

The German Integration Model

A successful concept to ensure access to education and
access to the labor market for refugees?

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Abstract

This thesis intends to shed light on structural integration policies for asylum seekers and tolerated refugees in Germany. Based on the findings on integration by Esser, the focus is on both access to education and access to the labor market. At first, crucial laws are pointed out to provide an overview of the most important legal regulations in regard to structural integration. However, the main focus of the thesis is on the actual situation of asylum seekers and tolerated refugees in Germany. With the help of a content analysis six studies are analyzed to find an answer to the question to what extent integration policies for refugees in Germany can be regarded as successful. To get an insight into the access to education, three aspects have been found to be essential and were analyzed, namely (1) access to primary education, (2) access to language classes, and (3) support for the transition from basic education to higher education. The access to the labor market was analyzed with a focus on five essential aspects, namely (1) general legal regulations, (2) recognition of foreign educational qualifications, (3) the willingness of employers to hire refugees, (4) supporting measures in terms of language acquisition, and (5) supporting measures by the Employment Agency and access to social benefits. It was found that both access to education and access to the labor market are limited by a number of factors. In general the legal situation, geographic limitations, and knowledge barriers determine how far integration into the educational system and into the labor market can take place. Policies regarding access to education and access to the labor market for refugees in Germany can only be regarded as successful to a limited extent.

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List of Abbreviations

AsylbLG	Asylbewerberleistungsgesetz (Asylum Seeker's Benefit Act)
AsylVfG	Asylverfahrensgesetz (Asylum Procedure Law)
AufenthG	Aufenthaltsgesetz (Law on Residence)
AvWv	Allgemeine Verwaltungsvorschriften zum Aufenthaltsgesetz (General Administrative Measures for the Law on Residence)
BAföG	Bundesausbildungsförderungsgesetz (Federal Education and Trainings Assistance Act)
BAMF	Bundesamt für Migration und Flüchtlinge (Federal Office for Migration and Refugees)
BeschV	Beschäftigungsverordnung (Employment Regulation)
BQFG	Gesetz über die Feststellung der Gleichwertigkeit von Berufsqualifikationen (Law on the Assessment of the Equivalence of Vocational Education and Training Qualifications)
EA	Employment Agency
EU	European Union
NGO	Non-governmental organization
SGB	Sozialgesetzbuch (Social Code)

1 Introduction

Even though Germany does not belong to the classic immigration countries, such as the USA or Australia, migration is a controversial and currently highly discussed topic in both German media and politics. Since the number of asylum seekers is increasing and current global hot spots, like the civil war in Syria, do not seem to be soothed in the near future, the issue of integration is growing in importance (BAMF - Bundesamt für Migration und Flüchtlinge, 2015). Thus, the steady improvement of integration policies, enabling refugees to live a decent life in their host country, needs to be ensured. However the topic of integration has been neglected for a long time on the political agenda (Heckmann, 2015, p. 22). It was not until 2006 that the first summit on integration was held. In order to enhance integration policies and to make them more concrete the National Action Plan on Integration was developed and used as a framework for integration policies in the following years (Die Bundesregierung, 2011, p. 10). The issue of integration has also become increasingly important in the context of EU legislation. Yet, according to the principle of subsidiarity, the EU has only limited competences in this field. Key competences lie with the member states. The main focus of European integration policies consists in securing same rights of asylum seekers in the member states. For refugees, the EU Reception Conditions Directive (2013/33/EU) is of crucial importance. It provides guidelines in terms of a common minimum standard for the admission of refugees. A general European integration policy does not exist, however.

Also in Germany there is no such thing as one “single German integration policy” (Sachverständigenrat deutscher Stiftungen für Integration und Migration, 2012, p. 55). Since integration is a far-reaching issue, it has touching points with various other political topics. The term “German integration model” in the context of this paper refers to German integration policies for refugees, more precisely on structural integration, examining the aspects of both integration into the educational system and labor market integration. Since both of these aspects can be considered as a necessary basis to make further integration possible, its consideration in integration policies is of highest importance. Integration is important from both an individual and a state perspective: Not only do most migrants wish to find employment and attain an earning power that enables them to participate in social life, but integration is also both a social and economic interest of the German state. Labor market integration enables more people to be employed and reduces their dependency on state transfers (economic interest). Also, in those states which consider themselves as social market economies - what applies to Germany - , structural integration is considered not only a personal but also a state task (social interest). As a precondition to integrate into the labor market, access to education needs to be provided. Thus, integration into both the educational system and the labor market determines how much participation in the host society is made possible (Heckmann, 2015, pp. 95-98).

Various papers have been published on the issue of structural integration. Still, the research landscape of the topic “Refugees and Asylum” in the German context is rather fragmentary. As stated by Schroeder, even though studies about the specific situation of refugees do

exist, they are rather unconnected (Schroeder, 2014, p. 15). The Federal Office for Migration and Refugees (BAMF), which does extensive research on issues regarding migration and integration, does not even differentiate in most publications between the different types of migrants.¹ Furthermore, neither the Aliens Department nor the Employment Agency (EA) provides statistical data for the diverse groups of refugees. Knowledge about professional qualifications or employment statuses of asylum seekers and tolerated refugees is missing (Juretzka, 2014, p. 96). That is why it is not possible to draw conclusions about the integration of refugees from this quantitative data. Regarding access to education for refugees, Behrensen and Westphal conclude in their paper on education for young refugees in Germany, which was published in 2009, that missing political interest in this issue leads to a lack of research resources and thus a lack of data (Behrensen & Westphal, 2009). Schwaiger and Neumann, who analyzed the right on education and its implementation in German law in 2014, confirm that the small amount of data for the group of young refugees and their access to the educational system remains a problem for further research. The rights-based analysis of the paper further concludes that the German school system must develop into an integrative system, which reacts to the needs of all children, living in Germany. A broader interconnectedness on national or European level is thus recommended by the authors to exchange experiences and expertise among the member states (Schwaiger & Neumann, 2014).

Regarding labor market integration, various recent studies have been published in the European context. Especially Scandinavian integration policies are considered as an example for a successful way towards integration. It can be assumed that this is due to the fact that Scandinavian integration policies are generally characterized as generous and tolerant, also in terms of refugee integration. In the article "State Assisted Integration: Refugee Integration Policies in Scandinavian Welfare States: the Swedish and Norwegian Experience", which was published in 2010, Valenta and Bunar examine Scandinavian integration policies exemplified by a comparison of Sweden and Norway. Even though it is shown that integration policies in both countries are based on wide-ranging state sponsored assistance measures such as language training, information programs, and work permits, the article comes to the conclusion that more proactive measures are needed to encourage actual job placement. Improvement of skills acquisition would not be sufficient. However, it is also stated that the immediate inclusion in integration measures of refugees who only hold a temporary protection status would have an empowering effect. Furthermore, refugees would be prepared for life outside the initial reception facilities, no matter if this would be in the host country, in the home country or in a different country (Valento & Buhar, 2010). Another article, "The Employment Integration of Resettled Refugees, Asylum Claimants, and Family Reunion Migrants in Sweden", published by Pieter Bevelander in 2011, focuses on the differences in employment integration of refugees dependent on the refugee status. It concludes that different statuses are subject to

¹ Cf. for example "BAMF (2014): Nationaler Aktionsplan Integration. Zusammenhalt stärken – Teilhabe verwirklichen", which is the National Action Plan of the BAMF regarding the issue of integration.

different integration measures. The article points out various aspects of importance for a successful integration into the labor market, concluding that human capital and social capital as well as demographics are especially important in determining success. Regarding the labor market situation, it is stated that geographic differences play a relevant role as well as labor market experience, gathered in the host country (Bevelander, 2011). The latter is also confirmed by a study conducted in the Netherlands, which was published in 2010 under the title “Employment Experience of Refugees in the Netherlands” by De Vroome and Van Tubergen. The study analyzed refugees’ odds of employment and their occupational status in relation to various aspects. It also concludes that both human capital and social capital play an important role in terms of integration. One of its main findings is that the time spent in initial reception facilities is negatively correlated with human capital and health. Thus, it is recommended to shorten the time spent in these facilities (De Vroome & Van Tubergen, 2010).

Since asylum seekers and tolerated refugees have not been included in integration policies for years, publications only recently have begun to consider the implications of the different refugee statuses regarding structural integration. However, studies which focus on the group of refugees mostly examine only one particular aspect of structural integration such as labor market access *or* access to education. As already mentioned, even though also in Germany research regarding the topic of asylum and refugees in connection with structural integration does exist, specific results are often not connected. Since labor market integration and access to education can be considered as the most striking aspects in this regard, which will be amplified in a subsequent section in this paper, it is of importance to connect the different findings. This way a comprehensive analysis of both labor market integration and access to education for refugees can be achieved and more extensive conclusions can be drawn. It is of high relevance to know in how far integration policies function and to what extent changes need to be considered. Both promising and non-promising findings can be helpful not only for an improvement of German integration policies but also for influencing EU wide regulations.

The main target of this paper is to find out to what extent structural integration measures for refugees in Germany are successful. The following research question has been developed:

To what extent can structural integration policies for refugees in Germany be regarded as successful?

As already mentioned, research in Germany about the integration of asylum seekers and tolerated refugees into the educational system and the labor market is lagging behind compared to other European countries, such as Norway or Sweden. As integration is an issue with growing political importance, it needs to be determined to what extent options to integrate should be provided for refugees. With the help of the research question the goal is to find out how asylum seekers and tolerated refugees in Germany are integrated into the educational system and the labor market. The findings are considered as important

in gaining insight into the situation that asylum seekers and tolerated refugees are exposed to in Germany. In relation to the analysis Bevelander conducted in terms of refugees in Sweden, I also expect that a refugee's status plays a decisive role not only for labor market integration but also regarding integration into the educational system. Since asylum seekers and tolerated refugees are in a different legal situation than recognized refugees, it is expected to be found that access to education as well as access to the labor market are to some extent restricted for both groups of refugees. Regarding the questions posed by both De Vroome & Van Tubergen and Belevander, I also expect that social capital, human capital, and geographic aspects play a determining role regarding labor market access. Since the two studies examined the issue of integration in two European countries with differing integration concepts (Sweden and The Netherlands), it is questionable if these three aspects are decisive factors for labor market integration in Germany as well. To gain a more extensive picture and to connect different findings, the aspect of education will also be considered in this paper's analysis.

In general the term *refugee* can have different meanings. Since the status of a refugee influences their rights and access to integration policies, the different meanings of the term need to be distinguished. This paper will mainly focus on asylum seekers and tolerated refugees. Since the status of asylum seekers and tolerated refugees generally leads to higher restrictions than the status of refugees entitled to be granted asylum, it is expected that also integration measures for both asylum seekers and tolerated refugees are limited, as mentioned above. (1) **Asylum seekers** solely possess a *Gestattung* (permission to remain) until an asylum procedure can take place but do not have a right of residence (§ 55 AsylVfG). (2) **Tolerated refugees** do not have a right of residence either. Their status rather implies that a deportation cannot currently take place and thus has to be delayed (§ 60a AufenthG).

In order to find an answer to the research question, various aspects need to be examined. At first the paper will focus on the subject of how an integration concept is made successful. It has to be found out which features lead to a successful integration and are considered as important in order to draw conclusions about the situation in Germany in the following step. Thus, the next question to be answered is how integration policies in Germany are structured. Therefore, German integration policies have to be examined and presented. The last and most important step is the analysis of evaluation reports regarding actual access to education and access to the labor market for asylum seekers and tolerated refugees. Based on this analysis, it will be concluded if German integration policies are working well and thus, if they can be considered as successful.

For this purpose, a qualitative approach was chosen. Chapter 2 will explain the theoretical frame on which the paper is based. It will take into account legal regulations as well as evaluation reports and studies which evaluate integration policies. Legal regulations, which shape the situation of refugees in Germany, will be presented first. Next, evaluation studies and reports will be analyzed to find out how the integration of refugees into the

educational system and into the labor market looks. The evaluation studies are analyzed with the help of a content analysis. This way, the studies can be analyzed based on the research question. Since the focus is not on one or two explicit policies, which would have been analyzed with the help of a policy evaluation, but the aim of the paper rather is to provide a broad overview of integration into the educational system and into the labor market, a content analysis seems to be a more suitable approach. Even though various policies will be mentioned to provide a general idea of the legal situation, the emphasis will be on the analysis of the evaluation studies. This will be explained in more detail in chapter 3. In chapter 4, access to both education and to the labor market for refugees is analyzed with the help of the theoretical approach, as explained earlier. Chapter 5 will then conclude the findings of the analysis and provide an answer to the research question.

