

RACISM, XENOPHOBIA AND ETHNIC DISCRIMINATION IN GERMANY 2007

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Executive Summary

Legal issues

Since its introduction in August 2006, the first German anti-discrimination law, the General Equal Treatment Act (AGG) has had only little impact on litigation; nevertheless the new Act seems to have contributed (directly or indirectly) to positive changes in the struggle against ethnic discrimination in two ways:

The AGG has had a positive impact on the **organisational landscape** of anti-discrimination work in Germany: The government installed the required specialised equality body *Antidiskriminierungsstelle* (ADS), new non-governmental anti-discrimination organisations have been set up, already existing ones have sought to bundle their expertise and professionalize their work and new internal complain bodies have been installed within companies as required by the AGG.

For the first time ever in Germany, data on court cases and complaints of discrimination, registered by the federal equality body ADS, have been published. According to labour court statistics in the state of Baden-Württemberg and the preliminary data on complaints released by the ADS, discrimination on the grounds of ethnic origin was recorded in about 10 to 15 per cent of all registered cases of discrimination, surpassed by discrimination on the grounds of age, sex and disability.

It remains very difficult to make empirically defensible statement on the application of criminal law due to lacking court statistics. Although no new legislation on racist violence has been passed, it noteworthy that three Ester German Länder have presented a joint bill in the Upper House which aims at introducing the hate crime concept into German criminal law.

Racist violence and crimes

In 2006, the police registered the highest number of politically motivated right-wing crimes since the introduction of the new police registration system in 2001. In particular, the number of **xenophobic right-wing crimes** increased drastically; this holds for propaganda offences, cases of incitement to hatred as well as for violent crimes. This strong increase is confirmed by unofficial statistics on right-wing attacks jointly compiled by several victim support organisations in East Germany.

In contrast to the official figures on xenophobic crimes, the police recorded slightly less **anti-Semitic** – violent and non-violent – crimes in 2006. Data on Islamophobic or anti-Roma offences are still lacking.

The Federal Ministry of the Interior as well as several NGOs assumed that the success of the right-wing extremist party NPD in the state election in Mecklenburg-west Pomerania has spurred the right-wing scene and thus partly explains the strong rise in xenophobic violence and crimes in 2006.

In 2007, the Federal Government launched two **major support programmes** to promote projects against right-wing extremism, xenophobia and anti-Semitism:

- The programme ‚Diversity feels good. Youth for Diversity, Tolerance and Democracy’ (annual budget of € 19 million) supports primarily local and regional awareness raising initiatives that follow a preventive, educational approach.
- With an annual budget of €5 million the programme ‘Support of counselling networks – mobile intervention against right-wing extremism’ supports networks and projects that follow a more interventionist approach, in particular when local actors require external professional assistance to deal with right-wing extremist, xenophobic and anti-Semitic developments.

Employment

The release of statistics based on findings of the **2005 micro census** has led to significant progress concerning data on the situation of migrants in employment. The micro census applied for the first time a complex indicator of the respondents’ migration backgrounds taking into consideration three variables, namely the nationality, migration history and naturalisation of the respondent as well as of his/her parents. Selected findings from official data are the following:

The unemployment rate of foreigners is more than twice as high as the unemployment rate of Germans. Comparing the unemployment rate of ethnic German migrants, foreigners and Germans, ethnic Germans have the highest unemployment rate. For Germans and foreigners, the risk of being unemployed decreases with a higher educational attainment. Foreigners are more often employed in branches with a lower income and less favourable working conditions and less often employed in highly skilled professions with a higher prestige.

Despite several indicators for perceived discrimination and the clear disparities between Germans and foreigners, there is only little empirical evidence for discrimination of migrants on the German labour market. A recently released empirical research study, however, underscored the difficulties and lower

chances of migrants in finding a job after having completed their dual apprenticeship.

The new **General Equal Treatment Act** (AGG) obliges employers to implement anti-discrimination mechanisms which prevent any forms of direct and indirect discrimination and support victims of discrimination. It is difficult to assess how effectively the requirements of the AGG (one year after it came into force) have been put into practice by companies

The Federal Government supports diversity strategies of companies by launching the nationwide campaign '**Diversity as a Chance**'. The campaign aims at raising awareness amongst public and private employers for the economic potentials of diversity.

Education

Migrants and foreigners continue to occupy, on average, a clearly disadvantaged position in the educational system. The causes for these educational disparities are manifold and complex: studies indicate a high impact of the social and family background that translates into educational disparities. The studies also emphasise the high impact of German language problems on the educational achievement of migrant children. Thus, the **educational system**, especially the early streaming after fourth grade, has been subject to ongoing criticism as it does not succeed in levelling out the initial differences between migrants and non-migrants.

It remains difficult to make a defensible statement on the extent and mechanism of discrimination in the educational system. Complaints on discrimination, however, indicate that perceived discrimination against migrants does occur in the field of education. A **recent research study** of the German Youth Institute found that perceived discrimination and subsequent tendencies of re-ethnisation have a negative impact on migrants' access to apprenticeship and employment.

Support measures for migrant children have been expanded over the last years, especially with regard to German language support measures. A special focus is laid on pre-school education. The National Integration Plan announces the implementation of a general concept for education in early childhood which shall especially consider the needs of children with a migration background. Furthermore, the National Integration Plan announces the support of further education of teachers and educators with regard to a multicultural and multilingual environment and promotes a stronger involvement of parents within support measures aiming to improve the educational achievement of migrant children.

Housing

The results of a recently conducted **discrimination testing study** by the NGO *Planerladen* indicate that the access to housing is limited for foreigners: For persons with a Turkish sounding name fewer flats were available after initial contact with the potential future landlord than for persons with a typical German name. However, access to housing for foreigners is not only limited by 'gatekeepers' but also by fixed quotas of housing companies or cities. It is noteworthy that the new General Equal Treatment Act (AGG) explicitly permits unequal treatment regarding renting out accommodation provided it serves the purpose of 'establishing or maintaining socially stable housing structures and a balanced mixture concerning the economic, social and cultural composition of a neighbourhood'.

Latest statistical data indicate that the **housing conditions** of foreigners still lack behind: foreigners are less satisfied with the size of their dwelling than Germans. Foreigners would rather prefer a larger dwelling while Germans more often assess their dwelling as 'actually too large'. In 2006, the home ownership quota of elderly Turks (60+) laid with 10 per cent considerably behind the home ownership quota for Germans of the same age group (36 per cent). Only 6 per cent of the elderly Turks lived in a detached house (Germans: 43 per cent) and 79 per cent lived in a flat in a multi-storey house (Germans: 36 per cent).

In some German cities, such as Stuttgart and Frankfurt, the percentage of residence with a migration background reaches 40 per cent. However, a recent analysis of 75,000 neighbourhoods identified only 5,000 neighbourhoods with a 'particular demand for integration', which is not first and foremost caused by ethnic but by social segregation.

Health and social care

Data on ethnic **discrimination** in the health sector are rather rare. The few sources available on discrimination in this field suggest that discrimination occurs less frequently than in other areas of social life. From a legal point of view, most migrant groups are treated equally regarding their access to health and social care. Asylum seekers and many refugees whose asylum application has been rejected are, however, subject to **legal restrictions**. Nevertheless, language and cultural barriers, such as different perceptions of diseases, constitute *practical* hurdles for migrants and ethnic minorities beyond these legal restrictions. Despite of increasing efforts and numerous local initiatives, the migrants' access to health and social care generally is still hampered by a rather low level of cultural awareness and a lack of specific services offering advice to migrants. A particularly vulnerable group are **undocumented migrants**, who face – despite their legal right to basic health care – severe

practical and administrative hurdles which results in very limited access to basic health care or prevention measures.

Due to the deficiencies in **data collection** and systematic monitoring, it is very difficult to make empirically reliable statements on the health situation of migrants. Differences between migrants and non-migrants may be found with regard to their general health status as well as to the prevalence of certain diseases. Specific health risks can arise from their minority status, their work situation, migration-related experiences or risks related to a lower social status; however, not all health-related indicators suggest that migrants have a poorer state of health than Germans without a migration background.

Barriers for migrants to information on and access to health and social care have been acknowledged and are being increasingly countered. Within the framework of the National Integration Plan, the federal government, the *Länder* and numerous non-governmental organisations have announced their commitment to improving the **participation** of migrants in the health system. There are numerous – often local or small-scale – **practical initiatives** that seek to promote the health situation of migrants; most of them follow one of the following objectives:

- Enabling migrants to act as multipliers within their migrant communities
- Tackling the language barrier between representatives of the health sector and migrants
- Increasing cultural awareness within the institutions of the health sector and adapting the health system to a culturally and religiously diverse clientele

A. Legal issues

A.1. Brief overview

Although some official statistics on court cases and complaints of discrimination have been made available for the first time ever in Germany, data and reports on legislation related to anti-discrimination or anti-racism are still scarce. As a consequence, it remains difficult to make empirically defensible statements on the situation and trends in this legal field.

The General Equal Treatment Act (AGG), which was passed to transpose the four EU equality directives (including 2000/43/EC), bans unequal treatment due to one's race/ethnic origin, religion and belief, sex, age, disability and sexual identity. Since it entered into force in 18 August 2006, it has had only little impact on the number of court cases related to discrimination in Germany; as of 8 August 2007, the total number of court decisions amounted to 23. For the time being (as of mid October 2007) not a single court case on **ethnic discrimination** has resulted in a court ruling.¹ Court statistics on the application of the AGG are only available for the federal state of Baden-Württemberg: The labour courts in Baden-Württemberg registered a total of 109 cases which touched upon AGG provisions between 18 August 2006 and 18 April 2007.² 11 per cent of these 109 cases referred to ethnic discrimination; these cases are either still pending or a settlement has been reached.³ Nationwide official court statistics or data on sanctions or compensations are not available.

Since late 2007, the federal equality body Antidiskriminierungsstelle des Bundes [Federal Anti-Discrimination Body; ADS] has been fully operational. It started its information activities, a national conference took place and the registered number of discrimination-related inquiries has been increasing significantly. The newly installed specialised body for the promotion of equal

¹ The numbers were quoted in a parliamentary inquiry referring to the juridical database JURIS; it was further differentiated as follows: 11 of these decisions stem from administrative courts, eight from labour courts, two from the social courts and two from civil courts (*ordentliche Gerichtsbarkeit*) (Bundestag, printed matter 16/6316; 10.09.2007); Nationwide official statistics are not available (Bundestag, printed matter 16/5382 (18.05.2007)). In the meantime, the number of AGG-related court rulings has increased slightly (e.g. discrimination due to age); to the best of our knowledge, none of these rulings are concerned with discrimination on the grounds of race or ethnic origin.

² Press release of the Baden-Württemberg State Labour Court (27.06.2007). This represents 0.3% of all cases the Baden-Württemberg labour courts were concerned with in this period. 64 of these 109 cases have been concluded in the meantime (end of June 2007) – mostly through settlement, 12 of them through a court ruling.

³ The prevailing forms of (alleged) discrimination were due to age (36%), sex (28%) and disability (18%). In almost three quarters of all 109 cases (73%), the courts assumed direct discrimination; 27 per cent were deemed to be cases of indirect discrimination.

treatment, the Antidiskriminierungsstelle (ADS), has registered some 3,450 complaints on discrimination between August 2006 and mid-November 2007: The majority of complaints referred to experienced discrimination on the grounds of age, disability and sex. About 14 per cent of these inquiries refer to discrimination on the grounds of ethnic origin.

In October 2007, the EU Commission launched a procurement infringement proceeding against Germany due to the insufficient transposition of the Racial Equality Directive.

The introduction of the AGG appears to have had a significant impact on the organisational landscape of anti-discrimination work in Germany⁵: The government installed the required specialised equality body ADS, new non-governmental anti-discrimination organisations have been set up, already existing ones have sought to bundle their expertise and professionalise their work, and new internal complain bodies have been installed within companies.

Several legal experts, politicians and non-governmental anti-discrimination organisations have **criticised the AGG** for not being in full compliance with the minimum requirements of the respective EU directives. Three German MEPs (all members of the Greens) submitted an inquiry to the EU Commission in December 2006, in which they list several AGG provisions which, according to their assessment, do not meet with the EU requirements.⁶ The German Association *djb* [German Association of Female Lawyers] sent an open letter to the DG Employment in which it comprehensively elaborates the shortcomings of the AGG.⁷ This critical assessment is also shared by other legal experts, such as the *Deutscher Antidiskriminierungsverband* [German Anti-Discrimination Associations, DADV]⁸, and expert NGOs, such as the Anti-Discrimination Association Germany (advd).⁹

⁵ Besides the introduction of the AGG, the EU initiative *European Year of Equal Opportunities for All* has partly contributed to these positive developments.

⁶ Free release Cem Özdemir 22.02.2007; available (including the Commission's response) at: www.cem-ozdemir.de/index.php?id=405&tx_ttnews%5Bps%5D=1191251296&tx_ttnews%5Btt_news%5D=528&tx_ttnews%5BbackPid%5D=34&cHash=77a77d5e15 (11.10.2007).

⁷ Open letter (19.06.2007) available at: <http://www.djb.de/Kommissionen/kommission-arbeits-gleichstellungs-und-wirtschaftsrecht/St07-11-Umsetzung-Antidiskriminierungsrichtlinien/> (11.10.2007).

⁸ Neue Juristische Wochenschrift (NJW), No. 31/2007, 31. 08. 2007, pp. XVIII-XX; The legal expert at the German Anti-Discrimination Associations (DADV), M. Alenfelder, contributed to the compilation of this RAXEN report.

⁹ Antidiskriminierungsverband Deutschland (2007) *Stellungnahme des Antidiskriminierungsverband (advd) und seiner Mitgliedsorganisationen zum einjährigen Bestehen des Allgemeinen Gleichbehandlungsgesetzes (AGG)*, Berlin; available at www.antidiskriminierung.org/?q=wiki/Stellungnahme_zum_einj%C3%A4hrigen_Bestehen_des_Allgemeinen_Gleichbehandlungsgesetzes_%28AGG%29 (10.10.2007).

In the sphere of **criminal law** the insufficient data situation does not allow reliable statements on the situation or trends in the application of criminal law. Despite the advanced police registration system and documentation of right-wing extremist, xenophobic and antisemitic crimes and the public availability of this data, hardly any (new) statistical information on court cases, rulings and the application of criminal law provisions is available.

A.2. New legislative provisions

A.2.1. Racial Equality Directive

New legislation transposing the Race Equality Directive

There has been no new legislation transposing the Racial Equality Directive 200/43/EC (RED) since the introduction of the AGG. However, the ruling of the Labour Court Osnabrück on 5 February 2007 is noteworthy as it contributed to clarifying the legal scope of the AGG¹⁰: Referring to the ECJ's Mangold decision¹¹, the Court ruled that Sec. 2 (4) AGG, which explicitly excludes the realm of dismissal from the legal coverage of the AGG (by referring to the Law of the Protection against Unlawful Dismissals – Kündigungsschutzgesetz – instead), is not in compliance with the pertinent EU directives and is hence not applicable. This decision represents the first court ruling in Germany that shed light on the AGG's shortcomings regarding the implementation of the EU equality directives.¹²

In October 2007, the EU Commission launched a procurement infringement proceeding against Germany due to the insufficient transposition of the Racial Equality Directive. According to a media report, the EU criticises, amongst others, Sec. 19 (3) of the German General Equal treatment Act (AGG) as not being in compliance with EU law. This section allows for unequal treatment in the access to housing if it aims to establish or maintain socially stable housing structures and a 'balanced mixture concerning the economic, social and cultural composition of a neighbourhood'.¹³

Clarifications regarding the level of sanctions

According to the respective EU directives, the level of sanctions, i.e. the compensation for material and immaterial damages due to unlawful

¹⁰ Osnabrück/Arbeitsgericht/3 Ca 730/06 (05.02.2007).

¹¹ ECJ/ C-144/04 (22.11.2005).

¹² The ruling of the court reflects the prevailing opinion among legal experts that Art. 2 (4) AGG is not in compliance with the pertinent EU directives (M. Benecke (2007) 'Kündigungen zwischen Kündigungsschutz und Diskriminierungsschutz', in: *Arbeit und Recht (AuR)*, No. 7-8/2007, pp. 229-234).

¹³ Focus 24.11.2007; available online at: www.focus.de/magazin/kurzfassungen/focus-aid_145232.html (07.01.2008); Europagruppe *Die Grünen*, press release (27.11.2007).

discrimination, has to be 'effective, proportionate and dissuasive' (Art. 15 RED). This is to be translated into the national juridical culture. In case an employer commits an unlawful act of discrimination, he/she has to come up for the entire *material damage*.¹⁴ If a job applicant is being unlawfully discriminated against and thus will not be employed, he/she can claim the difference between the salary expected and the salary actually received as material damages. There is no time limit up to retirement age. The court has to estimate the entire amount of the forfeited salary plus any further damages (forfeited pension e.g.).¹⁵ The '*Kattenstein Formula*', which is based on an examination of 14 Million datasets of the Federal Statistical Office, has been developed as a tool to calculate the material damage.¹⁶

In case of unlawful discrimination the perpetrator has to pay compensation for *immaterial damage* such as infringements. The compensation has to be proportionate to the detriment. According to Sec. 15 (2) AGG, an upper limit of three months' salary is only set in cases in which the applicant would not have been chosen even in a non-discriminatory selection procedure.¹⁷ For other cases (i.e. applicant is the best suited applicant but has been turned down in a discriminatory way) the law does not define an upper limit; hence the judge has to decide on the amount of 'proportionate' compensation. Several legal experts as well as the MP Silvia Schmidt have stated that the gross annual income of the victim – but at least EUR 30,000 (i.e. the average annual income) – would be proportionate and deterrent.¹⁸ In the realm of civil law, the amount of compensation is assumed to be lower (i.e. a minimum of EUR 10,000).¹⁹

Statutory specialised equality bodies

The official federal specialised body for the promotion of equal treatment (according to Art. 13 RED), the *Antidiskriminierungsstelle* (ADS), was installed at the Federal Ministry of Family, Senior Citizens, Women and Youth in August 2006. Five and a half months later, on 1 February 2007, Dr. Martina

¹⁴ Opposed to the case of immaterial damages they are only liable in case of responsibility (§ 15 (1) s 2 AGG).

¹⁵ The forfeited salary consists of loss of surplus as defined in Sec. 252 BGB (Civil Code); Bundesarbeitsgericht/3 AZR 576/83 (12.11.1985); Bundesgerichtshof/ VI ZR 172/99 (06.06.2000).

¹⁶ Capital 14.02.2007; F. Jansen (2007) 'Aktuelles zur Höhe des Schadenersatzes nach § 15 AGG', in: *ZfAD*, No.1/2007, pp. 5-6; M. Alenfelder (2007) 'Materieller Schaden wegen Diskriminierung' in: *ZfAD*, No.2/2007, pp. 5-8.

¹⁷ The Labour Court in Stuttgart ruled that an employer who had posted a discriminatory job vacancy ad had to pay compensation of 3,500 EUR (the equivalent of one monthly salary) to the plaintiff. The application of the plaintiff, a 52-year old woman, had been rejected due to a lack of qualification but also because of her age and sex (Stuttgart/Arbeitsgericht/29 Ca 2793/07 (05.09.2007)).

¹⁸ C. Leisten (2007) *Das Allgemeine Gleichbehandlungsgesetz - AGG. Leitfaden für Betriebsräte. Broschüre zur Umsetzung des Allgemeinen Gleichbehandlungsgesetzes in die betriebliche Mitbestimmungspraxis*, Hans-Böckler-Stiftung, pp. 36-40. (available at http://www.boeckler.de/pdf/mbf_broschuere_agg_2007.pdf (11.10.2007).

¹⁹ Bundestag, plenary protocol of the 43rd session (29.06.2006), pp. 4151-4153; F. Jansen (2007) 'Aktuelles zur Höhe des Schadenersatzes nach § 15 AGG', in: *ZfAD*, No.1/2007, pp. 5-6; M. Alenfelder (2007) *Diskriminierungsschutz im Arbeitsrecht*, Köln: Deubner, p. 52.

Köppen was appointed head of the ADS. The agency's staff consists of 20 people; the annual budget amounts to €2.7 million. According to governmental information given in a parliamentary inquiry in May 2007, the ADS has been fully operational since summer 2007.²¹ The organisational structure of the ADS has been subject to criticism primarily due to its close affiliation with the government. The German Institute for Human Rights and other legal experts claimed that the ADS may not be sufficiently independent and hence not in full compliance with the EU requirements.²⁴

The **federal equality body ADS**²⁵ started its PR and awareness raising activities in late 2007. On 9 November, the ADS website was launched which targets primarily employers and those who are affected by discrimination. It offers information on the new anti-discrimination legislation and other issues related to equal treatment; moreover it provides an online form which can be used to lodge a discrimination complaint or to request counselling. Between March and November 2007, the ADS distributed some 14,900 copies of a brochure which contains the text of the AGG.²⁶ Furthermore, on 29-30 November 2007, the ADS carried out its first national conference on equal opportunities and anti-discrimination with some 300 participants.²⁷

As of November 14, 2007, the ADS registered **3,347 inquiries** by organisations and individuals that sought advice related to discrimination. The figures, broken

²¹ Bundestag, printed matter 16/5382 (18.05.2007).

²⁴ Nickel, an expert in European and Constitutional Law, stated that the ADS resembles a governmental body which was independent 'solely on paper' (R. Nickel (2006) *Einführung: Das neue Allgemeine Gleichbehandlungsgesetz* (AGG); available at: www.diversity-boell.de/downloads/diversity/Nickel_AGG.pdf (12.06.2007)). The federal government has rejected such critical assessments. According to its response to a parliamentary inquiry, the ADS fulfils its duties in an independent way and in full compliance with the EU directives (Bundestag, printed matter 16/5382 (18.05.2007)).

²⁵ According to ADS information, the ADS staff consists of currently 19 employees and the head of the body, Martina Köppen. The body has three departments: counselling (seven employees), research (five employees) and public relation (six employees).

²⁶ Bundestag, printed matter 16/7359 (29.11.2007)

²⁷ Bundesministerium für Familie, Senioren, Frauen und Jugend, press releases (30.11.2007)

down by grounds of discrimination, are presented in table 1; figures disaggregated by gender, age or federal state (*Länder*) are not available.²⁸

Table 1: Advice seeking inquiries registered by the ADS between 31 July 2006 and 14 November 2007²⁹

Total number of inquiries	3,347
Of which: inquiries by companies or institutions*	625
differentiated according to grounds of discrimination	
Disability	26.63%
Sex	25.57%
Age	25.19%
Race/ethnic origin	13.73%
Sexual identity/orientation	4.78%
Religion/belief	4.10%

* Some of these 625 inquiries by companies or institutions refer to cases of discrimination (e.g. filed by work councils or internal equality bodies or commissioners)

Source: Bundestag, printed matter 16/7359 (29.11.2007)

The **ADS advisory committee** was established (according to Sec. 30 AGG) in mid October 2007. The committee aims to promote the dialogue between relevant social non-governmental groups and anti-discrimination organisations and give advice to the ADS; it is composed of 16 anti-discrimination experts.³⁰

Only in the two *Länder* of Berlin and Brandenburg³¹ statutory anti-discrimination bodies on state level exist.³²

²⁸ Bundestag, printed matter 16/7359 (29.11.2007)

²⁹ The latest update stems from 29 November 2007, when 3,477 advice-seeking inquiries were counted by the ADS; these figures are, however, not differentiated according to who filed the inquiry (individuals or companies).

³⁰ Bundesministerium für Familie, Senioren, Frauen und Jugend, press releases (18.10.2007). On 15 November 2007, the head of the federal equality body ADS appointed the members of another expert commission (called *Wertegesellschaft als ökonomischer Faktor*) which is commissioned to develop recommendations on the equality-oriented implementation of the anti-discrimination provisions (AGG) in enterprises. The commission will specify the benefits of ethnic diversity in the economy and society. The general objective is to encourage a 'sustainable alliance' between companies and the ADS.

³¹ In Brandenburg, the *Antidiskriminierungsstelle* at the Office of the Commissioner for Integration of Immigrants, established in 1999, offers support to victims of discrimination in particular on the grounds of ethnic origin and religion. The body also seeks to raise awareness about discrimination and to set up a state-wide documentation system on cases of discrimination; moreover, it develops and conducts training programmes on discrimination in general and on the application of the AGG provisions in particular (e.g. one-day workshops for companies).
(www.masgf.brandenburg.de/cms/detail.php?gsid=bb2.c.418912.de&_siteid=19 (07.01.2007))

The **State of Berlin** set up a new anti-discrimination body within the framework of the re-structuring of its administration after the state election in 2006. The former *Leitstelle gegen Diskriminierung* [Centre against Discrimination], which had been installed under the Commissioner of the Berlin Senate for Integration and Migration in early 2005, was transformed into the new *Landesstelle für Gleichbehandlung – gegen Diskriminierung* [State Body for Equal Treatment – against Discrimination] in April 2007.³³ The new body – the first of its kind in Germany – is affiliated with the Senate Administration on Integration, Labour and Social Affairs. Whereas the former *Centre against Discrimination* sought to tackle discrimination on the grounds of ethnic origin, religion or belief, the new *State Body for Equal Treatment* additionally covers the grounds of gender, age, sexual orientation and disability. Five people are on staff. In an official Senate proposal presented in Berlin state parliament its operative aims were described as follows:

- (1) Raising awareness in the society, administration and politics (e.g. public relations, prevention measures)
- (2) Redressing structural discrimination
- (3) Further development of the network infrastructure of empowerment and advice organisations

Furthermore, the body assists the state administration in implementing the AGG and seeks to improve the data situation regarding discrimination in Berlin. Whereas the new body does not provide counselling itself, it aims to promote, advertise and link existing anti-discrimination offers and organisations in order to reinforce ‘adequate, efficient and network-based empowerment and advice structures’. This also encompasses the setting up of a state-wide system of documenting cases of discrimination through cooperation with anti-discrimination NGOs. According to the Senate’s decision, it will encourage everyone to take action against discrimination.

In December 2007, the Berlin State Body for Equal Treatment compiled a comprehensive brochure on how and where to seek support in cases of

32 In the federal state of Hamburg, the two opposition parties, the Social Democrats (SPD) and the GAL (Greens), urged the state government to set up a statutory anti-discrimination body. Following a parliamentary motion by the SPD in July 2007, the issue was discussed at a public hearing of the state parliament committee on legal affairs on 28 November 2007. The leading conservative party CDU is against such a new body (Hamburg/Bürgerschaftskanzlei, Einladung zur Sitzung des Rechtsausschusses (21.11.2007); Hamburg/Bürgerschaft der Freien und Hansestadt Hamburg, printed matter 18/6725 (31.07.2007); Welt online (29.11.2007))

33 Berlin/Senate (IntArbSoz), Vorlage des Senats von Berlin über die Einrichtung einer Landesstelle für Gleichbehandlung – gegen Diskriminierung. April 2007; press release of the Berlin Senate Administration on 03.04.2007; Berliner Morgenpost (04.04.2007). Setting up a comprehensive website and releasing an information brochure were the first concrete measures taken by the new state body. More information (including the information brochure) on the body’s legal basis, goals and contact details as well as links to relevant anti-discrimination NGO and other related Berlin state programmes is available at: www.berlin.de/lb/ads.

discrimination. The brochure contains a brief overview on the anti-discrimination provisions, a description of the State Body and a list of organisations that provide counselling for victims of discrimination in Berlin.³⁴

Non-governmental anti-discrimination organisations

In May 2007 another significant change in the landscape of specialised anti-discrimination bodies and organisations in Germany occurred with the foundation of the non-governmental association *Antidiskriminierungsverband Deutschland* [advd; Anti-discrimination Association Germany]. The advd constitutes the first nation-wide umbrella association currently composed of ten independent non-governmental anti-discrimination and migrant organisations and other institutions engaged in this field.³⁶ The initiative is supported within the framework of the European Year of Equal Opportunities for All. The advd strives to bundle long-standing experiences and expertise in anti-discrimination work in order to ‘enhance the nationwide culture of anti-discrimination’. Its aims range from developing joint intervention strategies and standards for the anti-discrimination work (e.g. regarding counselling)³⁷ to the collection and documentation of cases of ethnic discrimination and the publication of empirical studies on the actual scope and mechanisms of discrimination. The advd has also announced plans to constructively cooperate with policy makers, the federal equality body ADS, representatives of public authorities, employers’ associations and actors of the civil society and to monitor the activities of the ADS and to compile shadow reports on the ADS’ work.³⁸

Two further non-governmental anti-discrimination organisations, both of which operate state-wide, were recently installed in Baden-Württemberg and Saarland.

³⁴ Berlin/Senatsverwaltung für Integration, Arbeit und Soziales, Landsstelle für Gleichbehandlung – gegen Diskriminierung (2007) *Beratungsführer bei Diskriminierung*

³⁶ The following organisations are founding members of the advd: ADB Köln/Öffentlichkeit gegen Gewalt; ADB Sachsen; Antidiskriminierungsbüro Aachen; ARIC-NRW; basis & woge; Bund gegen ethnische Diskriminierung in der Bundesrepublik Deutschland (BDB); IBIS—Interkulturelle Arbeitsstelle, Initiative Schwarze Menschen in Deutschland (ISD-Bund); iMiR – Institute für Migrations- und Rassismusforschung; Türkischer Bund in Berlin-Brandenburg (TBB).

³⁷ On 11 October 2007, the Parliament passed a bill which permits professional legal advice services to be given by others than professional lawyers (Rechtsdienstleistungsgesetz, RDG). This new legislation will – provided the Upper House passes the bill too – allow organisations which do not have legal experts with a degree in law among their personnel to offer basic legal counselling. This would also improve the situation of anti-discrimination organisations. According to the current German RBerG (introduced in 1935), which should be replaced by the RDG, only lawyers are allowed to give professional legal advice (Bundestag, printed matter 16/3655, 30.11.2006; FR 13.10.2007, p. 4).

³⁸ Press release, Antidiskriminierungsnetzwerk Berlin on 22.05.2007; www.antidiskriminierungsverband.org (14.07.2007).

In Baden-Württemberg the state-wide anti-discrimination network *mittendrin-undaussenvor.de* was launched by the Protestant State Churches and the welfare organisation *Diakonie* in November 2006. The five-year pilot project is financially supported by the Federal Office for Migration and Refugees (BAMF). Its anti-discrimination work is based on the principles of non-discrimination enshrined in the EU Treaty of Amsterdam (Art. 13), the four EU equality directives and the German General Equal Treatment Act; hence it covers all grounds of discrimination, though with an emphasis on migrants. The initiative consists of two institutional components: the Stuttgart-based ombuds body and a state-wide network of organisations and offices which offer advice and support to victims of ethnic discrimination. The newly established ombuds office coordinates this network and is in charge of receiving discrimination complaints, preliminary examination of the individual case (“case of discrimination or not”) and transferring the complainant to one of the anti-discrimination network organisations, which provide further case-by-case counselling. Moreover, the ombuds office conducts measures to promote public awareness of discrimination, supports human rights and minority organisations and seeks to cooperate with anti-discrimination networks abroad.³⁹

Another independent non-governmental antidiscrimination organisation, the *Antidiskriminierungsverband Saar (ADVS)*, was founded in May 2007. The ADVS aims at redressing and preventing discrimination, unequal treatment and harassment on the grounds of disability, age, race/ethnic origin, sex, religion or belief and sexual identity.⁴⁰ The ADVS focuses primarily on awareness raising activities (e.g. public information events), but it also provides personal assistance and counselling for people who have experienced discrimination.⁴¹

Assessment: impact of the AGG

The new German equality legislation has not only indirectly prompted the instalment of new anti-discrimination bodies – it has also directly affected the institutional anti-discrimination structures within companies. Article 13 (1) AGG obliges companies to install an internal body (or appoint a person respectively) in charge of receiving and checking discrimination complaints from employees. Although it is not possible to assess to what extent German companies have already lived up to this legal requirement, it can be assumed that such internal complaint bodies have been installed in many companies. Defendable information on the concrete work, duties and powers of these bodies is scarce. According to a non-representative survey among small and

³⁹ Landeskirchlicher Migrationsdienst in Württemberg, Diakonisches Werk Württemberg (2006) “mittendrinundaussenvor.de”. Evangelisches Antidiskriminierungs-Netzwerk in Baden-Württemberg. Concept paper provided by Mr. Kaufmann (Diakonie) in July 2007; www.diakonie-sbk.de/Migrationsberatung.12.0.html (23.09.2007); KA-News.de (06.03.2007); www.ka-news.de/karlsruhe/news.php4?show=dab200736-1508H (23.09.2007); the official website of the ombuds office is www.mittendrinundaussenvor.de (23.09.2007).

⁴⁰ Addressing discrimination on the grounds of disability and age seems to play a dominant role in the ADVS’ work.

⁴¹ www.antidiskriminierungsverband.eu (16.07.2007)

medium scale enterprises (SME), conducted between December 2006 and February 2007, in 34.85 per cent of the responding companies (N=206; only 6% of the addressed companies responded) such a complaint body has been installed.⁴² Another study surveyed 501 human resource managers: the companies interviewed were most active in the field of AGG training and the introduction of new standards and guidelines for their internal operations.⁴³

New civil or criminal law provisions

New civil or criminal law provisions related to discrimination have not been introduced in 2007. It is worth mentioning however that the legal ban of headscarves for Muslim teachers in Bavarian state law has been confirmed by the Bavarian Constitutional Court of Justice:

On 15 January 2007, the Bavarian Constitutional Court of Justice held that the ban of Muslim headscarves, which had been introduced through the state school law amendment (Art. 59 (2) BayEUG) in January 2005, is in accordance with the Bavarian Constitution and does not violate the Principle of Equal Treatment (Art. 118 Bavarian Constitution). The amendment bans teachers from displaying symbols which express a religious conviction or belief that can be interpreted by pupils or parents as an attitude not being in compliance with the constitutional values, which encompass Christian-occidental values. The Court also pointed out that teachers were permitted to display Christian symbols (e.g. a nun's habit) as this did not constitute an unlawful privilege of the Christian religion due to the fact that Christian values are enshrined in the Bavarian Constitution.⁴⁵

A.2.2. New criminal legislation

No new legislation on racist violence and crime was passed or introduced in the period under analysis on the federal level.

⁴² Deutsches Institut für Kleine und Mittlere Unternehmen e.V. (2007) *Ergebnisbericht zur Studie "Das Allgemeine Gleichbehandlungsgesetz in KMU – Erfahrungen, Erwartungen, Maßnahmen und Meinungen"*. Berlin (authors: J.-A. Meyer,.; R. Schleus & E. Buchhop).

⁴³ 62.7 per cent of the 501 human resource managers interviewed declared that they already had trained their employees; 45.5 per cent stated that they had introduced new checklists and guidelines to evaluate their internal operations., see: A. Hoffjan, A. Bramann (2007) Kurzberichts des Lehrstuhlprojekts im Auftrag der Initiative Neue Soziale Marktwirtschaft GmbH zum Thema: Empirische Erhebung der Gesetzesfolgekosten aus dem Allgemeinen Gleichbehandlungsgesetz (AGG). Universität Dortmund. Lehrstuhl für Unternehmensrechnung und Controlling, available at: http://www.insm.de/Downloads/PDF_-_Dateien/070815_Kurzversion_FINAL.pdf (19.10.2007).

⁴⁵ Bayern/Bayerischer Verfassungsgerichtshof/11-VII-05 (15.01.2007); Prehn, G. (2007) 'Kopftuchverbot in Bayern verfassungsgesetzlich bestaetigt', in: *Blickpunkt Integration BAMF*, No. 2/2007, p. 15

The Brandenburg State Parliament passed a law which aims to prohibit neo-Nazi and **right-wing extremist demonstration** on memorial cemeteries for German soldiers. The law replaces Section 16 of the State Public Meeting Act and generally bans demonstration on or in the vicinity of cemeteries; exceptions can be made if the demonstration does not aim at (partially) denying or trivialising genocides, war crimes or crimes against humanity or resemble an honourful commemoration of NS organisations. The amendment to the Public Meeting Act was passed unanimously by all democratic parties in the Brandenburg State Parliament; only the right-wing extremist party DVU voted against the bill. The amendment is intended to provide a legal basis for banning the annual neo-Nazi demonstration in Halbe (Brandenburg) where Germany's largest memorial cemetery for WW II soldiers is located. The law came into force in late October 2006, just in time to prohibit the planned neo-Nazi demonstration in Halbe which used to take place on November 18, the Day of National Mourning.⁴⁶

The *Länder* Saxony-Anhalt, Brandenburg and Mecklenburg-Western Pomerania presented a joint bill in the Upper House that explicitly aims at introducing the **hate crime concept** into German criminal law.⁴⁸ A new provision should be added to § 46 (2) StGB ('Principles for Determining the Penalty') which makes it mandatory to consider the perpetrator's hate crime motivation as an aggravating factor by the court.⁴⁹ Furthermore, the bill proposes an amendment of Sections 47 and 56 which aims to expand the legal possibilities of sentencing the perpetrator of a hate crime to imprisonment *without* probation – even in case of a prison sentence of less than six months or a year respectively.⁵⁰ These state initiatives are of particular interest against the background of the recently found consensus on the EU Framework Decisions on combating racism and xenophobia.⁵¹

⁴⁶ Brandenburg/GVBl. I/06, p. 114 (26.10.2006)

⁴⁸ The concept of hate crime has been a guiding principle in the police registration system on politically motivated crimes (KMPD-PMK) since 2001.

⁴⁹ Hate crime is conceptualized – according to international standards – as a crime committed due to the victim's political attitude, nationality, ethnicity, skin colour, religion, belief, origin or outer appearance, disability or sexual orientation.

The latest Report of the CoE Commissioner for Human Rights recommends (No. 19) that criminal law provision should be introduced which 'explicitly refer to racist motivation as an aggravating factor when determining sentences' (Council of Europe (2007) *Report by the Commissioner for Human Rights, Mr Thomas Hammarberg, on his visit to Germany*, Strasbourg (CommDH (2007)14).

⁵⁰ Press release Saxony-Anhalt State Ministry of Justice No. 055/07 on 21.09.2007; Bundesrat, Plenary Protocol No. 836 (836th Plenary Session on 21.09.2007), pp. 284-285.

⁵¹ At the Justice and Home Affairs Council of 19-20 April, the EU member states finally reached an agreement on the Framework Decision on Combating Racism. The Decision requires national governments to introduce legal provisions which define racist and xenophobic motives as an aggravating factor in criminal offences and to take such motives into consideration in the court's fixing of the penalty. The legal and explicit recognition of such racist motives is lacking in German criminal law, which is otherwise commonly assessed as rather comprehensive; other major provisions of the EU Framework Decision seem to be in place already and do not call for significant amendments in German criminal law.

A.3. Statistical data and tables

Relevant court statistics are extremely scarce in Germany; this holds true for court cases in both the sphere of (ethnic) discrimination and in the sphere of criminal law. The following tables show those few examples of court statistics that touch upon the German anti-discrimination law AGG (only state-wide labour court cases in Baden-Württemberg, table 2) and those that refer to investigation proceedings regarding right-wing extremist offences in the federal state of Rhineland-Palatine (table 3 and 4).

Table 2: Cases which touched upon AGG provisions between 18 August 2006 and 18 April 2007 submitted at the labour courts in the state of Baden-Württemberg

Total number	109	
Proportion of all cases (first instance) submitted at labour courts in Baden-Württemberg	0.3 %	
Results	64 cases resolved, of which with a ruling: 12	
Grounds of discrimination in per cent	Age	36
	Sex	28
	Disability	18
	Ethnic origin	11
Fields of discrimination in per cent	Applications:	38
	Dismissals	36
	Existing work relations	26
Type of (alleged) discrimination in per cent	Direct discrimination:	73
	Indirect discrimination:	27

Source: Press release Baden-Württemberg State Labour Court (27.06.2007).

Table 3: Investigation proceeding initiated by public prosecutor in the State of Rhineland-Palatine regarding offences with a radical right-wing (right-wing extremist) background

Year	Number of investigation proceedings
1996	368
1997	461
1998	696
1999	849
2000	992
2001	1.091
2005	902
2006	810

Source: press release of the Rhineland-Palatine State Ministry of Justice on 26.07.2007.

Table 4: Details on investigation proceedings in 2006 initiated by public prosecutor in the State of Rhineland-Palatine regarding offences with a radical right-wing (right-wing extremist) background

Number of investigation proceedings <i>Proportion of propaganda offences</i>	810 <i>approx. 94%</i>
Number of proceedings closed <i>of which: closed because the perpetrator could not be identified</i>	597 299 (<i>approx. 50%</i>)
Number of accused persons of which: <i>youngster (under 18)</i> <i>adolescents (between 18 and 21)</i> <i>adults (21 or older)</i>	672 215 (<i>i.e. approx. 32%</i>) 184 (<i>i.e. approx. 27%</i>) 271 (<i>i.e. approx. 41%</i>)
Number of person convicted	140
Number of convictions due to a violation of Section 130 StGB ('incitement of the people')	16
Number of convictions due to a violation of Sections 84 – 90b StGB	44

Source: press release of the Rhineland-Palatine State Ministry of Justice on 26.07.2007

A.4. Case law

In 2007, numerous significant court rulings have been announced by the courts in the field of ethnic discrimination and, even more, in the sphere of criminal law. In the annex, a selection of particularly noteworthy rulings is presented; the cases have been selected on the basis of a combination of various reasons – because of the significant level of sanctions, the public (and media) attention they received or because they contributed to clarify certain legal concepts (Annex A1 and A2).

⁵⁸ Integration concepts have been developed in several German municipalities. The District Administration of Düren (NRW), for instance, passed an integration concept which does not only contain a comprehensive section on anti-discrimination (mainly on the AGG), but also describe the discrimination-free treatment of migrants as an explicit aim (Kreis Düren (2006) Integrationskonzept Kreis Düren, passed on 12 June 2007). The integration concept of Erfurt also touches upon the issue of ethnic discrimination; the Erfurt ‘Commissioner for Foreigners’, for instance, functions as a municipal anti-discrimination body (Landeshauptstadt Erfurt/Stadtverwaltung (2006) Integration fördern – Zukunft gestalten. Grundlagen zur Integration von Migranten in der Landeshauptstadt Erfurt. Erfurt (March 2006).

A.5. Good practice

Besides the AGG, legal provisions which refer explicitly to anti-discrimination and equality have not been introduced on the federal level. A few municipalities (and the state of Berlin) have come to recognise the negative effect of discrimination on integration and consequently introduced respective anti-discrimination provisions – usually as an element of their integration concepts. Two examples, the State of Berlin and the City of Munich, will be briefly described.⁵⁸

Integration concepts with anti-discrimination and equality elements

The City Council of **Munich** unanimously agreed on the new local integration concept *Principles and Structures of the Integration Policy of the State Capital of Munich* on 23 November 2006. The concept, described by the City of Munich as its new ‘integration political constitution’, bundles for the first time integration-related activities and obliges the administration to consider ‘intercultural aspects’ in all its decisions and services; this is specified by 11 principles, the most relevant in the context of promoting equality being the following:

- Integration means recognising diversity and facilitating political participation and equitable participation in urban life (No. 5)
- Intercultural mainstreaming in all institutions and (proportional) representation of migrants in the municipal administration (No. 6)
- Redressing discrimination and racism (No. 7)
- Equal access for all to information, education, culture, sport, occupational opportunities, housing and social and health services (No. 9)

The municipal *Stelle für Interkulturelle Zusammenarbeit* [Body for Intercultural Cooperation] is commissioned to compile an Integration Report in cooperation with other department every three years. The aim of this report is to present what has been achieved and to unravel shortcomings regarding the implementation of the integration concept.⁵⁹

Another comprehensive integration concept was passed by the **Berlin** state parliament in June 2007.⁶⁰ The concept *Encouraging Diversity – Strengthening Cohesion* (based on another concept first formulated in 2005); it constitutes the new basis for the integration policy in Berlin until 2011 and presents core strategies and 45 main projects in various fields relevant to integration. The general focus of the concept is on promoting equal opportunities and cultural

⁵⁹ The City Council’s decision as well as the integration concept (long and short version) is available at:

www.muenchen.de/Rathaus/soz/wohnenmigration/interkulti/178479/integrationskonzept.html (20.10.2007).

⁶⁰ Further information as well as the integration concept itself is available at:

www.berlin.de/lb/intmig/integartionskonzept.html (02.07.2007) ; press release, State of Berlin, 05.06.2007.

diversity. The struggle against discrimination and right-wing extremist, racist and antisemitic developments constitutes one element.⁶¹

Anti-racist provision in State Constitution (Mecklenburg West-Pomerania)

The Mecklenburg West-Pomerania State Parliament introduced an **amendment to the State Constitution** that explicitly bans racist and other extremist acts. The amendment followed a state-wide petition initiated by the non-governmental initiative *For a Cosmopolitan, Peaceful and Tolerant Mecklenburg West-Pomerania*; more than 17,000 Mecklenburg West-Pomeranian citizens signed the petition, which was launched in October 2006 as a reaction to the state election campaign and success of the right-wing extremist party NPD. On November 14, 2007, the state parliament voted – with the votes of all democratic parliamentary groups – in favour of the introduction of the new Article 18a into the State Constitution. The relevant Article 18a (2) describes racist and extremist acts as a violation of the Constitution that disturbs the peaceful co-existence of the people, in particular when they are aimed at spreading racist or other extremist beliefs.⁶²

UNESCO initiative: European Coalition of Cities against Racism

Several German cities have joined the UNESCO initiative *European Coalition of Cities against Racism* since the December 2004 when the initiative was launched. The core element of the European Coalition is a Ten-point Plan of Action, which contains the following ten commitments all aiming at combating racism on a local level:

1. Greater vigilance against racism (e.g. set up a monitoring network)
2. Assessing racism and discrimination and monitoring municipal policies (e.g. system of data collection on racism and discrimination)
3. Better support for the victims of racism and discrimination (e.g. municipal body in charge of dealing with complaints of discrimination)
4. More participation and better informed city dwellers
5. The city as an active supporter of equal opportunity practices
6. The city as an equal opportunities employer and service provider
7. Fair access to housing
8. Challenging racism and discrimination through education
9. Promoting cultural diversity
10. Hate crimes and conflict management (e.g. training on hate crimes and conflict management for selected employees)

Cities who want to join the Coalition must sign either a *Declaration of Intent* (as an initial step of participation) or, as a second and final step, the *Act of Accession and Commitment*. By signing the latter, municipalities fully adhere to the Coalition and its Ten-point Plan of Action, and thus oblige themselves to integrate the ten commitments into the municipality's strategies and policies;

⁶¹ The most significant activities of the Berlin Senate in this realm are, firstly, the instalment and activities of the new anti-discrimination body (see above) and, secondly, further development of the Berlin State programme against right-wing extremism, racism and anti-Semitism. (Berlin/Senatsverwaltung für Integration, Arbeit und Soziales (2007) *Vielfalt fördern – Zusammenhalt stärken. Das Berliner Integrationskonzept*, pp. 74-75).

⁶² Mecklenburg-Vorpommern/Landtag, LandtagsNachrichten, Vol. 17, No. 9/2007, pp. 6-7

this also includes the obligation to ‘allocate the necessary human, financial and material resources in order to achieve these commitments and to report on the actions undertaken to the Steering Committee of the Coalition’. The individual cities have to decide themselves which concrete measures to take in order to comply with the commitments of the Plan of Action. The network structure of the City Coalition (including a Steering Committee, an Administrative Secretary as well as a Scientific Secretary) and annual conferences⁶³ seek to promote the exchange of ideas and information on good practices among the participating cities.

According to the UNESCO website, Berlin, Halle (Saale), Hanover and Pappenheim have signed the Act of Accession and Commitment (as of April 2007). Several other municipalities, such as Nuremberg, Cologne, Leipzig and Erlangen (the latter two in March 2007), have signed the Declaration of Intent with which they ‘certify the intention (...) to join the European Coalition of Cities against Racism and to adopt its Ten-point Plan of Action’ and express their willingness to become full member of the Coalition ‘as soon as possible’.

First steps towards strategic litigation

The *Stiftung Leben ohne Rassismus* [Foundation ‘Life without Racism’] commenced operations on 21 March 2007, the International Day against Racism. The Foundation offers advice and assistance (including financial support) to victims of ethnic discrimination who are willing to take their cases to court. By doing so, the foundation pursues strategic litigation in order to clarify anti-discrimination provisions and to contribute to improving the legal protection against discrimination. Additionally, the foundation seeks to conduct awareness raising activities making the individual cases of discrimination public. The foundation was initiated by the anti-discrimination network in NRW (*NRW gegen Diskriminierung*); Ron Williams, a well-known entertainer, is the main patron of the foundation. The foundation’s advisory board consists of several NRW-based anti-discrimination organisations.⁶⁶

In 2007, the Open Society *Justice Initiative*, an operational programme of the Open Society Institute, launched a **litigation project** to combat discrimination in Europe. The project focuses on identifying and litigating strategic cases of ethnic or religious discrimination in Germany and other European Union and Council of Europe member states. The Justice Initiative seeks to provide advice,

⁶³ The first General Conference of the Coalition, titled *Sharing Competences and Empowering Communities: The Role of Cities in Challenging Racism and Discrimination*, was held in Nuremberg on 10-12 May 2007.

⁶⁶ Press release of Stiftung Leben ohne Rassismus (20.03.2007); available at: www.oegg.de/neu/images/stories/pm_lora_grndung_20_03.pdf (23.09.2007); ARIC-NRW released a flyer on the foundation’s principles and work which is available online www.aric-nrw.de/de/docs/pdf/Flyer_LoRa.pdf (23.09.2007).

information and technical assistance to national lawyers (e.g. on international and comparative anti-discrimination law, its application and on principles of strategic litigation) in either ongoing cases or in developing cases to initiate before national courts. The project will be implemented in collaboration with international and national NGOs, national lawyers and experts in the field of anti-discrimination. Striving to strengthen this nationwide network the coordinator of the initiative announced a national consultation to take place in February 2008.⁶⁷

Initiative promotes public procurement only for discrimination-free companies

In May 2007 the independent European Anti-Discrimination Council (EAC) and the German Anti-Discrimination Association (DADV), two affiliated organisations composed of legal experts, started the pan-European initiative *Aktion Gerechtigkeit* (Just society).⁶⁸ Through lobbying and PR work the initiative pursues the goal that public procurement and subsidies will be given only to discrimination-free companies. To prove comprehensive freedom from discrimination companies have to comply with the newly developed quality management norm EAC 30000, which demands full proof of discrimination-free business conduct and workplace practices; the norm can be integrated into common quality management systems (e.g. ISO 9000; ISO 14011).⁶⁹ This norm demands full proof of business conduct and workplace practice free from discrimination. The norm can be integrated into common quality management systems such as ISO 9000 or ISO 14011. The certificate is valid for a period of three years; annual check-ups are mandatory.

Certification of e-learning programmes on AGG

The European Anti-Discrimination Council (EAC) and its German member association German Anti-Discrimination Association (DADV) are running an initiative which seeks to ensure that companies conduct effective and suitable learning programmes on the new anti-discrimination Act AGG. According to Section 12 (2) AGG, the employer is obliged to appropriately inform the employees about the legal ban of unequal treatment. The EAC and the DADV have developed a certification system to assess e-learning programmes used by employers to convey the AGG provisions within companies; certifications are granted to e-learning programmes which comprehensively cover high quality standards (e.g. comprehensive, non-discriminatory, including testing elements). The e-learning software developed by mainware, nitor and x-pulse as well as the e-learning programme deployed by RWE have already been certified by the EAC and DADV.⁷⁰

⁶⁷ Information was provided by Maxim Fertschman, the coordinator of the initiative.

⁶⁸ Since 2004 DADV has been working towards an efficient implementation of EU directives. Apart from lobbying the DADV offers professional legal assistance to organisations and individuals. The number of queries has risen dramatically since the introduction of the AGG law. Since August 18, 2006 more than 350 queries arrived (as of 1 September 2007). In individual cases a *pro bono* legal representation will be arranged for victims of discrimination.

⁶⁹ The first certification in compliance with the EAC 30000 norm was granted in August 2007 to the association A-BIS.

⁷⁰ Neuen Juristischen Wochenschrift (NJW), No. 31/2007 (31. 08. 2007), pp. XVIII-XX; <http://www.dgadr.de/downloads/zweiterdeutscherantidiskriminierungstagderdgad.pdf> (21.10.2007)

Implementation of AGG: The example of the District Administration Düren

To implement the anti-discrimination provisions of the AGG the District Administration Düren (NRW) has taken various measures which go beyond the mandatory minimum requirements. A special working group, which encompasses, amongst others, the head of the HR unit, representatives of the staff council and the commissioners for integration and for gender equality, was installed to elaborate concrete measures on how to alter the administration. The working group has come up with recommendations concerning the implementation of AGG provisions into the internal agreements between employer and employees and prevention, awareness raising and comprehensive training measures (e.g. on the new legislation and on intercultural competences). All employees will be informed about the AGG through the internal newspaper; furthermore the intention to set up a chat forum on the intranet has been announced. An internal body in charge of processing employees' complaints on discrimination has been installed.⁷¹

⁷¹ Mach meinen Kumpel nicht an! E.V. Verein gegen Ausländerfeindlichkeit und Rassismus (2007) 'Weit fortgeschritten. Kreisverwaltung Düren setzt das AGG um': in: *Aktive + Gleichberechtigt. Migration*, 7/2007, p. 1

B. Racist violence and crime

B.1. New criminal legislation

No new criminal law provisions were passed in 2007. An envisaged amendment to the Criminal Code (StGB), which aims at introducing hate crime provisions into the StGB, is described in section A.2.2.

B.2. Complaints mechanisms: abuse of police power

In Berlin, migrants can turn to the specialised *Clearingstelle Ausländer und Polizei* [Clearing Body 'Foreigners and Police'] at the Berlin state police for assistance and advice. In cases of discrimination or perceived xenophobic treatment by the police, the Clearing Body (established in 1993) offers mediation between migrants and police officers. It cooperates with the Berlin State Commissioner for Integration and non-governmental migrant organisations.⁷²

Other official mechanism to lodge complaints *specifically* on abuses of power related to racism and xenophobia perpetrated by the police do not seem to exist. However, in most police departments *general* complaints mechanism are in place – either coordinated on state level (e.g. Berlin⁷³) or set up within the individual police department. In Berlin, three local NGOs jointly launched the **initiative KOP - Campaign for Victims of Racist Police Violence**⁷⁴ which offers counselling for migrants and ethnic minorities who have experienced police misconduct. A fund has been set up to financially support victims who seek to take legal steps.⁷⁵

⁷² K. Mollenhauer (2005) 'Internes und externes Konfliktmanagement bei der Polizei Berlin', in: Landeszentrum für Zuwanderung NRW (ed.) *Interkulturelle Konflikte konstruktiv lösen. Konfliktmanagement im Stadtteil, in der Antidiskriminierungsarbeit und bei der Polizei*, Solingen: LzZ, p. 34--38;

www.berlin.de/polizei/wir-ueber-uns/struktur/zse/aus_fortbildung.html (08.01.2008)

⁷³ <http://www.berlin.de/polizei/service/beschwerde.html> (15.10.2007).

⁷⁴ The three organisations have compiled the brochure 'What to do if you are a victim or a witness of police violence' is available in eight languages; a chronological list of complaints and incidents is available online and updated on a regular basis (www.kop-berlin.de/artikel/broschuere/eng/ (15.10.2007)).

⁷⁵ Besides this specialised initiative, complaints about racist or discriminatory misbehaviour of the police can also be lodged at local or regional support organisations for victims of right-wing violence (e.g. AMAL, Opferperspektive; Lobbi) or at anti-discrimination organisations, such as ADB Berlin, ADB Cologne or ADB Sachsen (for a list of anti-discrimination bodies see C.4.1).

B.3. Brief overview

In 2006, the police registered the highest number of extreme right-wing crimes since the introduction of the enhanced police registration system (KPMD-PMK) in 2001 (2006: 18.142). After a significant decrease between 2001 and 2003, the figures have been rising again to an all time high in 2006 (increase by 14 per cent between 2005 and 2006). This tendency holds for propaganda offences as well as for *violent* extreme right-wing crimes, the latter amounting to 1,115 in 2006 (eight per cent more than in 2005).⁷⁷ A closer look at those right-wing crimes that were deemed to be **xenophobic** shows a similar picture. The registered 3,294 right-wing crimes with a xenophobic background constitute an increase compared to 2005 by 32 per cent; only in 2001 a higher number (3,331) was recorded. The number of xenophobic violent crimes rose from 373 (2005) to 511 (2006) by 37 per cent. The differentiated data on right-wing *extremist* crimes show that the number of xenophobically motivated crimes categorised as bodily harm sharply increased from 310 (2004) and 322 (2005) to 455 in 2006.

The number of extreme right-wing crimes with an **anti-Semitic** background dropped slightly by 1.2 per cent in 2006; this tendency also holds for *violent* antisemitic crimes: after a constant increase in these violent crimes since 2001, the police recorded for the first time a decrease compared to the previous year (2006: 43; 2005: 49; 2004: 37; 2003: 35; 2002: 28; 2001: 18).

After the drastic increase of right-wing extremist and xenophobic crimes in 2006, the preliminary police statistics show a significant decrease in 2007. The number of extreme right-wing crimes with an anti-Semitic motivation has not changed significantly compared to 2006.

The downward trend concerning the **number of right-wing extremist people** formally organised in one of the three political parties NPD, DVU and REP stopped in 2006 – due to a substantial increase in members of the NPD from 6,000 to 7,000 in 2006; the other two parties lost members. The *VerfS* counted 10,400 ‘subculture-oriented and other right-wing extremists with a propensity to violence’ (mainly Skinheads) – as many as in 2005 (2003 and 2004: 10,000). The number of neo-Nazis continued to rise slightly to 4,200 in 2006 compared to 4,100 in 2005 (2004: 3,800; 2003: 3,000). Furthermore, neo-Nazis seem to have enhanced their organisation structures: in 2004, ‘only’ 87 organised neo-Nazi groups were counted, one year later 105, and in 2006, the *VerfS* registered 108 such organisations. It is noteworthy that the neo-Nazi scene and the NPD have increasingly intermingled and the contacts have significantly increased.⁷⁸

⁷⁷ Figure 1 and 2 in Annex 4 present official data right-wing extremist violent differentiated by federal state (absolute numbers and number of crimes per 100,000 inhabitants).

⁷⁸ According to the *VerfS*, this improved relationship is related ‘to a high degree’ to the success of the NPD in state elections in East Germany (Bundesministerium des Innern, *Verfassungsschutzbericht 2006*, pp. 52, 63-64).

Regarding the propaganda strategies of right-wing extremist groups, the growing importance of the **internet** is to be mentioned. The federal body *jugendschutz.net* continuously scrutinises the internet searching for right-wing extremist websites. In 2006, *jugendschutz.net* monitored more than 1,500 web pages in German language (accessible via 2,300 URL addresses) – noticing a general upward trend in the number of such websites as well as an increasingly professional use of the WWW (e.g. the NPD has modified its websites targeting in particular young people).⁷⁹

The right-wing extremist groups and parties appear to have increased their efforts to **recruit young people in the context of schools**. The NPD (since 2004) and DVU (since 2006) have produced and distributed various ‘schoolyard CDs’ to young people, particularly in the vicinity of schools. These compilation CDs contain songs with right-wing extremist, Nazi and racist content – partly subject to criminal law (e.g. incitement to hatred). Similar activities, though less professional, have also been conducted by regional right-wing extremist groups on local level.⁸⁰ Several regional youth organisations of the NPD have tried to hand out (or plan to do so) ‘school magazine’ to spread their ideology among pupils. In Saxony, the public prosecutor stopped the distribution of 30,000 copies of the magazine *Perplex*, which, for instance, incited against non-German classmates and presents Hitler as a peace loving man. Similar NPD initiatives have been announced in other *Länder*.⁸¹

B.4. Official data and information

B.4.1. Official criminal justice data

Almost all official data on racist crimes are based on the **police registration system** KMPD-PMK (Criminal Police Reporting Scheme; *Kriminalpolizeilicher Meldedienst*) and are categorised as ‘politically motivated crimes (PMK) / right-wing’. This registration system does not identify which incidents have been reported by the public. Official data on crimes recorded by the **prosecution service** are published only rarely. The latest figures refer to the years 1992 to 2003 and stem from a parliamentary inquiry in April 2006. Statistical data on investigation proceedings initiated by the Public Prosecutors in Rhineland-Palatine related to offences with a ‘radical right-wing’ background (in 2006) are presented in chapter A3 (Tab. 3 and 4).

⁷⁹ *Jugendschutznet* was founded in 1997 by the state ministries for youth-related issues; www.jugendschutz.net/rechtsextremismus/index.html (18.10.2007)

⁸⁰ Bundesministerium des Innern, *Verfassungsschutzbericht 2006*, pp. 77, 102, 105

⁸¹ The NPD have announced to distribute such school magazines in Berlin and Brandenburg (*Der Stachel*, 40,000 copies in Berlin and 10,000 in Brandenburg), in Saxony-Anhalt, Rhineland Palatine and Saarland. Flohr, M (2007) ‘NPD will Schulhöfe mit Hetzschriften überfluten’, in *Spiegel online* (21.09.2007); available at: www.spiegel.de/schulspiegel/wissen/0,1518,506974,00.html (17.10.2007).

