



Germany

Promoting Social Inclusion of Roma

A Study of National Policies

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1. Summary

The total number of Roma currently living in Germany is estimated to be between 70,000 and 120,000 people. The Roma currently living in Germany are a rather heterogeneous population group: Firstly, there are a considerable number of Roma people who have lived for generations in Germany and have the legal status of Germans. Secondly, there are Roma people from other member states of the European Union who live temporarily or permanently in Germany. Thirdly, there is a group of Roma people who immigrated from countries outside of the EU. Many of them have come as refugees from Kosovo and live as tolerated refugees in Germany.

Because of a lack of valid statistical information on the economic and social situation of the Roma, it is almost impossible to assess how many and which groups of them are currently confronted with poverty and social exclusion. The social situation of German Roma has undergone a process of growing differentiation in recent decades. The most precarious living conditions are among Roma refugees from Kosovo.

The situation and the identity of the Roma population in Germany today cannot be understood without knowledge of the historical background of the Roma and especially of the racist prosecution during National Socialism in the 1930s and 1940s in Germany. Prejudices and discrimination against Roma still exist today in Germany. Roma representatives have repeatedly reported about negative experiences made by members of the Roma communities.

According to the federal structure of the German state, the political responsibility for the integration of Roma is split up between the Departments of the Interior at national as well as state level. Because most of the programmes to promote the situation of the Roma population are the responsibility of the states and the local authorities, it is almost impossible to get a clear picture of the volume, content and effects of these programmes.

The current European Framework for National Roma Integration Strategies has triggered new initiatives by the political parties. While the opposition parties in the federal parliament are calling for improvements in the social situation of the Roma in Germany, the federal government and the governing coalition in the federal parliament see a necessity for action only in other European member states. In the German National Reform Programme of 2011, the situation of national minorities in general, and of the Roma in particular, is not covered. No specific aims and programmes with regard to the Roma population are mentioned. No target-setting for specific groups or aspects of economic and social life of the Roma population are included.

Because of the difficult information situation, the implementation of a monitoring and review system should have primary priority in the national Roma integration plan. A national survey should be implemented which should be primarily aimed at gathering data on the economic, social and cultural situation of the Roma population in Germany. As long as the information basis has not been improved, it will be difficult to define specific targets for the improvement of the living situation of the different Roma groups. Besides this, the stabilization of the legal, economic and social situation of Roma refugees should have high priority.

2. Situation of migrants and of ethnic minorities in Germany

2.1 Foreigners, migrants and national minorities

2.1.1 *Registered foreigners*

According to the population statistics, 81.8 million people were living in Germany in the year 2009. Among them were 7.1 million people of foreign nationality, i.e., 7.8% of the total population. The number of registered foreigners in Germany was 6.7 million and, as such, not much smaller. Compared to 1999, the number of foreigners in the population statistics has declined by 0.2 million persons. After a prolonged phase of constantly increasing numbers of foreigners between 1991 and 2003, this number has started to decrease again since then (Bundesamt für Migration und Flüchtlinge 2011: 226pp; see table 1 in the annex).

At the end of the year 2009, Turkish people were the largest group of foreigners in Germany; they made up 24.8% of registered foreigners. Other large groups of foreigners were Italians (7.7%), Poles (6%), Serbs and other former Yugoslavian groups (5.4%), Greeks (4.2%), Croats (3.3%), Russians (2.8%), Austrians (2.6%), Bosnians (2.3%) and Dutch (2%); other nationalities amounted to 38.9%.

After Romania and Bulgaria became members of the EU in January 2007, the number of registered foreigners from these two countries increased considerably between 2007 and 2009. Till the end of 2009, the number of registered Romanians increased by 43% to 105,000. At the same time, the number of registered Bulgarians increased by 58% to 62,000. At the end of 2009, 84,000 people from Kosovo were registered in Germany. Between 2004 and 2009, the number of foreigners from the central and eastern EU member states increased by 29%.

2.1.2 *Legal status of foreigners*

While EU citizens are covered by the EU freedom of movement regulation, foreigners from a non-EU country who enter Germany and want to stay here for some time normally need a legal residence title (Bundesamt für Migration und Flüchtlinge 2011: 234pp). Since the Residence Act came to power, there are two legal residence statuses: a time-limited residence permit (Aufenthaltserlaubnis) and a permanent settlement permit (Niederlassungserlaubnis). While the first legal status aims to cover situations like training, employment, family reunion and humanitarian purposes, the second one aims to cover regular employment situations and is free of any legal restrictions with regard to time and space. Normally the unlimited settlement permit can be given after a period of five years with a residence permit, and once additional conditions are fulfilled, such as a secure livelihood, adequate retirement provisions, sufficient language knowledge, no serious convictions, adequate accommodation.

There are two more legal statuses for foreigners: the so-called permission to stay is intended to allow asylum seekers to go through the asylum procedure; the so-called toleration title is given to a foreigner who has to leave the country, but who is not able to return or who cannot be deported to his home country.

At the end of 2009, of the 6.7 million registered foreigners two third (66%) had a permanent settlement permit; around one quarter (22.6%) had a time-limited residence permit. With regard to

non-EU citizens, more than half of them had a permanent settlement permit (59.6%) and around one third (32.6%) had a time-limited residence permit. 87,000 foreign persons had a toleration title (1.3% of all registered foreigners) and 35,000 a permission to stay (0.5%). Another 7.1% of the foreigners had no legal status. Two thirds of them were citizens of the European Union and around 15%, or 72,000 persons, were without a toleration title and had to leave the country.

According to a decision of the Conference of Ministers of the Interior in December 2009, tolerated foreigners who have to leave Germany, but who have already been living there for a longer time and who, in economic and social terms, are integrated in the country, can get a limited residence permit for another two years under certain conditions (Marx 2011). This decision has somewhat eased the situation of tolerated foreigners living in Germany for a short period of time, but this 'right to stay on a trial basis' has failed to solve the basic problem (see also chapter 3.1).

2.1.3 Persons with a migration background

Since the year 2005, the statistical data base of the micro-census has provided differentiated data on the migration status of the population (Bundesamt für Migration und Flüchtlinge 2011: 241pp). According to the micro-census, in the year 2009 15.7 million of the 81.9 million people in Germany had a migration background. Among them were 8.5 million Germans and 7.2 million foreigners. Therefore 19.2% of the population in Germany had a migration background; among them 10.4% were Germans and 8.8% were foreigners (see table 2 in the annex).

The largest group of immigrants were foreigners with migration experiences of their own (5.6 million people or 35.6%). 1.6 million people or 10.4% were foreigners who were born in Germany (the second or third generation). Foreigners in total represented 45.9% of all immigrants in Germany. Germans represented 54.1% of all immigrants. Of them, 5.0 million people or 31.8% had own migration experience and 3.5 million or 22.3% had no own migration experience. 1.7 million people or 11.1% of all immigrants had opted for German nationality and immigrated by themselves. 400,000 people or 2.6% had opted for German nationality without own migration experiences. 3.3 million people or 20.8% were Germans who immigrated from other countries (the so-called Aussiedler (re-settlers) and other groups). 3.1 million people or 19.5% were Germans without own migration experience (children of Aussiedler or of former foreigners who opted for German nationality, etc). In total, around two thirds of the immigrants had migration experience of their own, while one third had no such experience as they were born in Germany.

2.1.4 National minorities

Since 1997, four population groups have received the legal status of 'national minorities' in Germany, the Friesians, the Danes, the Sorbs, as well as the Sinti and Roma. According to two treaties of the Council of Europe - the European Framework Convention for the Protection of National Minorities (1995) and the European Charter for Regional or Minority Languages (1992) - which came into effect in Germany in 1998, the Federal Republic of Germany has committed to protect and promote these population groups (Bundesministerium des Innern 2010).

Up to now, there is no common definition of the term national minorities at European level. In Germany, national minorities are defined as population groups,

- whose members have German nationality,
- who are distinguished from the majority population by their own language, culture, history, and collective identity,
- who want to preserve this collective identity,
- who settle traditionally in Germany and
- who live in ancestral areas of settlement (Bundesregierung 2000).

2.2 Roma population in Germany: volume and legal status

While, following the International Roma Union (IRU), the term 'Roma' is used at international level to describe all people with Roma origin, in Germany the double term 'Sinti and Roma' is used to summarize a characterization of the Roma population living there. The term 'Sinti' describes the group of Roma who originally came from the southern and western parts of Europe; the term 'Roma' characterizes all Roma coming from the eastern parts of Europe. In this report only the term Roma will be used, according to common international practice.

