottlenecks, particularly regarding uncommon languages, more flexible coordination (allocation) and scheduling of appointments for personal interviews between the individual stakeholders. This has also had a positive effect on the duration of asylum procedures. Since the interviewers are in the same room as asylum seekers, it also enables them to gain a personal impression of the asylum seekers. Persons involved in asylum procedures have also said that video interpreting ensures interpreters remain impartial.

4.3.6 Infrastructure, personnel and competencies (F)

Secondments and transfers of staff of other ministries, public authorities and former state-owned companies to the Federal Office for Migration and Refugees (F3.2)

The number of staff at the Federal Office for Migration and Refugees was greatly expanded in a bid to cope with the

sharp rise in asylum applications, adopting a two-pronged approach. Since 2014, thousands of new employees have been hired on limited and permanent contracts, whereas temporarily several thousand employees of other ministries, public authorities and civil servants of formerly state-owned companies were seconded or transferred to the Federal Office.

New hires

As of 1 January 2014, the Federal Office for Migration and Refugees had 2,132 employees (full-time equivalents (FTEs)). In 2014, 300 additional positions and in 2015 350 additional positions were created to begin with. A further 750 jobs were approved in the 2015 supplementary budget adopted on 2 July 2015 so that on 1 January 2016, there were 3,336 FTEs at the Federal Office (excluding secondments). Further staff increases were approved in the budget for 2016. 3,000 additional jobs were approved so that on 1 December 2017 there were 6,653 FTEs at the Federal Office, including 1,704 full-time decision-makers. Target personnel plans for 2017 envisaged 7,400 FTEs, 6,233 of whom were covered by permanent jobs and 1,167 FTEs of whom were covered by funds for temporary staff (Deutscher Bundestag 2016e: 76).

Secondments

In the meantime, 3,101 FTEs had been transferred or seconded temporarily to the Federal Office. More comprehensive personnel support was provided by the German Federal Armed Forces, and the Federal Labour Office, which have meanwhile seconded several hundred employees. Staff were seconded by a total of 78 ministries, public authorities and former state-owned companies (as at 7 July 2017). According to the Federal Office, in addition to the staff seconded by the German Federal Armed Forces and the Federal Labour Office, twelve other institutions seconded ten or more employees temporarily or for longer periods to the Federal Office for Migration and Refugees (cf. Table 6).

4.3.7 Law enforcement (inter alia, police, security authorities, private security firms) (G)

Quality assurance in private security firms (G5.1)

In the period under review, from 2014 to 2016, incidents involving violence towards, and mistreatment of, asylum seekers on the part of employees of private security firms occurred at various reception and communal reception facilities (inter alia, the Burbach incidents in North Rhine-Westphalia in September 2014, an incident involving a right-wing extremist security guard in Berlin in November 2015). In North Rhine-Westphalia, the contract of the organisation running an initial reception facility in Burbach was terminated by the Land authorities of North Rhine-Westphalia in October 2014 when accusations of mistreatment were made public and concrete evidence had come to attention against

Table 6: Number of employees seconded to the Federal Office for Migration and original institution seconding them (2014 to 07/2017)

Original institution from which employees were seconded*	Number of employees seconded (2014 to 07/2017)
Vivento/Telekom	778
Deutsche Bahn (Bundeseisenbahnvermögen) (Federal Railways Fund)	253
Deutsche Post AG (Bundesanstalt für Post und Telekommunikation / Deutsche Bundespost) (Federal Posts and Telecommunications Agency)	198
Postbank	122
Central Customs Authority (five former Federal Finance Offices and today's Central Customs Authority)	100
German Pension Fund (Deutsche Rentenversicherung Bund)	71
Federal Statistical Office (Statistisches Bundesamt)	22
Federal Office of Administration (Bundesverwaltungsamt)	19
Federal Ministry of Justice and Consumer Protection (Bundesministerium der Justiz und für Verbraucherschutz)	12
Customs Criminological Office (Zollkriminalamt)	11
Federal Criminal Police Office (Bundeskriminalamt)	10
Federal Insurance Office (Bundesversicherungsamt)	10

Source: Federal Office for Migration and Refugees; *not including the German Federal Armed Forces or the Federal Labour Office

the manager and several employees (MIK NRW 2014). In Berlin too, the Land authorities terminated the contract of a security firm at two reception facilities after videos surfaced of a security guard making right-wing extremist remarks (Petersen 2015a). The string of scandals and security risks for refugees subsequently fuelled a debate on security standards (Bezirksregierung Arnsberg 2014), on the need for upskilling at private security firms (Christ/Meininghaus/Röing 2017: 35) and "the lack of statutory provisions" and conditions "consistent with human rights" in relation to the coexistence of residents and staff of the reception facilities (DIMR 2017: 6).

In North Rhine-Westphalia, binding standards were adopted with the organisations running reception facilities for the deployment of security staff in the wake of the scandal in Burbach. The eight-point-plan envisaged, inter alia, issuing a ban on the hiring of subcontractors, introducing mandatory security checks on employees by the police and the authorities for the protection of the constitution, requiring employees to sign a voluntary declaration that they had no previous convictions for grievous bodily harm, drug offences, sexual offences or crimes against the state (Bezirksregierung Arnsberg 2014: 3).

In March 2016, the Federal Association of the Security Industry (Bundesverband der Sicherheitswirtschaft (BDSW)) also published a policy paper on security at accommodation facilities for refugees. It mentions, inter alia, the standard of qualifications managers of accommodation facilities will be required to meet which include intercultural and

the de-escalation skills (BDSW 2016a). The Federal Association also criticised the lack of checks carried out on the security personnel hired by public authorities: "The self-declaration to be signed by employees stating they have no criminal record envisaged by contracting authorities is by no means enough" (BDSW 2016a: 4), adding that contracts should not be awarded based solely on the cheapest bid but should also take quality-related aspects into account. It also makes reference to the manual "Buying quality private security services" developed by the Confederation of European Security Services (CoESS) with the financial support of the European Commission that acts as a benchmark (CoESS/COM/Uni 2015).