2 Theoretical Approach

In order to analyze the success of German integration policies for refugees, a theoretical framework is needed. This chapter aims at providing such a framework. The theoretical approach used to conduct the analysis is based on findings from the field of migration sociology. In particular, the findings by Esser on structural integration will form the theoretical framework of the analysis. Even though these findings are developed in regard to the group of migrants in general, and not especially to the group of refugees, they provide a useful theoretical background for this paper. As will be shown, structural integration plays an essential role in terms of providing adequate integration policies. Furthermore, the relevance of the two aspects to be analyzed in this paper, namely integration into the educational system and labor market integration, will be amplified.

The focus of this paper will be on structural integration for refugees, more precisely for both asylum seekers and tolerated refugees. The situation of refugees differs in many aspects from other forms of migrants. Various types of migration are differentiated, including forced migration, labor migration, family migration, and educational migration. The legal status of a migrant determines which rights are given to a person (Heckmann, 2015, p. 25). In this context it is worthwhile to take a closer look at the group of refugees for various reasons.

Firstly, refugees belong to the group of forced migrants, who do not voluntarily leave their country but are forced to do so due to war or political persecution (Heckmann, 2015, p. 28). As stated in the introduction, the number of asylum seekers is currently increasing, since global hot spots force a high number of people to leave their country and look for asylum somewhere else. The circumstances of the flight create a special situation for refugees. Compared to other types of migrants, refugees often have to leave their country abruptly. Thus, they do not have a possibility to prepare to adapt to the host country in advance, for example by learning the language. Moreover, the situation of a flight does normally not allow to take documents, such as professional qualifications or birth certificates, which can lead to administrative difficulties for the structural integration process. Also, refugees arrive in a host country without a residence permit or a work permit. But external circumstances to which refugees are exposed, is not the only difference when compared to other groups of migrants. Internal circumstances on an individual level also play a role. Traumatic experiences and the nescience about their future in the host country can influence the integration process of refugees. Thus, the situation of refugees is of special importance in terms of integration policies. In the following sections, the theoretical concept of integration which is used in this paper will be presented. It will then be applied to the group of asylum seekers and tolerated refugees to find out in how far integration, more precisely access to the labor market and access to education, are provided for both groups.

A current issue of debate regarding structural integration of refugees, which is also dealt with by other researches, is the question how far integration should go and if especially the

group of asylum seekers should be immediately included into integration policies. As stated for example by Valenta and Bunar, immediate integration into the labor market of asylum seekers in Sweden was found to have a positive and empowering effect. Furthermore, recent research focuses on the meaning of a refugee's status and how far the status determines, if and to what extent, integration can take place. Another currently debated topic involves the factors which play a role for successful integration. Bevelander as well as De Vroome and Van Tubergen focused their research on this issue and came to comparable conclusions, even though they examined different countries. In order to contribute to scholarship in this field, this paper asks similar questions, with the focus on integration in Germany. In the following paragraphs the concept of integration in general and more importantly for this paper the concept of structural integration will be explained.

Integration can be defined in numerous ways. According to Esser, integration is a general as well as a scientific concept. In general, he refers to integration as "the coherence of different parts in a systemic whole" (Esser, 2001, p. 1).² One of the scientific fields of application is the sociological usage of the term integration, even more specific its usage in migration sociology. As sociological discipline the research on migration and integration started in the 1920/1930s in the Chicago School of Sociology. Various concepts were developed in this context.³ The *Classical Assimilation Theory* defines integration as a one-sided process, presuming that every individual integration process would develop in the same way. This was pursued by classical immigration countries such as the USA (Heckmann, 2015, p. 75). However, various researches gave limitations to the theory's validity. The *Theory of Segmented Integration*, which was developed among others by Alejandro Portes, states that assimilation would not be the only possible outcome of integration. In contrast to the classical theory, two other outcomes, namely *Downward Assimilation* and *Selective Acculturation* are identified as other possible results of integration. Downward Assimilation refers to migrants who do not assimilate in terms of becoming part of the host society, but assimilate into a disadvantaged and marginalized group of people instead. Selective Acculturation is a pluralistic concept of integration, meaning that immigrants use their ethnical resources in order to acquire social or economic advantages in the host country without giving up their original identity. An alternative approach is the so-called *New Assimilation Theory*, which was developed by Nee and Alba. This theory's main argument states that general assimilation is still the leading outcome of the integration processes. Even though the other two concepts are somehow relevant, they are of less importance than the general concept of assimilation (Esser, 2008, pp. 81-82).

² Original citation: Unter Integration wird - ganz allgemein - der Zusammenhalt von Teilen in einem „systemischen Ganzen“ verstanden (...). For more information cf. Esser, Hartmut (2011): Integration und Ethnische Schichtung. Mannheimer Institut für Europäische Sozialforschung. Mannheim. Pp. 1-3.

³ Cf. for example the so-called "race-relations-cycle", which was developed by Robert Ezra Park and is one of the most known integration models in context with the Classical Assimilation Theory. For more information: Park, Robert E. (2000): The Nature of Race Relations. In: Back, Les; Solomon, John (Eds.): Theories of Race and Racism. Routledge. Oxon. Pp.105-112.

In more recent research integration is no longer regarded as a one-sided process by the immigrants alone, but rather stands for a reciprocal process, in which both groups, immigrants as well as the host society, influence each other and social differences slowly diminish. The country of origin and ethnicity both lose their importance (Alba, 2008, p. 41) (Esser, 2008, pp. 84-85). Thus, not only individual effort but also the willingness to allow for integration on part of the host society is of importance for integration to be possible. Based on the assumption that integration cannot be regarded as a one-sided process, the role of the host society is of high relevance. The relationship between immigrants, specifically refugees in the context of this paper, and the host society is essential. In terms of the research question of this paper, the concept of integration will thus be analyzed with consideration of the host country's role. This relationship is resumed in the concept of social integration, which will be explained in the following paragraph.

In general, the sociological concept of integration can be divided into different types. According to Lockwood, the sociological concept of integration can broadly be divided into *social integration* and *system integration*. The latter deals with the relationships of the different parts of a social system (Lockwood, 2008, p. 36). It takes place by common values, the state or the market. In terms of migration sociology however, more research is done about social integration (Heckmann, 2015, p. 72). Generally, social integration focuses on the individual and coping with the existing system of socio-economic, legal, and cultural relationships. With regard to the field of migration, the focus is on the integration of the individual in institutions and the relationships with the host society. Social integration is of highest importance, regarding the integration of refugees in the host country, and thus applied in this paper. The concept makes it possible to take a closer look at the integration of refugees in terms of the socio-economic and legal system of the host country. Esser defines four different types of social integration, pointing out four different ways in which relationships between immigrants and the host society can develop. These four types are presented in Figure 1 and can be summarized as follows:

Disintegration: Disintegration refers to a state where no integration takes place. Immigrants do neither integrate in the host society nor do they have social relations towards their countries of origin.

Segmentation: Segmentation in this context means that integration in the country of origin does exist whereas integration into the host society has not taken place (yet).

Multiple Integration: Multiple Integration describes a process where integration into both the host country and the country of origin exists. Thus, there is no one-sided identification or orientation but a two-sided one.

Assimilation⁴: Assimilation in this context means that no relation to the country of origin exists, but full integration into the host society has taken place. The ethnical background does not play a role anymore (Esser, 2001, pp. 20-21).

⁴ The term assimilation is used by different researches in different ways. Regarding integration processes in Europe, assimilation is often associated with the attempt to create homogenous nations, especially in the

Social Integration into the Host Society		
Social Integration into the Community of Origin/ Ethnical Community	Yes	No
	Yes	Multiple Integration
	No	Assimilation
		Segmentation
		Disintegration

Fig. 1 Types of Social Integration

Source: Own compilation based on Esser (2001), p.19

Esser further differentiates between four different processes in the field of social integration, which can be applied to the group of migrants and in case of this paper to the particular group of refugees. According to Esser they are as follows:

Structural Integration: Structural integration defines the acquisition of membership and belonging to the main institutions in the host society. These institutions include aspects such as the educational system, the labor market, the housing market as well as political membership which can be received by naturalization.

Cultural Integration: Cultural integration is needed for structural integration to take place. It includes knowledge of values and norms and cultural as well as communicative competences. Even though cultural integration mainly takes place on the part of the migrants, it is also necessary that the receiving country adapts in terms of cultural changes.

Social Integration: The term stands for integration in the private sphere, regarding friendships, inter-ethnic marriages or memberships in clubs. It changes feelings of belonging to national, ethnical or regional structures. These processes are captured in the concept of identification-related integration.

Identification-related Integration: There exist a variety of dimensions and variations of identification-related integration. Processes regarding identification are supposed to be the result of integration processes, which is why they are assumed to happen afterwards. For example, only if aspects such as language acquisition are given, identification-related integration can take place (Esser, 2001, p. 22).

All four dimensions are influencing each other and are mutually dependent on each other (Esser, 2001, p. 22).

This paper will focus on the aspect of structural integration for various reasons. Since the paper is dealing with integration policies, social integration and identification-related integration are of less importance because they are not directly changed or influenced by

Jewish context of the 20th century (Heckmann, 2015, pp. 75-76). Nowadays however, the concept is slightly brought back into the sociological debate, as sociologists such as Esser use the term in their publications. The explanation given here does thus only replicate the way Esser understands and uses the term.

policies. They can only be indirectly changed by policies, for example by providing incentives to make contact with the host society. Still, they are rather dependent on the individual. Also cultural integration can only partly be influenced by policies. The acquisition of language skills for example is an aspect on which policies do have an impact. As it further can be regarded as a necessary condition for refugees to be able to structurally integrate, language acquisition will be analyzed in the context of this paper. The concept of structural integration is most essential for this paper, however. It makes it possible to find out about the relationships of refugees with the host country and, more precisely, allows for a detailed analysis of both access to education and access to the labor market. This will further be explained in the next section.

The concept of structural integration provides a suitable frame to gain insight into determining aspects of integration, making it possible to learn how integration into the educational system and into the labor market for asylum seekers and tolerated refugees looks like in Germany. Placement in both the educational system and employment are regarded as key towards successful integration. The latter is of essential importance, mostly because employment is a necessary condition in order to have access to financial resources. Still, labor market integration is highly connected to access to the educational system. Since chances of labor market integration increase with the acquisition of educational skills, the educational system as well as its institutions are essential for structural integration. Structural integration begins in early life. As children from a migrant background often have to catch up on learning processes, participation in the educational system is more difficult for them than for children who are not from a migrant background. Language and cultural skills are often expected to exist, even though they can only be achieved through learning processes. Thus, barriers can emerge based on disadvantages, such as a lack of cultural skills. That is why individual factors, like motivation, as well as institutional factors, like the provision of adequate possibilities to participate in the educational system, are of high importance (Weiss, 2007, pp. 33-34). Since refugees may endure traumatic experiences, due to the consequences of forced migration which were explained before, participation in the educational system for them can be considered as particularly difficult. It is therefore important to get a broader understanding of the specific situation of refugees regarding access to the educational system. An empirical study conducted in Austria by Hilde Weiss shows that professional opportunities are to a high extent dependent on educational qualifications, achieved in the receiving country. This shows the strong relationship among educational background and professional opportunities. According to the study, low educational qualifications often result in placement in low wage jobs (Weiss, 2007, p. 44). This relationship is confirmed by German studies, suggesting that it is a trend which is also valid in Germany.⁵ The educational system

⁵ Cf. for example the findings in: Seibert, Holger (2005): *Integration durch Ausbildung? Berufliche Platzierung ausländischer Ausbildungsabsolventen der Geburtsjahrgänge 1960-1971*. Logos Berlin.

can therefore be regarded as key factor, determining future possibilities on the labor market.

