

Bundesministerium
des Innern
[Federal Ministry
of the Interior]

**Report from the Federal Republic of Germany
to the European Commission**

**An EU Framework for National Roma Integration Strategies
up to 2020**

**– Integrated packages of measures to promote the integration and
participation of Sinti and Roma in Germany –**

2011

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Annex 1

Observations of the *Zentralrat Deutscher Sinti und Roma e.V.* [Central Council of German Sinti and Roma]

Annex 2

Access to education – Examples of projects

Annex 3

Access to employment – Examples of projects

Annex 4

Access to healthcare – Examples of projects

Annex 5

Access to housing – Examples of projects

A) Summary

Germany supports the measures launched under the Hungarian Presidency of the Council of the European Union to improve the situation of Roma¹ in Europe (Commission Communication of 5 April 2011, Conclusions of the Employment, Social Policy, Health and Consumer Affairs Council meeting of 19 May 2011 endorsed by the European Council on 23/24 June 2011). The Federal Government is conscious of its particular responsibility in the light of Germany's history, and pledges to observe the prohibition on the discrimination of ethnic minorities and to comply with the Charter of Fundamental Rights established under Community law and the European Convention on Human Rights. As part of its broadly conceived policy on minorities, German efforts to promote integration take into account the interests of Roma communities. That policy extends beyond raising political awareness to the promotion of democracy, freedom, diversity and tolerance, from broadly based initiatives at federal level to small-scale local integration projects. Powers and responsibilities lie not just with the Federal Government, but – given Germany's federal structures – also with the *Länder* and local authorities.

The main focuses of this report may be summarised as follows:

Access to education

Germany is resolutely committed to greater participation in education and to equal opportunities, in particular for disadvantaged groups. Accordingly, increased investment is being made in early childhood education and care is being taken that every child is given the opportunity to obtain school leaving qualifications or vocational qualifications.

Access to employment

Recourse to employment promotion schemes in Germany is not tied to nationality or membership of a particular ethnic group. The special support measures at *Land* level are problem-oriented, specifically tailored to the different needs of Roma and minority groups from region to region in terms of integration and support and co-financed *inter alia* using resources from the European Structural Funds.

¹ Approximately ten to twelve million people living in the EU identify themselves as Roma, Sinti, Gitanos or Manouches and are united by a common history and culture. In this report, these people will be referred to as 'Roma' at European level and as 'German Sinti and Roma' and 'foreign Roma' in the context of Germany.

Access to healthcare

The provision of healthcare to Sinti and Roma residing in Germany is in principle guaranteed by the obligation to belong to the statutory – or a private – health insurance scheme; they have access to the same healthcare and prevention services as those available to any other category of insured persons, with the result that they enjoy guaranteed healthcare.

Access to housing

The provision of appropriate, affordable housing is a key objective of the Federal Government's housing and social policies. The Federal Government's policy on housing guarantees that housing is provided to all sections of the population and does not differentiate on the basis of ethnic origin. Particular attention is paid to the needs of the Sinti and Roma in some towns and cities in the context of housing and urban development policy.

Views of non-governmental organisations

The Federal Government offered the following non-governmental organisations the opportunity to submit their observations on the report:

- *Zentralrat Deutscher Sinti und Roma e.V.* [Central Council of German Sinti and Roma]
- *Sinti Allianz Deutschland e.V.* [Sinti Alliance of Germany]
- Amnesty International
- *Gesellschaft für bedrohte Völker* [Society for Threatened Peoples]

The Central Council of German Sinti and Roma availed itself of that opportunity. The organisation welcomes in principle the framework established by the European Union for national strategies to improve the situation of the Roma in Europe. It does however point to the Member States' responsibility for the integration of the Roma and the need to take account of the particular national circumstances. In its opinion, bearing in mind the above, the evident marginalisation of some Roma cannot be regarded as being characteristic of the minority as a whole. Accordingly, it is the view of the organisation that, rather than a universal approach, what is needed are distinct policies and measures targeted, on the one hand, at German Sinti and Roma in order to implement the Council of Europe's Framework Convention for the Protection of National Minorities and, on the other hand, at refugees and immigrants with a view to resolving questions of status/determining rights of residence,

naturalisation etc. For further details, please refer to the observations of the Central Council of German Sinti and Roma contained in Annex 1 to this report.

B) Significance of the European initiative

The term 'Roma' is an umbrella term for a multitude of groups of people with similar cultural characteristics, such as language, culture and history. As such, Roma are not a homogenous section of the population but rather a plethora of communities with differing experiences, characteristics and customs. Those differences must be preserved because they enrich the cultural diversity of Europe. It is however true that a diverse social and cultural existence in Europe is conceivable only if minorities and the respective majority population groups can live together in harmony.

Roma make up larger sections of the population in certain countries of Central and Eastern Europe. From the perspective of demographic development, it is notable that the Roma represent the youngest section of the European population living in Europe. Roma are represented in all levels of society, are representatives of all levels of society and occupy positions of responsibility at both a micro and macro scale.

Despite the size and significance of this European population group, the history, culture and language of the Roma are unfamiliar to or only little known by wide sections of the majority populations. A lack of knowledge about and prejudices towards minorities often foster an environment of intolerance, ignorance and exclusion. According to the findings of the European Union Agency for Fundamental Rights, Roma are the most stigmatised, discriminated against and persecuted minority group in Europe². In many cases, the result is a life lived in socially disadvantaged circumstances with reduced chances of equal access to education, employment, medical care and housing. These multiple examples of marginalisation represent an obstacle which can be overcome only with difficulty, particularly for women and girls. The real living conditions faced by many Roma are therefore often at odds with European values.

The actual living conditions of many Roma communities are frequently perceived as being incompatible with the solid legal framework that exists. The issue has therefore been taken up by European and international players. The measures adopted include Council of Europe

² European Union Minorities and Discrimination Survey (EU-MIDIS), First Report in the series 'Data in Focus', 'The Roma' (European Union Agency for Fundamental Rights), p. 2.

recommendations, the OSCE Action Plan on the participation of Sinti and Roma in public and political life and similar World Bank projects. Twelve Central and Eastern European countries in which a greater number of Roma live have agreed to intensify cooperation as part of the 'Decade of Roma Inclusion 2005-2015' programme, which is accompanied by the Roma Education Fund. The Open Society Foundation is also actively involved as part of a private initiative. Moreover, a series of further initiatives have been launched by various institutions and organisations.

The European Union now has at its disposal a powerful array of instruments which specifically guarantees *inter alia* the protection of minorities from discrimination and social exclusion. The values on which the European Union is founded expressly include the protection of human rights, including the rights of people who belong to minority groups. The European Union is working towards achieving full employment and social progress. It combats social exclusion and discrimination of all kinds, promotes social justice and social protection and contributes to economic and social cohesion.

In the past few years, the Member States have gradually intensified the cooperation between them and the exchange of experiences regarding possible ways of improving social and economic integration. Whilst political debate was initially dominated by moves to analyse and take stock of the challenges that exist in Europe, possible solutions to the problems identified are now increasingly coming to the fore. The European Platform for Roman Inclusion and the Roma Summit ensure greater and more effective coordination at all political levels. The level of responsibility and involvement of local authorities, non-governmental organisations and Roma communities have been increased. The Council of the European Union has demonstrated means and ways of making even better use of the existing legal, institutional and financial framework at European, national and local level to achieve sustainable and coherent integration.

Social integration does not just improve the day-to-day situation of the Roma, but also means economic benefits for the Member States. Higher levels of employment and productivity have stabilising effects on budgets and health and welfare systems. In turn, economic integration reinforces social cohesion.

In 2010, the European Heads of State and Government adopted the basis for a realignment of European policy to achieve smart, sustainable and inclusive growth. The 'Europe 2020 strategy' sets out the challenges and priorities of political action for the next ten years. One main focus of action is the European Platform against Poverty and Social Exclusion, which is targeted at certain major issues affecting disadvantaged groups and ethnic minorities. On this basis governments and European institutions have together developed proposals for concrete measures. Those measures have been incorporated into the 'EU Framework for National Roma Integration Strategies up to 2020', which was approved by the European Council in June 2011.

The EU Framework sets out the political measures and financial instruments to which the Member States should give greater consideration in their future policies. Particular attention is given in this regard to the implementation of possible approaches which already exist. The new strategy stands alongside existing European legislation and policies in the areas of non-discrimination, human rights and freedom of movement. The Member States declared their intention – paying due regard to their particular circumstances – to develop national strategies for Roma inclusion or integrated packages including political measures as part of their broadly conceived policy of social integration, or to update their existing strategies and packages of measures, by the end of 2011. Account is to be taken of the needs of Roma as a general principle and in accordance with the 'Europe 2020 strategy', in particular in the areas of education, employment, healthcare and housing. The Commission has been tasked with supporting the Member States in their efforts. The exchange of information and experiences is to be supplemented by a new reporting and monitoring mechanism at national and European level. The Member States intend to submit a report to the European Commission by the end of 2011.

The new political recommendations afford the Member States a broad and far-reaching scope for implementation in order that account may be taken of the national circumstances, the respective percentage of the population made up by Roma and the regional and local needs of the individual Roma communities. The needs of the Roma are included as a cross-cutting issue in those European and national areas in which the diverse and sometimes mutually aggravating problems may be tackled. Furthermore, experience to date shows that the early involvement of local and regional institutions and the Roma communities concerned increases the prospects of successfully achieving sustainable integration. The previous

competence and responsibilities of the Member States in relation to social issues remain unaffected.