4.3.8 Integration measures for asylum applicants (H)

German for professional purpose (ESF-BAMF programme) and vocational German language promotion (H1.2 and H4.3)

When the Asylum Procedures Acceleration Act entered into force on 24 October 2015, the programme offering German for professional purposes, the so-called ESF-BAMF programme, was launched for asylum seekers who have achieved proficiency level A1 and fulfil the requirements for access to the labour market (Asylum seekers who have resided in Germany for less than three months and persons from safe countries of origin who file an asylum application after 31 August 2015 are not permitted to take up paid employment). The programme was limited until the end of 2017 and has been replaced by the programme of voca-

Table 7: Participants of the ESF-BAMF programme with a permission to remain pending the asylum decision (2015 until 09/2017)

Participants of the ESF-BAMF programme with a permission to remain pending the asylum decision (2015 until 09/2017)						
	2015		2016		1/1 until 30/09/2017	
	absolute	in %	absolute	in %	absolute	in %
Attendees with a permission to remain pending the asylum decision	3,343	14%	5,435	17%	3,465	21%
Total number of attendees*	24,161	100%	32,416	100%	16,391	100%

Source: Federal Office for Migration and Refugees, cut-off date: 30 September 2017

* The statistics on attendees were recorded based on master data sheet D for attendees with an uncertain residence status, representing a share of the total number of attendees. Furthermore, the number of actual attendees is lower than the number reported owing to adjustments subsequently made.

tional German language promotion, that was introduced in parallel (see below). The European Social Fund appropriated €233 million in funding for the ESF-BAMF programme for the years 2015 to 2017. Since the language courses for asylum seekers were launched, a total of 12,000 asylum seekers (who have a permission to remain pending the asylum decision) had attended the courses within the ESF-BAMF programme up to and including late September 2017, with their share in the total number of attendees accounting for 14% in 2015 and rising to 21% in the first three quarters of 2017 (cf. Table 7).

When the Ordinance regulating job-related German language courses (DeuFöV) entered into force on 1 July 2016, the German courses for professional purposes were expanded to include asylum seekers with good prospects to remain²⁷ and were adopted as standard German language courses funded by the Federal Government. As a rule, courses in vocational German language promotion are based on general language promotion. They are an integral part of integration courses and are coordinated and implemented by the Federal Office for Migration and Refugees, with private and public service providers being commissioned to deliver the courses (Section 45a subs. 1 of the Residence Act). The more recent German courses are divided into basic modules and special modules, with the basic modules aimed at enabling attendees to opt for language proficiency level B2, C1 or C2. As a rule, a module comprises 300 hours of lessons (Section 12 of the Ordinance regulating job-related German language courses). In order to be eligible to attend the basic modules, attendees must have a basic command of the German language, at least meeting proficiency level B1 of the Common European Framework of Reference for Languages.

²⁷ The decision to introduce courses in German for professional purposes was taken when the Asylum Procedures Acceleration Act entered into force on 24 October 2015. They include asylum seekers from safe countries of origin with little prospect to remain.

There are three types of special courses that include courses for individual professional groups in combination with a procedure for recognising professional qualifications or admission to certain occupations and professions. These courses comprise up to 600 lesson units. Furthermore there are special lessons available that have been tailored to the specific needs of certain industries. Third courses were introduced for asylum seekers who have not yet reached proficiency level B1 in German despite having completed an integration course. The courses are meanwhile being delivered by almost 3,000 course providers (as at: September 2017), including adult education centres, church institutions as well as numerous private educational institutions.

In the first nine months of programme delivery, 3,652 asylum seekers (with a residence permit) attended a course in vocational German language promotion accounting for 5.6% of all (64,694) attendees up to and including 30 September 2017.

"Refugee integration measures" to create 100,000 work opportunities (H4.4)

When the Integration Act entered into force on 6 August 2016, the plan was originally to create "integration measures for refugees" offering up to 100,000 work opportunities for asylum seekers (Section 5a of the Asylum Seeker Benefits Act). The programme was limited until 31 December 2020. Funding of €300 million was available each year when the measure was launched. However, when the Directive for the Labour Market Programme was amended on 12 April 2017, the target of 100,000 work opportunities per year was abandoned as the anticipated demand failed to materialise. The budget was adjusted accordingly meaning that funding of up to €60 million per year will be available for the years between 2018 and 2020. The Federal Labour Office is responsible for implementing the programme.

The programme was aimed explicitly at the long waiting period of several months between filing an asylum applica-

tion and decision-making when there was a huge backlog in 2016. As such, it was based on the work opportunities that were already available at the time (Section 5 of the Asylum Seekers Benefits Act). The aim was to fulfil a dual function:

"On the one hand, refugees were to be given access to low-threshold work opportunities in the labour market prior to completion of their asylum procedure and were to gain insight into professional and societal life in Germany. This creates meaningful employment in and outside reception facilities on the other, enabling refugees to contribute to public welfare and to participate in society" (BMAS 2016a: 1).

It was possible to approve two types of work opportunities, namely "internal" and "external" integration measures for refugees. Internal integration measures involve activities aimed at maintaining and running the facility providing accommodation for the relevant persons themselves. External work opportunities refer to "jobs created by state, local or non-profit organisations provided the work to be performed cannot be carried out at all, not to the required extent or not at that point in time" (No. 3.1 of the Directive).

Participants were paid an expenses allowance of 80 eurocents per hour. These jobs were referred to as "80 eurocent jobs" similar to the so-called "one euro jobs" within the framework of Social Code Book II. Participation could be made compulsory for asylum seekers and those who failed to participate were no longer eligible for social benefits under the Act on Benefits for Asylum Seekers (Section 5a subs. 3 of the Act on Benefits for Asylum Seekers). Asylum seekers from safe countries of origin were not eligible to take part in this measure (Section 5a subs. 1 sentence 2 of the Act on Benefits for Asylum Seekers).

The integration measures for refugees reaped criticism from a number of parties. Representatives of business research institutes, the opposition party Alliance 90/the Greens (Allianz 90/Die Grünen) and the Association of German Counties (Deutscher Landkreistag) emphasised the importance of integration into the regular labour market and criticised the creation of parallel structures to the work opportunities already available for asylum seekers (EMN/Federal Office for Migration and Refugees 2017: 40; FAZ 2017a; Deutscher Landkreistag 2016). The Federal Workers' Welfare Association (AWO-Bundesverband e. V.) welcomed the creation of additional work opportunities but criticised the fact that they were compulsory (AWO 2016: 6).

