COUNTRY FACTSHEET: GERMANY 2012
EUROPEAN MIGRATION NETWORK

1. Introduction

This EMN Country Factsheet provides a factual overview of the main policy developments in migration and international protection in Germany during 2012, including latest statistics. It has been prepared in conjunction with the European Commission's 4th Annual Report on Migration and Asylum (2012).

2. Legal Migration and Mobility

2.1. PROMOTING LEGAL MIGRATION CHANNELS

The Federal Office for Migration and Refugees (BAMF) is the central agency in Germany responsible for advising migrants on legal migration routes. The BAMF website[1] contains extensive information on migration-related questions available in German, English, Russian and Turkish. BAMF has a **hotline** for questions regarding the recognition of foreign vocational qualifications which can also answer more detailed questions, for instance on the EU Blue Card. There are also about 600 **advice facilities** in Germany. A total of 164,465 immigrants had visited one of these advice centres nationally by mid-2012. Two **online portals** have been introduced in 2012 targeting qualified professionals.[2]

2.2. ECONOMIC MIGRATION

With regard to **satisfying labour market needs**, an employment monitoring service is being developed on behalf of the Federal Ministry of Labour and Social Affairs (BMAS) which will portray labour demand, disaggregated by sectors, occupations and regions. In relation to **skills recognition**, major changes have taken place following the adoption of the Recognition Act[3], which came into force on 1 April 2012, including the recognition of vocational qualifications acquired

abroad accepted as equivalent to a German qualification; simplification of the procedures and criteria for recognition as well as abolishment of the requirement for certain occupations to be exclusively available for German nationals. Information and advice services have been significantly expanded and a centralised online portal 'Recognition in Germany'[4] is now in operation. Germany has adopted a number of measures to **facilitate access of highly qualified workers**. The 'Act transposing the Directive on Highly-qualified Persons'[5] came into force on 1st August 2012. The new provisions introduce more favourable conditions for students and graduates of German universities, foreigners who are undergoing vocational training, as well as the self-employed and entrepreneurs. In addition, a special residence title for job-seeking was introduced. To facilitate greater mobility of students and researchers, Germany has adopted a number of provisions, including allowing students additional hours for gainful employment; increasing the job-seeking residence permit for graduates to 18 months; applying accelerated visa procedures for researchers and granting researchers' spouses unrestricted access to the labour market. *(See Tables 1 and 3 and Figures 1 and 2 in Statistical Annex).*

2.3. FAMILY REUNIFICATION

The **Act to combat forced marriages[6],** which entered into force in July 2011, extended from two to three years the minimum marital cohabitation time after expiry of which a foreign spouse may be granted an independent right of residence in case the marital cohabitation is terminated in order to better be able to combat marriages of convenience. Another provision introduced recently is the condition that foreign

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[1] Federal Office for Migration and Refugees (BAMF) www.bamf.de
[2] The portal www.fachkräfte-offensive.de provides information on labour market shortages .The www.Make-it-in-Germany.com focuses on opportunities to work in Germany.
[3] Gesetz zur Verbesserung der Feststellung und Anerkennung im Ausland erworbener Berufsqualifikationen

[4] www.anerkennung-in-deutschland.de
[5] Gesetz zur Umsetzung der Hochqualifizierten-Richtlinie
[6] Gesetz zur Bekämpfung der Zwangsheirat und zum besseren Schutz der Opfer von Zwangsheirat sowie zur Änderung weiterer aufenthalts- und asylrechtlicher Vorschriften

The European Migration Network (EMN) is co-ordinated by the European Commission with National Contact Points (EMN NCPs) established in each EU Member State plus Norway.

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Home Affairs

spouses of third country nationals living in Germany must demonstrate basic **language ability** prior to entry in order to receive a residence permit. The visa applicant must provide proof of basic German language ability at "reference level A1 of the Common European Framework of Reference for Languages" (CEFR) at a German embassy or consulate prior to entry.