C) General

I. Limited information about the number, distribution and nationality of Roma in Germany

1. German Sinti and Roma

According to rough estimates there are some 70 000 German Sinti and Roma (60 000 Sinti/10 000 Roma) living in Germany. These figures are estimates because socio-economic and population statistics data are not collected on the basis of ethnic origin in Germany, there are no non-official sources and a representative survey in the context of the official sample surveys is not possible.

a) Principle of the non-recording of data on ethnic origin in official statistics

Socio-economic and population statistics data have not been collected on the basis of ethnic origin in the Federal Republic of Germany since the end of the Second World War. The experiences of German history, in particular in connection with the persecution of minorities during the era of National Socialism, are just one of the reasons for this. In addition, the following obstacles preclude the recording of data on ethnic origin in the context of federal statistics:

- German population statistics along with many statistics in the social sector (for example, those relating to welfare payments, education, health etc.) are largely based on analyses of existing administrative documents. Since those documents contain no information about national minorities, corresponding analyses of national minorities cannot be made.
- People living in Germany do not have to declare that they belong to a national minority for the purpose of establishing their identity, meaning that the registers of residents also do not contain any related information.
- Furthermore, legal arguments may be advanced to oppose the collection of statistical data on the basis of ethnic origin: pursuant to Article 3 of the Council of Europe's Framework Convention for the Protection of National Minorities³, every person has the right freely to choose to be treated as belonging to a national minority.

³ *Bundesgesetzblatt* [Federal Law Gazette] 1997 Part II, p. 1406, 1409.

Identification as belonging to a minority is a personal decision of each individual which is not registered, verified or contested by the state. The collection of statistical data on the basis of ethnic origin is also precluded by the Bonn-Copenhagen Declarations of 1955⁴, the *Gesetz über die Rechte der Sorben im Freistaat Sachsen*⁵ [Law on the rights of Sorbs in the Free State of Saxony] and the *Gesetz zur Ausgestaltung der Rechte der Sorben (Wenden) im Land Brandenburg*⁶ [Law laying down the rights of the Sorbs (Wends) in the *Land* of Brandenburg].

b) Non-official sources

Non-official sources are likewise unable to provide reliable information about the number and areas of settlement of German Sinti and Roma. It is therefore also likely to be difficult to conduct a well-founded, scientific analysis of the number of German Sinti and Roma.

c) Recording of data in the context of representative surveys

Furthermore, the number of people belonging to national minorities in Germany is calculated to be a low percentage of the overall population. This fact, coupled with the lack of information about the number of people belong to a national minority and the areas of settlement of those people, mean that reliable information about the number of German Sinti and Roma living in Germany also cannot be obtained from the existing official sample surveys.

d) Opposition by the national minorities

Finally, the national minorities themselves have objections to the collection of data on ethnic origin relating to the situation of national minorities in Germany. For example, the organisation *Domowina-Bund Lausitzer Sorben e.V.* [Domowina Association of Lusatian Sorbs] stated in a communication to the Federal Government: ‘it is our view that the collection of reliable data on the situation of minorities is problematic from the perspective of the freedom enshrined in statute to declare that one belongs to the Sorbian people and in view of the mixed composition of the population in the Sorbs’ area of settlement. It is of fundamental importance to us that observance of the obligations under the Framework

⁴ *Bulletin des Presse- und Informationsamtes der Bundesregierung* [Bulletin of the Press and Information Office of the Federal Government] 1955, p. 497 et seq.

⁵ *Sächsisches Gesetz- und Verordnungsblatt* [Legal and Administrative Gazette of Saxony] 1999, p. 161 et seq.

⁶ *Gesetz- und Verordnungsblatt für das Land Brandenburg* [Legal and Administrative Gazette of the *Land* of Brandenburg] 1994 Part I, p. 294 et seq.

Convention is not tied to the collection of statistical data'⁷. The Danish minority also expressed doubts: 'we would like to point out in this regard that, in accordance with the Bonn-Copenhagen Declarations, every person has the right freely to choose to identify with Danish customs and traditions and with the Danish culture, and that choice may not be contested or reviewed *ex officio*. Accordingly, there is no basis for the statistical survey of this minority group and nor would this be desirable'⁸.

2. Foreign Roma

It is also not possible to determine the number and respective residence status of the foreign Roma living in Germany, since nationalities are recorded in the central register of foreign nationals⁹ but not ethnic origins and other available sources of data do not differentiate on the basis of ethnicity. Reliable estimates are similarly impossible on the basis of the data available.

⁷ Third national report produced by the Federal Republic of Germany in accordance with Article 25(2) of the Council of Europe's Framework Convention for the Protection of National Minorities, paragraph 04045.

⁸ Third national report produced by the Federal Republic of Germany in accordance with Article 25(2) of the Council of Europe's Framework Convention for the Protection of National Minorities, paragraph 04046.

⁹ The central register of foreign nationals contains data on foreign nationals living in Germany.

II. Differentiation between German Sinti and Roma / foreign Roma

A distinction must be drawn in Germany between German Sinti and Roma and foreign Roma.

1. German Sinti and Roma

The German Sinti and Roma living in Germany are well integrated into society. Together with Danes, Friesians and Sorbs, they are recognised by the German legislature as a national minority within the meaning of the Council of Europe's Framework Convention for the Protection of National Minorities¹⁰. The Convention – which entered into force in Germany in 1998 – prohibits any discrimination of a person because s/he belongs to a national minority and any assimilation against his/her will. It further requires that the Contracting States protect the civil rights and liberties of national minorities.

At federal level there are two organisations which represent the interests of German Sinti and Roma: the Central Council of German Sinti and Roma and the Sinti Alliance of Germany. These organisations have different views on a number of issues, for example in relation to whether or not the term '*Zigeuner*' ['gypsy'] should be used. Since the two organisations as yet have not found a way of working together, unlike the other national minorities in Germany there is no Advisory Committee for German Sinti and Roma within the Federal Ministry of the Interior within which the problems currently facing the national minority can be addressed.

Romani is the language of the Sinti native to Western Europe – in particular Germany – and is spoken there by an estimated 60 000 people. It is an independent language deriving from Sanskrit which differs from other Romany languages spoken in Europe. There is also Romani spoken by some 10 000 German Roma. The Romani language has been protected by the Council of Europe's European Charter for Regional or Minority Languages¹¹ since 1999. There are, however, no special state bodies or institutions which are concerned with the protection and promotion of the Romani language. This is in line with the prevailing wish of the language group that their language be kept alive exclusively within families and family groups and that it should not be put into writing.

¹⁰ The Federal Government signed the Council of Europe's Framework Convention for the Protection of National Minorities on 11 May 1995. In that connection, the Federal Republic of Germany sent to the Council of Europe an interpretative declaration which laid down the scope of application of the Convention in respect of Germany (*Bundestagsdrucksache* [Publication of the Federal Parliament] No 13/6912 of 11 February 1997.

¹¹ Federal Law Gazette 1998 Part II, p. 1314 et seq.

The Federal Government's Commissioner for Culture and Media gives institutional support to the Central Council of German Sinti and Roma and the Cultural and Documentation Centre, which provides information about the fate throughout history and the culture of the Sinti and Roma. Funding of EUR 1.77 million has been set aside for that purpose in the 2011 federal budget. The institutions have *inter alia* the objective of documenting and communicating the characteristics which make up the identity of the minority, such as language, culture and history, in order thereby to preserve and further develop the culture and to protect their identity.

The Federal Government has appointed a Commissioner for Ethnic German Immigrants and National Minorities, who is the point of contact for all the interests of national minorities. In addition, the national minorities in Germany together operate a Minorities Office in Berlin which represents their interests to the *Bundestag* [Federal Parliament], the *Bundesrat* [Federal Council] and the Federal Government and is financed by grants from the Federal Government. Within the Federal Parliament there is a discussion group which brings together representatives from the autochthonous minorities and is led by the Select Committee for the Interior, which is made up of members of the Federal Parliament, government representatives and representatives of the national minority associations.

The Federal Ministry of the Interior regularly organises implementation conferences with representatives of the national minorities and of the competent federal and *Land* ministries at which the implementation of the Council of Europe's Framework Convention for the Protection of National Minorities and its European Charter for Regional or Minority Languages is discussed and further developed.

The Federal Government involves the minority associations directly in the reports on the Framework Convention and Languages Charter by presenting their views in the same report.

The Federal Government regards coming to grips with and combating discrimination and racism to be a particular challenge. The general problem area is tackled at various levels. For example, the '*Bündnis für Demokratie und Toleranz – gegen Extremismus und Gewalt*' [Alliance for Democracy and Tolerance – Against Extremism and Violence] established by the Federal Ministry of the Interior and the *Bundesjustizministerium* [Federal Ministry of Justice] has in the past fostered and continues to foster today close exchanges with the

Central Council of German Sinti and Roma with a view to combating prejudices and discrimination in society jointly. Current problems are also discussed at the meetings of the ‘*Forum gegen Rassismus*’ [Forum Against Racism], a discussion forum bringing together the Federal Government and non-governmental organisations which is also attended by representatives of the Central Council of German Sinti and Roma.

2. Foreign Roma

The foreign Roma living in Germany can for the most part be divided into three groups, the sizes of which once again cannot be calculated for the reasons stated in the introduction (ethnic origin is not recorded in statistics):

- former civil war refugees;
- other third-country nationals; and
- nationals of EU Member States (primarily Bulgaria and Romania).

a) Former civil war refugees

The first wave took place in the mid-1990s when up to 350 000 Bosnian civil war refugees fled from the former Yugoslavia; later in 1999 some 15 000 refugees from Kosovo were admitted into Germany on a temporary basis to receive protection on humanitarian grounds. Today the vast majority of those refugees no longer live in Germany. However, given the prohibitions on deportation which were in force for a long period of time and the living conditions in the country of origin, a non-quantifiable number of former Roma refugees have however remained here to the present day.

Following asylum processes which mostly ended in applications for asylum being refused, some of those Roma refugees were initially granted the status of ‘tolerated persons’. Under German law, that status does not confer a right of residence, but rather suspends the enforcement of a scheduled deportation for as long as that deportation cannot be carried out for reasons of fact or law. Examples of such reasons of fact and law include the lack of a passport, the absence of deportation options and threats to life or natural disasters in the country to which the person is to be deported. However, some temporary residence permits were also issued on humanitarian grounds. When the civil war ended many of those temporary residence permits were not extended, with the result that a further group of people were (initially) assigned ‘tolerated person’ status.