4.3.9 Changes in national approaches for other types of migration: Limiting further migration of asylum seekers and creating legal access for job-seekers from the Western Balkan countries (I)

Restriction of family reunification for persons entitled to subsidiary protection (II.1)²⁸

In principle, beneficiaries of subsidiary protection pursuant to Section 29 subs. 2 sentence 2 of the Residence Act have privileged access to family reunification. This also applies to asylum seekers and recognised refugees. Certain requirements can be waived under certain circumstances (e.g. if their subsistence is secure and there is sufficient living space available).

In view of the sharp rise in newly arrived asylum seekers in the second half of 2015 and in early 2016, the Federal Government sought ways of limiting further migration. During the same period, some media published figures on the alleged number of asylum seekers who could potentially come to Germany for family reunification purposes that were based on multiples (Solms-Laubach 2015) of the potential number that continue to be a topic of conversation today (e.g. Brücker 2017). Limiting family reunification to persons entitled to subsidiary protection ultimately became a lever for limiting further migration. Family reunification was to be "suspended for two years in the interest of the reception and integration systems in place in the state and society", it said in the Act on the Introduction of Accelerated Asylum Procedures (Asylum Package II) (Deutscher Bundestag 2016h: 1).

The Asylum Package II entered into force on 17 March 2016, limiting family reunification for a large number of persons entitled to subsidiary protection. Since then, persons who were granted a residence permit after 17 March 2016 on the grounds that they are entitled to subsidiary protection are no longer allowed to bring their families to Germany until 16 March 2018 (Section 104 subs. 13 of the Residence Act). In principle, the two-year restriction on family reunification applies to all family reunification of beneficiaries of subsidiary protection and, therefore, for instance, also to parents wishing to join their unaccompanied, underage children – provided they have been granted subsidiary protection (Deutscher Bundestag 2016f: 3). After disagreement arose within the grand coalition particularly over the desire of persons having custody of unaccompanied minors who have been granted subsidiary protection to join them in Germany, an issue that fuelled public criticism (BumF 2016) and called compatibility with the UN Convention on

²⁸ The information provided in this Chapter is based on the information provided in the EMN Study on family reunification of third-country nationals (Grote 2017: 24).

the Rights of the Child into question (Deutscher Bundestag 2016g; DIMR 2016c)), the governing parties adopted a hardship regulation which says that in individual cases, relatives may be allowed to join persons who have been granted subsidiary protection in the two year suspension period on urgent humanitarian grounds or under international law (pursuant to Sections 22 and 23 of the Residence Act).

There was a decline in the share of persons recognised as being entitled to subsidiary protection (in accordance with Section 4 subs. 1 of the Asylum Act) in all decisions taken on asylum applications by the Federal Office for Migration and Refugees between 2012 and 2015, although it began to rise sharply once again in 2016. In 2012, subsidiary protection was granted to 6,974 persons, accounting for a share of 11.3% out of a total of 61,829 decisions taken (including rejections and formal decisions). In 2014, subsidiary protection was granted to 5,174 persons, representing a share of 4% of all 128,911 decisions taken the same year. In 2015, subsidiary protection was granted to 1,707 persons, representing a share of 0.6% of all 282,726 decisions taken by the Federal Office. In 2016, the number of persons granted subsidiary protection rose sharply once again, with 153,700 persons being granted subsidiary protection out of a total of 695,733 decisions taken, representing a share of 22.1% (BAMF 2017a: 47). The increase in the number of persons granted subsidiary protection also led to a noticeable increase in the number of appeals against decisions lodged with the administrative courts.

It was not clear at the time this study went to print whether the suspension of family reunification for persons entitled to subsidiary protection would be extended beyond March 2018.

Simplified legal labour migration channels for nationals of the Western Balkan countries (I1.3)

Alongside the many restrictive measures that were implemented in recent years particularly for asylum seekers from the Western Balkan countries (cf. Chapter 4.3.3), a simplified legal migration channel was created in parallel for six countries. Since 1 January 2016, requirements have been eased for the granting of residence permits for the purposes of employment for nationals of Albania, Bosnia and Herzegovina, Kosovo, Macedonia, Montenegro and Serbia (Section 26 subs. 2 of the Ordinance on the employment of foreigners). The liberalisation was adopted with the Asylum Procedures Acceleration Act and is limited until the end of 2020.

With the approval of the Federal Labour Office which also carries out labour market tests, asylum seekers from these countries can now take up employment regardless of whether they have completed any vocational training or can prove they have a command of the German language. How-

ever, one requirement is that they have a concrete job offer in Germany before the residence permit is issued (Burkert/Haase 2017: 2). Another requirement is that the asylum application must be filed at Germany's competent mission in the country of origin and that the asylum seeker has not drawn any benefits under the Act on Benefits for Asylum Seekers in Germany in the 2 years prior to filing the application. However, exemptions were introduced in the form of transitional regulations for persons who filed an asylum application between 1 January 2015 and 24 October 2015 and who departed Germany immediately after 23 October 2015.

This regulation was adopted in response to the high number of asylum seekers from the Western Balkan countries and their very low protection rate (cf. Chapter 2.1.2) and was intended to dissociate asylum migration from labour migration (Eckendorff/Stock 2016: 23). This measure according easier access aimed at facilitating legal access to the labour market in Germany was the "first of its kind" (Burkert/Haase 2017: 1) and supports the broad, restrictive package of measures for asylum seekers from the Western Balkan countries in Germany (see above).

In 2016, the Federal Labour Office granted 42,546 work permits and rejected 11,037 applications for work permits filed by applicants from the Western Balkans. During the same period, 18,806 visas were issued for employment purposes pursuant to Section 26 subs. 2 of the Ordinance on the employment of foreigners; 4,903 visa applications were rejected (Deutscher Bundestag 2017f: 2, 13).

5 Phase of relative decline from 2016 onwards: challenges and measures

As outlined in the previous Chapters, even though the number of newly arrived asylum seekers began to fall in Germany from the spring of 2016 onwards, the strong influx continued right into 2017 for many of the subject areas under review owing to the downstream process steps involved and the backlog that ensued. By the end of 2016, the burden had been greatly eased primarily in the areas of border control, emergency and initial care, accommodation and registration, many of which were transferred to new or old regulatory structures.