The total number of Roma currently living in Germany is estimated to be between 70,000 and 120,000 people. The Roma population can be differentiated into at least three groups with different legal status:

- (1) Firstly, there are a considerable number of Roma people who have lived for generations in Germany and have the normal legal status of Germans. In formal terms, they have the same rights as other German population groups. Roma estimates vary around 70,000 people (Marx 2011; Bundesministerium des Innern 2010; UNICEF 2007).
- (2) Secondly, there are Roma people from other member states of the European Union who live temporarily or permanently in Germany. Many of them come from the new European member states in the south-east of Europe, especially from Romania and Bulgaria. The members of this group have the full rights of European citizens. Only if they claim for social assistance, can measures to end their staying in Germany be initiated. But even then, deportation can be directed only under the restrictive legal condition that there is a significant threat to the German state (Marx 2011: p. 41). Currently, there is no information available on the number of Roma from other EU member states living in Germany.
- (3) Thirdly, there is a group of Roma people who over the past decades immigrated as migrant labourers or as displaced persons from other countries outside of the EU, in legal terms the so-called "third states". Within the last 15 years, many Roma have come as refugees from Kosovo or other regions of the former Republic of Yugoslavia. In legal terms many of them are only tolerated refugees. They live under the threat of being forced to move back to their former country, where they are under great risk of being discriminated against. The number of Roma from the former Yugoslavia (including Kosovo) is estimated to be around 50,000 people.

To sum up, the Roma population currently living in Germany is – with regard to their a legal status and their living conditions – a rather heterogeneous population group and includes members of national minorities as well as different groups of immigrants. Roma refugees from Kosovo have

the most precarious living conditions. In April 2010 the Federal German Government has concluded a redemption agreement with Kosovo. According to that agreement, around 12,000 Roma people from Kosovo should leave Germany for Kosovo in the coming years, even if there is no capacity for the absorption and integration of minorities, sick people and returnees there up to now. Deported refugees have to rely completely on themselves. Half of those who will have to go back to Kosovo are children, two thirds of them were born and have grown up in Germany. Recent experiences show that three quarters of those children, whose families have been deported to Kosovo, are no longer attending school. Because many of them have no birth certificate, they cannot demand a right to education, medical care and social support (see also 3.3) (Marx 2011). How many refugees in general, and Roma refugees in particular have been deported to Kosovo since then is not known (see also chapter 3.1).

With the phasing out of the restrictions on free movement of the population of the new EU Member States, new concerns about increased immigration from these countries have spread in Germany. Since last year, when estimations were published in a newspaper which estimated that up to 200,000 people were living illegally in Berlin, there has been a debate going on about the number and situation of illegal immigrants in the German capital. Many of these immigrants coming from Romania and Bulgaria are assumed to be Roma people. Representatives of the state of Berlin report that there is an increasing concentration of Roma people in certain city districts, such as Neukölln. The mayor of this district, nationally known as a socio-political 'hard liner', has since then repeatedly warned about a poverty migration from Romania and Bulgaria. The fear is that these Roma groups intend to stay and to live permanently in Germany. These warnings have brought new fuel to the ongoing heated debate about the number and role of immigrants in Germany. This debate had its temporary climax in the publication of the book *Deutschland schafft sich ab* (Germany is doing away with itself) by Thilo Sarrazin (2010), a member of the Board of the Federal Reserve Bank of Germany. This book has put the readiness of the – especially Muslim – immigrants to integrate in German society radically into question and has therefore provoked a very heated and controversial political discussion about migration and integration policy in Germany, which is still going on both at national as well as at local level.

As a consequence, in 2010 the state government of Berlin started to offer cash bonuses to Roma families (250 Euro per adolescent and adult and 150 Euro per child), if they are willing to return voluntarily to their homelands.

2.3 Poverty and social exclusion

As a consequence of existing data problems (see 2.6), no statistical information is available about the economic, employment and social situation of the Roma population in Germany. The last comprehensive empirical study on the social situation of the Roma population in Germany was produced at the beginning of the 1980s (Hundsatz 1982). The report showed that at the end of the 1970s most of the Roma had settled in Germany. But their economic and social situation was characterized by severe deprivation. Adults and youngsters showed a very low participation and poor results in the education system. The economic situation was characterized by a low income level and a high poverty rate. Also the housing situation for many Roma people was characterized by low housing standards. Since then, no other comparable investigation has been conducted on the social situation of the Roma.

A recent study carried out by the Zentrum für Antisemitismusforschung in Berlin for UNICEF (2007) focused on the situation of children from Roma families. The study came to the conclusion

that the social situation of those children was primarily determined by the legal status of the Roma families.

Around one third of the Roma refugee families have a residence or a settlement permit. Two thirds have an insecure status as tolerated persons with a toleration title or without a legal status. Above all, the situation of these refugee families shows severe aspects of deprivation:

- The situation of refugees with a toleration title or without a legal status is characterized by permanent uncertainty. They live under the threat of having to leave the country and / or of being deported within an extremely short period of time. Because the date of the administrative request cannot be anticipated, they are in constant fear of having to leave their home, their friends, etc.
- Refugee families have to stay in a specific city or district and cannot move to other places.
- Generally, asylum seekers and refugees have to live on benefits or benefits in kind, according to the Act on Asylum Seekers, and therefore remain in an extremely deprived income position.
- Tolerated refugees normally get an assigned dormitory where they have to stay and live. Because they are only tolerated, they are not allowed to live under normal housing conditions and so become integrated in normal social life.
- The insecure legal status of these Roma families in combination with other aspects of their living situation has severely negative impacts on the education attainment and educational success of the children.

In the following, the social situation of the Roma shall be described more in detail:

(1) Income situation

The newly established system of social reporting in official statistics is a joint project of the Federal Statistical Office and the statistical offices of the states. It continuously provides data on social indicators at national and at state level, as well as data on minimum social security in Germany. The definitions of the indicators are oriented around the social reporting system of the European Union (<http://www.amtliche-sozialberichterstattung.de/>).

According to these data sources, the at-risk-of-poverty-rate, based on the Micro-census, in the year 2009 was 14.6% in Germany. This rate was slightly lower than the results for the poverty rate based on the EU-SILC, which was 15.3% in the year 2008 (Atkinson / Marlier 2010: 119). The poverty rate for persons with German nationality was 13%, for persons without German nationality it was 31.8%. The poverty rate for persons without migration background was 11.7%, for persons with a migration background was 26.6%. To sum up, people without German nationality and with a migration background were considerably more affected by poverty than people with German nationality and without such a background. Information on the poverty rate for national minorities in general, or the Roma population in particular, is not available.

The reports on minimum social security in Germany present statistical information on the receipt of minimum income benefits. According to the last report (Statistische Ämter des

Bundes und der Länder 2010), in the year 2008 7.6 million people were living on minimum income benefits in Germany. These were 9.3% of the total population.

While German Roma and – under certain conditions – Roma from other EU member states have access to all basic security benefits, Roma who are civil war refugees or asylum seekers only have access to benefits according to the Asylum Seeker Benefits Act (Asylbewerberleistungsgesetz). In the year 2008, 128,000 persons were living on this minimum income scheme, which offers benefits and benefits in kind only at a very low level and under extremely restrictive conditions compared to the other existing minimum income schemes.

Following the decision of the Federal Constitutional Court on the Act on Basic Security Benefits for Jobseekers of February 9, 2010, legal experts agree that the Asylum Seeker Benefits Act is an unconstitutional law, because it includes a material discrimination of the benefit recipients and does not guarantee a living according to the principle of human dignity. In its response to the major interpellation by the Leftist Party in the Federal Parliament, the Federal Government endorsed this legal opinion (Deutscher Bundestag 2010), but has up to now refused to reform or to abolish this law. The Green Party as well as the Leftist Party have demanded the repeal of this law and the re-introduction of access to social assistance for these groups (Fraktion Bündnis 90 / DIE GRÜNEN 2010; Fraktion DIE LINKE 2011a). In a public hearing of the Committee for Labour and Social Affairs in February 7, 2011, most of the experts supported this intention (Deutscher Bundestag 2011).

(2) Labour market and employment situation

Roma constitute a heterogeneous group of workers on the labour market, including people with different nationalities and legal statuses as well as people with and without migration background. The labour market and employment situation of migrants depend also on many aspects, like the educational attainment and the length of stay. The unemployment rate of people with a migration background is higher than those without such a background. At the same time, the unemployment rate is lower, the higher the educational qualification and the longer the immigrants are staying in Germany. Especially young immigrants with no or a low educational qualification are under threat of becoming and remaining excluded from the labour market. If immigrants are successful in entering the employment system, many of them stay in insecure and low paid forms of employment (Sachverständigenrat deutscher Stiftungen für Migration und Integration 2010: 169pp).

Access to the labour market for immigrants depends on their legal residence status. Every time- limited residence title includes a specific reference to the labour market. Most of these titles include access to the labour market, but only under restrictive conditions. The labour market integration of immigrants is promoted under the legal framework of the Social Code Book II (Basic security benefits for jobseekers / Grundsicherung für Arbeitsuchende) and III (Unemployment insurance / Arbeitslosenversicherung) (see tables 3 to 5 in the annex) (Arbeit und Bildung 2010).