A precondition for both access to education and access to the labor market is the acquisition of language skills. As stated by Esser, language is a determining factor for educational success. He points out three different functions of language in terms of education. On the one hand, language is regarded as a *resource*, determining how far efficient learning is made possible. On the other hand, language can be considered as a *symbolic mechanism* which influences educational success due to the “activation of stereotypes” (Esser, 2006, p. 12), influencing students themselves as well as teachers. As a last function, Esser points out language as a *medium*. In this case, a high degree of linguistic diversity in a school class may hinder a successful knowledge transfer and make it more difficult to receive positive learning results. These three factors can further be transferred to the context of labor market integration, where language is of equal importance. Language in this regard is again an important resource, making it possible to use educational and professional knowledge. Also the symbolic mechanism of language is relevant regarding labor market access. Thus, at school or within a job stereotypes which are based on a person’s linguistic characteristics can influence their options to find work and can result in discrimination. Lastly, language as a medium influences employment as it influences possibilities to execute a job (Esser, 2006, p. 12). Linguistic diversity in this context can cause transaction costs, leading to “lower incomes or non-employment of linguistic minorities” (Esser, 2006, p. 12). Again, this is especially important for the group of refugees. Due to the fact that refugees often do not speak the language of the host country when they arrive, despite their often existing professional qualifications, the acquisition of language skills plays an important role in the ability to integrate into the educational system and to find work. Therefore, especially for refugees the acquisition of language skills is a determining factor for successful integration.

Other features of structural integration, such as naturalization and political affiliation, are also relevant in this regard. Compared to labor market access (which is connected with access to education), they are nevertheless only of secondary importance, since they do not have a direct influence on income and independence from social security measures by the state.

It can be concluded that in terms of integration policies structural integration is especially relevant. The theoretical approach of structural integration will be helpful for addressing the research question, as it points out that integration cannot only take place on individual level but also needs to be ensured at institutional level. Since structural integration is highly dependent on policies, determining in how far integration is made possible, it will build the frame of the following analysis. As further explained, integration into the educational system as well as integration into the labor market can be considered as fundamentally necessary for successful structural integration. The concept is expected to provide insights into the special situation of refugees, who are due to the background of their arrival in the

host country, exposed to a particularly difficult situation regarding access to education and to the labor market. A successful integration concept is expected to give immigrants the same rights towards education and the labor market as it is given to the national population. These theoretical assumptions form the basis for the following analysis.

3 Methods

In order to find out in how far German integration policies for refugees are successful, a suitable methodological approach is necessary. The following section will present the research design of this paper as well as the methods of data collection and data analysis.

For this paper a qualitative approach, using the Case Study as research design, was chosen. As already mentioned, official quantitative data about integration measures in Germany does not differentiate among the types of migrants. Since a quantitative approach would not lead to valid conclusions regarding the integration of refugees in Germany, a qualitative approach is chosen. Qualitative research is defined by various authors in different ways. The main feature of qualitative research becomes clear in a definition provided by Bryman and Bell, stating that “qualitative research is a research strategy that usually emphasizes words rather than quantification in the collection and analysis of data” (Bryman & Bell, 2015, p. 392).

3.1 Data Collection

To conduct the analysis, data needs to be collected. The data which was used for the analysis is based on legal regulations, providing an overview of the legislative status-quo of integration policies for refugees on the one hand and evaluation reports and studies giving insights into the actual real-life situation of refugees on the other hand. Thus, it is made possible to link the legal regulations to the actual situation of refugees. To provide an overview of the status-quo of structural integration, the following laws were considered: the Law on Residence (*Aufenthaltsgesetz*), Asylum Seeker's Benefit Law (*Asylbewerberleistungsgesetz*), and the Employment Regulation (*Beschäftigungsverordnung*). For single sub-chapters other laws, such as the Social Security Code (*Sozialgesetzbuch*) or the Asylum Procedure Law (*Asylverfahrensgesetz*) also had to be taken into account. Based on these laws, the legal situation of refugees in terms of integration into the educational system and the labor market will be presented. For the data collection of the evaluation studies the following four aspects were considered. First, only recently conducted studies are helpful to analyze integration policies. Due to various changes in the asylum law through the years, it is expected that the situation of refugees has changed and analyses based on studies which date back many years are not valid anymore. Thus, only studies conducted within the last five years have been considered. Another important aspect of data collection was the assurance of the data's validity and relevance for the research question. Only scientific studies, published by private institutions or foundations, NGOs or on governmental mandate, have been used. All of them explicitly address the situation of refugees in Germany in terms of either access to education or access to the labor market. A third essential factor for data collection was the assurance that the selection of studies would shed light on both the situation of asylum seekers and of tolerated refugees. A fourth and last reason why the particular studies were chosen is the attempt to achieve as far-reaching information as possible. Because the single studies emphasize different aspects within the frame of structural integration, various perspectives and foci are included, which makes

the analysis more convincing. In the following the six evaluating studies are presented and explained in more detail.

For the assessment of the educational situation of refugees in Germany, three studies which were published by NGOs have been used. Study one, which was conducted by Thomas Berthold commissioned by the German UNICEF Committee in 2014 in Cologne, is an extensive report, focusing on the situation of accompanied refugee children in Germany. It is based on both literature analysis and personal interviews. Chapter six of the report gives insights into the field of education for refugee children and is therefore of importance for this paper. Study two, conducted by Donka Dimova and Sylvia Pfeifer by order of the NGO *Fluchtraum e.V.* in 2013 in Bremen, sheds light on the situation of unaccompanied minor refugees, thus giving additional information to study one. The study is based on interviews conducted with unaccompanied minor refugees who live in Bremen as well as with teachers. It thus provides information which is based not only on the point of view of the refugees themselves, but also on their teachers who give insights from a different perspective. Study three, conducted by Doreen Müller, Barbara Nägele, and Fanny Petermann on behalf of the scientific institution *Zoom Gesellschaft für prospektive Entwicklungen e.V.* in Göttingen in 2014, focuses on the transition of young refugees with insecure residence title from school towards employment. The study is based on document analysis as well as interviews with different relevant actors, including young refugees as well as experts, such as public authorities in Aliens Departments or EAs. Different from study one and study two, this study focuses not only on the situation of minor refugees, but also includes the experiences made by young adult refugees. It therefore makes it possible to draw far-reaching conclusions on the educational situation of both children and young adult refugees.

To sum up, the three studies chosen complement each other, since all of them have a slightly different focus. Owing to the different approaches and foci of the studies, a wide-reaching evaluation of German integration policies for refugees in terms of education is possible.

For the assessment of labor market integration also three studies were chosen and will be presented in the following as studies four, five, and six. Study four was carried out by Prof. Dr. Dietrich Tränhard on behalf of the *Bertelsmann Stiftung* in Gütersloh in 2015. It focuses on the labor market integration of refugees in Germany. It is based on secondary data analysis and includes in particular a very detailed analysis of external circumstances, such as the very long-lasting asylum procedures, which negatively influence access to the labor market for refugees. Study five is an evaluation study, which was conducted by Dr. Thomas Mirbach and Berthold Schobert on behalf of a consortium of the *Lawaetz-Stiftung* in Hamburg, the *Univation Institut für Evaluation Dr. Beywl & Associates GmbH* in Cologne and the *WSF Wirtschafts- und Sozialforschung* in Kerpen. The consortium was commissioned to evaluate the National ESF-Program for Labor Market Support for Migrants with a Refugee Background and Refugees with Access to the Labor Market (ESF-

Bundesprogramm zur arbeitsmarktklichen Unterstützung für Bleibeberechtigte und Flüchtlinge mit Zugang zum Arbeitsmarkt)⁶. The evaluation study was published in 2011. It is based on a survey, conducted among the participants of the ESF Program, which especially addresses asylum seekers and tolerated refugees. It examines whether projects to facilitate labor market integration were successful and draws significant conclusions regarding determining aspects for successful integration policies. An additional interim evaluation for the second round of the program was published in 2014 by Dr. Thomas Mirbach, Katrin Triebel, and Christina Benning. Even though a final report on the second round of the program has not yet been published, the interim evaluation is included in the analysis, since it provides more recent results than the final report of the first round of the program. Study six is published by the *IAB – Institute for Labor Market and Employment (Institut für Arbeitsmarkt-und Berufsforschung)* in Nuremberg in 2015. It is a research report on labor market integration of asylum seekers and was written by Volker Daumann, Martin Dietz, Barbara Knapp, and Carsten Strien. The report evaluates a pilot project aimed at the early integration of asylum seekers into the German labor market. Since the report is based on interviews with various employees in EAs, it provides additional information to the other two studies.

Just as the studies for integration into the educational system focus on different aspects, so do the three studies used to examine labor market integration. Thus, a wide spectrum of significant factors and various perspectives can be included in the analysis.

3.2 Data Analysis

The chosen method in order to analyze the collected data is the content analysis, more precisely the conventional content analysis. In general the content analysis aims at providing “knowledge and understanding of the phenomenon under study” (Downe-Wamboldt, 1992, p. 314). This is done with the help of a coding scheme. Coding in the context of data analysis is understood as “representing the operations by which data are broken down, conceptualized and put back together in new ways” (Flick, 2009, p. 307). Strauss and Corbin differentiate among three different types of coding, which are open coding, axial coding and selective coding (Strauss & Corbin, 1998, pp. 102-103). For the purpose of this paper, the method of open coding will be applied. This means that data is divided into different units of meaning. The units of meaning are then coded by assigning them key words, which express what they deal with. In order to break down and subsume these key words, they are then put into categories, making it possible to find an answer to the research question (Strauss & Corbin, 1998, pp. 103-104; 113-114). Conventional content analysis takes these categories directly from the data (Hsieh & Shannon, 2005, p. 1279). Different from the Grounded Theory Method, which is an approach used by researchers such as Strauss, the conventional content analysis does not intend to develop a new theory. It is merely used to analyze the content of documents (Hsieh & Shannon,

⁶ In the following sections the study will be addresses as ESF Program.

2005, p. 1281). In order to answer the research question, the content analysis is considered as a suitable method for various reasons. Not only does it allow for a precise and explicit examination and analysis of the evaluation studies. This methodological approach also makes it possible to break down large units of analysis into thematically related categories, thus allowing for structured and meaningful results. As already mentioned, the emphasis of the paper is on the analysis of evaluation studies. Other methodological approaches, such as the policy evaluation, are less useful for the aim of this paper. Since the paper does not focus on the examination and evaluation of only one or two specific policies, but rather aims at providing a broader picture of access to education and access to the labor market, the content analysis is regarded as the most promising methodological approach. For this paper the following coding scheme was developed.

3.2.1 Education

The first theoretical concept is the access to education for refugees, which is derived from the structural integration approach. With the help of the National Action Plan on Integration, which was already mentioned earlier, three main goals of German integration policies for migrants in terms of access to education have been formulated and will be applied to the integration of refugees. The goals consist of (1) access to basic education, (2) access to language classes and (3) support for the transition from basic to higher education.⁷ The three studies, which are used to examine the real-life situation of refugees, have been coded on the basis of these goals. Thus, for every feature of the theoretical concept, that is a goal of the National Action Plan, codes have been developed and put into categories (cf. Figure 2). Figure 2 provides an overview of the three features (in blue) and the respective categories (in white).

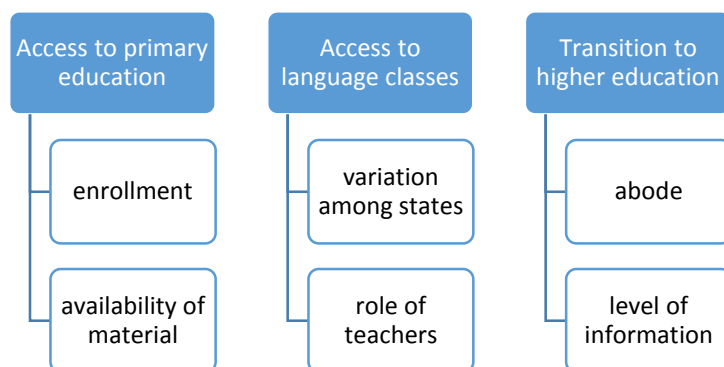


Fig. 2 Access to Education
Source: Own Compilation

⁷ The German school system consists of primary education (four years), secondary education (between five, six, eight or nine years, depending on the type of school and the respective German state) and higher education (normally three years for a bachelor's degree and five years for a master's degree). Only the *Abitur*, which students receive after a successful examination in the eighth or ninth year of secondary education, enables students to visit a university afterwards. There is also the opportunity for adults to acquire the *Abitur* in the so-called evening schools.