From the spring of 2016 onwards and from the autumn of 2016 at the latest, a large number of emergency reception facilities were closed down after the persons residing there had been distributed among other facilities. Some facilities remained on stand-by for a transitional period, as it was not possible to estimate reliably at the time how the number of asylum seekers would develop in the medium term (Götz/Meier 2016: 71). In other areas, the decline led to a better ratio between the number of persons residing at reception facilities and the number of support staff available, at least to begin with. This meant "it was easier to take the needs of residents into account and to implement preventative conflict management at these facilities" (written response by Caritas). All emergency reception facilities had been closed down again by October 2017 in the majority of regions in Germany, even though several hundred or thousand refugees were still residing at emergency reception facilities in the autumn of 2017 (for instance, in the aircraft hangar of the former Berlin Tempelhof Airport).

Notwithstanding this, the gradual closure of emergency and initial reception facilities presented its own new challenges. Some Länder and municipalities had concluded an operating agreement or lease agreement for several years (with companies operating accommodation, security firms, companies leasing containers, buildings and/or tents). In many cases, it was not possible to terminate the agreements at short notice even though the original demand had ceased to exist, meaning that the costs had to continue being defrayed (Götz/Meier 2016: 72f.; Selbach 2016: 88).

In some places, such as the relevant accommodation provided by the Lower Saxony Regional Association of the German Red Cross, emergency reception facilities and facilities used for the temporary accommodation also of unaccompanied minor refugees were "further developed into regular stationary residential units for young unaccompanied refugees" after the number of newly arrived asylum seekers decreased (written response by the Lower Saxony Regional Association of the German Red Cross).

Furthermore, the decline in the number of asylum seekers frequently marked a phase of process consolidation, stabilisation of newly-created structures, an easing of the burden on staff and volunteers, standardisation of procedures, (re-)introduction of quality standards, the provision of follow-up training for staff and the intensification of information sharing among the individual actors (written response by AWO, Caritas, the German Red Cross; Götz/Meier 2016: 73f.). Experience gained, new process steps and competencies have been defined and put to systematic use in plans of procedure and have been processed accordingly for training purposes (written response by the Saxony Regional Association of the German Red Cross).

6 Finance measures

The changing influx of asylum seekers to Germany presented the Federal Government, the Länder, municipalities and non-state actors with challenges in terms of financing the measures implemented between 2014 and 2016. Virtually all the regular structures in the federal system experienced reduced capacities as well as the need for additional staff (for instance, teachers at schools, employees at administrative courts and in public administrations) as well as the relevant infrastructure (e.g. accommodation for asylum seekers, leasing and fitting out of properties for new branch offices of the Federal Office for Migration and Refugees). The necessary funds were appropriated either by supplementary budgets or in budgetary negotiations at federal, regional and local level. A range of measures implemented by the Federal Government to ease the burden on the Länder and municipalities were crucial in this context (see below). Non-state actors and charitable organisations financed their measures both with state funds and concrete contracts financed by the state (e.g. for the running of reception facilities or communal accommodation facilities). A range of projects were also financed using EU-AMIF (Asylum, Migration and Integration Fund) funds. Others were financed with private donations in kind and monetary donations. The information and figures provided in the following will focus, by necessity, on a few, individual, financial measures. To gain an overview of the costs of expanding regular structures (inter alia, accommodation, benefits under the Act on Benefits for Asylum Seekers, preschools, schools) and the distribution of costs between the Federal Government, the Länder and municipalities, please refer to Hummel/Thöne 2016 among others.

6.1 Financial equalisation between the Federal Government and the Länder

The Act to promote investment activities among financially weak municipalities and to ease the burden on the Länder and local authorities receiving and accommodating asylum seekers entered into force on 30 June 2015. At the very heart of this Act was the establishment of a special fund to promote investment at the level of municipalities (Kommunalinvestitionsförderungsfonds) with which the Federal Government appropriated special assets totalling €7 billion to financially weak Länder and municipalities. Furthermore, with Article 3 of the law containing a number of articles putting in place new legislation and setting forth the amendments to existing legislation required as a result, the Revenue Equalisation Act (Finanzausgleichsgesetz) was amended. In addition to their share of value-added tax, municipalities

received an additional €500 million per year for the years 2015 and 2016 and €1,500 million for the year 2017 (Bundesrat 2015a). The additional funds were intended to cover the costs of reception, accommodation and care for asylum seekers and also to guarantee that there is an adequate admission system in place for unaccompanied minor refugees.

An amendment was made to the Revenue Equalisation Act (Article 8) within the framework of the main parts of the Asylum Procedures Acceleration Act that entered into force on 24 October 2015 and the distribution of value-added tax was amended in order to further ease the burden on the Länder and municipalities. The amendments meant that the Länder and municipalities would receive additional revenue from value-added tax amounting to €3,637 million in 2016, €1,124 million in 2017, €1,220 million in 2018 and €350 million in 2019. The revenue of the Federal Government was to be reduced accordingly (Bundesrat 2015b: 3). Furthermore, the Federal Government increased its participation in social housing by €500 million per year for the period between 2016 and 2019 in a bid to manage the additional need for affordable housing associated with asylum migration.

The Act on participation of the Federal Government in the costs of integration and to further ease the burden on the Länder and local communities entered into force on 7 December 2016 with which the Federal Government further eased the financial burden on the Länder and municipalities:

"In line with the procedure involving benefits for education and participation, the Federal Government will defray in full the costs of accommodation and heating for recognised asylum seekers and beneficiaries of international protection in the Social Code Book II for the years 2016 to 2018. To this end, the Federal Government's participation in the costs of accommodation and heating has been increased in the Social Code Book II and the percentage rise was specified by law for 2016. In the years between 2017 and 2019, the amount and distribution were adapted for the individual Länder by an ordinance having the force of law with the approval of the Bundesrat based on the development of expenditure the previous year" (BMF 2016a: 1).

It was also decided that the Federal Government would support the Länder with an annual integration lump sum of €2 billion between 2016 and 2018 and that it would pay an additional sum of €500 million to the Länder to help with housing in 2017 and 2018 (BMF 2016a: 1). In addition, the de-

cision was taken to grant tax relief of an additional €5 billion from 2018 onwards which will be implemented by amending the proportion of the value-added tax paid by the Länder and municipalities and by the Federal Government's participation in the costs of accommodation and heating for recognised asylum seekers and beneficiaries of international protection (BMF 2016a: 1).