Foreign nationals with ‘tolerated person’ status initially receive reduced benefits under the *Asylbewerberleistungsgesetz* [Asylum Seeker Benefit Act] (‘core social assistance benefits’, in particular for food, accommodation, heating, clothing and monetary payments to cover personal essentials) for a period of 48 months. They also have a right to receive basic medical care. After that period, the receipt of welfare benefits is determined in accordance with the Book Twelve of the *Sozialgesetzbuch* [Social Security Code], which also applies to German nationals. However, foreign nationals with ‘tolerated person’ status cannot access the opportunities for integration set out in Chapter D on account of their non-secured residence status.

German law on foreign nationals provides for several ways in which a foreign national with ‘tolerated person’ status may be “legalised” (‘grandfather clauses and right of continued residence rules’). Former civil war refugees were also able to benefit from those provisions, provided that they satisfied the necessary integration requirements (see, for example, the requirements relating to language skills or the securing of a livelihood laid down in § 104a of the *Aufenthaltsgesetz* [Residence Act] (‘AufenthG’)).

b) Other third-country nationals

For the reasons stated above, no more detailed information is available on the number of other Roma who are nationals of non-EU Member States and who, for example, came to Germany via the process of family reunification.

Provided that these persons have a secured residence status, the opportunities for integration set out in Chapter D are available to them. Where they have the status of ‘tolerated persons’ and a return to their country of origin in the future is at least theoretically possible, the statements made above in relation to former civil war refugees apply to them equally.

They are therefore entitled to benefits under the Asylum Seekers Benefits Act, including basic medical care.

c) Nationals of EU Member States

A large number of the Roma living in Germany are EU citizens, who have often come to Germany from the new accession countries (Bulgaria and Romania) only in the past few years. As citizens of the Union, they enjoy freedom of movement throughout the EU (Article 21 TFEU). If they have a valid ID document, their freedom of movement for a period

of up to three months is not subject to any conditions or requirements (see § 2(5) of the *Freizügigkeitsgesetz/EU* [EU Freedom of Movement Act]).

A right to freedom of movement for a period of more than three months is enjoyed by workers or self-employed persons as well as – subject to certain conditions – EU citizens who are seeking employment (§ 2(2) of the EU Freedom of Movement Act). Unemployed persons and students from EU Member States have a right to freedom of movement if they (and their family members) have sufficient resources and sickness insurance cover (§ 4 of the EU Freedom of Movement Act).

If these requirements for the exercise of the right to freedom of movement are no longer met, the competent authority with responsibility for foreign nationals may – following a careful examination of the individual case in question – find that the right to freedom of movement has been lost (see § 5(5) of the EU Freedom of Movement Act). The EU citizens affected are then required to leave the country (see § 7(1) of the EU Freedom of Movement Act). In very limited circumstances laid down in statute, a finding that the right to freedom of movement has been lost may also be made where the individual concerned poses a threat to public security (see § 6 of the EU Freedom of Movement Act).

Even if they reside in Germany for more than three months, EU citizens cannot be required to participate in integration measures. They may, however, attend the integration courses set out in Chapter D on a voluntary basis if there are sufficient places available.

D) Principles applicable to the integration of foreign nationals

The purpose of promoting integration is to ensure immigrants who have prospects of remaining in the country enjoy equal opportunities and are able to participate in the economic, social, cultural and political life of the country on an equal footing¹². The entire regulatory framework is arranged so as to create favourable conditions for the integration of immigrants and to promote their inclusion. In this context, integration is regarded as a two-way process. The central guiding principle of integration policy in Germany is ‘*Fördern und Fordern*’ [‘support and demand’]. The starting point for integration policy – from the perspective of the willingness of the majority society to accept immigrants as well as the readiness of immigrants to integrate – is for immigrants to understand and observe the rules of the host country and to work towards their own integration.

I. Legal bases

The main bases for the organisation of the Federal Government’s integration policy are the *Zuwanderungsgesetz* [Immigration Act], the key components of which are the Residence Act and the *Freizügigkeitsgesetz* [Freedom of Movement Act] (AufenthG¹³ and FreizügG¹⁴ respectively), the *Staatsangehörigkeitsgesetz* [Nationality Act] (StAG)¹⁵ and the *Bundesvertriebenengesetz* [Federal Displaced Persons and Refugees Act] (BVFG)¹⁶. The minimum framework governing the opportunities for integration offered by the Federal Government is practically laid down in statute in those acts. Distinctions are drawn in those acts between foreign nationals with and without prospects of remaining in the country, and between EU citizens, third-country nationals and ethnic German immigrants. Integration measures are offered to all immigrants lawfully resident in Germany with prospects of remaining in the country on a permanent basis.

In principle, integration measures are to be implemented shortly after the individual’s entry into Germany or even in the form of an advance integration process in the country of origin.

¹² For tried and tested integration processes within the European Union, see also: Handbook on Integration for Policy-Makers and Practitioners, Directorate-General for Justice, Freedom and Security, European Commission.

¹³ Federal Law Gazette 2008 Part I, p. 162 et seq., as last amended by Article 1 of the Law of 23 June 2011 (Federal Law Gazette 2011 Part I, p. 1266 et seq.).

¹⁴ Federal Law Gazette 2004 Part I, p. 1950, 1986 et seq., as last amended by Article 2 of the Law of 23 June 2011 (Federal Law Gazette 2011 Part I, p. 1266, 1268).

¹⁵ Federal Law Gazette 2010 Part I, p. 1864.

¹⁶ Federal Law Gazette 1971 Part I, p. 1565 et seq., as last amended by Article 1 of the Law of 4 December 2011 (Federal Law Gazette 2011 Part I, p. 2426).

However, by means of ‘catch up’ integration, integration measures are also available to immigrants who have already been living in Germany for a long period of time but are still not fully integrated.

With regard to the integration measures adopted in Germany, no distinction is drawn between migrants on the basis of their national, ethnic or religious origin. Accordingly, there are no specific integration measures for foreign Roma. All the integration measures offered to lawfully resident migrants with prospects of remaining in the country are available to them. The decisive factor is the individual’s need for integration and not his/her membership of a particular immigrant group.

II. National integration policy

The National Integration Plan launched in 2007 placed immigration policy in Germany on a new basis: all levels of authority – federal, *Land* and local – as well as representatives of civil society and migrants agreed on a sustainable integration policy. This approach is currently being continued through the ‘National Action Plan on Integration’: a total of eleven subject areas are looked at jointly in ‘dialogue forums’ by representatives of the Federal Government, *Länder* and migrant organisations, and specific, verifiable targets, measures and tools to achieve them are agreed. The dialogue forums are led by the competent federal ministries in the specialist field in question. The following subject areas form the main focuses of the 11 dialogue forums: support in early childhood (1), education, training and further education (2), labour market and employment (3), migrants in the public service (4), health and healthcare (5), integration at local level (6), language – integration courses (7), sport (8), citizenship (9), media (10) and culture (11).

The ‘National Action Plan on Integration’ is expected to be presented to the public by the Federal Chancellor at the 5th Integration Summit in early 2012.

The Residence Act lays down in statute the task of establishing the existing integration measures offered at federal, *Land* and local authority level and by private-sector bodies and drawing up recommendations for their further development (§ 45(2) of the *AufenthG*). The nationwide integration programme¹⁷ drawn up by the *Bundesamt für Migration und Flüchtlinge* [Federal Office for Migration and Refugees] together with various different

¹⁷ Published on 8 September 2010.

stakeholders involved in the promotion of integration contains around 150 recommendations for the further development of the existing integration measures available in the fields of promoting language skills, education and integration into society.

The National Integration Plan, the National Action Plan and the nationwide integration programme arose out of a process of dialogue. Departments at federal and *Land* level and representatives of the local authorities contributed to that process. Migrant organisations and representatives of the world of academia, sports associations and civil society are also involved as equal partners in the review and optimisation of the practice of promoting integration. Great importance is placed on the involvement of civil society in the planning and implementation of integration measures. It is impossible to imagine the implementation of the federal integration measures described below without the support of stakeholders from civil society.

III. Three pillars at federal level

Within the federal structure of the responsibilities of the state, the Federal Government primarily has a legislative function whilst it is for the *Länder* to implement the laws. Integration policy is a cross-cutting issue which concerns various areas of policy at federal and *Land* level. The 16 *Länder* in Germany have in the past adopted general concepts and guidelines in the field of integration policy which bring together and co-ordinate the diverse measures which they implement on an individual basis. Integration is, however, ultimately put into effect locally, meaning that the local authorities are assigned a particular role as stakeholders of integration policy. Independent towns and cities, districts and municipalities are likewise charged with integration-related tasks through the commitment of personnel and financial expenditure.

The information which follows is intended to present only the integration measures at federal level. In the context of integration, the Federal Ministry of the Interior implements certain integration measures at its own initiative and – together with the Federal Office for Migration and Refugees – has an independent authority to carry out tasks laid down in statute and projects.

1. Integration courses

The Residence Act (§ 43 of the AufenthG) obliges the Federal Government to support efforts to include foreign nationals by providing basic opportunities for integration. The basic opportunities provided take the form of integration courses, which have been expanded to establish a nationwide comprehensive course system.

These courses are the principal means adopted by the Federal Government to support integration policy. In addition to the 600-hour to 900-hour language course, immigrants are taught about the country, its history and social order in Germany as part of the 45-hour orientation course. There are special courses for women, parents, young people, quick learners and the illiterate. The teaching is provided on the basis of uniform standards (in state-run adult education centres and in the case of private course providers).