3.2.2 Labor Market

The second theoretical concept is the access to the labor market for refugees, which is also derived from the structural integration approach. The National Action Plan on Integration has indicated four broad goals, including various sub-aims. Based on the goals, the features to be analyzed in this regard are (1) general legal regulations, (2) the recognition of foreign educational qualifications, (3) the willingness of employers to hire refugees, (4) support in terms of language acquisition and (5) supporting measures by the EA and access towards social benefits. As well as for education, also for the labor market, codes on the basis of the main goals have been developed (cf. Figure 3). With their help, the evaluation studies can be analyzed.

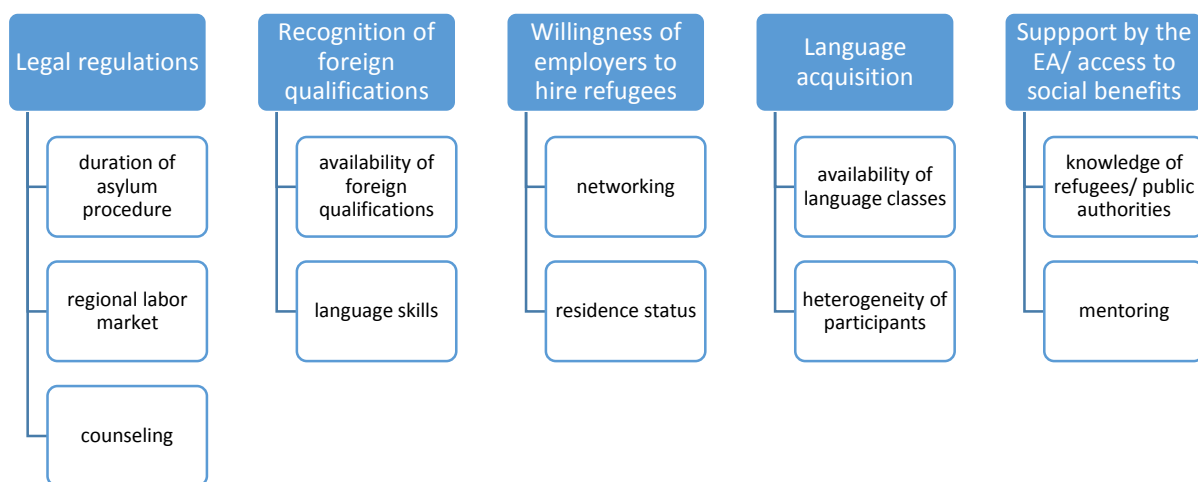


Fig. 3 Access to the Labor Market
Source: Own Compilation

To sum up, the research activities undertaken in order to find an answer to the research question consisted of the development of two concepts, derived from the theoretical approach of structural integration. These concepts are (1) access to education for refugees and (2) access to the labor market for refugees. Afterwards various concrete features of both concepts have been derived from the National Action Plan on Integration, three for concept one and five for concept two. Then categories have been formed for all of these features in order to be able to analyze the evaluation studies. With the help of this coding scheme it was possible to find out what the real-life situation of refugees in Germany is (based on the analysis of the studies), and to relate this situation to the legal regulations. As has become clear, the focus of this paper lies at the analysis of the evaluation studies. The presentation beforehand of the legal situation, will be necessary to gain insight into the main laws, which determine access to education and the labor market for refugees. Since legal regulations in this context are very detailed and extensive, they cannot be listed and explained completely. Only specific laws, which are of most importance for the analysis of the different categories, are taken into consideration. The paper can therefore not provide a comprehensive presentation of the legal access to education and the labor

market for refugees. Instead, its aim is to determine what the actual situation of refugees regarding access to education and to the labor market is, based on the findings of the evaluation studies.

4 Structural Integration

In the following chapter access to education and access to the labor market for refugees are analyzed with the help of the coding scheme developed in the previous chapter. Based on the analysis, conclusions will be drawn about the success of German integration policies for refugees. For each feature, which is analyzed in one sub-chapter, the legal situation of integration policies for refugees is briefly pointed out. Afterwards the evaluation studies are analyzed, aiming to shed light on the situation which refugees face in praxis regarding structural integration.⁸

4.1 Access to Education

The provision of basic and further education is an important aspect for integration into the labor market. As pointed out in chapter 2, chances of successful integration into the labor market are enhanced by advanced educational skills. Thus, integration into the educational system will be analyzed first. The focus will be on the evaluation studies, which were presented in chapter 3. They allow a closer look at the situation of young refugees in their every-day life, pointing out problems and difficulties which persist despite or due to legal regulations.

4.1.1 Access to Primary Education

According to the structural integration approach, access to education is of highest importance for a successful integration. In this regard, one determining aspect is the access to primary education. The following section will thus focus on the legal regulations regarding access to primary education for refugees and subsequently on the real-life situation, as it is pointed out in the evaluation studies. As stated in chapter 2, structural integration already begins in childhood. Since refugee children are often exposed to difficulties regarding participation in the educational system, this sub-chapter aims to find out in how far access to primary education for refugee children is provided. Generally, it can be stated that all children have a right to education. The right to education is declared in the UN Conventions on the Rights of a Child (Art. 28), the Charter of Fundamental Rights of the EU (Art. 14 I, II) and the German Constitution (based on Art.1 I, Art. 2 I in conjunction with Art. 20 I).⁹ According to the EU Reception Conditions Directive (Art. 14), EU member states have to provide access to education for underage children of asylum seekers to a similar extent as it is provided to national underage children. It has to be provided at the latest three month after the request for asylum. Furthermore, minors are to be entitled to take part in preparation classes and language classes to facilitate their participation at school, if needed.

In Germany education is regulated not on federal but on state level. Therefore, regulations vary, depending on the education policies of the different states. By and large, compulsory

⁸ To improve legibility, all quotes in chapter 4, which are taken from one of the evaluation studies, were translated into English by the author. The original quotes are given in footnotes.

⁹ Cf. in more detail: Becher, Ursel (2008): Bildung – Ressource zur Bekämpfung von Armut. In: Kinderarmut und Bildung: Armutslagen in Hamburg. Ed.: Herz, Birgit et al. VS Verlag für Sozialwissenschaften. P. 49.

education applies to all children, including children of asylum seekers and tolerated refugees. Only two states, namely Saxony and Saxony-Anhalt, do not have regulations regarding compulsory education for asylum seekers. In these two states, however, all children have the right to attend school. Therefore, access to school is given in all 16 states for underage children regardless their refugee status (Weiser, 2013, pp. 10-12, 20-21,24). Nevertheless, the situation for tolerated refugees is to some extent different. Even though access to basic education is provided, the access is restricted by a time frame of three months after immigration in Thuringia and six months after immigration in Baden-Wuerttemberg (Weiser, 2013, p. 24).

A study conducted by UNICEF in 2014, addressing the situation of refugee children in Germany (study one), states that school **enrollment** for young refugees is in praxis not always achieved, since “school places are not always available”¹⁰ (Berthold, 2014, p. 51). Also another study, conducted by the registered association *Fluchtraum* in Bremen in 2013 (study two), states that underage refugees who would theoretically have access to compulsory education, do not always receive it. According to the study’s findings, some initial reception facilities do not provide options for every-day school courses, but only offer so-called “emergency teaching”¹¹ (Dimova & Pfeifer, 2013, p. 3) programs, which merely take place ten hours a week. This, however, is by far insufficient compared to the amount of school lessons underage children normally receive each week. It was found that the condition of “emergency teaching”¹² (Dimova & Pfeifer, 2013, p. 3) can last up to several months. In addition to that, **material deficits** lead to disadvantages for young refugees at primary schools. This becomes clear by the fact that there is often no material available to actively take part in school lessons. Interviews with teachers, on which study two is partly based, indicate for example the “lack of resources for new journals”¹³ (Dimova & Pfeifer, 2013, p. 24), which means that journals of former students have to be used for a second time (Dimova & Pfeifer, 2013, p. 24). These findings show that despite the legal right of all children to receive basic education, a number of obstacles limits this right. In terms of the theoretical perspective, on which the analysis is based, these findings are rather unexpected. Since refugee children are in a special situation which generally results in more difficulties for them to participate in the educational system, it would have been expected that access to basic education is bound to less limitations. As already indicated, integration starts in childhood. Thus, the results of this sub-chapter show that not enough is done to ensure that refugee children are given immediate access to basic education. Even though legally this access is provided, in praxis refugee children do not always start school right after their arrival in Germany. Also further barriers, such as material deficits, limit access to basic education for underage refugee children, which proves that their special situation is not considered sufficiently regarding integration into the educational system.

¹⁰ Original citation: “Nicht immer sind Schulplätze vorhanden [...]”

¹¹ Original citation: “Notbeschulung”

¹² See footnote 11.

¹³ Original citation: “ [...] keine Ressourcen für neue Arbeitshefte [...]”

4.1.2 Access to Language Classes

As already mentioned, the attainment of language skills is an especially important precondition for a successful integration. Thus, it is analyzed in terms of access to education as well as in terms of access to the labor market (the latter in chapter 4.2.4). According to Esser, language skills are a decisive factor regarding educational success. Its function as resource, symbolic mechanism, and medium (cf. chapter 2) plays a crucial role for integration into the educational system. This sub-chapter explores the extent to which language classes are given to refugee children. The National Integration Plan by the German government mentions language development as an essential aspect regarding access to education (Die Bundesregierung, 2011, p. 11). However, language classes for children are dependent on the offers in the different states. In some states (Lower-Saxony, Brandenburg, Hesse) children from a migrant background first attend special classes in order to learn the German language. However, participation is dependent on numerous aspects, such as age, place of residence and the school state law. Thus, the EU Reception Conditions Directive is only partly implemented (Weiser, 2013, pp. 16-17). So-called language development classes are normally offered after a language test has taken place. This test is to be conducted the school year (in some states two school years) before the child would enter primary school. Even though language development is mentioned in all of the states' educational plans, implementation varies to a high degree. The required language level and the age of the participating children as well as measurements and practical implications of the tests' outcomes are dependent on the school state law (Lisker, 2010, p. 8). In some states (Mecklenburg-Hither Pomerania and Thuringia) there are no tests in terms of language development carried out. In Hesse there is no obligation for language tests to be carried out. In Bavaria and Baden-Wuerttemberg only children without German as their mother tongue are tested. Whereas, Baden-Wuerttemberg, Saarland and Hesse recommend participation in language development classes when results of the tests are weak, in the remaining states participation is obligatory (Schneider, et al., 2013, p. 8).

According to study one, language classes are not always provided. This intensifies the dependency on civil initiatives to learn the German language (Berthold, 2014, pp. 51-52). Another study, conducted by the registered association *Zoom* in 2014 (study three), which focuses on access to education for children and young adults with insecure residence statuses, particularly concentrates on the importance of adequate language skills for young refugees and the negative effects of missing language courses. The study emphasizes the high risk of frustration if no options to improve language skills are provided. As already mentioned, due to the regulation of education on state level, opportunities to improve language skills **vary highly among the states**. The study states that bigger municipalities do normally provide more options in terms of language classes (Müller, et al., 2014, pp. 56-57). But also when possibilities of receiving language courses are given, the previous knowledge of the participating students varies highly. Also study two emphasizes that due to the diversity of students and their knowledge, it is difficult for teachers to organize lessons which are of use for everyone. It is further stated that "partly, the students have

very high age differences, what makes joint classes difficult”¹⁴ (Dimova & Pfeifer, 2013, p. 17). This condition is further intensified by the fact that refugees do not join language classes all together at the same time (Müller, et al., 2014, p. 63) (Dimova & Pfeifer, 2013, pp. 17-18). Therefore, teachers have to deal with constantly changing students in the language classes, making it difficult to give all of them the same kind of support. Interviews conducted with young refugees in the context of study two, confirm the relevance of these findings. Many of the interviewees state that missing language skills are a crucial problem in order to get along at school as well as in every-day life. It is further mentioned that they would welcome the decision to offer more language classes (Dimova & Pfeifer, 2013, p. 11). It is striking that, as pointed out in the study, language classes are in general only provided until students begin a mainstream class. This seems contradictory to the political emphasis on language development mentioned in the National Action Plan on Integration. Even though basic language skills can be obtained in the language classes, for many students it keeps being difficult to participate in mainstream classes, since technical and specialist terms are missing (Dimova & Pfeifer, 2013, p. 21). Furthermore, it is not possible for **teachers** to always give adequate support for young underage refugees to learn German and to integrate at school. This is due to various reasons. One reason is that not all teachers are trained in teaching German as a second language. In this context it is also criticized that “contemporary offers for continuing education for teachers are of poor quality, lacking practical relevance, and [are] not adapted to the school structure”¹⁵ (Dimova & Pfeifer, 2013, p. 24). Another reason is that German teachers are often rotating (Dimova & Pfeifer, 2013, p. 24). This makes continuing support difficult, as teachers and students have to adapt to one another over and over again.