B.4.2. Categories of incidents and crimes

The relevant police registration system refers to *PMK / right-wing* crimes. Almost all extreme right-wing crimes are also categorised as right-wing extremist, i.e. they are deemed to be directed against the constitutional order ('*Systemüberwindung*').⁸² Data differentiated according to the type of offence are provided primarily by the *Bundesamt für Verfassungsschutz* [Federal Office for the Protection of the Constitution; *VerfS*].

Table 5: Extreme right-wing (politically motivated crimes (PMK) / right-wing) crimes registered by the police in 2005 and 2006

	2006	2005	Changes (2005 – 2006) in per cent (approx.)*
Politically motivated crimes (PMK) /right-wing	18,142	15,914	+ 14%
of which:			
PMK right-wing propaganda offences (§§ 86, 86a StGB)	12,629	10,905	+ 15.8
violent PMK right-wing crimes (for definition see Tab.4)	1,115	1,034	+ 7.8%
PMK/right-wing/xenophobic background	3,294	2,493	+ 32.1
Violent PMK/right-wing/xenophobic background	511	373	+ 37

Source: Press release of the Federal Ministry of the Interior (30.03.2007); Bundesministerium des Innern, *Verfassungsschutzbericht 2006*

Table 6: Right-wing extremist crimes registered by the police in 2005 and 2006

	2006	2005	Changes (2005 – 2006) in per cent (approx.)*
PMK right-wing crimes with an extremist background	17,597	15,361	+ 14.6
of which:			
Right-wing extremist propaganda offences (§§86, 86a StGB)	12,627	10,881	+ 16.0
Right-wing extremist offences / incitement of the people (§ 130 StGB)	2,592	2,277	+ 13.8
violent right-wing extremist crimes (see Table 3)	1,047	958	+ 9.3
violent right-wing extremist crimes/xenophobic background	484	355	+ 36.3

Source: Bundesministerium des Innern, *Verfassungsschutzbericht 2006*

* Percentages in *Italics* are calculated by the NFP Germany itself.

⁸² Bundesministerium des Innern, Bundesministerium der Justiz (2006) *Zweiter Periodischer Sicherheitsbericht*, p.135.

Table 7: Politically motivated criminality – right-wing: Violent acts and other offences with extremist background (2004-2006)*

Type of crime	2004	2005	2006
Violent crimes (total)	776	958	1,047
Homicide	0	0	0
Attempted homicide	6	2	0
Bodily harm	640	816	919
Arson	37	14	18
Causing an explosion with the intent to injure or damage property	2	3	1
Contribution to rioting or civil disorder	25	39	33
Dangerous disruption of rail, air, ship or road transport	6	9	6
Unlawful deprivation of liberty	2	0	0
Robbery	9	23	13
Extortion	5	6	7
Resisting public authority	44	46	50
Sexual offences	0	0	0
Other (non-violent) offences (total)	11,275	14,403	16,550
Damage of Property	243	445	391
Threat/coercion	97	90	150
Propaganda offences	8,337	10,881	12,627
Disturbing the Peace of the Dead /Desecration of cemeteries	20	30	14
Other crimes, mainly Incitement of the people	2,578	2,957	3,368
PMK right-wing crimes with an extremist background (total)	12,051	15,361	17,597

Source: Bundesministerium des Innern, Verfassungsschutzbericht 2006; Bundesministerium des Innern, Verfassungsschutzbericht 2005; numbers based on the statistics of the Federal Criminal Office (Bundeskriminalamt)

* The figures are based on data supplied by the Federal Criminal Police Office (BKA). This overview includes both actual and attempted criminal offences, with the exception of homicides. Each offence was counted only once. For instance, if bodily injury/harm was committed while contributing to rioting or public disorder, only bodily injury/harm, as the more serious offence, is shown in the statistics. If several criminal offences were committed, only the most serious offence was counted.

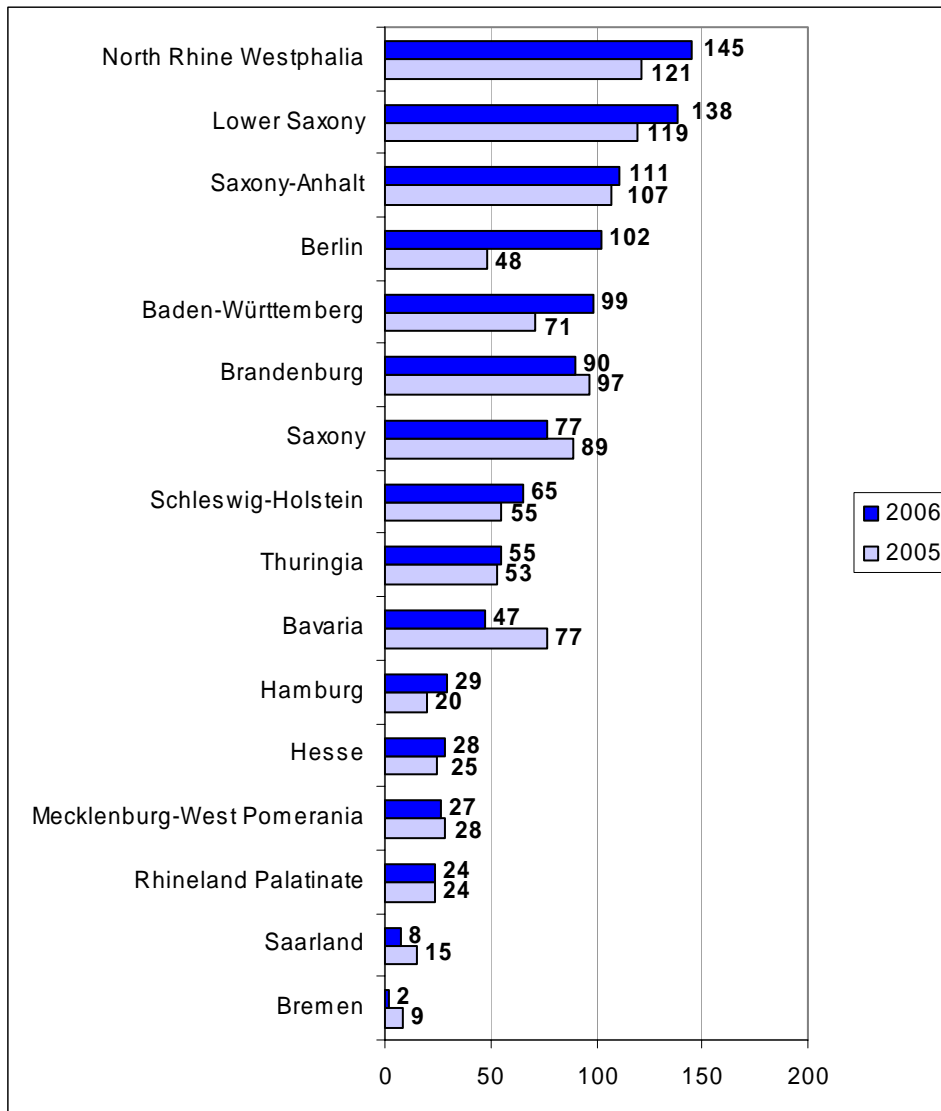
Table 8: Politically motivated criminality – right-wing: Violent crimes with an extremist *and* xenophobic background (2004-2006)*

Type of crime	2004	2005	2006
Homicide	0	0	0
Attempted homicide	5	1	0
Bodily harm	310	322	455
Arson	29	9	9
Causing an explosion with the intent to injure or damage property	1	1	0
Contribution to rioting or civil disorder	7	5	7
Dangerous disruption of rail, air, ship or road transport	1	2	1
Unlawful deprivation of liberty	1	0	0
Robbery	4	9	2
Extortion	2	1	3
Resisting public authority	8	5	7
Sexual offences	0	0	0
Violent crimes (total)	368	355	484

Source: Bundesministerium des Innern, Verfassungsschutzbericht 2006;
Bundesministerium des Innern, Verfassungsschutzbericht 2005

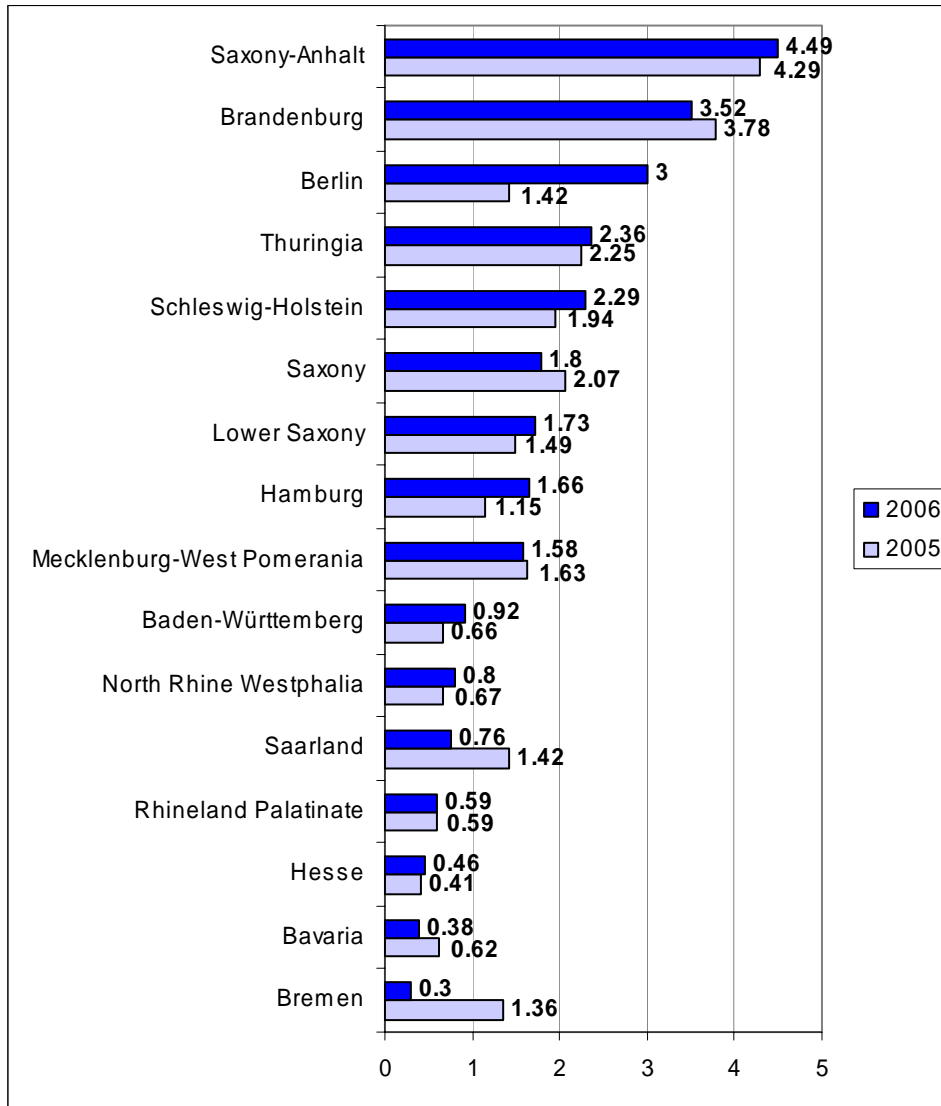
* The figures are based on data supplied by the Federal Criminal Police Office (BKA). This overview includes both actual and attempted criminal offences, with the exception of homicides. Each offence was counted only once. For instance, if bodily injury/harm was committed while contributing to rioting or public disorder, only bodily injury/harm, as the more serious offence, is shown in the statistics. If several criminal offences were committed, only the most serious offence was counted.

Figure 1: Violent crimes with an extremist right-wing background according to federal states 2005-2006



Source: Bundesministerium des Innern, Verfassungsschutzbericht 2006, p.36

Figure 2: Violent crimes with an extremist right-wing background according to federal states per 100,000 inhabitants, 2005-2006



Source: Bundesministerium des Innern, Verfassungsschutzbericht 2006, p.37

Violence against people

According to the *VerfS*, 484 xenophobically motivated violent crimes were registered in 2006⁸³ (2005: 355), among those 455 cases of bodily harm (Table 4). The number of right-wing extremist violent attacks with an anti-Semitic background amounted to 43 in 2006 (see section B.4.3). As the category *violent*

⁸³ Bundesministerium des Innern, Verfassungsschutzbericht 2006, p. 34.

crimes also encompasses attacks against property, the exact number of cases of violence against people can not be identified.⁸⁴

Violence against property

The *VerfS* provides data on non-violent crimes, which partly cover the category 'violence against property'. These data (Table 4) refer, however, to *all* PMK right-wing crimes (not only to those with a xenophobic background): for 2006, 391 cases of 'damage of property' and 14 cases of 'Disturbing the peace of the dead' were counted by the police.⁸⁵ These figures include the following anti-Semitic crimes: 11 cases of desecration of Jewish cemeteries and 79 cases of smearing on memorial and/or synagogues.⁸⁶

Verbal threats and abusive behaviour

In 2006, 150 right-wing extremist crimes (with or without a xenophobic background; Table 4) were registered as cases of threat (§ 241 StGB) or coercion (§240 StGB)⁸⁷, in 16 cases of which the police assumed an anti-Semitic background. 'Incitement of the people' can be also subsumed under the category of verbal threats. For 2006, 1,105 PMK right-wing crimes with an anti-Semitic background were registered as incitement of the people (see section B.4.3.).

Victims and offenders

There continues to be a severe lack of data and information on victims of xenophobic or anti-Semitic crimes as well as on the offenders. The police registration system, in particular the sub-categories 'antisemitic background' and 'xenophobic background', solely provide very tentative proxy data on the victim's belonging to an ethnic or religious (Jewish) minority.⁸⁹

Information on offenders is hardly available – besides a few research studies, presented in previous reports compiled by the efms.⁹⁰ Due to the narrow focus

⁸⁴ The category 'violent crimes' encompasses the following offences: (attempted) homicide, bodily harm, arson, causing an explosion, contributing to rioting, dangerous interruption of transport and traffic system, deprivation of liberty, robbery, extortion, resisting public authority and sexual offences.

⁸⁵ Bundesministerium des Innern, *Verfassungsschutzbericht 2006*, p. 32; P. Schwenke (2007) "Das wird man ja wohl noch sagen dürfen...", in: *APuZ*, No. 31/2007, pp. 3-4

⁸⁶ The number on antisemitic offences stem from an article that quotes official police data of the Federal Criminal Office (BKA); P. Schwenke (2007) "Das wird man ja wohl noch sagen dürfen...", in: *APuZ*, No. 31/2007, pp. 3-4; in the meantime, the figures have been confirmed by the BKA.

⁸⁷ Bundesministerium des Innern, *Verfassungsschutzbericht 2006*, p. 32

⁸⁹ According to unofficial statistics provided by several victim support organisations in East Germany, the most victims of right-wing attacks are male; the majority is between 18 and 26 years old (see Annex 9, Table 3).

⁹⁰ H. Willems and S. Steigleder (2003a) 'Jugendkonflikte oder hate crime? Täter-Opfer-Konstellationen bei fremdenfeindlicher Gewalt', in: *Journal für Konflikt- und Gewaltforschung*, Vol. 5, No. 1/2003, pp. 5-28; C. Peucker; M. Gaßebner; K. Wahl (2001) 'Analyse polizeilicher Ermittlungsakten zu fremdenfeindlichen, antisemitischen und rechtsextremistischen Tatverdächtigen', in K. Wahl (ed.) *Fremdenfeindlichkeit, Antisemitismus, Rechtsextremismus. Drei Studien zu Tatverdächtigen und Tätern*, Berlin, pp.

of the registration system on right-wing crimes, the perpetrators are *per definition* almost exclusively affiliated – formally or not – with the extreme right-wing scene. The Rhineland-Palatine State Public Prosecutor recently released statistics on investigation proceedings regarding right-wing extremist offences in 2006 (see Annex 2B). These statistics contain information on the perpetrators' age: 215 of all 692 accused people were younger than 18 (32 per cent), 184 between 18 and 21 (27 per cent) and 271 were older than 21 (41%).⁹¹

Publications and Internet

The number of right-wing extremist periodicals, registered by the *VerfS* in 2006, amounts to 90 (2005: 86), with a total circulation of some 4.4 million copies (2005: 4.2 million); 60 of these periodicals are published at least four times a year. Many articles in these magazines convey racist and antisemitic views.⁹²

In 2006, the Federal Department for Media Harmful to Young People (*BPjM*) prohibited 100 (2005: 84) media due to their racist, anti-Semitic or extreme right-wing content – three brochures, four books, one LP and 99 CDs.⁹³

The *VerfS* states that the WWW continues to be an important platform for right-wing extremists for spreading their ideology; the number of right-wing extremist websites run by Germans is estimated to amount to about 1,000.⁹⁴

The Federal Government's response to a parliamentary inquiry on 'Right-wing Extremism and New Media' contains new data on how right-wing extremists use the Internet. According to the government, there are about 100 right-wing extremist e-newsletters and 12 Internet radio stations; furthermore, the government released figures of PMK/right-wing crimes which were related to the Internet:

Table 9: Politically motivated right-wing crimes related to the Internet registered by the police between 2001 and 2006

Year	2001	2002	2003	2004	2005	2006
Total number	436	325	496	506	613	590

Source: Bundestag, printed matter 16/7256 (22.11.2007)

12-88. Both studies contain detailed information on extreme right-wing perpetrators based on sociological research studies. A recent article by Wahl (2007) is also based on these studies (K. Wahl (2007) 'Fremdenfeindliche Täter', in *APuZ*, No. 31/2007, pp. 26-32).

⁹¹ Press release of the Rhineland-Palatine State Ministry of Justice on 26.07.2007.

⁹² Bundesministerium des Innern, *Verfassungsschutzbericht 2006*, p. 53; see, as an example, Annex 2D, Case 3.

⁹³ The BPjM is an official authority of the German government in charge of monitoring media and – if necessary – putting harmful publications on the index; more information on the BPjM is available at: <http://www.bundespruefstelle.de/bpjm/information-in-english.html> (17.10.2007); Bundestag, printed matter 16/4329 (16.02.2007).

⁹⁴ Bundesministerium des Innern, *Verfassungsschutzbericht 2006*, p. 53; for an example case see Annex 2D, Case 2.

Skinhead concerts and other music events

The *VerfS* counted 163 right-wing extremist concerts in 2006 (2005: 193), with on average 135 visitors. 27 concerts and other music events were prohibited by the police beforehand; 28 concerts were broken up by the police. According to information of the Intelligence Service, ‘bands often play xenophobic or anti-Semitic songs’, which unlawfully incite to hatred (violation of §130 StGB); furthermore, propaganda offences are often committed on these events (e.g. Hitler Salute, NS slogans). The number of right-wing extremist bands that released CDs or played on concerts continued to rise to 152 in 2006 (2005: 142).⁹⁵

B.4.3. Anti-Semitic and Islamophobic offences

Crimes committed with an anti-Semitic motivation are registered separately within the police registration system PMK/right-wing crimes.⁹⁶ This registration system does not contain a category for Islamophobic offences; hence official data on Islamophobia are not available.

Table 10: Extreme right-wing (politically motivated crimes (PMK) / right-wing crimes with an anti-Semitic background (2005/06)

Registered crimes with an anti-Semitic background	2005	2006	Changes (2005 – 2006) in per cent (approx.)*
Politically motivated crimes (PMK) /right-wing	1,682	1,662	- 1.2
of which: violent crimes	50	44	- 12.0

Source: Press release of the Federal Ministry of the Interior (30.03.2007); Bundesministerium des Innern, *Verfassungsschutzbericht 2006*

* Percentages in *Italics* are calculated by the NFP Germany itself

⁹⁵ Bundesministerium des Innern, *Verfassungsschutzbericht 2006*, pp. 105-107.

In the first half year of 2007, 90 skinhead concerts and 11 other musical events were counted with altogether 11,500 visitors (skinhead concerts) and 660 (other musical events) respectively. The police broke up 21 concerts; seven concerts were prohibited by the police beforehand (Bundestag, printed matter 16/6156 (26.07.2007); Bundestag, printed matter 16/5226 (08.05.2007)).

⁹⁶ The NRW State Office for the Protection of the Constitution also registers anti-Semitic crimes that are committed with a left-wing extremist motivation or by extremist foreigners (table 15).

Table 11: Right-wing extremist crimes with an anti-Semitic background (2005/ 06)

Registered crimes with an anti-Semitic background	2005	2006	Changes (2005 – 2006) in per cent (approx.)*
PMK right-wing crimes with an extremist background	1,658	1,636	- 1.3
of which: violent crimes	49	43	-12.2

Source: Press release of the Federal Ministry of the Interior (30.03.2007);
Bundesministerium des Innern, Verfassungsschutzbericht 2006

* Percentages in *Italics* are calculated by the NFP Germany itself

Table 12: Right-wing extremist crimes with an antisemitic background (2006)*

Criminal offence	Number of registered crimes
Desecration of Jewish cemetery	11
Acts of Smearing on memorials and synagogues	79
Coercion and threats	16
Incitement of the people (mainly Holocaust denial)	1,105
Total number	1,636

Source: P. Schwenke (2007) “‘Das wird man ja wohl noch sagen dürfen...’”,
in: APuZ, No. 31/2007, pp. 3-4

*These data stem from an article; Schwenke refers to official PMK data of the Federal Criminal Office (BKA).

Table 13: Politically motivated crimes (PMK) crimes with an anti-Semitic background (2006) in the State of North Rhine-Westphalia (NRW)*

All politically motivated crimes committed with an anti-Jewish attitude (antisemitic crimes) in NRW (2006)	Number of registered crimes
Total number	309
Thematic (political) background (Themenfelder)	
PMK / right-wing	285
PMK / foreigners	20
PMK / left-wing	1
No thematic (political) background	3
Main offences	
Incitement of the people (§130 StGB)	203
Propaganda offences (§§ 86, 86a StGB)	62

Source: Innenministerium des Landes Nordrhein-Westfalen,
Verfassungsschutzbericht 2006, p. 229

* These figures on Länder level are presented here due to the fact that the registration system of the NRW State Office for Internal Security differentiates between data on anti-Semitic crimes according to thematic (political) background – a differentiation that is lacking in other *Länder* as well as on federal level.

B.4.4. Anti-Roma offences

Official information on anti-Roma offences is lacking in Germany – and so are data on Roma as suspects or offenders. The results of a survey among Sinti and Roma on experienced anti-Roma discrimination (including threats and attacks) are presented in B.6.

B.5. Unofficial data and information

Research studies on young right-wing perpetrators and discrimination of Muslims

The results of a research study at the University of Potsdam¹⁰¹ on ‘juvenile criminals with an extreme right-wing, xenophobic or anti-Semitic motivation’ were presented in summer 2007. The researchers analysed documents of the Brandenburg Public Prosecution Office and conducted qualitative interviews with 79 **young right-wingers** who were convicted of a violent crime (between 1998 and 2004) and sentenced to imprisonment *on probation*. 54 of these 79 convicted people committed another such crime during or after their probation period. The researchers found that that most crimes were committed by a group (78 per cent), usually unplanned and under the influence of alcohol (85 per cent).

In December 2007, the Federal Ministry of the Interior released a comprehensive report on **Muslims** in Germany, based on an empirical research study conducted by experts at the University of Hamburg between May and August 2005. The survey among 1,000 Muslim interviewees covered various topics related to integration, religion and attitudes towards democracy; one section deals with Muslims’ experiences of discrimination, harassment and violence. The findings that refer to victimisation experiences which appear relevant to Criminal Code provisions are presented in the following table.

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The study was conducted by the Institute for applied Research on Childhood, Youth and the Family between November 2005 and July 2007; it was supported and commissioned by the Brandenburg State Ministry of Justice and the State Prevention Council at the State Ministry of the Interior. The project description is available at: www.sinistar.de/ifkcms/index.php?option=com_content&task=view&Itemid=36&id=40 (17.10.2007); press release of the Brandenburg State Ministry of Justice on 21.08.2007, A. Bachmann (2007) ‘Schläger bleiben auf dem rechten Weg’, in: *taz* (24.08.2007); Tagesspiegel online (23.08.2007).

Table 14: Victimization experiences of Muslims

How often ...last year	N	Percentage of valid responses				
		> 10 times	6 – 10 times	2 – 5 times	Once	never
...have you been addressed with derogatory statements, e.g. 'go back to where you come from'?	963	5.2%	2.9%	14.0%	8.6%	69.3%
...have you as a foreigner been intentionally insulted, verbally abused or harassed?	959	3.6%	2.0%	10.3%	8.0%	76.0%
...have your belongings been intentionally damaged or destroyed (e.g. smashed window)?	959	0.5%	0.6%	4.1%	3.1%	91.7%
...have you been intentionally hit in the street, kicked or otherwise physically attacked?	966	0.0%	0.1%	0.9%	1.9%	97.1%

Source: K. Brettfeld, P. Wetzels (2007) *Muslime in Deutschland. – Integration, Integrationsbarrieren, Religion sowie Einstellungen zu Demokratie, Rechtsstaat und politisch-religiös motivierter Gewalt*, Berlin: BMI

NGO statistics on right-wing violence and Antisemitic incidents

Unofficial statistics on **right-wing motivated violent acts** have been compiled by several non-governmental victim support organisations in East Germany¹⁰² for the past few years; the Potsdam-based association *Opferperspektive* systematically collects these regional statistics and publishes joint annual figures.¹⁰³ The statistics for 2006 indicate a sharp increase: based on their own counselling work and analyses of the media and press releases of the police, these NGOs have registered 819 right-wing motivated violent acts in East Germany (125 more than in 2005), about 90 per cent of which being cases of bodily harm. The number of people affected by these attacks rose from 910 (2005) to 1,207 (2006). In 282 cases the NGOs assumed racism as the prevailing motive of the perpetrator(s) (2005: 210).¹⁰⁴

¹⁰² The following NGOs contributed to these statistics: ReachOut (Berlin), Opferperspektive (Brandenburg), LOBBI (Mecklenburg-West Pomerania), Mobile Beratung at the Multikulturelles Zentrum in Dessau (Saxony-Anhalt), AMAL and RAA Leipzig and Dresden (Saxony), Thüringer Hilfsdienst für Opfer rechtsextremer Gewalt (Thuringia).

¹⁰³ Press release of Opferperspektive e.V. on 03.04.2007; available at: <http://www.opferperspektive.de/Presse/611.html> (25.10.2007).

¹⁰⁴ The particular strong rise of registered right-wing attacks in Mecklenburg-West Pomerania from 62 (2005) to 103 (2006) is partially explained by a 'significantly increased self-confidence of the right-wing scene' in the aftermaths of the state election success of the NPD in 2006.

Opferperspektive also published joint statistics on the **counselling work** of those victim support organisations¹⁰⁵: in 2006, these NGOs offered counselling to 1,454 clients (2005: 1,020), 1068 of which were victims of right-wing attacks themselves (2005: 794). 394 of these victims were categorised as ‘refugees, migrants or ethnic German migrants (*Aussiedler*)’; in these cases racism is regarded as the main motivation of the perpetrator(s) (2005: 331). In further six cases an anti-Semitic motivation is assumed (2005: 6). The vast majority of the 1,068 victims are male (881); 475 are aged between 18 and 26.¹⁰⁶

Table 15: Victims of right-wing attacks who received counselling through one of the victims support organisation in East Germany in 2005 and 2006

Victims of right-wing attacks who received counselling	2005	2006
Total number	794	1,068
Victim groups		
Victim of racism	331	394
Victim of anti-Semitism	6	6
Victim of homophobia	4	4
Disabled people	10	8
Left-wing activist	71	120
Social disadvantaged people	4	2
Non-right-wing people	316	457
Others	21	38
Not known	31	29
Age		
0 – 13	10	23
14 – 17	156	232
18 – 26	362	475
27 – 40	169	219
Older than 41	74	92
Not known	22	26
Sex		
Male	675	881
Female	118	118

Source: Press release of *Opferperspektive e.V.* on 03.04.2007; available at: <http://www.opferperspektive.de/Presse/611.html> (25.10.2007)

The Berlin-based non-governmental association *apabiz* (Antifascist Press Archive and Educational Centre) compiled a chronological documentation of **anti-Semitic incidents** in 2006¹⁰⁷; the compilation is based on information from various publicly available sources, such as media reports and press releases of

¹⁰⁵ Press release of *Opferperspektive e.V.* on 03.04.2007

¹⁰⁶ 232 of them are aged between 14 and 17; 219 between 27 and 40.

¹⁰⁷ *Apabiz e.V.* (2007) *Chronologie antisemitischer Vorfälle 2006*; available at: http://www.apabiz.de/archiv/material/Chronologien/Antisemitismus_2006.pdf (17.10.2007)). A similar chronological documentation of anti-Semitic incidents can be found on <http://www.projekte-gegen-antisemitismus.de> (16.10.2007)

the police, and is collected in cooperation with local or regional anti-right-wing NGOs. The non-exhaustive documentation lists 125 anti-Semitic incidents in Germany for 2006.

Table 16: Anti-Semitic incidents in 2006 (collected by the NGO apabiz)

Type of incident	Number of registered incidents (2006)
Desecration of Jewish cemeteries	16
Damaging/desecration of memorials, commemoration sites or Jewish institutions <i>Of which: arson</i>	49 (2)
Attacks against people <i>Of which: bodily harm</i> <i>Insults</i>	17 (10) (7)
Other threats, acts of smearing and incitement of the people	43
Total	125

Source: Apabiz e.V. (2007) *Chronologie antisemitischer Vorfälle 2006* ; www.apabiz.de/archiv/material/Chronologien/Antisemitismus_2006.pdf (17.10.2007)

Example of particular significant incident: xenophobia

The assumedly xenophobic attack on eight Indian men in the small town **Mügeln** (Saxony) on 18 August 2007 received a great deal of public, media and political attention. After a scuffle between eight Indian men and several Germans on a public festival, the Indians fled – chased by a mob of about 50 mostly young Germans – and sought shelter in a nearby restaurant. The mob kicked in the door of the restaurant. It needed 70 policemen to regain control of the situation. Some of the German offenders shouted xenophobic slogans. The public prosecutor pressed charges against three men (aged 18, 23 and 35) due to violation of § 130 StGB (Incitement of the people). All eight Indians were injured. For the time being it remains unclear what sparked the incident and whether the large crowd of onlookers cheered on the mob or failed to intervene.¹⁰⁸ The Public Prosecutor, who also started investigations against four other Germans and four of the Indian men (due to bodily harm), expressed doubts that the incidents was a planned right-wing extremist act.

Anti-Semitism: selected incidents

According to a chronological (non-exhaustive) list of anti-Semitic incidents, compiled by the *Amadeu Antonio Foundation*, more than 70 cases were counted in 2007, among those some 40 cases of desecration or damage to Jewish

¹⁰⁸ www.dw-world.de/dw/article/0,2144,2744791,00.html (16.10.2007) www.spiegel.de/international/germany/0,1518,501607,00.html (16.10.2007) www.dw-world.de/dw/article/0,2144,2751519,00.html (16.10.2007); Spiegel online (18.10.2007); (16.10.2007)

cemeteries, synagogues or memorials; additionally, 18 cases of anti-Semitic insults, provocation or threat and about ten incidents of physical attacks were counted.¹⁰⁹

On 7 September 2007, a 42-year old rabbi, recognisable as an orthodox Jew, was stabbed by a 22-year old German of Afghan origin in the Frankfurt district Westend. According to witnesses, the attack was preceded by anti-Semitic insults ('Scheiß Jude') and the words 'I'll kill you' ('Ich bring dich um'). The victim was still capable of walking to a hospital, where he underwent surgery. The injuries were not life-threatening. The Central Council of the Jews in Germany as well as leading politicians strongly condemned the attack. The 22-year old man was caught a week later; according to the police and the public prosecutor, the man does not have a radical Islamic background, but has a criminal record (several convictions of, among others, bodily harm and threat). He admitted to stabbing the rabbi, though denying any anti-Semitic motives and any intention to kill the victim. The investigations of the police continue.¹¹⁰

On 3 November 2007, the Jewish sexton of the protestant community in Gießen-Kleinlinden (Hesse) was initially verbally threatened in a clearly anti-Semitic way ('*Judenschwein – raus aus Deutschland*' [Jewish pig – get out of Germany!]) and then physically attacked. The sexton had to be hospitalised after the attack. The police unit specialising in politically motivated crimes took over the investigations.¹¹¹

Survey: Discrimination against Sinti and Roma

The Central Council of German **Sinti and Roma** conducted, for the first time ever, a purposive survey among its communities on experiences of racism and discrimination. A questionnaire was sent to about 3,100 households; 309 people responded. In an additional (open) question the respondents were given the opportunity to present individual experiences of discrimination: the most common answer (34 cases) referred to threats and insults by fellow citizens and/or neighbours, followed by 'attacks by neo-Nazis' (26 cases); in further 14 cases the respondents noted insults and discrimination of children at school (through other students or teachers).¹¹³

¹⁰⁹ The categorisation of these incidents originates from the NFP; the chronological list is available at: www.projekte-gegen-antisemitismus.de/2007.php (11.01.2008).

¹¹⁰ FazNet (19.09.2007); www.haaretz.com/hasen/spages/903721.html (17.10.2007); press release of the Frankfurt Police Department, No. 1062 (09.09.2007) and No. 1061 (08.09.2007); www.spiegel.de/international/germany/0,1518,504828,00.html (in English; 17.10.2007)

¹¹¹ According to the local newspaper, the victim had already been attacked by the same man before; apparently a neighbourhood conflict preceded the attacks (Giessener Anzeige (03.11.2007)).

¹¹³ <http://zentralrat.sintiundroma.de/content/downloads/stellungnahmen/UmfrageRassismus06.pdf> (16.10.2007)

Islamophobia

A potentially **Islamophobic** background of crimes continues to be neglected in official as well as in unofficial documentation systems. Hence the data situation regarding Islamophobia remains to be extremely weak.¹¹⁴

Islamophobic incidents have recently received a great deal of public and media attention in particular in the context of **anti-mosque initiatives** in several German cities. What many of these initiatives against the construction of representative mosques have in common is that critical opinions from the democratic spectrum, general Islam-sceptical and anti-Islamic attitudes and openly xenophobic agitation of individuals and extreme right-wing parties are closely intertwined.¹¹⁵

The shadow report 'Berliner Zustände 2006' contains an elaborated description of the anti-mosque conflict in the Berlin-Pankow, where residents founded the association *ipahb* aiming to hinder the construction of the mosque. The criticism of the *ipahb* has continuously crossed the line of democratic protests: On flyers the mosque has been described as 'terror cell' and 'meeting point for suicide assassins'; after an information event, members of the Muslim community were yelled at to 'piss off'. The *ipahb* has organised anti-mosque demonstrations ('against *Überfremdung* in our district') with more than 500 participants and published articles on its website which describe Muslims as 'guests who have come to turn our motherland in a house of war'. Members of the right-wing extremist parties NPD and the REP have continuously participated in these activities despite the *ipahb*'s claimed but futile attempt to exclude these groups.¹¹⁷ Similar developments can be found, amongst others, in Cologne, Munich, Frankfurt and Rüsselsheim.¹¹⁸

¹¹⁴ Several non-governmental victim support organisation in East Germany (see above) compile chronological documentation which list individual right-wing, xenophobic attacks. Sometimes the national origin of the victim is mentioned; in individual cases the victim comes from countries with a predominately Muslim population (e.g. Tunisia, Iraq). Whether these attacks have been committed with a xenophobic or – more specifically – (also) with an Islamophobic motivation remains unknown.

¹¹⁵ Open Society Institute (2007) *Muslims in the EU: Cities report. Germany. Preliminary research report and literature survey*, p. 8; available at: http://www.eumap.org/topics/minority/reports/eumuslims/background_reports/download/germany/germany.pdf (21.10.2007)

¹¹⁷ Eckel, A. (2007) 'Angst vor "Kreuzberger Verhältnisse". Anti-islamischer Rassismus am Beispiel Heinersdorf', in: APABIZ, ADNB (TBB), MBR, Netzwerkstelle Moskito, ReachOut (eds.) *Berlin Zustände 2006. Ein Schattenbericht über Rechtsextremismus, Rassismus und Diskriminierung*, Berlin, pp. 16-20, available at: www.apabiz.de/publikation/Schattenbericht.pdf (16.10.2007).

¹¹⁸ In Cologne, the well-known author Giordano described the construction of 'giga-mosques' as a 'declaration of war' and an 'occupation of foreign territory' – pointing out that this is not targeted against Muslims but against Islamisation (Tagesspiegel online, 04.10.2007). The local and regional party *pro Köln* (see NAR Germany 2005, 8.6.C and RAXEN Bulletin 2007/IV) plays a leading role in this conflict. In Rüsselsheim, the REP has announced an anti-Islamic demonstration for late October 2007 ('For a ban of the minaret'). In Frankfurt, the NPD announced a similar demonstration ('Stop the Islamisation of Germany – no mosque in

Islamophobic incidents. Between 7 and 8 December 2007, unknown perpetrators smeared xenophobic and NS slogans and symbols on the wall of a mosque in Lindau (Bavaria). The police commenced investigations due to §86a Criminal Code (display of anti-constitutional symbols) and §130 (incitement of the people).¹¹⁹ Only a few days later, on 10 December, two plastic bottles with flammable liquid were set alight in front of a mosque in Lauingen (Bavaria). The fire was extinguished by a visitor of the mosque; the mosque was not damaged. According to the police, the perpetrator(s) has/have not yet been identified and the motivation of the perpetrator(s) remains unknown.¹²⁰

B.6. Good practice

B.6.1. Policy initiatives

The Federal Ministry of Family, Senior Citizens, Women and Youth launched two large-scale funding programmes in 2007, both aiming to support initiatives and projects against right-wing extremism, xenophobia and anti-Semitism. The new federal support programme **„Diversity feels good. Youth for Diversity, Tolerance and Democracy‘** started on 1 January 2007. With an annual budget of altogether €19 million the programme provides financial support for projects and initiatives which seek to raise awareness on right-wing extremism, xenophobia and anti-Semitism primarily among young people; most of these projects follow a preventive, educational approach. The programme encompasses three strands:

- (1) **Local Action Plans:** Municipalities develop and deploy – in cooperation with civil society actors – local action plans which take into

Frankfurt-Hausen’). Both demonstrations were initially prohibited by the municipal administrations as it was deemed to be unlawful incitement to hatred (§130 StGB), but later on permitted by the Administrative Courts (Arning, M (2007) ‘Im anti-islamischen Gewand’, in: *Frankfurter Rundschau*, p. D3). In Munich, the local initiative *Bürger für München* [Citizens for Munich] has been founded with the sole objective to prevent the building of a mosque.

¹¹⁹ www.sueddeutsche.de/bayern/artikel/802/147456/ (08.01.2008)

¹²⁰ Polizeipräsidium Schwaben, press release (11.12.2007)

¹²⁵ This thematic sub-category of the federal funding programme ‘Diversity feels good’ is also presented as a self-obligation of the Federal Government within the framework of the National Integration Plan. According to the National Integration Plan, projects will be supported that focus on intercultural, anti-racist and inter-religious learning and contribute to dealing with inter-ethnic conflicts (Bundesregierung (2007) *Der Nationale Integrationsplan. Neue Wege – Neue Chancen*, p. 175).

account the specific local situation and pursue a long-term strategy (e.g. building up and enhancing local cooperation and communication networks).

- (2) **Thematic Model Projects:** Currently 92 local or cross-regional model projects receive co-funding; most of them fall within one of the following thematic fields:

- Historical and recent anti-Semitism (17 projects)
- Working with young people vulnerable to extreme right-wing ideologies (16 projects)
- Prevention and educational offers in the immigration society (35 projects)¹²⁵
- Early-intervening prevention measures (21 projects)

- (3) **Programme steering, evaluation, public relation, research and the involvement of nationwide and local associations**

This funding programme is supplemented by the federal programme ‘**Support of counselling networks – mobile intervention against right-wing extremism**’, which was launched by the Federal Ministry of Family, Senior Citizens, Women and Youth on 1 July 2007. In contrast to the aforementioned programme, this federal programme supports networks and projects that follow a more interventionist approach, in particular when local actors are overwhelmed by ‘crisis-like’¹²⁶ right-wing extremist, xenophobic and anti-Semitic developments and hence require external professional assistance.¹²⁷ The Foundation *Stiftung Demokratische Jugend* functions as nationwide Central Body; on *Länder* level, State Coordination Bodies are to be installed. The programme is scheduled to run until 2011. An annual budget of €5 million is allocated.¹²⁸

¹²⁶ The term ‘crisis’ is further operationalised in a parliamentary inquiry, e.g. as an right-wing extremists’ infiltration of local civil societal structures and organisations; the establishing of civil initiatives with a xenophobic and antisemitic motivation (such as anti-mosque initiatives), antisemitic, right-wing extremist or xenophobically motivated incidents (Bundestag, printed matter 16/6521 (26.09.2006)).

¹²⁷ This federal programme consists of three strands:
 (1) Establishing and enhancing regional counselling network, which can also temporarily deploy Mobile Intervention Teams in order to react to concrete incidents; the tried-and-tested work of victim support organisations (e.g. *Opferperspektive*) and ‘Mobile Advice Teams’ continue to receive funding within this strand.
 (2) Model project to develop and test innovative counselling approaches
 (3) Exchange of information and experiences, qualification measures for Mobile Intervention Teams as well as evaluation programmes.

¹²⁸ Currently (as to September 2007) all East German *Länder*, including Berlin as well as Bavaria, Lower Saxony, Hesse, Saarland and Rhineland Palatine participate in the programme; in 2008 the programme is expected to run in all 16 *Länder*
 Press release of the Federal Ministry of Family, Senior Citizens, Women and Youth on 23.08.2007; Bundesministerium für Familie, Senioren, Frauen und Jugend (2007) *Leitlinien*

The project *Active against Right-Wing Extremism and Racism – Educational Work to Promote Democracy in Rural Areas* is presented here as an **example** for a ‘thematic model project’ supported within the **federal funding programme** ‘Diversity feels good. Youth for Diversity, Tolerance and Democracy’.¹²⁹ Run by the association *Soziale Bildung*, the three-year project focuses on right-wing extremist and racist developments in the realm of schools (including students, parents, educational personnel, local associations and neighbourhoods) in rural areas of Mecklenburg-West Pomerania. On 1 August 2007, the project started with a scientific analysis of right-wing extremist tendencies as well as of democratic potentials in 15 selected locations. Based on the analyses of these local circumstances the project seeks to initiate tailor-made long-term strategies to combat racist and right-wing extremist developments in three or four selected locations. The development of these strategies emphasises the local particularities and the involvement of all relevant local actors (e.g. schools, municipal administration, associations, parents). Information and training offers, continuous counselling and measures to encourage further cooperation and network activities of all democratic forces are envisaged. Applying scientific methods to analyse the local circumstances and potentials, the model project follows an innovative approach and pursues sustainable changes in the specific local context.¹³⁰

Enhancing cooperation between police and Muslim communities

In December 2007, the nationwide information campaign *Ihre Polizei – Im Dienst für die Menschen* was launched by the *Polizeiliche Kriminalprävention der Länder und des Bundes* [Police Crime Prevention of the Länder and the federal state]. The campaign strives to improve the **relationship between the police and migrants**, in particular Muslim communities. With a video clip and a 20-page brochure in German, Turkish and Arabic, the campaign seeks to inform (Muslim) migrants about the role and duties of the police in the field of crime prevention, advice for victims and intercultural dialogue. The campaign, which was developed in collaboration with two Muslim organisations (DITIB and the Central Council of Muslims in Germany), aims to promote awareness of crime prevention and security-related issues amongst migrants and to enhance cooperation between the police and Muslim communities.¹³¹

zur “Förderung von Beratungsnetzwerken – Mobile Intervention gegen Rechtsextremismus” (draft 11.05.2007), available at:

www.jugendstiftung.org/foerderung/beratungsnetzwerke/index.html (03.10.2007); a parliamentary inquiry provided further details on the programme, e.g. on the participating organisations of the State Coordination Bodies (Bundestag, printed matter 16/6521 (26.09.2006)).

¹²⁹ The project receives funding within programme strand 2: thematic model projects, sub-category ‘Working with young people vulnerable to extreme right-wing ideologies’.

¹³⁰ www.soziale-bildung.org (05.10.2007); a description of the project as well as a interview with the project coordinator is available at: www.mut-gegen-rechte-gewalt.de/artikel.php?id=75&kat=75&artikelid=3949 (05.10.2007).

¹³¹ Polizeiliche Kriminalprävention der Länder und des Bundes, press release (07.12.2007), available at: www.polizei-

The cooperation between the police departments and migrant (Muslim) organisations has continued to be enhanced in numerous cities and regions in Germany. In the Berlin district Pankow, for instance, the police department and the *Ahmadiyya Muslim Jamaat* Community signed a **cooperation agreement** in November 2007 – the second of its kind in Berlin.¹³² Based on this agreement, the police will offer regular consultation hours and information events (e.g. on crime prevention, victim protection, domestic violence); in return, the Muslim Community offers training courses on intercultural competence for police officers.

In the state of Baden-Württemberg, police cooperate with some 170 mosques and Muslims organisations. Since spring 2006, the Police Academy in Freiburg offers **four-day seminars on Islam** (which include mosque visits) which aims at enabling the participating police officers to initiate contacts and establish an ongoing dialogue based on mutual trust between the police and representatives from Muslim communities. The long-term goal of the state police in Baden-Württemberg is to establish institutionalised contacts with all approx. 300 mosques.¹³³

Guidelines to enhance law enforcement tools against right-wing extremism

The **Saxony-Anhalt** State Ministries of the Interior and of Justice adopted a joint ‘Directive on the Prosecution of Politically Motivated Crimes’ which seeks to improve and accelerate the law enforcement and juridical procedures and to intensify cooperation between the police, the public prosecutors, the courts and non-statutory victim support organisations. The directive contains concrete organisational and procedural measures: At the Public Prosecutor Departments specialised units in charge of proceeding politically motivated crimes will be installed; moreover, the work of the specialised state security units of the police will be enhanced (i.e. by deploying them in local police departments).¹³⁴

The **Mecklenburg West-Pomeranian** State Minister of Justice together with the Public Prosecutor Department are currently developing a catalogue of measures which seek to make the law enforcement authorities’ struggle against right-wing extremism more effective. According to the ministry, special training courses for employees who work in the juridical system (e.g. prison employees)

beratung.de/presse/pressemitteilungen/2007/ihre_polizei_im_dienst_fuer_die_menschen/ (11.01.2008). The brochure is available at: www.polizei-beratung.de/aktionen/polizei_muslime/ (11.01.2008)

¹³² Tagesspiegel (26.11.2007), taz (26.11.2007)

¹³³ www.swr.de/islam/miteinander/-/id=1549992/nid=1549992/did=1573268/aj5uf3/index.html (11.01.2008)

¹³⁴ Additionally, the investigation of right-wing extremist crimes will be enhanced by applying a different investigation scheme which helps to bundle information about the alleged perpetrator and to coordinate targeted measures more effectively. In the future, the police department of the area in which the alleged perpetrator lives is in charge of the investigations (‘residence principle’) instead of – as usually – the police department of the area where the crime was committed (‘crime scene principle’). Press Release of the Saxony-Anhalt State Minister of Justice (No. 054/07) on 05.09.2007; taz (06.09.2007), p. 5.

on how to deal with left- and right-wing extremists are being considered; specialised units will be installed within the Public Prosecutor Department that are in charge of proceeding extremist crimes. Furthermore, when considering the possibility of closing legal proceeding due to the minor nature of the crime, an extremist crime is to be assessed particularly sensitively taking into account the impact of the crime on the victim and the public interest in prosecuting such crimes.¹³⁵

Recommendations to redress discriminatory labelling by the police

In October 2007, the Standing Committee of the Federal and *Länder* Ministers of the Interior (IMK) formally took note of the recommendations on the 'protection of national minorities against the application of discriminatory labelling of minorities by the police authorities'. The recommendations were part of the final report compiled by a working group which was commissioned by the IMK, following a request by the Central Council of Sinit and Roma. The working group suggests a 'model provision' to be used by the state police authorities as a minimum standard regarding the **use of ethnic or religious criteria** when describing criminal suspects; core elements of these recommendations are outlined in the following:

Based on the general principle of non-discrimination, enshrined in *Länder*, national and supranational legislation, the police are to pay particular attention to the protection of minorities and strictly avoid stigmatising wording that is – 'actually or subjectively' – suitable for discriminating against certain ethnic minority groups or for fuelling prejudices. The police are urged to point to the membership of a certain minority group *only* if this is vital to the understanding of the individual case.¹³⁶

¹³⁵ Press Release of the Mecklenburg West-Pomerania State Minister of Justice (No. 59/07 – new) on 20.09.2007.

¹³⁶ Projektgruppe des AK II „Schutz nationaler Minderheiten vor Verwendung diskriminierender Minderheitenbezeichnungen durch die Polizeibehörden“ (2007) *Abschlussbereich der Projektgruppe*, available at: www.berlin.de/imperia/md/content/seninn/imk2007/beschluesse/imk_185_bericht_top11.pdf (14.01.2008)

B.6.2. Initiatives by civil society and government

Joint Declaration against Right-wing Extremism

In a *Joint Declaration against Right-wing Extremism* nine national sports associations and aid organisations¹³⁹, together with the Federal Ministries for the Interior and of Family, Senior Citizens, Women and Youth, underscored their commitment to fighting right-wing extremism, xenophobia, racism and anti-Semitism. Given that right-wing extremist ideologies spread in particular in regions where civil societal structures are weak, these organisations declared their intention to contribute to the fight against these phenomena through, amongst others, providing leisure time and educational offers and supporting their employees in dealing competently with right-wing extremism and arising conflicts. Racist behaviour and right-wing extremism would not be accepted. To communicate these principles amongst employees and young people, the signing organisations will run projects and initiatives.¹⁴⁰ The Joint Declaration has been described by experts as an important step in the struggle against right-wing extremism – especially because it recognises that these phenomena are not only problems at the margins of the society, but also within the signing organisations themselves. Thus the Declaration obliges the organisations – though not in a legal sense – to take appropriate (also internal) actions.¹⁴¹

Guidelines on the struggle against Rights-wing extremism

In late June 2007 the Coordination Group against Right-wing Extremism, which was set up by the Federal Ministries of the Interior and the Federal Ministry of Family, Senior Citizens, Women and Youth in November 2006, presented their *Guidelines on the Struggle against Right-wing Extremism*. These guidelines were jointly elaborated and agreed upon by the Coordination Group and the respective state ministries as well as the main umbrella associations representing the municipalities; they contain, amongst others, the following recommendations:

¹³⁹ The following association signed the declaration: Arbeiter-Samariter-Bund Deutschland e.V. (ASB); Technisches Hilfswerk (THW), Deutsche Lebens-Rettungs-Gesellschaft e.V. (DLRG), Deutscher Feuerwehrverband (DFV), Deutscher Fussball-Bund (DFB), Deutscher Olympischer Sportbund, Deutsches Rotes Kreuz (DRK), Die Johanniter and Malteser.

¹⁴⁰ www.bmi.bund.de/nn_122688/Internet/Content/Themen/Extremismus/Einzelseiten/Gemeinsame_Erklaerung_gegen_Rechtsextremismus.html (Declaration; 04.10.2007).

¹⁴¹ www.bpb.de/themen/GCBOO5,0,Die_gro%DFe_Mitte_ist_gefragt.html (04.10.2007).
www.mut-gegen-rechte-gewalt.de/druckartikel.php?id=10&kat=10&artikelid=3528 (04.10.2007).

- I. 'Imparting democratic values' in the family, early childhood education, and in school (including specific training offers for personnel and parents)
- II. 'Consistently deploying the security authorities' (e.g. awareness raising and specific training programmes for police officers, closer cooperation between police and civil society on local level)
- III. 'Intensifying awareness raising and information measures through democratic parties and organisations' (e.g. further training measures for members of democratic parties with a political mandate on how to deal with right-wing extremists' slogans)
- IV. 'Establishing leisure time offers for children and youth' (e.g. enhancing leisure time offers and keeping out right-wing extremists; support by federal state, *Länder* and the municipalities)¹⁴²
- V. 'Further Increase the efficiency of the measures against right-wing extremism' (e.g. though sustainable, long-term engagement of statutory bodies and the civil society and the enhancement of offers for victims)¹⁴³

Local networks against xenophobia and right-wing extremism

In various regions and municipalities **local non-governmental networks** and round tables have been founded which – partly in cooperation with statutory bodies (e.g. police or municipality) – aim at tackling xenophobia and right-wing extremist developments.

In Bernburg/Saale (Saxony-Anhalt) local representatives of political parties and of public institutions as well as the local major and numerous individuals joint the '**Bernburg Alliance for Democracy and Tolerance**' and signed the Declaration in which they condemn all forms of right-wing extremism, xenophobia and anti-Semitism (January 2007). The signing people expressed their commitment to the struggle for a plural and democratic society and against extremism, intolerance and violence. The Alliance announced to organise appropriate information and awareness raising events and its plan to foster cooperation between local associations, institutions and all citizens.¹⁴⁶

The Bernburg Alliance is – together with similar local groups in Dessau, Köthen and Zerbst – member of the **regional 'Network Civil Society Anhalt'**.

¹⁴² A joint declaration with similar objectives has been signed by nine sports and aid associations (see Annex 9).

¹⁴³ Bundesministerium des Innern (2007) 'Demokraten machen mobil gegen Rechtsextremismus', in: *Innenpolitik. Informationen des Bundesinnenministeriums*, No. 4/2007, pp. 4-7. The guidelines are available at: www.dstgb.de/homepage/artikel/schwerpunkte/bekaempfung_des_rechtsextremismus/aktuell/es/handlungsgrundsaeetze_bekaempfung_rechtsextremismus/handlungsgrundsaeetze_bekaempfung_rechtsextremismus.pdf (04.10.2007).

¹⁴⁶ www.landkreis-salzland.de/aktuell/buendnisdemokratieaktuell-2.htm (05.10.2007).

This regional network constitutes a new platform for a closer cooperation of the participating groups and coordinated local intervention against right-wing extremist and xenophobic developments. All governmental bodies, parties, trade unions and other organisations are called upon to contribute to the struggle against these phenomena. As patron of the network the Saxony-Anhalt State Minister for Social Affairs officially supports the initiative.¹⁴⁷

Following a suggestion of the local network 'Alliance of Citizens for Halberstadt free of Violence' (founded in the early 1990s) and the local police department a new coordination body, namely the '**Preventive Council Harz**', was founded in Halberstadt on 3 September 2007. The goal of this new body is to establish a closer cooperation between municipalities and various local initiatives and round tables in the region. The Preventive Council is composed of the mayors of larger towns, representatives of the police, the public prosecutors and civil society groups.¹⁴⁸

Living Equality – initiative against various forms of prejudice and hatred

The initiative *Living Equality* was launched in late 2007 with the general objective to promote a **culture of equality and recognition** and to redress various elements of *Gruppenbezogene Menschenfeindlichkeit* [Group-Focussed Enmity; GMF], such as anti-Semitism, racism and antiziganism.¹⁴⁹ The coordinator of the initiative, the *Amadeu Antonio Foundation*, has established a nationwide network of local and cross-regional partners who conduct local, small-scale projects¹⁵⁰ against anti-Semitism, right-wing extremism and antiziganism. The initiative *Living Equality* is financially supported by the Ford Foundation in New York and the Weinheim-based Freudenberg Foundation.

One project within the framework of this *Living equality initiative* is briefly described in the following: the Baden-Württemberg State Association of Sinti and Roma organises – in cooperation with the Jewish community in Mannheim – project days at Mannheim schools which aim to inform students about the life of Sinti and Roma and about how to tackle widespread **anti-Roma prejudices**. In the *Cultural Center RomnoKehr* in Mannheim Sinti and Roma are trained to become multipliers in schools and other educational institutions. Furthermore, the project seeks to encourage Sinti and Roma to develop a more positive self-

¹⁴⁷ www.projektgegenpart.org/front_content.php?idcatart=1452&lang=1&client=1; www.sachsen-anhalt.de/LPSA/index.php?id=24280 (05.10.2007)

¹⁴⁸ <http://www2.halberstadt.de/index.php?id=109002000034&cid=104140002552> (05.10.2007)

¹⁴⁹ The theoretical concept of *Group-Focussed Enmity* has been applied since 2002 within the longitudinal GMF survey of the Institute for Interdisciplinary Research on Conflict and Violence at the University of Bielefeld. The results of the sixth survey round were published in December 2007 (W. Heitmeyer (ed.) (2007) *Deutsche Zustände. Folge 6*, Frankfurt am Main: Suhrkamp).

¹⁵⁰ A broad range of micro-projects is being supported within the framework of the *Living Equality* initiative, for instance, projects that support innovative approaches to combat anti-Semitism in migrant communities or projects that aim to raise awareness of racism and anti-Semitism among football fans (e.g. through excursions to the death camp Auschwitz and subsequent guided discussions) (www.mut-gegen-rechte-gewalt.de/projekte/mutmacher/bundesweite-mutmacher/living-equality/ (14.01.2008)).

perception. The project also strives for a sustainable improvement of anti-discrimination structures in the region by enhancing regional anti-discrimination networks).¹⁵¹

¹⁵¹ www.mut-gegen-rechte-gewalt.de/projekte/mutmacher/bundesweite-mutmacher/living-equality.html (14.01.2008);
www.mut-gegen-rechte-gewalt.de/debatte/interviews/antiziganismus/ (14.01.2007)

C. Key areas of social life

C.1. Employment

C.1.1. New complaints bodies and monitoring bodies – differentiated data

In 2006 and 2007, several **new bodies and organisations** were installed which provide assistance to victims of ethnic discrimination and record complaints. None of these statutory bodies or NGOs are specialised in employment matters, but deal with complaints of discrimination irrespective of the social area where it occurs in. The following organisations or bodies were set up recently (for more information on these bodies see A.2.1).

The official federal specialised body for the promotion of equal treatment (Art. 13 of 200/43/EC), the *Antidiskriminierungsstelle* (ADS), was established at the Federal Ministry of Family, Senior Citizens, Women and Youth in August 2006 and is expected to be operating fully by summer 2007. Various non-statutory anti-discrimination organisations have been set up on the federal as well as on the state and local levels which do not only offer assistance for victims of discrimination but also record complaints of discrimination. The only non-governmental association operating on a nationwide scale is the *Antidiskriminierungsverband Deutschland* (advd), founded in April 2007. In the states of Baden-Württemberg and Saarland, the regional NGOs *Antidiskriminierungsverband Saar* and the anti-discrimination network *mittendrinundaussenvor.de* (Baden-Württemberg) were set up recently.

In addition to these general anti-discrimination bodies and NGOs, which are not specialised on discrimination in the employment sector, numerous internal discrimination complaint bodies have been installed within companies – as legally required by Sec. 13 (1) AGG. These internal bodies (or appointed persons respectively) are in charge of receiving and examining complaints of discrimination lodged by employees. For the time being it remains difficult to assess the extent to which these bodies have been set up and are operational.

The main **official labour market statistics**, though very comprehensive, continue to differentiate solely according to nationality and do not identify

153 The IEB database is generated at the Institut für Arbeitsmarkt und Berufsforschung [Institute for Employment Research] by combining different sources of individual data collected by the Bundesagentur für Arbeit [Federal Labour Agency] for administrative

ethnic/ national origin, religion or belief. Significant progress concerning the data situation has occurred at the *Statistisches Bundesamt* (DESTATIS) [Federal Statistical Office] releasing a comprehensive set of statistics on the situation of migrants in, amongst others, employment in May 2007. These statistics are based on the findings of the 2005 micro-census which – for the first time – applied a complex set of three indicator to identify the respondents' migration backgrounds, namely nationality, migration history and naturalisation of the respondent as well as of his/her parents. The dataset *Integrierte Erwerbsbiographien* (IEB) [Integrated Employment Biographies (IEB)]¹⁵³ is also worth mentioning; these longitudinal data allows for comparisons of the labour market success of Germans, foreigners and ethnic-German migrants.

C.1.2. Racism and discrimination: incidents and practices

C.1.2.1. Brief overview

Findings of recent studies indicate that Turks as well as Roma and Sinti often **perceive discrimination** 'while applying for a job'. The level of perceived discrimination on company level, however, seems to be considerably lower. Similarly, the data collected by anti-discrimination bodies in Cologne, Munich and Leipzig do not offer a clear picture: **Complaints on discrimination** in the field of employment ranked on place five (Cologne) and four (Leipzig). Only in Munich discrimination cases in the area of employment ranked first.

Despite several indicators for perceived discrimination, there is only **little empirical evidence** for discrimination in the German labour market.¹⁵⁵ Crucial for the poor positioning of people with a migration background are the deficient qualifications of a high percentage among the migrant population. However, deficient qualifications cannot explain the entire gap.

purpose. A. Brück-Klingberg; C. Burkert; H. Seibert; R. Wapler (2007) 'Spätaussiedler mit höherer Bildung sind öfter arbeitslos', in: *IAB Kurzbericht*. Vol. 8/2.4.2007, p.5, available at: <http://doku.iab.de/kurzber/2007/kb0807.pdf> (24.09.2007); <http://fdz.iab.de/en/pageText.asp?PageID=138> (19.10.2007).