Tolerated foreigners, who have no legal status and have to leave the country but whose deportation has temporarily been postponed, are normally not allowed to participate in the labour market, but in exceptional cases the take up of a job can be permitted for the period of toleration.

Statistical data on the labour market situation of Roma are not available in Germany. In a recently published report, a number of EQUAL projects promoting the labour market integration of Roma presented qualitative information about the specific labour market situation of this population group (Arbeitsgruppe Roma und Sinti 2007). Against the background of specific labour market integration problems of various groups of Roma, the projects offer a wide range of support packages, from counselling and advice to training and employment opportunities.

(3) Educational situation

In Germany, children and youngsters with a foreign nationality and/or with a migration background show a lower educational participation and poorer results in school. However, up to now, official educational statistics provide data differentiated by nationality only, but not by migration status. The information situation on the educational situation of immigrants is therefore incomplete. The German school system is highly selective with regard to the social as well as the ethnic background and the migration status of the children. Successful participation in this educational system without an active involvement of the parents is hardly possible. Low educational attainment on the part of the parents therefore leads with high probability to school failure and early school leaving (Sachverständigenrat deutscher Stiftungen für Migration und Integration 2010: 137pp). Because the school system is regulated by the federal states, in some of the states, children of refugee families are not obliged to attend school at all (UNESCO 2007: 23pp).

Statistical data on the educational situation of the Roma population are not available. But reports from Roma and other associations agree in their assessment that the educational situation of Roma shows the highest degree of deprivation. A new qualitative empirical study on the education situation of the Roma in Germany has recently been published (Strauß 2011a). The study was planned and implemented with the active involvement of the Roma population. 14 Roma were qualified as interviewers who carried out 275 interviews with Sinti and Roma of three generations in 35 towns and cities in Western Germany. Around 41% were between 14 and 25 years old, 43% were between 26 and 50 and 17% were more than 50 years old. Even if it is not a representative study in the strict sense, some of the main results of the study should be presented in the following:

- At around 19%, only a small group of the interviewed Roma has a professional degree. Around 44% left school without an educational certificate. Almost 11% – a considerably higher percentage than among pupils of the majority population – attended a special school (Förderschule) for pupils with severe learning and behavioural problems. 13% attended no school at all.
- The proportion of Roma youngsters who have attended secondary schools (12%) or high schools (2%) was considerably lower than that of youngsters of the majority population.
- 46% of those interviewed did not get any support from their families for school homework. The main reason was that the large majority of their parents had no school education.

To sum up, it is above all the educational situation of the Roma population which shows the greatest need for political action. Existing programmes at state and local level have up to now only shown poor results (UNICEF 2007).

(4) Housing situation

Because the population group of the Roma is composed of different groups with differing nationalities and legal statuses, statistical data on the housing situation are not available. It can be assumed that this situation varies considerably between the different groups.

Even if households with a migration background have normally more household members than households without such a background, they have on average 44.5 m² and thus 11m² less living space than households without a migration background. At the same time, at 6.38 Euro per m² they pay a higher rent per m² than households without such a background. Furthermore, a higher percentage of these households are living in deprived city areas and neighbourhoods. The ethnic segregation in Germany is lower than in other European member states. But during the last decades, the ethnic and social segregation has increased. There is a controversial debate going on as to whether ethnic segregation will lead to so-called parallel societies in Germany (Sachverständigenrat deutscher Stiftungen für Migration und Integration 2010: 193pp).

The housing situation of German Roma families has considerably improved over the last decades. After the end of the Second World War, the Roma population could only live under extremely deprived housing conditions. Since the 1980s, the municipalities have started to offer normal housing opportunities to help the Roma to find their place and integrate in city life. Since then, a process of differentiation in the housing and living conditions of the Roma population has been under way (see also chapter 2.3).

Civil war refugees with a tolerance title cannot decide by themselves about their housing situation. They are dependent on the decisions of the local authorities as to which housing facilities they are assigned to. While the housing situation of the refugees with a settlement permit should be aimed at integrating these groups, refugees with a tolerance title have to stay in refugee homes or other special housing forms. Because of the great number of new immigrants at the end of the 1990s, some cities like Cologne and Hamburg have offered extremely deprived and deterrent housing conditions to reduce the inflow of immigrants. In many cities, Roma refugees were accommodated in temporary housing arrangements which were located at the city borders or in business sites with no access to public transportation facilities. Or they were placed in deprived inner-city areas. By the middle of the last decade, more and more cities had begun to re-orientate their strategy and are now opting more for housing and living conditions which allow social integration to certain degree (UNICEF 2007).

(5) Health situation

The information available on the health situation of Roma people is not better than on other aspects of their economic and social life. Roma families are normally protected by the statutory health insurance when one or more family members are working in regular forms of employment. The insurance coverage of the statutory health insurance in Germany includes not only the worker, but also his spouse or her husband and his or her children. The situation

differs, if they are employed in precarious forms of employment. If they are e.g. working in so-called "Mini-Jobs" (marginal employment), they are normally not insured or protected. The risk of not having health insurance is especially high among self employed Roma (and their families) with low and heavily fluctuating income. The reforms of the health care systems in recent years have contributed to deterioration in the health care situation especially of low income groups. The introduction and increase of supplementary payments have contributed to the fact that these groups in particular are prevented from drawing on health services to the full extent.

Roma refugees and asylum seekers are principally dependent on the health services, according to the Asylum Seeker Benefits Act (Asylbewerberleistungsgesetz). According to this act, these services can only be offered in cases of acute and painful diseases, or if they are essential to the health situation. In local practice, the municipal social services offices tend to interpret this legal regulation in very restrictive ways. Necessary services are often not provided. Because of this, the health protection situation of refugees and asylum seekers in Germany is assessed as profoundly inadequate by welfare associations and national refugee organisations (Förderverein Niedersächsischer Flüchtlingsrat 2002).

2.4 Geographical distribution

The geographical distribution of the four national minority groups in Germany can be described as follows:

- The Danish minority, with a population of around 50,000 persons, has lived south of the German-Danish border in the state of Schleswig-Holstein since the 19th century.
- The Friesian minority has lived on the coast of the North Sea, especially in the Dutch Western Friesland and in the German Eastern Friesland for more than a thousand years (in the states of Schleswig-Holstein and Niedersachsen). Currently, around 60,000 Friesians are living in Germany.
- The population of the Sorbs immigrated 600 years ago to the region east of the rivers Elbe and Saale. Currently, around 60,000 Sorbs live in the Niederlausitz in the state of Brandenburg and in the Oberlausitz in the state of Saxony.
- The population of the Sinti – a special population group of the Roma – are known in the German-speaking regions since the 14th century. Other Roma groups came to Germany in later centuries. A common element of the Roma groups is the fact that they speak Romani, a language which has its origin in the Indian Sanskrit. Currently, around 70,000 Roma with German nationality are living in Germany. Contrary to the other minority groups, they are not living in a particular area, but in the metropolitan areas, mainly in the Western states of Germany. Larger groups are living in the Berlin, Hamburg, Rhein-Ruhr areas (Düsseldorf and Köln), in the Rhein-Main and Rhein-Neckar areas, and in the Kiel area. Smaller groups are living in the mid-size towns close to metropolitan areas like Ostfriesland, Oldenburg, Hessen, Pfalz, Baden and Bayern.

Graph 1 Settlement regions of national minorities in Germany



Source: Bundesministerium des Innern 2010

2.5 Discrimination

2.5.1 *Historical background*

The situation and the identity of the Roma population in Germany today cannot be understood without knowledge of the historical background of the Roma and especially of the racist prosecution during National Socialism in the 1930s and 1940s in Germany (Bundesministerium des Innern 2010; Sparing 2011).

Since the Middle Ages, the persecution of the so-called "cigans" has had a long tradition in Germany. During the 19th and the 20th centuries, repeated efforts were made to resettle these "cigans". Since the foundation of the German Empire in the second half of the 19th century, both national and local authorities pursued a policy of expulsion. Because the non-sedentary way of life of the "cigans" was not officially accepted, legal and administrative strategies were developed to expel them from one city to another, as well as out of the country. Finally, the "cigans" were registered with special passes in the Weimar Republic.

During the 1930s, the Roma lost their status as normal German citizens and a forced process of separation and exclusion was brought into force by the Nazi regime. When the Nuremberg race laws came into force in 1935, the Roma, as well as the Jewish population, lost all civil rights. They were defined as foreign races and were gradually excluded from public life. In a first step, the "cigans" were forced into fenced and guarded local camps by the local authorities.

Starting in 1938, Roma people were put into so-called concentration camps. More than 500,000 Roma lost their lives in these camps and through the military forces and special forces (SA and SS) of the Nazi regime in Germany and in the occupied territories. This Holocaust has influenced the self-image and identity of the Roma as well as their relations to the majority population in the decades since then.