Regarding the importance of adequate possibilities to learn the language of the host country, as pointed out by Esser, these results seem contradictory. Even though language is considered as determining factor, which highly influences educational success, the findings of this sub-chapter show that various obstacles impede the acquisition of language skills for refugee children. Not only does support in terms of language classes differ highly among the states, but also the differences in language abilities of students who visit the same class and who are missing support from their teachers makes efficient learning difficult or even impossible. Based on Esser’s classification of the functions of language, the findings suggest that especially the role of language as a medium is problematic. Since not all children in a class have the same language skills, teachers cannot always provide adequate support. Due to the high level of linguistic diversity, knowledge transfer and positive learning results are difficult to achieve. Thus, the National Action Plan on Integration is lacking in proper implementation for the group of asylum seekers and tolerated refugees.

¹⁴ Original citation: “Zum Teil haben die Schüler_innen sehr große Altersunterschiede, was den gemeinsamen Unterricht erschwert.”

¹⁵ Original citation: “Außerdem wurde bemängelt, dass das aktuelle Weiterbildungsangebot für Lehrkräfte inhaltlich unzureichend, praxisfern und nicht der Schulstruktur angepasst ist.”

4.1.3 Support for the Transition from Basic Education to Higher Education

Only if refugees are given a chance to be educated to a point which goes beyond basic education, is a subsequent integration into the labor market made possible. As pointed out in chapter 2, labor market integration is highly connected with access to the educational system. The more advanced the professional background, the higher the chances of finding adequate employment. Therefore, this sub-chapter aims to find out how far the transition from basic to higher education for refugees is made possible. In general, there are no legal regulations prohibiting refugees regardless their status to take part in higher education. Access to universities and vocational training is generally given (Weiser, 2013, pp. 49-53). Also access to evening classes as well as to preparation courses at a German Preparatory College (*Studienkolleg*) in order to be able to attend a university afterwards, is provided for all groups of refugees.¹⁶ Only in Baden-Wuerttemberg are asylum seekers and tolerated refugees not entitled to attend a university according to state law (§ 60 V No. 4 LHG Baden Wuerttemberg).

Even though in theory refugees do have access to higher education, the studies suggest that this access is in praxis limited by a number of factors. Since education is regulated differently in every state and bound to distinct conditions, the transition to higher education presents challenges to young refugees, depending on their **abode**. In most states the age is of most importance in this regard. This can lead to situations where refugees who are above a specific age (mostly 16 or 18 years) are excluded from education measures, even if they do not hold any educational qualifications yet (Müller, et al., 2014, p. 58). Study three points out that for some young refugees it is not possible to make use of educational offers (e.g. in adult education centers), since they are too far away and opportunities to get there are costly. Costs, such as prices for bus tickets, can thus negatively influence career choices of young refugees (Müller, et al., 2014, pp. 55-58). This seems paradoxical, since many reception centers for asylum seekers and tolerated refugees are isolated and not near the city center. Even though educational offers exist, asylum seekers and tolerated refugees cannot benefit from them due to their housing situation and the cost involved.

Also the work of the Aliens Department varies among municipalities. Study three points out that departments are sometimes overloaded with work and that public authorities use their leeway differently. In some cases, young refugees report on degrading treatment. One of the young refugees questioned in context of study three, states that every time he went to the Aliens Department in order to extend his status of “toleration”, he was told by the official in charge that “it’s of no use for you” and that “you will be deported anyway”¹⁷ (Müller, et al., 2014, p. 81). Although such experiences magnify insecurities and discouragement of affected persons, responsible officials state that due to a lack of time it is not always possible to repeat information when the course of procedure is not understood by a client (Müller, et al., 2014, pp. 81-84). This seems paradoxical, as the study

¹⁶ In Bayern it is necessary to have a valid visa in order to study at a Preparatory College. For more information, cf. http://www.studienkolleg.mhn.de/images/mb_zulassung.pdf.

¹⁷ Original citation: “[...] das nutzt eh nichts [...] du wirst eh bald abgeschoben [...].”

further states that young refugees often have a lack of cultural **knowledge** and do not know how the German school system works. Therefore, it should be of highest priority to inform these young people about their options and possibilities. Neither the Aliens Departments nor teachers do always fulfill this principle. For the latter, this is due to the fact that they do not have capacities to be considerate of every single child in often overcrowded classes (Dimova & Pfeifer, 2013, pp. 21-25). Also study one points out that success in the education sector for refugees is highly dependent on the information they receive about possibilities and options. As concluded in the study, “without the support of third parties it is distinctively more difficult for refugee children in Germany to have positive educational achievements”¹⁸ (Berthold, 2014, p. 52). Since young refugees often do not know about their rights, support and counseling are of particularly high importance (Berthold, 2014, p. 52). It is contradictory that despite the obviously high relevance of giving adequate information to refugees to let them know about their options, this aspect is faulted by two of the studies. Neither public authorities nor teachers are willing or able to fulfill this task, an indication that political action is necessary in this regard.

One significant possibility to facilitate the transition from basic to higher education is the participation in an internship to gain first insights into employment. Theoretically it is possible for asylum seekers and tolerated refugees to do an internship. However, normally both the Aliens Department and the EA have to approve the internship (Juretzka, 2014, p. 101). This can make the participation in an internship a complicated and time-consuming undertaking. Not only applicants but also employers of internships are disadvantaged by these long-lasting procedures, as they are in a state of insecurity until a decision about the approval of the internship is made. Since this is a problem which goes beyond the level of internships and is also crucial for general labor market access for refugees, it will be analyzed in more detail in chapter 4.2.

In addition to the abovementioned conditions which influence the transition from basic to higher education, the financial level of the asylum seekers and tolerated refugees is also of importance. One of the main supporting measures for higher education is the *Bundesausbildungsförderungsgesetz* (BAföG), which enables young adults to start an apprenticeship or a university career independently from their financial situation (Bundesministerium für Bildung und Forschung, 2015). Since current changes in the BAföG law have been made, this issue was not yet addressed in the evaluation studies. Still, it is an important aspect, determining in how far a transition to higher education is made possible and will thus be elaborated here.

For asylum seekers the right to receive BAföG is limited by various restrictions.¹⁹ Tolerated refugees have access to BAföG after four years of residence (§ 8 II a BAföG). From August 2016 on, tolerated refugees will only need to have lived in the country for 15 month in

¹⁸ Original citation: “Ohne die Unterstützung durch Dritte ist es für Flüchtlingskinder in Deutschland deutlich schwerer, Bildungserfolge zu erlangen.”

¹⁹ For a detailed record of the restrictions, cf. §8 III BAföG.

order to be entitled to benefits based on BAföG (Caritasverband für die Diözese Osnabrück e.V., 2015, p. 4). For asylum seekers, however, a current revision of the BAföG law from the 1st of March 2015 has worsened their situation further. After having spent 15 months in Germany, asylum seekers do not receive benefits based on the Asylum Seeker's Benefit Law anymore. Instead they receive public assistance based on SGB XII (which is part of the German social code) and do technically have access to BAföG, which is limited however by very strict criteria (cf. § 8 III BAföG). If they do not meet the criteria, they will neither receive BAföG nor benefits based on SGB XIII. Therefore, asylum seekers who want to start a university career or an apprenticeship will in most cases neither have access to benefits based on SGB XII nor to BAföG. This phenomenon, which is referred to as "BAföG-Trap", greatly hinders the start towards further education for asylum seekers (Caritasverband für die Diözese Osnabrück e.V., 2015, pp. 4-5). Thus, in many cases it is impossible for asylum seekers to begin a training program, as living costs cannot be covered. This is another aspect, determining why higher education for asylum seekers is difficult to obtain.

Generally there is a clear gap among theory and praxis in terms of the transition to higher education. Despite the fact that educational achievements have a strong impact on the jobs which are found afterwards, the transition to higher education is made difficult for refugees. The connection between educational achievements and job opportunities, which is for example confirmed by study results of Weiss, shows the significance of higher education to finding jobs above and beyond the low-wage sector. It thus seems remarkable that despite the legal access towards higher education, barriers such as missing knowledge of the German administrative system and obstacles based on the condition of fixed abode and a lack of financial means impede asylum seekers and tolerated refugees from getting access to higher education.

4.1.4 Interim Result 1

To conclude, it can be stated that different aspects determine in how far access towards education is provided for young refugees. These aspects can be summarized in three categories, which are the legal situation, geographic limitations, and knowledge barriers. Regarding the **legal situation** it can be concluded that compulsory education for minors is theoretically well regulated. Refugees regardless of their status do legally have access to primary education. However, it was shown that school enrollment does not always take place right after the arrival in the initial reception facility. Even if alternatives, such as "emergency-schooling" (Dimova & Pfeifer, 2013, p. 3) are provided, they are insufficient and do not fulfill the principle of the right on education. Other determining factors in this regard are missing school material as well as the significant role of teachers. Due to the obstacles mentioned above, such as overcrowded classes, it is not always possible to give adequate support to every child. This shows that despite the legal right towards basic education and support in terms of language acquisition, in praxis refugees are not always treated accordingly. Furthermore, it can be concluded that the legal situation also restricts refugees' rights, which was especially shown by the limited opportunities of asylum seekers regarding higher education due to the "BAföG-Trap". Thus, the legal situation influences

access to education in two ways. On the one hand, laws do exist but are not always observed. On the other hand, laws can have a hindering impact on refugees' right on education.

In terms of **geographic limitations**, it was found that support for language development is not yet accessible in all states. This leads to both a dependency on civil initiatives and a dependency on the abode. Both the inquiry of young refugees and of their teachers have indicated the importance of adequate language courses, which is also emphasized by the National Action Plan on Integration. The dependence on a municipality which provides access to adequate language classes for children and young refugees to enable them to actively participate in mainstream classes, makes the abode a determining factor regarding access to language classes. This is also the case for participation in supporting measures for higher education, such as particular classes in adult education centers. Finally, the aspect **knowledge barriers** regarding refugees' rights and possibilities has been found to be a hindrance in terms of access to (mostly higher) education. Even though refugees do theoretically have the opportunity to receive higher education, practically speaking, this access is often constrained by a lack of information. As long as refugees do not know about their rights, it is not possible for them to claim them.

It can be concluded that all three of these categories need to be considered in the political debate about integration policies. In line with the findings of Schwaiger and Neumann, the results confirm that a more integrative educational system, which considers the needs of all children, is necessary. Due to their background, refugee children are in a special situation. However, educational offers are dependent on the refugees' abode as well as their level of information. Despite the general legal access, it can thus be concluded that the special needs of refugee children are not considered sufficiently in the German school system. German integration policies for refugees do not provide access to education for all children and young adults and can thus not be regarded as fully successful. Legal regulations, geographic limitations and knowledge barriers regarding access to education for refugees have to be put on the political agenda to improve integration policies.

4.2 Access to the Labor Market

As pointed out in chapter 2, access to the labor market is regarded as an essential step towards structural integration. Only if employment is made possible, refugees are given the option to support themselves, independent from social security benefits by the state. Similar to the previous chapter, three studies are analyzed regarding labor market access.