¹⁵⁵ T. Liebig (2007) *The Labour Market Integration of Immigrants in Germany*. *OECD Social, Employment and Migration*. Working Papers, No. 47, pp. 50-52, available at: <http://www.oecd.org/dataoecd/28/5/38163889.pdf> (21.10.2007)

C.1.2.2. Statistical data and tables on incidents of discrimination and racism

Complaints regarding discrimination (see Annex B1): According to the joint complaint statistics, compiled by the Cologne-based anti-discrimination offices¹⁵⁶, discrimination in the labour market did not play a core role in their counselling work in 2006: of all 113 registered complaints, 12 per cent were related to employment (ranked fifth out of seven areas). In stark contrast, discrimination cases in the area of employment were (together with cases related to ‘public authorities’) among the most frequent cases in which the Munich-based anti-discrimination office AMIGRA¹⁵⁷ provided case-by-case counselling: 17.3 per cent of all 289 complaints registered between 2003 and 2006 were recorded as employment related. According to the complaint statistics compiled by the anti-discrimination office (ADB Sachsen) and the victim support organisation (RAA Sachsen) in Leipzig¹⁵⁸, 11 out of 107 complaints of discrimination were related to employment in 2006 (for statistics on discrimination complaints see annex B1).¹⁶⁰

Perceived discrimination (see Annex B2): The findings of the 8th Multi-Topic Survey¹⁶¹, indicate that the level of perceived discrimination for people with a Turkish background in North Rhine Westphalia at ‘work, school or university’ as well as while looking for a job increased from 2005 (52.4 per cent) to 2006 (58.5 per cent). At the same time, the number of people who stated that they perceived discrimination in general decreased, but it still remains on a high

¹⁵⁶ Antidiskriminierungsbüro (ADB) Köln at Öffentlichkeit gegen Gewalt (Köln) [ADB Cologne/ÖgG], Antidiskriminierungsbüro des Caritasverbands für die Stadt Köln [anti-discrimination office of the Caritas association Cologne], Antidiskriminierungsstelle des Interkulturellen Referats der Stadt Köln [anti-discrimination body of the Interkultural Department of the City of Cologne]

¹⁵⁷ Antidiskriminierungsstelle für Menschen mit Migrationshintergrund (AMIGRA) [anti-discrimination body for persons with a migration background] of the City of Munich.

¹⁵⁸ Antidiskriminierungsbüro Sachsen [ADB Saxony] and Opferberatung at the Regionale Arbeitsstellen für Ausländerfragen, Jugendarbeit und Schulen Leipzig [victim support organisation/RAA Saxony]

¹⁶⁰ Concerning ethnic discrimination in employment the specialised body of the Federal Government received almost exclusively complaints on bullying and harassment with racist motivation. However, one has to mention that the specialised body is only fully operating since summer 2007. Data available on request, Email (21.08.2007) Mr. Karl Moehl, Special Body of the Federal Government.

¹⁶¹ Stiftung Zentrum für Türkeistudien (ed.) (2007) *Perspektiven des Zusammenlebens. Die Integration türkischstämmiger Migrantinnen und Migranten in Nordrhein-Westfalen. Ergebnisse der achten Mehrthemenbefragung. Eine Analyse im Auftrag des Ministeriums für Generationen, Familie, Frauen und Integration des Landes Nordrhein-Westfalen*, p.255, available at: <http://kunde6.juli.bimetal.de/UserFiles/File/NRW-Bericht%202006.pdf> (20.10.2007).

level: 73.2 per cent of the interviewees felt discriminated against in 2006 (2005: 77.8 per cent).

The non-governmental anti-discrimination network ADNB at the TBB presented the results of an explorative regional victim survey, carried out in Berlin: According to these findings, the labour market turned out to be the social area where discrimination has been experienced more often than anywhere else: 57 of the respondents stated that they have experienced discrimination when looking for a job between 2003 and 2005 (see Annex B2).

In 2006, the **Central Council of German Sinti and Roma** conducted a survey on experiences of discrimination among its communities. About 44 per cent of the 309 respondents confirmed that they had experienced discrimination when looking for a job (see Annex B2, tab. 22).¹⁶²

Within another survey conducted in three companies in 2004, the level of perceived discrimination was significantly lower: only 19 per cent of the interviewees with a Turkish background and six per cent of the interviewees with a different foreign origin stated that they were discriminated against 'often' or 'almost every day' in their company.¹⁶⁴

Table 17: Do you think you were discriminated against due to your origin within this company? Interviewees of Turkish or other foreign origin*, 2004, answers in percent

	Company A		Company B		Company C		In total	
	Turkish origin	Other foreign origin	Turkish origin	Other foreign origin	Turkish origin	Other foreign origin	Turkish origin	Other foreign origin
Almost every day	8	0	0	0	5	0	5	0
Often	8	5	0	3	20	9	14	6
Seldom	39	19	100	27	44	42	47	30
Never	46	76	0	70	32	49	33	64

Source: W. Schmidt (2007), p. 88

* According to the place of birth of the interviewees or their parents

¹⁶² See table 23 in annex 7. Zentralrat Deutscher Sinti und Roma (2006) Ergebnisse der Repräsentativumfrage des Zentralrats Deutscher Sinti und Roma über den Rassismus gegen Sinti und Roma in Deutschland, available at: <http://zentralrat.sintiundroma.de/content/downloads/stellungnahmen/UmfrageRassismus06.pdf> (20.10.2007)

¹⁶⁴ W. Schmidt (2007) *Kollegialität trotz Differenz. Betriebliche Arbeits- und Sozialbeziehungen bei Beschäftigten deutscher und ausländischer Herkunft*, Berlin: edition sigma, p. 88.

Research: The *Institut für Arbeitsmarkt- und Berufsforschung* [Institute for Employment Research; IAB] carried out an empirical analysis of **longitudinal registration data** (1977-2004; n = approx. 160.000) on the transition between vocational training (dual apprenticeship) and the labour market. The study investigates the question as to whether non-Germans have the same **opportunities and transition patterns** after completing their vocational training as Germans; three indicators were used to analyse the transition success: unemployment after the completion of the vocational training, occupational mismatch and skill mismatch. According to the study, foreigners face a significantly higher risk of unemployment, occupational mismatch and skill mismatch – even after controlling for relevant factors; this is particularly true for Turkish men. The researchers assume that ‘ethnicity-specific selection mechanisms’ have an impact on this outcome.¹⁶⁶

C.1.2.3. Exemplary cases

In the following, we will present one exemplary case of discrimination the *Institut für Migrations- und Rassismusforschung* (iMiR) [Institute for Migration and Racism Studies] in Hamburg dealt with in the realm of its counselling work; this case is also presented in the Annex (AGG case 3)¹⁶⁷

A German woman of Turkish origin applied for a vacancy at the *Diakonisches Werk Hamburg* and was refused due to her ethnic and religious origin. The *Diakonisches Werk* was looking for a social worker who was to be responsible for a project aiming at fostering the integration of migrants into the German labour market. The applicant met all the occupational requirements. However, in addition to these requirements, the *Diakonisches Werk* would (due to its affiliation with the Evangelical Church in Germany) only consider a member of a Christian church.¹⁶⁸ The *Diakonisches Werk* was interested in the woman and called her, asking about her religion. The woman stated that she was not an active believer in any religion, but that she had a Muslim background. When the *Diakonisches Werk* asked her if she could imagine joining a Christian church, she replied that this was not an option for her. Several days later, her application documents were sent back. The woman felt discriminated against and went to court. In the meantime, the case has been resolved in court in favour of the

¹⁶⁶ C. Burkert; H. Seibert (2007) “Labour market outcomes after vocational training in Germany. Equal opportunities for migrants and natives?”, in: *IAB Discussion Paper*, No. 31/2007

¹⁶⁷ Antidiskriminierungsverband Deutschland (advd) (2007) Stellungnahme des Antidiskriminierungsverbandes Deutschland (advd) und seiner Mitgliedsorganisationen zum einjährigen Bestehen des Allgemeinen Gleichbehandlungsgesetzes (AGG), p.3, available at <http://www.antidiskriminierung.org/files/Stellungnahme%20des%20advd%20zu%20einem%20Jahr%20AGG.pdf> (03.09.2007).

¹⁶⁸ According to § 9 AGG, unequal treatment on the basis of religion or faith is acceptable in the case of religious communities if a particular religion or world view constitutes a justifiable professional requirement.

plaintiff who was discriminated against: referring to the AGG, the labour court held that the rejection constitutes a case of unlawful direct discrimination on the grounds of religion.

C.1.2.4. Additional information: third country nationals

In Germany, the access of **third-country nationals** to civil servant status is limited.¹⁶⁹ While EU nationals are generally treated similarly to German nationals (§7 BGB)¹⁷⁰, third-country nationals can only be nominated as civil servants if there is an urgent official need (*dringendes dienstliches Bedürfnis*) (§ 7 Abs. 3 BBG)¹⁷¹. In 2005, 80 per cent of all civil servants with a non-German passport were EU-25 citizens.¹⁷²

Additionally, **third-country nationals experience different treatment** when applying for permission to work in the health professions such as medical practitioners, chemists, veterinarians, dental practitioners or psychotherapists. According to the pertinent approbation provisions, third-country nationals¹⁷³ are not entitled to receive approbation, even if they graduated at a German university and fulfil all the other requirements. Third-country nationals can, however, obtain professional permission for a certain period of time. The health authorities of the *Länder* decide on the approbation of third-country nationals after a case-by-case counselling procedure. The permission can be extended.¹⁷⁴

¹⁶⁹ According to the micro census 2005, 6 per cent of all employed people in Germany are civil servants (Statistisches Bundesamt, *Bevölkerung und Erwerbstätigkeit. Bevölkerung mit Migrationshintergrund. Ergebnisse des Mikrozensus 2005. Fachserie 1 Reihe 2.2*, p. 224-225).

¹⁷⁰ BBG (05.12.2006).

¹⁷¹ Deutscher Bundestag, printed matter 16/4703.

¹⁷² In 2005, 8,200 out of 10,200 civil servants with a non-German passport were EU-25 citizens (Statistisches Bundesamt, *Bevölkerung und Erwerbstätigkeit. Bevölkerung mit Migrationshintergrund. Ergebnisse des Mikrozensus 2005. Fachserie 1 Reihe 2.2*, p. 227).

¹⁷³ Excluding citizens of Island, Norway and Switzerland; the list of contracting states whose citizens are entitled to approbation is available at: http://www.berlin.de/SenGesSozV/lageso/pdf/ae_09_04.pdf (18.10.2007).

¹⁷⁴ Bundes-Apothekerverordnung BApO § 11, Bundesärzteordnung BÄO §10, Gesetz über die Berufe des Psychologischen Psychotherapeuten und des Kinder- und Jugendlichenpsychotherapeuten PsychThG §4.

C.1.3. The situation of migrants and minorities in employment

C.1.3.1. Brief overview

Concerning the access to the labour market, foreigners are still disadvantaged, which is mainly reflected in the high unemployment rate of foreigners in comparison to Germans. However, not only the **access** to the labour market, but also the **situation** of foreign employees and those with a migration background is disadvantaged in comparison to the Germans.

Foreigners are more often employed in **branches** with a lower income and less favourable working conditions, and they are underrepresented in highly skilled professions with a higher prestige. This is also true when differentiating

according to migration background: people with a migration background¹⁸³ are highly underrepresented among civil servants, doctors, medical staff, teachers and the security forces.¹⁸⁴ The situation of employed ethnic German migrants is even worse: the vast majority work as non-skilled workers and not like most of the Germans as white-collar worker.

Looking at the **weekly hours**, the differences between people with and without a migration background are rather small. However, people with a migration background are underrepresented among the employees who work 45 and more hours per week. This corresponds to the fact that people with a migration background are also underrepresented among the employees who regularly take up an additional job. Even if people with a migration background are not more burdened with regard to their weekly hours, they are more often employed in **shift work** and in jobs with – at least physically – more demanding **working conditions**.

¹⁸³ Bundesministerium für Arbeit und Soziales (2007) Nationaler Integrationsplan Arbeitsgruppe 3 „Gute Bildung und Ausbildung sicher, Arbeitsmarktchancen erhöhen“ Dokumentation des Beratungsprozesses, available at: www.bmas.de/coremedia/generator/930/property=pdf/nationaler_integrationsplan_dokumentation.pdf (23.09.2007).

¹⁸⁴ At the same time, foreigners and people with a migration background are overrepresented among marginal part-time workers. Marginal part-time workers are in most cases employed in non-qualified jobs and for ancillary activities.

¹⁹² A. Brück-Klingberg; C. Burkert; H. Seibert; R. Wapler (2007) „Spätaussiedler mit höherer Bildung sind öfter arbeitslos“, in: *IAB Kurzbericht*. Vol. 8/2.4.2007, available at: <http://doku.iab.de/kurzber/2007/kb0807.pdf> (24.09.2007), p. 2.

Statistical data and tables on the situation of migrants and minorities

Labour participation by migration status: Compared to the proportion of people with a migration background in the whole population (see Annex C1, tab. 1), people with a migration background are underrepresented in the labour force (see Annex C1, 2a, 2b).

Activity rate by nationality: The activity rate of foreigners decreased from 2002 (66.7 per cent) to 2005 (65.9 per cent), while the activity of Germans increased slightly (2002: 73.4 per cent; 2005: 74.6 per cent). For Germans, this increase is mainly due to the increased activity rate of women whereas the activity rate of foreign women even decreased somewhat. The activity rate for German women rose from 62.9 per cent in 1991 (foreign women: 54.4 per cent) to 68.4 in 2005 (foreign women: 52.9 per cent) (see annex C1, tab. 3).

Employment in jobs subject to social security payments: The employment rate for foreigners is still considerably lower than the employment rate for Germans (see Annex C1, tab. 4-6). The employment rate for foreigners decreased from 33.1 per cent in December 2002 to 30.7 per cent in December 2006 (Germans: 50.9 per cent in 2002, 50.6 in 2006). The proportion of foreigners among the people employed in jobs subject to social security payments also decreased slightly from December 2002 (6.9 per cent) to December 2006 (6.6 per cent). However, in the second quarter of 2006, the absolute number of people employed in jobs subject to social security payments increased for the first time since 2002. The foreigners benefit even more from this trend than the Germans do: the number of foreign people increased from December 2005 to December 2006 by 3 per cent (Germans: 1.5 per cent).

Marginal part-time workers: in September 2006 8.6 per cent of all exclusively marginal part-time workers and 10.9 of all marginal part-time workers in a second job were foreigners. Whereas the quota of foreigners rose from 2002 to 2006 among the exclusively marginal part-time workers (September 2002: 7.5 per cent), the quota of foreigners among the marginal part-time workers in a second job remained on the same level (September 2002: 10.8 per cent) (see Annex C1, tab. 7-9).

Unemployment: In 2006, the unemployment rate for foreigners (2006: 23.6 per cent) was more than twice as high as the unemployment rate for Germans (2006: 11.0 per cent). In August 2007, the unemployment rate for foreigners was 19.6 per cent, 3.2 percentage points down on last year (Germans: 9.1; 1.7 percentage points down compared to the previous year). However, the proportion of foreigners among the unemployed is still increasing in 2007. In August 2007, 14.9 per cent of the unemployed were foreigners (August 2006: 14.6 per cent). Comparing the unemployment rate of ethnic German migrants, foreigners and Germans, ethnic Germans have the highest unemployment rate.¹⁹² This ranking is also reflected when looking at the unemployment rates of the *Länder* (see annex C1 tab. 11-13).

The latest official statistics show that the unemployment rate of foreigners dropped in 2007 – after three years of constant increase. Although the disparities between the average unemployment rate and rate for non-Germans and Germans continue to be large (10.1 per cent vs. 20.2 per cent), the gap has diminished since 2005:

Table 18: Unemployment (rate) of foreigners and Germans (2003-2007)

	2003	2004	2005	2006	2007
Unemployment (annual average)					
Total number	4,376,795	4,381,281	4,860,880	4,487,233	3,776,425
Of which: foreigners	542,966	545,080	672,951	643,779	559,096
Unemployment rate* in per cent					
dependent labour force: total	11.6	11.7	13.0	12.0	10.1
dependent labour force: foreigners	20.2	20.3	25.2	23.6	20.2

Source: Germany/Bundesagentur für Arbeit (2008) Der Arbeits- und Ausbildungsmarkt in Deutschland. Dezember und das Jahr 2007. Nürnberg: BA, p. 68; available at: www.pub.arbeitsamt.de/hst/services/statistik/000000/html/start/monat/aktuell.pdf (15.01.2007)

* Percentages refer to the group of unemployed persons in relation to all dependent civil labour forces (gainfully employed and 'marginal' part-time employed persons, civil servants and unemployed).

Educational attainment: Employed foreigners are less qualified than employed Germans: in December 2006, 39.2 per cent of foreign employees who were entitled to social security benefits had undertaken vocational training compared to 71.7 per cent of Germans (see table xx in the annex). For Germans and foreigners, the risk of being unemployed decreases with a higher educational attainment. In 2004, 26.4 per cent of the foreign labour force without vocational training were unemployed (Germans: 13.4 per cent), but only 19.5 per cent with vocational training (Germans: 12.2 per cent) and 18.9 per cent with an academic degree (Germans: 8.1 per cent). However, among ethnic German migrants, those with the highest educational attainment are most affected by unemployment. In 2004, more than one third of ethnic Germans, 18.8 per cent of foreigners and 11.1 per cent of Germans were unemployed. In 2004, 43.6 per cent of the ethnic German migrant labour force holding an academic degree were unemployed, whereas 30.5 per cent of ethnic German

migrants with, and 10.3 per cent of ethnic Germans without vocational training were unemployed (see Annex C1, tab. 14).¹⁹³

Economic sectors of employment: In 2005, people with a migration background were over-represented in the economic sectors of “trade, the hotel and restaurant industry” (2005: 19.9 per cent) and the “manufacturing and extractive industry” (2005: 19.6 per cent). In contrast, this population group is underrepresented within the economic sectors “other services” (2005: 13.3 per cent) and “agriculture, forestry and fishing” (2005: 7.5 per cent) (see Annex C1 tab. 15-18).

Occupational areas and fields of employment in jobs subject to social security payments (see Annex C1, tab. 19-22): In 2006, foreigners constituted 10.5 per cent of all direct workers, 6.4. per cent of all people with jobs in a primary service occupation, and 3.7 per cent of all people working in a secondary service occupation. Looking at the more differentiated level of occupational fields, foreigners are strongly represented in occupations relating to “nutrition” or in the field of “hairdressing, guest services, housekeeping and cleaning” but rather underrepresented in the field of “social workers, educational jobs, spiritual counsellors” and “administration and secretarial jobs, economics and social sciences”. Looking at the highly qualified and highly skilled workers categorised according to group one, two and three of the International Standard Classification of Occupations (ISCO) non-Germans only represented 3.9 per cent of this group in 2005. In the same year, only 5.2 per cent of all Turkish employees subject to social security payments were working as highly qualified and highly skilled workers.

Occupational status: People with a migration background are strongly represented among the blue-collar workers (2005: 26.7 per cent), but underrepresented among the civil servants (2005: 3.7 per cent). 14.3 per cent of all self-employed people had a migration background. In 2004, 71.5 per cent of the ethnic German migrants employees were non-skilled workers (foreigners: 57.2 per cent, Germans 20.9 per cent.); only 5.1 per cent were white collar worker (see annex C1, tab. 23-27).

Shift work: Compared to their proportion on all employed people (2005: 16.6 per cent), people with a migration background are over-represented among all employed people who regularly work on Saturdays (2005: 17.0 per cent) or Sundays (2005: 17.4 per cent) or do shift work (2005: 20.9 per cent) (see annex C1, tab. 28-31).

Working hours: The differences between people with and people without a migration background are rather small. In 2005, people with a migration

¹⁹³ A. Brück-Klingberg; C. Burkert; H. Seibert; R. Wapler (2007) „Spätaussiedler mit höherer Bildung sind öfter arbeitslos“, in: IAB Kurzbericht. Vol. 8/2.4.2007, p.3, available at: <http://doku.iab.de/kurzber/2007/kb0807.pdf> (24.09.2007)

background were underrepresented among those people working between 21 and 23 (14.8 per cent) hours and among those working 45 and more hours (13.3 per cent). In September 2006, the proportion of Germans and foreigners employed in jobs subject to social security working in part-time and full-time jobs respectively revealed virtually no differences (see Annex C1, tab. 32-35).

Working conditions: Germans with a migration background and foreigners are more often faced with harder physical working conditions than Germans without a migration background are in their work. What is more, they more often perceive these working conditions to be stressful. Comparing physical working conditions between Germans with and without migration background and foreigners respectively, the picture is not that clear; Germans without a migration background seems to be slightly more affected by physically demanding working conditions than Germans with a migration background and foreigners (see Annex C1, tab. 36-37).

Income: People with a migration background are over-represented in the lower income classes and underrepresented in the higher income classes: in 2005, 22.6 per cent of all people with an income less than 500 Euro were people with a migration background, but only 7.7 per cent of all people with an income between 3,200 and 4,500 and 9.4 per cent with an income of more than 4,500 Euro were people with a migration background (see Annex C1, tab. 38).

Teacher positions: New statistical data are available for non-German teachers. In the school year 2006/2007, 5,718 teachers of non-German nationality worked in the public school system¹⁹⁴; 3,639 of them were female. Turkish teachers represent – in absolute numbers – the largest group with a total of 745 (293 of them being women).¹⁹⁵ In the same school year, 891 non-German teachers worked in vocational schools (492 of them women). The largest nationality group are Great Britain (167); Spain (139) and France (96); only 31 Turkish teachers worked in vocational schools.¹⁹⁶

Migrants in the police: National data on the number of foreigners or migrants who work in the police forces are not available; the Hesse State Police, however, provides detailed statistical information on the number of police officers who do not hold German citizenship (71) and those who have dual citizenship (26). The figures are based on the police recruitment between 1994 and 2006. Turkish police officers (without German citizenship) represent the majority (34).¹⁹⁷

¹⁹⁴ The data refers to people who work exclusively or primarily as teachers.

¹⁹⁵ Germany/Statistisches Bundesamt, Bildung und Kultur. Allgemeinbildende Schulen. Fachserie 11, Reihe 1, 2007, pp. 314-315

¹⁹⁶ Germany/Statistisches Bundesamt, Bildung und Kultur. Allgemeinbildende Schulen. Fachserie 11, Reihe 2, 2007, pp. 114-115

¹⁹⁷ www.polizei.hessen.de/internetzentral/nav/cf4/cf470ee1-825a-f6f8-6373-a91bbcb63046.htm

C.1.3.2. Additional information: trade unions

The exact number of non-German **members of all labour unions** in Germany is unknown.¹⁹⁸ However, according to the *IG Metall* (Metalworkers union), 10 per cent of all IG Metall members (2006: 2.3 million) have a different nationality than German. 17.4 per cent of all women organised within the IG Metall are migrants.¹⁹⁹ According to the *Industriegewerkschaft Bergbau, Chemie, Energie* (IG BCE) [Mining, Chemical and Energy Industrial Union] around 10 per cent of the IG BCE members (2006: 730,000) have a foreign passport.²⁰⁰ The *Vereinte Dienstleistungsgewerkschaft* (Ver.di) [United Service Union] states that two per cent of its members are non-Germans.²⁰¹

The participation of foreign trade union members as **work councillors** on the company level also reflects the level of participation of foreigners within the trade unions. According to the labour unions, around 5 per cent of all works council members have foreign citizenship. However, this statement is only based on the figures of two single labour unions, the IG Metall and the IG BCE; for other labour unions, no data is available.²⁰²

Labour unions campaigned for “Voluntary Industrial Relations Agreements” between works councils and employers on the company level in the past to prevent discrimination and to improve the support for victims of discrimination.²⁰³ In the light of the new “General Equal Treatment Act”

¹⁹⁸ The member statistics only differentiate according to sex and occupational status, see: <http://www.dgb.de/dgb/mitgliederzahlen/mitglieder.htm> (27.09.2007).

¹⁹⁹ IG Metall (2007) Migrationspolitisches Forderungs- und Arbeitspapier der IG Metall beschlossen von der 7. Bundesmigrationskonferenz der IG Metall, p. 10, available at: http://www.igmetall.de/cps/rde/xbcr/SID-0A456501-EA2BCA8E/internet/docs_ig_metall_xcms_25502_2.pdf (26.09.2007).

²⁰⁰ <http://www.igbce.de/portal/site/igbce/menuitem.0b17d7969f8d5bf032f9fc94c5bf21ca/> (26.09.2007).

²⁰¹ http://migration.verdi.de/cultural_mainstreaming/data/Cultural_Mainstreaming_Auszug.pdf (27.09.2007).

²⁰² Bundesministerium für Arbeit und Soziales (2007) Nationaler Integrationsplan Arbeitsgruppe 3 „Gute Bildung und Ausbildung sicher, Arbeitsmarktchancen erhöhen“ Dokumentation des Beratungsprozesses, available at: http://www.bmas.de/coremedia/generator/930/property=pdf/nationaler_integrationsplan_dokumentation.pdf (23.09.2007), p. 178.

According to the IG Metall, 4.5 per cent (3,300 people) of the IG Metall works council members are non Germans (IG Metall (2007) Migrationspolitisches Forderungs- und Arbeitspapier der IG Metall beschlossen von der 7. Bundesmigrationskonferenz der IG Metall, p. 10, available at: http://www.igmetall.de/cps/rde/xbcr/SID-0A456501-EA2BCA8E/internet/docs_ig_metall_xcms_25502_2.pdf (26.09.2007)). In the works council elections of 2006, 5.84 per cent (1,100 people) of the elected IG BCE central works council members and 3.36 per cent (114 people) of the elected IG BCE chairmen within central works councils were non-Germans (<http://www.igbce.de/portal/site/igbce/menuitem.0b17d7969f8d5bf032f9fc94c5bf21ca/> (26.09.2007)).

²⁰³ Amongst others, those agreements aim at empowering victims of discrimination to stand up for their rights. Therefore, different kinds of complaint and support structures have been established on the company level. They range from commissioners within human resource

(AGG), trade unions aim not only to further develop support structures for victims of discrimination by means of anti-discrimination training for their members and information brochures on the AGG.²⁰⁴ What is more, they aim at extending their anti-discrimination work to include indirect discrimination.²⁰⁵ In 2007, ver.di published a guidebook on collective bargaining policies and the AGG²⁰⁶ which is addressed to bargaining negotiators since, according to the AGG, new or existing collective agreements are not effective if they contain indirect or direct discriminatory provisions.

C.1.4. Good practice

C.1.4.1. Policy initiatives

In July 2007 the federal government presented the comprehensive **National Integration Plan (NIP)**, which represents the first systematic (though legally non-binding) Action Plan on integration on the federal level with about 400 recommended measures and self-obligations of governmental and non-governmental bodies and organisations (for more information, see Annex 9, Ad. C.1.4.1). The improvement of the labour market integration of immigrants plays an important role within the NIP. With the struggle against direct ethnic discrimination being barely mentioned explicitly (only one exception: the self-obligation of the trade unions), the vast majority of the employment-related NIP recommendations refer to ‘traditional’ measures (i.e. increasing employability) and promoting diversity; a brief selection is presented here:

departments and newly established complaint bodies to joint commissions of employers and workers. S. Akin, M. Dälken, L. Monz (2007) Integrating Foreign National. Employees Company Agreements – a practical guide, Frankfurt a.M.: Bund-Verlag

²⁰⁴ In 2007, the educational institution of the DGB (DGB Bildungswerk e.V.) offered three one-day workshops on the “General Equal Treatment Act” and anti-discrimination strategies (http://www.migration-online.de/sub/verwandte_seminare_aGVhZHdvcmRzPSw0NCw_.html (27.09.2007)). The trade unions IG Metall and Ver.di together planned a three-day seminar with the title “The General Equal Treatment Act: Protection against Discrimination?” (<http://www.ev-akademie-boll.de/tagungen/details/430707.pdf>, (28.09.2007)). In September 2006, the IC BCE published an information brochure on the AGG on its website (http://www.igbce.de/portal/binary/com.epicentric.contentmanagement.servlet.ContentDeliveryServlet/site_www.igbce.de/static_files/PDF-Dokumente/Gruppen%2520in%2520der%2520IG%2520BCE/Frauen/2b886fa379abb0889d37a210c5bf21ca.pdf, 27.09.2007).

²⁰⁵ V. RoBocha (2007) Speech on the occasion of the workshop “Chancengleichheit in Betrieben und Verwaltungen – Empirische Befunde und strategische Optionen” hosted by the Friedrich Ebert Foundation on April, 23, 2007 in Berlin (http://www.fes.de/wiso/sets/s_migr_vera.htm (28.09.2007)).

²⁰⁶ ver.di (2007) Tarifpolitik und Allgemeines Gleichbehandlungsgesetz, available at: http://www.gelbehand.de/data/verdi_agg_broschre.pdf (28.09.2007).

The Federal Government announced that the ESF-funded educational programmes that impart occupation-related language skills would be enhanced in 2007; such courses should supplement the already existing integration courses and be made available for all people with a migration background. In addition, the network ‘**Integration through Qualifications**’ (IQ)²⁰⁷ has been commissioned to develop new strategies to improve the employment situation of migrants. Furthermore, the proportion of employees with a migration background within the (federal and state) public administration should be increased and their linguistic and intercultural competence should be considered appropriately.

The North-Rhine Westphalia (NRW) State Ministry of Education developed a concept aiming to increase the number of **teachers with a migration background**.²⁰⁸ On 9 November 2007, the network *Lehrkräfte mit Zuwanderungsgeschichte* [Teachers with a Migration History], a core component of the concept, was officially founded. This network strives for making the work of migrant teachers more visible and at supporting them in their daily work – with the goal to encourage migrants to follow these positive role models and become teachers, too. The concept of the state ministry encompasses, amongst others,

- providing information and carrying out awareness raising measures that target school principals,
- encouraging high school students who are about to graduate from grammar school,
- intensifying the cooperation with foundations and
- setting up a support network for university students with a migration background.

C.1.4.2. Practical initiatives by civil society and government

One year after the nationwide initiative *Charta ‘Diversity as a chance’* was launched (see update to NDCR 2006), the coordinating Federal Commissioner for Integration took positive stock. By the end of 2007, the Charta had been signed by 212 companies²⁰⁹ and 22 public institutions and administrations, among those the municipal administrations of Frankfurt/Main, Augsburg, Cologne, Munich, Stuttgart and Berlin. The website for the initiative offers a broad range of information material and brochures on the campaign, an e-

²⁰⁷ IQ; see NDCR 2005 and 2006.

²⁰⁸ With this concept the NRW state government aims to realise an important element of the State Action Plan on Integration passed in June 2006 (see NDCR 2006, chapter 2.2.9) (Ministerium für Schule und Weiterbildung des Landes Nordrhein-Westfalen, press release 09.11.2007).

²⁰⁹ Among these companies there are 89 large enterprises (more than 500 employees), 48 SMEs (between 51 and 500 employees) and 75 small businesses (up to 50 employees).

newsletter and announcements of related conferences, competitions and initiatives; furthermore, a *good practice* data base is pending release.

The **campaign ‘Diversity as a Chance’** was launched by the Beauftragte für Migration, Flüchtlinge und Integration [Federal Government Commissioner for Migration, Refugees and Integration] on August 23, 2007 and will be continued into 2008.²¹⁰ The campaign is financed by means of the European social fund and aims at raising awareness amongst public and private employers for the economic potentials of diversity. With a range of activities, they will be informed on how to profit from the potentials of migrants:

- The contest ‘Cultural diversity in vocational training’ – started on August 2007 – will seek and reward companies and public bodies that implement special measures to support young migrants in their apprenticeships and vocational training. In 2008, a second contest focusing on ‘employment’ will follow.
- Six workshops and two conferences will take place addressing entrepreneurs and human resource managers, focussing on different issues of diversity management.
- The successful initiative ‘Diversity as a Chance. The Charter of Diversity’, which was already launched in December 2006,²¹¹ is also part of the campaign. Until now, around 130 enterprises and public organisations have signed the Charter.
- Furthermore, four role models on integration, who are particularly successful in their jobs are part of a comprehensive promotion campaign accompanying the project.
- Additionally, the website of the campaign provides a variety of information on diversity management ranging from scientific articles to good practices on diversity strategies implemented by enterprises and public organisations.

Since the winter term 2006/2007, the *Interdisziplinäres Zentrum für Bildung und Kommunikation in Migrationsprozessen* [Interdisciplinary Centre for Education and Communication in Migration Processes], an academic institute at the Carl von Ossietzky Universität Oldenburg, has launched a **Bachelor in Interkulturelle Bildung und Beratung** [Intercultural Education and Counselling] for highly qualified migrants who had participated in the German educational system. The B.A. prepares students for highly qualified jobs in the field of social work, education, youth work, migration work, cultural organisations and career advice. Besides an ‘individual migration background’ and an university entry qualification, the applicants have to have studied teaching methodology, social education or social science at least for one year

²¹⁰ Presse- und Informationsamt der Bundesregierung, press release No. 308, available at: http://www.bundesregierung.de/nn_56680/Content/DE/Pressemitteilungen/BPA/2007/08/2007-08-23-ib-vielfalt-als-chance.html (15.10.2007).

²¹¹ See update of NDCR 2006.

and have worked as an employee or an volunteer within one of the relevant fields for at least two years.²¹² Due to their advanced performance, the students will obtain the university degree of 'Bachelor of Arts' after two years. Students of this 'further educational' Bachelor have to pay an additional fee of 150 Euro per semester. The Bachelor is organised in 12 modules, including the subject of German for scientific purposes. An eight week-internship during the two years is compulsory. At the moment, 22 students from 14 countries are enrolled, the majority are women who have a teacher-training certificate from their country of origin. As a pilot project, the B.A. is financially supported by the European Refugee Fund and the Federal Office for Migration and Refugees (bamf).²¹³ The B.A. is planned to be continued.²¹⁴

In 2007, the EQUAL-supported projects, *Sprach- und Kulturmittler (SpraKuM)* [Language and Cultural Intermediary], *Gemeindedolmetscherdienst Berlin* [Local Interpreter Service] and the *Interkulturelles Büro der Wissenschaftsstadt Darmstadt* [Intercultural Bureau of the Science City Darmstadt], launched an initiative aiming to establish the position of *Sprach- und Integrationsmittler* [Language and Integration Intermediary]. **Language and integration intermediaries** are to be employed in the field of health and social care to facilitate the communication between medical personnel and migrants. Therefore, three expert workshops have been conducted which address policy-makers in the field of health, social care and vocational education. These activities aim at identifying the need on the labour market, discussing opportunities for obtaining financial support for corresponding jobs, developing an adequate curriculum and defining quality standards for the occupation of qualified intermediaries. At a final conference in November 2007, results of the counselling process shall be presented.²¹⁵

On 28-29 September 2007, the first **human resource fair for people with a migration background**, *Job-Kontakt. Die Messe für Vielfalt auf dem Arbeitsmarkt* [Job-Contact. The Fair for Diversity at the Labour Market]²¹⁶, took place in Hamburg. The fair was organised by the EQUAL II-supported Development Partnerships NOBI²¹⁷, *Fluchtort Hamburg*²¹⁸, *Zug um Zug*²¹⁹ under the patronage of Hamburg's Lord Mayor, Ole van Beust. On the one hand, the fair aimed at informing public and private employers on how to use the intercultural competence of staff with a migration background and how to

²¹² Ordnung über besondere Zugangsvoraussetzungen für den weiterbildenden Bachelor-Studiengang „Interkulturelle Bildung und Beratung“ an der Carl von Ossietzky Universität Oldenburg, available at: http://www.uni-oldenburg.de/ibkm/download/Zugangsordnung_BA_Interk.Paed_MWK_1.9.06.pdf (16.10.2007).

²¹³ E. Stengel (2007) 'Lehrer statt Holzfäller', in: Frankfurter Rundschau No. 13, p. 27.

²¹⁴ <http://www.uni-oldenburg.de/ibkm/19186.html> (16.10.2007).

²¹⁵ <http://www.transkom.info/berufsbild.html> (16.10.2007).

²¹⁶ http://www.job-kontakt-hamburg.de/front_content.php (17.10.2007).

²¹⁷ http://www.ep-nobi.de/front_content.php (17.10.2007).

²¹⁸ <http://www.fluchtort-hamburg.de/> (17.10.2007).

²¹⁹ <http://www.ep-zug-um-zug.de/> (17.10.2007).

supply their needs for skilled manpower with people with a migration background. On the other hand, job-seeking migrants were offered the opportunity to present their potentials and find access to job opportunities on the local labour market. The fair was financially supported by the *Bundesministerium für Arbeit und Soziales* [Federal Ministry of Labour and Social Affairs] and the *Bundesagentur für Arbeit* [Federal Labour Agency]. In an area of 1,000 square meters, around 40 public and private employers from Hamburg were represented. Info-stands informed people with a migration background on the labour market integration projects conducted by the fair's organisers. The presented projects focused on the recognition of certificates and qualifications, further education and assistance for migrants in setting up their own businesses. Within two workshops, the project *Deutsch am Arbeitsplatz* [German at the Workplace]²²⁰ –an innovative tool for intra-corporate further training – was introduced to employers. 3,000 people visited the fair. Of the 480 visitors interviewed, 60 stated that they were leaving the fair with a concrete job or vocational training offer. The fair gained high attention in the German-speaking and Turkish-speaking national media.²²¹ Whether the fair will be repeated next year is not yet clear.

²²⁰ A project within the DP NOBI, providing a internet platform with concept and teaching material as well as advice and further training for multipliers, see: <http://www.deutsch-am-arbeitsplatz.de/> (17.10.2007).

²²¹ http://www.job-kontakt-hamburg.de/front_content.php?idcat=42 (17.10.2007).

C.2. Education

C.2.1. New complaints bodies – differentiated data

New bodies

As previously described, several specialised bodies and NGOs were established in 2006 and 2007 which record complaints of ethnic discrimination in various social fields, education and vocational training being one of them. The following organisations were established recently:

- The official federal specialised body for the promotion of equal treatment (Art. 13 of 200/43/EC), the Antidiskriminierungsstelle (ADS)
- The non-governmental association, which operates on a nationwide basis, is the Antidiskriminierungsverband Deutschland (advd)
- The regional NGO Antidiskriminierungsverband Saar and the anti-discrimination network mittendrinundaussenvor.de (Baden-Württemberg)
- The anti-discrimination office in Saxony (ADB Sachsen) and the victim support organisation in Leipzig (RAA Sachsen) – though having been operating for several years – provide new, joint documentation of cases of discrimination in, amongst others area, education.

Data Collection

Whereas the main source of data, i.e. the official education statistics provided by the Federal Statistical Office (DESTATIS), continues to differentiate only between the students' nationality, the micro-census 2005 contains complex information on educational attainments according to migration background and national origin (based on nationality, naturalisation and the migration history of the respondent as well as of his/her parents). These statistics were first published in 2006 (National Report on Education); in May 2007, DESTATIS issued a statistical series (*Fachserie*, see C.1.1) using these 2005 micro-census data.²²² Furthermore, the 18. *Sozialerhebung* [18th Social Survey] on the situation of students at German universities provided differentiated information according to the migration background based on nationality, dual citizenship and the naturalisation of the students.

The latest results of two international comparative studies on school performance (PISA and IGLU) underscored once again the negative association

²²² Statistisches Bundesamt (2007) Bevölkerung und Erwerbstätigkeit. Bevölkerung mit Migrationshintergrund – Ergebnisse des Mikrozensus 2005. Fachserie 1, Reihe 2.2.

between of the students' migration status and their educational performance (see C.2.2.1).

Whereas official statistics in education differentiate only by nationality, the Federal Labour Agency published a report on selected occupational training measures for unemployed people that offers data differentiated by migration background (see C.2.3.4).

C.2.2. Racism and discrimination

C.2.2.1. Brief overview

Despite the clearly disadvantaged position of foreign and migrant children within the German educational system (see C.2.3.), there is still a lack of substantiated evidence regarding the extent and mechanisms of discrimination in education.²²³ However, children with a migration background suffer from the general weaknesses of the German educational system, i.e. the early streaming after the fourth grade, which tends to place pupils with less favourable starting positions (e.g. insufficient German language proficiency) in the lower levels of the multitrack school system.²²⁴

Besides disadvantages based on legal restrictions or the structure of the educational system, people with a migration background feel subjected to discrimination in the field of education. The complaints regarding discrimination in education recorded by the different equality bodies (governmental and non-governmental) do not offer a uniform picture. While 18 per cent of all complaints registered by the ADB Cologne in 2006 were related to education,²²⁵ the specialised body of the Federal Government hardly received any complaints in this field.²²⁶

A recent study, conducted by the *Deutsches Jugendinstitut* (DJI) [German Youth Institute], found empirical evidence for a vicious circle of school performance, language practice, discrimination and access to apprenticeship and

²²³ Experts criticise, for instance, the ongoing lack of research on the recruitment practices of companies regarding the transition from school to apprenticeship. Skrobánek, J. (2007) *Wahrgenommene Diskriminierung und (Re)Ethnisierung bei jugendlichen Zuwanderern*. Second Report, p. 27-28, available at: www.dji.de/dasdji/thema/0710/Text_Gesamt_Jacobs.pdf (15.10.2007).

²²⁴ United Nations (2007) Report of the Special Rapporteur on the right to education, Vernor Munoz. Mission to Germany, pp. 2 and 14 available at: <http://daccessdds.un.org/doc/UNDOC/GEN/G07/117/59/PDF/G0711759.pdf?OpenElement> (8.10.2007).

²²⁵ Education was the second most vulnerable social field – surpassed only by complaints pertaining to discrimination within the 'civil service' or by 'authorities' (see table 1 in annex 7).

²²⁶ Data available on request, E-mail from the ADS (21.08.2007)

employment: Migrant students of the *Hauptschule* who fail to find an apprenticeship after school, tend to perceive to a stronger degree, discrimination; perceived discrimination enforces tendencies of re-ethnisation, which causes integration deficits which again makes it more difficult to gain access to the apprenticeship system.²²⁷

The latest results of the OECD study *Programme for International Student Assessment (PISA)* were released in December 2007. The study continues to show a consistent negative association between migration background and school performance in Germany. First generation migrant students fall behind non-immigrant students by 77 points (OECD average: 58 points), which represents a knowledge lag of about two school years. Second generation migrant students, who have undergone their entire school career in Germany, fall behind non-migrant students by 93 points. Migrant students are clearly overrepresented in those schools that are characterised by a socio-economically disadvantaged student population; these schools are generally more affected by teacher shortage.²²⁸

The *Progress in International Reading Literacy Study (PIRLS)*; German abbreviation is **IGLU**²²⁹ revealed the significantly lower reading proficiency of migrant students at the end of primary school. Second generation migrant students lag behind their non-migrant counterparts by 48 points which represents almost one school year; this performance gap is reduced to 27 points when controlling for indicators of social origin. Compared to previous results, the gap between migrant and non-migrant students has significantly decreased since 2001.²³⁰

Concerning racist and xenophobic incidents in schools, new figures are only available for three *Länder*. Due to the small database, a comment on trends cannot be made.

²²⁷ J. Skrobanek (2007) Wahrgenommene Diskriminierung und (Re)Ethnisierung bei jugendlichen Zuwanderern. Second Report, available at:

www.dji.de/dasdji/thema/0710/Text_Gesamt_Jacobs.pdf (15.10.2007)

²²⁸ OECD (2007) OECD Briefing Note für Deutschland, available at:

www.pisa.oecd.org/dataoecd/60/3/39727140.pdf (18.01.2008)

²²⁹ PIRLS is conducted by *International Association for the Evaluation of Educational Achievement (IEA)*.

²³⁰ W. Bos et al. (2007) IGLU 2006. Lesekompetenz von Grundschulkindern in Deutschland im internationalen Vergleich. Zusammenfassung, available at: www.ifs.uni-dortmund.de/iglu2006/ (18.01.2008); W. Bos et al. (2007) IGLU 2006. Lesekompetenz von Grundschulkindern in Deutschland im internationalen Vergleich, Münster: Waxmann

C.2.2.2. Statistical data and tables on racist or religiously motivated incidents

Saxony-Anhalt registered 67 right-wing extremist criminal offences and one attack at schools in the year 2006 (2005:70 incidents). In the first six months of 2007, Six criminal offences were committed with a right-wing extremist background. No offences were reported for universities in this period of time.²³¹ 13 anti-Semitic incidents were reported for schools in **Baden-Württemberg** in the year 2006.²³² No data are publicly available for religiously motivated incidents.

In the school year 2006/2007, 51 **incidents with a right-wing extremist background** were registered at Brandenburg schools.²³³ This constitutes the lowest number since the beginning of the registration of such crimes at schools in Brandenburg. (2000/01: 257; 2001/02: 179; 2002/03: 117; 2003/04: 62; 2004/05: 80; 2005/06: 53).

According to the findings of the aforementioned **victim survey among Sinit and Roma**, carried out by the Central Council of German Sinit and Roma (Annex B2, tab. 22), 40 per cent of the 309 respondents stated that their children or grandchildren do not receive sufficient support in school (30 per cent stated the opposite and further 20 per cent “did not know”). Furthermore, four out of ten respondents stated that their children are treated less favourably at school.²³⁴

The **complaints regarding discrimination** in education recorded by the different governmental and non-governmental anti-discrimination offices (see annex B) do not show a clear picture on the extent of experienced discrimination in the area of school. While 18 per cent of all complaints registered by the ADB Cologne in 2006 were related to education (which makes education the second most vulnerable social area), the specialised body of the Federal Government hardly received any complaints in this field (which might also be related to the fact that educational issues fall primarily within the responsibility of the Länder).²³⁵ The non-governmental ADB Saxony and the municipal antidiscrimination body in Munich AMIGRA registered a fairly low number of complaints on (ethnic) discrimination in education (see Annex B1).

²³¹ Landtag von Sachsen-Anhalt, printed matter 5/725 (26.06.2007) and 5/836 (23.08.2007).

²³² Landtag von Baden-Württemberg, printed matter 14/867 (01.02.2007).

²³³ Response to an NFP-inquiry on the Brandenburg Ministry of Education (21.01.2008)

²³⁴ Zentralrat Deutscher Sinti und Roma (2006) Ergebnisse der Repräsentativumfrage des Zentralrats Deutscher Sinti und Roma über den Rassismus gegen Sinti und Roma in Deutschland
(<http://zentralrat.sintiundroma.de/content/downloads/stellungnahmen/UmfrageRassismus06.pdf>)

²³⁵ Data available on request, E-mail from the ADS (21.08.2007)

C.2.2.3. Exemplary cases of discrimination

The following three **exemplary cases of discrimination** in the field of education have been provided by non-governmental organisations. The first example refers to a case reported by ARIC; it was published within the framework of a press release of the non-governmental association Antidiskriminierungsverband Deutschland (advd); the second and third example were provided (on request of the NFP) by the anti-discrimination office ADB Köln/ÖgG, a non-governmental organisation based in Cologne. This selection aims to underscore the variety of types of (alleged or experienced) discrimination.

(1) A 14-year-old boy attending a grammar school was repeatedly insulted with **racist slurs** by his schoolmates. The boy complained to the headmaster about the children's behaviour but the latter only appeased the boy without intervene in the conflict. Subsequently, the boy repeatedly resorted to violence to defend himself. Another occurrence took place in a German lesson. The teacher presented, but did not comment on a text that contained the terms 'Nigger' and 'Neger'. The aforementioned boy pointed out that these terms are considered abusive. However, the teacher did not permit any discussion and continued to use the term 'Neger' to describe black people. This incident was followed by a dispute that ended up in the headmaster's office. After several discussions without any results, the boy's mother received an official letter informing her of her boy's suspension from school for two days. This happened without summoning a meeting to discuss the issue, which is provided for by the Education Act. An appeal against the disciplinary measure was dismissed by the district government. Subsequently, there was no opportunity to apply the legal provisions of the General Equal Treatment Act. Finally, the boy was forced by these circumstances to leave this school.²³⁶

(2) The daughter of a German couple, who had migrated from the former Soviet Union to Germany more than 10 years ago, passed the 'eligibility test' within the framework of the **application procedure** at a Catholic primary school in Cologne; in the subsequent conversation between the parents and the headmaster of the school, the latter praised the girl's skills and level of knowledge and confirmed orally that the school would accept the girl as a student. However, when the headmaster realised the mother's non-German accent and that the girl (who speaks German without an accent) has been raised bilingually, she urged the parents to enrol their daughter in a German language course. The parents did not follow the headmaster's request and formally expressed their objections since they regarded their daughter's participation in a language course as unnecessary. Failing to persuade the parents, the headmaster

²³⁶ Antidiskriminierungsverband Deutschland (2007) Stellungnahme des Antidiskriminierungsverbandes Deutschland und seiner Mitgliedsorganisationen zum einjährigen Bestehen des Allgemeinen Gleichbehandlungsgesetzes (AGG), pp. 6-7, available at: www.antidiskriminierung.org/files/Stellungnahme%20des%20advd%20zu%20einem%20Jahr%20AGG_NEU0907.pdf (18.08.2007).

threatened the parents that their daughter would not be permitted to enrol in the pertinent primary school unless she participated in a German language course. The parents decided to get a second opinion on their daughter's proficiency in German and asked her pre-school teachers; they confirmed that, in their opinion, such a language course was dispensable due to the girl's very good command of German. During a meeting on 5 May 2006, initiated by the ADB Köln/ÖgG, a mutual consent was reached by the parents and the headmaster; the daughter was accepted at the Catholic school without participating in a German course.²³⁷

(3) A nine-year old girl of Turkish origin, who went to fourth grade at a primary school in Cologne, should be **referred to a special needs school** for pupils with learning disabilities. Her main primary school teacher had tried to transfer her to the special needs school twice before arguing that she girl displayed patterns of deficient behaviour (malfunction of perception, lacking practical skills); the parents, however, had successfully prevent respective assessment procedures which are to be conducted before a child is transferred to a special need school. The mandatory examination of the girl before the initial school enrolment (in primary school) had not suggested any malfunctions in particular not regarding her perception abilities. When the school re-launched the assessment proceedings seeking to transfer the girl to the special needs school after fourth grade, the parents expressed their disapproval again – this time, however, without success, since the teachers, the headmaster and the school psychologist played down the parents' objections as a 'cultural conflict'. After that the parents contacted another primary school asking to accept their daughter; the headmaster of this school arranged an examination of the girl and came to the conclusion that she should not be send to a special needs school. Hence, the headmaster declared that his school would accept the girl; this was, however, not possible anymore since the assessment procedures had already been initiated by the other school. Further queries of the ADB Köln/ÖgG seeking to discuss the issue were turned down. Finally, the girl was referred to the special needs school.²³⁸

C.2.2.4. Restrictions to access to education

In Germany, all children are legally obliged to attend school. However, in three *Länder* (Hesse, Baden-Württemberg, Saarland), children with a **refugee background** are disadvantaged regarding their access to general education since they are not covered by the compulsory school system.²³⁹ Regulations that

²³⁷ The description of this case was provided by the ADB Köln/ÖgG (on NFP request)

²³⁸ The description of this case was provided by the ADB Köln/ÖgG (on NFP request)

²³⁹ United Nations (2007) Report of the Special Rapporteur on the right to education, Vernor Munoz. Mission to Germany, p. 17, available at: <http://daccessdds.un.org/doc/UNDOC/GEN/G07/117/59/PDF/G0711759.pdf?OpenElement> (8.10.2007); German NFP (2006) Special Study. Combating ethnic and racial discrimination and promoting equality: Trends and developments 2000-2005, p. 44.

deny compulsory schooling (can) have a restrictive impact on the access to schooling. Individual schools can more easily refuse to accept those children for “reasons of school capacity” or exclude them from class (e.g. for disturbing the class).²⁴⁰ In addition, refugee families may have to pay for school books or for their children’s use of public transport to travel to school, whereas pupils who are obliged to attend school usually enjoy the right of teaching materials free of charge and receive financial support.²⁴¹ However, since there are no nationwide figures on the actual participation rate of children of refugees and asylum seekers in education defensible statement on the actual impact of non-mandatory schooling provisions on the access to education for children with a refugee background are not possible.²⁴² Furthermore, experts have stated that the access to vocational training is limited for **people with a continuously prolonged toleration certificate** (*Geduldete*) due to a restrictive allocation of work permits.²⁴³ People with a toleration certificate are only allowed to do an internship or an apprenticeship after a waiting period of one year and a subsequent labour-market testing procedure.²⁴⁴ However, the *Ausländerbehörde* [Department for Foreigners] can reject a work permit if the person (or the family) has immigrated to Germany only with the purpose of receiving social benefits or if the person hinders his or her own deportation e.g. is not cooperative in the provision of identity papers.²⁴⁵

The situation for **children without a legal residence status** is quite unclear. According to a legal opinion commissioned by the *Bundesministerium des Inneren* [Federal Ministry of the Interior] explicit rules only exist in Bavaria and North Rhine-Westphalia. In these two *Länder*, compulsory education for children who are legally obliged to leave the country is explicitly laid down by *Länder* provisions – irrespectively whether a toleration status exist or not.²⁴⁶

²⁴⁰ S. Klingelhöfer, P. Rieker, (2003) *Junge Flüchtlinge in Deutschland. Expertise zu vorliegenden Informationen, zum Forschungsstand und zum Forschungsbedarf*. Halle: DJI, p.18

²⁴¹ B. Harmening (2005) “Wir bleiben draußen”. Schulpflicht und Schulrecht von Flüchtlingskindern in Deutschland, Osnabrück: terre des hommes

²⁴² Respective statistics exist only rarely and, if at all, solely on municipal level. The school authority in Frankfurt, for instance, provide information on students in classes for newly arrived migrants (Seiteneinsteiger) differentiated according to ethnic German migrants, foreigners and, among the latter, asylum seekers: in the school year 2003/2004, among the total of 568 students enrolled in these classes in Frankfurt, 26 were asylum seekers.

²⁴³ U. Neumann (2007) ‘Das Recht auf Bildung für Migranten- und Flüchtlingskinder’, in: B. Overwien, A. Prengel (eds.) *Recht auf Bildung. Zum Besuch des Sonderberichterstatters der Vereinten Nationen in Deutschland*, Opladen & Farmington Hills: Verlag Barbara Budrich, pp. 239-240.

²⁴⁴ For asylum seekers, see: §61 AsylVfG, for people with a tolerated status, see § 10 BeschVerfV.

²⁴⁵ See §11 BeschVerfV.

²⁴⁶ Bundesministerium des Inneren (2007) *Illegal aufhältige Migranten in Deutschland. Datenlage, Rechtslage, Handlungsoptionen*, p. 23, available at: www.emhosting.de/kunden/fluechtlingsrat-nrw.de/system/upload/download_1232.pdf

However, school officials are in general obligated by law to inform the foreigner's registration office about a child without a residence status.²⁴⁷

C.2.3. The situation of migrants and minorities in education

C.2.3.1. Brief overview

Migrants and foreigners continue to occupy, on average, a clearly **disadvantaged position** in the educational system; this applies to all educational stages – from pre-school, primary and secondary school to vocational training and university. The causes for these educational disparities are manifold and complex. A recently published study (based on statistical analyses) found that the reasons for the differences in educational attainments can mainly be explained by social class rather than ethnicity.²⁴⁸ As a consequence, the over-representation of migrants and ethnic minorities in lower social strata translates into educational disparities. According to another empirical study, disparities between migrants and non-migrants occur already at a very early stage in the educational career (i.e. when starting primary school); in the course of the school career, these disadvantages accumulate and grow, i.e. the educational system fails to level out the initial disparities between migrants and non-migrants.²⁴⁹

The latest school statistics do not show significant changes regarding non-German students' participation or attainments in education. Non-German students continue to occupy a severely disadvantaged position in education. Minor changes occurred in the category of **school leaving certificates**: whereas the proportion of foreigners who left school without any school leaving certificate (of all foreigners who left school in the respective school year) in 2006 decreased slightly (17.4 per cent in 2005; 16.8 per cent in 2006), a larger proportion of non-German students achieve an A-level certificate (8.7 per cent in 2005; 9.3 per cent in 2006).

In general education, the disadvantaged position of migrant children is additionally reflected in a significant overrepresentation of non-German students in schools of the **lowest school tiers**, the *Hauptschule* and the *Förderschule*.

²⁴⁷ The obligation of officials to convey information about illegal migrants to the foreigner's registration office is statutory in § 87 (2) AufenthG. However, experts state that in practice the attendance of children with a toleration status is tolerated by the educational authorities.

²⁴⁸ Institut für Arbeitsmarkt- und Berufsforschung (2007) *The Educational Attainment of the Second Generation in Germany. Social Origins and Ethnic Inequality*, IAB-Discussion Paper 4/2007, available at: <http://doku.iab.de/discussionpapers/2007/dp0407.pdf> (28.08.2007)

²⁴⁹ Becker, Birgit, Biedinger, Nicole (2006) *Ethnische Bildungsungleichheit zu Schulbeginn*, in: *Kölner Zeitschrift für Soziologie und Sozialpsychologie*, 58, pp. 660-684

In the aftermath of the PISA study, which identified a strong importance of the German language spoken at home for the educational outcome of migrant children in Germany, most *Länder* expanded their language support measures for migrant children mainly in the field of pre-school education.²⁵⁰ But also with regard to the following stages of education, the *Länder* increased the availability of German language support measures (see C. 2.3.4).²⁵¹

In contrast to the growing availability of German language support, the *Länder* are rather reducing their offers in mother tongue education. The withdrawal of the *Länder* leads to a stronger commitment of consulates and migrant organisations in the field of mother tongue education.²⁵²

C.2.3.2. Statistical data on participation and achievement in education

Non-German students are significantly overrepresented in the lower educational track of secondary education (*Hauptschule*) as well as in special schools and under-represented in the higher track (*Gymnasium*); this situation has hardly altered for the past few years. As a consequence of the disadvantaged position, the level of educational attainment reached by non-German students is lower than the attainments of their German counterparts: non-German students leave school more often without any certificate (17.4 per cent) or with the lower secondary certificate (43.8 per cent) compared to 4.2 per cent (no certificate) and 25.7 per cent (lower secondary certificate) of German students, respectively. The proportion of non-German students who leave school with the school-leaving certificate, the *Abitur*, which entitles them to study at a German university, stands at only 8.7 per cent, whereas this proportion amounts to 25.7% among German students. This results in a clear under-representation of students with a migration background (including *Bildungsinländer*²⁵³, persons

²⁵⁰ German NFP (2006) National Data Collection Report Germany 2006, p. 47-48.

²⁵¹ In Germany, not only the *Länder* but also the federal state, municipalities and districts, and private organisations and foundations offer language support measures for migrants. In 2007, the Bundesamt für Migration und Flüchtlinge (bamf) [The Federal Office for Migration and Refugees] published three comprehensive mapping studies on German language measures for migrants provided in Germany, see: Bundesamt für Migration und Flüchtlinge (2007): Bundesweites Integrationsprogramm §45 Aufenthaltsgesetz. Feststellung der Förderangebote des Bundes und der Länder, available at: http://www.integration-in-deutschland.de/cln_006/nn_283346/SharedDocs/Anlagen/DE/Integration/Downloads/Integrationsprogramm/11-sprachfoerderung-bund-und-laender-d-ip.templateId=raw.property=publicationFile.pdf/11-sprachfoerderung-bund-und-laender-d-ip.pdf (12.10.2007).

²⁵² Presse- und Informationsamt der Bundesregierung (2007) Der Nationale Integrationsplan. Neue Wege – Neue Chancen, pp. 51, 68, 118, available at: <http://www.bundesregierung.de/Content/DE/Artikel/2007/07/Anlage/2007-08-30-nationaler-integrationsplan.property=publicationFile.pdf> (12.10.2007).

²⁵³ ‚Bildungsinländer‘ refers to non-German students who have obtained their university entry qualification in a German school.

with dual citizenship and naturalised persons) at university.²⁵⁴ Moreover, the apprenticeship quota, which has been dropping for the past years for both Germans and non-Germans, indicates growing disparities between foreigners and Germans in the vocational training system.

The official statistics on participation and attainments in the educational system, including vocational schools, are presented in annex C2:

- participation of non-German students by school type (Annex C2, tab. 1-2)
- school leaving certificates by nationality / sex (Annex C2, tab. 3-5; figure 1)
- participation in vocational training schools, by nationality and sex (Annex C2, tab. 6-10; figure 2)
- participation in schools of the health care system, by nationality and sex (Annex C2, tab. 11)
- participation in university (Annex C2, tab. 12-14)
- *Bildungsinländer* by country of origin (Annex C2, figure 3)

For two *Länder*, limited statistical information on the participation of foreigners and migrants in the **apprenticeship system** in public administration (in Berlin; see C.2.4.1) and in **university teacher training** (in Hamburg) is available. The figures on the latter show a slightly positive trend as the table 13 illustrates:

Table 19: Non-German Students enrolled in a university teacher training at the University of Hamburg (winter term 2006/2007)

Teacher training for...	Number of non-German students
Primary and secondary I	195
<i>of which: with the subject 'Turkish'</i>	22
Secondary II	147
<i>of which: with the subject 'Russian'</i>	29
<i>of which: with the subject 'Turkish'</i>	7
Vocational Schools	17
<i>of which: with the subject 'Turkish'</i>	0
Special need schools	14

Source: Hamburg, *Bürgerschaft der Freien und Hansestadt Hamburg*, printed matter 18/5219 (10.11.2006)

²⁵⁴ Bundesministerium für Bildung und Forschung (2007) Die wirtschaftliche und soziale Lage der Studierenden in der Bundesrepublik Deutschland 2006, 18. Sozialerhebung des Deutschen Studentenwerks durchgeführt durch HIS Hochschul-Informations-System, pp. 432-433, available at: http://www.bmbf.de/pub/wsldsl_2006.pdf

Table 20: Percentage of students with a migration background who entered the teacher preparation phase in Hamburg (after graduating from university), university terms 2003 - 2006

	Migration background	
	Yes (%)	No (%)
01.08.2003	1.6	98.4
01.02.2004	2.1	97.9
01.11.2004	2.0	98.0
01.05.2005	3.4	96.6
01.11.2005	2.6	97.4
01.05.2006	3.5	96.5
01.11.2006	5.9	94.1

Source: Hamburg, Bürgerschaft der Freien und Hansestadt Hamburg, printed matter 18/5219 (10.11.2006)

C.2.3.3. Statistical data on segregation

Information on the distribution of foreign/migrant pupils in the education system was presented in section C.2.3.2. Additionally, separate classes for migrant pupils with insufficient German proficiency exist in most *Länder*. However, these classes aim at fully integrating these children into the regular classes.