Only between 4,000 and 5,000 Roma survived the concentration camps and were in need of special support when they returned. After the end of the war and the demise of the German Empire, a system of reparation was established for those who had been persecuted by the Nazi regime for racist, political or religious reasons. So-called asocial people were not accepted as having been persecuted by the Nazi regime, so many Roma people had to re-experience being classified as asocial or criminal and thus could not claim for support. It was not until 1963 that the German Constitutional Court decided that the persecution of "cigans" since 1938 was motivated, among others, by racist reasons. And it was not until the 1980s, that the two chancellors Helmut Schmidt and Helmut Kohl recognized the genocide of the Roma.

In the decades after the end of the Second World War, the large majority of local authorities tried to prevent the survivors of the concentration camps from settling in their municipalities. They offered them extremely deprived housing opportunities on the edge of towns and cities, without access to public facilities. The Roma had to live in de-facto ghettos, like separate camps, and were isolated from urban life. Until the 1980s these housing and living conditions were mainly responsible for the fact that this minority group was unable to participate in the wealth, the social protection and the education system available to the majority of the population (Widmann, 2001).

2.5.2 "Anti-ciganism"

The specific form of stigmatization, discrimination and persecution of people as "cigans" is discussed in Germany under the term "anti-ciganism" (Antiziganismus) (End 2011).

The word "cigan" is a term which is perceived by most of the members of the Roma population as offensive:

- The term "cigan" represents a bundle of prejudices on the part of the members of the majority population against the members of the Roma population. Most of these prejudices concern the attribution of negative personal characteristics and behaviours ("cigans don't like to work, and steal children"). Some of the prejudices contain positive stereotypes ("all cigans are musicians and humorous people").
- Prejudices against the Roma are connected with social practices that result in the restriction of living opportunities for them. They include a broad range of attitudes against Roma people from the rejection of social interaction to active discrimination as regards access to jobs, apartments and social contacts, and to violent threats to the lives and property of Roma people.

Prejudices and discrimination against Roma still exist today in Germany. Roma representatives report again and again about negative experiences made by members of the Roma communities (Zentralrat Deutscher Sinti und Roma 2006). In the recently published study on the education situation of Sinti and Roma (Strauß 2011a), the interviewed also were asked about their self-definition and discrimination experiences. The results were rather startling:

- 95% of the interviewed persons defined themselves as Sinti and Roma.
- Around 81% have had personal experience with discrimination, 56% had these experiences occasionally, 8% regularly, 12% often and 5% very often.
- The historical experiences of their parents and grand-parents as well as their own experiences with discrimination has led to the situation that many of the interviewed Roma (45%) do not admit they are Roma in public – depending on the situation – so as to avoid discrimination.
- 54% feel intimidated, badly treated or discriminated against by the public authorities. 40% describe their experiences with public institutions/administrations as highly problematic.

2.6 Data problems

Statistical data about the Roma population – as well as the other national minorities - are hard to acquire. The reason is that this population group is not distinguished from the majority population by nationality, migration status or other specific demographic or socio-economic features. It is therefore hardly possible to get accurate and differentiated information about this group.

National reports on the situation of the Roma population – like the report of the Bundesministerium des Innern on national minorities (2010) – therefore provide no quantitative information with regard to the volume and structure of this minority group, or to age, gender or

other demographic or socio-economic aspects of this group. Because of this, it is not possible to provide empirical data about the Roma in this report.

3. Assessment of existing policy and governance framework

3.1 Overall policy framework and governance arrangements

This chapter describes the policy framework and governance arrangements for addressing poverty and exclusion among the Roma. Because the Roma population group consists of different groups with differing legal statuses, different legal and political frameworks and institutions are of importance.

(1) The policy framework and governance arrangements in Germany include the following elements:

The Departments of the Interior at national as well as state level, in keeping with the federal structure of the German state, are legally and politically responsible for immigrants and minorities. At national level it is the Federal Department of the Interior which is responsible for the national protection and promotion of national minorities. This department was responsible for the implementation of the European Framework Convention for the Protection of National Minorities (1995) and of the European Charter for Regional or Minority Languages (1992), which came into force in Germany in 1998. This department is also responsible for the implementation of the European Roma Strategy at national level. The promotion of national minorities at regional level lies in the competence of the Departments of the Interior of the sixteen federal states (Bundesländer). The promotion at local level is in the competence of the local authorities.

The Federal Government has established a "National Commissioner for German Immigrants and National Minorities. With regard to national minorities, this commissioner is

- the main contact person and co-operation partner for the organisations of the immigrants and minorities,
- the main representative of the Federal Government on the existing or future coordination bodies, and
- the person responsible for the information policy towards national minorities.

Federal, state and local authorities support the national minorities in preserving their cultural identity through a wide range of programmes. Such programmes include

- the promotion of child-care facilities, schools and other institutions,
- financial support as well as support in kind for associations of the minorities,
- support for different forms of information and public-relations work,
- financial support for cultural festivities, the implementation of bilingual signs for towns and streets,
- financial support for the Centre for Documentation and Cultural Affairs of the German Sinti and Roma in Heidelberg.

The Federal Government has furthermore established a "National Commissioner for Migration, Refugees and Integration". This person is the contact person and cooperation partner for all aspects of the situation of refugees and tolerated foreigners, and through this

also an important institution with regard to the situation of the Roma population with this legal status. Comparable Commissioners have been established in all sixteen federal states, which are the cooperation partners for regional integration policies.

Other important co-ordination bodies or institutions are:

- The "Federal-State-Conference with Minorities for the Framework Agreement for the Protection of National Minorities and for the European Language Charter": Participants are the federal departments responsible for the protection of minorities, the departments at state level, representatives of the umbrella organisations of the minorities and language groups, as well as scientific institutions. The task of this body is to coordinate the implementation of the framework agreement of the Council of Europe for the Protection of National Minorities and the European Charter for Regional- and Minority Languages of the Council of Europe.
- The "Discussion Group National Minorities at the National Parliament": This "Discussion Group", which comes together several times a year, provides the opportunity for consultations between members of parliament and representatives of the umbrella organisations of national minorities.
- Of special importance for the national Roma policy is the already mentioned "Centre for Documentation and Cultural Affairs of the German Sinti and Roma", which is funded by the Federal Government and is located in Heidelberg.

(2) National policy statements

In 1986, all political parties in the federal parliament underlined the necessity to improve the situation and promote the integration of the Roma population in Germany. Since then, programmes have been established by the federal states and the local authorities especially to promote social and cultural projects. These programmes are aimed at preserving the cultural identity of and the use of their own language by the Roma. According to statements by official institutions, most of the Roma people are integrated in the German society. There is a need for action above all in the field of education and training and with regard to the newly immigrated Roma.

The current European Framework for National Roma Integration Strategies has triggered new initiatives by the political parties in the federal parliament.

The Green Party in the federal parliament brought in a proposal in March 2011 (BT-Drucksache 17/5191). With reference to the European Strategy, they declared that the situation of the Roma in Germany was still worrying. Children of Roma families in particular have poor chances of becoming integrated, and the insecure legal status of Roma families who have come as refugees from Kosovo, contributed to their marginalised situation. Equal opportunity for the Roma population in all aspects of economic, social, cultural and political life should be realized in Europe and in Germany. The federal parliament should therefore ask the federal government to stand up for the implementation of equal opportunities for the Roma in Europe and Germany. At national level it should

- develop close co-operation between the states, the local authorities and the associations of the civil society for the fight against the discrimination of the Roma population and

- it should introduce programmes to improve the situation of the Roma in the National Reform Programme according to the Integrated Guidelines for the fight against poverty and social exclusion in the context of the European Strategy 2020.
- Because the federal German state has a specific historical responsibility towards minorities, the federal states should be asked to suspend the enactment of the deportation of Roma from Kosovo and
- To deport no one without valid identification papers to Kosovo and to suspend the German-Kosovar redemption agreement for Roma from Kosovo.

In addition, in the federal parliament in March 2011 (BT-Drucksache 17/5536), the Green Party has introduced a major inquiry on the situation of the Roma in Europe and in the potential accession states.

In December 17, 2010, the Leftist Party in the federal parliament introduced a minor inquiry asking the federal government about the future development of the right to stay (Bleiberecht) of long-term tolerated people. In May 30, 2011, the Leftist Party in the federal parliament introduced another minor inquiry with regard to a "National Strategy for the Integration of the Sinti and Roma in Germany".

In June 7, 2011, the Social Democrat Party in the federal parliament also introduced a proposal (17/6090). This proposal called for active involvement by the German federal government in the European Roma Strategy, the development of a national strategy for the improvement of the situation of the Roma in Germany by the end of 2011 – in close co-operation with the umbrella associations of the Sinti and Roma in Germany – especially in the field of education, and a revised national and state strategy towards Roma refugees from Kosovo.