6.2 Budgetary development at the Federal Office for Migration and Refugees (2014 until 2017)

The huge staff increases and the increase in the number of branch offices of the Federal Office for Migration and Refugees between 2014 and 2017 went hand in hand with a relevant increase in estimated budgetary funds. The budget for 2014, for instance, earmarked total expenditure of just under €159 million for the Federal Office for Migration and Refugees (cf. Table 8). In 2015, the target budget including the supplementary budget earmarked total expenditures of just under €247 million, representing an increase of 55% year-on-year. In 2016, personnel expenditure rose by more than 90% (to just under €320 million), capital expenditure trebled (to just under €72 million) and material administrative expenditure more than quadrupled (to just under €260 million), so that the target budget for 2016 earmarked total expenditure of just under €652 million which is equivalent to a 164% increase year-on-year. The target budget for 2017 envisaged a further increase in expenditure of almost 20% year-on-year, bringing total expenditure up to €782 million.

6.3 Easing of administrative regulations in respect of the provision of financial support in refugee aid

In September 2015, several administrative regulations were adopted with the consent of the supreme financial authorities of the Länder and the Federal Ministry of Finance. The aim was to promote and facilitate personal and financial

contributions by private individuals and companies in support of asylum seekers. The regulations were to apply until the end of 2016 initially (BMF 2015: 1). However, they were extended until 31 December 2018 in a letter written by the Federal Ministry of Finance on 6 December 2016 (BMF 2016b: 1).

The administrative regulations made provision, inter alia, for simplified donation receipts and tax deductibility of donations within the framework of refugee aid even if they did not involve tax-privileged donation collectors (BMF 2015: 1 et. seq.). Furthermore, charitable organisations (such as sport clubs or music societies) that did not mention refugee aid as their explicit purpose in their statutes, were allowed to use both donations and funds available to promote refugee aid without having to amend their statutes (BMF 2015: 2f).

6.4 Donations for refugees in Germany

Donations also played an important role in the financing of projects aimed at assisting refugees. In addition to the several million temporary and permanent volunteers who became involved in refugee aid in Germany, the total donations raised in Germany for refugees and refugee projects in 2016 amounted to €488 million, representing 9% of all donations raised in Germany. 57% of donations went to projects for refugee aid in Germany and 43% went to projects abroad (Deutscher Spendenrat/GfK 2017: 7, 22 et. seq.).

Table 8: Target budget of the Federal Office for Migration and Refugees (2014 until 2017)

	Target 2014 in €1,000	Target 2015 in €1,000	Target 2016 in €1,000	Target 2017 in €1,000
Personnel expenditure	109,513	166,812*	319,991	457,198
Material administrative expenditure (inter alia rents and leases for real estate)	44,412	59,203*	259,887	292,325
Grants and subsidies (excluding investments)	56	56*	56	56
Investments	5,296	20,817*	72,013	32,122
Total	159,277	246,888*	651,947	781,701

Source: Federal budgets for 2014, 2015, 2016 and 2017 (individual budgets 06, Federal Ministry of the Interior);

*figures for 2015 incl. target supplementary budgets

7 The way forward – future preparedness

The experience gained from the phase involving a sharp rise and a relative decline in the number of asylum seekers between 2014 and 2016 and the implications this had for administrative structures reaching right into 2017 prompted many actors to implement measures to gear themselves more effectively for the future in case Germany experienced another sharp rise in the number of asylum seekers. As such, the plans can be distinguished roughly into whether they envisage a refunctioning and flexibilisation of existing structures (7.1) or whether they involve new structures, processes and equipment and are therefore essentially innovative (7.2).

7.1 Refunctioning and flexibilisation

7.1.1 Use of Erding waiting centre for the admission of asylum seekers in the EU relocation system

After some locations saw more than 10,000 asylum seekers cross the border into Germany each day in September 2015 (cf. Chapter 3.1.1) and it was no longer possible to safeguard an orderly admission and distribution system at least for the time being, the Federal Chancellor reached agreement with the heads of government of the Länder to set up two waiting centres for newly arrived asylum seekers in Bavaria. By way of administrative assistance, the Federal Government helped the Länder to set up two waiting centres in Erding and Feldkirchen (Bavaria) each of which was to provide emergency accommodation and initial care for 5,000 asylum seekers for a maximum of 72 hours. During this time, the asylum seekers were registered, underwent a medical examination, received initial care, were accommodated for a short period time and were distributed among the individual Länder (in close cooperation with the Federal Government Coordination Office for the Distribution of Refugees; cf. Chapter 3.2.4).

The two waiting centres remained on standby even though the number of asylum seekers decreased from February 2016 onwards as it was not foreseeable whether the sharp decline in the number of asylum seekers to Germany would last. In late December 2016, the Federal Ministry of the Interior issued instructions for the waiting centre in Feldkirchen to be closed down. By contrast, the waiting centre in Erding was assigned a new task from early September 2016 onwards. It is where persons arriving from Italy and Greece have been registered and distributed within the framework of EU relo-

cation system (cf. Chapter 3.1.4). After the system had been tried and tested with 150 persons from Greece on 7 September 2016, the Bund-Länder Coordination Taskforce for Asylum issued instructions for regular service to commence on 8 September 2016, providing for the regular admission of 500 persons from Italy and Greece via charter flights respectively each month. The process of distribution is similar to that involving the reception of asylum seekers described in the foregoing; although, within the relocation procedure asylum seekers were asked in advance if they had any relatives living in Germany in order to find out whether they could perhaps be relocated close to them. Cooperation also exists with IOM in Greece and Italy where persons are prepared for their departure to Germany. Contrary to the time when asylum seekers were accommodated in the winter of 2015/2016, the staff of the Federal Office for Migration and Refugees and of the German Red Cross needed for registration and accommodation purposes were partly deployed only on days on which charter flights arrived from Greece or Italy, with the exception of a few security guards.

7.1.2 Optimisation of real estate and "flexible capacity concept"

In order to be able to respond more flexibly to additional capacity requirements in respect of accommodation for asylum seekers even at short notice in future, many Länder and municipalities developed plans for properties offering idle capacity when the number of asylum seekers began to decrease, capacity that cannot be reserved permanently for this purpose. One example is the Land of Lower Saxony where a flexible capacity concept was developed, essentially "making a distinction between "active" and "currently unused" accommodation. The aim is to have reception facilities up and running either in full or in part within the space of a few days and to be able to bring the accommodation up to capacity levels available the beginning of 2016. Plans are also integrated with the plans of the civil protection authorities meaning that facilities and capacities can be used for multifunctional purposes" (Götz/Meier 2016: 75).