C.2.3.4. Statistical data on support measures for migrant and minority children

By way of example, we provide statistical data on support measures in three *Länder* Bavaria, North Rhine-Westphalia and Hesse. One has to keep in mind that these statistics represent only a small section of a wide range of support measures offered by various institutions and organisations in the respective *Land*.²⁶¹

The selection of Bavaria, NRW and Hesse is primarily based on the fact that for these three federal states comprehensive and accessible data on support measures within the educational system are available. Moreover, the three *Länder* have different traditions concerning their education policies in general as well as regarding their concepts on schooling migrants in particular. While in the 1990s the Bavarian school system was still considered as the ‘prototype’ for schooling of foreign children in separated classes, NRW has already pursued a more integrative concept since the early 1980s.²⁶² However, in the meantime the concepts of Bavaria and NRW – and also Hesse – have grown more similar. In Bavaria, all separated classes for migrant students aim at integrating migrants in regular classes.

In **Bavaria**, the supply of pre-school courses for children with insufficient German language proficiency has been continuously expanded since 2001. Whereas in 2005/06 724 pre-school classes with 6,747 students were carried out, these figures have increased to 1,646 classes and 13,740 participating children in 2006/2007. In the school year 2006/07, there were twice as many classes and participants as in 2005/06.

²⁶¹ The Mercator Foundation currently supports around 6,000 students at 35 locations who are taught by around 1,100 students of teacher training within its special tuition project. German NFP (2006) NDCR, p. 122; http://www.mercator-foerderunterricht.de/foerderunterricht/cms/front_content.php?idcat=14 (25.10.2007).

²⁶² U. Hunger (2001) “Bildungspolitik und „institutionalisierte Diskriminierung””, in: L. Akgün, D. Thränhardt (eds.) *Integrationspolitik in föderalistischen Systemen. Jahrbuch Migration – Yearbook Migration 2000/2001*, Münster: LIT, p. 119-138.

Table 21: Number of *Vorkurse Deutsch* [Pre-school German languages courses]¹ and participants, Bavaria, 2001/02-2006/07

	Classes	Students
2001/02	60	550
2002/03	167	1,625
2003/04	336	2,760
2004/05	548	4,090
2005/06	724	6,747
2006/07	1,646	13,740

Source: Bayerisches Staatsministerium für Unterricht und Kultus, 2007, statistical data upon request (04.10.2007).

¹ Pre-school courses shall be visited in case of insufficient command of German; children who have insufficient proficiency at the date of school enrolment can be obliged to start school one year later; pre-school courses are compulsory for those children. Between 2001 and 2004/05 children with insufficient German skills used to receive 40 hours of German lessons; since 2005/06 these courses have been expanded to 160 hours.

Simultaneously, the number of support measures for students with insufficient German language skills in schools increased in **Bavaria** (Sprachlernklassen, see Annex C2, tab.15). Only the number of transition classes for newly arrived migrants has significantly decreased (annex C2, tab. 16). In the school term 2006/07, 6,302 students with a non-German mother tongue received additional support measures (*Intensivkurse* or *Förderunterricht*, see Annex C2, tab. 17).

In **North-Rhine Westphalia**, the number of students participating in mentoring classes has continually increased. Corresponding to the development in Bavaria, the number of participants in classes designed for newly arrived migrants or for students without any knowledge of the German language (*Auffangklassen* and 'preparatory classes' decreased. The number of ethnic German migrants attending preparatory classes or *Auffangklassen* at any level of the school system decreased from the school year 2005/06 to the school year 2006/07 by 21.1 percent. The number of foreign students attending one of these classes decreased by five per cent (see Annex C2, tab. 18-19).

The **Hesse** State Ministry of Education published figures on the participation of children in pre-school language support programme in Hesse (2007/2008). The statistics show that an increasing number of children participate in these pre-school language courses. In the school year 2006/2007, only 2.5 per cent of the pre-school children who were about to start primary school were refused due to their insufficient German proficiency; this rate has continuously decreased since

the introduction of the pre-school support courses from 4.7 per cent in 2003/04 and 3.3 per cent in 2005/06.²⁶⁵

Table 22: Students and numbers of pre-school German language courses for children with insufficient language proficiency in Hesse in the school years 2005/2006, 2006/2007, 2007/2008

School year	2005/2006	2006/2007	2007/2008
Students	6,201	6,400*	6,800*
Courses	748	766	807

Source: Germany/Hessisches Kultusministerium, press release 11.01.2007, available at:

www.kultusministerium.hessen.de/irj/HKM_Internet?rid=HKM_15/HKM_Internet/nav/8e0/8e0703e0-cf26-2901-be59-2697ccf4e69f,ea155c03-6f46-711a-eb6d-f144e9169fcc,,11111111-2222-3333-4444-100000005004%26_ic_uCon_zentral=ea155c03-6f46-711a-eb6d-f144e9169fcc%26overview=true.htm&uid=8e0703e0-cf26-2901-be59-2697ccf4e69f,
www.kultusministerium.hessen.de/irj/HKM_Internet?cid=f2fd9845270981331a9685a4756782ec

*approximate figures

Mother tongue education

There are no harmonised (nationwide) official data on the number of pupils participating in **mother tongue education**.

In **Bavaria**, mother tongue education will be stopped in the year 2009 by attaching more importance to the support of German courses for migrant children.²⁶⁶ Nevertheless, consular representations can still offer mother tongue courses.²⁶⁷ **Baden-Württemberg** recently decided to adhere to the policy of organising mother tongue education by the consulates of the countries of origin.²⁶⁸ However, in **North Rhine-Westphalia** mother tongue education is

²⁶⁵ Hessisches Kultusministerium, press release (03.02.2007)

²⁶⁶ Bayerisches Staatsministerium für Unterricht und Kultus, available at: <http://www.km.bayern.de/km/schule/schularten/allgemein/migrantenfoerderung/muetterergaenz/thema/01994/index.shtml> (28.08.2007). 11,000 pupils were taught in 1,527 courses in the school year 2004/05; see: Bayerisches Staatsministerium für Unterricht und Kultus, available at: <http://www.km.bayern.de/schule/schularten/allgemein/migrantenfoerderung/muetterergaenz/thema/00076/index.shtml> (20.08.2007).

²⁶⁷ Bayerisches Staatsministerium für Unterricht und Kultus, Förderung von Schülern mit nichtdeutscher Muttersprache, written notice to the Bavarian state schools, 23.03.2005. Furthermore, the Bayerisches Staatsministerium für Unterricht und Kultus [Bavarian State Ministry of Education] asks schools to use only the German language in everyday life at school. The aim is to improve the German language skills of migrant children but also to strengthen the sense of community among all pupils. Bayerisches Staatsministerium für Unterricht und Kultus, Deutsch auf bayerischen Schulhöfen, written notice to the Bavarian state schools, 15.02.2007.

²⁶⁸ Landtag von Baden-Württemberg, printed matter 14/1104 (29.03.2007).

still offered in state schools and good grades in the mother tongue can even compensate for poor grades in one of the compulsory ‘foreign’ languages.²⁶⁹ Nevertheless, in North Rhine-Westphalia, too, the number of participants in mother tongue classes decreased from the school year 2001/02 to the school year 2006/07 by 60 per cent (for students who attend mother tongue instead of another language or an elective) and by 20 per cent (Annex C2, tab. 20).

C.2.3.5. Multicultural education and anti-racist education

Since in Germany, the responsibility lies with the *Länder*, there is no nationwide legal provision for multicultural and anti-racist education. However, **intercultural education** and **human-rights education** is already incorporated in most of the curricula of the *Länder*. In 2006, within the declaration of the *Kultusministerkonferenz* [Standing Conference of the Ministers of Education and Cultural Affairs] on the UN Convention on the Rights of the Child, the Ministers of Education and Cultural Affairs of the *Länder*²⁷⁰ emphasised that human-rights education is a general task of schools and classes and a specific task for the relevant school subjects. The Ministers undertook the obligation to inform their schools on the handbook “KOMPASS”²⁷¹ and on the “Attainment Targets for Human Rights Education in Schools”²⁷².

Concerning teacher-training, most attention is devoted at the moment to the qualification of teachers regarding their skills in dealing with **multilingual and multicultural** children (see C 2.4.1). In 2004, the Standing Conference of the Ministers of Education and Cultural Affairs decided on new standards for teacher training. These standards aim, amongst others, at developing the intercultural competence of teachers. But, since the responsibility for education lies with the *Länder*, there is no official body monitoring the implementation of these standards by the *Länder*.

²⁶⁹ <http://www.bildungsportal.nrw.de/BP/Unterricht/Faecher/Muttersprache/index.html> (10.10.2007).

²⁷⁰ Kultusministerkonferenz (2006) Erklärung der Kultusministerkonferenz zur Umsetzung des Übereinkommens der Vereinten Nationen über die Rechte des Kindes. Beschluss der Kultusministerkonferenz vom 03.03.2006, available at: <http://www.kmk.org/doc/beschl/RechtedesKindes.pdf> (13.10.2007).

²⁷¹ Bundeszentrale für Politische Bildung, Deutsches Institut für Menschenrechte, Europarat (eds.) (2005) KOMPASS - Ein Handbuch zur Menschenrechtsbildung für die schulische und außerschulische Bildungsarbeit.

²⁷² Forum Menschenrechte (2006) Bildungsstandards der Menschenrechtsbildung in Schulen, available at: http://forum-menschenrechte.de/cms/upload/PDF/fmr_standards_der_menschenrechtsbildung.pdf (13.10.2007).

C.2.3.6. Support and involvement of parents and communities

In 2006 and 2007, the awareness concerning parental and community work for the educational attainment of migrant children significantly increased. In January 2007, the **nationwide model project** *Ausbildungsorientierte Elternarbeit im Jugendmigrationsdienst* started, focusing on the pedagogic support of migrant parents and funded by the *Bundesministerium für Familie, Senioren, Frauen und Jugend* [Federal Ministry for Family Affairs, Senior Citizens, Women and Youth]. It will be carried out at 12 locations for two years. Migrant parents are informed about the German school system and encouraged to become involved in parents' councils and parent conference days.²⁷³

On the *Länder* level, Berlin has established an action programme, amounting to €500,000, supporting projects for parents with a migrant background. Within this programme the work of migrant organisations in close collaboration with district institutions is strongly promoted.²⁷⁴

In 2007, the *Türkischer Bund in Berlin-Brandenburg (TBB)* [Turkish Union in Berlin-Brandenburg (TBB)] started a project called *Elternlotsen* [Parental Pilots]: people with a Turkish migration background visit migrant families to raise their awareness about the importance of parents supporting their children at school.²⁷⁵ Furthermore, the *Türkischer Elternverein Berlin-Brandenburg (TEVBB)* [Turkish parents' association Berlin-Brandenburg] frequently offers consultation hours, parents' evenings in Turkish as well as support for issues concerning the school. The association signed agreements with two schools about their continuous cooperation in 2006 and 2007. The project is funded by the Commissioner for Integration of Berlin with €10,000 Euro annually.²⁷⁶

The compilation of a 'handbook for intercultural parents' work' is presented as a good practice example in section C.2.4.2.

²⁷³ Bundesministerium für Familie, Senioren, Frauen und Jugend, press releases (02.04.2007) and (11.05.2007).

²⁷⁴ Der Beauftragte für Integration und Migration in Berlin, press release, (22.05.2006), available at: <http://www.berlin.de/lb/intmig/presse/archiv/20060522.1000.43710.html> (26.05.2007).

²⁷⁵ N.a., 'Sprachdefizite: Neue Konzepte gefordert' in: Berliner Morgenpost (14.02.2007).

²⁷⁶ Der Beauftragte für Integration und Migration in Berlin, press release, (27.02.2007), available at: <http://www.berlin.de/lb/intmig/presse/archiv/20070227.1000.73543.html> (03.08.2007); 'Türkische Eltern geben Nachhilfe' in: Berliner Zeitung Online (28.02.2007), available at: <http://www.berlinonline.de/berliner-zeitung/archiv/.bin/dump.fcgi/2007/0228/lokales/0086/index.html> (03.09.2007). J. Plavec (2007) 'Frühstück und Freischwimmer garantiert', in: die tageszeitung (20.02.2007), p. 7.

C.2.3.7. Religious symbols

The political debate on religious symbols is dominated by the ban on wearing **headscarves** by teachers at schools. To date, seven *Länder* have banned headscarves or other religious symbols from being displayed by teachers in their state schools.²⁷⁷ The Hesse State Court of Justice held that the amendment to the Hesse state school law, which aims at banning Muslim teachers from wearing a headscarf whilst teaching, is in compliance with the constitution (see

For this and another verdict regarding the wearing of headscarves by teachers, please see annex A1.

C.2.4. Good practice

C.2.4.1. Policy initiatives

In July 2007, the Federal Government presented the results of the negotiation process between representatives of the federal and state governments and the municipalities and various NGOs: the *Nationaler Integrationsplan (NIP)*. Besides self-obligation on the part of non-governmental organisations, an array of education-related governmental measures (partly already implemented), ranging from early childhood education to vocational training, are presented in the NIP. Examples include the following:

Day care offers for children under the age of three should be expanded; the government announced that in 2013 such offers should be available for 35 per cent of the children under three; the government stated its commitment to contribute significantly to the financial means required. This is meant to have a positive impact in particular on children with a migration background by improving their language learning. The acquisition of German language skills is to be additionally supported by a general concept for education in early childhood.

The *Länder* announced that the support of, and communication with parents will be enhanced and that **language-support measures** will be provided to migrant students in primary and secondary schools and throughout all educational stages; further training courses to equip all teachers with the respective competence will be made available within the next five years. Besides the fairly vague declaration of intent that the proportion of apprentices with a migration background in public administration should be increased, the plan to extend the financial assistance (e.g. BAFöG) for non-German

²⁷⁷ Legal provisions have been introduced in Bavaria, Baden-Württemberg, Berlin, Bremen, Hesse, Lower-Saxony as well as in North Rhine-Westphalia.

apprentices (with a legal residence status) is already on its way through the legal implementation process.²⁷⁸

With the 22nd amendment to the *Bundesausbildungsförderungsgesetz* [The Federal Act on Education Assistance, BAföG], the circle of eligible foreign students eligible for **financial assistance** has been expanded (§ 8 BAföG). The prerequisite that the applying student's parents had worked for at least three years prior to the application was deleted.²⁷⁹ Since 1 January 2008, foreigners who have an assumedly long-term residence status have been eligible for financial assistance irrespective of their parents' employment situation.²⁸⁰

In several *Länder*, employers in public administration and the police have increased their efforts to **recruit young migrants** as apprentices. In Lower Saxony, the State Minister of the Interior stressed that the specific intercultural competence and language skills of migrants should be taken into account in the selection of apprentices. Several police department in Lower Saxony (e.g. in Göttingen, Hanover, Oldenburg, Osnabrück and Celle) organised public information events on apprenticeships with the police that target particularly migrants. In Hanover, the police department put an advertisement detailing such events in the Turkish newspaper *Hürriyet* which is very popular with Turkish migrants.²⁸¹ The *Länder* of Berlin and Hamburg have been running successful recruitment campaigns which seek to encourage migrants to start an apprenticeship in public administration. In **Hamburg**, where the campaign *Wir sind Hamburg – Bist Du dabei?* was launched in November 2006, the percentage of migrants who started an apprenticeship in the public administration (including the police) increased to 10.9 per cent compared to 5.2 per cent in 2006.²⁸² The campaign *Berlin braucht dich!*, coordinated by the **Berlin** State Commissioner for Integration and Migration²⁸³, has become increasingly effective since its introduction in 2006. In the apprenticeship term 2007/2008 term, 91 of the 688 new apprentices have a migration background (13.23 per cent). In the previous term, only 8.68 per cent were migrants.²⁸⁴

²⁷⁸ The Federal Government has presented a bill aiming to enhance young immigrants' eligibility for financial support for studying and apprenticeships (22.BAföG-ÄndG). The new law shall become effective for the winter semester 2007/08 (Deutscher Bundestag, printed matter 16/5172 (27.04.2007); Bundesministerium für Bildung und Forschung, <http://www.bmbf.de/en/892.php>, 24.08.2007).

²⁷⁹ The former provision resulted in an exclusion of certain migrant groups, in particular of refugees.

²⁸⁰ Germany/Bundesgesetzblatt, 2007, Part I, No. 70 (31.12.2007)

²⁸¹ Niedersachsen/Landtag, 129th plenary session of the State Parliament on 18.10.2007, Top 26, pp. 15406-15413; www.focus.de/jobs/branchen/karriere_aid_135299.html#comment (17.01.2008). At many of these information events the police emphasised that German citizenship is not a prerequisite for a career in the police force.

²⁸² <http://fhh.hamburg.de/stadt/ihr-arbeitgeber-hamburg/ausbildung/bist-du-dabei/start.html> (17.01.2008)

²⁸³ This campaign was presented by FRA in its 2007 Annual Report (FRA (2007) Report on Racism and Xenophobia in the Member States of the EU, p.67)

²⁸⁴ Berlin/Beauftragte des Berliner Senats für Integration und Migration, press release 808.11.2007)

C.2.4.2. Practical initiatives by civil society and government

The *Vodafone Stiftung Deutschland* [Vodafone Foundation Germany] initiated the **scholarship** system *Vodafone Chancen* [Vodafone Chances] for migrant students in the winter semester 2006/07. The target group for the project are young people with a migration background who have excellent grades. To qualify for this support, students have both to be socially involved and not have the means to finance the university studies on their own. Up to now, the project has given 39 young migrants the opportunity to study at one of four participating German private universities.²⁸⁵ Besides the financial aid, the students are also supported by mentors and the provision of internships. In addition they are invited to seminars and conferences to establish contacts to academic networks and structures..²⁸⁶

Within the scope of the initiative *Vielfalt als Chance* [Diversity as Chance], established by the *Beauftragte der Bundesregierung für Migration, Flüchtlinge und Integration* [Federal Commissioner for Migration, Refugees and Integration] to strengthen the idea of **diversity management**, companies involved in the project started the competition *Kulturelle Vielfalt in der Ausbildung* [Cultural Diversity in Vocational Training] in mid-2007. The aim is to increase migrants' participation rates in the field of vocational training and employment. Up to December 2007, the competition aims to find companies (micro-enterprises, small and medium-sized as well as large enterprises) and administrations dealing with cultural diversity in an exemplary manner. The best examples of good practice will receive financial prizes of up to €15,000 as well as other non-monetary prizes.²⁸⁷

A major campaign called *Zukunft für Bildung* [Future for Education] for the support of **Turkish migrants in the German education system** was initiated by the *Türkische Gemeinde Deutschland (TGD)* [Turkish Community Germany] for the period of time from 2007 to 2011.²⁸⁸ The aim is to halve the number of Turkish students leaving school without certificates and to increase the number of those graduating from grammar schools. This should be achieved by focusing on pupils with a Turkish migration background as well as on their

²⁸⁵ The Bucerius Law School in Hamburg, the European Business School in Oestrich-Winkel, the Jacobs University Bremen as well as the Otto Beisheim School Management in Koblenz act as partners in the project.

²⁸⁶ Vodafone Stiftung Deutschland (2006) Vodafone Chancen. Ein Stipendienprogramm der Vodafone Stiftung Deutschland, . available at: <http://vodafone-stiftung.de/bin/php/frontend/index.php3?ACTION=SHOWARTIKEL&ID=151> (27.09.2007).

²⁸⁷ Die Beauftragte der Bundesregierung für Migration, Flüchtlinge und Integration (2007) Vielfalt als Chance, Newsletter, Nr.1, August 2007, available at: http://www.vielfalt-als-chance.de/data/downloads/newsletter/Newsletter_Neu.pdf (25.09.2007); Homepage: <http://www.vielfalt-als-chance.de/index.php?id=88> (26.09.2007).

²⁸⁸ The project is carried out in association with the Föderation Türkischer Elternvereine [Federation of Turkish Parental Associations], the Föderation Türkischer Lehrervereine [Federation of Turkish Teacher Associations] as well as the Bundesverband Türkischer Studierendenvereine [Federal Association of Turkish Student Communities].

parents. On a nationwide basis, parents are informed about the German school system via specialised people.²⁸⁹ Further support is offered by the Turkish media (newspapers, TV and radio) to raise parents' and children's awareness for education.²⁹⁰ Moreover, the project is supported by a number of German-Turkish companies.²⁹¹

For the first time, in 2007, the *Deutscher Fußball-Bund* (DFB) [German Football Association] sponsored an annual *Integrationspreis des Deutschen Fußball-Bundes und von Mercedes-Benz* [**Integration Award** of the German Football Association and Mercedes-Benz].²⁹² The competition addresses soccer projects and initiatives which aim at integrating people with a migration background, in particular children, young people and girls with a migration background. The project aims to promote the intercultural dialogue as well as solidarity and tolerance. Those eligible for the Integration Award are (a) soccer clubs, (b) schools and (c) soccer associations on the *Länder* and district level as well as soccer initiatives that are not part of the soccer associations. These organisations can apply with projects such as incorporating the aim of 'integration' into their association articles, attracting volunteers with a migration background, organising soccer tournaments at social hot spots or initiating cooperation between schools and soccer clubs. In November 2007, on the occasion of the official award ceremony the winners in all three categories will be honoured. In each category, the winner will be awarded a Mercedes-Benz Vito car, the runner-up will receive 10,000 Euro and the third placed organisation will receive 5,000 Euro.

The *Consulting and Coordination Centre for the Vocational Qualification of Young Immigrants* (BQM) compiled a '**handbook for intercultural parents' work**'; migrant teachers and parents were actively involved in the process of developing the handbook. The comprehensive folder provides information on the topics of school, employment and the job application procedure while offering target-group specific information on the vocational training system. With this handbook BQM targets primarily multipliers who want to organise meetings with parents as well as migrant teachers who want to conduct in-school information events in their mother tongue. BQM seeks to enable migrant parents to actively assist their children in finding an appropriate apprenticeship.²⁹³

²⁸⁹ In January 2007 33 'Bildungsbotschafter' informed the parents about the education system; by the end of 2007, their number should have increased to 100.

²⁹⁰ Inter alia, the important publications *Hürriyet* and *Milliyet* are offering their support.

²⁹¹ Türkische Gemeinde Deutschland (2007) *Bildung für die Zukunft*, available at: http://www.veli.tgd.de/download/Bildungskampagne_D.pdf; C. Akyol (2007) 'Mehr Lehrer aus Zuwandererfamilien', in: *die tageszeitung* (09.01.2007); Newsletter Migration und Bevölkerung, Nr. 02/2007

²⁹² <http://www.dfb.de/index.php?id=501909>

²⁹³ The bulk of the material of the handbook is available in Farsi, Polish, Russian and Turkish. Beratungs- und Koordinierungsstelle zur beruflichen Qualifizierung von jungen Migrantinnen und Migranten (BQM), Newsletter BQM, No. 4/2007, p.7; www.bqm-hamburg.de (15.01.2008)

In December 2007, the *Hertie* Foundation launched the new **scholarship initiative** *Horizonte*, in cooperation with the University of Frankfurt/Main and the Hesse State Ministry of Education. The programme endeavours to encourage and support talented, motivated and socially committed high school graduates and university students with a migration background to become teachers. The selected migrant students will receive € 650 per month, further financial aids (e.g. for books, language courses) and individual assistance by two tutors at university. Additionally, they are offered to participate in special seminars and an annual summer school, and their university fees are covered by the scholarship. For the summer term 2008, five applicants will be selected by 1 April 2008; the next five participants will be chosen for the winter term 2008/09.²⁹⁴

The *Länder* are conducting a range of in-school and out-of-school projects applying different thematic approaches, as the following examples illustrate:

In July 2006, the *Landesinstitut für Lehrerbildung und Schulentwicklung* (LI) [Institute for Teacher Training and School Development] in **Hamburg** established an advice centre for teachers and headmasters concerning questions of intercultural education, religion, sex education and prevention of violence. Seminars, training and discussion forums are also offered.²⁹⁵

In autumn 2007, **Saxony-Anhalt** is about to launch special further education courses for teachers on the subject of right-wing extremism at schools. The courses are organised in cooperation with, amongst others, Holocaust memorial authorities of the Internal Security, the police, and representatives of the judicial system.²⁹⁶

To strengthen the ability of teachers in dealing with extreme right-wing “school magazines” distributed by right-wing extremist at schools, the federal government of **Brandenburg** distributed a handout. This publication assists teachers in informing pupils about the aims of such right-wing extremist literature and aims at preventing the pupils from coming into contact with right-wing extremist groups.²⁹⁷

²⁹⁴ www.horizonte.ghst.de/index.php (16.01.2008). In March 2007, a similar scholarship programme was launched by the Vodafone Germany Foundation in cooperation with the State of Bremen and the private Jacobs University Bremen for the university term 2007/2008. This Vodafone Chances programme also targets talented students with a migration background and support them during their university studies at the Jacobs University or one of its four partner university. The main difference to scholarship programme of the *Hertie* Foundation is that it does not focus on migrant students who will become teachers (www.jacobs-university.de/news/iubnews/11589/print.html (18.01.2008)).

²⁹⁵ Bürgerschaft der Freien und Hansestadt Hamburg, printed matter 18/5051 (26.09.2006)

²⁹⁶ Kultusministerium des Landes Sachsen-Anhalt, press release (30.08.2007)

²⁹⁷ Ministerium für Bildung, Jugend und Sport des Landes Brandenburg, press release, (24.08.2007); Handreichung für Schulen zum Umgang mit rechtsextremen “Schülerzeitungen”

C.4. Housing

C.4.1. Racism and discrimination

C.4.1.1. Brief overview

The data collected by **anti-discrimination bodies** in Cologne, Munich and Leipzig do not offer a uniform picture: Complaints on discrimination in the field of housing have been registered frequently in Cologne and Munich but fairly seldom in Leipzig. Due to the lack of a national monitoring system registering complaints of discrimination, a defensible assessment on trends regarding discrimination complaints is not possible.

However, for migrants with a Turkish background in North Rhine-Westphalia, the **perceived discrimination** in the neighbourhood whilst looking for accommodation increased in comparison to the previous year. The difficulties for people with a Turkish background in North Rhine-Westphalia whilst looking for accommodation is exemplified by a discrimination testing study conducted in 2006 by the Planerladen. The results indicate that for persons with a Turkish sounding name fewer flats are available after initial contact with the potential future landlord than for persons with a typical German name. Planerladen released another report on unequal treatment of migrants on the housing market. The report provides an overview on discrimination in the access to housing (e.g. through allocation quotas), though it is not based on new research.²⁹⁹

²⁹⁹ The report also contains a comprehensive chapter on discrimination on the housing market in the USA. Special attention is paid to the results and methodology of discrimination testing programmes, including recommendations on the implementation of such testing methods (Planerladen e.V. (2008) Ungleichbehandlung von Migranten auf dem Wohnungsmarkt. Testing zum Diskriminierungsnachweis – Erläuterungen und Empfehlungen zur Anwendung der Methode Dortmund: Planerladen).

C.4.1.2. Statistical data and tables on racist incidents

Complaints on Discrimination (see Annex B1): In 2006, the three anti-discrimination offices in Cologne documented all together 113 complaints on ethnic discrimination. In the realm of housing, 19 such complaints were counted, which makes housing the second most vulnerable social field, surpassed only by discrimination by public authorities (27 cases). The municipal anti-discrimination body in Munich AMIGRA registered a total of 289 complaints on discrimination between 1 August 2003 and 31 December 2006; 13.1 per cent were categorised as housing related. According to the joint figures of the anti-discrimination office (ADB Saxony) and the victim support organisation (RAA Sachsen), ‘only’ six complaints (of a total of 107) were related to housing in Saxony.

Perceived discrimination (Annex B2): According to the latest round of the annual Multi-Topic Survey (2006) among migrants with a **Turkish background**, 52.7 per cent of the interviewees stated that they have experienced discrimination when looking for a flat; 36.6 per cent reported about discrimination in the neighbourhood.³⁰³ The figures show an upward trend in both categories compared to 2005. In 2006, the **Central Council of German Sinti and Roma** conducted a survey on experiences of discrimination among its communities. About 54 per cent of the 309 respondents confirmed that they had experienced discrimination while applying for an accommodation.³⁰⁴

Discrimination testing: The discrimination testing study carried out by the NGO *Planderladen* in 2006 revealed discriminatory treatment in the access to housing. Two test persons – one with a typical German name, the other one of allegedly Turkish origin – responded via email to accommodation ads that were placed on the internet (N=105); both asked in perfect German for an appointment to have a look at the flat. In 59 cases, the emails of both the

³⁰³

The annual Multi-Topic Survey has been conducted by the *Centre for Studies on Turkey* (ZfT) since 1999. It is representative for migrants with a Turkish background living in the state of North-Rhine Westphalia. Stiftung Zentrum für Türkeistudien (ed.) (2007) *Perspektiven des Zusammenlebens. Die Integration türkischstämmiger Migrantinnen und Migranten in Nordrhein-Westfalen. Ergebnisse der achten Mehrthemenbefragung. Eine Analyse im Auftrag des Ministeriums für Generationen, Familie, Frauen und Integration des Landes Nordrhein-Westfalen*, p.255, available at: <http://www.zft-online.de/UserFiles/File/NRW-Bericht%202006.pdf> (20.10.2007)

³⁰⁴ See table 23 in annex 7. Zentralrat Deutscher Sinti und Roma (2006) *Ergebnisse der Repräsentativumfrage des Zentralrats Deutscher Sinti und Roma über den Rassismus gegen Sinti und Roma in Deutschland*, available at: <http://zentralrat.sintiundroma.de/content/downloads/stellungnahmen/UmfrageRassismus06.pdf> (20.10.2007)

‘German’ and the ‘Turkish’ test person were responded to. In 44 cases, only the ‘German’ test person received a response.³⁰⁵

Table 23: Equal and unequal treatment of Turkish and German test persons

Type	Unequal treatment in favour of the ‘German’ test person (proportion within each category)	‘Equal treatment’ (proportion within each category)	Unequal treatment in favour of the ‘Turkish’ test person (proportion within each category)
Housing companies	11 (46%)	13 (54%)	0 (0%)
Estate agent	28 (45%)	32 (52%)	2 (2%)
Private landlords	5 (26%)	14 (73%)	0 (0%)
All	44	59	2

Source: Planerladen e.V. (2007) *Ungleichbehandlung von Migranten auf dem Wohnungsmarkt. Ergebnisse eines ‘Paired Ethnic Testing’ bei Internet-Immobilien-Börsen. Dortmund.*

C.4.1.3. Exemplary cases

The non-governmental anti-discrimination office in Aachen received and processed a complaint of ethnic discrimination; the incident took place in September 2006 – shortly after the German anti-discrimination law (AGG) came into effect. Responding to a flat to rent advertisement, a family from Guinea phoned the property management and arranged an appointment with the facility manager to have a look at the flat. When the Guinean family showed up, the facility manager instantly turned down the family pointing out that – according to instructions of the property management – the flat were not to be rented out to Africans and Turks. In a subsequent phone call of the African family the property management confirmed what the facility manager had said; due to bad experiences in the past, flats were not to be rented to Africans. After that the family from Guinea sought assistance at anti-discrimination office (GBB) in Aachen. To gather further evidence for discriminatory treatment, the GBB sent a ‘test applicant’ also of African origin to apply for the same flat – with the same negative result. To a written complaint of the GBB (which also referred to the AGG), the property management responded: he denied the discriminatory treatment, however, offered a minor financial compensation. As a settlement between the two parties failed, the case was taken to court, where it is still pending.³⁰⁶

³⁰⁵ Planerladen e.V. (2007) *Ungleichbehandlung von Migranten auf dem Wohnungsmarkt. Ergebnisse eines ‘Paired Ethnic Testing’ bei Internet-Immobilien-Börsen. Dortmund.*

³⁰⁶ Stellungnahme des Antidiskriminierungsverbandes Deutschland (advd) und seiner Mitgliedsorganisationen zum einjährigen Bestehen des Allgemeinen Gleichbehandlungsgesetzes (AGG), p. 5, available at:

In late November 2007, the announcement of a housing company in the state of Hesse to allocate tenants according to their ethnic background sparked off a heated debate on the issue of ethnic segregation. A representative of the company stated that the company would pursue the concept of **ethnically homogenous neighbourhoods** with its new allocation practice. Increasing conflicts between tenants of different ethnic or national origin had led to this new strategy, which is meant to diminish the conflicts between neighbours. The public debate ceased when the executive director of the housing company publicly stated that such ethnical segregation criteria would not be applied in the allocation of flats.³⁰⁷

C.4.1.4. Legal restrictions to access to housing

Asylum seekers are subject to legal restrictions regarding the access to housing. After having applied for asylum, refugees have to live in preliminary reception centres for up to six weeks, at the longest up to three months.³⁰⁸ After that they usually have to dwell in refugee accommodation centres – until they are granted asylum.³⁰⁹ Each individual state (Land) accommodates a certain number of asylum seekers according to a quota.³¹⁰

Aiming to avoid ethnic segregation, the City of Frankfurt (Main) assigns council housing to foreigners, ethnic German migrants and recipients of social welfare benefits according to fixed quotas. According to the ‘Frankfurt Contract’ (signed by the Municipality and housing companies) the proportion of foreign residents³¹¹ is not to exceed 30 per cent in the individual city district; the maximum proportion of Spätaussiedler lies at 10 per cent.

It is noteworthy that the new AGG contains a provision (§19 (3) AGG) that explicitly permits unequal treatment regarding renting out accommodation provided it serves the purpose of ‘establishing or maintaining a socially stabile

http://www.antidiskriminierung.org/files/Stellungnahme%20des%20advd%20zu%20einem%20Jahr%20AGG_NEU0907.pdf (28.10.2007)

³⁰⁷ Hesse State Parliament, press release (20.11.2007); W. Schmidt; G Löwitsch (2007)

„Wohnungsgesellschaft sortiert Mieter”, in: *taz* (21.01.2007), *Sueddeutsche.de* (20.1.2007), Nassauische Heimstätte Wohnstadt, press release (22.11.2007)

³⁰⁸ §47 (1) 1 AsylVfG

³⁰⁹ §53 (1), (2) AsylVfG;

³¹⁰ §45 AufenthG; for the distribution and accommodation of illegally immigrated foreigners see RAXEN 6, National Report on Germany 2005, pp. 54-55. Similar regulations are in place for illegally immigrated third-country nationals who neither file an asylum application nor can be detained after their unlawful entry nor can then be deported instantly. They are distributed – similar to asylum applicants – among the German states and they are obliged to remain living in the respective accommodation centres as long as they cannot be deported or until they are granted a residency status (§15a Residence Act). Weiß, N. (2007) ‚Die Verteilung unerlaubt eingereister Ausländer nach § 15a Aufenthaltsgesetz’, in: *ZAR*, Vol 27, No.8, pp. 279-283

³¹¹ In this particular context, the category foreigner not include foreigners who have been living in Germany for more than 15 years and households in which one spouse holds German citizenship.

housing structures and a balanced mixture concerning the economic, social and cultural composition of a neighbourhood’.

C.4.2. The situation of migrants and minorities in housing

C.4.2.1. Brief overview

The latest available data for the housing situation of migrants in Germany mostly refer to the year 2002 and 2001 respectively. In 2002, the housing conditions of foreigners in Germany lacked behind the housing conditions of Germans. This is reflected by various indicators. Foreigners were less often owners of the flat or house they inhabited, they lived more often in multi storey houses and they had less living space at their disposal than Germans. These differences still exist if one takes into account the facts that foreigners more often live in households with several persons than in one-person-households and that foreigners more often live in big cities than in the countryside. However, the differences between German and foreign households regarding the share of expenditure for rent (*Mietbelastung*) and the ‘gross rent without excluding service charges’ (*Bruttokaltmiete*) in 2001 nearly disappeared as soon as one exclusively considered cities with more than 100,000 inhabitants.

More recent data suggest that these differences between Germans and foreigners still exist. Within the (for foreigners not representative) BBR-survey, 25 per cent of the foreign interviewees of the years 2004-2006 stated that their dwelling ‘might be larger’ but only 14 per cent of the Germans gave the same statement.

Elderly Turks (+60) seems to be especially disadvantaged with regard to their housing conditions compared to Germans of the same age group: In 2006, only 10 per cent of the elderly Turks were homeowners (Germans: 55 per cent) and

79 per cent of the elderly Turks lived in a flat in a 'multi-storey house' (Germans: 36 per cent).

Comprehensive data on homelessness of foreigners is not available in Germany. Depending on the data source, the information on the share of foreigners among the homeless highly differs and does not allow a reliable assessment of the situation.

C.4.2.2. Statistical data and tables on the housing situation of migrants and minorities

Type of tenure: According to the additional micro census survey on the housing situation, there is a big difference between Germans and non-Germans with regard to homeownership: In 2002, 15.5 per cent of non-Germans owned their accommodation (Germans: 43.7 per cent). The analysis of data from the Generations and Gender Survey (GGS) for elderly Turks and Germans reveals even a more significant difference: In 2006, only 10 per cent of the elderly Turks (60+) were homeowners, among the elderly Germans (60+) 55 per cent lived in an apartment/house they owned (Annex C3, tab. 1, 9).

Type of house: In 2002, 80 per cent of non-Germans lived in a house with three or more dwelling units (Germans: 51.3 per cent). In 2006, 79 per cent of the elderly Turks (+60) lived in a flat in a 'multi-storey house' but only 36 per cent of (+60) Germans lived in the same kind of accommodation (Annex C3, tab.2, 10)

Occupation density: In 2002, the average square meters per dwelling were with 74.7 m² for non-German households less than the average living space at the disposal of German households with 90.9 m². According to the BBR-survey, 25 per cent of foreign interviewees during the years 2004-2006 stated that their dwelling 'could be larger', but only 14 per cent of the Germans expressed this discontent with the size of their dwelling (Annex C3, tab.3, 8)

Rent and share of expenditures for rent on the household income: In 2002, non-German households spent on average 422 Euro per month on rent, more than German households (407 Euro). This difference is smaller but still existent when comparing the rent per square meter of Germans to non-Germans: In 2002, non-German households paid on average 5.88 Euro per square meter; German households paid 5.58 Euro. Consequently, non-Germans have to spend a higher percentage of their income on housing. In 2002, non-Germans spent 24.3 per cent of their net household income on rent; Germans spent 22.6 per cent of their net household income on rent (Annex C3, tab.4-6). However, the analysis of GSOEP data for 1995 and 2001 indicates that these differences disappear in cities with more than 100,000 inhabitants (Annex C3, tab.7).

Satisfaction with the housing situation: Results of the BBR-survey (2005/2006) indicates that foreigners and persons with dual citizenship are less satisfied with their dwelling and their home environment but more satisfied with their place of residence than the Germans are (Annex C3, figure 1)

Council housing: In Germany, low income households are supported by, amongst others, the social housing scheme (council housing) and/or by housing allowances. However, there is no data available on the number of foreigners who receive housing allowance. Concerning the council housing, data distinguished by nationality is only available on local level giving information on the number of persons who are accommodated in a council flat by the public housing agency in a respective year. In annex C3 we provide data from the city of Munich and the city of Frankfurt: In 2005, 39.4 per cent of the beneficiaries of the council housing scheme in the city of **Munich** and 43.4 per cent of all people in council flats in **Frankfurt** were foreigners. In both cities, the proportion of foreigners slightly increased in previous years (Annex C3, tab.11-12).

Data on homelessness: In Germany, there are no *official* nationwide statistics on homelessness. However, some data sources exist that contain information on the extent of homelessness among foreigners in Germany. These data differ with regard to its regional scope, the definition of homelessness and the empirical methodology of the data collection as well as with regard to the respective migrant groups. Tables on the following data are presented in annex C3:

- According to the **nationwide client-based data collection** of the *Bundesarbeitsgemeinschaft Wohnungslosenhilfe e.V.* (BAG W) [National Alliance of Service Providers for the Homeless] 2.7 per cent of the clients registered by 70-80 organisations in 2003 were EU foreigners, 5.6 per cent were foreigners with another citizenship and 0.1 per cent were stateless (tab. 13).
- In 2006, 755 of 1,866 homeless persons who are provided with institutional accommodation by the city of **Munich** were foreigners (tab. 14).

- In 2002, 17 per cent of “rough sleepers” (clients of services and institutions for the homeless and for drug addicts) in **Hamburg** were foreigners (tab. 15-17). Among these foreign homeless people the percentage of women (18.6 per cent) was smaller than among the German “rough sleepers” (21.1 per cent). Furthermore, foreign homeless people were significantly younger than the Germans: The median age of foreigners was 36 years; the one of Germans was 41 years.

C.4.2.3. Segregation and neighbourhood integration

Residential structures of migrants in Germany: The majority of migrants are live in large and middle sized cities.³¹⁶ On the city level, the proportion of people with a migration background can reach 40 per cent (Stuttgart: 40.1 per cent, Frankfurt: 39.5 per cent). However, there is no German city where one nationality (except the German) represents more than ten per cent of the city’s population.³¹⁸ At the level of city districts, ethnic neighbourhoods, where one nationality represents the population majority, are not common in Germany as migrant quarters are mostly multi-ethnic (for selected cities see annex C3, tab. 18, 19).³¹⁹

Patterns of ethnic segregation: Within the first phase of the project *Migration/Integration und Stadtteilpolitik* [Migration/Integration and local housing/neighbourhood policies] launched by the Federal Office for Building and Regional Planning BBR in November 2006 (see C.3.4.1), 75,000 neighbourhoods in Germany were analysed. According to the results of the interim report, a stronger ethnic segregation was detected in east Germany, Northern Bavaria, Northern Hesse and the *Ruhrgebiet* (Ruhr area in NRW); the results also indicate a higher level of segregation in large cities than in ‘small

³¹⁶ In six cities, the percentage of foreigners is above 20 per cent. Ten per cent of the foreign population lives in these three cities. K. Schönwälder, J. Söhn (2007) *Siedlungsstrukturen von Migrantengruppen in Deutschland: Schwerpunkte der Ansiedlung und innerstädtischen Konzentration*. Discussion Paper Nr. SP IV 2007-601, Berlin, p. 12 available at: http://www.wz-berlin.de/zkd/aki/files/aki_siedlungsstrukturen_migrantengruppen_deutschland.pdf (18.07.2007)

³¹⁸ K. Schönwälder, J. Söhn (2007) *Siedlungsstrukturen von Migrantengruppen in Deutschland: Schwerpunkte der Ansiedlung und innerstädtischen Konzentration*. Discussion Paper Nr. SP IV 2007-601, Berlin, p. 26 available at: http://www.wz-berlin.de/zkd/aki/files/aki_siedlungsstrukturen_migrantengruppen_deutschland.pdf (18.07.2007)

³¹⁹ In 2006, 57.6 per cent of all persons with a Turkish background in North-Rhine Westphalia (where one third of all Turks in Germany live) stated that they live in an area where mainly Germans live; only 6.4 per cent reported that they live in an area predominated by Turks (see Annex C3, tab. 20)

towns'; however in other small municipalities, i.e. with less inhabitants than small cities, the segregation indices were again higher. The analyses also identified 5,000 neighbourhoods with a special need for integration; more than half of those neighbourhoods are located in metropolitan areas, only some 300 in small towns.³²⁰

In Germany, patterns of spatial segregation were mainly analysed for single cities in the past, however, an exception is the recently published study by the *Arbeitsstelle Interkulturelle Konflikte und gesellschaftliche Integration* (AKI) [Programme on Intercultural Conflicts and Societal Integration] of the *Wissenschaftszentrum Berlin für Sozialforschung* (WZB) [Social Science Research Center Berlin]. Using data from the *Innerstädtische Raumbeobachtung* (IRB) [Inner-city Spatial Monitoring]³²¹, the study has analysed 1,810 spatial units with an average of 9,000 inhabitants in 33 West German cities (including six Eastern cities for the analysis of people from the former Soviet Union). The aim was to analyse the ethnic settlement structures of five different migrant groups: persons with a citizenship from former Yugoslavian states, the former Soviet Union, Turks, Italians and Greeks. Some selected results are presented in the following:

The **concentration of the analysed nationalities** is high in city districts with a high proportion of foreigners. But only in 152 spatial units the proportion of foreigners reached 30 per cent or more; only in 121 spatial units the proportion of Turks reached ten per cent or more.³²² Turks and persons from the former Soviet Union more often live in city districts where the proportion of their own 'nationality' is considerably higher than in the city's average in comparison to the other analysed nationality groups: Around one third of all Turks and former Soviet Union citizens³²³ live in city districts where the proportion of their own

³²⁰ www.bbr.bund.de/cln_007/nn_21288/DE/Forschungsprogramme/ExperimentellerWohnungsStaedtebau/Studien/MigrationundStadtteilpolitik/03_ergebnisse.html (26.10.2007)

³²¹ The IRB is administrated by the *Bundesamt für Bauwesen und Raumordnung* (BBR) [Federal Office for Building and Regional Planning]. The data set of the IRB contains information from 42 German cities which annually provide (based on voluntary agreements) a standardised set of indicators to the BBR. The IRB contains data differentiated on citizenship but although identifies people with dual citizenship, i.e. naturalised persons who gave up their former citizenship, they are not included in the analysis.
http://www.bbr.bund.de/cln_007/nn_23688/DE/Raumbeobachtung/Komponenten/LaufendeStadtbeobachtung/laufendestadtbeobachtung_node.html?nnn=true#doc116126bodyText2

³²² K. Schönwälder, J. Söhn (2007) *Siedlungsstrukturen von Migrantengruppen in Deutschland: Schwerpunkte der Ansiedlung und innerstädtischen Konzentration*. Discussion Paper Nr. SP IV 2007-601, Berlin, p. 20 available at: http://www.wz-berlin.de/zkd/aki/files/aki_siedlungsstrukturen_migrantengruppen_deutschland.pdf

³²³ In the five East German cities with 100,000-199,999 inhabitants, 44 per cent of the persons from the former Soviet Union live in such city districts. The authors suggest that this could be a result of the allocation of council housing. K. Schönwälder, J. Söhn (2007) *Siedlungsstrukturen von Migrantengruppen in Deutschland: Schwerpunkte der Ansiedlung und innerstädtischen Konzentration*. Discussion Paper Nr. SP IV 2007-601, Berlin, p. 23 available at: http://www.wz-berlin.de/zkd/aki/files/aki_siedlungsstrukturen_migrantengruppen_deutschland.pdf

nationality is twice as high as the city's average.³²⁴ There is a high correlation between 'high proportion of foreigners', 'high proportion of welfare recipients' and 'high proportion of unemployed persons' in one spatial unit. Comparing the different groups, this correlation is highest for Turks and persons from the former Soviet Union.

Social segregation: Migrants are more likely to live in disadvantaged neighbourhoods than non-migrants. However, disadvantaged neighbourhoods are not first and foremost caused by ethnic segregation but by social segregation. More and more middle-class families, whether they are well integrated migrants or 'Germans', change their quarter, leaving behind the poor, the old, the unemployed and foreigners.³²⁵

Consequences. The discussion on ethnic spatial segregation in Germany is highly connected with discussions on the so called 'parallel society' which is suspected to threaten the social cohesion of the German society. However, ethnic spatial integration does not have per se a negative influence for the integration of migrants. The successful integration of migrants is more influenced by their belonging to a certain generation or by their educational attainment than by the neighbourhood where they live.³²⁶ This is at last true for adult migrants. For adolescents (ages 13-19), results of a recently published study by the *Arbeitsstelle Interkulturelle Konflikte und gesellschaftliche Integration* (AKI) [Programme on Intercultural Conflicts and Societal Integration] of the *Wissenschaftszentrum Berlin für Sozialforschung* (WZB) [Social Science Research Center Berlin] indicates that interethnic friendships are more influenced by the composition of the student body than by the neighbourhood. The correlation of the 'overlapping but independent' contexts of school and neighbourhood, however, has to be further investigated.³²⁷

Perceived presence of 'foreigners' and neighbourhood relations: According to the annual survey of the BBR³²⁸, in the beginning of the 1990s, 50 per cent of all interviewees perceived foreigners in their neighbourhood. After 2000 this

³²⁴ K. Schönwälder, J. Söhn (2007) Siedlungsstrukturen von Migrantengruppen in Deutschland: Schwerpunkte der Ansiedlung und innerstädtischen Konzentration. Discussion Paper Nr. SP IV 2007-601, Berlin, p. 22 available at: http://www.wz-berlin.de/zkd/aki/files/aki_siedlungsstrukturen_migrantengruppen_deutschland.pdf (18.07.2007)

³²⁵ S. Worbs (2007) „Parallelgesellschaften“ von Zuwanderern in Deutschland? p. 21, available at: <http://www.gesis.org/Information/soFid/pdf/Migration-2007-1.pdf> (20.10.2007)

³²⁶ A. Drever (2004) Separate Spaces, Separate Outcomes? Neighborhood Impacts on Minorities in Germany, in : Urban Studies, 41(8), 1423-1439

³²⁷ D. Oberwittler (2007) The Effects of Ethnic and Social Segregation on Children and Adolescents: Recent Research and Results from a German Multilevel Study. Discussion Paper Nr. SP IV 2007-603, Berlin, available at: http://www.wz-berlin.de/zkd/aki/files/aki_segregation_kinder_jugendliche.pdf (18.07.2007)

³²⁸ www.bbr.bund.de/cln_007/nn_84016/DE/Raumbbeobachtung/Komponenten/LaufendeBevoelkerungsumfrage/laufendeBevoelkerungsumfrage_node.html?__nnn=true (24.10.2007)

percentage rose up to 80 per cent.³²⁹. The percentage of German interviewees making contact with foreigners in their neighbourhood and vice versa has also increased: In 1999, 36 per cent of the Germans and 84 per cent of the foreigners stated that they are in contact with their foreign and German neighbour respectively (annex C3, tab. 20-22). Looking at the personal opinion on whether ‘foreigners’ and Germans should live together in the same neighbourhood (‘integration disposition’) or should rather live in separated neighbourhoods (‘segregation disposition’), the integration disposition of Germans increased (1991: 42 per cent, 2004: 63 per cent) while the integration disposition of foreigners slightly decreased but on a high level (1991: 78 per cent, 2002: 72 per cent) (annex C3, tab. 23, 24). In general, the relationship between Germans and foreigners was better assessed by Germans than by foreigners. In 2004, 12 per cent of the foreigners characterised the relationship between Germans and foreigners to be typified by conflict, but only 5 per cent of the Germans gave the same estimation (annex C3, tab.25, 26).

In November 2007, the *German Institute for Urban Affairs* (Difu) published a report on the **participation of migrants in neighbourhood management initiatives** in 12 Berlin neighbourhoods with a large migrant population.³³⁰ *Difu* concluded that migrants are actively involved in the neighbourhood programmes: 24 per cent of the neighbourhood council members were migrant residents or represented a migrant organisation (84 of the 347 members). This participation rate is regarded as a promising sign for migrants’ involvement despite the fact that their proportion of the total population in these districts is considerably higher (36 per cent non-German residents).³³¹ The report also contains recommendation on how to further increase the participation of migrants in the neighbourhood programmes (e.g. more financial assistance, promoting cooperation with mosques).³³²

³²⁹ Bundesamt für Bauwesen und Raumordnung (2007) *LebensRäume. Wohn- und Lebensbedingungen aus Sicht der Bewohner. Berichte. Band 24*, p. 43.

³³⁰ The study was commissioned by the Berlin State Administration for Urban Development.

³³¹ 65 per cent of the migrants who participate in the neighbourhood councils were of Turkish origin (i.e. 16 per cent of all members). Migrants with an Arabic background were – in relation to their population share – slightly overrepresented (five per cent); migrants from former Yugoslavia, the former Soviet Union and Poland are considered to be only ‘insufficiently’ involved.

³³² Deutsches Institut für Urbanistik (2007) *Evaluierung der Partizipation im Rahmen der Berliner Quartiersverfahren. Gutachten unter besonderer Berücksichtigung der Aktivierung von Berlinerinnen und Berlinern mit migrantischer Herkunft*, Berlin: Difu

C.4.3. Good Practices

C.4.3.1. Policy initiatives

In July 2007, the Federal Government adopted the comprehensive **National Integration Plan**³³³ which represents the first systematic (though legally non-binding) action plan on integration on the federal level with about 400 recommended measures and self-obligations of governmental and non-governmental bodies and organisations (for more information see Annex 9; Employment). The Government explicitly underscored the desirable ideal of socially and ethnically mixed, i.e. de-segregated neighbourhoods; however, policy-makers have come to recognise that the influence of political interventions is limited; hence, the government also pursues the aim of 'integration despite segregation'. Housing-related measures of the National Integration Plan are either fairly general recommendation or refer to already existing initiatives, most importantly the nationwide programme *Soziale Stadt* [Social City]³³⁴ and a model programme recently launched by the *Bundesamt für Bauwesen und Raumordnung* (BBR) [Federal Office for Building and Regional Planning]. The representatives of the *Länder* suggest a multi-dimensional approach which includes measures to upgrade and enhance the infrastructure of neighbourhoods (e.g. park and sport areas, spaces assigned for joint activities of the residents), to improve the neighbourhood safety and to involve migrants in local decision-making processes.

In November 2006, the BBR launched the large-scale programme *Migration/Integration und Stadtteilpolitik* [Migration/Integration and local housing policies] which seeks to systematically analyse housing and neighbourhood-related integration strategies. Until June 2009, the BBR will present a mapping and analysis of all relevant measures taken in municipalities all over Germany. In the first research round all 164 municipalities with more than 60.000 inhabitants were addressed (125 of them responded). In addition to this comprehensive mapping study, the programme will conduct case studies; concrete approach will be evaluated and assessed in respect to their transferability. Based on these case studies, good practice strategies will be identified, documented and presented on expert conferences. In September 2007

³³³ Bundesregierung (2007) Der Nationale Integrationsplan. Neue Wege – Neue Chancen

³³⁴ Within the programme 'Social City', projects are supported in about 450 neighbourhoods in almost 300 municipalities all over Germany. The thematic fields of action 'Local Economy', 'Education in the Neighbourhood' and 'Integration of Migrants' have turned out to be of core importance for the programme; according to an interim evaluation, projects that focus on education in the neighbourhood and on the integration of migrants have led to 'progress and improvement' (Deutsches Institut für Urbanistik/Bundestransferstelle Soziale Stadt (2006) *Dritter Fachpolitischer Dialog zur Sozialen Stadt: Praxiserfahrungen und Perspektiven. Auswertungsbericht*, available at: <http://www.sozialestadt.de/veroeffentlichungen/> (21.10.2007)).

selected results stemming from the interim report were published (see C.3.3.3).³³⁵

C.4.3.2. Practical initiatives by civil society and government

In late 2006, the non-governmental association *Planerladen* (Dortmund/NRW) started the project *Brücken bauen zwischen den Welten* [Building Bridges] in cooperation with several regional and local housing companies. The three year project, which is supported by the Federal Office for Migration and Integration (BAMF), focuses on **mediating** between members of the migrant and the majority communities in the neighbourhood. *Planerladen* offers assistance in de-escalating conflicts between migrants and other residents or ‘institutional actors’ (e.g. the municipality); the conflict parties should be assisted in constructively resolving the problems. A particular emphasis is on uncovering the ‘real’ causes of the conflict and avoiding the ethnisation of the conflict. The project pursues a sustainable long-term effect since the communication process between all residents and neighbourhood actors should be improved and, by doing so, mutual prejudice should be reduced. *Planerladen* also offers training courses on (intercultural) conflict management for multipliers, employees of local housing companies and to residents who volunteer in the project as mediators.³³⁶

The Berlin-based **housing company** GESOBAU AG has been continuously expanding its integration project ‘*Besser miteinander wohnen!*’ (launched in 2006) with the general aim to promote social integration of migrants, socially disadvantaged and disabled tenants. Following the company’s basic principles of tolerance and acceptance irrespective of the ethnic, social or cultural background, several instruments have been deployed to achieve a harmonious co-existence of all tenants. For instance, a counselling service has been set up which provides assistance and information in several community languages; ‘coaches’ with a migration background have been deployed as interpreter who function as contact persons for housing-related questions and offer assistance in dealing with the authorities. Furthermore, German language courses, tutoring and assistance in applying for a job or an apprenticeship are being offered to young people with and without a migration background. Furthermore, the GESOBAU AG has opened a facility called *BoxGym* where young people can come together to do sports and for other leisure time activities (e.g. Street dance) – under the guidance of trainers. In return, the young people declared their commitment to take on cleaning or painting duties in the neighbourhood.³³⁷

³³⁵ www.bbr.bund.de/cln_007/nn_21288/DE/Forschungsprogramme/ExperimentellerWohnungsStaedtebau/Studien/MigrationundStadtteilpolitik/03_ergebnisse.html (26.10.2007)

³³⁶ <http://www.planerladen.de/97.html> (21.10.2007)

³³⁷ In the meantime, GESOBAU has increased the proportion of migrants among their staff and their apprentices and conducted intercultural training courses for their employees. In June

The concept of *Quartiersmanagement* [**Neighbourhood management**], which has emerged in several metropolitan areas in Germany since the mid/late 1990s, plays an outstanding role in enhancing community cohesion in certain neighbourhoods, predominately those with a high proportion of socially disadvantaged residents as well as of people with a migration background. The Neighbourhood Management sets up and coordinates local networks involving various local actors, including municipal administration, local associations and enterprises and the residents themselves, and encourages various initiatives on local level.³³⁸ In Berlin, neighbourhood management offices have been established in 16 neighbourhoods; one of them will be briefly described in the following as a typical example.³³⁹

Since June 1999, when the **Neighbourhood Agency Marzahn Northwest** was established, more than 400 individual projects have been initiated in order to, among others, promote the residents' integration into the labour market, to improve the living conditions as well as the educational and health situation and to enhance the participation of all residents. Furthermore, the 'intercultural integration' should be promoted through empowerment initiatives, encouraging neighbourhood contacts and resolving (intercultural) conflicts. To achieve this goal the Neighbourhood Agency has been initiating various projects. In 2007, for instance, the monthly neighbourhood newspaper has been expanded by a three-page section in German and Russian to better address ethnic German migrants (*Aussiedler*) who live in the neighbourhood. The topics covered in this extra section focus on integration issues (e.g. language offers, news, events) and aims to include the perspective of the Ethnic German migrants themselves. Ethnic German migrants are meant to actively participate in the project.³⁴⁰

The City of Oberhausen (NRW) and the organisation *WohnBund-Beratung NRW* launched the new model project *Pro Wohnen – Internationales Wohnen* in Oberhausen-Tackenberg, a neighbourhood with a large migrant population (53 per cent).³⁴¹ The project seeks to establish housing structures that better suit the special needs of **elderly migrants**, in particular those who "commute" between Germany and their country of origin. These special needs are to be taken into consideration within the framework of renovation and new construction programmes. The residents of the neighbourhood have been actively involved in the project (e.g. through neighbourhood workshops). A neighbourhood office

2006, the company appointed the former Berlin State Commissioner for Integration, Ms John, as Integration Commissioner who acts as an expert advisor for the integration projects.
<http://www.gesobau.de/> (21.10.2007)

³³⁸ For an overview description (in English) of the emergence, development and functions of these Neighbourhood Management see: <http://www.quartiersmanagement-berlin.de/english/the-socially-integrative-city-program/neighborhood-management/> (21.10.2007)

³³⁹ <http://www.quartiersmanagement-berlin.de/quartiersmanagement/> (21.10.2007)

³⁴⁰ www.marzahn-nordwest-quartier.de (20.10.2007); www.marzahn-nordwest-quartier.de/index.php?option=com_content&task=view&id=833&Itemid=123 (20.10.2007)

³⁴¹ The project is supported within the federal programme *Experimental Housing and Urban Development* (ExWoSt)

which offers professional assistance to the residents was installed. Furthermore, service offers in particular for elderly migrants will be set up. The project coordinator is currently in negotiations with potential investors about the construction of new buildings.³⁴²

³⁴² The model project was awarded the *Robert Jungk Prize* in 2007 for civil engagement under the category 'Chances for elderly people with migration history'. B. Karhoff (2007) 'Neues Siedlungsentwicklungsprojekt: „Pro Wohnen“ – Internationales Wohnen Oberhausen-Tackenberg', in: *IKOM-Newsletter*, Vol. 6, No. 2-07, pp. 9-10; www.robertjungkpreis.nrw.de (21.01.2008); www.bbr.bund.de/cIn_005/nn_21888/DE/Forschungsprogramme/ExperimentellerWohnungsStaedtebau/Forschungsfelder/InnovationenFamilieStadtquartiere/Modellvorhaben/10_MV-C_OberhausenProWohnen.html (21.01.2008)

C.5. Health and social care³⁴³

C.5.1. Complaints bodies – differentiated data

During the past few years an increasing number of **statutory and non-governmental bodies and offices** have been established on the federal, state and local levels that record and process complaints of ethnic discrimination. None of these organisations, however, are specialised on, or particularly concerned with discrimination regarding health and social care, but deal with complaints of discrimination irrespective of the social area in which it occurs.³⁴⁴

Among those bodies which compile differentiated data according to the place of discrimination, the institution accused or the social context of discrimination, some do not record health as a separate area. Instead, health is sometimes included in other areas like data on the access to services in general or it is left out entirely. Therefore, it is often difficult to identify cases that clearly refer to the health sector.