Finally, in June 8, 2011 the two parties of the governing Black-Yellow Coalition in the federal parliament also introduced a proposal with regard to the improvement of the situation of the Roma in Europe. Contrary to the other proposals, this one sees a necessity for action only in other European member states. It does not mention any integration problems of the Roma in Germany and it sees no need for a revision of the redemption policy towards Roma from Kosovo. Especially in reply to the two requests by the Green and the Leftist parties, the federal government will have to concretize their plans for a national strategy on the integration of the Roma population in Germany.

The current political debate about the situation of the Roma is mainly focused on the situation of the Roma from Kosovo. Above all the redemption agreement between Germany and Kosovo of April 2010 produced critical reactions at European and national level. The European Commissioner for the Interior warned Germany about deporting of Roma people to Kosovo, because there they are under the threat of being persecuted or harmed in other ways. The High Commissioner for Human Rights of the United Nations as well as the Commissioner for Human Rights of the Council of Europe have criticized the federal government of Germany and asked it to stop the deportation of Roma people to Kosovo. In Germany, the Committee for Migration of the Conference of the Catholic Bishops' Conference expressed its regret about the situation of the Roma in German in April 2010.

The proposals of the opposition parties in the federal Bundestag have already been mentioned.

Up to now, only the state of Nordrhein-Westfalen has temporarily suspended the agreement, between December 2010 and March 2011. In their conference in Hamburg in November 2010, the ministers of the interior of the federal states decided to introduce a right to stay (Bleiberecht) for "well integrated adolescents" according to § 37 Residence Law (Aufenthaltsgesetz). Their families should get an own right to stay if they can live on their own resources. This decision has since been discussed very controversially. The Leftist Party in the federal parliament commented on this planned regulation in a minor inquiry (BT-Drucksache 4631 of February 3, 2011) saying that as a result of this regulation it was accepted by law that youngsters and their families would be separated after a long stay in Germany because the one group is assessed as useful and the other group as not useful for German society. Such a policy contradicts the obligation for the state to protect the family according to Article 6 of the Constitutional Law and it also contradicts the Christian beliefs of the German state and the agreed goals of the current coalition government's Coalition Treaty.

The planned regulation puts youngsters under pressure to enable a right to stay for themselves and their families through a good school performance. And it expects the youngsters, having become adults, to decide for or against living together with their families. Finally, it expects teachers to decide not only about the results of the youngsters' school performance but also about the right to stay for them and their parents. All opposition parties in the federal parliament have therefore brought in their own proposals, which propose a change to the current Residence Law. A common feature is the call for a loosening of the criteria for the approval of a right to stay after a long-term tolerance of residence. In public hearings of the Committee for the Interior in October 27, 2010, all experts supported this intention (Deutscher Bundestag 2010).

3.2 Targets set for reducing poverty and social exclusion of Roma

Because of the lack of data on poverty and social exclusion among the Roma population, no specific policy goals and programmes have been developed and implemented in Germany to prevent or overcome the poverty and social exclusion of Roma. The precarious income situation of most of the Roma refugees is no reason for concern in the eyes of the current federal government.

3.3 Strengths and weaknesses of the NRP with regard to Roma

Against this background, the situation of national minorities in general and of the Roma in particular, is not covered in the German National Reform Programme of 2011. No specific aims and programmes with regard to the Roma are mentioned. There is no target-setting for specific groups or for aspects of economic and social life of the Roma population.

3.4 Strengths and weaknesses of existing policies and programmes

A main weakness of the current policy on the social inclusion of the Roma population is the fact that hardly any empirical data on the social situation are available. Up to now, policy strategies

can only rely on qualitative information. This weakness is not new, but well known. Nevertheless, no efforts have been made to improve this situation. Differentiated investigations have not been undertaken for around thirty years. Because of this lack of differentiated information, the adequacy and effectiveness of policy programmes can hardly be assessed.

Another obstacle to assessing the policy framework and policy strategy towards the Roma population lies in the federal structure of the German political-administrative system. Because most of the programmes to promote the situation of the Roma population are the responsibility of the federal states and the local authorities, it is almost impossible to get a clear picture of the volume, content and effects of these programmes. Even if there is a broad consensus between the different political parties on the protection and promotion of the Roma population in Germany, it is almost impossible to assess the extent to which this consensus has led to appropriate political actions at the different state levels. The rare empirical data suggest that the living conditions of the Roma in Germany indicate even today certain aspects of deprivation which should be covered by a national integration strategy for the Roma.

4. The use of the European Structural Funds for the fight against poverty

In Germany, above all the European Social Fund (ESF), among the Structural Funds, provides the basis for the promotion of the economic and social situation of the Roma. Traditionally, Germany has 18 ESF operational programmes in total. This large number is a reflection of the federal structure of the country, and is also a response to the disparities in the socio-economic situation and challenges. There are 17 regional operational programmes (one for each federal state and two for Niedersachsen) designed and managed by the states. For the whole of Germany, there is one multi-objective federal programme which covers 37% of the overall ESF resources in co-operation with five federal ministries. While the federal programme is concentrated on the ESF priorities, 'Adaptability of workers and enterprises' and 'Access to the labour market', the regional programmes focus on enhancing human capital, in particular by promoting basic and vocational training for young people.

Even if there is a political consensus in Germany that the structural funds – especially the social fund – should be used to improve the economic and social situation of national minorities like the Roma, this goal has been achieved only at a very low level. An important instrument to promote the economic and social situation of national minorities was the community programme EQUAL. This programme combined the aim of promoting innovative concepts of labour market integration for disadvantaged groups with cross-cutting goals like combating discrimination, racism and xenophobia, and therefore offered an ideal basis for the promotion of national minorities, like the Roma. Until 2007, 240 projects had been funded in Germany. But the number of projects to promote labour market integration of Roma was extremely small. During the first EQUAL funding phase between 2002 and 2004, only one of 109 projects, and during the second phase between 2005 and 2007, only two of 129 projects, were funded in the context of the EQUAL programme (Arbeitsgruppe Sinti und Roma 2007).

According to the Federal Ministry of Employment and Social Affairs, the current Federal ESF Programme includes seven funding programmes which are of special interest for the Roma population: Two programmes are designed and implemented by this ministry (among them XENOS), four programmes are implemented by the Federal Ministry of Family, Seniors, Women and Youth and one is implemented by the Federal Ministry of Traffic, Construction and Urban

Development. The programmes cover a broad range of problems and needs with regard to the economic, employment, educational, social and housing situation. The target groups of these programmes include different population groups, the Roma being only one of them. The national funding programme XENOS is likewise aimed at promoting measures against discrimination, xenophobia and right-wing extremism in combination with the promotion of labour market integration. XENOS is part of the National Integration Plan of the Federal Government. Currently, only two projects are aimed at the specific task of improving the situation of Roma.

Even if there is a broad political consensus to use ESF-programmes to promote the situation of the Roma, it seems that this policy has not been very successful up to now. The potential of the ESF funding programmes has not yet been exhausted. At the same time, there are a great number of projects which address groups and aspects which can include the Roma population. In particular the programme for tolerated persons and refugees promotes projects which address, among other groups, Roma from Kosovo and other regions of the former republic of Yugoslavia.

5. Role of civil society organisations and international organisations

(1) National organisations of the Roma

There are two umbrella organisations which represent the Sinti and Roma population in Germany:

- The "Central Board of the German Sinti and Roma" was founded in 1982. It has 15 members, state and regional organisations of the Sinti and Roma. The Central Board is by federal state accepted national representative and voice of the Sinti and Roma in Germany, especially of those with German nationality. It is funded by the Federal Department of Families, Seniors, Women and Youth. Projects of the regional organisations are funded by state departments.
- The "Sinti Alliance Germany" is the registered not-for profit association, which acts as a national umbrella organisation of the German Sinti population. It was founded in 2000 by representatives of 20 tribes and is the representative of the different independent Sinti and Lowara groups. The Sinti Alliance acts as an association that tries to preserve and promote the traditional cultural and social way of life of the "cigans" in Germany.

There are many other organisations that act at regional or local level and that in most cases are members of the above-mentioned two national organisations of the Roma. Of special importance are organisations that organize those groups of Roma who have immigrated to Germany within the last decades. Among them, above all the 'Rom und Sinti Union' must be mentioned, a not-for profit association founded in 1983 and located in Hamburg. The lobbying of this organisation is focused on the interests of the newly-immigrated Roma population.

Another important Roma institution is the already mentioned Centre for Documentation and Cultural Affairs in Heidelberg. It was founded in 1991 and is funded by the federal government. Its tasks are mainly

- the documentation and scientific analysis of the history, culture and current situation of the Roma population in Germany,
- the promotion of cultural work, education and further education, and of social work,
- public relations with the aim of improving the integration of (especially German) Roma and the preservation of their cultural identity.

(2) International organisations

Because of the long history and tradition of Roma settlements in Germany, they have developed their own associations and policies. International organisations of the Roma, therefore, do not play an active role in the German policy debates on Roma issues.