Migrant workers, self-employed persons, family members, people entitled to asylum, refugees under the Geneva Refugee Convention (GRC) and Jewish immigrants covered by § 23 of the AufenthG have a legal right to attend an integration course. EU citizens, children and young people receiving schooling and new immigrants from third countries with a discernibly low need to be integrated have no such entitlement. If they are not entitled to attend such courses (for example in the case of EU citizens, § 11 of the FreizügG) or no longer so entitled (for example foreign nationals who have lived in Germany for a long period of time, § 44(2) of the AufenthG), they may be allowed to attend if there are places available (§ 44(4) of the AufenthG).

The right of attendance equates to an obligation to attend where the foreign national speaks an inadequate level of German, or receives benefits under Book Two of the Social Security Code¹⁸ or has a particular need to be integrated (§ 44a(1) of the AufenthG). Failure to comply with the obligation to attend may have consequences for the individual's residence status or result in his welfare benefits being cut. The obligation to attend does not apply to young people in education or training or to foreign nationals who can prove they have attended similar courses or for whom attendance in the long term is impossible or unreasonable.

¹⁸ Federal Law Gazette 2003 Part I, p. 2954, 2955 et seq. in the version of the publication of 13 May 2011 (Federal Law Gazette Part I, p. 850 et seq.), as last amended by Article 3a of the Law of 20 June 2011 (Federal Law Gazette Part I, p. 1114, 1121).

On successful completion of the integration course, a legal right to nationalisation exists after only seven years rather than eight¹⁹. One further advantage is that the successful completion of the course is regarded as proof of language skills, a basic knowledge of the legal and social order and the living conditions within the federal territory in connection with the issue of a settlement permit or a permanent EU residence permit.

The integration course is currently funded by means of EUR 218 million of federal resources each year. More than 51 500 courses have begun since 2005 and over 410 100 participants have already completed the course.

Sufficient knowledge of German is a requirement for the successful completion of the course and an essential pre-requisite for successful integration in order to benefit from educational opportunities and available jobs on the labour market. The integration courses – which include the orientation courses – are therefore also likely to prove to be a good basis for satisfying the requirements to acquire German citizenship if an immigrant opts to become naturalised as a result of his integration.

2. Migration advisory service

A further important ‘pillar’, which supplements the integration courses and represents a fixed component of the regulatory framework under the Residence Act (§ 45 of the AufenthG), are the federally-funded migration advisory services for adult immigrants and the youth migration services.

The providers of the migration advisory services for adult immigrants are charitable organisations. Those service providers initiate, control and track the integration process and offer their services within a restricted timeframe of a maximum of three years. Through the provision of professional advice tailored to the individual, which as a rule takes place shortly after their entry into the country, immigrants are empowered to act independently within their new living environment. The migration advisory services for adult immigrants consist of an advisory network with more than 600 locations nationwide and provide help and support to around 50 000 people each quarter. The service providers guarantee a holistic approach – which is essential for successful integration – by the provision of advice specific to the individual, the development and implementation of a support plan and the long-term

¹⁹ § 10(3) of the StAG.

assistance of migrants. The main focuses of the advice provided are: the acquisition of German language skills, education, professional qualifications and employment, the formal recognition of school leaving, university or vocational qualifications obtained in another country, aid in difficult economic, social and psycho-social circumstances and difficult family circumstances. The service providers seek to empower the immigrants to act independently within their new living environment and limit their dependency on state welfare benefits to the minimum amount necessary.

The migration advisory services for adult immigrants were funded by federal resources of EUR 25.2 million in 2011. This is in addition to the own resources of the service providers of around EUR 5 million per annum.

The youth migration services are operated by the providers of youth social work services. At more than 420 centres nationwide, teams of specialists provide support to young people on many levels with a view to making them active members of society and giving them equal opportunities and the ability to participate in society. Increasing the skills of the young migrants and their integration in education/training and the labour market are key objectives in that regard. Each year individual support is provided to some 66 000 young people, more than 31 000 of whom have an integration support plan.

Youth migration services are also seen as a point of interface with the local mainstream institutions and cooperate in various networks and with all relevant agencies working in the field of integration; cooperation with schools, businesses and in particular parents also has a very important role to play. In addition, the youth migration services assist those undertaking the integration language courses provided for in § 45 of the AufenthG by providing socio-pedagogical support.

3. Community-focussed, living environment-oriented integration projects

Community-focussed, living environment-oriented integration projects form the third ‘pillar’ of the integration measures implemented by the Federal Ministry of the Interior. In 2011, EUR 21.18 million of federal budgetary resources were allocated to such projects. The main focuses of the funding are projects to promote the social integration of immigrants within the local community. The objectives pursued by the projects supported are as follows:

- to establish contact between local people and immigrants;
- to increase the level of acceptance amongst the local population;

- to motivate immigrants to help themselves, to consolidate that ability and to boost their personality and skills;
- to involve migrant organisations;
- to engage with local institutions and opportunities available; and
- to further develop integration activity through model projects.

The starting point for the projects funded is the place where the immigrants live and encounter local people in their day-to-day life, i.e. in the institutions and associations in the local neighbourhood. There is a diverse range of integration projects run by different providers. In addition to migration organisations, a significant number of such projects are run by charities (for example, *Caritas* [Catholic charitable organisation], *Diakonie* [charitable organisation affiliated with the German Evangelical Church], *Arbeiterwohlfahrt* [Workers' Welfare Association], *Deutscher Paritätischer Wohlfahrtsverband* [German Parity Welfare Association], *Zentrale Wohlfahrtsstelle der Juden in Deutschland* [Central Welfare Office of German Jews]) and the local authorities. The advantage of involving migrant organisations as project leaders is that they can act as an important bridge between the immigrants and the majority society.

The promotion of projects in the area of sport occupies a special role. Sport – particularly club sports – harbour great potential for integration: democratic participation and community-focussed citizenship are part of day-to-day life in clubs and associations. Through playing sport and taking part in the various social activities, values such as team spirit, fair play and mutual respect are imparted and learnt, and those values have a positive impact on behaviour in daily life. The '*Integration durch Sport*' ['Integration through Sport'] programme run by the *Deutscher Olympischer Sportbund* [German Olympic Sports Federation] will receive federal funding of EUR 16.2 million in total for the years 2011 to 2013. The aim of the programme is to encourage immigrants to play sport on a regular basis as members of clubs and associations (integration into sport) and to support their integration into the host society and living environment (integration through sport).

In addition to the above, integration projects targeted specifically at young people are offered to young people from migrant backgrounds in accordance with the guidelines on the social integration of immigrants. These projects are commissioned by the *Bundesministerium für Familie, Senioren, Frauen und Jugend* [Federal Ministry of the Family, Senior Citizens,

Women and Young People] and put into effect by the Federal Office for Migration and Refugees. Measures to promote social integration are the main focus of the projects. With around 200 projects and total funding in excess of EUR 6 million each year, the integration of young people, their participation in the social, economic and cultural life of the community on an equal footing and the mutual acceptance of those from and those not from migrant backgrounds are supported by measures which vary in their focus.

E) Implementation of the European Roma strategy in Germany through integrated policy packages

In the negotiations within the Council on a new EU Framework for National Roma Integration Strategies up to 2020, Germany made clear that it concurs wholeheartedly with the basic policy statements on the sustainable participation and integration of Roma made in the European Commission's Communication of April 2011²⁰. Germany supports the fact that the necessary measures are to be adopted by the Member States themselves, since competence and responsibility for the economic and social integration and participation of minorities rest with them.

In addition, Germany spoke in favour of the EU Framework being structured in such a way that it takes into account the different conditions and percentages of the population made up by Roma in the Member States. The Member States should therefore retain broad freedom of action when choosing, structuring and deploying suitable national policies, instruments and processes. A universal policy approach ('one-size-fits-all') would be inconsistent with the heterogeneous conditions which actually exist within Europe.

Consequently, the Council²¹ leaves it to the Member States to decide whether to develop national strategies for Roma inclusion or integrated packages including political measures in the context of their broadly conceived policy, or to update their existing strategies and packages of measures²². The Federal Government has opted to present its integrated policy on minorities and the efforts to integrate German Sinti and Roma and foreign Roma in a report, a report which must take as its starting point *inter alia* the paramount requirement of equal treatment laid down in the German constitutional and legal system and the comprehensive integration opportunities available.

According to rough estimates there are some 70 000 German Sinti and Roma living in Germany; these minority groups consider themselves to be well integrated into society. A specific Roma strategy is not required in Germany. Nor is a national strategy necessary for

²⁰ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions – An EU Framework for National Roma Integration Strategies up to 2020 of 5 April 2011;

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52011DC0173:en:NOT>.

²¹ The Employment, Social Policy, Health and Consumer Affairs Council.

²² OJ 2011 C 258, p. 6.

those foreign Roma who come to Germany as immigrants or refugees and have a right of permanent residence. This is because these people have access to the same integration programmes as other groups of foreign nationals. It must also be borne in mind that the representatives of the German Sinti and Roma have not asked for a national strategy, rather they expect political action which is targeted at the specific problems faced. An exclusive strategy based on economic and social problems could encourage the marginalisation or exclusion of the Sinti and Roma.

The stance adopted by the Federal Government in this regard does not mean however that measures offered by the state do not – for example – target policy areas which are of particular significance *inter alia* for the Sinti and Roma in Germany. Further details in this regard may be found in the sections that follow and in Annexes 2 to 5. These sometimes very specific measures and activities tailored to the circumstances which exist locally are consistent with the principle of not recording data on ethnic origin, since the decision to make use of the support offered rests with each individual.

Given the monitoring mechanisms which already exist for the Council of Europe Framework Convention for the Protection of National Minorities (FCNM), namely the European Commission against Racism and Intolerance (ECRI) and the Committee on the Elimination of Racial Discrimination (CERD), which regularly evaluate *inter alia* the situation of the Sinti and Roma, Germany does not consider it necessary – in any event as far as Germany is concerned – to establish an additional monitoring process for the ‘Roma strategy’. The Federal Ministry of the Interior is the contact point for monitoring relating to the FCNM, and the Federal Ministry of Justice plays the corresponding role for monitoring by the ECRI and CERD.