4.2.1 General Legal Regulations

In terms of structural integration, labor market integration is of utmost importance. As explained in chapter 2, this is due to the fact that employment is necessary in order to have access to financial resources. This sub-chapter therefore focuses on the general legal regulations, which influence in how far labor market integration is made possible. The situation for asylum seekers and tolerated refugees to enter the labor market was improved with a new law, which was passed in January 2015. Whereas access to the labor

market used to be prohibited for asylum seekers for nine months and for tolerated refugees for twelve months, it now is prohibited for only three months for both groups (§ 61 II 1 AsylVfG, §§ 32. IV, II BeschV). After three months of prohibited access to the labor market, asylum seekers receive *nachrangigen Arbeitsmarktzugang*, meaning that employment is only possible when it is approved by the Aliens Department (§ 39 I AufenthG). Generally, also the EA has to give its approval to make out employment permits, which is of more importance, since many application procedures are not approved by the EA (Juretzka, 2014, p. 100). There are exceptions where the EA does not have to give its approval, which are mostly limited to voluntary services, apprenticeships and internships (the latter is only possible in context with EU projects) as well as the employment of highly skilled workers (§ 32 II BeschV). After 15 months, asylum seekers and tolerated refugees have unlimited access to the labor market, which means that the EA does not have to give its consent for job offers anymore (§ 32 IV in conjunction with § 32 III No. 2 BeschV). Additionally, the so-called *Vorrangprüfung* (priority review) is a regulation which gives precedence to those job applicants who either have the German citizenship or the EU citizenship or who are foreigners with the same legal status as Germans regarding the right to work (§ 39 II No.1a,1b,2 AufenthG). The priority review lasts for 15 months (§ 32 V No. 2 BeschV).

Again, the abode limits the possibilities for asylum seekers and tolerated refugees in finding employment. Due to the requirement of living in a fixed community, job offers in a different area cannot be accepted. In order to change the community only employment which ensures that the asylum seeker or tolerated refugees will not be dependent on social security benefits from the state anymore is normally approved (§ 60 II AsylVfG). For tolerated refugees, § 33 BeschV is furthermore of crucial importance. According to § 33 BeschV, the Aliens Department can deny an employment permission when either a tolerated refugee is accused of having given false information regarding their identity in order to delay their deportation or if the person has only come to the country in order to receive benefits based on the Asylum Seeker's Benefit Law. Both circumstances are difficult to prove, which is why it can be assumed that mistaken decisions are made in this context. Access to the labor market for tolerated refugees is thus to a high extent dependent on a discretionary decision by the Aliens Department.

A study conducted by the *Bertelsmann Stiftung* in 2015, examining the labor market integration of refugees (study four), points out that it often takes very long until a decision about the application for asylum is made. The average duration of the processing of asylum applications in Germany was 7.1 months in 2014, depending on the country of origin (for people from Afghanistan, the duration was 16.5 months). As further stated by the study, Germany is the country with the longest waiting time for the processing of asylum applications in the European comparison (Tränhardt, 2015, pp. 16-17). During this time no integration measures are provided. Hence, refugees who are waiting for their **asylum procedure** to take place are left in an uncertain state. This leads to insecurities and has especially on young refugees a negative effect, decreasing their motivation and hope. It is

stated in the study that “the backlog results in an extreme burden for refugees and their integration progresses”²⁰ (Tränhardt, 2015, p. 19). Furthermore, decisions by public authorities are sometimes incorrect, due to overextensions, which can delay decisions about asylum even more (Tränhardt, 2015, pp. 19-21). This is a remarkable fact, since the long duration of the asylum procedures keeps refugees in a state where their possibilities to find work are highly restricted. According to the study, the waiting time could already be used in order to give a basis for further integration steps. It is stated that counseling could already take place, language skills could already be determined, profiling could already take place to get an overview of a person’s skills, knowledge and qualifications, and active support regarding placement should already be given (Tränhardt, 2015, p. 2). This measure seems to be a meaningful alternative to the status-quo, which ought to be given political thought. Keeping refugees in an uncertain status and with limited rights for a long time is neither helpful for the affected people nor for the state, since it delays options of labor market integration.

As mentioned above, asylum seekers and tolerated refugees live under the condition of fixed abode. Since the distribution of refugees does not consider the **regional labor market**, those asylum seekers and tolerated refugees living in states with a weak labor market are disadvantaged in terms of labor market integration (Tränhardt, 2015, p. 23). They do not have the option to apply for work in other states and thus have less options to find employment. Also the evaluation of the ESF Program from 2011 (study five), which was a program aimed at supporting refugees integrating into the labor market (especially asylum seekers and tolerated refugees with access to the labor market²¹), emphasizes the importance of the regional labor market for a successful labor market integration (Mirbach & Schobert, 2011, p. 21). Thus, finding employment is more difficult for some refugees than for others. The study further focuses on the importance of **counseling**, which was already found to be a crucial aspect for integration into the educational system in the previous chapter. Due to the high degree of heterogeneity of refugees, study five concludes that face-to-face counseling is necessary to give people, regardless their starting situation, a chance to enter the labor market and find employment (Mirbach & Schobert, 2011, p. 65). For an evaluation of a second round of the ESF Program only an interim analysis was published so far, since the program was running until the end of June 2015 and a final analysis has not been conducted yet. However, for the interim evaluation from 2014 the topic of regional labor markets remains relevant. Especially the still existing differences between eastern and western Germany are emphasized in this context. Former findings are confirmed by stating that “the possibility to gather professional experience in Germany, is without doubt also dependent on the ability of the regional labor market to absorb

²⁰ Original citation: “Der Bearbeitungsstau stellt eine extreme Belastung für die Flüchtlinge und ihre Integrationsfortschritte dar.”

²¹ Normally, asylum seekers and tolerated refugees have access to the labor market after they have stayed in Germany with a permission for at least three month (§ 61 II, 1 AsylVfG, §§32 IV, (2) BeschV).

people”²² (Mirbach, et al., 2014, p. 20). Therefore, possibilities for refugees to enter the labor market are not the same all over the country (Mirbach, et al., 2014, pp. 20-21). In terms of the structural integration approach, which emphasizes the necessity for refugees to integrate into the labor market in order to be financially independent from the state, these results are remarkable. Even though labor market integration can be regarded as the essential way towards financial independence, the findings of this sub-chapter show that the legal situation of refugees has a negative influence on access to the labor market in various ways. Not only do the long-lasting asylum procedures keep refugees in a state with very restricted rights for a long time, some refugees, depending on their abode, do also have more chances to find employment than other refugees. These findings suggest that political action is needed in regard to proactive measurements, which would support refugees considering the possibilities of the respective regional labor market.

4.2.2 Recognition of Foreign Educational Qualifications

Another aspect determining the prospects of refugees having an option to find employment is the recognition of their foreign qualifications. Since refugees belong to the group of forced migrants, they are exposed to more administrative difficulties in terms of labor market access than other groups of migrants. As pointed out in chapter 2, the circumstance of the flight does in most cases not allow for taking important documents, such as educational certificates. This sub-chapter therefore intends to find out in how far the recognition of foreign educational qualifications is given.

In 2012 a new law was passed in order to facilitate the recognition of foreign qualifications. However, the National Law to Improve the Assessment and Recognition of Vocational Education and Training Qualifications Acquired Abroad (*Gesetz zur Verbesserung der Feststellung und Anerkennung im Ausland erworbener Berufsqualifikationen*) is only applied at the federal, and not yet at the state level (Bendel, 2014, p. 1). As the competences between the federal government and the states are not always clear and transparent, the recognition of foreign educational qualifications remains a complex issue. There is neither a standardization of the recognition process yet nor do the states cooperate in order to assimilate the process. Only the professions which are recognized at federal level are covered (e.g. in the field of health care/law). For professions which are to be acknowledged by the states, such as teachers or engineers, regulations do not exist yet (Bendel, 2014, p. 18). Also, the law only provides the opportunity of a validation of the profession. This, however, does not necessarily lead to a recognition of the foreign qualifications. Besides a missing regulation at state level, there are various other limitations to the recognition of foreign qualifications. The recognition law is not applied for the recognition of university degrees, which do not directly lead to a regimented employment (such as economist or chemist). It further does not include the recognition of study and examination achievements from foreign universities and school leaving qualifications in

²² Original citation: “Die Möglichkeit, in Deutschland Berufserfahrung zu erwerben, hängt zweifellos auch von der Aufnahmefähigkeit des regionalen Arbeitsmarktes ab.“

terms of university entrance certificates (Bundesministerium für Bildung und Forschung, 2012, pp. 6-8). If certificates are missing, other measures such as a theoretical or practical examination or a technical discussion can be accepted as verification of professional qualifications (§ 14 BQFG).

Due to the fact that refugees leave their country by force and often without the possibility to carry their belongings with them, educational qualifications and certificates are often missing. Hence, especially for refugees a theoretical or practical examination in order to verify professional qualifications is an important addition for the recognition of foreign educational attainment. Study five confirms that in most cases **professional qualifications** from the home country are missing. According to the latest data from the interim analysis of the second round of the ESF Program, 70% of the people asked do not have certificates as proof of their qualifications (Mirbach, et al., 2014, p. 9).²³ The study further points out that many refugees only find employment in the low wage sector, regardless of the qualification they have achieved in their home country. As stated in the study, these figures confirm “a high degree of downgrading employees in Germany”²⁴ (Mirbach, et al., 2014, p. 21). The academic background achieved in the home country has thus only a very limited influence on the employment possibilities in Germany (Mirbach, et al., 2014, pp. 21-22). Also the recognition of foreign courses of studies is a problematic aspect. Only 17% of the people that were asked stated that their course of studies was recognized (Mirbach, et al., 2014, p. 13). In the light of the newly implemented law, these findings seem highly contradictory. The data points out that the qualifications achieved in the home country do only to a small degree determine if and more importantly what kind of employment can be found in Germany. Therefore, the recognition of foreign educational qualifications seems to remain a significant problem in terms of labor market access.

Another study published by the IAB - Institute for Research on Labor Market and Employment from 2015, focusing on labor market integration of asylum seekers (study six), clearly states that the recognition of foreign qualifications for the cases where certificates are missing is often difficult. This is mainly due to a lack of **language skills**. Since advanced language skills are necessary in order to be tested, insufficient knowledge of the language is a hindering factor for this practice (Daumann, et al., 2015, p. 14). Furthermore, the recognition of foreign qualifications is a time-consuming process, “during which job placement in accord to a person’s qualifications is impossible”²⁵ (Daumann, et al., 2015, p. 15). Just as pointed out in chapter 4.2.1 in the context of the duration of asylum procedures, the long duration until foreign qualifications are recognized is also a hindering factor for labor market integration. Despite the special situation to which refugees are exposed, the findings of this sub-chapter seem ambiguous. Even though the new law is

²³ Since the study is based on statements of participants of the ESF Program, it includes not only asylum seekers and tolerated refugees with access to the labor market but also recognized refugees.

²⁴ Original citation: “[...] einen hohen Grad der Dequalifizierung in Deutschland [...].”

²⁵ Original citation: “[...] in dem nicht qualifikationsädequat vermittelt werden kann.”

theoretically an improvement in recognizing foreign qualifications, in praxis barriers impede its successful implementation.

4.2.3 The Willingness of Employers to Hire Refugees

In order for refugees to obtain access to the labor market, another essential condition is the willingness of employers to hire them. As pointed out in chapter 2, aspects such as missing language skills can lead to discrimination or non-employment. These findings by Esser suggest that the employer plays a crucial role in order for refugees to be hired. For asylum seekers and tolerated refugees in particular, getting hired can be a difficult step as their status of residence is not clear and predictable. This sub-chapter examines the role the employer plays in terms of labor market integration for refugees. During the 15 months of priority review, employers who want to hire asylum seekers or tolerated refugees have to prove that they are trying to find a prioritized employee at first (§ 39 II No.1b AufenthG). Another problem for asylum seekers is that the *Gestattung* (permission to remain) does not exceed six months (§ 63 II, 2 AsylVfG). As it remains unclear if the asylum seeker is granted asylum or not after the six months have passed, employers are left uncertain whether it is worth the effort to employ an asylum seeker (Gag, et al., 2007, p. 18). Besides, employers generally have to wait first for a decision by the Aliens Department and in some cases also of the EA, before they can hire an asylum seeker (Juretzka, 2014, p. 102).