6. Recommendations

6.1 Key challenges and national goals and policies

In April 5, 2011, the European Commission presented a European Framework for National Roma Integration Strategies up to 2020 (European Commission 2011). This framework includes, above all, the following elements:

- The member states should ensure that the currently existing differences in access to education, employment, health care as well as housing and essential services (public utilities) between the Roma and the majority population are reduced or eliminated;
- They should set achievable national goals for Roma integration to bridge the gap with the general population. The targets should be defined in relation to the four mentioned areas. Disadvantaged micro-regions and neighbourhoods should be identified;
- Sufficient funds from national and from European sources should be allocated and invested;
- A monitoring system should be implemented to evaluate the effects of the Roma integration actions;
- The national Roma integration strategy should be implemented and monitored in close co-operation and continuous dialogue with Roma civil society, regional and local authorities;
- At national level, a steering committee for the co-ordination of the strategic actions should be established.

The national strategies of the member states have to be presented to the European Commission by the end of the year 2011. In spring 2012, the Commission will assess the national strategies and report to the European Parliament and the Council about progress.

The federal government as well as the governing coalition in the federal parliament have so far not explained how they intend to implement the national Roma integration strategy in Germany. Also the opposition parties have not yet published their proposals for a national strategy.

The German umbrella associations of the Roma have, on the one hand, welcomed this European Framework. On the other hand, they have criticized that the aspects of discrimination and of structural barriers are underestimated in this framework, while at the same time the situation of the Roma is mainly defined as a social problem. According to this approach, individual social problems and deficits can be overcome through social investment in human capital and employment opportunities. Nevertheless, the Central Board of the German Sinti and Roma has demanded that the implementation of the national Roma integration strategy should happen with the direct participation of the Roma communities (Zentralrat der Sinti und Roma 2011).

While there is a tendency – especially among the federal government and the governing coalition parties in the federal parliament – to define the problems of the Roma only as problems at the European level, and as problems of other European states, a national strategy for the integration of the Roma population has to be focussed primarily on the national, regional and local aspects of this problem. So far, it is not clear which aspects the German federal government will focus on in the national strategy for Germany.

In 2007, the federal government presented a first national integration plan for immigrants. Starting from the first national integration summit, the integration plan was aimed at summarizing the programmes and initiatives of different groups of actors at the different state levels for promoting the integration of immigrants. The plan was based on the principle of a continuous dialogue between the federal state and the representatives of the migrants. Furthermore, all the groups involved were asked to commit themselves to contributing to the success of this strategy. The integration plan included a broad range of aims and programmes through which the integration situation of the migrants should be improved.

The main challenges for the improvement of the situation of Roma in Germany have repeatedly been articulated by the organisations of the Roma. In concentrated form, they have been formulated by the Zentrum für Antisemitismusforschung der Technischen Universität Berlin in their study on the situation of children of Roma families for UNICEF (UNICEF 2007):

(1) The situation of children in Roma families

A first focus of concern is the situation of children and young Roma people in Germany: The results of the recently published study on the education situation of Roma people proved once again that there is a great need for action (Strauß 2011a). Daniel Strauß, the editor of the study, called for a national committee which should co-ordinate the necessary actions for the improvement of the education situation of Roma children and youngsters.

(2) The situation of Roma refugees from Kosovo

A second focus of concern is the situation of Roma refugees from Kosovo: Based on an inquiry into the situation of the Roma in Kosovo, the Central Board of the Sinti and Roma demanded that the German policy of recirculation and deportation of Roma to Kosovo should ensure that groups with a need for special protection are exempted. Among them are, above all,

- families with children,
- people with traumatisation and chronic diseases, and
- older people, who have little chances to find work.

These groups should be treated as hardship cases, which should receive a permanent residence permit (Zentralrat der Sinti und Roma 2010).

6.2 Monitoring and evaluating

Because of the difficult information situation, the implementation of a monitoring and review system should have primary priority. A national survey should be implemented which should be primarily aimed at gathering data on the economic, social and cultural situation of the Roma population in Germany.

Because of the small size of the Roma population, this survey could only be included in the so-called micro-census, an annual 1%-sample of the total resident population. This approach would have the advantage that the survey would become an integrated element of the existing official statistics. One problem is that the questionnaire of the Micro-census, up to now, does not include questions on the social and cultural situation of those being surveyed. Another form could be a separate annual survey which would have to be newly established. Such a survey would allow the introduction of specific questions regarding the Roma situation. But the establishment of a new survey normally takes some time, which would mean that the survey and the data would only be available after several years.

In any case, such a survey would have to include not only the population living in apartments and residential buildings, but also those living in special forms of housing. Furthermore, there is the problem that some Roma groups can be expected to refuse to co-operate and provide the necessary information. This problem could only be solved through special selection and by training the interviewers. The best thing would be if the interviewers were themselves people with Roma origins.

6.3 Cooperation and continuous dialogue

A national steering committee for the national Roma integration strategy could be established within a short period of time. Germany already has the National Commissioner of the Federal Government for German Immigrants and National Minorities, located within the Federal Department for the Interior since the year 2006. The national steering committee could, and should, be conducted by this Commissioner in close co-operation with the National Commissioner for Migration, Refugees and Integration. The composition of the committee should include representatives of the following policy levels and policy actors: the federal state, the states and local authorities, the social partners, welfare associations and Roma organisations.

6.4 The role of EU Structural Funds

In Germany, up to now, the resources of the European Structural Funds, especially of the European Social Fund, have not been exhausted for programmes aimed at the integration of Roma. It is a matter of controversial discussion as to whether it would make sense to develop and promote more educational, training or employment projects which are only addressed to specific

groups of Roma like young adults, women or adult illiterates. Because of the still existing discrimination on the labour market, and of the historic responsibility of the German federal state towards the Roma population, the Roma associations are opting for such projects. In contrast to this position, the official representatives of education, training and labour market policy – while also funding specific Roma projects – are more in favour of promoting projects for a broader range of groups.

6.5 National targets and National Reform Programme

As it has been described in this report, the Roma population currently living in Germany is not a homogenous group, but is composed of different groups with greatly differing living conditions, deprivation experiences and needs for support. As long as the information basis has not yet been improved, it will be difficult to define specific targets for the improvement of the living situation of the different Roma groups.

References

Arbeitsgruppe Roma und Sinti, im Rahmen des Nationalen Thematischen Netzwerks Asyl in der europäischen EQUAL (Hrsg.) (2007), Zugang zum Arbeitsmarkt für Roma und Sinti, Berlin.

Arbeit und Bildung e.V. (2010), Flüchtlinge – Kunden der Arbeitsagenturen und Jobcenter, Berlin.

Atkinson, Anthony B. and Marlier, Eric (eds.) (2010), Income and living conditions in Europe, EUROSTAT, Luxembourg.

Belgian Presidency of the Council of the European Union (2011), Preventing Social r Migration Exclusion through the Europe 2020 Strategy: Early Childhood Development and the Inclusion of Roma Families.

Bertelsmann Stiftung (2011), Nachhaltiges Regieren in der OECD – Wie zukunftsfähig ist Deutschland? Sustainable Governance Indicators 2011, Gütersloh.

Bundesamt für Migration (2008), Wohnen und innerstädtische Segregation von Migranten in Deutschland, Working Paper 21, Berlin.

Bundesamt für Migration (2009a), Förderung des Bildungserfolgs von Migranten: Effekte familienorientierter Projekte, Working Paper 24, Berlin.

Bundesamt für Migration (2009b), Grunddaten der Zuwanderungsbevölkerung in Deutschland, Working Paper 27, Berlin.

Bundesamt für Migration und Flüchtlinge (2011), Migrationsbericht 2009, Berlin.

Bundesministerium des Innern (2007), Zusammenstellung der Ergebnisse des zweiten Monitoringzyklus über die Umsetzung des Rahmenübereinkommens des Europarates zum Schutz nationaler Minderheiten in Deutschland, Berlin.

Bundesministerium des Innern (2010), Nationale Minderheiten in Deutschland, Berlin.

Bundesregierung (2000), Förderung deutscher Minderheiten in Osteuropa seit 1991 / 1992, Antwort der Bundesregierung auf die Kleine Anfrage der Fraktion PDS, BT-Drucksache 14 / 4045, June 6, 2000.

Bundesregierung (2006), Zur Situation von Roma in der Europäischen Union, in den EU-Beitrittsländern und im Kosovo, Antwort auf die Große Anfrage der Fraktion Bündnis 90 / DIE GRÜNEN, Deutscher Bundestag, Drucksache 16 / 2197 vom 10.7.

Bundesregierung (2007), Der nationale Integrationsplan. Neue Wege – neue Chancen, Berlin.

Bundesregierung (2011), Antwort auf die kleine Anfrage der Fraktion DIE LINKE, BT-Drucksache 17 / 4631 from February 3, 2011.

COUNCIL OF THE EUROPEAN UNION (2011), Council conclusions on an EU Framework for National Roma Integration Strategies up to 2020, Brussels.