According to the prevailing opinion among health experts, the **population-based data collection on the situation of migrants' health** continues to be, inadequate.³⁴⁶ So far, the official statistics contain little data on the social and health situation of migrants;³⁴⁷ moreover, differentiations in most of the official statistics are merely based on nationality.³⁴⁸ Even though there is a wide range of non-official reports,³⁴⁹ the lack of nationwide reports and longitudinal

³⁴³ In this context, the term 'social care' refers to a wide range of social services including services for senior citizens, services for disabled people and mental health services which are provided by local authorities and the independent sector. In Germany, social care comes in many forms, such as care in day centres or at home or in the form of residential or nursing homes. Moreover, the term covers meals on wheels to the elderly, home help for people with disabilities and some fostering services.

³⁴⁴ More details on these bodies and offices are available on request, please contact: mario.peucker@uni-bamberg.de

³⁴⁶ I. Geiger, O. Razum, U. Ronellenfitsch, H. Zeeb (2004) 'Gesundheitsversorgung von Migranten', in: *Deutsches Ärzteblatt*, Vol. 101, No. 43, pp. A-2882 / B-2439 / C-2326, available at: <http://www.aerzteblatt.de/v4/archiv/artikel.asp?id=43977> (16.10.2007).

³⁴⁷ J. Butler, N.-J. Albrecht, G. Ellsäßer, M. Gavranidou, M. Habermann, J. Lindert, C. Weilandt (2007) 'Migrationssensible Datenerhebung für die Gesundheitsberichterstattung', in: *Bundesgesundheitsbl – Gesundheitsforsch – Gesundheitsschutz*, Vol. 10, pp. 1232-1238.

³⁴⁸ T. Borde (2005) 'Repräsentation ethnischer Minderheiten in Studien und Gesundheitsberichten. Erfordernis, Chancen und Nebenwirkungen', in: T. Borde, M. David (eds)(2005) *Kinder und Jugendliche mit Migrationshintergrund*, Frankfurt/Main: Mabuse-Verlag, pp. 267-287.

³⁴⁹ According to the Open Society Institute, the 'health status of, and frequency of certain illnesses among immigrants in general have been explored in detail only during the last 10 years. At the beginning of the waves of immigration, certain illnesses were named in ways that hinted at an increased occurrence among labour migrants [...] but no detailed studies were made at this time.' Open Society Institute (2007) *Muslims in the EU – City Report Germany*, p. 36,

analyses continues and the data collection appears rather unsystematic: a high percentage of studies examine only few indicators, focus on specific groups of migrants, or have a regional impact. This causes problems in generalizing statistical findings. Razum and Zeeb (2006) criticise that, despite there being a large number of descriptive studies on migrant health, analytical migrant studies are still scarce.³⁵⁰

Data differentiated according to gender are also rare. Some data provide an insight into differences in the *health status* between men and women. However, the figures available hardly allow gender-specific statements on the treatment of migrants in and their access to health care. A special analysis of the German 2005 micro-census is supposed to provide more detailed gender-specific findings for various areas, including health care. The results will be published in December 2007.³⁵¹

Deficiencies in the data collection have been subject of many **articles**. Borde, for instance, states in a recent article that, based on the currently available data, one cannot draw conclusions on the impact of migration background, social status, or ethnicity on health and the access to health care. The insufficient knowledge about the health situation and specific health requirements of migrants derives from an under-representation of migrants in studies and a lack of standardised criteria. Therefore, the results of different studies can hardly be compared.³⁵² Borde underlines the importance of **continual data collection** which might also allow identifying discrimination and inequalities with regard to access to the health services.³⁵³

Razum also points out the insufficiency of the currently available data and recommends continuously including selected standardized items in the Federal Health Monitoring. To ensure an accurate interpretation of the health situation

available at:

http://www.eumap.org/topics/minority/reports/eumuslims/background_reports/download/germany/germany.pdf (16.10.2007).

³⁵⁰ O. Razum, H. Zeeb (2006) 'Epidemiological research on migrant health in Germany. An overview', in *Bundesgesundheitsbl - Gesundheitsforsch - Gesundheitsschutz*, Vol. 49 (2006), No. 9, pp. 845-852.

³⁵¹ The project description can be found under <http://www.bmfsfj.de/bmfsfj/generator/Politikbereiche/gleichstellung.did=89156.html>.

³⁵² Borde (2005, see footnote 240) also recommends the inclusion of further criteria into the data collection: indicators for covering migration background, the duration of residence in Germany and socio-cultural aspects need to be continuously considered. Increasing the representation of migrants in studies would be another important step. Migrants should also actively participate in the conception and conceptions of such studies.

³⁵³ T. Borde (2005) 'Repräsentation ethnischer Minderheiten in Studien und Gesundheitsberichten. Erfordernis, Chancen und Nebenwirkungen', in: T. Borde, M. David (eds)(2005) *Kinder und Jugendliche mit Migrationshintergrund*, Frankfurt/Main: Mabuse-Verlag, pp. 267-287.

of migrants, additional data on the migrants' socio-economic situation are to be collected.³⁵⁴

Similar recommendations were made by **Grieger**; he also calls for a systematic health monitoring implemented by public health service institutions in order to improve the health services for migrants.³⁵⁵

A systematic overview and comprehensive assessment of currently available data sources including recommendations is given in a recent article by **Butler et al.** (2007). Positive examples of data collection in this field are also identified.³⁵⁶

Relevant data sources

First steps to overcome this ongoing lack of a **systematic health monitoring system** have been taken:³⁵⁷ The *Robert Koch Institut* (RKI) [Robert Koch Institute (RKI)], in charge of coordinating and carrying out the *Gesundheitsberichterstattung des Bundes* (GBE) [Federal Health Monitoring],³⁵⁸ is currently working on the conceptual preconditions and the development of methodological standards for the establishment of an improved health monitoring system.³⁵⁹

³⁵⁴ Razum urges to pay more attention to the socio-economic background when analysing the health situation of migrants; furthermore the epidemiological situation in the country of origin and the changes in the migrants' health after the immigration has to be taken into consideration. (cf. O. Razum (2003) 'Gesundheitsberichterstattung für Migrantinnen und Migranten: Möglichkeiten und Grenzen', in: T. Borde, M. David (eds)(2003) *Gut versorgt? Migrantinnen und Migranten im Gesundheits- und Sozialwesen*, Frankfurt/Main: Mabuse-Verlag, pp.265-273).

³⁵⁵ D. Grieger (2000) Gesundheit und Migration In: BZgA *Sexualaufklärung und Familienplanung* 2/2000.

³⁵⁶ J. Butler, N.-J. Albrecht, G. Ellsäßer, M. Gavranidou, M. Habermann, J. Lindert, C. Weilandt (2007) 'Migrationssensible Datenerhebung für die Gesundheitsberichterstattung', in: *Bundesgesundheitsbl – Gesundheitsforsch – Gesundheitsschutz*, Vol. 10, pp. 1232-1238.

³⁵⁷ Dr. C. Lange (2007) Entwicklung eines Gesundheitsmonitorings für Deutschland (Speech at the *Virtueller Kongress Medizin und Gesellschaft* 2007), available at: <http://epi.gsf.de/kongress07/viewentry.php?id=596> (17.10.2007).

³⁵⁸ The Public Health Reporting aims at describing the health status of the society in order to provide a knowledge base for political decisions. At the moment, the Federal Health Monitoring allows – like just other official statistics - assured statements on the health situation of the population with a migration background to be only made in a few areas. These problems with regard to the description of the health status of migrants have to be seen in the context of no specific methodical instruments having been designed so far. By using already existing data sources, data on migrants as a heterogeneous group are not differentiated sufficiently and sometimes not many migrants are included (cf. M. Hommes (2003) 'Gesundheitsberichterstattung und Integration', in: Beauftragte der Bundesregierung für Migration, Flüchtlinge und Integration (ed.)(2003) *Gesunde Integration. Dokumentation des Fachtagung am 20. und 21. Februar 2003 in Berlin*, Berlin/Bonn: Bonner Universitäts-Buchdruckerei, pp. 22-25).

³⁵⁹ Dr. C. Lange (2007) Entwicklung eines Gesundheitsmonitorings für Deutschland (Speech at the *Virtueller Kongress Medizin und Gesellschaft* 2007), available at: <http://epi.gsf.de/kongress07/viewentry.php?id=596> (17.10.2007)

Despite the described deficiencies, there are **some relevant data sources** such as a comprehensive set of statistics based on the findings of the 2005 micro-census published by Federal Statistical Office (DESTATIS) in 2007 or the first findings of the *Kinder- und Jugendgesundheitssurvey* (KiGGS) [German Health Interview and Examination Survey for Children and Adolescents (KIGGS)].

In May 2007 the Federal Statistical Office (DESTATIS) published a comprehensive set of statistics based on the **findings of the 2005 micro-census**.³⁶⁰ These data provide deeper statistical insights into the health situation of people with a migration background than any other statistical publication before. The study applies a complex definition of the concept of migration background taking into account the three indicators of nationality, migration history and naturalisation of the respondent and his/her parents. The health-related statistics are differentiated according to gender and cover the issues of illness and injuries (accidents), current medical treatment (at home/in hospital), body-mass index and former or current smoking habits.

In 2005, the RKI compiled an expertise on poverty, social injustice and health within the framework of the *2. Armuts- und Reichtumsbericht der Bundesregierung* [2nd Report on Poverty and Wealth, as compiled by the Federal Government]. The report contained a chapter on migration and health in which different findings (including population-based data from the German Socio-Economic Panel (SOEP), the German micro-census and data from health insurance companies) were gathered and commented on.³⁶¹

Between May 2003 and May 2006, the RKI also conducted the ‘**German Health Interview and Examination Survey for Children and Adolescents**’ (KIGGS), a representative study on the health situation of children and young people (aged 0-18); the sample of the survey encompasses almost 18,000 people, including a representative proportion of migrants (2,590 people with a migration background). The KiGGS study differentiates according to migration background; it covers, amongst others, the following topics:

- Somatic and mental illnesses and health conditions
- Chronic and acute diseases
- Subjective health status (life quality)
- Health risks and accidents
- Health-related behaviour (e.g. drugs, smoking, alcohol) and leisure-time activities
- Social networks and support systems

³⁶⁰ German/Statistisches Bundesamt (2007) *Bevölkerung und Erwerbstätigkeit. Bevölkerung mit Migrationshintergrund – Ergebnisse des Mikrozensus 2005*. Fachserie 1, Reihe 2.2.

³⁶¹ Robert Koch Institut (2005) *Armut, soziale Ungleichheit und Gesundheit. Expertise des Robert-Koch Instituts zum 2. Armuts- und Reichtumsbericht der Bundesregierung*. Berlin: Robert-Koch Institute; also available at: http://www.beruf-und-familie.de/files/dldata/0215313159b021f6a0d9d6e58551e1a8/rki_armut_ungleichheit_gbe.pdf (20.10.2007).

- Personal resources
- Nutrition and diet
- Medication and status of vaccination
- Medical treatment

In addition to the publication of the ‘first results of the KiGGS study’, more than 40 individual articles on the KiGGS were published in the May/June 2007 issue of the monthly publication series *Bundesgesundheitsblatt*.³⁶²

A comprehensive list of various types of publications on ‘health and migration’ is presented on the website of the *Bundeszentrale für gesundheitliche Aufklärung (BZgA)* [Federal Centre for Health Education (BZgA)], which is a specialist authority within the portfolio of the *Bundesministerium für Gesundheit* [Federal Ministry of Health]. The website, which is updated monthly, (www.infodienst.bzga.de) includes information brochures, scientific publications, newsletters, handbooks, and conference documentations.³⁶³

New data on the **health situation of migrants in Berlin** were made available with the release of the latest annual Health Report of the State Administration of Berlin.

C.5.2. Racism and discrimination

C.5.2.1. Brief overview

Information on racism or ethnic discrimination in the health sector is rare. As already mentioned, a complaint body specialized in health or social care issues does not exist.

Overall, **anti-discrimination offices** report fewer complaints of ethnic discrimination in the health sector compared with other areas, such as services in general. The available data does not allow for comments on any trends.

There are only a few **studies** that include discrimination in the health sector. In most studies, health is an area in which discrimination is relatively low compared to other areas.

³⁶² The website www.kiggs.de contains comprehensive information material – also in English. The table of content (including an English translation of the individual articles) is available at: www.kiggs.de/experten/downloads/Basispublikationen/Inhalt_KiGGS_Basispublikationen_MaiJuni.pdf (10.08.2007).

³⁶³ Further sources of relevant information, such as the Information Service on Migration and Public Health, are presented as good practice measures in C.4.4.1

Taking into consideration the **access to the health care system**, one can state that the only migrant group whose access is limited by legal provisions is people who receive benefits on the basis of the Law on Benefits for Asylum Seekers (AsylbLG). Undocumented migrants face severe difficulties with regard to the practical access to treatment. Even though they legally qualify for benefits on the basis of the AsylbLG, it can be assumed that they are likely to avoid the contact with medical institutions as those are obliged to immediately report undocumented migrants to the authorities. Other groups of migrants are covered by statutory health insurance and therefore receive the same medical treatment as Germans. However, they often face problems which arise from language and cultural barriers such as migrants' different perceptions of diseases and pain, which frequently conflicts with the perceptions of the medical staff in Germany.

Exemplary court ruling on the access to certain forms of medical treatment: The administrative court (VG) Gera in Thuringia ruled on 7 August 2003 that the implantation of artificial hip joints in a case of grave femoral head necrosis is neither covered by §4 nor §6 AsylbLG. Instead of following the insistent medical advice to operate on the patient, who was suffering from progressive deterioration of the hip joints and who was permanently in great pain, the symptomatic treatment in the form of supplying opiates for pain relief was considered to be sufficient.³⁶⁴

C.5.2.2. Statistical data and tables on racist incidents

Only few **complaints of discrimination with regard to the area of health and social care** were received by the complaint bodies.

The anti-discrimination office in **Saxony** and the victim support organisation in Leipzig (RAA Leipzig) published a documentation of reported cases of discrimination in the City of Leipzig and its surroundings for 2006. Among the 108 cases of ethnic discrimination reported in 2006 that were attributed to various social areas, only seven cases of discrimination occurred in the social context of health care (Annex B1).³⁶⁵

Only one complaint of ethnic discrimination in the health sector was recorded by the Anti-Discrimination Network **Berlin** (ADNB) from June 2003 to

³⁶⁴ Thuringia/VG Gera/6 K 1849/01 GE (07.08.2003).

³⁶⁵ In four cases of complaint, an institution in the health sector was accused of discrimination: one case each referred to the categories of 'hospital', 'surgery/medical practice', 'optometrist's practice' and 'public health officer'. Source: Antidiskriminierungsbüro e.V., Opferberatung Leipzig (RAA Sachsen e.V.) (eds) (2007) *Was tun gegen Rassismus?! Situation und Perspektive in Leipzig*, p. 16.

December 2005. The total number of complaints of ethnic discrimination received by the ADNB in this period of time was 87 (see Annex B1).³⁶⁶

The **anti-discrimination office ADB Cologne** provided a compilation of cases of (perceived) ethnic discrimination in the health sector which were reported to the ADB between January 2001 and December 2006. Eight per cent of the total number of 358 discrimination complaints referred to the health care system; in 21 of these cases, the discriminatory act was directed against an employee (e.g. bullying, discrimination by patients), in the remaining 12 cases the patients themselves felt discriminated against.³⁶⁸

Table 24: Health-related discrimination complaints registered by the AntiDiskriminierungsbüro (ADB) Cologne / ÖgG e.V., 2001 - 2006

	Discrimination complaints
Total number of complaints	358
Of which: in (the access to) the health care system	33
<i>Of which: access to the health care system (discrimination against patients)</i>	<i>12</i>
<i>Of which: within the health care system (discrimination against employees)</i>	<i>21</i>

Source: Information provided by the ADB Cologne on request (October 2007)

Among the **studies on discrimination**, a standardised opinion survey among 500 migrants in Berlin, which was conducted by the **ADNB** from September 2004 to September 2005, examined discrimination experiences of migrants in Berlin (Annex B2). It showed that the health sector (hospital or physician/doctor) is an area in which relatively few people feel discriminated against: 78 per cent of the respondents had *not* experienced discrimination in hospital or at a medical practice in the past four years. Overall, health is the area with the lowest degree of perceived discrimination. Respondents of African origin and of East Asian or Southeast Asian origin experienced discrimination in the area of health more often than people with a Muslim background did. Interviewees of Eastern European or Southeastern European origin were the

³⁶⁶ Antidiskriminierungsnetzwerk Berlin des Türkischen Bundes Berlin-Brandenburg (2006) *Antidiskriminierungsreport Berlin 2003-2005. Wie steht es mit Diskriminierung in Berlin*, available at: http://www.migration-boell.de/downloads/diversity/Antidiskriminierungsreport_Berlin_2003-2005.pdf (20.10.2007).

³⁶⁸ The ADB Cologne provided this information on NFP request.

group with the lowest degree of perceived discrimination in all areas, especially in education and health.³⁶⁹

The annual **Multi-Topic Survey**³⁷⁰ among approx. 1000 Turkish migrants in North Rhine-Westphalia reaches similar results (Annex B2): almost a quarter of the interviewed people experienced discrimination in the health sector. In 2006, 25.2 per cent of Turkish migrants reported unequal treatment in hospitals (2005: 26.0 per cent). Discrimination experiences at the doctors' rose between 2004 (16.1 per cent) and 2005 (25.7 per cent), but slightly decreased in 2006 (22.6 per cent).³⁷¹

There are two **non-representative studies which particularly focus on the treatment of Muslim migrants**: according to qualitative interviews with 23 Muslim women in Brandenburg, which were conducted by the Antidiskriminierungsstelle Brandenburg [Center against Discrimination in the office of the Commissioner for the Integration of Immigrants in Brandenburg] in 2002, medical care is identified as an area in which Muslim women experience discrimination. Discrimination in medical care mainly referred to negative statements of hospital employees and non-consideration of Muslim eating habits.³⁷²

In contrast, a recent qualitative study focusing on Muslim immigrants found that hospitals in Germany treat all patients equally without regard to their origin or migration background. The Muslim patients interviewed were on the whole

³⁶⁹ Antidiskriminierungsnetzwerk Berlin des Türkischen Bundes Berlin-Brandenburg (2006) *Antidiskriminierungsreport Berlin 2003-2005. Wie steht es mit Diskriminierung in Berlin*, available at: http://www.migration-boell.de/downloads/diversity/Antidiskriminierungsreport_Berlin_2003-2005.pdf (20.10.2007).

³⁷⁰ The Multi-Topic Survey is annually conducted by the Stiftung Zentrum für Türkeistudien [Centre for Studies on Turkey] commissioned by the Ministerium für Generationen, Familie, Frauen und Integration des Landes Nordrhein-Westfalen [Ministry for Intergenerational Affairs, Family, Women and Integration of North Rhine-Westphalia]. The surveyed population are persons with a Turkish origin in North Rhine-Westphalia (Turkish citizens, naturalised persons, children of Turkish parents born in North-Rhine Westphalia in 2000 or later and automatically obtained the German citizenship). The random sample contains around 5,000 households, around 1,000 interviews were successful.

³⁷¹ Stiftung Zentrum für Türkeistudien (2007) *Perspektiven des Zusammenlebens. Die Integration türkischstämmiger Migrantinnen und Migranten in Nordrhein-Westfalen. Ergebnisse der achten Mehrthemenbefragung*, available at: <http://kunde6.juli.bimetal.de/UserFiles/File/NRW-Bericht%202006.pdf> (21.10.2007)

³⁷² Ministerium für Arbeit, Soziales, Gesundheit und Familie. Die Ausländerbeauftragte des Landes (2005) *Stellungnahme zum Antidiskriminierungsgesetz mit dem Schwerpunkt der Diskriminierung aus Gründen der Rasse oder der ethnischen Herkunft zum 28.02.2005*. More detailed information could not be provided. Grieger (2000) estimates that female migrants – as well as older migrants (especially of the “first generation”) – generally tend to be more often discriminated against (cf. D. Grieger (2000) ‘Gesundheit und Migration’, pp. 3-7, in: BZgA *Sexualaufklärung und Familienplanung* 3/2000).

satisfied with their treatment and assessed the hospital's staff to be attentive and competent.³⁷³

C.5.2.3. Exemplary cases

The ADB Cologne described an exemplary case in its documentation for 2005.³⁷⁴ In September 2005, an eight-year old boy was treated in a walk-in clinic in Cologne due strong ear pain and high fever. As the child screamed in pain during the examination, the mother asked the attending physician to be slightly more careful. He replied, 'I already know how to treat you gypsies.' In response to this slur, the mother repeatedly asked for the physician's name. Upon being ignored by him, she turned to the attending nurse to obtain the information from her. The nurse refused to give her colleague's name and answered, 'We can stick together, just like you gypsies do.' The incident was reported to the clinic management as well as to the medical association of North Rhine-Westphalia. After an internal examination of the incident, disciplinary measures against the attending physician and the nurse were taken.

C.5.2.4. Additional information

While **employed migrants** are covered by (either) statutory health insurance (or private health insurance) and therefore receive the same medical treatment as Germans,³⁷⁵ people who receive benefits on the basis of the **Law on Benefits for Asylum Seekers** (AsylbLG) are **limited by legal provisions** in their access to health and social care. This refers mainly to asylum seekers while their applications are being processed, rejected asylum seekers with a toleration status (*Duldung*) and refugees with a temporary residency entitlement in accordance with the EU Directive 2001/55/EC on temporary protection in the event of a mass influx (§1 AsylbLG).³⁷⁶

³⁷³ I. Wunn (2006) *Muslimische Patienten. Chancen und Grenzen religionsspezifischer Pflege*. Stuttgart: Kohlhammer, pp. 114-115. See also Open Society Institute (2007) *Muslims in the EU – City Report Germany*, p. 36-37, available at: http://www.eumap.org/topics/minority/reports/eumuslims/background_reports/download/germany/germany.pdf (16.10.2007).

³⁷⁴ Antidiskriminierungsbüro (ADB) Köln /Öffentlichkeit gegen Gewalt e.V. (2006): *Dokumentation 2005*, p.4, available at: http://www.oegg.de/neu/images/stories/Publikationen/Beilage_2005.pdf

³⁷⁵ Approximately 90 per cent of the population in Germany are insured through statutory health insurance (a minority of people are privately insured). For more information on the German statutory health system, please see <http://www.bkk.de/bkk/psfile/downloaddatei/96/443563dd14921a.pdf> (29.10.2007).

³⁷⁶ According to §2 AsylbLG, the restriction concerning access to health services for the relevant group of people should end after 36 months, provided the person has not tried to prolong his/her residence by illegal means (e.g. by destroying his/her identification papers); that means, when the person is no longer subject to the AsylbLG, but to the more general law on social welfare (BSHG/SGB XII), he/she will receive the regular benefits laid down in SGB V

§4 AsylbLG regulates the benefits in cases of ‘illness, pregnancy and birth’: regular medical treatment is only provided if the illness is **acute** or when the person is **suffering pain**. If these preconditions are not fulfilled, the scope of the medical treatment can be limited. The benefits for pregnant women according to AsylbLG are on a high – and unrestricted – level. Dental treatment, on the other hand, is clearly restricted as dentures are only covered if the individual case does not allow the treatment to be postponed. The treatment of chronic diseases is also restricted. §6 AsylbLG, entitled “other benefits”, supplements §4: in individual cases, other benefits can be offered if this is indispensable to one’s health or to safeguard maintenance. According to §6, (medical) help for victims of torture, violation or other severe forms of psychological, physical or sexual violence is also provided. Though not explicitly mentioned, §6 AsylbLG can – due to its open wording – be applied to the provision of social care.³⁷⁷ It is generally restricted to care services. Only in extraordinary individual cases, can a care allowance in analogy to §69a BSHG be granted.

Despite §6 AsylbLG as a provision to supplement the general and rather low-level benefits guaranteed by §4,³⁷⁸ the law limits the access to certain forms of medical treatment as the following **court ruling** demonstrates: on 28 January 2004, the upper administration court Mecklenburg-Western Pomerania ruled that a kidney transplantation is neither covered by §4 nor §6 AsylbLG. As a consequence, the complainant did not receive this kind of treatment, but had to continue with dialysis.³⁷⁹ A second ruling with a similar outcome can be found in annex 9.

Difficulties with regard to the implementation can also be based on billing problems between independent health practitioners and social welfare offices. According to the *Ausländerbeauftragten des Landes Brandenburg* [Commissioner for the Integration of Immigrants of the Federal state of Brandenburg], problems in this context arise occasionally with regard to individual cases in which medical specialists refuse to treat refugees.³⁸⁰

Legally, undocumented migrants also qualify for benefits on the basis of the AsylbLG. But, as doctors and social welfare offices are under the obligation to report migrants without the pertinent papers to the authorities, migrants without

(Law on Health Insurance) – without any restrictions when compared to the treatment received by nationals.

³⁷⁷ G. Classen. (2005) *Krankenhilfe nach dem Asylbewerberleistungsgesetz*, Berlin: Flüchtlingsrat.

³⁷⁸ K. Deibel (2005) ‘Die Neuregelung des Asylbewerberleistungsrecht 2005’, in ZAR, 9/2004, pp. 321-327. See also: G. Classen. (2005) *Krankenhilfe nach dem Asylbewerberleistungsgesetz*, Berlin: Flüchtlingsrat.

³⁷⁹ Mecklenburg-Western Pomerania/OVG/ 1 O 5/04 1 (28.01.2004).

³⁸⁰ Ausländerbeauftragten des Landes Brandenburg (2006) *Annäherungen. Bericht der Ausländerbeauftragten des Landes Brandenburg 2006*, available at: http://www.masgf.brandenburg.de/media/1333/bericht_ab06.pdf (16.10.2007).

a residence status fear detection and deportation and therefore might often avoid seeking medical help.³⁸¹

All other migrant groups have – legally – the same access to and rights in the health system. A loophole of competence does not exist.

One has to keep in mind that, besides legal restrictions, there are **other factual obstacles** to the access to health and social care for many migrants. Language and cultural barriers among many migrants, such as different perceptions of diseases, combined with a lack of qualified personnel with a migration background and a lack of active counselling services for migrants can also effectively restrict access.³⁸²

The German Institute for Human Rights released a report on the health situation of **immigrants without legal documents** in Germany.³⁸³ The report, compiled by the Federal Working Group Health/ Illegality, provides detailed insights into the access of undocumented (and hence uninsured) migrants to the health system: despite their legal right to basic health care³⁸⁴, the access is limited due to structural and administrative hurdles.³⁸⁵ Except for health-related emergencies, hospitals can refuse medical treatment until the payment details are clarified. The municipal department for social affairs (*Sozialamt*) may cover these costs, but need – prior to processing the application – personal data of the applicant, including his residence status. In the case of outpatient treatment, the patient needs to present a certificate on the coverage of the costs; the certificate

³⁸¹ Basically all people and institutions that help migrants without papers are culpable of aiding and abetting illegal entry and residence. According to Art. 75 of the Foreigner's Law, all official institutions have to report directly of any case of illegal residence to the Aliens Department. Consequently, such cases often lead to deportation if there are no obstacles to deportation such as medical reasons which do not allow travel. Some private networks, such as the *Büro für medizinische Flüchtlingshilfe – Netzwerk* [Office for Refugees' Medical Help – Network] in Berlin, fill the gap by providing health treatment and other services to illegal migrants anonymously and free of charge, despite the threat of legal consequences. Cf. <http://www.medibuero.de/de/> (16.10.2007); See also Open Society Institute (2007) *Muslims in the EU – City Report Germany*, available at: http://www.eumap.org/topics/minority/reports/eumuslims/background_reports/download/germany/germany.pdf (16.10.2007).

³⁸² According to experts, the three main obstacles are: 'communication problems, differing concepts of disease, and experiences during migration. Together, they can create an often insurmountable barrier to access.' cf. I. Geiger, O. Razum, U. Ronellenfisch, H. Zeeb (2004) 'Gesundheitsversorgung von Migranten', in: *Deutsches Ärzteblatt*, 101, No. 43, pp. A-2882 / B-2439 / C-2326, available at <http://www.aerzteblatt.de/v4/archiv/artikel.asp?id=43977> (16.10.2007).

³⁸³ Deutsches Institut für Menschenrechte (ed.) (2007) *Frauen, Männer und Kinder ohne Papiere in Deutschland. Ihr Recht auf Gesundheit. Bericht der Bundesarbeitsgruppe Gesundheit/Illegalität*, Berlin: DIMR; available at: http://files.institut-fuer-menschenrechte.de/437/IUS-041_B_AG_RZ_WEB_ES.pdf (22.01.2008)

³⁸⁴ Undocumented migrants have access to basic health care according to the *Asylbewerberleistungsgesetz*.

³⁸⁵ An expert report of the IOM also highlights the problematic access to health care for 'irregular migrants' in Germany (IOM (2007) *Migration and the Right to Health: A Review of European Community Law and Council of Europe Instruments*, p. 37)

is also issued by the municipal department for social affairs. What is considered problematic by the expert report is that this department is obliged to inform the department for foreigners' affairs about the applicant's residence status – which may lead to the migrant's deportation. According to the report, the *de facto* restricted access to health care for undocumented migrants results in limited use of medical treatment and preventive measures.³⁸⁶

C.5.3. The situation of migrants and minorities in health

C.5.3.1. Brief overview

When drawing conclusions on the situation of migrants, one has to keep the heterogeneity of the various groups (with regard to their nationality, language, ethnic, religious or social background or legal status) in mind. Specific health risks can arise from the minority status, migration-related experiences or risks related with work and a lower social status. Still, migrants do not necessarily have a poorer health than Germans without a migration background do. Despite grave deficiencies in the data collection,³⁸⁷ some statements on the situation of migrants with regard to health can be made: The mortality rate of first-generation migrants is lower than that of Germans of the same age and migrants seem to be less likely to be affected by some diseases, such as allergies. Otherwise, a higher prevalence of infant mortality, stillborn children, premature death and especially infectious diseases can be found in migrants. Several diseases do not seem to be correlated to the migration background. Some of the differences in the health condition of migrants and non-migrants can be partly ascribed to the health-related behaviour, which significantly varies in certain aspects, such as alcohol consumption and eating habits. Differences in the utilisation of health care are even more striking: migrants do not take advantage of preventive measures such as early diagnostic tests as often as non-migrants do. This could indicate a lack of knowledge of the opportunities for the utilisation of medical care.

³⁸⁶ The Working Group Health/ Illegality systematically compiled a (not publicly available) documentation of cases which underscore the undocumented migrants' belated or insufficient use of health offers (DIMR Newsletter 04/2007, April 2007).

NGOs providing medical counselling and treatment to undocumented migrants are only active in a few German cities; furthermore, these NGOs often reach their financial boundaries when expensive treatments are necessary.

³⁸⁷ See C.4.1.

C.5.3.2. Statistical data and tables on relevant health and social care issues

Information on health condition and diseases

The Federal Health Monitoring (GBE) provides data which show grave differences in the **average age of decedents** when sorted by gender and nationality: The average age of non-German decedents is 10 to 15 years below the average age of German decedents (Annex C4, tab.1). However, one has to take into consideration the average age distribution of the respective population in order to be able to interpret the results: the average age of foreigners living in Germany is below the average age of non-migrants. Therefore, based on the given findings, one cannot conclude that there is a higher risk of migrants dying young.³⁸⁸

With regard to **mortality rates**, first-generation immigrants seem to frequently have a lower mortality than the German population does, despite their lower socio-economic status.³⁸⁹

A recent cohort study took a closer look at the mortality of immigrants from the former Soviet Union. The results confirm that immigrants have a significant lower overall mortality than the native host population in Germany does. It is particularly low for cancer in females and for cardiovascular diseases in both sexes. The risk of death due to non-natural causes is significantly higher among males.³⁹⁰

According to the official statistics, non-Germans are more likely to be affected by **infant mortality**, stillborn children and premature death during the first seven days of life (Annex C4, tab.2-4).

Data from the German micro-census show that the **proportion of ill or injured people** (during the last four weeks prior to the examination) with a migration

³⁸⁸ Cf. BMFSFJ (2005) *Gender Datenreport*, Chapter 8.6, available at: <http://www.bmfsfj.de/bmfsfj/generator/Publikationen/genderreport/01-Redaktion/PDF-Anlagen/kapitel-acht.property=pdf.bereich=genderreport.sprache=de.rwb=true.pdf> (29.10.2007).

³⁸⁹ Geiger/Razum et al. explain this paradox by referring to findings of international studies. These studies showed that immigrants bring an initial lower risk with them and, depending on their individual lifestyle, can maintain a persistently low mortality rate over the years. Cf. I. Geiger, O. Razum, U. Ronellenfitsch, H. Zeeb (2004) 'Gesundheitsversorgung von Migranten', in: *Deutsches Ärzteblatt*, Vol. 101, No. 43, pp. A-2882 / B-2439 / C-2326, available at: <http://www.aerzteblatt.de/v4/archiv/artikel.asp?id=43977> (16.10.2007).

³⁹⁰ H. Becher, C. Kyobutungi, J. Laki., J. Ott, O. Razum, U. Ronellenfitsch, V. Winkler (2007) 'Mortalität von Aussiedlern aus der ehemaligen Sowjetunion – Ergebnisse einer Kohortenstudie', In: *Deutsches Ärzteblatt* 104, Ausgabe 23 vom 08.06.2007, p. A-1655/B-1460/C-1400.

background was lower (10.7 per cent) compared to that of Germans without a migration background (13.2 per cent) (Annex C4, tab.5a-c).³⁹¹

According to the BIBB survey of employed people in 2006, more Germans with a migration background and more foreigners **took sick leave** due to illness or accident during the past 12 months (45 per cent each) compared with Germans without a migration background (41 per cent). However, the average duration of sick leave was shorter among foreigners (16.2 vs. 22.4 days among Germans without a migration background and 23.5 days among Germans with a migration background).³⁹²

The BIBB survey also showed that Germans without a migration background reported on the whole fewer **health afflictions due to their work** (Annex C4, tab. 8).³⁹³

As mentioned in an expertise by the RKI, **infectious diseases are a specific health problem of migrants**.³⁹⁴ These diseases are often acquired in the country of origin and then imported into Germany. This refers, for instance, to tuberculosis among immigrants from Eastern European countries or HIV/AIDS among immigrants from African countries.³⁹⁵ A non-representative national examination of an international study on HIV/AIDS and migration, which was conducted from 2003 to 2004, delivered the following findings: 30 to 40 per cent of the new **HIV** infections ascertained annually in Germany affect foreigners; 23 per cent of them are from high prevalence regions, especially from Sub-Saharan Africa. Overall, the data indicate a small increase in the number of foreigners tested positive for HIV in Germany. More detailed data about the exact number of HIV-positive migrants in Germany are not available. The estimated number of unreported HIV infections among migrants is probably higher than that in the total population of Germany (Annex C4, tab.9).³⁹⁶

³⁹¹ Information on long-term sick leave (over 6 weeks) can be found in table 6, annex 8.

³⁹² BIBB/BAuA-Erwerbstätigenbefragung 2006 – Arbeit und Beruf im Wandel, Erwerb und Verwertung beruflicher Qualifikation (Representative survey of 20,000 employees in Germany. The survey took place from October 2005 to March 2006. The basic population was employed people from the age of 15 years. Employment was defined as gainful employment with at least 10 working hours per week. For more information.

³⁹³ The data also provides information on people under medical or therapeutic treatment due to the respective complaint.

³⁹⁴ Robert Koch Institut (2005) *Armut, soziale Ungleichheit und Gesundheit. Expertise des Robert-Koch Instituts zum 2. Armuts- und Reichtumsbericht der Bundesregierung*. Berlin: Robert-Koch Institute, p. 153, also available at: www.beruf-und-familie.de/files/dldata/0215313159b021f6a0d9d6e58551e1a8/rki_armut_ungleichheit_gbe.pdf (20.10.2007).

³⁹⁵ Data on tuberculosis can be found in annex C4, tab.10-11.

³⁹⁶ The study was conducted by the SPI Forschung GmbH in Berlin. 329 people in Berlin and Brandenburg were interviewed, among those 69 prostitutes (cf. E. Steffan, S. Sokolwski (2005) *HIV/AIDS und Migrant/innen. Gesundheitsrisiken, soziale Lage und Angebote einschlägiger Dienste. Nationale Auswertung für Deutschland*, p.9.

According to the findings of the KiGGS study, children in migrant families are more likely to be affected by **psychological problems**.³⁹⁷ Examining the risks and resources for the mental development of children and adolescents, KiGGS also indicated that a higher proportion of poorly developed personal and social protective factors were found in children with a migration background.³⁹⁸

Other diseases do not seem to be correlated to the migration background. For instance, a correlation of the frequency of thyroid gland enlargement with that of a migration status could not be observed among children. This result derives from the medical examinations of the **thyroid volume** and iodine supply, which was part of the KiGGS study.³⁹⁹

Some diseases effect migrants to a lower degree: according to the KiGGS study, migrant children are less likely to be affected by **allergies** (13.0 per cent) than children without a migration background (17.6 per cent).⁴⁰⁰

The SOEP contains data on the degree of **disability** according to the respondents' self-assessment. The 2002 data show that non-Germans aged over 65 are less often unable to perform everyday tasks (18.3 per cent) compared to Germans of the same age group (24.0 per cent) (Annex C4, tab.12). One explanation for this could be the lower average age of non-Germans.⁴⁰¹ Among the 45 to 64-year-old respondents, non-Germans (20.2 per cent) are more often unable to perform everyday tasks than Germans are (11.7 per cent). The BIBB survey of employed people includes the officially acknowledged degree of disability: the proportion of foreigners with an officially acknowledged disability is slightly lower (4 per cent) than the respective proportion of Germans with and without a migration background (7 per cent each)(see table 13 in annex 8). Overall, the disparities do not seem to be strong. Further differentiated data on disabled people with or without a migration background, stemming from the micro-census, the GBE or other statistics of the Federal Statistical Office can be found in annex C4 (tab. 14-18).

As part of KiGGS, representative data were collected on pain. Among the three to 10 year olds, the **prevalence of pain** over three months was higher in children without a migration background. Among the 11-17 year olds, children and adolescents from migrant families reported the prevalence of pain more

³⁹⁷ In the German 'Health Interview and Examination Survey for Children and Adolescents' (**KiGGS**), which is representative for Germany, 17,641 children and adolescents aged 0-17 or their parents were examined and questioned on various health subjects cf. <http://www.kiggs.de>

³⁹⁸ www.kiggs.de/experten/downloads/Basispublikation/Hoelling_Verhaltensauffaelligkeiten.pdf

³⁹⁹ www.kiggs.de/experten/downloads/Basispublikation/Thamm_Jod.pdf

⁴⁰⁰ http://www.kiggs.de/experten/downloads/Basispublikation/Schlaud_Allergien.pdf

⁴⁰¹ Deutsches Zentrum für Altersfragen (ed.) (2006): *Lebenssituation und Gesundheit älterer Migranten in Deutschland*, Berlin: DZA, p.50.

often than children without a migration background of the same age group did.⁴⁰²

Information on subjective assessment of health

Self-assessments of people's individual health conditions and statements on the satisfaction with their own health status can be found in calculations based on the SOEP. In 2002, non-Germans aged 18 to 44 considered their health condition to be rather positive and were slightly more satisfied with their actual health status than Germans of the same age group were. Among the age groups over 45, however, Germans rated their actual health as better and expressed more satisfaction with their health than non-Germans in the respective age groups did (Annex C4, tab.19-20). Within the BIBB survey of 2006, no significant differences in the average assessment of the general state of health between employed people with, and those without a migration background could be found (Annex C4, tab.21).

Data on the **satisfaction of patients with their medical treatment** are scarce. There are some non-representative studies on the topic. The aforementioned qualitative study by Wunn (2006) focusing on Muslim patients indicates that the Muslim hospital patients interviewed were on the whole basically satisfied with their treatment.⁴⁰³ Within a qualitative study on the living situation of elderly single female migrants on behalf of the BFSFJ in 2004, almost every tenth person (n=87) reported negative experiences with the German health system. However, the available data do not allow for a general assessment.⁴⁰⁴

Information on health-related behaviour

There are significant differences in health-related behaviour, for instance in tobacco, alcohol and drug use: The latest German micro-census of 2005 provides data on **smoking habits**: men with a migration background are more likely to smoke (approx. 37.6 per cent) than men without a migration background (31.1 per cent). The opposite tendency can be found among women (Annex C4, tab.22 a-c and 23 a-b).⁴⁰⁵

Adolescents from migrant families seem to be less likely to consume tobacco or **alcohol**. The consumption of tobacco, alcohol and drugs was examined within the KiGGS survey.⁴⁰⁶ Overall, studies on the consumption of psychoactive substances seem to be rare. An insight is given by a non-representative study

⁴⁰² http://www.kiggs.de/experten/downloads/Basispublikation/Ellert_Schmerzen.pdf

⁴⁰³ I. Wunn (2006) *Muslimische Patienten. Chancen und Grenzen religionsspezifischer Pflege*. Stuttgart: Kohlhammer p. 114-115 and Open Society Institute 2007, pp. 36-37.

⁴⁰⁴ BMFSFJ (2004) *Lebenssituation älterer alleinstehender Migrantinnen*, p. 148, available at: www.bmfsfj.de/bmfsfj/generator/RedaktionBMFSFJ/Abteilung4/Pdf-Anlagen/aelttere-migrantinnen-langfassung.property=pdf,bereich=sprache=de,rwb=true.pdf

⁴⁰⁵ The differences with regard to the average age at which people start smoking are rather small. People without a migration background start smoking slightly earlier (17.9 years) than people without a migration background do (18.2 years) (Annex C4, tab. 22 a-c).

⁴⁰⁶ www.kiggs.de/experten/downloads/Basispublikation/Lampert_Tabak__Alkohol__Drogen.pdf

among adolescents aged 15-24 at vocational schools in Munich. The study was already conducted in 1998 and examined tobacco, alcohol and drugs use. According to this study, the migrants interviewed consumed considerably less alcohol compared to their German classmates. However, the tendency to consume alcohol became more similar between the two groups the longer the migrants lived in Germany. The prevalence of **illegal drug consumption** affected the interviewed German adolescents to a higher degree. Most of the migrant respondents who stated that they regularly consumed illegal drugs were born and raised in Germany.⁴⁰⁷ Within a data report on gender (*Gender Datenreport*), published by the BMFSFJ in November 2005, statistics of the GBE are quoted: in 2003, the proportion of foreigners among deaths resulting from the use of drugs was 10 per cent and therefore corresponded with their proportion of the younger population group.⁴⁰⁸

Based on culturally varying **eating habits**,⁴⁰⁹ migrants and Germans are likely to be affected by being **overweight and obese** to a different extent. According to the KiGGS study, children from migrant families are at a higher risk of being overweight or obese.⁴¹⁰ Children aged 7 to 10 are most likely to be affected. Migrants also have an approximately 50 per cent higher risk of showing symptoms of eating disorders compared to non-migrants.⁴¹¹ Within the German micro-census, data on the **body mass index** was also collected. In 2005, differences in the average body mass index between people with and without a migration background do not seem to be striking (Annex C4, tab.24 a-b and 25 a-c). Calculations in the micro-census findings of 1999 showed that non-German men significantly less often suffer from being overweight or adiposity than German men do. This result was found for all age categories (Annex C4, tab.26).

In the scope of the KiGGS study, data on **participation in sports and physical activity** among children and adolescents were analysed according to their migration status: Children aged three to 10 from migrant families were about twice to three times less likely to be physically active and do sports regularly. This applies especially to girls. Among adolescents (11-17 years), the differences are on the whole much lower; but girls from migrant families still

⁴⁰⁷ H. Dill, U. Frick, R. Höfer, B. Klöver, F. Straus (2002) *Risikoverhalten junger Migrantinnen und Migranten. Expertise für das Bundesministerium für Gesundheit*, Baden.Baden: Nomos Verlagsgesellschaft.

⁴⁰⁸ BMFSFJ (2005) *Gender Datenreport*, Chapter 8.6, available at: <http://www.bmfsfj.de/bmfsfj/generator/Publikationen/genderreport/01-Redaktion/PDF-Anlagen/kapitel-acht.property=pdf.bereich=genderreport.sprache=de.rwb=true.pdf> (29.10.2007).

⁴⁰⁹ For instance, the proportion of vegetarians is much higher among children and adolescents with a migration background (http://www.kiggs.de/experten/downloads/Basispublikation/Hoelling_Esstörungen.pdf (28.10.2007)).

⁴¹⁰ The terms 'overweight' and 'obese' were defined by using the percentages of the body mass index.

⁴¹¹ http://www.kiggs.de/experten/downloads/Basispublikation/Hoelling_Esstörungen.pdf

tend to be physically active less often and to have a lower rating of their fitness level.

Another aspect which was examined in the scope of the nationwide KiGGS study is the **oral health behaviour** of children. The type of deficient teeth brushing behaviour (once daily or less frequently) is more often found in children from migrant families (45 per cent) than in those without a migration background (26 per cent). 16 per cent of migrant children, but only 6 per cent of non-migrant children have a dental check-up less than once a year. Children from migrant families aged 3 to 6 take pharmaceutical preparations for caries prevention (fluoride tablets) less often (5 per cent) than children without a migration background do (8 per cent). Overall, children from migration families were overrepresented among the respondents with particular risky oral health behaviour.⁴¹²

In the KiGGS survey, data on the current **use of medicines** during the last seven days prior to the examination were collected. The findings show that children from migrant families displayed a less frequent use of medicines compared to children without a migration background.⁴¹³

Information on the use of medical services

Overall, the **health care utilisation** of migrants and non-migrants differs significantly, for instance, regarding the **visits to health institutions**: according to calculations based on the German micro-census 2005, people with a migration background sought advice from a doctor or hospital less often than people without a migration background did (9.4 per cent vs. 11.3 per cent).⁴¹⁴

In the 5th Multi-Topic survey among people with a Turkish background in North Rhine-Westphalia, it was also stated that Turkish migrants tend to **visit health centres** only in cases of acute pain.⁴¹⁵

A recent study on the **utilisation of clinical emergency ambulances** and practitioners in three hospitals in Berlin showed that migrants tend to visit first-aid facilities more frequently. Migrants did not seek advice from practitioners as often as Germans did; however, the latter differences could not be found between Germans and Turkish migrants.⁴¹⁶

According to the Müttergenesungswerk (MGW), mothers with a migration background could not sufficiently be reached by offers of **convalescent care** in

⁴¹² http://www.kiggs.de/experten/downloads/Basispublikation/Schenk_Mundgesundheit.pdf

⁴¹³ http://www.kiggs.de/experten/downloads/Basispublikation/Knopf_Arzneimittelanwendung.pdf

⁴¹⁴ Statistisches Bundesamt, FS 1 Reihe 2.2., p. 8

⁴¹⁵ Findings cited in the report of the 8th Multi-Topic survey, p.36, available at: <http://www.zft-online.de/UserFiles/File/NRW-Bericht%202006.pdf> (28.10.2007).

⁴¹⁶ T. Borde, T. Braun, M. David (2003) 'Gibt es Besonderheiten bei der Inanspruchnahme klinischer Notfallambulanzen durch Migrantinnen und Migranten?', in: T. Borde, T. Braun, M. David (eds)(2003) Gut versorgt? Frankfurt a/M.: Marbuse-Verlag, pp 43-84.

the past years.⁴¹⁷ Among all mothers receiving convalescent care from the MGW, only 3.7 per cent have a migration background, although their proportion in the total population is 11.4 per cent. Women from Turkey, the former Soviet Union, Latin America and Africa are highly under-represented. The assumed reasons are manifold and range from language and information deficits to cultural differences (e.g. different role models and ‘value systems’). However, a recent study by the Medical University Hanover shows that mothers with a migration background are under specific physical and psychological strains: interviews with mothers in convalescent care show that 25 per cent of migrant mothers have psychological symptoms due to the excessive demands made of them. This applies to only 16 per cent of mothers without a migration background.⁴¹⁸

The numbers of migrants using **rehabilitation measures** seems to be below the number of non-migrants under such treatment.⁴¹⁹

Beside differences in the utilisation of health care in cases of illness or injury, the behaviour of migrants and non-migrants varies with regard to the **utilisation of preventive measures such as vaccinations and screenings**.

The use made of individual **early diagnostic tests** for children in Germany was examined in the scope of the nationwide KiGGS Study.⁴²⁰ It showed that children from migrant families use early diagnostic tests less often and less frequently than children without a migration background do. 14 per cent of migrant children never had any of the early diagnostic tests. This compared to 2 per cent of non-migrant children (Annex C4, tab.29).⁴²¹ With regard to adults, Zeeb et al. found that women with a migration background do not take advantage of preventive early diagnosis **checkups for cancer** as often as German women do. The same refers to preventive **dental checkups**. With regard to men, the differences were not as distinctive.⁴²² Pregnant women with a migration background still do not take advantage of **prenatal checkups** and other measures during pregnancy as often and as frequently as German women

⁴¹⁷ The Müttergenesungswerk (MGW), an association for the convalescence of mothers, has been providing convalescent care as “mother care” for mothers who come without their children or “mother and child care” for mothers together with their children since 1950. Treatment is provided in 85 health resorts all over Germany and lasts 3 weeks. As a result of the health reform, health insurers have to grant the treatment if a doctor certifies the need for it.

⁴¹⁸ <http://www.forschungsverbund-mhh.de/>

⁴¹⁹ Robert Koch Institut (2005) *Armut, soziale Ungleichheit und Gesundheit. Expertise des Robert-Koch Instituts zum 2. Armuts- und Reichtumsbericht der Bundesregierung*. Berlin: Robert-Koch Institute, p. 134

⁴²⁰ In Germany, every child under the age of six is eligible for nine voluntary early diagnostic tests (U1 to U9). In addition, there is one non-obligatory test for adolescents (age 12 to 15).

⁴²¹ However, one can assume that some children from migrant families made use of similar tests in their country of origin. Source: <http://www.kiggs.de/>

⁴²² Robert Koch Institut (2005) *Armut, soziale Ungleichheit und Gesundheit. Expertise des Robert-Koch Instituts zum 2. Armuts- und Reichtumsbericht der Bundesregierung*. Berlin: Robert-Koch Institute

do.⁴²³ More differences were found concerning **vaccinations**.⁴²⁴ findings of the KiGGS study show that the **vaccination coverage against rubella** varies according to age groups: While young children from migrant families are more likely to have sufficient protection provided by vaccination against rubella, this does not apply to older children; among the latter, the coverage is much higher in children without a migration background. The German micro-census delivers information on **influenza vaccination coverage**. According to calculations by the RKI, the proportion of people making use of the preventive measures in 2003 was almost twice as high among Germans in contrast to migrants. The proportion was different with regard to children: more children from migrant families had vaccinations against influenza than Germans did. The patterns in use did not change a great deal between 1999 and 2003.⁴²⁵

NEW: Health Report of the Berlin State Administration

The 2006/2007 **Health Report of the Berlin State Administration** contains new information on the health situation of foreigners and/or migrants in Berlin.⁴²⁷ A primary conclusion of the report is that data on the health situation of migrants remain insufficient. Although the Berlin Health Reporting Scheme predominately uses data differentiated by nationality, some statistics refer to people with a migration background (e.g. data on the pre-school medical examinations). The most relevant data (Annex C4, tab.30-36) cover the following issues:

- infant mortality and perinatal death (Annex C4, tab.30-31)
- selected results of pre-school medical examination (Annex C4, tab.32-34)
- illness induced pre-mature retirement (Annex C4, tab.35)
- access to the health care system: visits to the Social-Medical Service (SMD) (Annex C4, tab.36)

⁴²³ Robert Koch Institut (2005) *Armut, soziale Ungleichheit und Gesundheit. Expertise des Robert-Koch Instituts zum 2. Armuts- und Reichtumsbericht der Bundesregierung*. Berlin: Robert-Koch Institute

⁴²⁴ Vaccinations are not compulsory in Germany.

⁴²⁵ Robert Koch Institut (2005) *Armut, soziale Ungleichheit und Gesundheit. Expertise des Robert-Koch Instituts zum 2. Armuts- und Reichtumsbericht der Bundesregierung*. Berlin: Robert-Koch Institute

⁴²⁷ Berlin/Senatsverwaltung für Gesundheit, Umwelt und Verbraucherschutz (2007) *Gesundheitsberichterstattung Berlin. Basisbericht 2006/2007. Daten des Gesundheits- und Sozialwesens*, Berlin

C.5.4. Good practice

C.5.4.1. Policy initiatives

On 20 September 2007, the German Parliament passed a bill to transpose the EU directive 2005/36/EC on the recognition of professional qualifications of EU citizens into national legislation.⁴²⁸ The directive contributes to further reducing obstacles in the free movement of persons and services and to enhance ‘the right to pursue a profession, in a self-employed or employed capacity’, across the EU. The new provisions, which solely target EU citizens, seek to improve the **recognition of qualifications** particularly of medical doctors, dentists, psychotherapists, pharmacists and similar occupations in the health sector. Although the law is not explicitly described as aimed at improving the health situation of migrants, it may contribute to increasing the proportion of migrant professionals working in the German health system and hence indirectly improve the (inter)-cultural awareness in this sector.⁴²⁹

Within the framework of the **National Integration Plan**,⁴³⁰ the first comprehensive nationwide action plan on integration adopted by the government in July 2007, the federal government, the *Länder* and numerous non-governmental organisations announced their commitment to improve the participation of migrants in the health system and the particularly vulnerable situation of elderly migrants and migrants with disabilities. This should be achieved by facilitating the access to health services and through structural changes in the health system (*interkulturelle Öffnung*).

Among others, the following three initiatives are mentioned within the framework of the **National Integration Plan**:

1. Established in 1997, the **Working Group ‘Migration and Public Health’** is coordinated by the Federal Commissioner for Integration and pursues the general objective of improving the situation of migrants in the health system. To achieve this aim, the working group has been running initiatives to develop and enhance preventive health measures, to promote intercultural competence within the treatment of migrants as out- and inpatients and to encourage and support (further) training on cultural awareness in the (geriatric) care and nursing sector. In July 2007, the Working Group published the second edition of the book **‘Health and Integration. A Handbook for Models of Good Practice’** which presents some 40 systematically selected good practice projects

⁴²⁸ Bundestag, printed matter 16/6458 (19.09.2007); Bundestag, printed matter 16/5385 (21.05.2007); *Das Parlament* (24.09.2007), available at: <http://www.bundestag.de/dasparlament/2007/39/innenpolitik/17306861.html> (20.10.2007).

⁴²⁹ For information on the number of foreign doctors working in Germany see annex C4, tab. 37.

⁴³⁰ Bundesregierung (2007) *Der Nationale Integrationsplan. Neue Wege – Neue Chancen*

aiming at ‘equal chances in the health system’ for migrants.⁴³¹ Most project descriptions point to particularly successful aspects as well as to concrete obstacles and solutions – an approach that seeks to increase the transferability of individual projects and aims at a sustainable *structural* change in the health system.

2. Since July 2000, the *Bundeszentrale für gesundheitliche Aufklärung* [Federal Centre for Health Education]⁴³² has been in charge of this newsletter and the information platform ‘**Information Service Migration and Health**’. It targets people who work in the field of ‘migration and health’ and provides up-to-date information on recent publications, projects, events and training offers. The online information service is continuously updated; the printed version of the newsletter is sent out free of charge every three months.⁴³³ This Information Service encourages an exchange of information and experiences.

3. The nationwide **Cooperation Group for the ‘Promotion of Health for Socially Disadvantaged People’** was initiated by the Federal Centre for Health Education in 2001; it is composed of more than 40 experts from health organisations. Its core objective is to support and enhance good practice initiatives in the field of health prevention and promotion for socially disadvantaged people; special measures for migrants constitute one important element. Information on more than 1,000 projects (among those 63 good practice initiatives) is accessible via an internet platform, which was updated and re-launched in September 2007.⁴³⁴ The sub-category (target group) ‘Asylum seekers and “Illegal migrants”’ lists 41 projects; the sub-category ‘migrants with poor German proficiency’ lists 134 (among those 11 ‘good practice’).

C.5.4.2. Practical initiatives by civil society and government

There are an immensely high number of – often local or small-scale – initiatives that seek to promote the health situation of migrants and minorities. The thematic range is very wide; the exemplary projects presented in this section fall within one of the three thematic fields that seem to be prevailing in Germany:

⁴³¹ Beauftragte der Bundesregierung für Migration, Flüchtlinge und Integration (2007) *Gesundheit und Integration. Ein Handbuch für Modelle für gute Praxis*. The selection as ‘good practice’ was based on a sophisticated assessment system (‘Frankfurter Raster’) which takes into account a variety of criteria, such as participation or empowerment.

⁴³² Cf. www.bzga.de (20.10.2007).

⁴³³ Cf. www.infodienst.bzga.de/?uid=2574da98b95957806cf4592502810d3b&id=migration (20.10.2007).

⁴³⁴ The project database is available at: www.gesundheitliche-chancengleichheit.de/ (20.10.2007). Further information on the Cooperation Group is available at: www.bzga.de/bot_Seite3257.html (20.10.2007). The Cooperation Groups also participate in the EU-Project on “Closing the Gap: Strategies for Action to Tackle Health Inequalities (2004-2007)” cf. www.health-inequalities.eu; (20.10.2007).

- Projects that endeavours to enable **migrants** to act **as multipliers** within their migrant communities
- Projects that seek to tackle the **language barrier** between representatives of the health sector and migrants
- Projects that aim to increase **cultural awareness** within the institutions of the health sector and to adapt the health system to an culturally and religiously diverse clientele ('intercultural opening'; *interkulturelle Öffnung*)

In the following exemplary projects for each of the thematic approaches are briefly described.

Migrants as multipliers: The *MiMi* Project

The project *Mit Migranten für Migranten* (MiMi) [With Migrants for Migrants] was initiated as a regional pilot project by the *Ethno-Medizinisches Zentrum* [Ethno-Medical Centre] in Hanover in August 2003.⁴³⁵ Its general objective is to provide migrants with information on the health system and prevention offers by training migrants as intercultural mediators and multipliers within the respective migrant communities.⁴³⁶ By doing so, the project seeks to promote the self-organisation of migrants and to create a network of mediators who serve as contact persons for migrants as well as for representatives of the health care institutions. The project has been expanded to 21 different areas all over Germany (2006), with four additional areas planned in 2007. Since 2006 it has been under the patronage of the Represent for Migration, Refugees and Integration of the Federal Government.⁴³⁷

The *MiMi* project sparked several follow-up initiatives. In Essen (North Rhine-Westphalia), for instance, the welfare organisation *Diakonie* launched the project *Neue Arbeit*, financially supported by the *NOVITAS Vereinigte BKK* and within the programme *Social Stadt NRW* [Social City NRW]. 26 *MiMi* mediators are currently taking part in an additional one-year training

⁴³⁵ Cf. <http://www.bkk-promig.de/24.0.html> (20.10.2007). The project is coordinated by the Ethno-Medical Centre and the BKK (federal body representing all statutory health insurance companies); the local implementation involves various other bodies and organisations.

⁴³⁶ The project targets migrants with a good command of German and of their community language who have access to their migrant community. The qualification programme enables them to run independently information events (in their mother tongue) within their community. In the meantime, comprehensive information on the German health system has been compiled and published in various community languages 'Wegweiser für das deutsche Gesundheitssystem'. The MiMi project was awarded the *Janssen-Cilag Zukunftspreis* [Janssen-Cilag Future Award] 2006 for its sustainable approach.

⁴³⁷ There are many small-scale projects that follow a similar approach: The mediator project '*Migranten und Gesundheit*' [Migrants and Health] was organised by the *Verband für Interkulturelle Arbeit* (VIA) [Association for Intercultural Work] in cooperation the initiative *Aktion Mensch*. Between March and June 2007, four information events were conducted in North Rhine-Westphalia targeting multipliers in the Turkish community. Within the framework of this project, a brochure ('Foreign Citizens Volunteering in the thematic field of Health') was compiled which aims at assisting Turkish migrants in their self-organisation in conducting health-related prevention courses that are recognised by statutory health insurance companies (<http://www.via-bund.de/projekte/gesundheit/gesellschaft.htm> (20.10.2007)).

programme to become experts in the public health care system. The project started in April 2007 and is scheduled to last until May 2008.⁴³⁸

Initiatives aiming to overcome language barriers

Another way to improve the health situation of migrants is to enhance offers of multi-lingual information on health-related issues. In recent years, the Federal Centre for Health Education has compiled numerous brochures on, among others, health prevention, HIV/AIDS and the health situation of children; these have been published in **various community languages** and, in part, culturally adapted to the particular migrant group. Since 2007, the *Müttergenesungswerk* (MGW), an association for the convalescence of mothers, has increased its efforts to address mothers with a migration background, for instance, through multilingual flyers and specific services. The cities of Frankfurt and Cologne⁴³⁹, to name only two examples, have prepared comprehensive documentations that list all local doctors, psychotherapists and other medical experts and inform potential patients about the doctors' proficiency in foreign languages.