F) Four main areas

I. Access to education

A basic right to education may be inferred from the fundamental rights and principles laid down in the *Grundgesetz* [Basic Law] of the Federal Republic of Germany. The principle of equal treatment requires that people are not disadvantaged or favoured on account of their sex, parentage, race, language, homeland and origin, faith, religious or political opinions or a disability with regard to access to education.

It is not possible to make substantiated statements concerning the level of education of Sinti and Roma children in Germany, since details of ethnic origin are not recorded in German education statistics. Some clues are however provided by a recent study into the situation in Germany²³ and the European Parliament study presented in January 2011 entitled ‘Measures to promote the situation of Roma EU citizens in the European Union’²⁴.

There are a good many programmes in Germany which focus on improving the integration of disadvantaged groups within the education system. Sinti and Roma have access to the programmes offered on a non-discriminatory basis. In accordance with the allocation of responsibilities laid down in the Basic Law, the improvement of the educational situation of disadvantaged groups is primarily a matter falling within the competence of the *Länder*.

All the measures to support individual learning available to all other pupils – and in particular children and young people from migrant backgrounds – are available to the children of all Sinti and Roma in the *Länder*. They are therefore included in the general measures to prevent children from dropping out of school too early and support individual (language) learning, in the main by introducing measures to promote (language) learning in schools, working more with parents in schools, involving significant numbers of support staff from within schools and the wider educational environment (teaching assistants, school psychologists, youth social workers in schools) in school counselling and the promotion of learning, and providing greater support for career-oriented measures. In addition, target group-specific support schemes for Sinti and Roma are in place in a number of *Länder* (Annex 2).

²³ Daniel Strauß (ed.): *Studie zur aktuellen Bildungssituation deutscher Sinti und Roma* [Study into the current educational situation of German Sinti and Roma]. Documentation and research report. Marburg 2011.

²⁴ Directorate-General for International Policies, Policy Department C: Citizens’ Rights and Constitutional Affairs, ‘Measures to promote the situation of Roma EU citizens in the European Union’ – Country Reports, 2011.

The Federal Government also attributes great significance to improving the participation in education and the educational success of groups with particular support needs, and focuses in this connection on early childhood education and on measures which seek to ensure that every young person obtains school leaving qualifications or vocational qualifications. In 2011, as part of the action plan to implement the National Integration Plan, the Federal Government, the *Länder* and organisations from civil society (in particular migrant organisations representing the main immigrant groups in Germany) updated and further developed the self-commitments laid down in the National Integration Plan through the addition of clearly defined objectives and binding target indicators *inter alia* in the area of ‘education, training and further education’, thereby once again paving the way for improvements to the integration of migrants into the education system. As part of the continuing implementation of the plan, the main focuses of the *Länder* are individual support and language teaching for children and young people, cooperation with parents and the migrant organisations and the intercultural opening of day-care centres and schools. The Federal Government is focussing in particular on improving the basic conditions for education, on measures to increase the permeability of the education system and to improve the organisation of the transitions between stages of education, and on quality assurance measures.

1. (Language) teaching during early childhood and at school

Improving the education, teaching and support of children during their pre-school years is a core objective of both education and social policy. Emphasis is placed in this connection primarily on the further qualitative improvement of measures which already exist. On the basis of the 2004 ‘*Gemeinsamer Rahmen der Länder für die frühe Bildung in Kindertageseinrichtungen*’ [Joint regional framework for early education in day-care centres], all the *Länder* have now drawn up education plans and agreements. Through those plans and agreements they are intensifying efforts to educate children in day-care centres and guaranteeing greater cooperation with the primary school sector. The acquisition of basic skills and the development and expansion of personal resources are core objectives.

Language teaching plays an important role in that connection. To support that teaching, schemes to get parents involved are being extended and concepts are being developed to intensify cooperation between schools, parents and child welfare services. Efforts are also

being made to improve the training of teachers, *inter alia* by offering additional further education opportunities.

The Federal Government, *Länder* and local authorities have set themselves the target of extending childcare in line with demand, in particular for children under the age of three. From August 2013, on reaching the age of one each child will be legally entitled to support at a day-care centre or in day care. In so doing, it is also their joint aim – not least in view of the increasing number of children from migrant backgrounds – to improve access to early years education opportunities for all children and to further develop the support for early childhood education.

The Federal Government is contributing a total of EUR 4 billion between now and 2013, and thereafter EUR 770 million each year, towards the costs of extending the childcare facilities available for children under the age of three. This funding is being made available both to increase the number of places available and to meet the resulting additional operating costs to ensure the quality of care.

In addition, the Federal Government also supports the *Länder*, local authorities and service providers in their constant efforts to further develop and improve the quality of childcare, for example by means of the ESF-funded ‘*Aktionsprogramm Kindertagespflege*’ [‘Action programme – Day care’] and the ‘*Weiterbildungsinitiative Frühpädagogische Fachkräfte*’ [‘Further Education Initiative for Early Education Professionals’].

Through the initiative ‘*Offensive Frühe Chancen*’ [‘Early Opportunities Offensive’], the Federal Government provides wide-reaching support to improve the quality of language teaching, in particular for children under the age of three. Approximately EUR 400 million have been made available for the initiative from 2011 to 2014 in order to turn 4 000 centres – particularly those in socially deprived areas – into ‘day-care facilities focussing on language skills and integration’.

The various initiatives to support language learning in the *Länder* range from pre-school schemes to establish language ability and language development support to language teaching at primary and lower secondary levels and job-related and specialist language teaching at vocational schools. In addition, the parents of children from migrant backgrounds are purposely involved in the language learning.

The *Länder* are of the view that a well-structured transition from day-care centres to primary school makes a significant contribution to a child's successful development. Particular significance is attributed in this regard to the cooperation between day-care centres and primary schools. Accordingly, in the 2009 joint decision '*Den Übergang von der Tageseinrichtung für Kinder in die Grundschule sinnvoll und wirksam gestalten – Das Zusammenwirken von Elementarbereich und Primarstufe optimieren*' ['Practical and effective arrangement of the transition from child day-care centres to primary schools – Optimising the cooperation between the early years and primary sectors'], the Standing Conference of Ministers for Education and Cultural Affairs and the Standing Conference of Ministers for Young People once again pointed to the significance of this so important stage in every child's education. In that decision they agreed on common principles which can serve as guidelines for the educational establishments involved, their employees and parents. One such principle is the reliable promotion of German language skills.

Preparatory classes and pre-school courses are offered to pupils from migrant backgrounds. Opportunities outside schools, such as language learning camps, language teaching in the afternoons or at weekends or remedial lessons for children and young people from migrant backgrounds at the lower and upper secondary levels supplement the measures on offer in schools.

Alongside the acquisition of the German language, the *Länder* recognise the importance of multilingualism for all children and young people. This includes the languages of the countries of origin and languages spoken at the home of children from migrant backgrounds, with the result that there are opportunities available in the *Länder* in a variety of mother tongues both inside and outside schools.

Particular importance is placed on different learning options, additional remedial lessons and special help with homework in primary and secondary schools. In many *Länder*, additional educational facilities have been introduced in schools with a high percentage of pupils from migrant backgrounds and from socio-economically disadvantaged families. Intercultural education is a fixed component of the syllabuses followed in the *Länder* and is also often enshrined in school programmes. Furthermore, aspects of intercultural education are increasingly being incorporated into the teacher training programmes at *Land* level.

Within the framework of the work of the Standing Conference of Ministers for Education and Cultural Affairs, the question of support for Sinti and Roma in schools is also discussed in the context of the ‘teaching of children of occupational travellers’. In Germany, people with responsibility for issues relating to the schooling of children of occupational travellers have now been appointed in all education and cultural affairs ministries, and such appointments have also been made within the school administrative structures in most *Länder*.

2. Measures to promote the integration in schools of children and young people from migrant backgrounds

School attendance is compulsory in Germany; depending on the *Land*, the duration of compulsory schooling ranges from nine to twelve years or until the child reaches the age of 18. In Germany, compulsory school attendance is subdivided into a full-time requirement (general requirement to attend school) and a part-time requirement (requirement to attend vocational school)²⁵. The *Länder* have adopted a variety of measures in relation to school absenteeism and to prevent children from dropping out of school too early with a view to enforcing the general requirement to attend school.

The *Länder* want to further reduce the number of pupils leaving school without any qualifications in all areas of education, to secure the transition from the lower secondary level to the next educational/vocational level and to cut the number of drop-outs from training courses. To that end, in 2007 the Standing Conference of Ministers for Education and Cultural Affairs adopted a ‘framework for action to reduce the number of pupils leaving school without any qualifications, to secure transitions between the lower secondary and next educational/vocational level and to cut the number of drop-outs from training courses’, which includes specific measures detailing how those objectives are to be achieved.

The framework for action lays down measures *inter alia* to provide individual support in particular to disadvantaged children and young people and those from migrant backgrounds. Efforts to expand the availability of all-day schemes, especially for those pupils who are in

²⁵ The general requirement to attend school usually begins for all children once they reach the age of six and normally amounts to nine years of full-time schooling. Thereafter, those young people who do not attend a school providing a general or vocational education on a full-time basis in the upper secondary level of the education system are subject to the part-time requirement to attend school (requirement to attend vocational school). That requirement generally amounts to three years of part-time schooling, and is governed by the duration of the apprenticeship for a recognised skilled occupation.

particular need of support, are being continued with increased vigour. Interaction with the world of work is being intensified in lower secondary education. Networks of partners from within schools and outside the school system are intended to assist in the provision of support. The training and further education of teachers is to be improved with regard to the theory and psychology of learning. Pupils who risk not obtaining school leaving qualifications are to be provided with special assistance in order to achieve those qualifications. The vocational orientation of the support provided is being consolidated.