2.4. INTEGRATION

Integration courses are offered to all immigrants who have prospects to remain in Germany. An integration course encompasses a 600-hour language course and a 60-hour orientation course on questions related to the German legal system, history and culture. Courses for special groups (parents, women, juveniles, the illiterate) are available with up to 1,200 hours' language teaching. The **European Integration Fund (EIF)** 2012 annual programme was expanded on the basis of the 2011 annual programme. Under the **European Refugee Fund (ERF)**, projects are envisaged on improvement of language skills, educational programs for school and work, and social integration. The BMAS "Work-related language promotion programme for persons with a migration background in the sphere of the Federation" has been financed by the **European Social Fund (ESF)**. The programme aims to enhance the chances of people with a migration background to access the labour market and was expanded to include refugees.

2.5 MANAGING MIGRATION AND MOBILITY[7]

German consulates apply the provisions of the Visa Code. All visas issued by Germany are biometric with regard to the photograph. The **Visa Information System (VIS) became operational** on 11th October 2011. Since 31st October 2011, in line with the requirements of Article 7(3) of the Schengen Borders Code (SBC), border checks on the external borders of the VIS have included as a minimum checking the number of the visa sticker. Border controls at some external border crossing points have been carried out since 14th December 2011 as a standard check in combination with a verification of the visa holder's fingerprints. These standard checks are to be carried out at all external border crossing points by 2013. The preparations for the launch of the VIS in the German missions abroad in further operating regions, as well as the preparations for access to the VIS for the German police and security authorities, are going ahead in accordance with the VIS access decision. Germany will be expanding the collection of biometric data in the visa procedure as the VIS roll-out

continues. Germany has concluded 231 representation agreements. (*See Table 9 in Statistical Annex*)

3. International Protection and Asylum

As members of the Asylum Support Team seconded by EASO, staff of the Federal Office for Migration and Refugees (BAMF) took part in two deployments in 2012 to establish a suitable asylum procedure in Greece. The work focussed on training activities concerned with interview techniques and drawing up a training manual on leadership qualities. Staff of the BAMF was also involved in the activities of the **European Asylum Curriculum** (EAC) within EASO. Following the decision taken in December 2011, Germany is taking part in a **resettlement programme** from 2012 to 2014, and resettling 300 persons per year (UNHCR submissions). Germany admitted 300 persons in 2012, from which 105 were Iraqi nationals coming from Turkey, and 205 came from Tunisia (nationals from Sudan, Eritrea, Ethiopia, Congo, Nigeria, Pakistan and Somalia). Germany is already preparing the admission of another 300 persons in 2013 in close cooperation with the UNHCR. (*See Tables 3, 4 and 5 and Figures 3-6 in Statistical Annex*)

4. Unaccompanied Minors and other Vulnerable Groups

The different residence, asylum and social measures and procedures used in conjunction with the entry, reception and potential return of unaccompanied minors (UAM) underlie special protection to this group. If minors travelling alone are recognised as such by the border authorities they can be transferred to the appropriate youth welfare office, which then must arrange for the minor to be taken into care, assign a guardian and provide adequate accommodation. "Specially assigned case officers", trained in handling UAMs, are appointed. They are instructed to make sure the UAM's hearing is less formal than for adults, and to ensure the needs of minors are met with particular sensitivity to their age and circumstances. (*See Table 6 and Figure 7 in Statistical Annex*)

5. Actions against Trafficking in Human Beings

Germany has undertaken a number of **actions to fight human trafficking, including measures to identify, protect and assist victims of trafficking**:
•   A study on "Development of effective measures to support victims of labour exploitation"[8] – launched by

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[7] "Managing migration and mobility" refers to the following themes: visa policy, Schengen governance and border monitoring.

[8] "Entwicklung tragfähiger Unterstützungsstrukturen für die Betroffenen von Menschenhandel zur Arbeitsausbeutung", available online at http://www.bmas.de/DE/Themen/Soziales-Europa-und-Internationales/Meldungen/studie-menschenhandel-arbeitsausbeutung.html

the German Federal Ministry of Labour and Social Affairs and published in January 2012 – concluded that human trafficking for labour exploitation has not yet really caught the attention of policy-makers in Germany. Commitments have been made to address the issue of trafficking for labour exploitation

- The Federal Criminal Police Office has drawn up a brochure entitled 'Identifying potential victims – taking the necessary action'[9] to support the identification of victims of trafficking for the purpose of exploitation of labour.
- The German nationwide activist coordination group combating trafficking in women and violence against women in the process of migration, Berlin (KOK), which is promoted by the Federal Government, published a "Manual on basic and further training and quality assurance for specialist advice centres for victims of trafficking in women/human beings"[10] in 2012 which consists of a social educational and a legal part.