Das Nationale Thematische Netzwerk im ESF-Bundesprogramm für Bleibeberechtigte und Flüchtlinge mit Zugang zum Arbeitsmarkt (2010), Zwischenbilanz: Meilensteine und Stolpersteine, Berlin.

Deutscher Bundestag (2010), Verfassungsrechtliche Aspekte und Anwendungspraxis des Asylbewerberleistungsgesetzes. Antwort der Bundesregierung auf die große Anfrage der Abgeordneten Ulla Jelpke u.a., Drucksache 17/3660 vom 10. November.2010.

Deutscher Bundestag, Innenausschuss (2011), Wortprotokoll 25. Sitzung, Öffentliche Anhörung am 27. 10.2010, Protokoll Nr. 17 / 25.

Deutscher Bundestag Ausschuss Arbeit und Soziales (2011), Wortprotokoll 47. Sitzung, Öffentliche Anhörung am 7. Februar 2011, Protokoll 17 / 47.

Die Beauftragte der Bundesregierung für Migration, Flüchtlinge und Integration (2007), 7. Bericht über die Lage der Ausländerinnen und Ausländer in Deutschland, Berlin.

Die Beauftragte der Bundesregierung für Migration, Flüchtlinge und Integration (2009), Flüchtlinge und Integration (2009), Integration in Deutschland, Erster Indikatorenbericht, Berlin.

End, Markus (2011), Bilder und Sinnstruktur des Antiziganismus, in: Aus Politik und Zeitgeschichte Heft 22-23.

European Commission (2010a), Improving the tools for the social inclusion and non-discrimination of Roma in the EU. Summary and selected projects, Brussels.

European Commission (2010b), Improving the tools for the social inclusion and non-discrimination of Roma in the EU. Report, Brussels.

European Commission (2010c), The social and economic integration of the Roma in Europe, COMMUNICATION FROM THE COMMISSION TO THE COUNCIL, THE EUROPEAN PARLIAMENT, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS, Brussels, 7.4.2010 COM(2010)133 final.

European Commission (2010d), Europe 2020. Integrated guidelines for the economic and employment policies of the Member States. Brussels.

European Commission (2011), An EU Framework for National Roma Integration Strategies up to 2020, COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS, Brussels, 5.4.2011, COM(2011) 173 final.

European Roma Grassroots Organisations (ERGO) Network: <http://www.ergonetwork.org/ergo-network/>

European Network Against Racism: <http://www.enar-eu.org/>

European Parliament, non-legislative resolution on an EU-wide strategy to support the social inclusion of Roma communities passed on voted on 9 March 2011.

European Roma Information Office: <http://erionet.org/site/>

European Union Agency for Fundamental Rights:
http://www.fra.europa.eu/fraWebsite/home/home_en.htm

Förderverein Niedersächsischer Flüchtlingsrat e.V. (2002), Defizite in der Gesundheitsversorgung für Flüchtlinge. In: Flüchtlingsrat. Zeitschrift für Flüchtlingspolitik in Niedersachsen. Sonderheft 89/90.

Fraktion Bündnis 90 / DIE GRÜNEN (2007), Zur Situation von Roma in der Europäischen Union, in den EU-Beitrittsländern und im Kosovo, Entschließungsantrag, Deutscher Bundestag, Drucksache 16 / 5784, June, 20, 2011.

Fraktion Bündnis 90 / DIE GRÜNEN (2010), Entwurf eines Gesetzes zur Aufhebung des Asylbewerberleistungsgesetzes, Gesetzentwurf, Deutscher Bundestag, Drucksache 16 / 1428, April 21, 2010.

Fraktion Bündnis 90 / DIE GRÜNEN (2011a), Für die Umsetzung der Gleichstellung von Sinti und Roma in Deutschland und Europa, Antrag, Deutscher Bundestag, Drucksache 17 / 5191, March, 21, 2011.

Fraktion Bündnis 90 / DIE GRÜNEN (2011b), Zur Situation von Roma in der Europäischen Union und in den (potentiellen) EU-Beitrittskandidatenstaaten, große Anfrage, Deutscher Bundestag, Drucksache 17 / 5536, April, 13.2011.

Fraktion CDU/CSU und Fraktion FDP (2011), Situation der Sinti und Roma in Europa verbessern, Antrag, Deutscher Bundestag, Drucksache 17 / 5767, May, 11, 2011.

Fraktion DIE LINKE (2010), Zukünftige Entwicklung und Bilanz des Bleiberechts für langjährig geduldete Menschen, BT-Drucksache 17 / 4310, December 17, 2010.

Fraktion DIE LINKE (2011a), Menschenwürdiges Existenzminimum für alle – Asylbewerberleistungsgesetz abschaffen, Antrag, BT-Drucksache 17 / 4424, January 18, 2011.

Fraktion DIE LINKE (2011b), Nationale Strategie zur Integration der Roma und Sinti in Deutschland, Kleine Anfrage, Deutscher Bundestag, Drucksache 17 / 8012, May, 30, 2011.

Fraktion SPD (2011), Die Integration der Sinti und Roma in Europa verbessern, Antrag, Deutscher Bundestag, Drucksache 17 / 6090, June, 7, 2011.

Freia Peters (2010), Roma in Deutschland – legal, aber unerwünscht, Welt Online vom 27.9.

Grienig, Gregor (2010), Roma in Deutschland, Berlin Institut für Bevölkerung und Entwicklung, Berlin.

Hundsatz, Andreas (1982), Soziale Situation der Sinti in der Bundesrepublik Deutschland, Schriftenreihe des Bundesministeriums für Jugend, Familie und Gesundheit, Stuttgart et al.

Jonas, Gisela (2007), Sinti und Roma. Stoffsammlung von „Antiziganismus“ bis „Zigeunermärchen“, Berlin.

Landeszentrale für politische Bildung Baden-Württemberg (1998), Zwischen Romantisierung und Rassismus. Sinti und Roma – 600 Jahre in Deutschland, Stuttgart.

Marx, Reinhard (2011), Roma in Deutschland aus ausländerrechtlicher Sicht, in: Aus Politik und Zeitgeschichte Heft 22-23.

Mund, Petra and Theobald, Bernhard (Eds.) (2009), Kommunale Integration von Menschen mit Migrationshintergrund – ein Handbuch, Berlin.

RAA Berlin (2008), Kupfer, Gold und Silbertrennung, Wege zu Bildung und für Arbeitsmarkt für Roma und für Sinti, Berlin.

Sachverständigenrat deutscher Stiftungen Integration und Migration (2010), Einwanderungsgesellschaft 2010, Jahresgutachten 2010 mit Migrationsbarometer, Berlin.

Sachverständigenrat deutscher Stiftungen Integration und Migration (2011), Migrationsland 2011, Jahresgutachten 2011 mit Migrationsbarometer, Berlin.

Sarrazin, Thilo (2010), Deutschland schafft sich ab. Wie wir unser Land aufs Spiel setzen. München.

Schock, Leone (2008), Roma in Deutschland. Eine Betrachtung der Lebenssituation unter den gegebenen gesellschaftlichen Rahmenbedingungen und daraus resultierende Handlungsperspektiven, Diplomarbeit Alice-Salomon-Fachhochschule für Sozialarbeit und Sozialpädagogik, Berlin.

Sparing, Frank (2011), NS-Verfolgung von „Zigeunern“ und „Wiedergutmachung“ nach 1945, in: Aus Politik und Zeitgeschichte Heft 22-23.

Statistische Ämter des Bundes und der Länder, Sozialberichterstattung: <http://www.amtliche-sozialberichterstattung.de/>

Statistische Ämter des Bundes und der Länder (2010), Soziale Mindestsicherung in Deutschland 2008, Wiesbaden.

Strauß, Daniel (Hrsg.) (2011a), Studie zur aktuellen Bildungssituation deutscher Sinti und Roma, Mannheim.

Strauß, Daniel (2011b), Zur Bildungssituation von deutschen Sinti und Roma, in: Aus Politik und Zeitgeschichte Heft 22-23.

The European Union and Roma: <http://ec.europa.eu/social/main.jsp?catId=518&langId=en>

UNICEF (2007), Zur Lage von Kindern aus Romafamilien in Deutschland, Berlin.

Widmann, Peter (2001), An den Rändern der Städte. Sinti und Jenische in der deutschen Kommunalpolitik, Berlin.

Zentralrat Deutscher Sinti und Roma (2006), Ergebnisse der Repräsentativumfrage des Zentralrats Deutscher Sinti und Roma über den Rassismus gegen Sinti und Roma in Deutschland. Heidelberg.

Zentralrat Deutscher Sinti und Roma (2008), Parallelbericht zu dem Bericht der Bundesrepublik Deutschland vom 23. Januar 2007 für das United Nations - Committee on Elimination of Racial Discrimination (CERD), Heidelberg.