In order to push ahead decisively with the measures to support less able pupils, the Standing Conference of Ministers for Education and Cultural Affairs agreed a joint support strategy in March 2010. The aim of that strategy is to improve the support provided to less able pupils so that the percentage of pupils who at the end of their time in education have not achieved a minimum level of skills development is significantly reduced. In this way, it is intended that at the same time the chances of obtaining school leaving qualifications and the degree of successful participation in professional and social life are increased for all pupils.

a) Special projects to promote the integration of children and young people in schools

In addition to the support available to all children and young people, appropriate target group-specific assistance also exists for Sinti and Roma. A list of examples of projects to promote the integration of Sinti and Roma children and young people in schools is provided in Annex 2.

A distinction must be drawn between the Sinti and Roma with German nationality and the Roma who have come to Germany in increasing numbers in recent times from the countries of South Eastern Europe. The integration in schools of the latter group often represents a major challenge for the *Länder*, since children and young people from that group are for the most part neither literate nor accustomed to attending school.

b) All-day schemes

Increasing the availability of all-day schemes is viewed by many *Länder* as an opportunity for integration. This likewise applies to increasing the assistance provided to children and young people from migrant backgrounds and intensifying cooperation with institutions from outside the school system. The Federal Government supports increasing the availability of all-day schemes *inter alia* by funding related research and developing quality assurance tools.

c) Work with parents

Since essential prerequisites for a child's later educational success are acquired in the home, measures to assist children in their early years must also involve parents. Through the federal programme '*Elternchance ist Kinderchance – Elternbegleitung der Bildungsverläufe der Kinder*' ['Opportunities for parents are opportunities for children – supporting parents through the stages of their children's education'], 4 000 full-time and part-time specialists in family education will become qualified as 'parent support workers' between 2011 and 2014. Parent support workers are intended to be on hand to offer expert advice to families on the education and development of their children within close proximity of the day-care facilities focussing on language and integration. Their aim is to make it easier in future for parents to gain access to the education system as part of their day-to-day family life.

The *Länder* have adopted numerous individual measures and launched specific projects to improve the active cooperation between home and school. The *Länder* will also continue to launch new initiatives in this area, since great significance is placed on the cooperation between parents and schools. High importance is attached by the *Länder* to cooperation with the representatives of organisations which support people from migrant backgrounds in their role as mediators between home and the education authorities, in particular in connection with maintaining contact with parents and supporting the provision of information by the education authorities. Cooperation with the parents is also a main focus of pedagogical work. German courses for parents, parent seminars, dialogue forums, special advisory services for parents and information available in a variety of languages all have a role to play.

This individual support is provided in schools by specially trained teachers who act as parent counsellors, mentors and integration support workers. These teachers build up a close partnership based on trust between home, school and partners from outside the school system, and guarantee the implementation of all measures adopted by schools to ensure the successful integration and best possible success in education of every pupil.

3. Vocational education

In early 2009, the partners under the *Nationaler Pakt für Ausbildung und Fachkräftenachwuchs in Deutschland* [National Pact for Training and Young Skilled Workers in Germany] – the Federal Government, the *Bundesagentur für Arbeit* [Federal Employment Agency], the Standing Conference of Ministers for Education and Cultural

Affairs and the Federal Government's Commissioner for Migration, Refugees and Integration – set out measures to improve the training and educational prerequisites and opportunities for young people from immigrant families in the joint declaration '*Potenziale erschließen, Integration fördern*' ['Harnessing potential, promoting integration'].

The aim of the pact is to offer every young person willing and able to undertake training the ability to obtain a vocational qualification and to increase significantly the number of young people from migrant backgrounds receiving training.

The *Bundesministerium für Bildung und Forschung* [Federal Ministry of Education and Research] supports the aims of the training pact by means of a wide range of measures which benefit *inter alia* young people from migrant backgrounds. These measures include:

- the successful JOBSTARTER training programme funded by the European Social Fund (ESF) to improve regional training structures and encourage undertakings to offer training;
- the ESF programme JOBSTARTER CONNECT, which tests out the nationally-standardised training modules to involve young people in on-the-job training at an early stage and to introduce them to external assessments;
- the VerA initiative to prevent people from dropping out of training courses and to provide greater assistance to young people in their vocational training by means of training support workers;
- the ESF programme '*Perspektive Berufsabschluss*' ['Perspective on Vocational Qualification'] to promote regional structures for cooperation in connection with the transition from school into training (regional transition management) and to enable semi-skilled and unskilled individuals to obtain qualifications at a later stage (modular courses focussing on the achievement of qualifications at a later stage);
- the initiative '*Abschluss und Anschluss – Bildungsketten bis zum Ausbildungsabschluss*' [Qualifications and Transition – Education Chains Leading up to Successful Completion of Training] which provides coordinated support. The 'education chain' includes early analyses of potential in schools, a practical experience-oriented vocational focus and all-round support and individual assistance in connection with starting a career for young people who are at risk of obtaining no qualifications from grade 7 until they achieve a vocational qualification.

4. Recognition of vocational qualifications obtained in other countries

The recognition of vocational qualifications obtained in another country which assist the integration of migrants into the German labour market is also important for foreign Roma who are German immigrants. In September 2011, the Federal Parliament passed the bill for a law to improve the identification and recognition of vocational qualifications obtained in other countries²⁶ (Recognition of Qualifications Act), which was approved by the Federal Council in November 2011²⁷. The law greatly extends an individual's legal rights to a procedure for the recognition of qualifications and lays down fundamental procedural rules. In order to guarantee the successful implementation of the law and to achieve a sustainable improvement in the practice of recognising such qualifications, provision is made for measures to accompany the law. Some of those measures are focussed on achieving greater uniformity and standardisation with regard to administrative enforcement, others are geared towards providing better information and advice to those seeking recognition of their qualifications. The law is due to come into force in March 2012.

5. Higher education

Increasing the participation in education by all sections of the population is also a major objective of education policy in the area of higher education. Measures adopted by the Federal Government, such as the educational grant provided for in the *Bundesausbildungsförderungsgesetz* [Federal Act on Educational Grants] (BAföG)²⁸, the establishment of foundations providing scholarships to talented people from thus far underrepresented groups – therefore including students from migrant backgrounds – and since February 2011 the *Deutschlandstipendium* ('Germany scholarship'), also contribute to that aim.

The integration of foreign students is promoted by the PROFIN programme. Under the programme AQUA (*Akademikerinnen und Akademiker qualifizieren sich für den Arbeitsmarkt*) ['Graduates obtaining qualifications for the labour market'], particular assistance is provided to university graduates from migrant backgrounds to support their integration into the primary labour market.

²⁶ Publication of the Federal Parliament No 17/6260.

²⁷ Publication of the Federal Council No 606/11(B).

²⁸ Federal Law Gazette 2010 Part I, p. 1952 et seq.

6. Educational research

The educational situation of both German Sinti and Roma and foreign Roma in Germany is not expressly a focus of the educational research funded by the Federal Government. However, the aim of the framework programme launched by the Federal Ministry for Education and Research in 2007 to promote empirical research into education by means of (at present) more than 180 research projects is to improve the performance of the education sector, remove disparities within the education system and reduce the dependency of educational success on social background. It therefore also contributes to improving the requirements for German Sinti and Roma and foreign Roma to be able to participate in the education system on an equal footing.

It is important to highlight the ongoing and planned measures to support research in the areas of language teaching and the promotion of reading, which are regarded as major challenges to the removal of the obstacles to education faced *inter alia* by Sinti and Roma. For example, the targeted funding initiative '*Forschungsinitiative Sprachdiagnostik und Sprachförderung*' [Research Initiative – Language Diagnostics and Language Teaching] provides well-founded guidance on how to assist and support children and young people – including those from migrant backgrounds – on the basis of their level of language ability and development to acquire and use complex language skills. In addition, in close cooperation and coordination with the *Länder*, the Federal Government is currently preparing a new research programme focussing on language teaching which is intended to investigate the effectiveness of language ability testing and the language teaching which follows from it and to offer new approaches to further develop the corresponding tools.

II. Access to employment

1. Objective

The Federal Government welcomes the objectives relating to employment set out in the ‘EU Framework for National Roma Integration Strategies up to 2020’. Those objectives are connected to the core aims of the Europe 2020 strategy and seek to raise the level of employment *inter alia* through the greater integration of young people and disadvantaged groups. The Federal Government shares the view that access to employment is of paramount importance for the participation of the Roma in society. The aim of bringing the level of employment of Sinti and Roma more into line with that of the rest of the population is consistent with the Federal Government’s policy of removing the barriers to the labour market for all groups and working towards achieving a high level of employment by affording equal access to the labour market. This is the case irrespective of the fact that the level of employment of Roma in Germany is unknown because details of ethnic origin are not in principle recorded in the German employment statistics. Nor can any statements be made about the employment of Sinti and Roma within the public service, since statistical information in this regard is once again not collected on the basis of ethnic origin.

2. Access to the labour market and to schemes to promote employment

In principle, German Sinti and Roma and foreign Roma who are nationals of a Member State of the European Union other than Bulgaria or Romania have free access to vocational training and employment and are free to work as self-employed persons²⁹.

All Sinti and Roma living in Germany with access to the labour market who experience difficulties in finding training or employment receive support under the general (Books Two and Three of the Social Security Code³⁰) worker-focussed integration concept adopted by the Federal Employment Agency. It applies to all people to whom advice and assistance for their integration in training or employment is provided and is divided into the following four stages: profiling focussing on the individual’s strengths and potential, objective setting, strategy development and implementation/follow-up. For each applicant the measure is

²⁹ In order to take up employment or undertake vocational training in Germany, Romanian and Bulgarian nationals still currently require an EU work permit which is issued by the services of the *Zentrale Auslands- und Fachvermittlung* [Central Foreign and Specialist Placement Agency] (ZAV) of the Federal Employment Agency. It is generally a requirement for the issue of the permit that a worker with priority status (a German or EU national enjoying freedom of movement as a worker) is not available for the specific position (‘priority check’) and the working conditions are comparable with those of national workers.