7.1.3 Flexible authority (Federal Office for Migration and Refugees)

In order to be able to respond more flexibly in future to new challenges presented by a changing influx of asylum seek-

ers and to changes in political focal points, two staff-related measures are in the pipeline at the Federal Office for Migration and Refugees. Firstly, some employees are to undergo advanced training alongside their current jobs and qualifications that will prepare them for a second field of tasks at the Federal Office. This measure is intended to ensure that some employees can continue to be deployed in a supportive capacity to other work areas even at short notice, if it becomes necessary to reprioritise tasks particularly in the areas of asylum, integration, security and returns. Surveys are to be carried out among staff by the end of 2017 in order to find out who is interested in undergoing relevant training. Secondly, the Federal Office for Migration and Refugees is planning to give employees seconded to the Federal Office the opportunity to participate in upskilling measures once their secondment or transfer in a supportive capacity has ended. This means that, for instance, if the number of newly arriving refugees was to skyrocket again, they could be seconded to the Federal Office for Migration and Refugees (Weber 2017). The aim of these measures is to facilitate integration into the respective fields of tasks based on previous experience and upskilling measures.

7.2 Innovation and process optimisation

7.2.1 Federal Office for Migration and Refugees -Digitisation Agenda 2020

The growing digitisation of process steps in asylum procedures which began back in late 2015 and was pressed ahead with particularly in 2016 and the working processes involved in the area of integration that comes under the remit of the Federal Office for Migration and Refugees will continue beyond the period under review covered by this study and will be intensified. The Digitisation Agenda 2020 was launched to this end in the summer of 2016.

Essentially, the Agenda consists of three stages, with Stage I standing for electronic data storage, in which all documents in the individual work steps at the Federal Office are stored electronically and can therefore be processed decentrally (catchphrase: "paperless public authority"). This process is to be completed, by and large, by the end of 2017 for core areas of the Federal Office (BAMF 2017k: 6). Stage II relates to digital workflows, gradually reducing manual input within the individual work processes. The data is to be made accessible, readable and usable electronically, thereby reducing the error rate of manual data entries (catchphrase: "digital end-to-end processes"; BAMF 2017k: 6). Stage III involves systematic decision-making support. This involves the automatic interpretation of data and the support for staff (automated plausibility checks of the name spelling) derived from it right up to the full automation of partial steps (catchphrase: "IT-based decisions"; BAMF 2017k: 6).

All three stages also include the expansion of the digital exchange of data between the Federal Office and other actors relevant for a range of procedures (e.g. asylum seekers themselves, foreigners authorities, the Federal Labour Office, branch offices of the Federal Office for Migration and Refugees, the police, other security authorities, administrative courts, clubs and NGOs).

In the summer of 2017, the Digitisation Agenda encompassed over 30 individual projects, including, for instance, an electronic overview of integration courses available and in demand ("course tracker"), intelligent interview support with the programme giving access to a number of data sources during the interview, enabling plausibility checks to be carried out and possible contradictions to be revealed and to be clarified by further questions, if necessary and many other digitisation projects (cf. BAMF 2017k: 27 et. seq. for more detailed information).

7.2.2 Development of new equipment to safeguard initial care

The sharp rise in new arrivals of asylum seekers and the need to provide immediate initial care in the vicinity of the border, which was frequently implemented in collaboration between the local administrative structures and the regional and district associations and individual charitable associations, subsequently led, at times, to new equipment being procured. However, new equipment also had to be developed from scratch in order to enable initial care to be provided more flexibly and more efficiently in the future. Rottal-Inn District Association of the Bavarian Red Cross, for instance, reported that in order to be better equipped to cater for smaller, newly arrived groups of refugees, a concept was developed for a new motor vehicle "that would enable groups of between 50 and 100 persons to be provided quickly with warm beverages and simple snacks. The costs of approx. €300,000 were defrayed by the Bavarian Interior Ministry (written response by Rottal-Inn District Association of the Bavarian Red Cross).

8 Conclusion

Germany has been one of the most popular destination and host countries of asylum seekers in Europe in recent years, admitting approx. 1.5 million asylum seekers between 2014 and June 2017, with the vast majority of asylum seekers arriving between July 2015 and February 2016. The high number of newly arrived asylum seekers within a comparatively short space of time placed a huge burden on established administrative structures, accommodation at initial reception facilities, registration, the asylum procedure as well as the administrative courts that have had to deal with a significant increase in appeals against asylum decisions, follow-up accommodation and timely participation in society. One goal of the study was to document relevant measures concerning refugee policies in the given timeframe, which were initiated on national level but also in relation to other EU member states and third-countries. Some key developments were the closing of the border along the Balkan route, the EU-Turkey Statement, the EU relocation procedure as well as the EU-Resettlement programme, border control cooperation especially by staff of the Federal Police with other EU Member States and within Frontex operations and the stepping up activities within the framework of the so-called hotspot approach by staff of the Federal Office for Migration and Refugees in Greece and Italy.

On national level the sharply increased numbers of asylum seekers again led to several new cooperations of different actors, whether this was by a closer cooperation between the Federal Office for Migration and Refugees and the Federal Employment Agency and a closer link of procedures as part of the 'integrated refugee management', or by a new dimension of data exchange between federal levels as well as different authorities on the basis of the Central Register of Foreigners (core data system) or new cooperations amongst the main national associations of welfare organizations and the honorary office. The situation ultimately triggered dozens of nationwide, hundreds of regional and thousands of local measures, responses and initiatives by state and non-state actors to ease the burden and safeguard orderly and reliable procedures and reception processes. At civil society and local level, it is estimated that up to 15,000 measures and projects "focused primarily on the challenges presented by migration" have arisen (Schiffauer/Eilert/Rudloff 2017: 13).