All three of the abovementioned studies point out the importance of **networking** in order for refugees to find employment (Mirbach & Schobert, 2011, p. 11) (Daumann, et al., 2015, p. 17) (Tränhardt, 2015, p. 27) According to study four, networking is considered as an “ideal solution not only for social integration but also for labor market integration”²⁶ (Tränhardt, 2015, p. 27). Since most refugees find jobs via personal contact, the connection of refugees and possible employers as well as the provision of social and legal support is of crucial importance to facilitate labor market integration for refugees (Mirbach & Schobert, 2011, p. 35). A key aspect in this context is not only the cooperativeness of partners but also political support (Mirbach & Schobert, 2011, p. 63). Networks enable all of the included actors to get in contact with each other. They are also an important means in reducing prejudices on all sides. Study five mentions that successes such as the sensitization of employers for the special situation of refugees, the reduction of prejudices and the establishment of contact between employers and employees including placement into jobs, was achieved with the help of networks (Mirbach & Schobert, 2011, pp. 11-12). Problematic in this context is once more the situation of collective housing at a fixed abode which affects many asylum seekers and tolerated refugees and makes it difficult for them to get in contact with possible employers. This limits their opportunities to benefit from the networks.

But even if this is not the case, employers are often not willing to employ asylum seekers and tolerated refugees due to their **insecure residence status** (Mirbach & Schobert, 2011,

²⁶ Original citation: “ [...] der Königsweg nicht nur zur sozialen Integration, sondern auch zur Arbeitsintegration [...].”

p. 42). As mentioned in chapter 4.2.1, the application for asylum can be a long-lasting procedure, during which both asylum seekers and possible employers are left in uncertainty about the outcome. Study five clearly states “that (potential) employers [...] shy away from the bureaucratic expenses of the work permit procedure”²⁷ (Mirbach & Schobert, 2011, p. 42). Since they do not know for how long residency will be permitted and if asylum will finally be granted, there is a high risk especially for small enterprises which comes with the decision to hire an asylum seeker. Due to this uncertainty on the part of the employer, it was determined that getting into personal contact with potential employers or training supervisors is a significant step in the hiring of refugees (Mirbach & Schobert, 2011, p. 65) (Tränhardt, 2015, p. 26). This shows once again the negative effect of long-lasting asylum procedures. Bearing in mind the important role, which the employer plays regarding job placement, the long-lasting duration of asylum procedures, which keeps refugees in an insecure state, seems contradictory. Job placement for refugees is not facilitated, but the incentive for employers to hire refugees is even decreased. Yet, the fact that counseling and networking were found to be promising features in facilitating labor market integration seems to have had a positive impact on policy makers. Based on the assumption that the role of the employer is a determining factor for successful job placement, this development can be regarded as step into the right direction. Even though more support and assistance for refugees is needed according to the evaluation of the ESF Program, setting up a second round of the program as well as a new program (*ESF-Integrationsrichtlinie*) suggest political will to facilitate labor market integration for refugees.

4.2.4 Supporting Measures in terms of Language Acquisition

As already pointed out various times, adequate language skills are a precondition to finding employment. Even though language acquisition was already analyzed in the context of the educational system, it will be analyzed again in terms of labor market integration. This is due to the fact that access to language courses for children with a refugee background and adults with a refugee background differs to a high extent. According to Esser, language skills also play a determining role in labor market integration for adult refugees. Again language as a resource, as a symbolic mechanism, and as a medium influences the possibilities of labor market integration. Thus, this sub-chapter focuses on the possibilities which are given to adult refugees to acquire language skills.

An important way of providing support in terms of language acquisition are the integration courses, which aim to impart language skills as well as knowledge about the legal system, the culture, and the history of Germany (BAMF - Bundesamt für Migration und Flüchtlinge, 2015, p. 6). The integration courses are conceptualized for the target group of those migrants who are legally and permanently in the country. They include a language course (600 hours) and orientation course (60 hours) and are coordinated by the BAMF (BAMF -

²⁷ Original citation: “[...] dass (potentielle) Arbeitgeber [...] den bürokratischen Aufwand des Arbeitsgenehmigungsverfahrens scheuen.”

Bundesamt für Migration und Flüchtlinge, 2015, p. 10). There are also special kinds of integration courses, such as youth integration courses or women integration courses (BAMF - Bundesamt für Migration und Flüchtlinge, 2015, p. 13). Asylum seekers and tolerated refugees, however, do not have access as they do not sojourn legally and permanently in Germany (§ 44 AufenthG). Even if courses are not full, asylum seekers do not have the right to participate (AvWv 44.4).

The so-called ESF-BAMF-Program is a measure for refugees which aims at the provision of occupational language skills (BAMF - Bundesamt für Migration und Flüchtlinge, 2015, p. 2). The program consists not only of language classes but also of a qualification module. The qualification module includes measures for job orientation and possibilities to do internships and courses regarding career studies. The program normally lasts six months. When it is done in part time, it lasts twelve months (BAMF - Bundesamt für Migration und Flüchtlinge, 2015, pp. 8-9). Since 2012 courses are not only accessible for recognized refugees but also for participants of the programs *ESF Integrationsrichtlinie Bund* or *ESF Bundesprogramm für Bleibeberechtigte und Flüchtlinge II*, which includes asylum seekers and tolerated refugees as long as they have access to the labor market (BAMF - Bundesamt für Migration und Flüchtlinge, 2014, p. 11). However, a clear focus is put on the acquisition of professional language skills, without regard to the fact that at first basic knowledge of a language needs to be acquired. To take part in the course, participants have to have language skills already, which are at least at the level A1 of the Common European Framework of Reference for Languages. Furthermore, participation in the ESF-BAMF-Program is normally considered as a second stage after an Integration Course has already been completed (BAMF - Bundesamt für Migration und Flüchtlinge, 2015, pp. 6-7). As mentioned above, the Integration Courses are not accessible for asylum seekers and tolerated refugees, however (§ 44 I AufenthG). Besides the ESF-BAMS-Program, there are also language courses provided by municipalities or civil initiatives (cf. e.g. the projects by the *GGUA Münster* to improve language skills).²⁸ In general, it can be stated that numbers of civil initiatives which support refugees are increasing (Han-Broich, 2015, p. 44).

Studies five and six especially point out the importance of adequate language skills in finding adequate employment (Mirbach & Schobert, 2011, p. 42) (Daumann, et al., 2015, p. 15). Study six states in this context that “there is a broad consensus that the first step has to be the acquisition of language skills”²⁹ (Daumann, et al., 2015, p. 15). It is furthermore criticized that not enough **options** for asylum seekers and tolerated refugees are provided in order to improve their language skills. Study four criticizes that “still, the federal government refuses to include asylum seekers in the integration program and to provide the qualifications which are expected afterwards”³⁰ (Tränhardt, 2015, p. 9). The

²⁸ For more information, cf. <http://www.ggua.de/Schlauberger-II.266.0.html>.

²⁹ Original citation: “Es herrsch große Übereinstimmung, dass der erste Schritt das Erlernen der deutschen Sprache sein muss.”

³⁰ Original citation: “Nach wie vor weigert sich der Bund, Asylbewerber in das Integrationskurs-Programm einzubeziehen und damit die Qualifikationen zu vermitteln, die später erwartet werden.”

study further mentions the importance of offering various language classes, depending on the **language level of participants** (Tränhardt, 2015, p. 21). Some states, namely Bavaria, Brandenburg, Rhineland-Palatinate, Saxony-Anhalt, and Schleswig-Holstein, have implemented their own language courses to also enable asylum seekers and tolerated refugees to learn the German language (Tränhardt, 2015, p. 9). Problematic in this regard is the variation among offers in different municipalities. Access to the ESF-BAMF-Program as well as to language courses organized by civil organizations is only accessible for refugees living in specific regions.

According to Esser, who states that language skills would have three different functions, the findings of this sub-chapter suggest the need for improvement. It seems paradoxical that options for language acquisition focus on professional language skills and can thus not be taken by participants who do not have sufficient knowledge of the language yet. Thus, language cannot be used as a resource by refugees. Since basic language skills need to be acquired first, more should be done on state-level to facilitate to learn the German language. Insufficient options for language courses can also negatively influence the function of language as a symbolic mechanism, making job placement for refugees more difficult. Also the third function of language, which is referred to by Esser as the role as medium, is limited for refugees looking for employment in Germany. Since advanced language skills are especially important for job placement, so that it is made possible to execute a job and not be forced into labor in the low-wage sector, the possibilities for refugees to acquire language skills need to be improved. This would furthermore reduce the dependency on civil initiatives, which can provide additional support but should not undertake state tasks and responsibilities completely. Keeping in mind that language skills are the basis of further integration measures, the options provided for asylum seekers and tolerated refugees to expand their knowledge of the German language are not reaching far enough.

4.2.5 Supporting Measures by the Employment Agency and Access to Social Benefits

The access to supporting measures by the EA as well as to social benefits is another key aspect that must be taken into consideration in order to be able to integrate into the labor market. Even though it is not explicitly mentioned by Esser, it is a logical consequence from the findings presented in chapter 2. Due to the special circumstances that refugees have to face, labor market integration is made more difficult for refugees than for other groups of people. Thus, it can be assumed that supporting measures will have a positive influence on labor market integration and are therefore of significance. On this account, this sub-chapter aims to examine what access refugees have to the supporting measures by the EA in order to find out to what extent assistance is provided. Asylum seekers and tolerated refugees are excluded from benefits of SGB II, which is the second book of the German social code and contains an assistance scheme for job seekers. Since asylum seekers and tolerated refugees receive benefits which are based on the Asylum Seeker's Benefit Law after a duration of 15 months (cf. § 2 I AsylbLG), they are not entitled to support by the job center (§ 7 I 2 No.3 SGB III). Access to the promotion measures by the SGB III on the other

hand is given, as these measures are not restricted for foreigners. The promotion measures include, for example, counselling in terms of career choices and the current situation of the labor market (§§ 29-34 SGB III), placement (§ 35 SGB III), or access to the benefits from the budget for placement, which includes financial support for applications, translations, recognition of foreign qualifications, work clothes and travel costs (§ 44 SGB III). However, most of the assistance measures are based on the assessment by the EA, which decides if and to what extent support is given (cf. e.g. § 45 SGBI III about activation measures).

Study six points out that in praxis a lack of **knowledge** of the German administrative system can lead to misunderstandings regarding the entitlement to subsidies. This is not only a problem on the part of applicants for subsidies, in the context of this paper refugees, but also on the part of public authorities. Since there is disagreement among EAs regarding aspects such as “cost absorption for interpreters or driving costs ³¹” (Daumann, et al., 2015, p. 18), it becomes clear once again that the support given is not the same all over the country. Since driving costs, cost for working clothes and similar expenses could be obstacles in terms of finding employment, their absorption is of high relevance. It appears remarkable that public authorities do not always agree on issues of cost absorption which can be an influencing factor regarding labor market integration. This fact suggests that access to the labor market for refugees is regulated in such a detailed and complex way that public authorities understand particular aspects of the regulations differently. Thus, it is necessary to train public authorities in a sufficient way and make them familiar with the complexity of labor market policies, so that refugees are not kept back from subsidies they are legally entitled to receive. As expressed by study six, it is of high importance that “the personnel [the placement officers] is interculturally competent and does also have sufficient knowledge in regard to asylum and residence laws”³² (Daumann, et al., 2015, p. 19).

These findings also suggest the importance of **counseling and mentoring** of refugees in order to understand how the German administrative system works (Mirbach & Schobert, 2011, p. 35). In terms of the special situation that refugees face when looking for employment, the findings of this sub-chapter are rather unexpected. It seems paradoxical that a lack of knowledge is a key aspect, which hinders refugees in finding employment. Due to the circumstances of their flight, it appears a logical premise that refugees need to be sufficiently informed about their options and possibilities for job placement. This, however, does not seem to be the case. Therefore, it is necessary to make sure that refugees are informed about their rights and are given support to claim them. Since the importance of counseling has already been elaborated upon in terms of access to education, it will not be further analyzed at this point.

³¹ Original citation: “[...] die Übernahme von Dolmetscher- und Fahrtkosten [...]”