Cooperation between the Ethno-Medical Centre and representatives of the statutory health insurance (BKK) within the *MiMi project* led to the first comprehensive nationwide **handbook on the German health system** for migrants: 'Health – Hand in Hand. The German Health System. A Guide for Migrants'. The handbook is available (in print version) in nine languages;⁴⁴⁰ it aims at enabling migrants to use the health system competently and in self-determined manner. Migrants were actively involved in the compilation of the guidelines.⁴⁴¹

Another way to approach the problem of language barriers – particularly in hospitals – is to engage the services of **interpreters**. Some hospitals have internal interpreters to ensure proper communication between doctors and those migrant patients without sufficient German proficiency. The five Municipal Hospitals in Munich have been providing internal interpretation services in

⁴³⁸ Cf. www.novitas-bkk.de/index.php?url=presse_archiv_198&PHPSESSID=255289eda465ee8d9605f8243d95d2a8 (08.08.2007).

⁴³⁹ The Cologne guide provides – on more than 50 pages – up-to-date information about foreign-language consultation, hospitals and counselling according to the different languages. Besides, it offers an overview of information material available in foreign languages as well. Cf. <http://www.stadt-koeln.de/imperia/md/content/pdfdateien/pdf532/geunsdheitundmigration/1.pdf> (20.10.2007).

⁴⁴⁰ Currently the handbook is being translated in further eight languages.

⁴⁴¹ M. Stickan-Verführ, S. Pettrup (2007) "Gesundheit Hand in Hand – das deutsche Gesundheitssystem" – Interkulturelle Gesundheitswegweiser fördern Integration und Gesundheit', in: Beauftragte der Bundesregierung für Migration, Flüchtlinge und Integration (ed.) (2007) *Gesundheit und Integration. Ein Handbuch für Modelle für gute Praxis*. Berlin, pp. 80-85. The guidelines 'Health – hand in hand' are available in English at: <http://www.bkk.de/bkk/psfile/downloaddatei/96/443563dd14921a.pdf> (20.10.2007).

(currently about 30) languages since the mid 1990s.⁴⁴² The hospital in Kassel also makes use of the languages proficiencies of 50 of their employees; 35 languages are covered by these (non-professional) interpreters; additionally, two intercultural mediators are deployed in the hospital in Kassel.⁴⁴³ In 2006, such an internal interpreter and translation service (for nine languages) was set up in the hospital in Duisburg (North Rhine-Westphalia).⁴⁴⁴

Since 2002, a Community Interpretation Service has been in place in Berlin. Supported by the Office of the Berlin State Commissioner for Integration and the Federal Ministry of Labour and funded within the EQUAL programme, 70 migrants have been trained to work as community interpreters specialised on health issues. They offer their services in about 20 languages (for €25 per 45 minutes) to health care institutions and to migrants.⁴⁴⁵

Projects aiming to increase cultural awareness in the health sector ('intercultural opening')

The endeavours to adapt the health institutions to increasing ethnic and religious diversity are twofold: (a) qualification and training programmes for employees in the health sector to acquire intercultural competence and (b) increasing the proportion of employees with a migration background.

The subject of intercultural competence occurs only very rarely within the university curriculum for doctors or other health-related professions. Since 2004, the University of Gießen has been offering medical students – for the first time ever in Germany – the chance to take the elective course 'migrants' health', which aims at preparing future doctors for the special challenges regarding the medical treatment of migrants.⁴⁴⁶ At the University for Applied Sciences (TU) Fresenius in Idstein, the Bachelor programme 'Health Care Business Management' requires students to pass a mandatory module on intercultural management.⁴⁴⁷

A more common way to equip employees with intercultural competence is through **further training programmes**. Numerous such programmes exist in Germany; the following examples illustrate typical formats and topics.

⁴⁴² www.muenchen.de/Rathaus/rgu/vorsorge_schutz/migration_und_gesundheit/160490/index.html#dolmetscher (20.10.2007). K. Dillmann 'SOS: Migranten im Krankenhaus', in: *AiD – Integration in Deutschland*, Vol. 22, No. 1/2006, p. 17

⁴⁴³ Cf. www.bzga.de/bzga_stat/infodienst/migration/angebote/10_02/dolmetschen.htm (20.10.2007).

⁴⁴⁴ Press release of the NRW State Government on 18.10.2006, cf. www.presseservice.nrw.de/presse2006/10_2006/061018MAGS.php, (20.10.2007).

⁴⁴⁵ <http://www.gemeindedolmetschdienst-berlin.de/> (20.10.2007).

⁴⁴⁶ <http://www.med.uni-giessen.de/histor/migrantenmedizin.htm> (20.10.2007).

⁴⁴⁷ D. Scheible (2007) 'Interkulturelle Kompetenz für das Management im Gesundheitswesen', in: *Intercultural Journal*, No. 4/2007, pp. 49-55, available at: www.interculture-journal.com/download/issues/2007_04.pdf (20.10.2007).

The in-house seminar on intercultural competence at the Protestant Hospital in Bielefeld is divided into four modules – one per day: The first module generally covers the concept of ‘culture’; the second one is on intercultural communication. In the third module, the participants learn through theoretical input and practical exercises how to deal with ‘intercultural conflicts’, and, in the final part, concrete solutions for intercultural problems are explored.

Within the framework of the programme *TransKom*, financially supported within the Community Initiative EQUAL, a five-day training concept on intercultural competence for employees in social and health care institutions has been developed. The training is offered – free of charge – to health institutions; the content of the courses can be modified according to the specific demands of the individual institutions.⁴⁴⁸ The XENOS project *Gesundheit interkulturell* (Health Intercultural) follows a similar approach.⁴⁴⁹

The second strategy aiming at an ‘intercultural opening’ of health care institutions is to increase the proportion of **migrant employees in the health sector**.⁴⁵⁰ The project *Active Health* (2006-2007), coordinated by the Berlin International Cooperation Agency (BGZ),⁴⁵¹ seeks to develop and implement strategies to tackle the disadvantages of migrants in gaining access to health care in Berlin. Through various information and awareness-raising events, all relevant stakeholders are addressed, qualification programmes for multipliers are conducted and media campaigns are implemented. A stronger involvement of migrants as employees in the health sector is regarded as a key factor in overcoming the disadvantaged access of migrants to health care. To reach this goal, campaigns are conducted to spread information on health care jobs particularly amongst migrant communities; furthermore, political recommendations on how to strengthen the active participation of migrants are to be developed.

‘Intercultural opening’ plays an important role particularly in the health care and nursing institutions for **elderly migrants**.

In September 2007, the *Kompetenzzentrum Interkulturelle Öffnung der Altenhilfe* [Centre of Competence in Intercultural Opening of the Nursing and Care System for the Elderly] was established by the two welfare organisations *Arbeiterwohlfahrt* and *Caritas* in Berlin. This Centre seeks to function as a contact point for policy-makers, employees in the health care system and other stakeholders and offers a broad range of counselling, training and information

⁴⁴⁸ Flyer on the training programme available at:
www.transkom.info/pdf/TransKom%20Flyer.pdf (21.10.2007).

⁴⁴⁹ www.gesundheit-interkulturell.de (21.10.2007).

⁴⁵⁰ Despite numerous political statements calling for ‘more migrants’ as employees in the health sector, concrete measures to achieve this aim seem relatively rare.

⁴⁵¹ Cf. www.bgz-berlin.de/en/projekte_integration_alle.shtml?pid=80&page=projekte_integration (21.10.2007) and www.gesundheitberlin.de/index.php4?request=themen&topic=2267&type=infotext (21.10.2007).

services for pertinent institutions and their employees as well as for medical or health care students and for migrants themselves. The Centre seeks to enhance local networks and to encourage expert and public debates on intercultural issues in the care of elderly migrants.⁴⁵² The Berlin State Administration for Integration supports the Centre.⁴⁵³

The nationwide *Information and Contact Point Migration for the Work with Elderly Migrants* (IKOM) was launched in August 2002 by the NGO AktionCourage; it constitutes a network of some 3,600 institutions and individuals. IKOM has set up and continuously expanded several databases which contain detailed information on relevant projects, institutions and publications. Furthermore, qualification measures for those who work with elderly migrants are offered and support measures for elderly migrants have been developed and tested.⁴⁵⁴

In early 2006, several welfare organisations, migrant organisations and other institutions active in the care sector for the elderly jointly founded the *Forum kultursensible Altenhilfe* [Forum Culturally Aware Care for the Elderly]. Based on a nationwide memorandum⁴⁵⁵ the *Forum* seeks to improve the social and health-related situation of elderly migrants by, amongst others, providing counselling, training and information to relevant institutions.⁴⁵⁶

Besides these three main thematic areas, there are **numerous other projects** that follow a different approach (e.g. special offers for undocumented migrants⁴⁵⁷ or for traumatised refugees). The aforementioned project databases and good-practice compilations provide an overview on these projects.

Commissioned by the working group *Migration and Health* at the Saarland State Ministry of Justice, Labour, Health and Social Affairs, the welfare organisation *Diakonisches Werk an der Saar* set up an **online platform on migration and health** (www.migesaar.de) in late September 2007. The main objective of this platform is to provide easily accessible information on relevant health offers and organisations in Saarland, languages spoken within these organisations and whether professional interpreters are available. The online

⁴⁵² Cf. www.kompetenzzentrum-altenhilfe.de (22.10.2007).

⁴⁵³ Press release of the Berlin State Senate on 28.09.2007.

⁴⁵⁴ Cf. www.ikom-bund.de (22.10.2007).

⁴⁵⁵ The *Memorandum für eine kultursensible Altenpflege* [Memorandum for a Culturally Aware Care of the Elderly] has been developed by representatives of all welfare organisations in Germany together with the Federal Commissioner for Integration. More than 160 organisations have signed the memorandum and, in doing so, expressed their commitment to pay particular attention to the needs of elderly migrants in their institutions. The memorandum was also mentioned in the National Integration Plan (Bundesregierung (2007) *Der Nationale Integrationsplan. Neue Wege – Neue Chancen*, pp. 100, 103).

⁴⁵⁶ Cf. www.kultursensible-altenhilfe.de (21.10.2007).

⁴⁵⁷ M. Gavranidou, J. Lindert (2003) 'Migranten, die sich illegal in Deutschland aufhalten', in: Beauftragte der Bundesregierung für Migration, Flüchtlinge und Integration (ed.) *Gesunde Integration. Dokumentation der Fachtagung am 20. und 21. Februar 2003 in Berlin*, Berlin/Bonn, p. 143-147.

platform utilises several external databases; additionally, a new database on counselling services, rehab hospitals and hospices in Saarland has been set up.⁴⁵⁸

Within the framework of the project *Information and Advice Offers for Improved Health Care for Muslims* (financially supported by the Bosch Foundation), the *Institut für Geschichte, Theorie und Ethik der Medizin* [Institute for History, Theory and Ethic of Medicine] at the University of Mainz set up the internet platform *Gesundheit und Kultur* [Health and Culture]. The platform contains a broad range of detailed health-related information on the specific situation of Muslims and targets primarily doctors, personnel in the health care system and multipliers. The platform covers various medical-ethical and medical-practical issues and potential conflicts and provides comprehensive information on expert publications, presentations and upcoming events.⁴⁵⁹

In October 2007, the initiative *Kompetenznetzwerk Sucht-Selbsthilfe für Migrantinnen und Migranten aus Osteuropa* [Competence Network Addiction Self-help Support for Migrants from Eastern Europe; KOSMOS], was launched in the regions of Stuttgart, Fulda and Hanover. KOSMOS is coordinated by the association *Fachverband Drogen und Rauschmittel* [Expert Association for Drug Abuse]; it targets **drug addicted migrants** from Eastern Europe, primarily ethnic German migrants (*Spätaussiedler*), promoting their self-help potential. Within the framework of the project, two support concepts will be applied and tested: (a) a family-based approach of self-help for addicted Russian speaking migrants (*encounter groups*) and (b) low-threshold counselling on the internet particularly for young migrants with addiction problems. New encounter groups should be initiated and supported by a centralised project coordinator.⁴⁶⁰

⁴⁵⁸ Since October, the association *Landesarbeitsgemeinschaft für Gesundheitsförderung Saarland* (LAGS) has been in charge of maintaining the platform; IKOM-Newsletter, Vol. 6, No. 5-2007 (2), p.21

⁴⁵⁹ <http://prelaunch.gesundheit-kultur.de/index.php> (22.01.2008)

⁴⁶⁰ In addition, 'key persons' with a respective migration background will be trained to support the encounter groups and provide online assistance to those who seek online counselling. The project is funded by the Federal Ministry of Health. Germany/Drogenbeauftragte der Bundesregierung, press release (08.10.2007); Bundeszentrale für gesundheitliche Aufklärung (BZgA) (2007), Infodienst Migration und öffentliche Gesundheit, No. 4/2007, p. 45

Annex

Annex A1: court cases (non-criminal court cases)

1. Muslim teachers banned from wearing a headscarf

Case title	Muslim teacher vs. NRW school authorities: Refusal of a teaching position in a public school due to headscarf is lawful
Decision date	05.06.2007
Reference details	2 K 6225/06, Verwaltungsgericht (Administrative Court) Düsseldorf (2 nd chamber)
Key facts of the case	In 2004 the 28-year old German woman of Turkish origin applied for a full teacher's position (state school service) in North Rhine-Westphalia (NRW) after the school in which she had taught maths and German as a sub teacher announced a vacant position. The NRW state school authorities rejected the woman's application referring to the recently amended State School Law: the law prohibits teachers to display any religious symbols which endanger the neutrality of the state towards pupils and parents (§ 57 (4) NRW State School Law).
Main reasoning/ argumentation	The court ruled that the Muslim headscarf constitutes a religious symbol which endangers the neutrality of the state; hence the state school authorities' refusal was in compliance with the law. According to the court, the law does not violate constitutional values; the judge also pointed out, however, that the principle of equal treatment of all religious symbols had to be guaranteed. Section 57 (4) NRW State School Law does not violate the General Equal Treatment Law (AGG) as the neutrality of the teacher is regarded a occupational requirement (AGG § 8 (1) AGG). The plaintiff referred to the constitutional freedom of religion and argued that the school law treated Jewish or Christian symbols in a privileged way.
Key issues (concepts, interpretations) clarified by the case	The court case illustrates the problematic legal situation that occurs when school laws are designed to ban Muslim teachers from wearing a headscarf whilst permitting Christian and Jewish symbols. The resulting dilemma between the constitutional principle of equal treatment and the actual unequal treatment due to one's religion has not been ultimately resolved. The NRW state school law is worded in a neutral way, which seems to point to a ban of all religious symbols; in the explanatory comment to the law amendment, however, the privileged treatment of Jewish or Christian symbols is explicitly mentioned. According to the court, this privileged treatment is not in compliance with the constitution.
Results and key consequences or implications of the case	The plaintiff's claim was dismissed, thus she is not allowed to work as a teacher unless she takes off her headscarf. As the court acknowledged the general significance of the case, the plaintiff was offered the possibility to appeal against the ruling. The ruling was quoted in a similar ruling of the same court on 14 August 2007 (Ref. 2 K 1752/07) – with the same outcome: teachers must not wear a Muslim headscarf whilst teaching. In a similar case on 3 March 2007, the Labour Court Herne also ruled that the NRW state law is in compliance with the AGG (Ref.: 4

	Ca 3415/06).
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2. Head scarf ruling of the Hesse State Court of Justice

Case title	Neutrality Act is in compliance with the State Constitution
Decision date	10.12.2007
Reference details	P.St. 2016; Hesse State Court of Justice (Hessischer Staatsgerichtshof)
Key facts of the case	The State Office of the Public Attorney (<i>Landesanwalt</i>) in Hesse filed a motion at the State Court of Justice to check several provisions of the Hesse State Neutrality Act regarding their compliance with the Hesse State Constitution. The pertinent provisions (§ 68 (2) HBG (Hesse Civil Servant Law) and § 86 (3) Hesse School Law) ban civil servants and teachers from wearing clothes or displaying symbols that are objectively suitable for affecting the trust in the neutrality of the authority or for endangering the religious or political peace. The Neutrality Act also emphasises that Christian and occidental-humanistic traditions of the State of Hesse are to be considered.
Main reasoning/ argumentation	A narrow majority of six judges ruled that the Neutrality Act is in compliance with the Hesse State Constitutions, since the Act refers to all religious symbols; no religion is treated in a privileged way. In the decision, the court only checked the Act itself; it refused to comment on whether the ban of teachers or civil servants with a Muslim headscarf is lawful, pointing out that such a decision falls within the responsibility of the administration. The minority of five judges stated that the Court should have specifically addressed the question as to whether the pertinent provisions lawfully ban civil servants and teachers from wearing a Muslim headscarf. In their minority statement they criticised the Act as a violation of equality principles.
Key issues clarified by the case	The court decision demonstrates the fundamental difficulties in assessing the legal ban of Muslim headscarves: According to the majority decision, the Act treats all religions equally; Christian symbols represent certain values, which draw upon Christian-occidental traditions and are not directly related to the Christian religion. Three judges explicitly expressed their objection to the provisions as they considered them to be not in compliance with the Constitution due to a privileged treatment of Christian symbols.
Results and key consequences	According to the decision of the highest court in Hesse, the Neutrality Act does not violate the constitutional principles; however, practical questions have not been resolved and remain open (e.g. which religious could be held accountable for endangering the religious or political peace).

AGG case 1: Civil Code provision is void: Discrimination on the grounds of age

Case title	Court declares Civil Code regulation void on the grounds of contravening Anti-Discrimination laws – discrimination on the grounds of age
Decision date	24.07.2007
Reference details	7 Sa 561/07, Landesarbeitsgericht (Regional Labour Court) Berlin-Brandenburg
Key facts of the case	A secretary was dismissed without notice or alternatively – if a dismissal without notice were deemed to be not possible – with due notice. The deadline for the termination of the contract (due notice) was a crucial issue in court: § 622 BGB (Civil Code) defines the deadlines for terminations of contracts depend on the total duration of the employment (the longer employed, the longer the period). § 622 (2) BGB though states that any time spent with the employer before an individual's 25th birthday does not count towards this period.
Main reasoning/ Argumentation	According to the court, not accounting the time spent with the company before the age of 25 is factually unjustified and disadvantages younger employees. Consequently, the Civil Code provision violates against Art. 2 of the Directive 2000/7/8/EC is thus not applicable.
Key issues (concepts, interpretations) clarified by the case	1. In case national legal provisions contravene EU law, they have to be interpreted in accordance with EU regulations. If this is not possible the national regulation is inapplicable. 2. § 622 (2) BGB constitute a discriminatory provision (age discrimination) as it treats younger employees in a disadvantageous way purely because of their age. An interpretation conforming to the EU Directive is not possible. Hence this Civil Code provision is void.
Results (sanctions) and key consequences or implications of the case	The termination period has been extended. The claimant received compensation for missed earnings. The case illustrates that legal provisions in German legislation can be void if they violate the minimum standards of the EU directives.

AGG case 2: AGG applicable to cases of discrimination: discrimination on the ground of age

Case title	Age Discrimination in a Termination of Contract: AGG provision is not in compliance with the requirements of the EU equality directives
Decision date	05.02.2007
Reference details	3 Ca 730/06 Arbeitsgericht (Labour Court) Osnabrück
Key facts of the case	A large enterprise made 619 employees redundant. When choosing whom to dismiss, the employer followed the Law for the Protection against Unlawful Dismissal (<i>Kündigungsschutzgesetz</i>), according to which the individual employee's age is to be taken into account. Age groups were defined (e.g. aged 36-45; 46-55) and the selection (<i>Sozialauswahl</i>) of those employees who had to be dismissed was made within these age groups. This resulted in a higher number of older employees being dismissed as if all age groups had been equally taken into account.
Main reasoning/ Argumentation	<ol style="list-style-type: none"> 1. Taking into account the criteria age and time spent with the company does not constitute age discrimination against younger employees. This regulation is justified to compensate for lesser chances of older people in the labour market. 2. Defining certain age groups within which those that are to be dismissed are selected (<i>Sozialauswahl</i>) discriminates against older employees as this results in them being more frequently dismissed than without defining such age groups. 3. This proceeding does not comply with AGG requirements; § 2 (4) AGG that excludes the issue of dismissal from the legal coverage of the AGG is deemed to be void as it contravenes the EU directive 2000/78/EC
Key issues (concepts, interpretations) clarified by the case	<ol style="list-style-type: none"> 1. If national legal provisions contravene EU law, they have to be interpreted in compliance with EU regulations. If this is not possible the national regulation is inapplicable. 2. According to § 2 (4) AGG, the AGG cannot be applied to the terminations of contract. An interpretation conforming with EU Directive is not possible. Hence this AGG provision is void. 3. Taking age into account when selecting those employees who are to be dismissed is possible to compensate for lesser chances of older people in the labour market.
Results (sanctions) and key consequences or implications of the case	About 60 cases of dismissals have been deemed void. The decision is not yet finalised as the employer was given the option to appeal.

AGG case 3: discrimination on the grounds of religion is unlawful – despite exceptional provisions for religious organisations

Case title	Muslim applicant rejected on the grounds of religion
Decision date	04.12.2007
Reference details	20 Ca 105/07; Labour Court (Arbeitsgericht; ArbG) Hamburg
Key facts of the case	<p>A 45-year old woman of Turkish origin applied for a job at the <i>Diakonie</i>, the welfare organisation of the Protestant Church in Germany (EKD). According to the job advertisement for a job as an integration expert (EU-funded project on labour market integration of migrants), the <i>Diakonie</i> was looking for an employee, who is a member of a Christian Church. The applicant, who considers herself as a non-practicing Muslim, was rejected because she was not a member of a Christian church.</p> <p>The labour court reviewed her case and came to the decision that the rejection constitutes an act of unlawful discrimination and hence a violation of the General Equal Treatment Act (AGG).</p>
Main reasoning/ Argumentation	<p>The <i>Diakonie</i> referred to the special AGG provisions (§ 9 AGG) which permits religious institutions to treat job applicants unequally on the grounds of religion or belief; accordingly the vacancy ad read that only Christians would be considered.</p> <p>The plaintiff claimed that the rejection was a case of unlawful direct discrimination on the grounds of religion and indirect discrimination on the grounds of her ethnic origin. The plaintiff's lawyer argued that § 9 AGG is not in full compliance with EU law (particularly with Article 4 (2) Directive 2000/78/EC).</p>
Key issues (concepts, interpretations) clarified by the case	<p>According to the court, the practice of considering only those applicant who are of Christian faith, is discriminatory and constitutes a violation of the AGG – despite § 9 AGG which explicitly allows religious institutions to privilege treatment applicants of the respective religious denomination. This underscores – as the plaintiff's lawyer claimed – that the AGG has to be applied by German courts in a way that aims to effectively implement EU law. The question as to whether the special status of a religious institution results in special occupational requirements (Art 9 AGG) is to be assessed on a case-by-case basis.</p>
Results and key consequences or implications	<p>The accused organisation had to pay a compensation totalling 3,900 EUR to the plaintiff; after the decision the <i>Diakonie</i> announced that it would appeal the ruling at the State Labour Court. Furthermore, the <i>Diakonie</i> insisted that it would continue to employ solely applicants who are member of the Church.</p>

AGG case 4: discrimination due to insufficient German skills is lawful

Case title	Labour Court: discrimination due to lacking German proficiency is not unlawful
Decision date	26.09.2007
Reference details	14 Ca 10356/07, Arbeitsgericht (Labour Court) Berlin
Key facts of the case	<p>The plaintiff, a British citizen, applied for a job as a landscape gardener in May 2007. On 7 May, one day after the interview, the plaintiff showed up to work for one “test day”. According to the plaintiff, the defendant sent him away immediately because of his insufficient German proficiency; according to the defendant (employer), the plaintiff was requested to operate a technical device which he failed to do, hence he was sent away and refused the job due to his technical incapacity.</p> <p>The plaintiff claims a compensation of 4,160 EUR according to § 15 (2) AGG because he felt discriminated against due to his ethnic origin.</p>
Main reasoning/ Argumentation	<p>The court turned down the plaintiff’s claim arguing that the job rejection due to his insufficient language proficiency is <i>not</i> considered a case of ethnic discrimination. The judge stated that the rejection of a job applicant due to his/her ‘potentially lacking command of the German language’ is not considered discrimination on the grounds of ethnic origin unless the argument of insufficient German skill only serves as a disguise for a xenophobic motivation or intentional ethnic discrimination. According to the court, such a xenophobic motivation does not seem to apply to the defendant since he employs many non-German workers (primarily of Turkish origin).</p>
Key issues (concepts, interpretations) clarified by the case	<p>The court applies a very narrow definition of unlawful ethnic discrimination. Although it acknowledges that the rejection of a non-German job applicant due to his/her insufficient command of German may be regarded as a case of unlawful ethnic discrimination, it stresses that such an interpretation is only possible if the employer’s <i>actual</i> reason is not the insufficient level of German, but xenophobia or the <i>intention</i> to discriminate against foreigners.</p> <p>According to the judge, it is up to the employer – and not to the courts – to decide what level of German skills is considered sufficient. The concept of indirect discrimination has not been applied at all.</p>
Results and key consequences or implications	<p>The plaintiff’s claim was turned down; he had to pay for the costs of the lawsuit.</p> <p>The questions as to whether the plaintiff’s application was rejected due to his technical incapacities or due to his insufficient language skill was not considered relevant by the court, and hence remains open.</p>

Annex A2: Criminal court cases

1. Landmark decision of the Federal Court of Justice on the scope of Section 86a Criminal Code

Case title	Display of swastika symbols with an anti-Nazi intention no subject to criminal law
Decision date	15.03.2007
Reference details	Ref.: 2 StR 486/06; Bundesgerichtshof (BGH); Federal Court of Justice; 3. Strafsenat
Key facts of the case	<p>The Federal Court of Justice overruled the Regional Court Stuttgart (LG Stuttgart / 18 KLS 4 Js 63331/05; 29.09.2006) which had sentenced the owner of a mail order business to a fine of €3,600 for selling t-shirts, badges and other products which show smashed and crossed swastikas. The way of how the swastikas were presented obviously conveyed an anti-Nazi attitude. Nevertheless, the Regional Court found the man guilty of violating § 86a Criminal Code (display of symbols of anti-constitution organisations).</p> <p>The convicted plaintiff successfully appealed against the decision of the Regional Court at the BGH.</p>
Main reasoning/ argumentation	The BGH pointed out that § 86a StGB calls for exceptions which have to be defined by the courts. According to the BGH, the use of symbols of anti-constitutional organisations is no subject to § 86a StGB if the use of the symbol expresses – without any doubt – the person's opposition to the respective organisation and the person's intention to combat its ideology. This is also valid if such objects are sold for commercial reasons. The BGH did not share the Regional Court's concerns that this interpretation could be misused by right-wing extremists.
Key issues (concepts, interpretations) clarified by the case	The BGH ultimately clarified that § 86a StGB is to be interpreted by the courts on a case-by-case basis. The display of symbols of anti-constitutional organisations does not constitute a violation of § 86a StGB if this is obviously aimed <i>against</i> the ideology of these organisations. The BGH decision follows a BGH ruling from October 1972 according to which the display of such symbols is not subject to § 86a StGB if the use of the symbol expresses – from the perspective of an "objective observer" – undoubtedly an attitude that opposes National Socialism (BGHSt. 25, 30; 128, 130).
Results (sanctions) and key consequences or implications of the case	It is likely that this BGH ruling will have an impact on future lawsuits and public prosecutors' decision to lodge an action in similar cases. On May 14, 2007, the Upper State Court in Munich overruled the Local Court in Garmisch-Partenkirchen which had sentenced a man to a fine because he had carried a book on Critical Theory against Post-Nazism the cover of which showed people displaying the Hitler Salute (OLG München / 5St RR 066/97, 14.04.2007).

2. Maximum penalty of five years imprisonment for 'Incitement of the People' (significant media interest)

Case title	Incitement of the people via Internet: Maximum penalty for a leading figure of the international scene of Holocaust denial
Decision date	15.02.2007
Reference details	Ref.: 6 KLS 503 Js 4/96; Landgericht Mannheim (Regional Court); 6. Große Strafkammer
Key facts of the case	The 67-year old Zündel was found guilty of incitement of the people (§ 130 StGB) in 14 cases by the Regional Court in Mannheim. Zündel was one of the first right-wing extremists who systematically used the Internet, in particular his own website Zundelsite (run from abroad), to spread Nazi and antisemitic propaganda, especially denying the Holocaust. He was expelled from Canada and handed over to German authorities in March 2005. The trial was adjourned in late 2005 and re-opened in early 2006. One year later, due to several delays caused by Zündel's lawyers, the Court sentenced him to five years in prison.
Main reasoning/ argumentation	The Court stated in its final reasoning that Zündel systematically denied the genocide of Jews and invoked hatred against Jews through antisemitic hate speech on his website <i>Zundelsite</i> in 14 cases. The judge called Zündel a "devotee of Adolf Hitler" who deeply hates everything that is Jewish. The Court followed the public prosecutor's proposal and sentenced Zündel to the maximum penalty of five years in prison. The argument of one of the defence lawyers that § 130 StGB contradicts constitutional principles was rejected by the court.
Key issues (concepts, interpretations) clarified by the case	The case underscores that it is legally possible to convict someone who uses a web server from abroad for unlawful forms of hate speech (here: Holocaust denial). It also illustrates that ongoing and especially severe forms of incitement against the people are indeed punished with the maximum penalty of five year imprisonment.
Results (sanctions) and key consequences or implications of the case	Zündel was sentenced to five years in prison – the maximum penalty for incitement of the people (§130 StGB). The convicted and his lawyers submitted appeal at the Federal Court of Justice, which was rejected on 12 September 2007 (Ref.: 1 StR 337/07). During the trial a representative of the defence made Holocaust denial statements herself and signed an official document with "Heil Hitler". The public prosecutor lodged an action due to 'incitement of the people'. The respective court trial against Zündel's lawyer is scheduled to begin on November 15, 2007 at the Regional Court Mannheim.

3. Clarification: Publishing anti-minority article constitutes a case of unlawful incitement of the people

Case title	Right-winger found guilty of incitement of the people for publishing polemic anti-minority article in his own revisionist magazine
Decision date	06.02.2007
Reference details	Ref.: 24 NF 14 JS 6938/06; Amtsgericht (Local Court) Tübingen
Key facts of the case	In March 2006 the publisher Wigbert G. (65) published an article on the “deadly danger” of multicultural societies (editorial of the magazine) in the right-wing, revisionist magazine <i>Deutschland in Geschichte und Gegenwart</i> , published by his own publishing company. In the article “Report from Finland” (allegedly written by the Finnish right-wing author Holappa), immigration and multiculturalism in Finland is described as “discrimination of the majority” and a “specific method of genocide”; “brutal negro gangs” are accused of “raping Finish women and girls”. Grabter had been convicted of incitement of the people several times before.
Main reasoning/ argumentation	According to the court, the content of the article is not covered by the freedom of expression; thus the publisher was convicted of distributing written anti-constitutional material which constitute a violation of sect. 130 StGB (incitement of the people). The defence lawyer stated doubts regarding the legitimacy of sect. 130 and stressed the freedom of the press; this argumentation was rejected by the court – and so were the defence lawyer’s motion to call the Finnish, Danish and Swedish ambassadors as witnesses and to prove the content of the article by conducting an opinion poll.
Key issues (concepts, interpretations) clarified by the case	The case illustrates that harsh criticism towards immigration and an ethnically plural society can constitute a case of incitement of the people provided the negative opinion is expressed in an invoking, aggressively polemic manner. The ruling also shows that not only the author, but also the publisher is legally accountable for releasing such invoking articles.
Results (sanctions) and key consequences or implications of the case	The right-wing publisher, who has been financially struggling for the last few years, was sentenced to three months in prison on a three-year probation and to a fine of €3,000. He appealed against the sentence at the Regional (Appeal) Court Tübingen.

4. Significant sanctions: imprisonment for 19-year old right-winger for desecration of memorial in former NS concentration camp

Case title	Six months in youth prison for desecration of memorial in former NS concentration camp Sachsenhausen
Decision date	21.12.2006
Reference details	Ref.: 11 Ds 438/06; Amtsgericht (Local Court) Oranienburg (Brandenburg)
Key facts of the case	<p>On 16 December 2006, the 19-year old right-wing extremist scratched a swastika (30 x 30 cm) into a memorial site on the former concentration camp of Sachsenhausen. He used a stone which he had taken from the memorial site itself where it was laid down – according to Jewish tradition – to commemorate the victims. The perpetrator was wearing a T-shirt with the emblem of the banned Nazi party "Freiheitlichen Deutschen Arbeiterpartei" and the slogan "Ruhm und Ehre der Deutschen Wehrmacht".</p> <p>In November 2006, the convicted man had been sentenced to 80 hours of community service after an affray with young foreigners in Berlin; he has a criminal record including bodily harm, theft and display of anti-constitutional symbols.</p>
Main reasoning/ Argumentation	The court stated that the 19-year old man went to the concentration camp together with four friends only because they wanted to "do mischief". The convicted man played down the incident as "foolery" and explained that he went there in order to lay down flowers in commemoration and to learn about the camp. This explanation was strongly rejected by the court as being "cynical". The judge also described the perpetrator as deeply convinced of right-wing extremist attitudes; the accused man's claim to have left the right-wing scene after the incident was thus rejected as not credible.
Key issues (concepts, interpretations) clarified by the case	<p>The judge explicitly stated that he imposed the sentenced <i>without</i> probation also to send a clear message of warning to the right-wing scene ("For things like this you might go to prison") and to demonstrate "potential perpetrator that such provocative offences are by no means tolerated"</p> <p>The case shows who quickly courts sometimes react to right-wing extremist crimes.</p>
Results (sanctions) and key consequences or implications of the case	<p>The man was sentenced to six months in prison without probation for public display of symbols of anti-constitutional organisations (§ 86a) in conjunction with incitement of the people (§130) and disturbance of the peace of the dead (§ 168).</p> <p>The public prosecutor had claimed a penalty of nine months of imprisonment.</p>

5. Significant sanctions: Imprisonment for singing forbidden Nazi songs

Case title	Seven months imprisonment for singing forbidden Nazi songs and yelling “Heil Hitler” in public
Decision date	23.05.2007
Reference details	Ref.: 1 Ds 106 Js/10972/06; Amtsgericht (Local Court) Haßfurt
Key facts of the case	The Local Court Haßfurt (Bavaria) found a 29-year old man guilty of the following two crimes: (1) In October 2005, he yelled “Heil Hitler” during a street festival in Haßfurt after police officers had stopped a affray between him and a group of Turks and had sent him away from the scene. (2) Together with at least two other men (both with a criminal record) he sang forbidden Nazi and antisemitic songs (“bombs on Israel”, “punch them to death”) during a street festival in Ebern (Bavaria) in July 2006; this incident was videotaped and witnessed by two people who also testified in court. Prior to this trial the accused man had already been convicted of bodily injury (§ 223) and display of anti-constitutional symbols (§ 86a).
Main reasoning/ Argumentation	The judge stated that especially the videotape and the statements of the two witnesses provided convincing evidence for the man’s guilt. Thus the court found the 29-year old man guilty of incitement of the people (§ 130 StGB) and the use of symbols of anti-constitutional organisations (§ 86a StGB). The public prosecutor proposed nine months imprisonment. The defence lawyer pleaded not guilty due to a lack of evidence.
Key issues (concepts, interpretations) clarified by the case	The judge justified the sentence without probation by pointing out to the previous offences committed by the 29-year old. The judge emphasised that the convicted man had been released from prison only a few weeks before the incident in Ebern; hence, according to the court, a positive prognosis regarding his future behaviour is not conceivable.
Results (sanctions) and key consequences or implications of the case	The man was sentenced to seven months in prison without probation due to a violation of Sections 130 and 86a StGB. The convicted man appealed against the ruling at the Regional Court Bamberg (still pending).

6. Severe xenophobic arson attack on asylum seekers' hostel and attempted murder in 1999

Case title	Skinheads sentenced to several years in prison for attempted murder and arson attack on asylum seekers' hostel in summer 1999
Decision date	29.11.2006
Reference details	Ref.: JKLs 11Js 12546/01; Landgericht (Regional Court) Ingolstadt
Key facts of the case	On July 17, 1999, the four defendants (at that time: aged 17-26) committed an arson attack with several petrol-filled bottles on an asylum seekers hostel in Neuburg/Donau (Bavaria), in which several adults and children were sleeping; no one was killed. At the time all four men were members of the local right-wing scene; three of them had been convicted of other crimes before (e.g. §§ 86a, 223 StGB). The main defendant (now 25 years) stated that they attacked the asylum seekers' hostel because they "wanted to send a signal". The police arrested the four perpetrators in May 2006.
Main reasoning/ Argumentation	The court found the four defendants guilty of serious arson (§ 306a) and attempted murder (§ 211) in 24 cases. As the inhabitants of the refugee hostel were asleep when the perpetrators threw the bottles with inflammable liquids, the perpetrators had, according to the court, at least accepted that the inhabitants might die. Three criteria for murder were fulfilled: "base motives" (i.e. xenophobia), use of "means dangerous to the public" (bottles with inflammable liquids) and "treachery" (victims asleep).
Key issues (concepts, interpretations) clarified by the case	The case illustrates that xenophobic motives can be taken into account in court despite the fact that xenophobia is not explicitly mentioned in the German Criminal Code: the four perpetrators were convicted of attempted murder (instead of attempted man slaughter) amongst others due to their xenophobic motivation, which was recognised by the court as a criterion ("base motives") for murder.
Results (sanctions) and key consequences or implications of the case	The main defendant (now 25 years) was sentenced to four and a half years in prison; Juvenile Criminal Law was applied. Two other defendants (now 24 years) were sentenced to four years in prison (also according to Juvenile Criminal Law). The oldest perpetrator (now 34 years) was sentenced to five years and ten months imprisonment (regular Criminal Law applied).

7. Clarification: Xenophobic attack under the influence of alcohol

Case title	Prison sentence for right-wing extremist for xenophobic attack; total drunkenness does not mitigate guilt
Decision date	09.07.2007
Reference details	Ref.: 2.1 Ls 52/06; Amtsgericht (Local Court) Königs Wustenhausen
Key facts of the case	On June 18, 2006, the two members of the right-wing milieu, Dennis E. (now 24) and Timo L. (now 22), – together with two younger teenager – insulted a group of youngsters in a racist manner (“Verpiss dich, scheiß Nigger” and “Scheiß Ausländer”) and attacked them. A 15-year old Ethiopian boy was seriously injured. The offenders were both drunk. Timo L. was additionally accused of having attacked an information stand of the socialist party PDS in August 2006. Both right-wingers had been convicted for similar offences several times, though always on probation.
Main reasoning/ Argumentation	The court sentenced the defendants to imprisonment without probation. The court regarded the perpetrators’ right-wing attitudes as their motive for the attack. A sentence on probation was ruled out due to their previous offences and sentences. The fact that Dennis was totally drunk was not regarded as a mitigating factor since he was aware of his aggressive behaviour when drunk. One of the defence lawyers claimed that his client does not constitute a threat for the general public.
Key issues (concepts, interpretations) clarified by the case	The court emphasised in its ruling that the two offenders acted with a right-wing motivation The court’s and the public prosecutor’s endeavours to clarify the xenophobic and extreme right-wing motives of the two perpetrators was praised by a regional NGO which is engaged in the struggle against right-wing extremism. Due to Dennis’ total drunkenness the court applied Section 323a StGB on total intoxication; this illustrated that even a totally drunk perpetrator can be made criminally liable for an unlawful act.
Results (sanctions) and key consequences or implications of the case	Dennis E. was convicted based on Section 323a StGB (Total intoxication) and sentenced to seven months in prison. Timo L. was convicted of joint bodily harm in conjunction with insult; he was sentenced to one year and four months in prison; the other crime (i.e. the attack of an information stand of the PDS in August 2006; ruling of the Local Court Königs Wustenhausen: Ref.: 3.1 Ds 496 Js 28132/06 (04/07) on 30.05.2007) was taken into account.

8. Court trial: centre of public attention in 2006/2007

Case title	No sufficient evidence and no conviction of the two suspects after violent attack on man of Ethiopian origin on Easter 2006
Decision date	15.06.2007
Reference details	Ref.: 24 KIs 22/06; 492 Js 21083/06; Landgericht (Regional Court) Potsdam
Key facts of the case	In the early morning of Easter Sunday 2006, the 37-year old Ermyas M. (German of Ethiopian origin) and several (assumedly two) other men started an argument during which Ermyas was called “nigger”; shortly after that he was violently hit by one of the perpetrators and lost his consciousness. The injuries were so severe that the victim had been in a coma for several weeks; after he regained consciousness, he could not recall what exactly happened.
Main reasoning/ Argumentation	The main piece of evidence in the trials was a mail box recording of the incident on the victim’s wife’s mobile phone. Due to the low quality of the recording and a lack of other evidences or witnesses, it remains unclear what exactly happened. The accused men denied any involvement. The evidences were not strong enough to prove the two accused men’s guilt – although, according to the public prosecutor, several circumstances pointed to the involvement of particularly one of the two defendants.
Key issues (concepts, interpretations) clarified by the case	The reason for presenting this case is primarily the broad media interest: The almost deadly attack on Ermyas M. triggered off a broad nationwide debate on xenophobia and racist violence in Germany. The incident as well as the trial itself was covered by mainstream media, including newspapers, radio and TV broadcasting – more than any other (assumedly) xenophobic attack in the past few years.
Results (sanctions) and key consequences or implications of the case	The defence lawyer, the public prosecutor as well as Ermyas M. himself (as adjunct plaintiff) agreed that there was not enough evidence to convict the two accused men. Both were found not guilty.

9. Significant media attention: CD with xenophobic and discriminatory content

Case title	Leading member of right-wing extremist party NPD convicted for (planned) distribution of CDs with discriminatory lyrics
Decision date	03.07.2007
Reference details	Ref.: 135 Js 42825/03; Landgericht (Appeal/Regional Court) Mühlhausen
Key facts of the case	<p>In March 2003, the German police confiscated 5,000 copies of a CD which contains unlawful song on the Frankfurt Airport. The CDs had been produced in Thailand and were supposed to be sent to Sweden from where they should have been imported to Germany via Denmark. The lyrics on the CD constitute a violation to Section 130 Criminal Law (incitement of the people); they contained discriminatory statements primarily directed against Turks in Berlin. The production of the CDs was commissioned by a 37-year old board member of the right-wing extremist party NPD. He was convicted to six months in prison on probation.</p> <p>In the first instance, the local court in Heiligenstadt (October 2005) had found him not guilty as the incident, according to the court, did not represent a threat to public peace.</p>
Main reasoning/ Argumentation	The defence lawyer's argued that not his client, but someone in Sweden was the designated recipient of the CDs and therefore his client should be found not guilty. This was rejected by the Regional Court as enough evidence had been gathered (e.g. signed custom declaration) to prove that the 37-year old man had commissioned the production of the CDs in Thailand. According to the judge, the fact that the lyrics were in German and directed against Turks in Berlin shows that the CDs were meant to be distributed in Germany.
Key issues (concepts, interpretations) clarified by the case	<p>The court decision attracted public attention due to the fact that the convicted man is board member of the federal NPD and deputy head of the state NPD in Thuringia.</p> <p>The cases shows how right-wing extremists seek to avoid prosecution by German law enforcement authorities by producing unlawful material abroad, using interim recipient and trying to import it within the EU.</p>
Results (sanctions) and key consequences or implications of the case	The 37-year old man has been convicted to six months in prison on probation – a sentence only slightly below the public prosecutor's proposal of seven months (without probation). The convicted man is also obliged to 200 hours of community service (as conditions of probation). He has appealed against the ruling at the Upper Regional Court (OLG) Schwerin. Hence the conviction is not yet final.

10. Accelerated court procedure

Case title	Man convicted of racist attack in an accelerated court proceeding
Decision date	27.07.2007
Reference details	Ref.: 37 Ds 442/07, Amtsgericht (Local Court) Schwerin
Key facts of the case	On July 17, 2007, the 46-year old defendant (together with a 23-year old man) attacked a group of young French tourists, some of them of Arabic or African origin. The perpetrators insulted the young people calling them negros ('Neger') and chased them through a park until the police arrive at the scene. The 46-year old man threw a stone at the victims; no one was injured.
Main reasoning/ Argumentation	According to the public prosecutor, an accelerated proceeding was necessary due to the fact that the victims, participants of an international Workshop ("Ein grenzenloses Miteinander"), were about to leave Germany. A later court trial would have made it more difficult for them to appear in court in order to testify against the defendant(s).
Key issues (concepts, interpretations) clarified by the case	Approving the Public Prosecutor's suggestion, the court applied an 'accelerated court proceeding'. Only ten days after the 46 year old man has committed the crime, he was convicted. The court proceeding took only one day.
Results (sanctions) and key consequences or implications of the case	The 46-year old defendant was found guilty of attempted serious bodily harm and insult in conjunction with a violation of Section 130 StGB (incitement of the people); he was sentenced to 10 months imprisonment without probation. An appeal against the ruling was lodged at the Appeal (Regional) Court Schwerin (Ref.: 41 Ns 126/07). The trial against the 23-year old defendant was split off as one of the witnesses did not appear in court; it will now be dealt with as a separate case.

11. Significant level of media attention for xenophobic incitement to violence of former police officer

Case title	Police officer found guilty of having announced a xenophobic bomb attack on the internet
Decision date	13.09.2007
Reference details	Ref.: 52 Ds 540 Js 1896/06 – 218/07, Landgericht (Regional Court) Münster
Key facts of the case	On 12 September 2006 a 24-year old man, who was at that time police officer in Mettmann (NRW), presented himself in his police uniform and with his weapon on an internet forum and threatened to commit a bomb attack on a local pub, which is popular with migrants. In the same contribution to the forum he stated that 'he would do what has to be done'. A few hours later, he add another comment saying that flyers should be distributed to ensure that "all Albanians, Russians and Turks as well as social trash ("Assis") will be there" when the attack happens.
Main reasoning/ Argumentation	The Court rejected the defendant's excuse that it was a 'bad joke' and that he didn't mean to 'discriminate against anyone'. According to the judge, the 'shocking' internet contribution against non-German fellow-citizens violated human dignity and disturbed the public peace; thus it constitutes a violation of Section 130 Criminal Code, i.e. incitement of the people. The judge stated that such behaviour is not to be tolerated – also due to the fact that the perpetrator was a police officer who is supposed to protect democratic values of human dignity.
Key issues (concepts, interpretations) clarified by the case	The case points at the sensitive issue of xenophobia within the police forces.
Results (sanctions) and key consequences or implications of the case	The 24-year old man, who has been suspended form his duties as a police officers shortly after the incidents, was sentenced to four month in prison on probation and to a penalty of €900.

12. Media attention: Public burning of the “Diary of Anne Frank” – a case of incitement of the people

Case title	Burning copies of the “Diary of Anne Frank”
Decision date	08.03.2007
Reference details	Ref.: 6 Ds 155/06; Local Court (Amtsgericht) Schönebeck
Key facts of the case	Five men aged between 24 and 29 were found guilty of having publicly burnt a copy of “The Diary of Anne Frank” during a public festival in Pretzien (Saxony-Anhalt) in June 2006.
Main reasoning/ Argumentation	The main defendant admitted from the beginning that he burnt the copy; however, he claimed that he burnt it in order to “liberate himself” from this “evil chapter of German history” – an argument that was strongly rejected by the court. According to the Court, the act expressed a public approval of the Holocaust and an “act of cultural barbarianism”. The defendants also claimed that burning the copy was a spontaneous act – which was also rejected by the court, which assumed that the act was jointly planned ritual aiming to convey the perpetrators’ neo-Nazi belief system.
Key issues (concepts, interpretations) clarified by the case	The case further illustrates the scope of Section 130 Criminal Code (Incitement of the People). It received a great deal of medial and political attention.
Results (sanctions) and key consequences or implications of the case	Five of the seven defendants were found guilty of jointly committed incitement of the people (§ 130 StGB) and the disparagement of the memory of deceased people (§ 189 StGB); two defendants were found not guilty due to a lack of evidence. The five convicted were sentenced to five months imprisonment on probation and to a fine between €1,300 and 2,200. The defence lawyers of the five convicted men appealed against the ruling at the Regional Court (Appeal Court) Magdeburg; in mid October, the appeal was surprisingly withdrawn. The court ruling is now final.

13. Public attention and stiff sanctions: eight months imprisonment after xenophobic attacks in Mügeln

Case title	Man involved in the xenophobic attack in Mügeln: guilty of incitement to hatred and damage of property
Decision date	05.12.2007
Reference details	Ref.: 1Ds 608 Js 50888/07; Amtsgericht (Local Court) Oschatz
Key facts of the case	The accused 23-year old man was involved in a xenophobic chase of eight Indians in the small town of Mügeln (Saxony) on the night of 18 August 2007. The Indians sought shelter from the attacking mob of some 50 people in a nearby pizza restaurant. The 23-year old man smashed the window of the door of the restaurant, while the mob was yelling xenophobic slogans. The accused man, who has no previous criminal record, admitted that he smashed the door of the restaurant, but denied any xenophobic motives or that he shouted xenophobic slogans.
Main reasoning/ argumentation	Although the public prosecutor proposed a sentence of ten months imprisonment on probation, the judge sentenced the man to eight months in prison <i>without</i> probation. The court found the young man guilty of having played a leading role in the attacks on the restaurant; furthermore, the court was convinced that the man had also yelled xenophobic slogans, and hence also found him guilty of ‘incitement to hatred’ (§ 130 Criminal Code/StGB; Incitement of the people) and damage of property (§ 303 StGB). The defence lawyer pled guilty only to ‘damage of property’.
Key issues (concepts, interpretations) clarified by the case	The court rejected the option of a probationary sentence. According to the judge, the attacks were fuelled by hatred and were about to turn into a ‘pogrom’, and the ruling is meant to send out a deterring message to other potential perpetrators.
Results (sanctions) and key consequences or implications of the case	The accused man was sentenced to eight months in prison without probation; his lawyer, however, denied that his client played a leading role and thus appealed the ruling (Regional Court Leipzig). On 26 November, the local court Oschatz convicted an 18-year old man involved in the attacks on the restaurant and sentenced him to a fine of 600 EUR (§ 130 StGB). A 35-year old man was ordered to pay 1,500 EUR (without official court trial). A fourth man (aged 22), who refused to pay a fine of 2,625 EUR, was recently sentenced to six months imprisonment on probation (§ 130 StGB).

Annex B1: Complaints on ethnic discrimination

Data from the AntiDiskriminierungsBüro (ADB) Köln at
Öffentlichkeit gegen Gewalt (Köln) [ADB Cologne/ÖgG]

Table 1: Complaints regarding discrimination recorded by ADB Cologne/ÖgG in
2005 and 2006 distinguished by area

Area of discrimination	2005		2006	
	Actual number	Percentages	Actual number	Percentages
Public authorities	17	26	20	28
Education	4	6	13	18
Private services	13	19	12	17
Housing	10	15	12	17
Employment	10	15	9	13
Police	9	13	3	4
others	4	6	2	4
All complaints	67	100	71	100

Source: AntidiskriminierungsBüro (ADB) Köln/Öffentlichkeit gegen Gewalt e.V.;
Caritasverband für die Stadt Köln e.V./Antidiskriminierungsbüro,
Interkulturelles Referat der Stadt Köln (2007) „Nein, das gibt's hier nicht!“. *Diskriminierung in Köln – (k)ein Einzelfall*, available at:
http://www.oegg.de/neu/images/stories/dsm-bericht2006-final3_klein.pdf
(20.10.2007), data on the actual number of complaints in 2006 available upon
request

Table 2: Complaints regarding discrimination recorded by ADB Cologne/ÖgG in 2005 and 2006 distinguished on grounds of discrimination

Grounds of discrimination	2005		2006	
	Actual number	Percentages	Actual number	Percentages
Origin / nationality	40	61	45	63
Outer appearance	15	22	4	23
Residence status	4	6	5	6
Religion / belief	1	1	5	7
Others	7	10	1	1
All complaints	67	100	71	100

Source: AntidiskriminierungsBüro (ADB) Köln/Öffentlichkeit gegen Gewalt e.V.; Caritasverband für die Stadt Köln e.V./Antidiskriminierungsbüro, Interkulturelles Referat der Stadt Köln (2007) „Nein, das gibt's hier nicht!“. Diskriminierung in Köln – (k)ein Einzelfall, available at: http://www.oegg.de/neu/images/stories/dsm-bericht2006-final3_klein.pdf (20.10.2007), data on the actual number of complaints in 2006 available upon request

Table 3: Persons who complained to the ADB Cologne/ÖgG regarding discrimination in 2006 distinguished by gender, age and nationality in per cent

Clients	Percentage of all complaints
Gender	100
Male	58
Female	42
Age	100
<18	13
18-25	6
26-30	8
31-40	49
41-50	17
51-65	7
Nationality	100
German ¹	20
Turkish	15
Iranian	10
Congolese	7
Russian	6
French	6
Ethiopian	3
Brazilian	3
Indian	3
Iraqi	3
Moroccan	3
Nigerian	3
Spanish	3
Sri Lankan	3
Afghan	1
Greek	1
Italian	1
Korean	1
Cuban	1
Rumanian	1
Togolese	1
Tunisian	1
Ukrainian	1
US-American	1

Source: AntidiskriminierungsBüro (ADB) Köln/Öffentlichkeit gegen Gewalt e.V.; Caritasverband für die Stadt Köln e.V./Antidiskriminierungsbüro, Interkulturelles Referat der Stadt Köln (2007) „Nein, das gibt's hier nicht!“. Diskriminierung in Köln – (k)ein Einzelfall, available at: http://www.oegg.de/neu/images/stories/dsm-bericht2006-final3_klein.pdf (20.10.2007), data on the actual number of complaints in 2006 available upon request

¹ 67 per cent of Germans who were discriminated against have a migration background.

Data from the Antidiskriminierungsbüro des Caritasverbands für die Stadt Köln [anti-discrimination office of the Caritas association Cologne]

Table 4: Complaints regarding discrimination recorded by the anti-discrimination office of the Caritas association Cologne in 2005 and 2006 distinguished by area

Area of discrimination	2005		2006	
	Actual number	Percentages	Actual number	Percentages
Housing	7	24	/	24
Public authorities	2	7	/	18
Services	7	24	/	16
Education	5	17	/	13
Employment	4	14	/	13
Others	0	0	/	13
Police	4	14	/	3
All complaints	/	/	38	100*

Source: Antidiskriminierungsbüro (ADB) Köln/Öffentlichkeit gegen Gewalt e.V.; Caritasverband für die Stadt Köln e.V./Antidiskriminierungsbüro, Interkulturelles Referat der Stadt Köln (2007) „Nein, das gibt’s hier nicht!“. Diskriminierung in Köln – (k)ein Einzelfall, available at: http://www.oegg.de/neu/images/stories/dsm-bericht2006-final3_klein.pdf (20.10.2007)

/ data not provided by the source

*own calculations

Table 5: Complaints regarding discrimination recorded by the anti-discrimination office of the Caritas association Cologne in 2005 and 2006 distinguished on grounds of discrimination

Grounds of discrimination	2005		2006	
	Actual number	Percentages	Actual number	Percentages
Origin / nationality	13	46	/	61
Outer appearance	11	37	/	21
Residence status	1	4	/	0
Religion / belief	2	8	/	18
Others	1	4	/	0
All complaints	/	/	38	/

Source: AntidiskriminierungsBüro (ADB) Köln/Öffentlichkeit gegen Gewalt e.V.; Caritasverband für die Stadt Köln e.V./Antidiskriminierungsbüro, Interkulturelles Referat der Stadt Köln (2007) „Nein, das gibt's hier nicht!“. Diskriminierung in Köln – (k)ein Einzelfall, available at: http://www.oegg.de/neu/images/stories/dsm-bericht2006-final3_klein.pdf (20.10.2007)

/ data not provided by the source

*own calculations

Table 6: Persons who complained to the anti-discrimination office of the Caritas association Cologne regarding discrimination in 2006 distinguished by gender, age and nationality

Clients	Actual number	percentages
Gender		
Male	14	37
Female	24	63
Age		
<18	11	28
18-25	4	11
26-30	4	11
31-40	7	18
41-50	9	24
51-65	3	8
Nationality		
German ¹	12	/
Turkish	5	/
Iran	2	/
Albanian	3	/
Ghanaian	3	/
Others	13	/
All complaints	38	100

Source: AntidiskriminierungsBüro (ADB) Köln/Öffentlichkeit gegen Gewalt e.V.; Caritasverband für die Stadt Köln e.V./Antidiskriminierungsbüro, Interkulturelles Referat der Stadt Köln (2007) „Nein, das gibt’s hier nicht!“. Diskriminierung in Köln – (k)ein Einzelfall, available at: http://www.oegg.de/neu/images/stories/dsm-bericht2006-final3_klein.pdf (20.10.2007)

¹ 9 of the 12 persons with a German passport who were discriminated against have a migration background.

Data from the *Antidiskriminierungsstelle des Interkulturellen Referats der Stadt Köln* [anti-discrimination body of the Intercultural Department of the City of Cologne]

Table 7: Complaints regarding discrimination recorded by the anti-discrimination body of the Intercultural Department of the City of Cologne in 2005 and 2006 distinguished by area

Area of discrimination	2005		2006	
	Actual number	Percentages	Actual number	Percentages *
Public authorities	3	50	3	75
Housing	1	17	1	25
Services	2	33	0	0
Education	0	0	0	0
Employment	0	0	0	0
others	0	0	0	0
Police	0	0	0	0
All complaints	6*	100*	4	100*

Source: AntidiskriminierungsBüro (ADB) Köln/Öffentlichkeit gegen Gewalt e.V.; Caritasverband für die Stadt Köln e.V./Antidiskriminierungsbüro, Interkulturelles Referat der Stadt Köln (2007) „Nein, das gibt’s hier nicht!“. Diskriminierung in Köln – (k)ein Einzelfall, available at: http://www.oegg.de/neu/images/stories/dsm-bericht2006-final3_klein.pdf (20.10.2007)

/ data not provided by the source

*own calculations

Table 8: Complaints regarding discrimination recorded by the anti-discrimination body of the Intercultural Department of the City of Cologne in 2005 and 2006 distinguished on grounds of discrimination

Grounds of discrimination	2005		2006	
	Actual number	Percentages	Actual number	Percentages
Origin / nationality	5	62	3	75*
Outer appearance	2	25	0	
Residence status	1	13	0	
Religion / belief	0	0	0	
Others	0	0	1**	25*
All complaints	/	/	4	/

Source: AntidiskriminierungsBüro (ADB) Köln/Öffentlichkeit gegen Gewalt e.V.; Caritasverband für die Stadt Köln e.V./Antidiskriminierungsbüro, Interkulturelles Referat der Stadt Köln (2007) „Nein, das gibt's hier nicht!“. Diskriminierung in Köln – (k)ein Einzelfall, available at: http://www.oegg.de/neu/images/stories/dsm-bericht2006-final3_klein.pdf (20.10.2007)

/ data not provided by the source

*own calculations

**ground of discrimination could not be defined

Table 9: Persons who complained to the anti-discrimination body of the Intercultural Department of the City of Cologne regarding discrimination in 2006 distinguished by gender, age and nationality

Clients	Actual number	percentages
Gender		
Male	2	50
Female	2	50
Age		
<18	0	0
18-25	0	0
26-30	1	25
31-40	0	0
41-50	1	25
51-65	2	50
Nationality		
German ¹	1	/
Albanian	1	/
Iraqi	1	/
Nigerian	1	/
All complaints	4	100

Source: AntidiskriminierungsBüro (ADB) Köln/Öffentlichkeit gegen Gewalt e.V.; Caritasverband für die Stadt Köln e.V./Antidiskriminierungsbüro, Interkulturelles Referat der Stadt Köln (2007) „Nein, das gibt’s hier nicht!“. Diskriminierung in Köln – (k)ein Einzelfall, available at: http://www.oegg.de/neu/images/stories/dsm-bericht2006-final3_klein.pdf (20.10.2007)

¹ 9 of the 12 persons with a German passport who were discriminated against have a migration background.