The large number of individual measures did not only differ in the extent to the initiating and implementing actors, but also on the outreach of their focus and the conditions they targeted. Roughly six types of measures may be distinguished as follows:

- **Regulatory measures:** capacity-building in relation to control structures, simplification of working processes (inter alia staff increases; developing new infrastructure; organizing additional integration courses; outsourcing of tasks, e.g. to private security companies; introducing 'simplified asylum procedures' waiving the requirement of personal interviews; reducing the qualification and training period of decision-makers in the asylum procedures within the Federal Office for Migration and Refugees; Strengthening prevention programmes against right wing and islamist motivated violence.
- **Emergency measures:** ensuring that all asylum seekers had accommodation and access to initial care as well as securing central administration processes as well as support measures (inter alia, reintroducing border controls; amending construction planning law; enlisting the services of hundreds of thousands of volunteers; developing emergency accommodation; taking over of tasks and responsibilities by the next higher administrative unit (inter alia, Federal Government Coordination Office for the Distribution of Refugees); mobile teams for post-registration,
- **Innovative measures:** responding to new challenges and reforming existing processes (inter alia, digitisation of procedural steps; 'integrated identity management'; setting up arrival centres in all Länder; arranging for video interpreting; organizing courses for asylum seekers who need to learn to read and write using the Roman alphabet; right of residence for victims of right wing motivated violence in the Land of Brandenburg),
- **Participatory measures:** creating additional participation possibilities in general (inter alia, the 'Arrival App'; full-time jobs for coordinators of volunteers) as well as for asylum applicants from countries of origins with a high overall protection rate (good prospect to remain) in particular. For the latter additional participation possibilities even prior to completion of their asylum procedure (inter alia, earlier access to integration courses, courses in German for professional purposes and the labour market),
- **Restrictive measures:** tightening of conditions for asylum applicants from countries of origin with a lower, average protection rate in particular (safe countries of origin/little prospect to remain) (inter alia, they received benefits in kind rather than in cash and were required to stay longer at initial reception facilities),
- **Preventive measures:** reducing the number of newly arriving asylum seekers with externalised solutions in respect of admission and the causes making people

seek refuge (inter alia, EU-Turkey-Statement; support for border police along the EU's external borders; limiting family reunification rights for beneficiaries of subsidiary protection; creating alternative, legal immigration possibilities; combating the causes making people seek refuge in the medium and long term).

The issue relating to finance of the individual measures presented challenges resulting, for instance, in particular from the financial burden on the Länder and municipalities that needed to determine who was responsible for providing accommodation and initial care. The Federal Government appropriated funds in the years 2015 to 2017 to ease the burden on the Länder and municipalities through a number of different channels. Charitable associations and non-governmental organisations financed their work with increased funds, public procurement and partly with increases in donations and equity.

Even though there was a sharp decline in the number of newly arrived asylum seekers from the spring of 2016 onwards, many of the areas under consideration continued to receive a large number of newcomers also in 2017 owing to the steps involved in downstream processes and the backlog that ensued. The burden was greatly eased in 2016 first and foremost in the area of border control, emergency and initial care, accommodation and registration. These and some other areas were marked by the consolidation of processes, the stabilisation of newly-created structures, the easing of the burden on staff and volunteers, the standardisation of procedures, the (re)-introduction of quality standards, the provision of follow-up training for staff and the intensification of information sharing among the individual actors.

Many of the actors learned initial lessons from the experience gained in recent years. This means they should be better equipped to cope if Germany were to experience another increase in the number of asylum seekers in future. As such, some of the planned measures were aimed at the refunctioning and flexibilisation of existing structures and processes (e.g. "flexible authority"), whereas others were aimed at creating new structures, processes and procuring new equipment (e.g. digitisation of processes involved in the asylum procedure).

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Annex

Responses to questionnaires and background talks

1. Federal Workers' Welfare Association (Arbeiterwohlfahrt Bundesverband e.V.) (Department Migration and Intercultural Dialogue)
2. Federal Criminal Police Office (Bundeskriminalamt) (Section IZ 34)
3. German Caritas Association (Deutscher Caritasverband e. V.) (Section for Migration and Integration)
4. German Association of Towns and Municipalities (Deutscher Städte- und Gemeindebund)
5. German Red Cross (Deutsches Rote Kreuz) (DRK) – General Secretariat
6. Lower Saxony Regional Association of the German Red Cross (DRK-Landesverband Niedersachsen e. V.) (Karsten Broszeit und Anna Lips)
7. Rhineland-Palatinate Regional Association of the German Red Cross (DRK-Landesverband Rheinland-Pfalz e. V.)
8. Saarland Regional Association of the German Red Cross (DRK-Landesverband Saarland e.V.)
9. Saxony Regional Association of the German Red Cross (DRK-Landesverband Sachsen e.V.)
10. Rottal-Inn District Association of the Bavarian Red Cross (BRK-Kreisverbandes Rottal-Inn)
11. Central Board of Jewish Welfare in Germany (Zentralwohlfahrtsstelle der Juden in Germany e. V.)

Abbreviations

AFIS	Automated Fingerprint Identification System (Automatisiertes Fingerabdruck-Identifizierungs-System)
AMIF	Asylum, Migration, Integration Fund
AsylG	Asylum Act
AsylbLG	Asylum Seekers' Benefits Act (Asylbewerberleistungsgesetz)
Asylum Package I	Act on the Acceleration of Asylum Procedures
Asylum Package II	Act on the Introduction of Fast-Track Asylum Procedures
AufenthG	Act on the Residence, Economic Activity and Integration of Foreigners in the Federal Territory (Residence Act) (Aufenthaltsgesetz)
AWO	Workers' Welfare Federal Association (Arbeiterwohlfahrt)
AZR	Central Register of Foreigners (Ausländerzentralregister)
AZRG	Act on the Central Register of Foreigners (Gesetz über das Ausländerzentralregister)
BA	Federal Labour Office (Bundesagentur für Arbeit)
BAFzA	Federal Office of Family Affairs and Civil Society Functions (Bundesamt für Familie und zivilgesellschaftliche Aufgaben)
BAG	Federal Office for Goods Transport (Bundesamt für Güterverkehr)
BAGFW	Federal Association of Non-statutory Welfare (Bundesarbeitsgemeinschaft der Freien Wohlfahrtspflege)
BAMF	Federal Office for Migration and Refugees (Bundesamt für Migration und Flüchtlinge)
BBK	Federal Office of Civil Protection and Disaster Assistance (Bundesamt für Bevölkerungsschutz und Katastrophenhilfe)
BDO	Federal Association of German Bus Companies (Bundesverband Deutscher Omnibusunternehmer)
BDSW	Federal Association of the Security Industry (Bundesverband der Sicherheitswirtschaft)
BIM	Berlin Institute for Integration and Migration research (Berliner Institut für Empirische Integrations- und Migrationsforschung)
BKA	Federal Criminal Police Office (Bundeskriminalamt)
BKG	Federal Agency for Cartography (Bundesamt für Kartographie)
BlmA	Institute for Federal Real Estate (Bundesamt für Immobilienaufgaben)
BMAS	Federal Ministry of Labour and Social Affairs (Bundesministerium für Arbeit und Soziales)
BMBF	Federal Ministry of Education, Science, Research and Technology (Bundesministerium für Bildung und Forschung)
BMF	Federal Ministry of Finance (Bundesministerium der Finanzen)
BMFSFJ	Federal Ministry for Family Affairs, Senior Citizens, Women and Youth (Bundesministerium für Familie, Senioren, Frauen und Jugend)
BMI	Federal Ministry of the Interior (Bundesministerium des Innern)
BMUB	Federal Ministry for the Environment, Nature Conservation, Building and Nuclear Safety (Bundesministerium für Umwelt, Naturschutz, Bau und Reaktorsicherheit)