³⁰ Federal Law Gazette 1997 Part I, p. 594 et seq., as last amended by Article 2 of the Law of 22 June 2011 (Federal Law Gazette Part I, p. 1202, 1204).

selected which meets his/her individual needs and is consistent with the integration strategies developed on the basis of those needs. Provided the access requirements laid down in Book Two or Three of the Social Security Code are satisfied, no differences based on nationality or ethnic origin apply as regards the funding of such a measure. This also applies to support to begin working on a self-employed basis for those who are unemployed.

The Federal Employment Agency's integration concept also includes strategies for action which relate to migration-specific problems (for example, insufficient language skills or non-recognised professional qualifications acquired in another country) and may also be expanded at a regional or local level. In the context of basic welfare provision and unemployment insurance, the advisory concept – which is based on skilled work – seeks to provide optimum support appropriate to the individual, which contributes to the achievement of the necessary steps towards integration. As part of the work of the network of employment agencies and local job centres in the regions, contacts are also developed with the regional organisations representing the Sinti and Roma. This cooperation contributes to an improvement in the intercultural skills of employees and increases their awareness of issues relating to migration. The acquisition of these skills is also supported by intercultural qualifications offered by the Federal Employment Agency which are at present undergoing further development.

The support programme '*Integration durch Qualifizierung – IQ*' ['Integration through Qualifications – IQ'] was launched and financed by the *Bundesministerium für Arbeit und Soziales* [Federal Ministry of Employment and Social Affairs], the Federal Ministry of Education and Research and the Federal Employment Agency with a view to ensuring the continual improvement of the labour market integration of adult migrants. As part of the initiative, strategies are developed to improve the access of people from migrant backgrounds to the labour market. Some of the aims of the initiative are to develop specialist expertise, make that expertise available nationally and disseminate tried-and-tested concepts and recommendations (examples of good practice).

3. Special schemes to promote employment and the role of the European Social Fund

An extensive array of instruments to close the gap between disadvantaged groups and the mainstream labour market are available to the federal agencies with a view to promoting the integration of people who are faced with obstacles to employment. The ESF is a special

funding instrument. The aim of the ESF is *inter alia* to improve the social inclusion of disadvantaged groups of people by ensuring their permanent integration into the labour market and combating all forms of discrimination. It seeks in particular to promote participation in the labour market with equal opportunities for all. The beneficiaries of the various ESF programmes of the *Länder* and of the Federal Government's Operational Programme for the ESF – in particular the ESF support programmes which focus on the target group of migrants – include Roma (Annex 3). Pursuant to Article 16 of Regulation (EC) No 1083/2006, steps are to be taken to prevent any form of discrimination – including on the basis of race or ethnic origin – when planning and implementing programmes.

In addition, in the context of their labour market policy, the *Länder* also contribute to improving the integration and access to employment of Sinti and Roma using ESF resources. Several *Länder* have had positive experiences with projects aimed at this target group, which in particular are co-financed via the ESF XENOS programme '*Integration und Vielfalt*' ['Integration and Diversity'] and via the ESF federal programme to provide labour market assistance to people with leave to remain in Germany and refugees. Successful project formats of this kind are to be further developed. The access to employment of people from migrant backgrounds (normally) represents a major sphere of action of ESF funding in all the operational programmes of the *Länder*. In this connection, the *Länder* are opening up new career prospects *inter alia* for the target group of Sinti and Roma and in this way are promoting their social inclusion and their integration into the labour market.

Employer and employee representatives and non-governmental organisations are closely involved in the monitoring and implementation of ESF programmes in different ways. In certain programmes, employer and employee representatives may be represented on the advisory boards or monitoring committees. Charitable organisations, schools, local providers of public youth welfare services and migration organisations are involved in many programmes as network partners. The local neighbourhood management bodies, the local and district authorities, the National Employment Service, employer and employee representatives, charities and various non-profit foundations, associations and migrant organisations act as cooperation partners; these partners are also regarded as relevant in the context of projects for the integration of Roma. In addition, organisations representing the interests of the Roma are approached directly as part of some programmes.

4. Promotion of self-employment

Particular importance is assigned in the ‘EU Framework for National Roma Integration Strategies up to 2020’ to the self-employment of Roma as part of their integration into the labour market, and it is recommended that access to micro-credit be encouraged. The Federal Government shares in principle the view that micro-credit can make an important contribution to integration into the labour market, and therefore as early as the end of 2009 set up the ‘*Mikrokreditfonds Deutschland*’ [‘German Micro-credit Fund’] as a guarantee fund. Loans of up to EUR 20 000 are to be provided to small and young enterprises who are unable to get credit from their account-holding bank, in particular undertakings run by women and people from migrant backgrounds. The volume of the Fund stands at EUR 100 million. Approximately EUR 60 million are provided by the ESF. The aim of the ‘German Micro-credit Fund’ is to make microloans available on a comprehensive basis throughout Germany. With this in mind, micro-credit structures must be placed on a more professional footing and new micro-financing institutions approached.

III. Access to healthcare

Precise statements about the health of the Sinti and Roma population cannot be made on the basis of the sources of data available on the health of the population in Germany. Ethnic origin is not in principle a criterion recorded in the Statutory Health Insurance Statistics or other health statistics, meaning that data on the state of health of the Sinti and Roma are not collected. The definition ‘people from migrant backgrounds’ also does not apply to some of them, which is why although they are included in health surveys and statistics – only some of which record migration status in any event – they are not identifiable.

1. Right of access to healthcare

a) German Sinti and Roma

The provision of healthcare to Sinti and Roma residing in Germany is in principle guaranteed by the obligation to contribute to the statutory – or a private – health insurance scheme; they have access to the same healthcare and prevention services as those available to any other category of insured persons, with the result that they enjoy guaranteed healthcare.

b) Nationals of EU Member States

An obligation to contribute to a statutory or private health insurance scheme also applies to nationals of other Member States of the European Union, nationals of Contracting States to the Agreement on the European Economic Area and Swiss nationals as soon as they establish their domicile or place of habitual residence in Germany and where they have no other right to protection in the event of illness. In certain circumstances, EU citizens and their family members must also provide proof that they hold sickness insurance cover as a pre-requisite to establishing their domicile or place of habitual residence in Germany (§ 4 of the EU Freedom of Movement Act) and are thus protected by that cover.

c) Third-country nationals

German law does not in principle make the obligation to contribute to a health insurance scheme contingent upon nationality, but rather *inter alia* on the domicile/place of habitual residence, which is why foreign Roma living in Germany who are not nationals of another Member State of the European Union are likewise generally required to be insured. They are covered by the subordinate requirement to contribute to the statutory health insurance scheme if they hold a settlement permit or a temporary residence permit of more than twelve months as provided for in the Residence Act and are not subject to any obligation to assure their

livelihood in order to be issued with that residence permit (first sentence of § 5(11) of Book Five of the Social Security Code). For example, people with recognised refugee status and spouses of German nationals may fall within this category. In accordance with the Asylum Seeker Benefits Act ('AsylbLG'), healthcare and prevention services are available to foreign Roma with the status of 'tolerated persons' on account of their special residence status. Under § 4 of the AsylbLG, a legal right to medical and dental treatment exists in cases of acute illness and pain; that right includes the provision of medicines and bandages/dressings as well as other services necessary to recover from, treat and alleviate illnesses and their consequences. It also covers officially recommended vaccinations and necessary medical check-ups. Medical care and the provision of services which are typically required in the course of the asylum process are therefore guaranteed. Further services may also be granted pursuant to § 6 of the AsylbLG if they are essential for the protection of health in the specific case in question. Additional services may be made available to children if they are needed to address their particular needs. Migrants without a valid residence permit who have come to Germany to obtain services provided for in the AsylbLG or in respect of which measures to terminate their residence cannot be put into effect on grounds to be set out by them are to receive the abovementioned services only if the receipt of those services is irrefutably required in the circumstances in the individual case concerned. The competent authorities in such matters are required to guarantee the provision of such services of their own motion.

2. Actual recourse to healthcare

Barriers to healthcare access, which are also faced by other foreign nationals living in Germany, for example language problems, different understandings of illnesses and a lack of knowledge of the healthcare system are reduced by various non-governmental institutions, such as the refugee councils which exist at *Land* level. They support migrants, including Sinti and Roma, to exercise their rights. Specific advice centres for Sinti and Roma exist in several *Länder*. Those centres are funded partly by the *Länder* (Hamburg, North Rhine-Westphalia, Lower Saxony and Bavaria) as well as through the use of ESF resources. The advice centres provide assistance in the form of advisory sessions and aid on a case-by-case basis *inter alia* where people are dealing with the authorities, making applications or obtaining documents. For example, they contribute to ensuring that the people concerned are able to access the services to which they are entitled. In addition to the publicly funded institutions, groups from civil society active in this field are also committed to supporting the interests of Sinti and Roma, such as the Central Council of German Sinti and Roma together with its affiliated

associations and the non-profit organisation Amaro Drom e.V., which is supported by the EU programme 'Youth in Action', the foundation '*Erinnerung, Verantwortung, Zukunft*' ['Remembrance, Responsibility and Future'], the Alliance for Democracy and Tolerance and the *Land* of Berlin.

IV. Access to housing

Providing the population with appropriate and affordable housing is a key objective of the Federal Government's housing and social policies. The provision of housing in Germany is good on the whole. The Federal Government's policy on housing guarantees that housing is provided to all sections of the population and does not differentiate on the basis of ethnic origin.