³² Original citation: “[...] dass das Personal interkulturell „fit“ sei und sich auch im Asyl- und Aufenthaltsrecht auskenne.“

4.2.6 Interim Result 2

It can be concluded that also access to the labor market is determined to a high degree by the three aspects pointed out already in chapter 4.1.4. The **legal situation** especially plays an important role in terms of labor market access. Even though the exclusion from the labor market was reduced for asylum seekers as well as for tolerated refugees, both groups do not have access to the labor market immediately when they arrive in Germany. A fundamental problem after the three month restriction is the subsequent priority review. Also the often required approval by both the Aliens Department and the EA prolongs the permission to take up employment and makes the process more complicated. Even though Valenta and Bunar found immediate access to the labor market to be empowering, the results of this paper suggest that refugees in Germany are kept in a state of insecurity for too long. It can thus be concluded that integration measures should start immediately after arrival in Germany, as is the case in other European countries. Moreover, the integration courses, which are only available for those refugees with a permanent and legal permission of residence, prevent asylum seekers and tolerated refugees of an equal chance to integrate in the labor market. Thus, findings by Bevelander about different integration measures which are dependent on a refugee's status can be confirmed for Germany.

These findings clearly show that the legal situation of asylum seekers and tolerated refugees has a negative influence on their rights. The legal situation determines to a high degree how far labor market integration can or cannot take place. However, despite the improvable legal regulations in terms of labor market access for refugees in Germany, the results of this paper suggest that more proactive measurements are also needed for successful job placement, such as stated by Valenta and Bunar. Even if legal access would be facilitated, difficulties such as the dependency on the regional labor market call for active support in terms of job placement (see paragraph after next).

Furthermore, it was shown that **knowledge barriers** exist regarding the German administrative system. However, concepts to improve the integration of asylum seekers and tolerated refugees into the labor market have been developed. These concepts include working approaches which support not only asylum seekers and tolerated refugees but also employers who hire refugees. The integration of all kinds of actors into the programs and the establishment of networks have been found to be crucial aspects in providing options for employment for the disadvantaged groups of asylum seekers and tolerated refugees. These findings show that networking, counseling, and mentoring are of high importance in facilitating labor market integration. They are thus in accordance with the findings of other researchers, such as Belevander or De Vroome and Van Tubergen. Both human capital and social capital were found to be determining aspects for successful labor market integration for refugees. It was also shown that knowledge barriers on the part of public authorities exist, which gives evidence for the complexity of the legal regulations of labor market access for refugees. Thus, political action is needed in terms of providing both sufficient information for refugees and for public officials.

The last determining aspect, **geographic limitations**, influences how far labor market integration for refugees is made possible. Not only do supporting measures vary among states but also differences in regional labor markets play a role for the success of labor market integration. Such as the findings by Bevelander, the results of this paper suggest that geographies play a significant role regarding labor market integration for refugees. The current regional labor market situation thus needs to be included in supporting programs, especially in terms of counseling, to prepare and inform refugees about their options.

Through measures such as the ESF Program, essential factors for a successful labor market integration of refugees have been found, which are to be considered in the future. Networking and counseling, for both refugees and possible employers, have especially led to successful job placement. Thus, integration measures in terms of access to the labor market seem to be improving. However, problems on the individual (e.g. lack of language skills) as well as institutional level (e.g. long duration of asylum procedures) do remain. Integration policies in terms of labor market integration can therefore not be regarded as fully successful.

5 Conclusion

As stated in chapter 2, both integration into the educational system and into the labor market are regarded as key aspects towards successful integration. A successful integration concept, in terms of access to education and the labor market, is expected to give migrants the same rights as those that are given to the national population. As the analysis of access to education and access to the labor market for refugees has shown, integration for refugees in Germany is influenced mainly by the legal situation, the geographic location and knowledge barriers. The topic of integration used to be of minor political interest for many years. Nowadays, however, it is an important political topic, as the number of asylum seekers is increasing, which does not seem to only be a temporary trend (BAMF - Bundesamt für Migration und Flüchtlinge, 2015). As stated in chapter 2, refugees are in a special situation since they belong to the group of forced migrants, who do not voluntarily decide to leave their country but are required by external circumstances to do so. Thus, their integration is of high importance (Heckmann, 2015, p. 24). As long as the reasons they had to migrate persist, they will not return to their country of origin. Only if integration into the host society is facilitated for them, do they have a chance to participate in the everyday life and to sustain themselves.

According to Esser, the acquisition of language skills is a necessary precondition to successfully integrate into the educational system and into the labor market. Since the functions of language, namely language as a resource, as a symbolic mechanism and as a medium, determine in how far integration is made possible, it can be regarded as problematic that to a high extent language acquisition for refugees is restricted. Asylum seekers and tolerated refugees do not have access to the integration course, which is regarded as the most important integration measure by the German government (Bundesministerium des Inneren, 2014, p. 51). Even though the high amount of civil initiative and citizen's participation can be regarded as a positive development, it has the negative effect that support is made dependent on the abode and responsibility is taken away from governmental institutions. Civil initiatives can hence be regarded as positive but only additional measures to enable refugees to learn the German language. As the provision of education is a state task, more needs to be done on the state level in terms of language acquisition for refugees. In this regard it is of utmost importance to provide nationwide language classes. In this way refugees living in remote areas are also given a chance to integrate, and integration is not dependent on the geographic location any longer.

As has further become clear in the analysis, especially access to the labor market is a very complex issue, with a high amount of regulations and rules which determine the conditions of labor market access in a detailed way. Despite the importance of adequate employment for refugees to be financially independent from state assistance, the very strict regulations, such as the priority review or the § 33 BeschV, make access to the labor market for asylum seekers and tolerated refugees a complicated and challenging undertaking. The strictness of the regulations not only have a negative impact on the group of refugees but also on

possible employers. The unclear residence status of asylum seekers especially reduces the willingness of employers to offer them a job position (Juretzka, 2014, p. 102). It is thus of highest importance to give support in terms of counseling and job-matching so that asylum seekers and tolerated refugees are given an opportunity to get in contact with possible employers. As shown by the evaluation of the ESF Program, integration of asylum seekers and tolerated refugees is possible as long as support is provided (Mirbach & Schobert, 2011, p. 64). Therefore, measures such as the ESF Program are to be maintained and taken as a blue print model to improve integration. Refugees need to be informed and advised about their possibilities and rights and the way the German administrative system works. This is also the case in regard to sufficient information about the German educational system, which can be considered as a precondition for further integration into the labor market. Knowledge barriers need to be removed, to make successful structural integration possible.

However, what remains the key problem in terms of integration policies is the residence law, on which the unequal treatment of refugees is based. The previous analysis suggests that especially labor market integration for both asylum seekers and tolerated refugees is still not wanted. It is questionable in how far a real success can be achieved as long as legal rights are not changed and a political differentiation among refugees is made. Despite the development of programs with a focus on the integration of asylum seekers and tolerated refugees, their residential status determines in the end how far integration is made possible. As long as strict regulations regarding the permission of residency remain, supporting programs can only have a subordinate function. Supporting programs cannot change the law and regulations which disadvantage asylum seekers and tolerated refugees. If legal regulations keep limiting access to education and access to the labor market for single groups of refugees, integration policies for refugees cannot be considered as fully successful. Asylum seekers and tolerated refugees are restricted by a high amount of regulations, which in some cases do not improve, regardless of the time spent in Germany. Structural integration, as referred to by Esser as the acquisition of membership to the institutions in the host society (cf. chapter 2), is therefore restricted for asylum seekers and tolerated refugees in Germany.

In relation to the findings by Valenta and Bunar, Germany does not provide possibilities to integrate into the labor market immediately upon arrival in the host country. Thus, early empowerment cannot take place. According to the Scandinavian understanding of integration, adequate and sufficient integration policies are an essential factor to prepare refugees for life outside of the reception facilities and hence, independent from the decision made regarding the asylum application. German integration policies lag behind in this regard since features such as language acquisition are not regulated nation-wide for asylum seekers and tolerated refugees. Such as Bevelander concludes in his study, social capital was also in this paper found to be highly determinate for successful labor market integration. Especially striking is the role of experience on the national labor market and host country's specific education. According to De Vroome and Van Tubergen, especially the skills acquired in the host country have been found to be of importance. The findings

of this paper can confirm these results, as it was found that professional qualifications obtained in the home country are often not recognized and thus only determine to a small degree if adequate employment in the host country can be found.

According to the findings of this paper, a significant step to improve structural integration would be to shorten asylum procedures. They keep asylum seekers in an uncertain state for a long time. During this time, integration measures are only carried out to a very limited degree. The same is criticized by De Vroome and Van Tubergen, who point out that living in reception facilities does not only have a negative impact on refugees' health but also deters them from attaining skills and thus to integrate into the host society. Therefore, integration measures for refugees should start immediately after arrival in Germany. This praxis, which was found by Belevander as empowering (see above), is also recommended by German researches, such as Thränhardt.

In terms of access to education the conclusions by Schwaiger and Neumann are confirmed by the findings of this paper. Due to differences in the provision of education, not all children and their needs are considered in integration policies. Even though school access is legally given, in praxis refugees are impeded to integrate into the school system due to aspects such as missing language skills or knowledge of the functionality of the German school system. Thus, a more integrative school system is needed, providing the same opportunities for all children and support to those who need it.

Since policies on asylum and refugees are more and more coordinated on EU level, also for the topic of integration EU wide regulations are of importance. In order to provide refugees Europe-wide the chance to structurally integrate into the host society, more attention needs to be put on the transposition of EU wide regulations into national law. Therefore, the EU should do more to adjust integration strategies of the member states and enable refugees to integrate into the host society. Since policies in the EU member states differ to a high degree, it will be difficult to determine Europe-wide integration policies. A first step would thus be the verification of the compliance with the EU Reception Conditions Directive of all member states.

In general, integration of refugees is a highly topical issue in Europe. Still, it is mostly addressed by Scandinavian scholars. Therefore, this paper focused on the integration of refugees in Germany. Different from most scholars in the field of integration policies in Germany, this paper was aiming to combine findings regarding integration into the educational system and integration into the labor market. It could thus contribute new insights to scholarship in this field. Besides the combination of the analysis of both access to education and access to the labor market for refugees in Germany, the analysis conducted in this paper was aiming to shed light on the actual situation of asylum seekers and tolerated refugees. Thus, the focus of this paper was not the general legal access to integration measures, but rather the identification of practical barriers. However, since the topic addressed in this paper is far-reaching and many factors influence the success of structural integration, errors and omissions are expected. It is left to other scholars to

examine further aspects which influence the success of integration policies. In regard to the research question, it was shown that the legal situation, the geographic location, and knowledge barriers influence possibilities of integration for refugees. It can be concluded that integration policies do not generally enable refugees to receive education and access to the labor market. Thus, structural integration policies for refugees in Germany can only to a limited degree be regarded as successful.

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Annex

The following studies were used for the analysis.

1 Analysis of Access to Education:

Berthold, T., 2014. *In erster Linie Kinder. Flüchtlingskinder in Deutschland*, Köln: UNICEF e.V..

Dimova, D. & Pfeifer, S., 2013. *Zwischenbericht zur Beschulungssituation unbegleiteter minderjähriger Flüchtlinge in Bremen*, Bremen: Fluchtraum Bremen e.V..

Müller, D., Nägele, B. & Petermann, F., 2014. *Jugendliche in unsicheren Aufenthaltverhältnissen im Übergang Schule-Beruf*, Göttingen: Zoom-Gesellschaft für prospektive Entwicklungen e.V..

2 Analysis of Access to the Labor Market:

Daumann, V., Dietz, M., Knapp, B. & Strien, K., 2015. *Early Intervention - Modellprojekt zur frühzeitigen Arbeitsmarktintegration von Asylbewerberinnen und Asylbewerbern. Ergebnisse der qualitativen Begleitforschung*, Nürnberg: Institut für Arbeitsmarkt-und Berufsforschung.

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Declaration of Originality

I hereby declare that this thesis and the work reported herein was composed by and originated entirely from me. Information derived from the published and unpublished work of others has been acknowledged in the text and references are given.

A handwritten signature in dark ink, appearing to read "Mirjam Giakupian", followed by a horizontal line.

Mirjam Giakupian

Münster, 10.09.2015