Table 10: Joint statistical analysis of all three Cologne (*Three-Pillar-Model*) based anti-discrimination offices, 2006, distinguished by area, in per cent

Public authorities	27
Housing	19
Services	16
Education	16
Employment	12
Others	6
Police	4
All complaints=113	

Source: AntidiskriminierungsBüro (ADB) Köln/Öffentlichkeit gegen Gewalt e.V.; Caritasverband für die Stadt Köln e.V./Antidiskriminierungsbüro, Interkulturelles Referat der Stadt Köln (2007) „Nein, das gibt’s hier nicht!“. Diskriminierung in Köln – (k)ein Einzelfall, available at: http://www.oegg.de/neu/images/stories/dsm-bericht2006-final3_klein.pdf (20.10.2007)

Data from the *Antidiskriminierungsstelle für Menschen mit Migrationshintergrund* (AMIGRA) [anti-discrimination body for persons with a migration background] of the City of Munich

Table 11: Persons who complained to AMIGRA regarding discrimination between 01.08.2003 and 31.12.2006 distinguished by area

Areas of discrimination	Percentage of all 289 complaints
Public authorities	17.3
Employment	17.3
Housing	13.1
Justice	11.1
External agencies	10.7
Education	8.7
Private environment	6.2
Public places / local public transport	6.2
Leisure	5.5

Source: Antidiskriminierungsstelle für Menschen mit Migrationshintergrund - AMIGRA – (2007) *Beschwerdestelle für Diskriminierungsfälle. Bericht für den Zeitraum 2005 bis 2007*, p.9, available at: http://www.muenchen.de/cms/prod1/mde/de/rubriken/Rathaus/40_dir/antidiskriminierung/bericht2005_07.pdf (20.10.2007)

Table 12: Persons who complained to AMIGRA regarding discrimination between 01.08.2003 and 31.12.2006 distinguished on grounds of discrimination

Grounds of discrimination	Percentage of all 289 complaints
Origin	72.12
Colour of skin	9.33
Religion	4.97
Language	4.97
Others	8.60
Total	100

Source: Antidiskriminierungsstelle für Menschen mit Migrationshintergrund - AMIGRA – (2007) *Beschwerdestelle für Diskriminierungsfälle. Bericht für den Zeitraum 2005 bis 2007*, p.10, available at:
http://www.muenchen.de/cms/prod1/mde/de/rubriken/Rathaus/40_dir/antidiskriminierung/bericht2005_07.pdf (20.10.2007)

Table 13: Persons who complained to AMIGRA regarding discrimination between 01.08.2003 and 31.12.2006 distinguished by age

Age	Percentage of all 289 complaints
< 30	30.43
30-40	18.12
40-50	28.99
50-60	13.04
> 60	9.42
Total	100

Source: Antidiskriminierungsstelle für Menschen mit Migrationshintergrund - AMIGRA – (2007) *Beschwerdestelle für Diskriminierungsfälle. Bericht für den Zeitraum 2005 bis 2007*, p.6, available at:
http://www.muenchen.de/cms/prod1/mde/de/rubriken/Rathaus/40_dir/antidiskriminierung/bericht2005_07.pdf (20.10.2007)

Table 14: Persons who complained to AMIGRA regarding discrimination between 01.08.2003 and 31.12.2006 distinguished by nationality

Nationality	Percentage of all 289 complaints
Germany	24.8
Turkey	12.4
Bosnia-Herzegovina	5.6
Eastern Europe	14.3
Arab States	9.3
Europe	8.7
Asian States	8.7
African States	13.0
South America	2.5
Stateless	0.6
Total	100

Source: Antidiskriminierungsstelle für Menschen mit Migrationshintergrund - AMIGRA – (2007) *Beschwerdestelle für Diskriminierungsfälle. Bericht für den Zeitraum 2005 bis 2007*, p.7, available at:
http://www.muenchen.de/cms/prod1/mde/de/rubriken/Rathaus/40_dir/antidiskriminierung/bericht2005_07.pdf (20.10.2007)

Data from the Antidiskriminierungsbüro Sachsen [ADB Saxony] and the Opferberatung at the Regionale Arbeitsstellen für Integration, Bildung und Demokratie in Leipzig [victim support organisation/RAA Saxony]

Table 15: Complaints regarding discrimination recorded by ADB Saxony and RAA Saxony in 2006 distinguished by area

Different areas	complaints
Service Industry	25
Leisure	22
Personal Time	18
Work Place	11
Public Institutions	8
Health Care	7
Public Authorities	7
Housing Market	6
Education	5
Police/Justice	4
Others	5

Source: Antidiskriminierungsbüro e.V. und die Opferberatung Leipzig (RAA Sachsen e.V.) (eds.) (2007) *Was tun gegen Rassismus?! Situation und Perspektive in Leipzig*, p. 16

Table 16: Complaints regarding discrimination recorded by ADB Saxony and RAA Saxony in 2006 distinguished on grounds of discrimination

Grounds of discrimination	complaints (multiple answers)
Origin	91
Colour of skin	27
Citizenship	20
Language	14
Miscellaneous	6
Social status	3
Other	2

Source: Antidiskriminierungsbüro e.V. und die Opferberatung Leipzig (RAA Sachsen e.V.) (eds.) (2007) *Was tun gegen Rassismus?! Situation und Perspektive in Leipzig*, p. 16

Table 17: Persons who complained to the ADB Saxony and RAA Saxony regarding discrimination in 2006 distinguished by gender

Gender	Number of reported cases
Male	79
Female	25
Unknown	3
Total	107

Source: Antidiskriminierungsbüro e.V. und die Opferberatung Leipzig (RAA Sachsen e.V.) (eds.) (2007) *Was tun gegen Rassismus?! Situation und Perspektive in Leipzig*, p. 15

Table 18: Persons who complained to the ADB Saxony and RAA Saxony regarding discrimination in 2006 distinguished by age

Age	Number of reported cases
Up to 13	2
14 – 17	8
18 – 20	-
21 – 26	21
27 – 35	34
36 – 45	17
46 – 55	7
56 – 65	4
66 and older	-
Unknown	14
Total	107

Source: Antidiskriminierungsbüro e.V. und die Opferberatung Leipzig (RAA Sachsen e.V.) (eds.) (2007) *Was tun gegen Rassismus?! Situation und Perspektive in Leipzig*, p. 15

Table 19: Persons who complained to the ADB Saxony and RAA Saxony regarding discrimination in 2006 distinguished by nationality

Nationality	Number of reported cases
Unknown	22
Germany	14
Iraq	14
Lebanon	11
Tunisia	7
Iran	6
Jordan	6
Palestine	5
Ukraine	4
Pakistan	3
Russia	2
Stateless	2
Turkey	2
Vietnam	2
Others	7
Total	107

Source: Antidiskriminierungsbüro e.V. und die Opferberatung Leipzig (RAA Sachsen e.V.) (eds.) (2007) *Was tun gegen Rassismus?! Situation und Perspektive in Leipzig*, p. 15

Data from the Antidiskriminierungsnetzwerk Berlin ADNB of the Türkischer Bund Berlin-Brandenburg TBB

Table 20: Number of complaints on ethnic discrimination (incl. other grounds, such as gender or sexual identity) recorded from June 2003 to December 2005

	June 2003-December 2005
Public authorities	28
Education	15
Access to public and private goods and services (including housing)	13
Close/proximal social sphere (<i>Sozialer Nahraum</i>)	11
Employment and vocational training	6
Public transport	2
Media	2
Access to services (reported by witnesses or other parties)	3
Health sector (reported by witnesses or other parties)	1
Total of complaints for Berlin	81
Total of complaints out-of-Berlin	6
Among those: no cases of discrimination	28

Source: Antidiskriminierungsnetzwerk Berlin des Türkischen Bundes Berlin-Brandenburg (2006) Antidiskriminierungsreport Berlin 2003-2005. *Wie steht es mit Diskriminierung in Berlin*, available at: http://www.migration-boell.de/downloads/diversity/Antidiskriminierungsreport_Berlin_2003-2005.pdf (25.10.2007)

Annex B2: Experiences of discrimination

Table 20: Perceived discrimination of persons with a Turkish background in North Rhine-Westphalia 1999-2006 in per cent

Discrimination experiences?	1999	2001	2002	2003	2004	2005	2006
Yes	65.4	71.1	79.5	79.9	77.2	77.8	73.2
No	34.3	28.9	20.5	20.3	22.8	22.2	26.8

Source: Stiftung Zentrum für Türkeistudien (ed.) (2007) *Perspektiven des Zusammenlebens. Die Integration türkischstämmiger Migrantinnen und Migranten in Nordrhein-Westfalen. Ergebnisse der 8. Mehrthemenbefragung. Eine Analyse im Auftrag des Ministeriums für Generationen, Familie, Frauen und Integration des Landes NRW*, p.255, available at:

<http://kunde6.juli.bimetal.de/UserFiles/File/NRW-Bericht%202006.pdf>

Table 21: Perceived discrimination of persons with a Turkish background in North Rhine-Westphalia 1999-2006 distinguished by areas in per cent

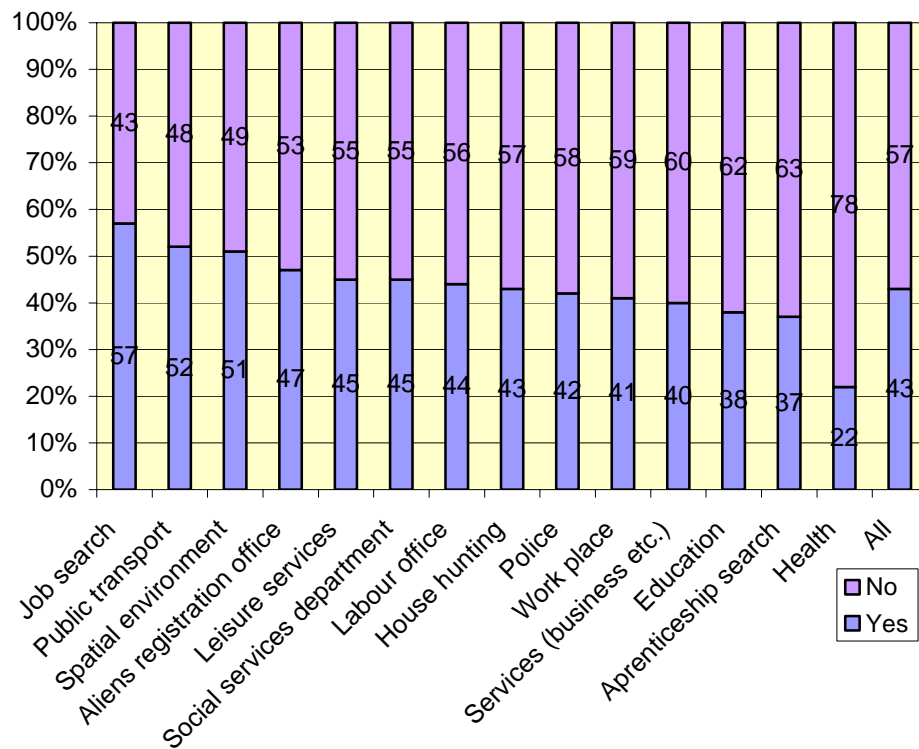
Areas of discrimination	1999	2001	2002	2003	2004	2005	2006
Workplace / school / university	38.8	47.7	53.5	56.6	56.5	52.4	58.5
Looking for a job	36.4	43.7	50.1	51.9	48.4	43.3	52.7
Looking for accommodation	41.8	46.7	56.2	54.5	49.3	44.1	50.0
Authorities	31.3	38.0	44.6	48.6	39.5	38.2	45.6
Neighbourhood	23.7	33.3	39.9	34.2	32.8	31.8	36.6
Shopping	22.5	27.1	33.3	33.2	28.6	36.7	31.7
Hospital	-	-	-	-	-	26.0	25.2
Police	17.1	23.5	22.1	24.4	17.3	21.5	23.9
Doctor	-	-	-	-	16.1	25.7	22.6
Restaurants	11.9	18.1	21.0	16.1	13.3	21.0	18.9
Discos	20.1	21.8	18.2	23.6	13.8	16.2	14.3
Associations / clubs / societies	-	-	-	-	8.5	14.5	14.3

Source: Stiftung Zentrum für Türkeistudien (ed.) (2007) *Perspektiven des Zusammenlebens. Die Integration türkischstämmiger Migrantinnen und Migranten in Nordrhein-Westfalen. Ergebnisse der achten Mehrthemenbefragung*, p.255, available at:

<http://kunde6.juli.bimetal.de/UserFiles/File/NRW-Bericht%202006.pdf>

- = no data available; perceived discrimination in hospitals was not measured until 2005; 'at the doctor' and 'in associations' not until 2004.

Figure 1: Experiences of discrimination by areas, Berlin 2003-2005: results of a regional victim survey carried out by ADNB-TBB ¹



Source: Antidiskriminierungsnetzwerk Berlin des Türkischen Bundes in Berlin-Brandenburg (ADNB) (2006) Antidiskriminierungsreport Berlin 2003-2005. *Wie steht es mit Diskriminierung in Berlin, p.28, Berlin*

- 1 500 people with a migration background in Berlin were asked about their experiences with discrimination in different social areas. The figures refer to those who had contact with the respective area between 2003 and 2005.

Table 22: Survey results: Areas of experienced discrimination against Sinti and Roma

	Experiences of ethnic discrimination
Discrimination at the workplace, by neighbours, in housing or at other places	Yes: 76% Rarely: 10.7% No: 13.2%
Discrimination when applying for a job	Yes: 44% No: 54%
Discrimination when applying for a flat	Yes: 54% No: 43%
Discrimination by authorities: Have the authorities registered your ethnic belonging?	Yes: 45.9% Possibly, not sure: 31.7% No, never: 18.8%
Discrimination of (grant) children: sufficient support at school?	Yes: 30% No: 40% Don't know: 20%
Discrimination of (grant) children: unequal (less favourable) treatment at school	Yes: 40% No: 30% No response: 30%

Source: Zentralrat Deutscher Sinti und Roma (2006) *Ergebnisse der Repräsentativumfrage des Zentralrats Deutscher Sinti und Roma über den Rassismus gegen Sinti und Roma in Deutschland*, available at: <http://zentralrat.sintiundroma.de/content/downloads/stellungnahmen/UmfrageRassismus06.pdf> (20.10.2007)

- * The Central Council of Roma and Sinti in Germany sent out questionnaires to Sinti and Roma communities in Germany in 2006 (based on a purposive sampling of addresses of Sinti and Roma by the Central Council and its organisations on *Länder* level); 309 people responded

Annex C1: Employment

Population – for reference purposes

Table 1: Population in Germany according to migration status (2005)

	Total	Persons without a migration background	Persons with a migration background in the wider sense*	Persons with a migration background in the narrow sense**				
				All	Germans		Foreigners	
					with	without	with	without
					own migration experiences			
in 1,000	82,465.3	67,132.4	15,332.9	14,784.8	4,827.7	2,636.4	5,571.3	1,749.3
in per cent	100	81.4	18.6	17.9	5.9	3.2	6.8	2.1

Source: Statistisches Bundesamt, *Bevölkerung und Erwerbstätigkeit. Bevölkerung mit Migrationshintergrund. Ergebnisse des Mikrozensus 2005. Fachserie 1 Reihe 2.2*, pp.26-27, available at: <https://www-ec.destatis.de/csp/shop/sfg/bpm.html.cms.cBroker.cls?cmspath=struktur,vollanzeige.csp&ID=1020312> (02.08.2007).

* The category “People with a migration background in a wider sense” includes the category “People with a migration background in the narrow sense” and “People whose migration background is not consistently definable”. “People whose migration background is not consistently definable” are Germans who were born in Germany, whose migration background depends on their parents, and who do not live in the same household as their parents. The information to identify this group is only available in the 2005 and 2009 micro census.

** The category “People with a migration background in the narrow sense” includes all people who immigrated to Germany (Germans and foreigners), foreigners who are born in Germany, naturalised citizens, and Germans with at least one parent who immigrated to Germany or at least one parent who was born in Germany as a foreigner. “People whose migration background is not consistently definable” are not included.

Labour force

Table 2a: Labour participation of the population by migration status in 1000 (2005)

	Total	Persons without a migration background	Persons with a migration background in the wider sense*	Persons with a migration background in the narrow sense**				
				All	Germans		Foreigners	
					with	without	with	without
					own migration experiences			
Labour force	41,149.7	33,775.9	7,373.8	7,152.0	2,923.8	405.3	3,226.6	596.3
employed	36,566.5	30,513.1	6,053.4	5,861.9	2,474.1	340.5	2,561.5	485.9
unemployed	4,583.2	3,263.0	1,320.2	1,290.0	449.7	64.6	665.1	110.5
Non-active population	41,315.7	33,356.5	7,959.2	7,632.8	1,904.0	2,231.2	2,344.7	1,153.0

Source: Statistisches Bundesamt, *Bevölkerung und Erwerbstätigkeit. Bevölkerung mit Migrationshintergrund. Ergebnisse des Mikrozensus 2005. Fachserie 1 Reihe 2.2, p.34*, available at: <https://www-ec.destatis.de/csp/shop/sfg/bpm.html.cms.cBroker.cls?cmspath=struktur,vollanzeige.csp&ID=1020312> (02.08.2007).

* The category “People with a migration background in a wider sense” includes the category “People with a migration background in the narrow sense” and “People whose migration background is not consistently definable”. “People whose migration background is not consistently definable” are Germans who were born in Germany, whose migration background depends on their parents, and who do not live in the same household as their parents. The information to identify this group is only available in the 2005 and 2009 micro census.

** The category “People with a migration background in the narrow sense” includes all people who immigrated to Germany (Germans and foreigners), foreigners who are born in Germany, naturalised citizens, and Germans with at least one parent who immigrated to Germany or at least one parent who was born in Germany as a foreigner. “People whose migration background is not consistently definable” are not included.

Table 2b: Labour participation of the population by migration status in per cent of the respective population (2005)

	Total	Persons without a migration background	Persons with a migration background in the wider sense*	Persons with a migration background in the narrow sense**				
				All	Germans		Foreigners	
					with	without	with	without
					own migration experiences			
Labour force	100.0	82.1	17.9	17.4	7.1	1.0	7.8	1.4
employed	100.0	83.4	16.6	16.0	6.8	0.9	7.0	1.3
unemployed	100.0	71.2	28.8	28.1	9.8	1.4	14.5	2.4
Non-active population	100.0	80.7	19.3	18.5	4.6	5.4	5.7	2.8

Source: Statistisches Bundesamt, *Bevölkerung und Erwerbstätigkeit. Bevölkerung mit Migrationshintergrund. Ergebnisse des Mikrozensus 2005. Fachserie 1 Reihe 2.2, p.35*, available at: <https://www-ec.destatis.de/csp/shop/sfg/bpm.html.cms.cBroker.cls?cmspath=struktur,vollanzeige.csp&ID=1020312> (02.08.2007).

* The category “People with a migration background in a wider sense” includes the category “People with a migration background in the narrow sense” and “People whose migration background is not consistently definable”. “People whose migration background is not consistently definable” are Germans who were born in Germany, whose migration background depends on their parents, and who do not live in the same household as their parents. The information to identify this group is only available in the 2005 and 2009 micro census.

** The category “People with a migration background in the narrow sense” includes all people who immigrated to Germany (Germans and foreigners), foreigners who are born in Germany, naturalised citizens, and Germans with at least one parent who immigrated to Germany or at least one parent who was born in Germany as a foreigner. “People whose migration background is not consistently definable” are not included.

Table 3: Activity rates of foreigners and Germans by sex in per cent (1991-2005)*

	Foreigners			Germans		
	Total	Men	Women	Total	Men	Women
1991	69.0	82.2	52.4	72.9	83.0	62.9
1992	70.1	82.8	53.7	72.6	81.9	63.2
1993	69.7	82.1	53.4	72.2	81.2	63.1
1994	69.3	81.7	53.4	72.4	81.2	63.6
1995	68.2	81.1	52.3	72.3	81.0	63.5
1996	65.9	78.8	50.2	72.0	80.4	63.4
1997	65.8	78.9	50.1	72.4	80.5	64.1
1998	64.9	78.0	49.7	72.4	80.4	64.3
1999	66.2	79.0	51.3	72.8	80.4	65.0
2000	54.9	78.6	51.4	72.7	80.1	65.3
2001	66.9	79.7	52.7	73.2	80.1	66.2
2002	66.7	79.2	52.9	73.4	80.2	66.6
2003	67.2	79.3	54.0	74.0	80.4	67.4
2004	66.7	79.5	52.9	74.1	80.4	67.7
2005	65.9	78.2	52.9	74.6	80.7	68.4

Source: Bundesagentur für Arbeit (2007) Analytikreport der Statistik. Analyse des Arbeitsmarkts für Ausländer Juni 2007, p.3, available at: http://www.pub.arbeitsamt.de/hst/services/statistik/200706/ama/auslaender_d.pdf (12.07.2007).

* German Micro Census (GMC) data from the Federal Statistical Office; figures referring to March, April or Mai, figures for 2005 are annual average figures.

Employment in jobs subject to social security payments

Table 4: Employment rates of covered employment* for foreigners and Germans in per cent (2000-2006)

Quarter	Foreigners	Percentage point changes vs. previous year	Germans	Percentage point changes vs. previous year
2002				
March	34.0	-0.8	51.2	-0.1
June	34.1	-0.9	51.3	-0.2
September	34.2	-1.2	51.8	-0.5
December	33.1	-1.6	50.9	-0.8
2003				
March	32.7	-1.3	50.4	-0.8
June	32.4	-1.7	50.4	-0.9
September	32.2	-2.0	50.9	-0.9
December	31.1	-2.0	50.1	-0.8
2004				
March	31.1	-1.6	49.8	-0.6
June	31.4	-1.0	50.0	-0.4
September	31.5	-0.7	50.7	-0.2
December	30.3	-0.8	49.8	-0.3
2005				
March	30.1	-1.0	49.4	-0.4
June	30.4	-1.0	49.7	-0.3
September	30.7	-0.8	50.4	-0.3
December	29.8	-0.5	49.8	+0.0
2006				
March	29.9	-0.2	49.2	-0.2
June	31.0	+0.6	50.0	+0.3
September	31.4	+0.7	51.0	+0.6
December	30.7	+0.9	50.6	+0.8

Source: Bundesagentur für Arbeit (2007) Analytikreport der Statistik, Analyse des Arbeitsmarkts für Ausländer, August 2007, p.13, available at http://www.pub.arbeitsamt.de/hst/services/statistik/200708/ama/auslaender_d.pdf (25.09.2007).

* The employment rate of covered employment display the share of persons employed in jobs subject to social security payments on the population aged between 15 and younger than 65 years.

Table 5: Persons employed in jobs subject to social security payments, foreigners and Germans (2002-2006)

Quarter	Foreigners	Proportion of foreigners of all employees eligible for social security benefits in per cent	Changes versus quarter of the previous year		Germans	Percentage point changes versus quarter of the previous year
			Total	In percentage points		
2002						
March	1,944,093	7.1	-21,549	-1.1	25,587,011	-0.5
June	1,949,463	7.1	-31,200	-1.6	25,611,194	-0.8
September	1,953,724	7.0	-48,355	-2.4	25,889,295	-1.1
December	1,892,356	6.9	-68,096	-3.5	25,458,682	-1.6
2003						
March	1,878,332	7.0	-65,761	-3.4	25,104,338	-1.9
June	1,860,476	6.9	-88,987	-4.6	25,080,747	-2.1
September	1,850,260	6.8	-103,464	-5.3	25,341,986	-2.1
December	1,784,725	6.7	-107,631	-5.7	24,951,710	-2.0
2004						
March	1,779,837	6.7	-98,495	-5.2	24,638,848	-1.9
June	1,796,551	6.8	-63,925	-3.4	24,718,592	-1.4
September	1,800,190	6.7	-50,070	-2.7	25,107,861	-0.9
December	1,731,548	6.6	-53,177	-3.0	24,643,120	-1.2
2005						
March	1,730,214	6.7	-49,623	-2.8	24,262,937	-1.5
June	1,749,425	6.7	-47,126	-2.6	24,422,876	-1.2
September	1,765,347	6.6	-34,843	-1.9	24,794,893	-1.2
December	1,714,253	6.5	-17,295	-1.0	24,487,294	-0.6
2006						
March	1,723,182	6.6	-7,032	-0.4	24,205,708	-0.2

June	1,782,182	6.8	+32,705	+1.9	24,564,296	+0,6
September	1,809,275	6.7	+43,928	+2.5	25,053,677	+1.0
December	1,765,068	6.6	+50,815	+3.0	24,864,047	+1.5

Source: Bundesagentur für Arbeit (2007) Analytikreport der Statistik,. Analyse des Arbeitsmarkts für Ausländer, August 2007, p.9,
available at: http://www.pub.arbeitsamt.de/hst/services/statistik/200708/ama/auslaender_d.pdf (25.09.2007)

Table 6: Persons employed in jobs subject to social security payments by age, sex, qualification and working time (4th quarter 2006)

Structure characteristics	Foreigners			Germans
	4 th quarter 2006 (Dec.) - total	Percentage	Percentage point changes vs. quarter of the previous year	4 th quarter 2006 (Dec.) - percentage
Age				
15-25	197,822	11.2	+1.1	12.7
25-50	1,235,871	70.0	+3.4	63.8
50-65	362,967	18.5	+2.4	23.0
Sex				
Men	1,108,049	62.8	+3.1	54.1
Women	657,019	37.2	+2.7	45.9
Qualification				
With vocational training	691,601	39.2	+3.9	71.7
Without vocational training	575,032	32.6	-2.3	14.6
Not stated	498,435	28.2	+8.3	13.7
Working time				
Full-time	1,453,180	82.3	+2.3	82.6
Part-time	311,0118	17.6	+6.2	17.3
Total	1,765,068	100	+3.0	100.0

Source: Bundesagentur für Arbeit (2007) Analytikreport der Statistik, Analyse des Arbeitsmarkts für Ausländer, August 2007, p.15-16, available at: http://www.pub.arbeitsamt.de/hst/services/statistik/200708/ama/auslaender_d.pdf (25.09.2007).

Table 7: Marginal part-time workers**, foreigners and Germans (2003-2006) *

Quarter	Foreigners	Germans
2003		
March	.	.
June	460,209	5,063,517
September	483,988	5,253,333
December	509,607	5,457,151
2004		
March	544,003	5,650,658
June	556,852	5,882,996
September	575,196	5,975,420
December	588,813	6,063,944
2005		
March	580,266	5,847,914
June	588,571	5,893,886
September	601,073	6,000,680
December	615,387	6,115,267
2006		
March	605,352	5,989,601
June	627,217	6,113,367
September	624,906	6,115,011
December	643,879	6,260,076

Source: Bundesagentur für Arbeit (2007) Analytikreport der Statistik, Analyse des Arbeitsmarkts für Ausländer, August 2007, p.21, available at: http://www.pub.arbeitsamt.de/hst/services/statistik/200708/ama/auslaender_d.pdf (25.09.2007).

* Analyses of marginal part-time workers in second job are available since 2nd quarter 2003.

** Marginal part-time jobs are regularly below 15 hours per week. The wage for part-time jobs does not exceed 400 Euro per month. The employer is obliged to pay flat-rate contributions for the sickness and pension insurances. Marginal part-time workers have the possibility to upgrade their entitlement to pension by voluntary payments.

Table 8: Exclusively marginal part-time working** foreigners (2002-2006)

Quarter	Foreigners	Percentage of all marginal workers	Changes versus previous year	
			Total	In percentage points
2002				
March	307,092	7.4	+4,776	+1.6
June	311,777	7.5	+8,775	+2.9
September	307,592	7.5	+9,516	+3.2
December	314,883	7.5	+7,319	+2.4
2003				
March	316,091	7.6	+8,999	+2.9
June	332,211	7.6	+20,434	+6.6
September	338,060	7.7	+30,468	+9.9
December	354,681	7.8	+39,798	+12.6
2004				
March	371,809	8.0	+55,718	+17.6
June	385,321	8.0	+53,110	+16.0
September	387,462	8.1	+49,402	+14.6
December	401,746	8.2	+47,065	+13.3
2005				
March	395,649	8.4	+23,840	+6.4
June	400,077	8.4	+14,756	+3.8
September	404,066	8.5	+16,604	+4.3
December	417,855	8.5	+16,109	+4.0
2006				
March	408,006	8.5	+12,357	+3.1
June	416,834	8.6	+16,757	+4.2
September	410,484	8.6	+6,418	+1.6
December	426,137	8.7	+8,282	+2.0

Source: Bundesagentur für Arbeit (2007) Analytikreport der Statistik, Analyse des Arbeitsmarkts für Ausländer, August 2007, p.21, available at: http://www.pub.arbeitsamt.de/hst/services/statistik/200708/ama/auslaender_d.pdf (25.09.2007).

** Marginal part-time jobs are regularly below 15 hours per week. The wage for part-time jobs does not exceed 400 Euro per month. The employer is obliged to pay flat-rate contributions for the sickness and pension insurances. Marginal part-time workers have the possibility to upgrade their entitlement to pension by voluntary payments.

Table 9: Marginal part-time** working foreigners in a second job (2003-2006) *

Quarter	Foreigners	Percentage of all marginal workers	Changes versus previous year	
			Total	In percentage points
2003				
March
June	127,998	11.1	.	.
September	145,928	10.8	.	.
December	154,926	10.8	.	.
2004				
March	172,194	11.1	.	.
June	181,531	10.9	+53,533	+41.8
September	187,734	10.6	+41,806	+28.6
December	187,067	10.5	+32,141	+20.7
2005				
March	184,617	10.8	+12,423	+7.2
June	188,494	10.8	+6,963	+3.8
September	197,007	10.7	+9,273	+4.9
December	197,532	10.7	+10,465	+5.6
2006				
March	197,346	10.8	+12,729	+6.9
June	210,383	11.1	+21,889	+11.6
September	214,422	10.9	+17,415	+8.8
December	217,742	10.9	+20,210	+10.2

Source: Bundesagentur für Arbeit (2007) Analytikreport der Statistik, Analyse des Arbeitsmarkts für Ausländer, August 2007, p.21, available at: http://www.pub.arbeitsamt.de/hst/services/statistik/200708/ama/auslaender_d.pdf (25.09.2007).

* Analyses of marginal part-time workers in second job are available since 2nd quarter 2003.

** Marginal part-time jobs are regularly below 15 hours per week. The wage for part-time jobs does not exceed 400 Euro per month. The employer is obliged to pay flat-rate contributions for the sickness and pension insurances. Marginal part-time workers have the possibility to upgrade their entitlement to pension by voluntary payments.

Unemployment

Table 10: Unemployment rate* of foreigners and Germans in per cent (2004-2006)

Year	Foreigners		Germans	
	Relating to dependent labour force	Percentage point changes (previous year)	Relating to dependent labour force	Percentage point changes (previous year)
2004	20.4	+0.2	11.0	+0.1
2005	25.2	+4.8	11.9	+0.9
2006	23.6	-1.5	11.0	-0.9

Source: Bundesagentur für Arbeit (2007) Analytikreport der Statistik, Analyse des Arbeitsmarkts für Ausländer, August 2007, p. 33, available at: http://www.pub.arbeitsamt.de/hst/services/statistik/200708/ama/auslaender_d.pdf (25.09.2007).

* The unemployment rate of foreigners and Germans are only available for the dependent labour force.

Table 11: Unemployment of foreigners and Germans (2004-2006)

Year	Foreigners				Germans	
	Total	Percentage of all unemployed	Change vs. previous year		Total	Percentage point changes vs. previous year
			Total	In percentage points		
2004	545,080	12,4	+2,114	+0.4	+3,050	+0.1
2005	672,951	13,8	+127,871	+23.5	+302,385	+7.9
2006	643,752	14,3	-29,199	-4,3	-323,332	-7.8

Source: Bundesagentur für Arbeit (2007) Analytikreport der Statistik, Analyse des Arbeitsmarkts für Ausländer, August 2007, p.25, available at: http://www.pub.arbeitsamt.de/hst/services/statistik/200708/ama/auslaender_d.pdf (25.09.2007).

Table 12: Unemployed foreigners and Germans by age, sex, long-time unemployment (June, August 2007)*

	Foreigners		Germans	
	June 2007	August 2007	June 2007	August 2007
15-25 years	7.5	8.9	10.4	13.3
25-50 years	72.3	71.6	61.8	60.2
50-65 years	20.2	19.4	27.8	26.4
Men	51.9	51.0	49.6	48.7
Women	48.1	49.0	50.4	51.3
Longer than 12 months unemployed				
*	43.2	41.0	41.4	38.4

Source: Bundesagentur für Arbeit (2007) Analytikreport der Statistik. Analyse des Arbeitsmarkts für Ausländer Juni 2007, p.32, available at: http://www.pub.arbeitsamt.de/hst/services/statistik/200706/ama/auslaender_d.pdf (10.07.2007); Bundesagentur für Arbeit (2007) Analytikreport der Statistik, Analyse des Arbeitsmarkts für Ausländer, August 2007, pp.31-32, available at: http://www.pub.arbeitsamt.de/hst/services/statistik/200708/ama/auslaender_d.pdf (25.09.2007).

- * Analysis only based on data from 370 districts with shared responsibility of the Federal Labour Agency and the respective municipality (ARGEn). Not included are unemployed persons serviced by the 69 municipalities exclusively responsible for long term unemployed persons (Optionskommunen). Therefore these figures only account for approx. 86 per cent of all unemployed persons.

Table 13: Unemployed ethnic German migrants, foreigners and Germans (June 30, 2004)*

Federal state	Ethnic German migrants		Foreigners		Germans
	Percentages of unemployed Ethnic German migrants	... in comparison to Germans	Percentage of unemployed Foreigners	...in comparison to Germans	Percentage of unemployed Germans
Schleswig-Holstein	35.7	3.4	24.6	2.4	10.4
Hamburg	34.3	3.6	20.6	2.2	9.6
Lower Saxony	30.0	3.1	24.8	2.6	9.6
Bremen	38.2	3.0	27.2	2.1	12.7
North Rhine-Westphalia	36.0	3.7	23.1	2.4	9.7
Hesse	35.0	4.6	17.4	2.3	7.7
Rhineland-Palatinate	27.1	3.4	17.5	2.2	8.0
Baden-Württemberg	23.9	4.2	13.6	2.4	5.7
Bavaria	28.6	4.3	14.9	2.2	6.6
Saarland	32.9	3.5	23.0	2.4	9.5
Berlin	52.8	2.8	38.2	2.0	18.9
Brandenburg	62.0	3.0	37.6	1.8	20.4
Mecklenburg-Pomerania	57.3	2.6	35.8	1.6	21.9
Saxony	60.7	3.1	39.1	2.0	19.5
Saxony-Anhalt	64.2	2.9	40.8	1.9	22.0
Thuringia	52.9	2.9	36.8	2.0	18.0

Source: A. Brück-Klingberg; C. Burkert; H. Seibert; R. Wapler (2007)

„Spätaussiedler mit höherer Bildung sind öfter arbeitslos“, in: IAB

Kurzbericht, Vol. 8/2.4.2007, p.3, available at:

<http://doku.iab.de/kurzber/2007/kb0807.pdf> (24.09.2007).

* The IEB database is generated at the *Institut für Arbeitsmarkt und Berufsforschung* [Institute for Employment Research] by combining different sources of individual data collected by the *Bundesagentur für Arbeit* [Federal Labour Agency] for administrative purpose. The IEB only includes employment subject to social security contributions, i.e. civil servants and the self-employed are not included.

Educational attainment

Table 14: The situation in employment of ethnic German migrants, foreigners and Germans according to educational attainment (June 2004)

	Ethnic German migrants			Foreigners ¹			Germans ¹		
	Without vocational training	With vocational training	With technical college / university degree	Without vocational training	With vocational training	With technical college / university degree	Without vocational training	With vocational training	With technical college / university degree
Marginal part-time workers	13.5	10.7	10.3	12.9	8.0	5.0	17.4	8.6	3.6
Employees eligible for social security	46.1	58.8	46.0	60.7	72.5	76.1	69.3	79.3	88.4
Unemployed	40.3	30.5	43.6	26.4	19.5	18.9	13.4	12.2	8.1

Source: A. Brück-Klingberg; C. Burkert; H. Seibert; R. Wapler (2007) „Spätaussiedler mit höherer Bildung sind öfter arbeitslos“, in: IAB Kurzbericht. Vol. 8/2.4.2007, p.3, available at: <http://doku.iab.de/kurzber/2007/kb0807.pdf> (24.09.2007).

* The IEB database is generated at the *Institut für Arbeitsmarkt und Berufsforschung* [Institute for Employment Research] by combining different sources of individual data collected by the *Bundesagentur für Arbeit* [Federal Labour Agency] for administrative purpose. The IEB only includes employment subject to social security contributions, i.e. civil servants and the self-employed are not included.

¹ Without ethnic German migrants

Economic sectors of employment

Table 15a: Gainfully employed persons by migration status and sectors of employment in 1000 (2005)

Sectors of employment	Total	Persons without a migration background	Persons with a migration background in the wider sense*	Persons with a migration background in the narrow sense**
Agriculture, forestry and fishing	867.4	802.0	65.4	63.9
Manufacturing and extractive industry	10,869.2	8,743.9	2,125.3	2,075.1
Trade, hotel and restaurant industry	8,503.8	6,808.3	1,695.5	1,649.4
Other services	16,326.0	14,158.6	2,167.4	2,073.7
All gainfully employed persons	36,556.5	30,513.1	6,053.4	5,861.9

Source: Statistisches Bundesamt, *Bevölkerung und Erwerbstätigkeit. Bevölkerung mit Migrationshintergrund. Ergebnisse des Mikrozensus 2005. Fachserie 1 Reihe 2.2, pp.34-35*, available at: <https://www-ec.destatis.de/csp/shop/sfg/bpm.html.cms.cBroker.cls?cmspath=struktur,vollanzeige.csp&ID=1020312> (02.08.2007).

* The category "People with a migration background in a wider sense" includes the category "People with a migration background in the narrow sense" and "People whose migration background is not consistently definable". "People whose migration background is not consistently definable" are Germans who were born in Germany, whose migration background depends on their parents, and who do not live in the same household as their parents. The information to identify this group is only available in the 2005 and 2009 micro census.

** The category "People with a migration background in the narrow sense" includes all people who immigrated to Germany (Germans and foreigners), foreigners who are born in Germany, naturalised citizens, and Germans with at least one parent who immigrated to Germany or at least one parent who was born in Germany as a foreigner. "People whose migration background is not consistently definable" are not included.

Table 15b: Gainfully employed persons by migration status and sectors of employment in per cent of the respective population (2005)

Sectors of employment	Total	Persons without a migration background	Persons with a migration background in the wider sense*	with a migration background in the narrow sense**
Agriculture, forestry and fishing	100.0	92.5	7.5	7.4
Manufacturing and extractive industry	100.0	80.4	19.6	19.1
Trade, hotel and restaurant industry	100.0	80.1	19.9	19.4
Other services	100.0	86.7	13.3	12.7
All gainfully employed persons	100.0	83.4	16.6	16.0

Source: Statistisches Bundesamt, *Bevölkerung und Erwerbstätigkeit. Bevölkerung mit Migrationshintergrund. Ergebnisse des Mikrozensus 2005. Fachserie 1 Reihe 2.2*, pp.34-35, available at: <https://www-ec.destatis.de/csp/shop/sfg/bpm.html.cms.cBroker.cls?cmspath=struktur,vollanzeige.csp&ID=1020312> (02.08.2007).

* The category "People with a migration background in a wider sense" includes the category "People with a migration background in the narrow sense" and "People whose migration background is not consistently definable". "People whose migration background is not consistently definable" are Germans who were born in Germany, whose migration background depends on their parents, and who do not live in the same household as their parents. The information to identify this group is only available in the 2005 and 2009 micro census.

** The category "People with a migration background in the narrow sense" includes all people who immigrated to Germany (Germans and foreigners), foreigners who are born in Germany, naturalised citizens, and Germans with at least one parent who immigrated to Germany or at least one parent who was born in Germany as a foreigner. "People whose migration background is not consistently definable" are not included.

Table 16: Gainfully employed persons by migration status, age and sectors of employment in 1000 (2005)

Population	total	Employed persons	Agriculture, forestry and fishing	Manufacturing and extractive industry	Trade, hotel and restaurant industry	Other services
Persons without a migration background	67,132.4	33,356.5	802.0	8,743.9	6,808.3	14,158.6
age in years						
Less than 16	8,490.5	13.2	/	6.5	/	/
16 – 25	6,687.4	3,083.1	75.1	915.1	810.1	1,282.9
25 – 35	7,152.2	5,464.7	95.1	1,504.2	1,183.1	2,682.3
35 – 45	11,365.3	9,365.8	227.1	2,869.8	2,065.3	4,203.6
45 – 55	9,944.0	7,939.7	219.9	2,224.1	1,715.5	3,780.3
55 – 65	8,379.0	4,108.6	131.6	1,110.9	880.8	1,985.2
65 and more	15,114.1	537.8	52.6	113.4	151.0	220.9
25 – 65	36,840.4	26,878.8	673.8	7,709.0	5,844.7	12,651.3
Persons with a migration background in the narrow sense*	14,784.8	5,862.1	63.9	2,075.1	1,649.4	2,073.7
age in years						
Less than 16	3,319.3	/	–	/	–	/
16 – 25	2,024.1	750.7	6.0	230.9	245.9	267.9
25 – 35	2,547.4	1,530.4	15.7	501.9	474.3	538.6
35 – 45	2,396.8	1,643.5	21.0	609.9	464.5	548.2
45 – 55	1,885.4	1,284.6	13.8	486.8	319.7	464.3
55 – 65	1,365.4	601.3	5.6	234.3	131.9	229.5
65 and more	1,246.4	50.1	/	10.6	13.1	24.5
25 – 65	8,195.0	5,059.8	56.0	1,832.8	1,390.4	1,780.6

Source: Statistisches Bundesamt, Bevölkerung und Erwerbstätigkeit. Bevölkerung mit Migrationshintergrund. Ergebnisse des Mikrozensus 2005. Fachserie 1 Reihe 2.2, pp.224f, available at: <https://www-ec.destatis.de/csp/shop/sfg/bpm.html.cms.cBroker.cls?cmspath=struktur,vollanzeige.csp&ID=1020312> (02.08.2007).

* The category “People with a migration background in the narrow sense” includes all people who immigrated to Germany (Germans and foreigners), foreigners who are born in Germany, naturalised citizens, and Germans with at least one parent who immigrated to Germany or at least one parent who was born in Germany as a foreigner. “People whose migration background is not consistently definable” are not included. “People whose migration background is not consistently definable” are Germans who were born in Germany, whose migration background depends on their parents, and who do not live in the same household as their parents.

/ = no reliable data available; - =no data available

Table 17: Female gainfully employed persons by migrations status, age and branches in 1000 (2005)

Women	total	Employed persons	Agriculture, forestry and fishing	Manufacturing and extractive industry	Trade, hotel and restaurant industry	Miscellaneous services
Persons without a migration background	34,589.1	13,883.6	271.1	2,154.9	3,310.9	8,146.7
age in years						
Less than 16	4,145.6	5.8	/	/	/	/
16 – 25	3,223.9	1,408.0	18.5	220.7	413.2	755.5
25 – 35	3,494.9	2,513.8	26.6	370.5	562.8	1,553.9
35 – 45	5,612.0	4,259.9	79.7	697.5	1,007.4	2,475.2
45 – 55	4,998.8	3,750.8	81.5	561.8	856.8	2,250.8
55 – 65	4,264.0	1,740.9	47.7	272.6	402.4	1,018.2
65 and more	8,850.0	204.4	16.9	29.4	66.9	91.2
25 – 65	18,369.6	12,265.5	235.6	1,902.4	2,829.3	7,298.2
Persons with a migration background in the wider sense*	7,537.7	2,548.4	14.0	483.8	704.3	1,346.2
Persons with a migration background in the narrow sense**	7,258.4	2,456.0	13.6	468.5	682.7	1,291.3
age in years						
Less than 16	1,600.9	/	–	/	–	/
16 – 25	988.8	335.1	/	49.8	116.3	167.5
25 – 35	1,256.4	602.8	/	103.0	183.6	312.9

35 – 45	1,153.3	669.6	/	133.9	189.9	341.7
45 – 55	961.6	591.4	/	126.6	141.5	320.2
55 – 65	650.6	240.6	/	52.1	48.5	138.7
65 and more	646.9	15.8	/	/	/	10.1
25 – 65	4,021.8	2,104.4	11.9	415.7	563.5	1,113.5

Source: Statistisches Bundesamt, Bevölkerung und Erwerbstätigkeit. Bevölkerung mit Migrationshintergrund. Ergebnisse des Mikrozensus 2005. Fachserie 1 Reihe 2.2, pp.240f, available at: <https://www-ec.destatis.de/csp/shop/sfg/bpm.html.cms.cBroker.cls?cmspath=struktur,vollanzeige.csp&ID=1020312> (02.08.2007).

* The category “People with a migration background in a wider sense” includes the category “People with a migration background in the narrow sense” and “People whose migration background is not consistently definable”. “People whose migration background is not consistently definable” are Germans who were born in Germany, whose migration background depends on their parents, and who do not live in the same household as their parents. The information to identify this group is only available in the 2005 and 2009 micro census.

** The category “People with a migration background in the narrow sense” includes all people who immigrated to Germany (Germans and foreigners), foreigners who are born in Germany, naturalised citizens, and Germans with at least one parent who immigrated to Germany or at least one parent who was born in Germany as a foreigner. “People whose migration background is not consistently definable” are not included.

/ = no reliable data available; - =no data available.

Table 18: Male gainfully employed persons by migrations status age and sectors of employment in 1000 (2005)

Men	total	Employed persons	Agriculture, forestry and fishing	Manufacturing and extractive industry	Trade, hotel and restaurant industry	Miscellaneous services
Persons without a migration background	32,543.3	16,629.4	530.9	6,589.0	3,497.5	6,012.0
age in years						
Less than 16	4,344.9	7.5	/	/	/	/
16 – 25	3,463.5	1,675.1	56.6	694.4	396.8	527.3
25 – 35	3,657.2	2,950.9	68.5	1,133.7	620.3	1,128.3
35 – 45	5,753.3	5,105.9	147.4	2,172.3	1,057.9	1,728.4
45 – 55	4,945.2	4,188.9	138.4	1,662.3	858.7	1,529.4
55 – 65	4,115.0	2,367.7	83.9	838.3	478.4	967.0
65 and more	6,264.2	333.5	35.8	84.0	84.0	129.7
25 – 65	18,470.8	14,613.3	438.2	5,806.6	3,015.4	5,353.1
Persons with a migration background in the wider sense*	7,795.2	3,505.2	51.4	1,641.5	991.1	821.2
Persons with a migration background in the narrow sense**	7,526.4	3,406.0	50.4	1,606.6	966.7	782.5
age in years						
Less than 16	1,718.4	/	–	/	–	/
16 – 25	1,035.3	415.5	/	181.2	129.5	100.4
25 – 35	1,291.0	927.6	12.3	398.9	290.7	225.7

35 – 45	1,243.6	973.9	16.8	475.9	274.6	206.5
45 – 55	923.8	693.2	10.6	360.2	178.3	144.1
55 – 65	714.7	360.7	/	182.2	83.4	90.8
65 and more	599.5	34.3	/	8.0	10.2	14.4
25 – 65	4,173.1	2,955.4	44.2	1,417.1	826.9	667.1

Source: Statistisches Bundesamt, Bevölkerung und Erwerbstätigkeit. Bevölkerung mit Migrationshintergrund. Ergebnisse des Mikrozensus 2005. Fachserie 1 Reihe 2.2, pp.232f, available at: <https://www-ec.destatis.de/csp/shop/sfg/bpm.html.cms.cBroker.cls?cmspath=struktur,vollanzeige.csp&ID=1020312> (02.08.2007).

* The category “People with a migration background in a wider sense” includes the category “People with a migration background in the narrow sense” and “People whose migration background is not consistently definable”. “People whose migration background is not consistently definable” are Germans who were born in Germany, whose migration background depends on their parents, and who do not live in the same household as their parents. The information to identify this group is only available in the 2005 and 2009 micro census.

** The category “People with a migration background in the narrow sense” includes all people who immigrated to Germany (Germans and foreigners), foreigners who are born in Germany, naturalised citizens, and Germans with at least one parent who immigrated to Germany or at least one parent who was born in Germany as a foreigner. “People whose migration background is not consistently definable” are not included.

/ = no reliable data available; - =no data available.

Occupational areas (Employment in jobs subject to social security payments)

Table 19: Share of foreign employed persons by occupational area in per cent (1999, 2001, 2006, 2005, 2006)*

Occupational area	1999	2001	2003	2005	2006
Direct workers	11.4	11.6	11.0	10.6	10.5
Primary service occupation	6.0	6.5	6.4	6.3	6.4
Secondary service occupation	3.4	3.6	3.7	3.6	3.7

Source: Institut für Arbeitsmarkt- und Berufsforschung der Bundesagentur für Arbeit (2007), *Berufe im Spiegel der Statistik 1999-2006*, available at: <http://www.pallas.iab.de/bisds/berufsgliederung.asp?level=BF> (13.09.2007).

* Numbers only refer to employed persons in jobs subject to social security payments; marginal part-time workers, civil servants, self-employed and persons in vocational training are excluded.

Occupational field

Table 20: Share of foreign employed persons by occupational fields in per cent (1999, 2001, 2006, 2005, 2006)*

Occupational field	1999	2001	2003	2005	2006
Agriculture, 'green jobs'	7.5	7.4	7.6	8.5	9.3
Mining	6.8	15.2	14.5	14.2	14.7
Stone/ ceramics/ glass manufacturing	14.4	14.0	12.9	11.9	11.6
Chemical workers, plastics processing	17.5	17.0	16.0	14.8	14.4
Paper manufacturing, printing	11.8	11.9	11.2	10.5	10.4
Metal manufacturing	19.0	18.7	17.3	16.1	15.7
Installation and metal-structure technics/ engineering	9.0	9.1	8.5	8.1	8.0
Electronics	6.8	6.8	6.1	5.7	5.5
Textile, leather, clothing industry	14.6	14.6	13.5	12.7	12.5
Nutrition	18.6	19.0	18.5	18.2	18.3
Construction and related jobs, wood-working	9.4	9.2	8.6	8.3	8.3
Engineering and natural science	2.8	3.2	3.5	3.6	3.7
Commodity and service merchants	3.7	4.1	4.2	4.3	4.5
Transportation and storage	9.6	9.8	9.4	9.2	9.3
Administration and secretarial jobs, economics and social sciences	2.6	2.9	3.0	3.1	3.2
Security	5.3	5.5	5.4	5.1	5.3
Media, humanities and arts	6.8	7.2	7.0	6.8	7.0
Health	3.9	3.9	3.8	3.6	3.7
Social workers, educational jobs, spiritual counsellor	2.8	3.1	3.1	3.0	3.1
Hair dressing, guest services, house keeping, cleaning	17.5	18.0	17.7	17.3	17.5

Source: Institut für Arbeitsmarkt- und Berufsforschung der Bundesagentur für Arbeit (2007), *Berufe im Spiegel der Statistik 1999-2006*, available at: <http://www.pallas.iab.de/bisds/berufsgliederung.asp?level=BF> (16.08.2007).

* Numbers only refer to employees eligible for social security benefits; marginal part-time workers, civil servants, self-employed and persons in vocational training are excluded.

Table 21: Employed persons subject to social security payments according to occupational groups and sex in Germany (June 30, 2005)

Occupational group	Employees in total	Germans		German males		German females	
		In total	Percentage of all employees	In total	Percentage of all Germans employees	In total	Percentage of all Germans employees
Legislators, senior officials and managers in the private sector (ISCO1)	751,696	725,766	96.6	459,913	63.4	265,853	36.6
Professionals (ISCO2)	1,771,160	1,682,994	95.0	1,076,527	64.0	606,467	36.0
Technicians and associate professionals (ISCO3)	3,056,896	2,954,353	96.6	1,154,649	39.1	1,799,704	60.9
Total (all groups)	5,579,752	5,363,113	96.1	2,691,089	50.2	2,672,024	49.8

Occupational group	Employees in total	Non-Germans		Non-German males		Non-German females	
		In total	Percentage of all employees	In total	Percentage of all Non-German employees	In total	Percentage of all Non-German employees
Legislators, senior officials and managers in the private sector (ISCO1)	751,696	25,763	3.4	17,812	69.1	7,951	30.9
Professionals (ISCO2)	1,771,160	87,626	4.9	56,379	64.3	31,247	35.7
Technicians and associate professionals (ISCO3)	3,056,896	101,940	3.3	38,103	37.4	63,837	62.6
Total (all groups)	5,579,752	215,329	3.9	112,294	52.1	103,035	47.9

Source: B. Heß; L. Sauer (2006) *Conditions of Entry and Residence of Third Country Highly Qualified and Highly Skilled Workers. Situation in Germany. Study in the framework of the European Migration Network*, p. 38, available at: http://www.bamf.de/cln_011/nn_435340/SharedDocs/Anlagen/DE/Migration/Downloads/EMN/15emn-small-scale-3-highly-qualified,templateId=raw,property=publicationFile.pdf/15emn-small-scale-3-highly-qualified.pdf (24.09.2007).

Table 22: Employed persons subject to social security payments in Germany, according to selected occupational groups and selected nationalities (June 30, 2005)

Nationality	In total (all occupational groups)	In total (occupational groups ISCO 1-3)	Share 3 rd column (ISCO 1-3) at 2 nd column (all occupational groups) in %
In total	26,178,266	5,579,752	21.3
Germans	24,422,876	5,363,113	22.0
Non-Germans	1,749,425	215,329	12.3
No categorisation possible	5,965	1,310	22.0
EU-15 (without Germany)	543,202	84,082	15.5
EU-10	112,879	18,600	16.5
Non-EU	1,093,344	112,647	10.3
of which			
Turkey	458,243	23,908	5.2
Yugoslavia	134,621	10,088	7.5
Croatia	68,653	8,668	12.6
Bosnia and Herzegovina	37,159	3,866	10.4
Russian Federation	34,309	6,914	20.2
Romania	21,700	3,954	18.2
United States	20,430	6,628	32.4
Morocco	20,415	1,604	7.9
Vietnam	18,714	884	4.7
Ukraine	16,515	4,104	24.9
Islamic Republic Iran	13,871	2,962	21.4
Iraq	12,818	412	3.2
China	12,769	3,463	27.1
Kazakhstan	11,375	689	6.1
Afghanistan	10,797	782	7.2

Source: B. Heß; L. Sauer (2006) *Conditions of Entry and Residence of Third Country Highly Qualified and Highly Skilled Workers. Situation in Germany. Study in the framework of the European Migration Network*, p.47, available at: http://www.bamf.de/cln_011/nn_435340/SharedDocs/Anlagen/DE/Migration/Downloads/EMN/15emn-small-scale-3-highly-qualified,templateId=raw,property=publicationFile.pdf/15emn-small-scale-3-highly-qualified.pdf (24.09.2007).

Occupational status

Table 23a: Gainfully employed persons by migration status and occupational status in 1000 (2005)

	Total	Persons without migration background	with migration background in the wider sense*	with migration background in the narrow sense**
Self-employed	4,080.1	3,497.8	582.4	566.2
Family workers	420.6	359.8	60.9	59.1
Civil servants	2,224.4	2,141.1	83.3	74.5
White-collar worker	19,071.0	16,622.9	2,448.2	2,332.9
Blue-collar worker	10,770.3	7,891.4	2,878.9	2,829.4
All gainfully employed persons	36,556.5	30,513.1	6,053.4	5,861.9

Table 23b: Gainfully employed persons by migration status and occupational status in per cent of the respective population (2005)

	Total	Persons without migration background	with migration background in the wider sense*	with migration background in the narrow sense**
Self-employed	100	85.7	14.3	13.9
Family workers	100	85.5	14.5	14.1
Civil servants	100	96.3	3.7	3.3
White-collar worker	100	87.2	12.8	12.2
Blue-collar worker	100	73.3	26.7	26.3
All gainfully employed persons	100.0	83.4	16.6	16.0

Source: Statistisches Bundesamt, *Bevölkerung und Erwerbstätigkeit. Bevölkerung mit Migrationshintergrund. Ergebnisse des Mikrozensus 2005. Fachserie 1 Reihe 2.2*, pp.35-36, available at: <https://www-ec.destatis.de/csp/shop/sfg/bpm.html.cms.cBroker.cls?cmspath=struktur,vollanzeige.csp&ID=1020312> (02.08.2007).

- * The category “People with a migration background in a wider sense” includes the category “People with a migration background in the narrow sense” and “People whose migration background is not consistently definable”. “People whose migration background is not consistently definable” are Germans who were born in Germany, whose migration background depends on their parents, and who do not live in the same household as their parents. The information to identify this group is only available in the 2005 and 2009 micro census.
- ** The category “People with a migration background in the narrow sense” includes all people who immigrated to Germany (Germans and foreigners), foreigners who are born in Germany, naturalised citizens, and Germans with at least one parent who immigrated to Germany or at least one parent who was born in Germany as a foreigner. “People whose migration background is not consistently definable” are not included.

Table 24: Occupational status of the population by migration status and age in 1000 (2005)

Population	total	Employed persons	Self-employed	Family workers	Civil servants	White-collar worker	Blue-collar-worker
Persons without migration background	67,132.4	33,356.5	33,775.9	3,263.0	30,513.0	3,497.8	359.8
age in years							
Less than 16	8,490.5	13.2	/	/	–	/	8.8
16 – 25	6,687.4	3,083.1	43.2	21.0	152.0	1,665.8	1,201.1
25 – 35	7,152.2	5,464.7	395.8	25.7	385.3	3,399.9	1,258.1
35 – 45	11,365.3	9,365.8	1,147.8	77.1	552.6	5,248.6	2,339.8
45 – 55	9,944.0	7,939.7	1,033.9	91.2	649.3	4,154.8	2,010.5
55 – 65	8,379.0	4,108.6	670.0	75.7	389.4	2,012.7	960.8
65 and more	15,114.1	537.8	207.0	68.2	12.6	137.7	112.4
25 – 65	36,840.4	26,878.8	3,247.5	269.6	1,976.5	14,816.0	6,569.2
Persons with migration background in the narrow sense*	14,784.8	5,862.1	566.2	59.1	74.5	2,332.9	2,829.4
of which: persons with former of actual citizenship of an EU-25 country	3,099.3	1,658.6	234.6	21.3	20.7	744.3	637.7
age in years							

Less than 16	3,319.3	/	–	–	–	/	/
16 – 25	2,024.1	750.7	16.1	8.7	16.4	370.0	339.5
25 – 35	2,547.4	1,530.4	126.2	14.8	20.3	718.6	650.5
35 – 45	2,396.8	1,643.5	189.1	14.5	16.3	600.1	823.5
45 – 55	1,885.4	1,284.6	145.5	10.8	14.4	429.8	684.0
55 – 65	1,365.4	601.3	72.5	8.9	6.7	201.7	311.5
65 and more	1,246.4	50.1	16.8	/	/	12.5	19.1
25 – 65	8,195.0	5,059.8	533.2	49.0	57.7	1,950.2	2,469.6

Source: Statistisches Bundesamt, Bevölkerung und Erwerbstätigkeit. Bevölkerung mit Migrationshintergrund. Ergebnisse des Mikrozensus 2005. Fachserie 1 Reihe 2.2, pp.224f, available at: <https://www-ec.destatis.de/csp/shop/sfg/bpm.html.cms.cBroker.cls?cmspath=struktur,vollanzeige.csp&ID=1020312> (02.08.2007).

* The category “People with a migration background in the narrow sense” includes all people who immigrated to Germany (Germans and foreigners), foreigners who are born in Germany, naturalised citizens, and Germans with at least one parent who immigrated to Germany or at least one parent who was born in Germany as a foreigner. “People whose migration background is not consistently definable” are not included. “People whose migration background is not consistently definable” are Germans who were born in Germany, whose migration background depends on their parents, and who do not live in the same household as their parents.

/ = no reliable data available; - =no data available.

Table 25: Female gainfully population by migrations status, age and occupational status of in 1000 (2005)

Women	total	Employed persons	Self-employed	Family workers	Civil servants	White-collar worker	Blue-collar-worker
Persons without migration background	34,589.1	13,883.6	1,055.4	274.6	788.4	9,338.2	2,427.0
age in years							
Less than 16	4,145.6	5.8	/	/	–	/	/
16 – 25	3,223.9	1,408.0	16.3	8.5	26.4	1,008.8	347.9
25 – 35	3,494.9	2,513.8	123.1	15.8	158.5	1,913.4	303.0
35 – 45	5,612.0	4,259.9	366.3	69.5	231.2	2,885.3	707.6
45 – 55	4,998.8	3,750.8	326.1	82.5	247.8	2,418.0	676.4
55 – 65	4,264.0	1,740.9	178.6	63.4	122.3	1,040.4	336.3
65 and more	8,850.0	204.4	44.9	34.5	/	70.4	52.5
25 – 65	18,369.6	12,265.5	994.1	231.3	759.8	8,257.1	2,023.3
Persons with migration background in the wider sense*	7,537.7	2,548.4	173.0	43.8	27.8	1,315.0	988.8
Persons with migration background in the narrow sense**	7,258.4	2,456.0	167.3	42.8	23.9	1,250.0	972.1
age in years							
Less than 16	1,600.9	/	–	–	–	/	/
16 – 25	988.8	335.1	5.6	5.4	/	221.2	101.4

25 – 35	1,256.4	602.8	36.0	10.7	6.8	368.7	180.6
35 – 45	1,153.3	669.6	56.7	12.1	6.7	310.2	284.0
45 – 55	961.6	591.4	48.3	8.4	6.3	241.8	286.6
55 – 65	650.6	240.6	17.5	5.7	/	102.0	112.8
65 and more	646.9	15.8	/	/	–	5.7	6.2
25 – 65	4,021.8	2,104.4	158.6	36.8	22.3	1,022.8	863.9

Source: Statistisches Bundesamt, Bevölkerung und Erwerbstätigkeit. Bevölkerung mit Migrationshintergrund. Ergebnisse des Mikrozensus 2005. Fachserie 1 Reihe 2.2, pp.240f, available at: <https://www-ec.destatis.de/csp/shop/sfg/bpm.html.cms.cBroker.cls?cmspath=struktur,vollanzeige.csp&ID=1020312> (02.08.2007).