No statements can be made about the housing status of German Sinti and Roma or foreign Roma, since the related data are not collected in the official statistics on the basis of ethnic origin. The Federal Government has no evidence that the provision of housing to Sinti and Roma is significantly different overall from the provision to the rest of the population. Particular attention is paid to the needs of the Sinti and Roma in some towns and cities in the context of housing and urban development policy.

The social guarantee of a place to live is an important element of both housing and urban development policy in Germany. The implementation of those policies also includes providing effective access to housing. In 2009, public funds provided effective relief to over five million households via a contribution of EUR 17 billion to housing costs in the form of housing benefits and the assumption of accommodation costs. As a result, some or all of the housing costs of 12% of all households were covered. One fifth of all rental properties in Germany is occupied by households who receive assistance to pay their rent in the form of housing benefit or the assumption of accommodation costs³¹. In Germany, the following benefits in particular exist which cover the housing costs in full or in part of low-income households, and are therefore available *inter alia* to Sinti and Roma households:

1. Social housing support

Support for households which in their own right are unable to obtain suitable housing forms the subject of the social housing support provided for in the *Wohnraumförderungsgesetz*³² [Housing Support Act] and the corresponding legislation adopted at *Land* level.

On the one hand, private investors and local authority housing firms offer low-cost rental accommodation to households experiencing financial difficulties in finding housing in the private housing market. The beneficiaries include *inter alia* low-income households, families

³¹ See *Wohngeld- und Mietenbericht* [Housing Benefit and Rents Report] 2010, Publication of the Federal Parliament No 17/6280, p.13.

³² Federal Law Gazette Part I, p. 2376 et seq., as last amended by Article 2 of the Law of 9 December 2010 (Federal Law Gazette Part I, p. 1885, 1893).

in need with children, single parents, disabled people and other vulnerable groups. A means-tested housing entitlement certificate is required in order to obtain publicly subsidised housing. People seeking housing who are not just residing temporarily in Germany are entitled to apply. If they are lawfully resident in Germany, foreign Roma may obtain a housing entitlement certificate subject to the same conditions as German families.

On the other hand, the acquisition of owner-occupied housing is also supported, primarily in the case of households with children. This support is likewise provided regardless of nationality or ethnic origin, and therefore Sinti and Roma may also avail themselves of it.

As part of the first stage of the reform of the federal system, responsibility for social housing support was transferred from the Federal Government to the *Länder* with effect from 1 September 2006³³. Since that date, the *Länder* alone have been competent to legislate in this area and to finance social housing support. Up to and including the year 2013, they will receive an annual sum of EUR 518.2 million from the Federal Government – which is ring-fenced for housing support – by way of compensation for the discontinuation of the financial assistance previously granted. The Federal Government and the *Länder* are currently in talks about the compensation payments from 2014.

Observance of the requirement of equal treatment enshrined in the Basic Law is also guaranteed in civil law in the context of the search for housing by the *Allgemeine Gleichbehandlungsgesetz* [General Equal Treatment Act], which entered into force on 18 August 2006³⁴.

2. Housing benefit

Housing benefit is paid as a financial contribution towards housing costs in order to ensure that people are able to live in appropriate accommodation which is suitable for families. The purpose of the housing benefit is to guarantee that households which are entitled to it are able to pay their rents. As a result, the households in receipt of housing benefit are not just restricted to a particularly low-rent and therefore narrow segment of the available housing stock. This supports the preservation and creation of stable occupant structures in residential areas and prevents a splitting of the housing market which is undesirable from the perspective

³³ ...

³⁴ Federal Law Gazette 2006 Part I, p. 1897 et seq., as last amended by Article 15(66) of the Law of 5 February 2009 (Federal Law Gazette Part I, p. 160, 267).

of housing policy. The housing benefit is accurately targeted in terms of social policy and consistent with the market, since it differentiates on the basis of the individual needs of the households and the levels of rent which differ from region to region.

The housing benefit is in principle also paid to foreign nationals. Foreign nationals are entitled to housing benefit if they in fact entitled to reside or reside as ‘tolerated persons’ within the federal territory (see § 3(5) of the *Wohngeldgesetz*³⁵ [Housing Benefit Act]). An entitlement to housing benefit exists irrespective of the individual’s ethnic origin. Sinti and Roma are therefore able to apply for housing benefit subject to the same conditions as other German and foreign nationals.

3. Accommodation costs

Support is provided from the public purse to households who – although they receive the housing benefit – are still unable to meet their housing requirements using their own income by covering the appropriate accommodation costs in accordance with Books Two and Twelve of the Social Security Code. This includes, firstly, the basic allowances for jobseekers (Book Two of the Social Security Code, in particular type II unemployment benefit and social benefit), which are targeted at entitled persons who are able to work and their partners and children, and secondly, social assistance (Book Twelve of the Social Security Code), which includes basic allowances in old age and in the event of reduced earning capacity and maintenance allowances. The latter form of aid is granted in particular to people who are temporarily unable to work³⁶.

Benefits under the law governing the basic allowances for jobseekers (Book Two of the Social Security Code) are paid to people whose domicile or place of habitual residence is in Germany. The question of a person’s place of habitual residence is raised primarily in relation to people who have not yet established a domicile, i.e. typically homeless people and travellers. However, these people may likewise receive benefits if they reside in one place ‘for the time being’ with the option to remain there in the future and that place forms the focal point of their lives.

³⁵ Federal Law Gazette Part I, p. 1856 et seq., as last amended by Article 12(2) of the Law of 24 March 2011 (Federal Law Gazette Part I, p. 453, 495).

³⁶ See Housing Benefit and Rents Report 2010, Publication of the Federal Parliament No 17/6280, p. 26.

Foreign nationals who are workers or self-employed persons in Germany or who have a right to freedom of movement within Germany under § 2(3) of the EU Freedom of Movement Act (foreign nationals in possession of a residence permit on constitutional, humanitarian or political grounds) are also entitled to benefits. Foreign nationals whose right of residence stems solely from the purpose of seeking work are excluded from receiving benefits under Book Two of the Social Security Code for a least the first three months of their stay in Germany. These provisions are consistent with the provisions of the Freedom of Movement Directive (Directive 2004/38/EC).

Foreign nationals have access to accommodation and heating benefits in the context of social assistance (Book Twelve of the Social Security Code) provided they are not entitled to benefits under Book Two of the Social Security Code. However, receipt of these benefits may also be denied where the foreign national has entered the country in order to receive social assistance or his right of residence stems solely from the purpose of seeking work (see § 23 of Book Twelve of the Social Security Code).

By way of derogation from those principles, citizens from countries which have signed the European Convention on Social and Medical Assistance of 11 December 1953 (ECSMA)³⁷ may receive benefits in accordance with Book Two of the Social Security Code. The States signatories to the ECSMA are Belgium, Denmark, Estonia, France, Germany, Greece, Iceland, Ireland, Italy, Luxembourg, Malta, the Netherlands, Norway, Portugal, Spain, Sweden, Turkey and the United Kingdom.

4. Social integration/urban development

Within the framework of the promotion of urban development, the Federal Government also grants financial assistance to the *Länder* for the purposes of investment in sustainable development at local authority level pursuant to Article 104b of the Basic Law. The urban development support programme '*Soziale Stadt*' ['Social City'] focuses on parts of towns and cities in which socio-economic disadvantages such as unemployment and low educational achievement overlap with insufficient urban development and problems of coexistence between different sections of the population. At the forefront of the support programme are investments in urban development in connection with the residential environment, the social and cultural infrastructure and the quality of housing. The programme is pursuing the

³⁷ Federal Law Gazette 1953 Part II, p. 564.

integrated upgrading strategy of linking investment in urban development to measures to improve the quality of life and the social living conditions of all residents in the area of the town or city, irrespective of their ethnic origin, social background or nationality. The objective is to bring stability to these parts of towns and cities by involving all the groups in society.

With this in mind, since 2008 the Federal Government has been implementing the supplementary ESF federal programme '*Bildung, Wirtschaft, Arbeit im Quartier*' ['Education, Economy, and Work in the Neighbourhood'] (BIWAQ). BIWAQ supports projects which seek to improve the level of qualifications and social participation of people living in deprived parts of towns and cities in particular (areas in which the programme '*Soziale Stadt*' is implemented) and which contribute to stabilising social cohesion and integration locally. Efforts are focussed on integration in education/training and employment (including the improvement of the transition from school to employment) and boosting the local economy. The target groups include *inter alia* the long-term unemployed, school children, school drop-outs and young people not in education, training or employment, regardless of their ethnic origin, social background or nationality. The integration of the projects into integrated development concepts at local authority level and local networks and their linkage to urban development measures within the local neighbourhood are pre-requisites for funding. The first funding round (2008 to 2012) is supporting 135 projects to benefit people living in deprived parts of towns and cities, in which Sinti and Roma from the areas affected can also take part. The projects funded also include a sub-project devoted to improving the literacy of Roma and a further project aimed at *inter alia* Sinti women (Annex 3).

The programme for the second funding round (2011 to 2014) has been expanded to include work in the neighbourhood. The aim is to integrate people from deprived areas of towns and cities – irrespective of ethnic origin, social background or nationality – who are particularly difficult to place in jobs into the general labour market by means of low-threshold supported employment. Work in neighbourhoods will be used to promote projects involving measures within the not-for-profit sector (which are liable to social security contributions) to increase the employability of people in receipt of benefits who have been unemployed for a long period of time. Since the target group is the long-term unemployed, only people who are covered by the provisions of Book Two/Three of the Social Security Code are potential

neighbourhood workers. A further innovation is the introduction of supplementary funding to finance projects on a cross-departmental basis which supplement community or voluntary work projects supported by the Federal Ministry of Employment and Social Affairs through the provision of support/coaching and skills development measures. Since the target group of community and voluntary work projects are unemployed people covered by the provisions of Book Two/Three of the Social Security Code, only people within that target group can take part in the projects. In the second funding round there will be scope to promote around 90 projects which may benefit *inter alia* Sinti and Roma from the areas of towns and cities concerned.