BMVI	Federal Ministry of Transport and Digital Infrastructure (Bundesministerium für Verkehr und digitale Infrastruktur)
BPOL	Federal Police (Bundespolizei)
BumF	Federal Association for Unaccompanied Minor Refugees (Bundesfachverband unbegleitete minderjährige Flüchtlinge)
BVA	Federal Office of Administration (Bundesverwaltungsamt)
CDU	Christian Democratic Union of Germany (Christlich Demokratische Union)
CEO	Chief Executive Officer
cf.	compare to
CoESS	Confederation of European Security Services
COM	European Commission
CSU	Christian Social Union in Bavaria (Christlich-Soziale Union)
DCV	German Caritas Association (Deutsche Caritasverband)
DAA	German Employee Academy (Deutsche Angestellten-Akademie)
DAAD	German Academic Exchange Service (Deutscher Akademischer Austauschdienst)
DDGI	German Umbrella Association for Geoinformation (Deutscher Dachverband für Geo-Information e.V.)
DeuFöV	Ordinance regulating job-related German language courses (Verordnung zur berufsbezogenen Deutschsprachförderung)
DGUV	German Social Accident Insurance (Deutsche Gesetzliche Unfallversicherung)
DIMR	German Institute for Human Rights (Deutsches Institut für Menschenrechte)
DOSB	German Olympic Sports Federation (Deutscher Olympischer Sportbund)
DRK	German Red Cross (Deutsches Rotes Kreuz)
DStGB	German Association of Towns and Communities (Deutscher Städte- und Gemeindebund)
EASO	European Asylum Support Office
EASY	Initial distribution of asylum seekers among the Länder (Erstverteilung der Asylsuchenden auf die Bundesländer)
EC	European Community
e.g.	for example
EMN	European Migration Network
EOK	Initial orientation courses for asylum seekers with unclear prospects to remain (Erstorientierungskurse für Asylbewerber mit unklarer Bleibeperspektive)
ESF	European Social Fund
et seq.	The following pages
EU	European Union
EuGH	European Court of Justice
EUROPOL	European Union Agency for Law Enforcement Cooperation
FRONTEX	European Border and Coast Guard Agency (until 6/10/2016: European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union)
FTE	Fulltime equivalent
GdP	Police Trade Union (Gewerkschaft der Polizei)
GDP	Gross domestic product
GfK	Society for Consumer Research (Gesellschaft für Konsumforschung)

GKV	National Association of Statutory Health Insurance Funds (Spitzenverband Bund der Krankenkassen)
IAW	Institute for Applied Economic Research (Institut für Angewandte Wirtschaftsforschung)
IdS	Integration through Sport (Integration durch Sport)
IfW	Kiel Institute for the World Economy (Kieler Institut für Weltwirtschaft)
IOM	International Organization for Migration
JHA	Justice and Home Affairs Council
JMD	Youth Migration Service (Jugendmigrationsdienste)
KOM	European Commission (Europäische Kommission)
KoSIT	Coordination Office for IT Standards (Koordinierungsstelle für IT-Standards)
KoSt-FV Bund	Federal Government Coordination Office for the Distribution of Refugees (Koordinierungsstelle Flüchtlingsverteilung Bund)
LAB NI	Federal state of Lower Saxony (Landesaufnahmebehörde in Niedersachsen)
Land NRW	Land of North Rhine-Westphalia
LGBTTIQ*	Lesbian, gay, bisexual, transsexual, transgender, intersex and queer
LPR Nieder-sachsen	Regional Prevention Council of Lower Saxony (Landespräventionsrat Niedersachsen)
LSB	Regional Sport Federations and Youth Sport Federations (Landessportbünden und -sportjugenden)
MASGF Brandenburg	Ministry of Labour, Social Affairs, Health and Family Affairs Brandenburg (Ministerium für Arbeit, Soziales, Gesundheit, Frauen und Familie)
MIK NRW	Ministry of Home Affairs and Local Affairs of North Rhine-Westphalia (Ministerium für Inneres und Kommunales des Landes Nordrhein-Westfalen)
MS Nieder-sachsen	Ministry for Social Affairs, Health and Equality of Lower Saxony (Ministerium für Soziales, Gesundheit und Gleichstellung)
NGO	Non-Governmental Organisation
No.	Number
REG	Return Expert Group
RIM/FIM	Refugee Integration Measures (Flüchtlingsintegrationsmaßnahmen)
SGB	Social Code (Sozialgesetzbuch)
SPD	Social Democratic Party of Germany (Sozialdemokratische Partei Deutschlands)
Subs.	Subsection
TFEU	Treaty on the Functioning of the European Union
THW	Federal Agency for Technical Relief (Technisches Hilfswerk)
UNHCR	United Nations High Commissioner for Refugees
ZKI	Centre for Satellite-Based Critical Information (Zentralstelle für Satellitengestützte Kriseninfo)
ZWST	Central Board of Jewish Welfare in Germany (Zentralwohlfahrtsstelle der Juden in Deutschland)

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