With regard to **planned actions at national level to enhance the prevention of trafficking in human beings**, Directive 2011/36/EU, is to be transposed by 6 April 2013**.**

6. External Dimension of EU Migration Policy

German development cooperation promotes an exchange of experience and regional dialogue between representatives of the diaspora and government institutions of partner countries within the series of workshops entitled "Migration politics in the Western Balkans". In addition, a regional interdisciplinary dialogue in Central Asia has put emphasis on the promotion of development potentials in labour migration. Within EU mobility partnerships, German development cooperation is providing institutional advice to improve promotion of the potentials of migration for sustainable development. In regard to **remittances**, most notably, a comparison web-site has been launched to ensure safer and faster remittances.[11] In its **efforts to mitigate brain drain**, the Federal Government is promoting the knowledge transfer to developing countries within development cooperation with the programme entitled "Returning Professionals".

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[9] "Potentielle Opfer identifizieren – Notwendige Maßnahmen ergreifen"
[10] "Handbuch zur Aus- und Fortbildung und Qualitätssicherung für Fachberatungsstellen für Betroffene von Frauen-/ Menschenhandel", available online: http://www.kok-buero.de/kok-informiert/aktuelle-kok-publikationen/fachliteratur/fachliteratur/detailansicht-fachliteratur/artikel/handbuch-zur-aus-und-fortbildung-und-qualitaetssicherung-fuer-fachberatungsstellen-fuer-betroffene.html
[11] www.geldtransfair.de

7. Irregular Migration

To support the implementation of the EU's readmission agreements, Germany is focussing on cooperation with third countries in addition to the conclusion of **implementation protocols**. An implementation protocol with Montenegro was concluded in 2012, and a bilateral exchange of notes on **EU readmission agreements** was initiated with Macedonia.

With regard to **border control operations**, the **Federal Police is planning to introduce** an automated border control system, **the EasyPASS,** at five major German airports for EEC and Swiss nationals by 2014 (approx. 90-100 tracks). The technical requirements for participation by the Federal Police in SIS II have been in place since 2008. Extensive data migrations to consolidate and operate the new wanted persons and stolen property categories in SIS II have already been initiated and will be largely completed in November 2012.

With regard to activities on preventing irregular migration, abuse of freedom to travel by third country nationals is also regularly the subject of analyses at the Joint Centre for Illegal Migration Analysis and Policy (GASIM). The GASIM contributes through its integral interdepartmental and inter-institutional approach towards improving the efficiency and effectiveness of the measures to react to unexpected migration pressures. Germany is currently affected by several migration routes within secondary migration. (*See Tables 7 and 8 and Figure 8 in Statistical Annex*).

## 8. Provision and Exchange of Information to support Policy Development

Exchange of information in the context of the **European Migration Network** has been identified as an important vehicle for information exchange. In particular, the exchange of information between the national contact points to support policy-makers on specific questions from the field of migration and asylum within a written **ad-hoc query** system was emphasized.

STATISTICAL ANNEX

The Statistical Annex provides an overview of the latest available statistics for Germany on aspects of migration and asylum (2010-2012), including residence, asylum, unaccompanied minors, illegal migration, return and visas. Where statistics are not yet available, this is indicated in the Annex as "N/A".

Statistical Annex: Immigration and Asylum in Germany (2010-2012)