Zentralrat Deutscher Sinti und Roma (2010), Stellungnahme zum Antrag der Fraktionen von Bündnis 90/Die Grünen, SPD, Die Linke und SSW: „Abschiebungen in das Kosovo aussetzen – Roma und Ashkali dürfen nicht in eine unzumutbare Situation abgeschoben werden“, Heidelberg.

Zentralrat Deutscher Sinti und Roma (2011), Arbeitspapier zur EU-Strategie zur Verbesserung der Lage von Sinti und Roma in Europa, Heidelberg.

Zentrum für Antisemitismusforschung der Technischen Universität Berlin (...), Zur Lage von Kindern aus Roma-Familien in Deutschland, Berlin.

Annex

Table 1 Total and foreign population in Germany from 1991 to 2009

Jahr	Gesamtbevölkerung	Ausländische Bevölkerung nach der Bevölkerungsfortschreibung ¹	Ausländeranteil in %	Veränderung der ausländischen Bevölkerung in % ²	Ausländische Bevölkerung nach dem AZR ¹
1991 ³	80.274.564	6.066.730	7,6	-	5.882.267
1992	80.974.632	6.669.568	8,2	+9,9	6.495.792
1993	81.338.093	6.977.476	8,6	+4,6	6.878.117
1994	81.538.603	7.117.740	8,7	+2,0	6.990.510
1995	81.817.499	7.342.779	9,0	+3,2	7.173.866
1996	82.012.162	7.491.650	9,1	+2,0	7.314.046
1997	82.057.379	7.419.001	9,0	-1,0	7.365.833
1998	82.037.011	7.308.477	8,9	-1,5	7.319.593
1999	82.163.475	7.336.111	8,9	+0,4	7.343.591
2000	82.259.540	7.267.568	8,8	-0,9	7.296.817
2001	82.440.309	7.318.263	8,9	+0,7	7.318.628
2002	82.536.680	7.347.951	8,9	+0,4	7.335.592
2003	82.531.671	7.341.820	8,9	-0,1	7.334.765
2004 ⁴	82.500.849	7.287.980	8,8	-0,7	6.717.115
2005	82.437.995	7.289.149	8,8	0,0	6.755.811
2006	82.314.906	7.255.949	8,8	-0,5	6.751.002
2007	82.217.837	7.255.395	8,8	0,0	6.744.879
2008	82.002.356	7.185.921	8,8	-1,0	6.727.618
2009	81.802.257	7.130.919	8,7	-0,8	6.694.776

Quelle: Statistisches Bundesamt

1) Stichtag: jeweils 31.12.

2) Jährliche Veränderung der ausländischen Bevölkerung nach der Bevölkerungsfortschreibung im Vergleich zum Vorjahr.

3) Zahlen für den Gebietsstand seit dem 03.10.1990.

4) Infolge unterschiedlicher Erhebungsmethoden und aufgrund einer umfangreichen Registerbereinigung des AZR weicht die Gesamtzahl der Ausländer in der Bevölkerungsfortschreibung (ca. 7,3 Mio.) und im Ausländerzentralregister (ca. 6,7 Mio.) insbesondere ab dem Jahr 2004 deutlich voneinander ab.

Table 2 Population in Germany with differentiated migration status from 2005 to 2009, in 1000s

	2005	2006	2007	2008	2009
Bevölkerung insgesamt	82.465	82.369	82.257	82.135	81.904
Deutsche ohne Migrationshintergrund	67.132	67.225	66.846	66.569	65.856
Personen mit Migrationshintergrund im weiteren Sinne	15.333	-	-	-	16.048
dar: Migrationshintergrund nicht durchgängig bestimmbar ²	277	-	-	-	345
Personen mit Migrationshintergrund im engeren Sinne	15.057	15.143	15.411	15.566	15.703
Personen mit eigener Migrationserfahrung	10.399	10.431	10.534	10.623	10.601
Ausländer	5.571	5.584	5.592	5.609	5.594
Deutsche	4.828	4.847	4.942	5.014	5.007
Personen ohne eigene Migrationserfahrung	4.658	4.713	4.877	4.944	5.102
Ausländer	1.749	1.716	1.688	1.661	1.630
Deutsche	2.908	2.997	3.189	3.283	3.472

Quelle: Statistisches Bundesamt, Mikrozensus

Table 3 Residence titles and institutional responsibilities

AUFENTHALTSPAPIER	LEISTUNGEN	ARBEITSFÖRDERUNG
Aufenthaltsgestattung, § 55 AsylVfG	Sozialamt	Agentur für Arbeit
Duldung, § 60 a AufenthG	Sozialamt	Agentur für Arbeit
Aufenthaltserlaubnis (AE) § 23 Abs. 1 AufenthG und § 104 a, b AufenthG (Bleibe- recht/Altfallregelungen)	JobCenter	JobCenter
AE § 25 Abs. 4 Satz 1 AufenthG	Sozialamt	Agentur für Arbeit
AE § 25 Abs. 5 AufenthG	Sozialamt	Agentur für Arbeit
AE § 25 Abs. 4 Satz 2 AufenthG AE § 23 a AufenthG für 6 Monate o. weniger	Sozialamt	Agentur für Arbeit
AE § 25 Abs. 4 Satz 2 AufenthG AE § 23 a AufenthG für mehr als 6 Monate	JobCenter	JobCenter
AE § 25 Abs. 3 AufenthG	JobCenter	JobCenter

Source: Arbeit und Bildung 2010

Table 4 Residence titles and access to the labour market

AUFENTHALTSPAPIER	ARBEITSMARKTZUGANG
Aufenthaltsgestattung kürzer als 1 Jahr	Nein - Verboten, § 61 Abs. 1 AsylVfG
Aufenthaltsgestattung länger als 1 Jahr	Ja - Erlaubnis auf Antrag, § 61 Abs. 2 AsylVfG
Duldung mit Vor-Aufenthalt kürzer als 1 Jahr	Nein - Verboten, § 10 Abs. 1 BeschVerfV
Duldung mit Vor-Aufenthalt länger als 1 Jahr	Ja - Erlaubnis auf Antrag, § 10 Abs. 1 BeschVerfV; Besonderheit: Berufsausbildung gestattet, § 10 Abs. 2 Nr. 1 BeschVerfV
Duldung mit Vor-Aufenthalt länger als 4 Jahre	Ja - Beschäftigung gestattet, § 10 Abs. 2 Nr. 1 BeschVerfV
Duldung mit Versagung der Erlaubnis	Nein - Verboten, § 11 BeschVerfV
AE § 104 a, b AufenthG (Bleiberecht)	Ja - Erwerbstätigkeit gestattet
AE § 25 Abs. 4 Satz 1 AufenthG	Ja - Erlaubnis auf Antrag o. Erwerbstätigkeit gestattet
AE § 25 Abs. 5 AufenthG	Ja - Erlaubnis auf Antrag o. Erwerbstätigkeit gestattet
AE § 25 Abs. 4 Satz 2 AufenthG	Ja - Erlaubnis auf Antrag o. Erwerbstätigkeit gestattet
AE § 23 Abs. 1 AufenthG	Ja - in Berlin i.d.R. Erwerbstätigkeit gestattet
AE § 23 a AufenthG	Ja - i.d.R. Erwerbstätigkeit gestattet
AE § 25 Abs. 3 AufenthG	Ja - Erwerbstätigkeit gestattet

Source: Arbeit und Bildung 2010

Table 5 Residence titles and labour market integration instruments

AUFENTHALTSPAPIER	MÖGLICHE FÖRDERINSTRUMENTE NACH SGB III
Aufenthaltsgestattung kürzer als 1 Jahr	nur Beratung (§§ 29 ff.)
Duldung kürzer als 1 Jahr	allgemeine Beratung (§§ 29 ff.) und Vermittlung (§§ 35 ff.) in Ausbil- dung
Duldung mit Versagung der Erlaubnis	nur Beratung (§§ 29 ff.)
Für alle Menschen mit: Aufenthaltsgestattung länger als 1 Jahr Duldung mit Vor-Aufenthalt l änger als 1 Jahr Duldung mit Vor-Aufenthalt länger als 4 Jahre AE §§ 104 a, b AufenthG (Bleiberecht) AE § 25 Abs. 4 Satz 1 AufenthGAE § 25 Abs. 5 AufenthGAE § 25 Abs. 4 Satz 2 AufenthG AE § 23 Abs. 1 AufenthG AE § 23 a AufenthG AE § 25 Abs. 3 AufenthG	<ul style="list-style-type: none"> - Beratung, §§ 29 ff. - Vermittlung, §§ 35 ff. - vermittlungsunterstützende Leistungen, §§ 45, 46 - berufliche Weiterbildung, §§ 77 ff. - Teilhabe am Arbeitsleben, §§ 97 - Einstiegsqualifizierung, § 235 b - Ergänzungsleistungen und Zuschüsse, §§ 417 ff.

Source: Arbeit und Bildung 2010