**Figure 1: First residence permits, by reason (2010-2012)**
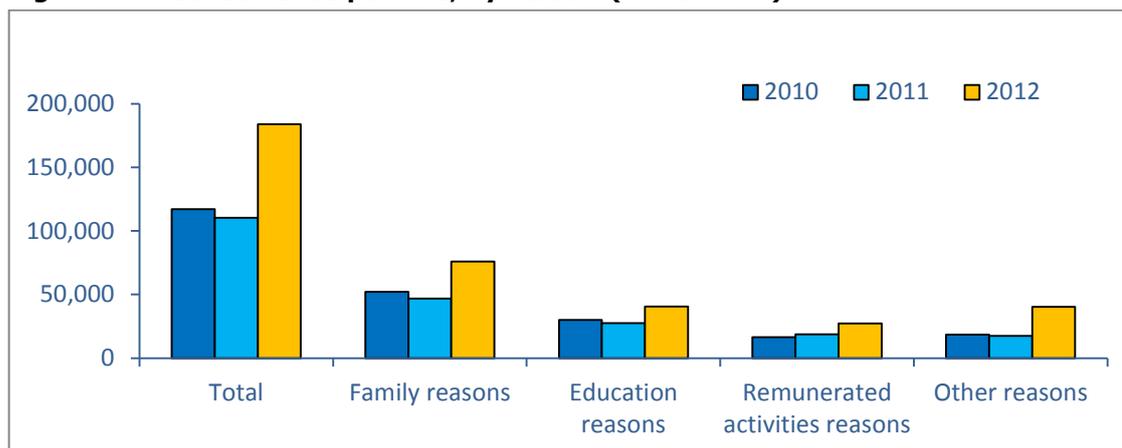
Source: Eurostat migration statistics (migr_resfirst) for 2010 and 2011; Data for 2012 provided by the DE NCP

Table 1: First residence permits: Top 5 nationalities (2010-2012)

2010	2011	2012
1.Turkey – 11,722	**1. Turkey** – 10,663	**1. Turkey** – 14,432
2. China – 9,940	**2. USA** – 9,002	**2. China** – 9,395
3. USA – 7,843	**3. China** – 8,472	**3. USA** – 6,834
4. Russia – 6,922	**4. India** – 6,449	**4. Russia** – 6,481
5. India – 5,962	**5. Russia** – 6,265	**5. India** – 5,925

Source: Eurostat migration statistics (migr_resfirst)

**Figure 2: Resident population of third-country nationals in millions (2010-2012)**
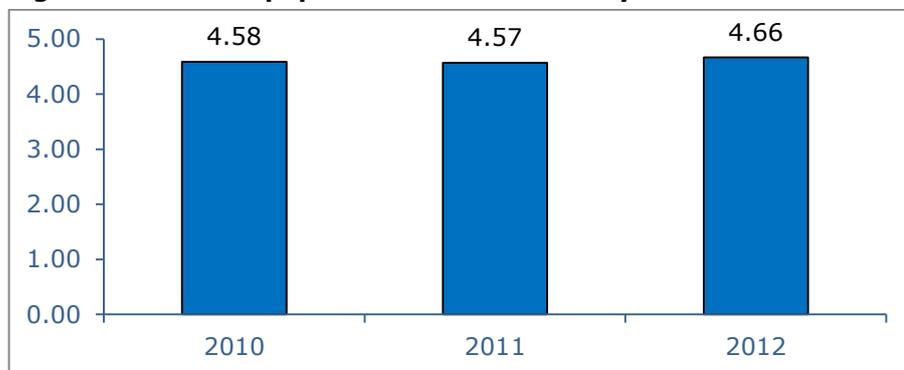
Source: Eurostat migration statistics (migr_pop1ctz)

Table 2: Resident population: Top 5 nationalities (2010-2012)

2010	2011	2012
1.Turkey – 1,762,822	**1.Turkey** – 1,731,688	**1.Turkey** – 1,698,735
2.Italy – 556,145	**2.Italy** – 556,171	**2.Italy** – 517,259
3.Poland – 425,608	**3.Poland** – 448,369	**3.Poland** – 504,479
4.Greece – 297,668	**4.Greece** – 296,307	**4.Greece** – 295,738
5. Croatia – 234,381	**5. Croatia** – 233,104	**5. Croatia** – 242,257

Source: Eurostat migration statistics (migr_pop1ctz)

Figure 3: Asylum applications (2010-2012)
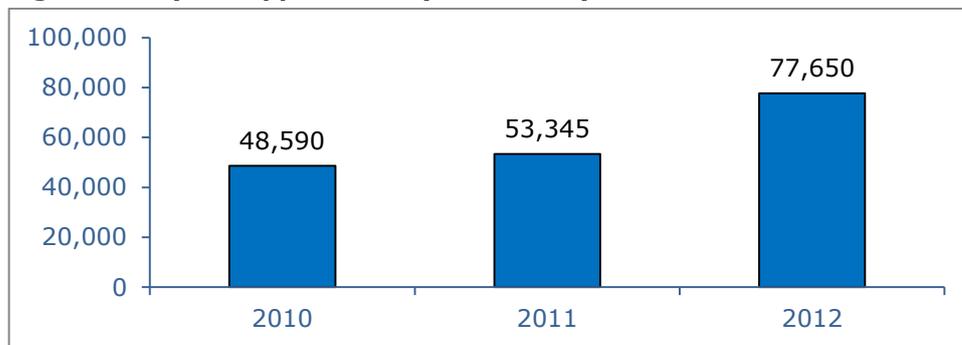
Source: Eurostat migration statistics (migr_asyappctza)

Table 3: Asylum applications: Top 5 nationalities (2010-2012)

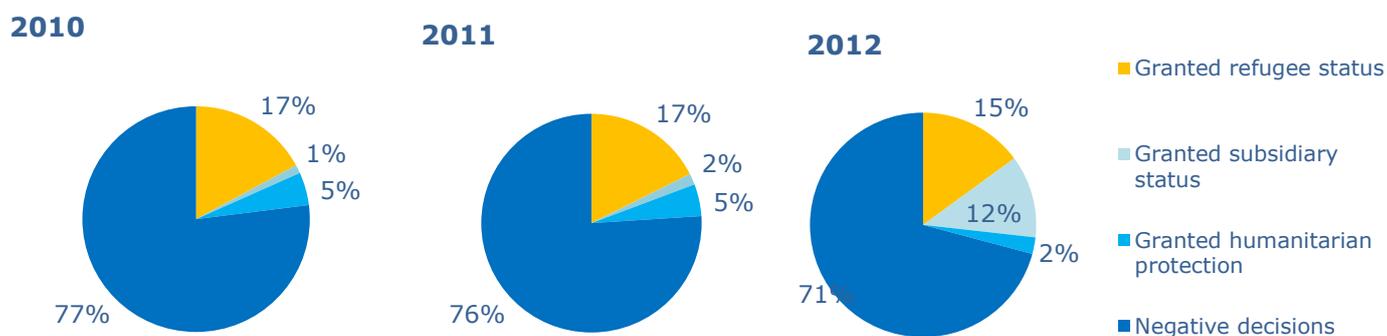| 2010	2011	2012
1.Serbia– 6,795	**1.Afghanistan –** 7,955	**1.Serbia –** 12,812
2.Afghanistan – 6,065	**2. Serbia –** 6,990	**2. Syria –** 7,930
3.Iraq – 5,945	**3. Iraq –** 6,210	**3. Afghanistan –** 7,840
4. FYROM – 3,545	**4. Iran –** 3,775	**4. FYROM –** 6,890
5. Iran – 2,970	**5. Syria –** 3,435	**5. Iraq –** 5,675

Source: Eurostat migration statistics (migr_asyappctza)

Table 4: Asylum applications - First instance decisions by outcome (2010-2012)[12]

	Total decisions	Positive decisions	Of which:			Negative decisions
			Refugee status	Subsidiary protection	Humanitarian reasons	
2010	45,400	10,450	7,755	545	2,145	34,955
2011	40,360	9,675	7,100	665	1,910	30,690
2012	58,765	17,140	8,765	6,975	1,400	41,625

Source: Eurostat migration statistics (migr_asydcfsta)

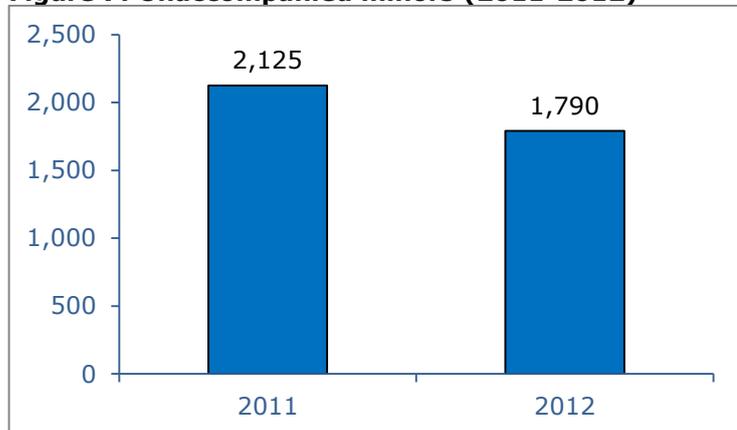**Figures 4-6: Asylum applications - First instance decisions by outcome (2010-2012)**

Source: Eurostat migration statistics (migr_asydcfsta)

Table 5: Third-country nationals relocated and resettled (2010-2012)

	2010	2011	2012
Third-country nationals relocated	*N/A*	150	0
Third-country nationals resettled	525	145	300

Source: Eurostat migration statistics (migr_asyresa); National contributions to EMN Annual Policy Report

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[12] These figures, as provided by Eurostat, differ from the German national statistics on asylum: Due to data protection, the present figures have been rounded. In the present statistic granting asylum and recognizing refugee status are both subsumed under the category "refugee status", while the national statistics on asylum do not distinguish between subsidiary protection and protection for humanitarian reasons but subsumes both the label subsidiary protection. The national statistics do not regard decisions based on the Dublin Regulation as rejections but as formal decisions. Also, ceasing the procedure and withdrawing the application are not regarded as decisions within the national statistics. Thus, the national statistics on asylum reveal a substantially lower number of negative decisions.

Figure 7: Unaccompanied minors (2011-2012)

Table 6: Unaccompanied minors (2010-2012)

	2010	2011	2012
Unaccompanied minors (total)	*N/A*	2,126*	2,096*
Unaccompanied minors not applying for asylum	*N/A*	*N/A*	*N/A*
Unaccompanied minor asylum applicants	1,948*	2,126*	2,096*

*Source: National contributions to EMN Annual Policy Report, * Information provided by EMN National Contact Point*

Table 7: Number of third-country nationals refused entry at external borders (2010-2012)

	2010	2011	2012
Third-country nationals refused entry at external borders	3,550	3,365	3,820

Source: Eurostat migration statistics (migr_eirfs)

Figure 8: Number of third-country nationals found to be illegally present (2010-2012)
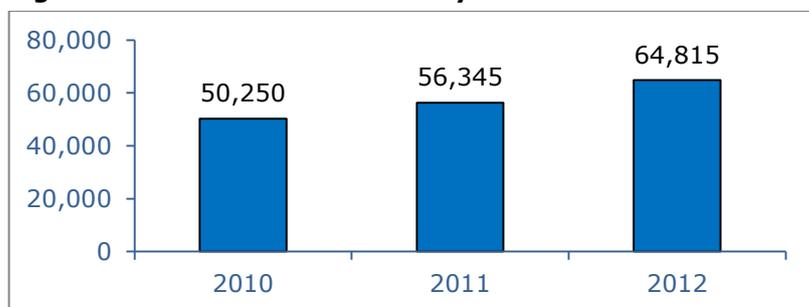
Source: Eurostat migration statistics (migr_eipre)

Table 8: Third-country nationals returned (2010-2012)

	Third-country nationals ordered to leave	**Returned as part of forced return measures**	**Returned voluntarily**	**Returned through an Assisted Voluntary Return Programme**
2010	19,190	*N/A*	*N/A*	*N/A*
2011	17,550	*N/A*	*N/A*	*N/A*
2012	20,000	12,069	13,995	7,546*

*Source: Eurostat migration statistics (migr_eiord); National contributions to EMN Annual Policy Report; * Information provided by EMN National Contact Points*

Table 9: Number of visas issued by type (2010-2012)

	2010	**2011**	**2012**
Total visas	*N/A*	*N/A*	1,523,746[13]
Schengen visa (short-stay visas)*	1,611,109	1,589,679	1,735,522
National visa	*N/A*	162,260	136,797[14]

*Source: Commission Staff Working Documents on the Annual Report on Immigration and Asylum; * DG HOME Statistics on Visa Policy website: http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/borders-and-visas/visa-policy/index_en.htm*

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[13] For the year 2012, these figures only cover the first nine months.
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