* The category “People with a migration background in a wider sense” includes the category “People with a migration background in the narrow sense” and “People whose migration background is not consistently definable”. “People whose migration background is not consistently definable” are Germans who were born in Germany, whose migration background depends on their parents, and who do not live in the same household as their parents. The information to identify this group is only available in the 2005 and 2009 micro census.

** The category “People with a migration background in the narrow sense” includes all people who immigrated to Germany (Germans and foreigners), foreigners who are born in Germany, naturalised citizens, and Germans with at least one parent who immigrated to Germany or at least one parent who was born in Germany as a foreigner. “People whose migration background is not consistently definable” are not included.

/ = no reliable data available; - =no data available.

Table 26: Male population by migrations status, age, and occupational status of the in 1000 (2005)

Men	total	Employed persons	Self-employed	Family workers	Civil servants	White-collar worker	Blue-collar-worker
Persons without migration background	32,543.3	16,629.4	2,442.4	85.1	1,352.7	7,284.7	5,464.4
age in years							
Less than 16	4,344.9	7.5	–	/	–	/	5.5
16 – 25	3,463.5	1,675.1	26.9	12.5	125.6	657.0	853.1
25 – 35	3,657.2	2,950.9	272.8	9.8	226.7	1,486.5	955.1
35 – 45	5,753.3	5,105.9	781.4	7.6	321.4	2,363.3	1,632.2
45 – 55	4,945.2	4,188.9	707.8	8.7	401.5	1,736.8	1,334.1
55 – 65	4,115.0	2,367.7	491.5	12.3	267.1	972.3	624.5
65 and more	6,264.2	333.5	162.1	33.7	10.4	67.3	59.9
25 – 65	18,470.8	14,613.3	2,253.4	38.4	1,216.8	6,558.9	4,545.9
Persons with migration background in the wider sense*	7,795.2	3,505.2	409.4	17.0	55.4	1,133.2	1,890.1
Persons with migration background in the narrow sense**	7,526.4	3,406.0	399.0	16.3	50.6	1,082.9	1,857.3
age in years							
Less than 16	1,718.4	/	–	–	–	–	/
16 – 25	1,035.3	415.5	10.6	/	14.9	148.8	238.0

25 – 35	1,291.0	927.6	90.1	/	13.5	349.8	470.0
35 – 45	1,243.6	973.9	132.4	/	9.7	289.8	539.5
45 – 55	923.8	693.2	97.2	/	8.1	188.0	397.4
55 – 65	714.7	360.7	54.9	/	/	99.7	198.7
65 and more	599.5	34.3	13.7	/	/	6.7	12.8
25 – 65	4,173.1	2,955.4	374.7	12.2	35.4	927.4	1,605.6

Source: Statistisches Bundesamt, Bevölkerung und Erwerbstätigkeit. Bevölkerung mit Migrationshintergrund. Ergebnisse des Mikrozensus 2005. Fachserie 1 Reihe 2.2, pp.232f, available at: <https://www-ec.destatis.de/csp/shop/sfg/bpm.html.cms.cBroker.cls?cmspath=struktur,vollanzeige.csp&ID=1020312> (02.08.2007).

* The category “People with a migration background in a wider sense” includes the category “People with a migration background in the narrow sense” and “People whose migration background is not consistently definable”. “People whose migration background is not consistently definable” are Germans who were born in Germany, whose migration background depends on their parents, and who do not live in the same household as their parents. The information to identify this group is only available in the 2005 and 2009 micro census.

** The category “People with a migration background in the narrow sense” includes all people who immigrated to Germany (Germans and foreigners), foreigners who are born in Germany, naturalised citizens, and Germans with at least one parent who immigrated to Germany or at least one parent who was born in Germany as a foreigner. “People whose migration background is not consistently definable” are not included.

/ = no reliable data available; - =no data available.

Table 27: Occupational status of persons employed in jobs subject to social payments according to nationality and sex (June 30, 2004)*

	Men			Women		
	Ethnic German migrants	Foreigners ¹	Germans ¹	Ethnic German migrants	Foreigners ¹	Germans ¹
White-collar worker	5.1	18.9	43.9	28.0	45.9	79.2
Skilled worker, master craftsman	23.4	23.9	35.2	7.7	6.0	8.0
Non-skilled worker	71.5	57.2	20.9	64.2	48.2	12.8

Source: A. Brück-Klingberg; C. Burkert; H. Seibert; R. Wapler (2007)

„Spätaussiedler mit höherer Bildung sind öfter arbeitslos“, in: IAB

Kurzbericht. Vol. 8/2.4.2007, p.4, available at:

<http://doku.iab.de/kurzber/2007/kb0807.pdf> (24.09.2007).

¹ Without ethnic German migrants.

* The IEB database is generated at the *Institut für Arbeitsmarkt und Berufsforschung* [Institute for Employment Research] by combining different sources of individual data collected by the *Bundesagentur für Arbeit* [Federal Labour Agency] for administrative purpose. The IEB only includes employment subject to social security contributions, i.e. civil servants and the self-employed are not included.

Employed persons according to selected types of employment

Table 28a: Gainfully employed persons by migration status and selected types of employment in 1000 (2005)

	Total	Persons without a migration background	Persons with a migration background in the wider sense*	Persons with a migration background in the narrow sense**				
				All	Germans		Foreigners	
					with	without	with	without
					own migration experiences			
Regularly work on Saturdays	5,933.8	4,927.2	1,006.6	971.2	435.1	53.3	398.7	84.1
Regularly work on Sundays or official holidays	3,488.2	2,882.1	606.1	584.6	260.8	26.6	254.7	42.5
Shift work	1,878.1	1,475.5	402.7	392.3	190.7	18.4	155.5	27.6
Regular additional job	324.7	273.5	51.2	47.7	21.7	/	19.9	/
Mini-job	3,361.5	2,633.1	728.4	703.4	267.6	42.4	342.6	50.8
All gainfully employed persons	36,556.5	30,513.1	6,053.4	5,861.9	2,474.1	340.5	2,561.5	485.9

Source: Statistisches Bundesamt, Bevölkerung und Erwerbstätigkeit. Bevölkerung mit Migrationshintergrund. Ergebnisse des Mikrozensus 2005. Fachserie 1 Reihe 2.2, p.34, available at: <https://www-ec.destatis.de/csp/shop/sfg/bpm.html.cms.cBroker.cls?cmspath=struktur,vollanzeige.csp&ID=1020312> (02.08.2007).

- * The category “People with a migration background in a wider sense” includes the category “People with a migration background in the narrow sense” and “People whose migration background is not consistently definable”. “People whose migration background is not consistently definable” are Germans who were born in Germany, whose migration background depends on their parents, and who do not live in the same household as their parents. The information to identify this group is only available in the 2005 and 2009 micro census.
- ** The category “People with a migration background in the narrow sense” includes all people who immigrated to Germany (Germans and foreigners), foreigners who are born in Germany, naturalised citizens, and Germans with at least one parent who immigrated to Germany or at least one parent who was born in Germany as a foreigner. “People whose migration background is not consistently definable” are not included.

/ = no reliable data available.

Table 28b: Gainfully employed persons by migration status and selected types of employment in per cent of the respective population (2005)

Selected types of employment	Total	Persons a without migration background	Persons with a migration background in the wider sense*	Persons with a migration background in the narrow sense**				
				All	Germans		Foreigners	
					with	without		with
					own migration experiences			
Regularly work on Saturdays	100.0	83.0	17.0	16.4	7.3	0.9	6.7	1.4
Regularly work on Sundays or official holidays	100.0	82.6	17.4	16.8	7.5	0.8	7.3	1.2
Shift work	100.0	78.6	21.4	20.9	10.2	1.0	8.3	1.5
Regular additional job	100.0	84.2	15.8	14.7	6.7	/	6.1	/
Minor job	100.0	78.3	21.7	20.9	8.0	1.3	10.2	1.5
All gainfully employed persons	100.0	83.4	16.6	16.0	7.3	0.9	6.7	1.4

Source: Statistisches Bundesamt, *Bevölkerung und Erwerbstätigkeit. Bevölkerung mit Migrationshintergrund. Ergebnisse des Mikrozensus 2005. Fachserie 1 Reihe 2.2, p.35*, available at: <https://www-ec.destatis.de/csp/shop/sfg/bpm.html.cms.cBroker.cls?cmspath=struktur,vollanzeige.csp&ID=1020312> (02.08.2007).

* The category "People with a migration background in a wider sense" includes the category "People with a migration background in the narrow sense" and "People whose migration background is not consistently definable". "People whose migration background is not consistently

definable” are Germans who were born in Germany, whose migration background depends on their parents, and who do not live in the same household as their parents. The information to identify this group is only available in the 2005 and 2009 micro census.

** The category “People with a migration background in the narrow sense” includes all people who immigrated to Germany (Germans and foreigners), foreigners who are born in Germany, naturalised citizens, and Germans with at least one parent who immigrated to Germany or at least one parent who was born in Germany as a foreigner. “People whose migration background is not consistently definable” are not included.

/ = no reliable data available.

Table 29: Gainfully employed persons by migrations status, age and selected types of employment in 100.00 (2005)

Population	Regularly work on Saturdays	Regularly work on Sundays/holidays	Regularly shift work	Regularly additional employment	Minor job– total	Exclusively minor job
Persons without migration background	4,927.2	2,882.1	1,475.5	273.5	2,982.8	2,633.1
age in years						
Less than 16	/	/	–	–	7.8	7.8
16 – 25	546.8	298.4	172.7	23.2	372.5	350.0
25 – 35	962.8	568.6	307.3	62.0	501.7	426.2
35 – 45	1,579.2	914.8	480.6	97.4	810.9	683.6
45 – 55	1,268.8	764.7	390.4	62.5	641.0	551.2
55 – 65	517.0	306.5	121.0	25.9	423.9	392.5
65 and more	51.5	29.0	/	/	225.1	221.8
25 – 65	4,327.8	2,554.5	1,299.3	247.8	2,377.5	2,053.5
Persons with migration background in the narrow sense*	971.2	584.6	392.3	47.7	776.0	703.4
age in years						
Less than 16	/	/	–	–	/	/
16 – 25	118.2	53.9	32.2	/	115.7	110.4
25 – 35	263.7	154.8	102.1	14.6	223.2	203.6
35 – 45	279.6	179.1	115.9	15.1	206.7	180.7
45 – 55	222.8	144.3	103.0	9.3	141.7	126.9
55 – 65	81.4	50.2	38.1	/	65.6	59.0
65 and more	5.4	/	/	/	21.7	21.4
25 – 65	847.5	528.3	359.2	43.2	637.2	570.3

Source: Statistisches Bundesamt, Bevölkerung und Erwerbstätigkeit. Bevölkerung mit Migrationshintergrund. Ergebnisse des Mikrozensus 2005. Fachserie 1 Reihe 2.2, pp.249, available at: <https://www-ec.destatis.de/csp/shop/sfg/bpm.html.cms.cBroker.cls?cmspath=struktur,vollanzeige.csp&ID=1020312> (02.08.2007).

* The category “People with a migration background in the narrow sense” includes all people who immigrated to Germany (Germans and foreigners), foreigners who are born in Germany, naturalised citizens, and Germans with at least one parent who immigrated to Germany or at least one parent who was born in Germany as a foreigner. “People whose migration background is not consistently definable” are not included. “People whose migration background is not consistently definable” are Germans who were born in Germany, whose migration background depends on their parents, and who do not live in the same household as their parents.

/ = no reliable data available; - =no data available.

Table 30: Female gainfully employed persons by migrations status, age, and selected types of employment in 100.00 (2005)

Women	Regularly work on Saturdays	Regularly work on Sundays/holidays	Regularly shift work	Regularly additional employment	Minor job– total	Exclusively minor job
Persons without migration background	2,437.3	1,367.6	655.1	113.9	2,169.9	1,983.2
age in years						
Less than 16	/	–	–	–	/	/
16 – 25	313.5	170.1	89.6	12.3	206.7	194.8
25 – 35	470.7	276.9	134.3	28.1	337.8	295.4
35 – 45	748.4	408.0	203.9	38.9	677.0	607.6
45 – 55	646.0	371.4	175.1	26.8	524.2	474.9
55 – 65	240.3	131.2	51.2	7.0	308.1	295.4
65 and more	18.0	10.2	/	/	112.3	111.4
25 – 65	2,105.4	1,187.4	564.6	100.0.9	1,847.2	1,673.3
Persons with migration background in the wider sense*	470.8	285.3	131.0	20.0	559.1	520.5
Persons with migration background in the narrow sense**	452.3	273.7	126.2	18.5	541.2	504.6
age in years						
Less than 16	/	/	–	–	/	/
16 – 25	67.6	26.1	11.8	/	64.6	61.1
25 – 35	109.3	63.0	29.3	5.7	150.5	141.6

35 – 45	116.8	78.5	32.8	6.5	160.4	147.7
45 – 55	118.9	80.0	39.0	/	110.6	101.8
55 – 65	37.3	25.0	13.1	/	45.7	43.0
65 and more	/	/	/	–	8.8	8.7
25 – 65	382.2	246.5	114.1	16.7	467.2	434.2

Source: Statistisches Bundesamt, Bevölkerung und Erwerbstätigkeit. Bevölkerung mit Migrationshintergrund. Ergebnisse des Mikrozensus 2005. Fachserie 1 Reihe 2.2, pp.265, available at: <https://www-ec.destatis.de/csp/shop/sfg/bpm.html.cms.cBroker.cls?cmspath=struktur,vollanzeige.csp&ID=1020312> (02.08.2007).

* The category “People with a migration background in a wider sense” includes the category “People with a migration background in the narrow sense” and “People whose migration background is not consistently definable”. “People whose migration background is not consistently definable” are Germans who were born in Germany, whose migration background depends on their parents, and who do not live in the same household as their parents. The information to identify this group is only available in the 2005 and 2009 micro census.

** The category “People with a migration background in the narrow sense” includes all people who immigrated to Germany (Germans and foreigners), foreigners who are born in Germany, naturalised citizens, and Germans with at least one parent who immigrated to Germany or at least one parent who was born in Germany as a foreigner. “People whose migration background is not consistently definable” are not included.

/ = no reliable data available; - =no data available.

Table 31: Male gainfully employed persons by migration status, age and selected types of employment in 100.00 (2005)

Men	Regularly work on Saturdays	Regularly work on Sundays/holidays	Regularly shift work	Regularly additional employment	Minor job– total	Exclusively minor job
Persons without migration background	2,489.9	1,514.5	820.4	159.7	812.9	649.9
age in years						
Less than 16	/	/	–	–	/	/
16 – 25	233.4	128.4	83.1	10.9	165.8	155.2
25 – 35	492.0	291.7	173.0	33.9	163.9	130.9
35 – 45	830.8	506.8	276.6	58.4	133.9	76.0
45 – 55	622.9	393.3	215.3	35.7	116.7	76.3
55 – 65	276.8	175.3	69.8	18.9	115.8	97.1
65 and more	33.6	18.8	/	/	112.7	110.4
25 – 65	2,222.5	1,367.1	734.7	147.0	530.3	380.2
Persons with migration background in the wider sense*	535.7	320.8	271.7	31.1	245.7	207.9
Persons with migration background in the narrow sense**	518.9	310.9	266.1	29.1	234.8	198.8
age in years						
Less than 16	–	–	–	–	/	/
16 – 25	50.6	27.8	20.4	/	51.1	49.2
25 – 35	154.4	91.8	72.8	8.9	72.7	62.0

35 – 45	162.8	100.0.6	83.1	8.6	46.3	33.0
45 – 55	104.0	64.3	64.0	5.9	31.1	25.1
55 – 65	44.1	25.2	25.1	/	19.9	16.1
65 and more	/	/	/	/	13.0	12.7
25 – 65	465.3	281.9	245.0	26.4	170.0	136.1

Source: Statistisches Bundesamt, Bevölkerung und Erwerbstätigkeit. Bevölkerung mit Migrationshintergrund. Ergebnisse des Mikrozensus 2005. Fachserie 1 Reihe 2.2, pp.257, available at: <https://www-ec.destatis.de/csp/shop/sfg/bpm.html.cms.cBroker.cls?cmspath=struktur,vollanzeige.csp&ID=1020312> (02.08.2007).

* The category “People with a migration background in a wider sense” includes the category “People with a migration background in the narrow sense” and “People whose migration background is not consistently definable”. “People whose migration background is not consistently definable” are Germans who were born in Germany, whose migration background depends on their parents, and who do not live in the same household as their parents. The information to identify this group is only available in the 2005 and 2009 micro census.

** The category “People with a migration background in the narrow sense” includes all people who immigrated to Germany (Germans and foreigners), foreigners who are born in Germany, naturalised citizens, and Germans with at least one parent who immigrated to Germany or at least one parent who was born in Germany as a foreigner. “People whose migration background is not consistently definable” are not included.

/ = no reliable data available; - =no data available.

Table 32a: Gainfully employed persons by migration status and weekly hours in 1000 (2005)

Working hours	Total	Persons without migration background	with migration background in the wider sense*	with migration background in the narrow sense**
Less than 10	1,527.0	1,234.3	292.7	282.2
10 – 20	4,679.2	3,780.6	898.6	871.1
21 – 31	2,975.7	2,534.5	441.3	430.7
32 – 35	2,174.5	1,711.4	463.1	450.8
36 – 39	7,844.0	6,547.2	1,296.8	1,247.0
40 – 44	12,677.3	10,639.1	2,038.3	1,977.7
45 and more	4,688.8	4,066.1	622.7	602.4

Table 32b: Gainfully employed persons by migration status and weekly hours in per cent of the respective population (2005)

Working hours	Total	Persons without migration background	with migration background in the wider sense*	with migration background in the narrow sense**
Less than 10	100.0	80.8	19.2	18.5
10 – 20	100.0	80.8	19.2	18.6
21 – 31	100.0	85.2	14.8	14.5
32 – 35	100.0	78.7	21.3	20.7
36 – 39	100.0	83.5	16.5	15.9
40 – 44	100.0	83.9	16.1	15.6
45 and more	100.0	86.7	13.3	12.8

Source: Statistisches Bundesamt, *Bevölkerung und Erwerbstätigkeit. Bevölkerung mit Migrationshintergrund. Ergebnisse des Mikrozensus 2005. Fachserie 1 Reihe 2.2, pp.35-36, available at: <https://www-ec.destatis.de/csp/shop/sfg/bpm.html.cms.cBroker.cls?cmspath=struktur,vollanzeige.csp&ID=1020312> (02.08.2007).*

* The category “People with a migration background in a wider sense” includes the category “People with a migration background in the narrow sense” and “People whose migration background is not consistently definable”. “People whose migration background is not consistently definable” are Germans who were born in Germany, whose migration background depends on their parents, and who do not live in the same household as their parents. The information to identify this group is only available in the 2005 and 2009 micro census.

** The category “People with a migration background in the narrow sense” includes all people who immigrated to Germany (Germans and foreigners), foreigners who are born in Germany, naturalised citizens, and Germans with at least one parent who immigrated to Germany or at least one parent who was born in Germany as a foreigner. “People whose migration background is not consistently definable” are not included.

Table 33: Gainfully employed persons by migrations status, weekly hours and age in 1000 (2005)

Population	Working hours						
	Up to 10	10 – 20	21 – 31	32 – 35	36 - 39	40 - 44	45 and more
Persons without migration background	1,234.3	3,780.6	2,534.5	1,711.4	6,547.2	10,639.1	4,066.1
age in years							
Less than 16	9.0	/	/	/	/	/	–
16 – 25	187.3	199.6	89.7	146.1	898.6	1,466.2	95.6
25 – 35	189.5	554.2	356.3	300.7	1,289.7	2,176.2	598.2
35 – 45	295.6	1,260.2	868.2	555.1	1,887.1	3,134.7	1,365.0
45 – 55	227.5	1,024.0	817.8	481.7	1,652.3	2,552.9	1,183.6
55 – 65	195.8	563.1	359.3	217.8	803.5	1,248.2	721.0
65 and more	129.6	178.9	43.1	9.8	14.7	59.0	102.7
25 – 65	908.3	3,401.4	2,401.5	1,555.3	5,632.6	9,112.0	3,867.8
Persons with migration background in the narrow sense*	282.2	871.1	430.7	450.8	1,247.0	1,977.7	602.4
age in years							
Less than 16	/	–	–	–	–	/	–
16 – 25	40.7	89.0	32.9	42.8	214.8	304.4	26.2
25 – 35	77.1	246.0	103.5	107.5	300.9	546.8	148.7
35 – 45	69.5	261.4	129.9	123.6	310.7	553.7	194.8
45 – 55	52.0	183.4	115.4	110.1	278.6	395.8	149.1
55 – 65	29.2	75.1	46.5	64.8	139.5	171.2	75.0
65 and more	12.3	16.2	/	/	/	5.8	8.6
25 – 65	227.8	765.9	395.3	406.0	1,029.6	1,667.5	567.7

Source: Statistisches Bundesamt, Bevölkerung und Erwerbstätigkeit. Bevölkerung mit Migrationshintergrund. Ergebnisse des Mikrozensus 2005. Fachserie 1 Reihe 2.2, pp.248f, available at: <https://www-ec.destatis.de/csp/shop/sfg/bpm.html.cms.cBroker.cls?cmspath=struktur,vollanzeige.csp&ID=1020312> (02.08.2007).

* The category “People with a migration background in the narrow sense” includes all people who immigrated to Germany (Germans and foreigners), foreigners who are born in Germany, naturalised citizens, and Germans with at least one parent who immigrated to Germany or at least one parent who was born in Germany as a foreigner. “People whose migration background is not consistently definable” are not included. “People whose migration background is not consistently definable” are Germans who were born in Germany, whose migration background depends on their parents, and who do not live in the same household as their parents.

/ = no reliable data available; - = no data available.

Table 34: Female gainfully employed persons by migration status, weekly hours and age in 1000 (2005)

Women	Working hours						
	Up to 10	10 – 20	21 – 31	32 – 35	36 - 39	40 - 44	45 and more
Persons without migration background	939.0	3,161.6	2,116.0	731.8	2,677.4	3,439.8	818.1
age in years							
Less than 16	/	/	–	/	/	/	–
16 – 25	102.1	125.0	64.8	55.0	436.2	595.8	29.0
25 – 35	142.0	410.3	272.6	133.8	633.5	782.4	139.3
35 – 45	272.4	1,162.0	744.8	232.5	693.0	902.5	252.7
45 – 55	200.5	932.4	716.8	215.8	639.1	795.4	251.0
55 – 65	148.8	454.7	299.8	91.4	270.0	347.4	128.8
65 and more	68.9	77.0	17.2	/	5.1	15.6	17.4
25 – 65	763.7	2,959.3	2,033.9	673.5	2,235.6	2,827.7	771.7
Persons with migration background in the wider sense*	221.6	667.7	331.5	148.9	500.6	556.0	122.0
Persons with migration background in the narrow sense**	214.3	649.4	323.0	142.9	476.9	532.5	117.2
age in years							
Less than 16	/	–	–	–	–	–	–
16 – 25	23.6	50.1	21.1	14.8	102.4	115.3	7.8

25 – 35	55.5	169.0	68.4	29.1	112.0	139.6	29.2
35 – 45	59.6	213.3	102.6	35.3	100.0	123.7	35.1
45 – 55	44.8	156.2	95.4	42.8	111.2	109.4	31.7
55 – 65	23.9	54.9	34.8	20.3	50.8	43.4	12.5
65 and more	6.0	5.8	/	/	/	/	/
25 – 65	183.9	593.5	301.2	127.3	374.0	416.1	108.5

Source: Statistisches Bundesamt, Bevölkerung und Erwerbstätigkeit. Bevölkerung mit Migrationshintergrund. Ergebnisse des Mikrozensus 2005. Fachserie 1 Reihe 2.2, pp.264f, available at: <https://www-ec.destatis.de/csp/shop/sfg/bpm.html.cms.cBroker.cls?cmspath=struktur,vollanzeige.csp&ID=1020312> (02.08.2007).

* The category “People with a migration background in a wider sense” includes the category “People with a migration background in the narrow sense” and “People whose migration background is not consistently definable”. “People whose migration background is not consistently definable” are Germans who were born in Germany, whose migration background depends on their parents, and who do not live in the same household as their parents. The information to identify this group is only available in the 2005 and 2009 micro census.

** The category “People with a migration background in the narrow sense” includes all people who immigrated to Germany (Germans and foreigners), foreigners who are born in Germany, naturalised citizens, and Germans with at least one parent who immigrated to Germany or at least one parent who was born in Germany as a foreigner. “People whose migration background is not consistently definable” are not included.

/ = no reliable data available; - = no data available.

Table 35: Male gainfully employed persons by migrations status, weekly hours and age in 1000 (2005)

Men	Working hours						
	Up to 10	10 – 20	21 – 31	32 – 35	36 - 39	40 - 44	45 and more
Persons without migration background	295.3	619.0	418.5	979.6	3,869.9	7,199.2	3,247.9
age in years							
Less than 16	/	/	/	/	/	/	–
16 – 25	85.2	74.6	24.9	91.0	462.4	870.4	66.6
25 – 35	47.5	143.8	83.7	166.9	656.2	1,393.8	458.9
35 – 45	23.1	98.3	123.4	322.6	1,194.0	2,232.2	1,112.3
45 – 55	27.0	91.6	101.0	265.9	1,013.2	1,757.5	932.6
55 – 65	47.0	108.3	59.5	126.4	533.6	900.7	592.2
65 and more	60.7	101.9	25.8	6.7	9.7	43.4	85.3
25 – 65	144.6	442.1	367.6	881.8	3,397.0	6,284.2	3,096.0
Persons with migration background in the wider sense*	71.1	230.9	109.8	314.2	796.2	1,482.3	500.7
Persons with migration background in the narrow sense**	67.9	221.7	107.7	308.0	770.2	1,445.2	485.3
of which: persons with former of actual citizenship of an EU-25 country	12.3	47.5	33.4	88.1	209.1	374.2	190.1
age in years							

Less than 16	/	–	–	–	–	/	–
16 – 25	17.0	38.9	11.7	28.0	112.4	189.1	18.4
25 – 35	21.6	77.0	35.1	78.4	188.9	407.2	119.5
35 – 45	9.8	48.0	27.3	88.4	210.6	430.0	159.8
45 – 55	7.2	27.2	20.1	67.4	167.5	286.5	117.5
55 – 65	5.4	20.2	11.6	44.6	88.7	127.8	62.5
65 and more	6.3	10.5	/	/	/	/	7.7
25 – 65	43.9	172.4	94.1	278.7	655.7	1,251.4	459.2

Source: Statistisches Bundesamt, *Bevölkerung und Erwerbstätigkeit. Bevölkerung mit Migrationshintergrund. Ergebnisse des Mikrozensus 2005. Fachserie 1 Reihe 2.2*, pp.256f, available at: <https://www-ec.destatis.de/csp/shop/sfg/bpm.html.cms.cBroker.cls?cmspath=struktur,vollanzeige.csp&ID=1020312> (02.08.2007).

* The category “People with a migration background in a wider sense” includes the category “People with a migration background in the narrow sense” and “People whose migration background is not consistently definable”. “People whose migration background is not consistently definable” are Germans who were born in Germany, whose migration background depends on their parents, and who do not live in the same household as their parents. The information to identify this group is only available in the 2005 and 2009 micro census.

** The category “People with a migration background in the narrow sense” includes all people who immigrated to Germany (Germans and foreigners), foreigners who are born in Germany, naturalised citizens, and Germans with at least one parent who immigrated to Germany or at least one parent who was born in Germany as a foreigner. “People whose migration background is not consistently definable” are not included.

/ = no reliable data available; – = no data available.

Working conditions

Data from the BIBB/BAuA Workforce Survey 2006

Table 36: Working condition and resulting strain in per cent, 2006

Working conditions¹ and resulting strain²	Germans without a migration background*	Germans with a migration background*	Foreigners**
Working in a standing position	55	65	62
<i>Perceived as strain</i>	20	33	33
Working in a sitting position	55	42	47
<i>Perceived as strain</i>	16	20	19
Lifting and carrying heavy loads³	23	26	24
<i>Perceived as strain</i>	41	55	55
Smoke, dust, gas, vapours	13	18	19
<i>Perceived as strain</i>	49	60	66
Coldness, heat, moisture, humidity, draught	21	22	23
<i>Perceived as strain</i>	46	60	60
Oil, grease, dirt	17	23	22
<i>Perceived as strain</i>	24	39	43
Uncomfortable position (bent, crouched, kneeling, lying)	14	16	20
<i>Perceived as strain</i>	37	46	49
Jolting, blows, vibrations	5	4	5
<i>Perceived as strain</i>	42	59	65
Glaring light, bad lighting	9	9	11
<i>Perceived as strain</i>	48	55	52
Hazardous materials, radiation	7	7	8
<i>Perceived as strain</i>	28	37	50
Noise	23	27	27
<i>Perceived as strain</i>	47	52	51
Working with safety gear	20	29	25
<i>Perceived as strain</i>	11	12	17
Micro organisms (pathogens, germs, mould, viruses)	7	9	8

<i>Perceived as strain</i>	34	35	35
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Source: BIBB/BAuA-Erwerbstätigenbefragung 2006 – Arbeit und Beruf im Wandel, Erwerb und Verwertung beruflicher Qualifikation data available on request from the Bundesanstalt für Arbeitsschutz und Arbeitsmedizin (BAuA) [Federal Institute for Occupational Safety and Health], contact person: Frank Brenscheidt.

* Germans whose mother tongue is not German.

** The representativeness of the survey is restricted concerning foreigners, since only those foreigners with sufficient German language skills were interviewed.

¹ People who frequently work under the respective conditions.

² The basis is constituted by people who frequently and often work under the respective conditions.

³ For men more than 20kg and for women more than 10kg.

Table 37: Frequent job requirements and resulting strain, 2006

Job requirements¹ and resulting strain²	Germans without a migration background*	Germans with a migration background*	Foreigners**
Job leads to emotionally taxing situations	12	12	13
Deadline and performance pressure	54	46	50
<i>Perceived as strain</i>	51	55	56
Procedures prescribed in detail	22	25	29
<i>Perceived as strain</i>	25	29	30
Work processes are repetitive in every detail	51	54	54
<i>Perceived as strain</i>	11	18	21
New tasks	40	32	34
<i>Perceived as strain</i>	12	12	18
Disturbances at work; interruptions (by colleagues, poor material, machine malfunctions, the telephone)	47	40	40
<i>Perceived as strain</i>	49	48	53
Minimum quantities/ performance / prescribed working time	30	36	36
<i>Perceived as strain</i>	38	41	44
Skills are demanded that have not been learnt	9	8	10
<i>Perceived as strain</i>	34	35	38
Multitasking / many tasks are to be monitored simultaneously	60	52	54
<i>Perceived as strain</i>	22	22	31
Small errors cause high financial losses	15	14	15
<i>Perceived as strain</i>	48	52	58
Working at the individual limit of performance	17	15	22
<i>Perceived as strain</i>	58	60	63
Necessary to work very fast	43	48	49
<i>Perceived as strain</i>	34	42	44

Source: BIBB/BAuA-Erwerbstätigenbefragung 2006 – Arbeit und Beruf im Wandel, Erwerb und Verwertung beruflicher Qualifikation data available on request from the Bundesanstalt für Arbeitsschutz und Arbeitsmedizin (BAuA) [Federal Institute for Occupational Safety and Health], contact person: Frank Brenscheidt.

* Germans whose mother tongue is not German.

** The representativeness of the survey is restricted concerning foreigners, since only those foreigners with sufficient German language skills were interviewed.

¹ People who frequently work under the respective conditions.

² The basis is constituted by people who frequently and often work under the respective conditions.

³ For men more than 20kg and for women more than 10kg.

Income

Table 38a: Personal monthly net income of the population by migration status in 1000 (2005)

Income in Euro	Total	Persons without a migration background	Persons with a migration background in the wider sense*	Persons with a migration background in the narrow sense**
Less than 500	12,628.6	9,768.6	2,860.0	2,714.9
500 - 900	12,412.4	10,198.8	2,213.5	2,152.4
900 - 1,300	13,458.2	11,535.3	1,922.9	1,871.7
1,300 - 1,500	5,428.1	4,671.7	756.4	737.5
1,500 - 2,000	8,436.7	7,226.0	1,210.7	1,180.0
2,000 - 2,600	4,901.1	4,359.6	541.6	527.0
2,600 - 3,200	2,039.6	1,867.5	172.1	165.6
3,200 - 4,500	1,627.0	1,502.4	124.6	119.1
more than 4,500	882.8	799.6	83.3	81.3

Table 38b: Personal monthly net income of the population by migration status in per cent (2005)

Income in Euro	Total	Persons without a migration background	Persons with a migration background in the wider sense*	Persons with a migration background in the narrow sense**
Less than 500	100.0	77.4	22.6	21.5
500 - 900	100.0	82.2	17.8	17.3
900 - 1,300	100.0	85.7	14.3	13.9
1,300 - 1,500	100.0	86.1	13.9	13.6
1,500 - 2,000	100.0	85.6	14.4	14.0
2,000 - 2,600	100.0	89.0	11.0	10.8
2,600 - 3,200	100.0	91.6	8.4	8.1
3,200 - 4,500	100.0	92.3	7.7	7.3
more than 4,500	100.0	90.6	9.4	9.2

Source: Statistisches Bundesamt, *Bevölkerung und Erwerbstätigkeit. Bevölkerung mit Migrationshintergrund. Ergebnisse des Mikrozensus 2005. Fachserie 1 Reihe 2.2*, pp. 33-34, available at: <https://www-ec.destatis.de/csp/shop/sfg/bpm.html.cms.cBroker.cls?cmspath=struktur,vollanzeige.csp&ID=1020312> (02.08.2007).

* The category "People with a migration background in a wider sense" includes the category "People with a migration background in the narrow sense" and "People

whose migration background is not consistently definable”. “People whose migration background is not consistently definable” are Germans who were born in Germany, whose migration background depends on their parents, and who do not live in the same household as their parents. The information to identify this group is only available in the 2005 and 2009 micro census.

** The category “People with a migration background in the narrow sense” includes all people who immigrated to Germany (Germans and foreigners), foreigners who are born in Germany, naturalised citizens, and Germans with at least one parent who immigrated to Germany or at least one parent who was born in Germany as a foreigner. “People whose migration background is not consistently definable” are not included.

Annex C2: Education

Table 1: Distribution of German and foreign pupils by different school types and sex in total numbers, 2005

Type of school	German pupils			Foreign pupils		
	All	Males	Females	All	Males	Females
Pre-school education	24,255	15,381	8,874	5,793	3,302	2,491
Primary education schools ¹	2,855,343	1,453,024	1,402,319	356,753	181,588	175,165
Lower secondary education schools ²	4,524,867	2,293,118	2,231,749	459,504	233,202	226,302
Upper secondary education schools ³	820,582	366,755	453,827	41,931	18,663	23,268
Special schools	350,663	223,198	127,465	65,550	39,737	25,813
Total	8,575,710	4,351,476	4,224,234	929,531	476,492	453,039

Source: Statistisches Bundesamt (2006) *Bildung und Kultur, Allgemeinbildende Schulen - Schuljahr 2005/06, Fachserie 11, Reihe 1, Tab. 3.3, p. 64*; available at: <https://www-ec.destatis.de/csp/shop/sfg/bpm.html.cms.cBroker.cls?cmspath=struktur,vollanzeige.csp&ID=1019280> (18.09.2007).

¹ Primary education schools include primary schools and first to fourth grade of integrated comprehensive schools and Waldorf schools.

² Lower secondary education schools encompasses grade five to ten of integrated comprehensive schools, grammar schools (*Gymnasien*) and Waldorf schools, as well as orientation units, lower secondary (evening) schools, intermediate secondary (evening) schools, school types with several courses of education.

³ Academic secondary schools encompasses grade 11 to 13 of integrated comprehensive schools, grammar schools and Waldorf schools as well as academic evening schools, courses of lectures.

Table 2: Distribution of foreign pupils by school types, 2001/02–2005/06 (total numbers and percentages)

Type of school	2001/02		2002/03		2003/04		2004/05		2005/06	
	Total	Percentage of all pupils	Total	Percentage of all pupils	Total	Percentage of all pupils	Total	Percentage of all pupils	Total	Percentage of all pupils
Preschool classes	5,473	21.0	4,817	25.1	4,631	24.0	4,340	23.3	1,272	15.5
School-internal kindergarten ¹	9,236	25.1	8,595	24.1	8,196	23.7	6,961	23.7	4,521	20.7
Primary schools	387,172	12.1	377,827	12.0	369,417	11.7	361,419	11.5	354,277	11.2
Orientation units	32,959	8.5	33,320	9.5	32,389	11.3	18,216	16.4	16,001	15.6
Lower secondary schools	196,934	17.7	202,471	18.2	203,142	18.6	203,092	18.7	193,618	18.9
School types with several courses of education	8,568	1.9	9,538	2.2	11,406	2.7	11,864	3.1	12,100	3.6
Intermediate secondary schools	84,351	6.6	87,505	6.8	91,107	7.0	97,868	7.2	99,058	7.5
Upper secondary/grammar school (total)	88,594	3.9	90,237	3.9	92,752	4.0	98,371	4.1	101,660	4.2
Lower secondary level ³	62,945	3.9	64,352	3.9	66,043	4.0	70,296	4.1	72,028	4.2
Upper secondary level ⁴	25,649	3.9	25,885	3.9	26,709	4.0	28,075	4.0	29,632	4.0
Integrated comprehensive schools (total)	66,816	12.2	68,304	12.5	69,924	12.8	70,463	13.1	70,392	13.5
Primary level ²	2,653	16.1	2,656	16.3	2,682	16.4	2,145	14.2	1,986	19.4
Lower	57,941	12.3	59,395	12.7	60,521	13.1	60,803	13.5	60,230	13.9

secondary level ³										
Upper secondary level ⁴	6,222	10.2	6,253	10.0	6,721	10.1	7,515	10.5	8,176	10.7
Waldorf schools (total)	1,525	2.2	1,595	2.2	1,575	2.1	1,575	2.1	1,616	2.1
Primary level ²	479	2.1	493	2.1	479	2.0	468	1.9	490	1.9
Lower secondary level ³	733	2.1	758	2.1	774	2.1	762	2.0	761	2.0
Upper secondary level ⁴	313	2.5	344	2.7	322	2.5	345	2.5	365	2.6
Special needs schools	65,436	15.4	67,846	15.8	68,663	16.0	67,421	15.9	65,550	15.7
Lower secondary evening schools	511	42.6	482	40.1	536	40.8	501	38.6	474	35.0
Intermediate secondary evening schools	4,518	27.2	4,934	28.5	5,305	27.6	5,471	26.3	5,234	24.1
Upper secondary evening schools	2,645	15.6	2,919	15.9	2,780	14.2	2,755	13.4	2,753	13.0
Kollegs ⁵	980	7.2	991	6.5	1,012	6.1	997	5.6	1,005	5.5
Total	955,718	9.7	961,381	9.8	962,835	9.9	951,314	9.9	929,531	9.8

Source: Statistisches Bundesamt (2006) *Bildung und Kultur, Allgemeinbildende Schulen - Schuljahr 2005/06, Fachserie 11, Reihe 1, Tab. 4.1.1 and Tab. 4.1.2, 2005/2006, pp. 180, 187*; available at: <https://www-ec.destatis.de/csp/shop/sfg/bpm.html.cms.cBroker.cls?cmspath=struktur,vollanzeige.csp&ID=1019279> (18.09.2007).

¹ School establishment for children who, although they have reached the compulsory school age, have not yet attained an adequate level of development to start school.

² Grade 1-4 ³ Grade 5-10 ⁴ Grade 11-13

⁵ Institutes preparing for higher education (entitles to post-secondary studies at university)

Table 3: Distribution of German and foreign school leavers by sex and types of school leaving certificates, 1995 and 2005 (total numbers and percentages)

Type of school leaving certificate	Germans						Foreigners					
	All		Males		Females		All		Males		Females	
	Total numbers	%	Total numbers	%	Total numbers	%	Total numbers	%	Total numbers	%	Total numbers	%
1995												
Without (lower secondary) school leaving certificate	59,656	7.7	39,159	9.8	20,497	5.4	16,349	19.7	10,172	23.2	6,177	15.8
Lower secondary school certificate	200,082	25.7	115,572	28.9	84,510	22.3	36,324	43.8	19,241	43.9	17,083	43.8
Intermediate secondary school certificate	312,652	40.1	151,106	37.8	161,546	42.6	22,242	26.8	10,605	24.2	11,637	29.8
Advanced Technical Certificate ¹	5,891	0.8	2,785	0.7	3,106	0.8	631	0.8	296	0.7	335	0.9
Upper secondary leaving certificate (A-level)	200,535	25.7	91,044	22.8	109,491	28.9	7,307	8.8	3,538	8.1	3,769	9.7
Total	778,816	100	399,666	100	379,150	100	82,853	100	43,852	100	39,001	100
2005												
Without (lower secondary) school leaving certificate	63,196	7.2	40,340	9.1	22,856	5.3	14,956	17.4	9,416	20.9	5,540	13.6
Lower secondary school certificate	202,143	23.2	117,515	26.5	84,628	19.7	35,569	41.4	19,277	42.7	16,292	39.9
Intermediate secondary school	371,969	42.6	183,256	41.3	188,713	44.0	26,780	31.2	12,629	28.0	14,151	34.7

certificate												
Advanced Technical Certificate ¹	11,239	1.3	5,344	1.2	5,895	1.4	1,168	1.4	553	1.2	615	1.5
Upper secondary leaving certificate (A-level)	223,991	25.7	96,787	21.8	127,204	29.6	7,474	8.7	3,265	7.2	4,209	10.3
Total	873,190	100	443,591	100	429,599	100	85,295	100	44,791	100	40,504	100

Source: Statistisches Bundesamt (2006) *Bildung und Kultur, Allgemeinbildende Schulen – Schuljahr 2005/06, Fachserie 11, Reihe 1, Tab. 6.4, 2005/2006, p. 255, available at: <https://www-ec.destatis.de/csp/shop/sfg/bpm.html.cms.cBroker.cls?cmspath=struktur,vollanzeige.csp&ID=1019280>* (02.08.2007)

¹ Advanced Technical Certificate (Fachhochschulreife) entitle to post-secondary technical colleges.

Table 4: Population by migration status, age, sex and school leaving certificate in 1,000 and percentages of respective population, 2005

Population	With school leaving certificate						Without school leaving certificate					
	All		Men		Women		All		Men		Women	
	Total	%	Total	%	Total	%	Total	%	Total	%	Total	%
	Persons without migration background											
Total	55,553.3	82.8	26,681.0	82.0	28,872.4	83.5	11,579.1	17.2	5,862.4	18.0	5,716.7	16.5
Age group												
<25	4,502.0	29.7	2,354.2	30.1	2,147.8	29.1	10,675.8	70.3	5,454.2	69.9	5,221.7	70.9
25 – 35	7,014.3	98.1	3,580.8	97.9	3,433.5	98.2	137.9	1.9	76.4	2.1	61.5	1.8
35 – 45	11,165.1	98.2	5,640.6	98.0	5,524.5	98.4	200.2	1.8	112.7	2.0	87.5	1.6
45 – 55	9,791.9	98.5	4,861.0	98.3	4,930.9	98.6	152.1	1.5	84.3	1.7	67.9	1.4
55 – 65	8,291.4	99.0	4,072.1	99.0	4,219.2	99.0	87.6	1.0	42.9	1.0	44.8	1.0
65>	1,488.7	97.8	6,172.3	98.5	8,616.4	97.4	325.5	2.2	91.9	1.5	233.5	2.6
25 – 65	36,262.6	98.4	18,154.5	98.3	18,108.1	98.6	577.8	1.6	316.3	1.7	261.5	1.4
Persons with migration background in the wider sense*												
Total	9,615.3	62.7	4,963.1	63.7	4,652.1	61.7	5,717.7	37.3	2,832.1	36.3	2,885.6	38.3
Persons with migration background in the narrow sense**												
Total	9,341.0	63.2	4,828.8	64.2	4,512.2	62.2	5,443.8	36.8	2,697.6	35.8	2,746.3	37.8
Age group												
<25	1,268.0	23.7	653.9	23.7	614.1	23.7	4,075.4	76.3	2,099.8	76.3	1,975.6	76.3
25 – 35	2,294.8	90.1	1,181.0	91.5	1,113.8	88.6	252.7	9.9	110.1	8.5	142.6	11.4
35 – 45	2,084.5	87.0	1,099.7	88.4	984.8	85.4	312.4	13.0	143.9	11.6	168.5	14.6
45 – 55	1,632.6	86.6	823.3	89.1	809.3	84.2	252.8	13.4	100.5	10.9	152.2	15.8
55 – 65	1,095.7	80.3	589.4	82.5	506.3	77.8	269.7	19.7	125.3	17.5	144.3	22.2
65>	965.5	77.5	481.6	80.3	483.9	74.8	281.0	22.5	118.0	19.7	163.0	25.2
25 – 65	7,107.5	86.7	3,693.3	88.5	3,414.2	84.9	1,087.5	13.3	479.8	11.5	607.7	15.1
Persons with own migration experience												
Total	8,110.7	78.0	4,137.8	79.5	3,972.9	76.5	2,288.3	22.0	1,069.9	20.5	1,218.4	23.5
Age group												
<25	808.5	45.4	396.2	44.3	412.3	46.5	972.7	54.6	497.4	55.7	475.3	53.5

25 – 35	1,808.1	89.0	901.0	90.4	907.1	87.6	224.2	11.0	95.3	9.6	129.0	12.4
35 – 45	1,934.7	86.5	1,015.3	88.0	919.4	84.8	302.8	13.5	138.5	12.0	164.3	15.2
45 – 55	1,585.2	86.5	797.8	89.0	787.4	84.1	247.0	13.5	98.5	11.0	148.5	15.9
55 – 65	1,052.3	79.8	564.0	81.9	488.3	77.6	265.9	20.2	124.8	18.1	141.1	22.4
65>	921.9	77.0	463.5	80.1	458.4	74.1	275.6	23.0	115.5	19.9	160.1	25.9
25 – 65	6,380.3	86.0	3,278.1	87.8	3,102.2	84.2	1,039.9	14.0	457.0	12.2	582.9	15.8
Persons without own migration experience												
Total	1,230.2	28.1	691.0	29.8	539.3	26.1	3,155.5	71.9	1,627.6	70.2	1,527.9	73.9
Age group												
<25	459.5	12.9	257.7	13.9	201.8	11.9	3,102.7	87.1	1,602.4	86.1	1,500.3	88.1
25 – 35	486.7	94.5	280.0	95.0	206.7	93.8	28.5	5.5	14.8	5.0	13.6	6.2
35 – 45	149.8	94.0	84.4	94.0	65.4	94.1	9.5	6.0	5.4	6.0	/	/
45 – 55	47.4	89.1	25.4	92.7	21.9	85.3	5.8	10.9	/	/	/	/
55 – 65	43.4	92.1	25.4	98.0	18.0	84.9	/	/	/	/	/	/
65>	43.5	89.1	18.0	87.9	25.5	89.9	5.4	10.9	/	/	/	/
25 – 65	727.2	93.9	415.2	94.8	312.0	92.6	47.5	6.1	22.8	5.2	24.8	7.4

Source: Statistisches Bundesamt (2007) *Bevölkerung und Erwerbstätigkeit. Bevölkerung mit Migrationshintergrund. Ergebnisse des Mikrozensus 2005. Fachserie 1, Reihe 2.2, Tab. 9, pp. 136-151*, available at: <https://www-ec.destatis.de/csp/shop/sfg/bpm.html.cms.cBroker.cls?cmspath=struktur,vollanzeige.csp&ID=1020312> (02.08.2007).

* The category “People with a migration background in a wider sense” includes the category “People with a migration background in the narrow sense” and “People whose migration background is not consistently definable”. “People whose migration background is not consistently definable” are Germans who were born in Germany, whose migration background depends on their parents, and who do not live in the same household as their parents. The information to identify this group is only available in the 2005 and 2009 micro census.

** The category “People with a migration background in the narrow sense” includes all people who immigrated to Germany (Germans and foreigners), foreigners who are born in Germany, naturalised citizens, and Germans with at least one parent who immigrated to Germany or at least one parent who was born in Germany as a foreigner. “People whose migration background is not consistently definable” are not included.

/ = no reliable data available.

Table 5: Population by migration status, age, sex and highest achieved school leaving certificate (in 1,000 of respective population), 2005

Population	Lower secondary school leaving certificate		Polytechnic secondary school leaving certificate		Intermediate secondary school leaving certificate		Advanced Technical Certificate ¹		Upper secondary leaving certificate (A-level)	
	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women
Persons without migration background										
Total	11,739.6	13,371.5	2,231.0	2,309.2	5,243.6	7,068.1	1,896.0	1,175.9	5,376.9	4,664.2
Age group										
<25	706.3	406.7	–	–	967.0	950.7	143.0	145.7	524.9	630.5
25 – 35	852.2	577.5	202.1	193.7	1,080.0	1,222.6	322.7	261.3	1,107.6	1,159.8
35 – 45	1,755.2	1,327.2	863.1	864.5	1,193.8	1,737.2	478.8	343.0	1,317.6	1,223.0
45 – 55	1,913.2	1,874.3	791.4	817.9	772.2	1,187.5	365.8	214.3	990.3	805.7
55 – 65	2,178.0	2,447.7	309.6	357.7	559.0	851.1	290.2	111.7	701.0	423.1
65>	4,334.8	6,738.1	64.8	75.3	671.6	1,119.0	295.7	99.9	735.4	422.1
25 – 65	6,698.6	6,226.7	2,166.2	2,233.8	3,605.0	4,998.4	1,457.4	930.3	4,116.5	3,611.6
Persons with migration background in the wider sense²										
Total	2,406.8	2,044.4	39.3	34.5	1,019.2	1,119.1	284.6	241.3	1,162.4	1,170.5
Persons with migration background in the narrow sense³										
Total	2,360.3	2,010.8	36.8	32.7	986.0	1,075.7	272.8	229.6	1,122.9	1,121.5
Age group										
<25	303.8	214.1	–	–	196.0	214.1	30.8	41.0	116.4	141.5
25 – 35	481.6	398.6	/	/	276.4	304.0	78.3	63.4	330.4	336.8
35 – 45	503.6	398.8	12.5	10.3	231.3	241.2	65.8	52.8	274.4	271.0
45 – 55	404.1	381.9	13.7	12.2	156.2	176.5	47.6	38.1	193.8	192.6
55 – 65	355.1	278.1	/	5.3	80.0	82.8	29.5	21.2	114.4	114.3
65>	312.1	339.3	/	/	46.0	57.1	20.8	13.0	93.7	65.3
25 – 65	1,744.4	1,457.4	33.8	30.9	744.0	804.6	221.2	175.5	912.9	914.7
Persons with own migration experience										
Total	2,046.0	1,794.8	35.8	31.1	798.4	914.9	226.2	192.6	984.8	1 000.1
Age group										
<25	185.7	143.8	–	–	112.8	143.1	18.3	26.2	73.9	97.0
25 – 35	367.5	322.4	/	/	199.9	243.5	53.5	46.9	267.1	284.8
35 – 45	463.8	372.5	12.3	9.8	212.4	223.2	60.4	49.4	254.9	253.9

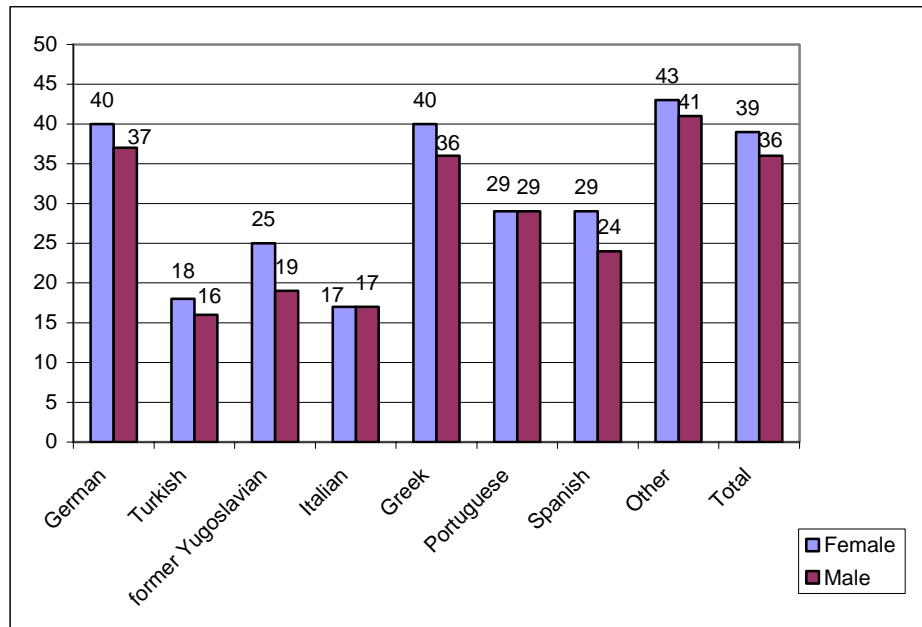
45 – 55	392.0	369.6	13.2	11.4	152.2	171.7	46.0	37.3	186.9	189.3
55 – 65	338.1	266.4	/	5.3	77.2	79.5	27.9	20.5	110.6	112.1
65>	298.9	320.1	/	/	44.0	53.9	20.2	12.3	91.5	63.0
25 – 65	1,561.4	1,331.0	32.7	29.3	641.6	718.0	187.8	154.1	819.4	840.1
Persons without own migration experience										
Total	314.2	215.9	/	/	187.6	160.8	46.5	36.9	138.1	121.4
Age group										
<25	118.1	70.4	–	–	83.2	71.0	12.5	14.8	42.5	44.5
25 – 35	114.1	76.2	/	/	76.5	60.6	24.8	16.6	63.3	52.1
35 – 45	39.8	26.3	/	/	18.9	18.0	5.4	/	19.4	17.1
45 – 55	12.1	12.3	/	/	/	/	/	/	6.9	/
55 – 65	17.0	11.7	–	–	/	/	/	/	/	/
65>	13.2	19.2	–	–	/	/	/	/	/	/
25 – 65	183.0	126.4	/	/	102.4	86.6	33.4	21.5	93.5	74.6

Source: Statistisches Bundesamt (2007) *Bevölkerung und Erwerbstätigkeit. Bevölkerung mit Migrationshintergrund. Ergebnisse des Mikrozensus 2005. Fachserie 1 Reihe 2.2, pp. 136-143*

- ¹ Advanced Technical Certificate (Fachhochschulreife) entitle to study at a university for applied science
- ² The category “People with a migration background in a wider sense” includes the category “People with a migration background in the narrow sense” and “People whose migration background is not consistently definable”. “People whose migration background is not consistently definable” are Germans who were born in Germany, whose migration background depends on their parents, and who do not live in the same household as their parents. The information to identify this group is only available in the 2005 and 2009 micro census.
- ³ The category “People with a migration background in the narrow sense” includes all people who immigrated to Germany (Germans and foreigners), foreigners who are born in Germany, naturalised citizens, and Germans with at least one parent who immigrated to Germany or at least one parent who was born in Germany as a foreigner. “People whose migration background is not consistently definable” are not included.

- = Data not available; / = no reliable data available.

Figure 1: Percentages of students holding an A-level certificate¹ by gender (second generation and Germans, age 18-25)



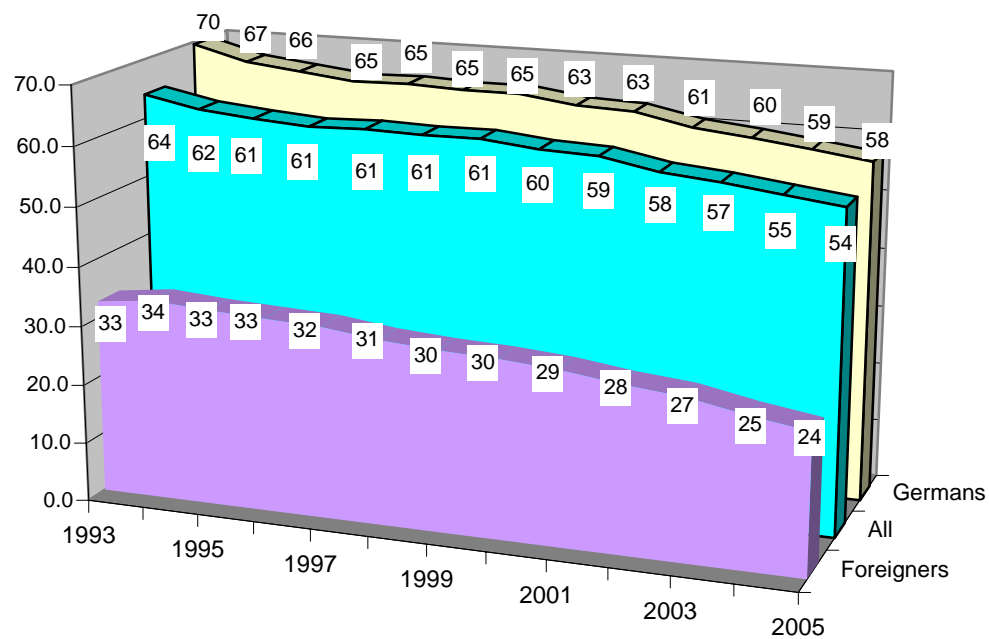
Source: Institut für Arbeitsmarkt- und Berufsforschung (2007) *The Educational Attainment of the Second Generation in Germany. Social Origins and Ethnic Inequality*, IAB Discussion Paper No. 4/2007, p. 14, available at: <http://doku.iab.de/discussionpapers/2007/dp0407.pdf> (20.09.2007).

¹ Educational attainment is measured with regard to the highest level of general secondary certificate, the *Abitur* (A-level).

² This statistical analysis makes use of the German micro-census data (*GMC 1991-2004, combined datasets, n=382,455*). The combined dataset covers the surveys from 1991, 1993 and on the annual surveys between 1995 and 2004. The analysis is restricted to respondents living in West Germany.

Vocational education

Figure 2: Apprenticeship quota¹ (Germans, foreigners and general rate), 1993-2005



Source: Bundesinstitut für Berufsbildung (2007) *Schaubilder zur Berufsbildung. Strukturen und Entwicklungen*, Schaubild 3.2, p. 21, available at: http://www.bibb.de/dokumente/pdf/a22_ausweitstat_schaubilder_heft-2007.pdf (20.09.2007).

¹ Number of apprentices (apprenticeship contract) in relation to the respective resident population.

Table 6: Proportion of young foreigners among total population and among apprentices (in total numbers and percentages) and rate of participation in vocational training of young foreigners (Germany, 2002-2005)

Year	Population (age group 18-21)			Apprentices			Apprenticeship quota ¹ (young foreigners) ¹
	All	Foreigners	Share of foreigners	All	Foreigners	Share of foreigners	
2005	2,867,917	285,817	10.0	1,553,437	67,602	4.4	23.7
2004	2,821,971	286,306	10.1	1,564,064	72,051	4.6	25.2
2003	2,795,211	292,252	10.5	1,581,629	79,205	5.0	27.1
2002	2,822,292	303,969	10.8	1,622,441	85,218	5.3	28.0

Source: Bundesministerium für Bildung und Forschung, *Berufsbildungsbericht 2007, Teil II, Tab 2.2.4/1, p. 124*, available at: http://www.bmbf.de/pub/bbb_07.pdf (20.09.2007).

¹ Number of young foreigners who are in an apprenticeship (apprenticeship contract) in relation to all young foreigners in this age group in Germany

Table 7: German and foreign pupils by type of vocational school and sex in total numbers, 2005

Type of school	All pupils	German pupils			Foreign pupils		
		All	Males	Females	All	Males	Females
Part-time vocational schools	1,656,343	1,560,100	945,288	614,812	96,243	54,897	41,346
Preparatory vocational training	77,667	64,239	39,677	24,562	13,428	7,955	5,473
Full-time basic vocational training (not part of the dual apprenticeship system)	50,137	44,602	32,270	12,332	5,535	3,485	2,050
Advanced vocational schools	684	565	429	136	119	90	29
Full-time (basic) vocational schools	560,656	508,583	207,512	301,071	52,073	24,689	27,384
Specialised upper secondary schools ¹	125,957	118,446	57,760	60,686	7,511	3,747	3,764
Specialised grammar schools	121,189	114,978	57,561	57,417	6,211	3,068	3,143
Vocational /technical academic schools	19,015	18,275	10,885	7,390	740	365	375
Technical colleges	151,734	145,586	71,094	74,492	6,148	3,142	3,006
Technical academies	7,431	6,901	1,148	5,753	530	93	437
Total	2,770,813	2,582,275	1,423,624	1,158,651	188,538	101,531	87,007

Source: Statistisches Bundesamt (2006) *Bildung und Kultur, Berufliche Schulen, Schuljahr 2005/2006, Fachserie 11 Reihe 2, Tab. 1.2.1, p. 43 and p. 53*, available at: <https://www-ec.destatis.de/csp/shop/sfg/bpm.html.cms.cBroker.cls?cmspath=struktur,vollanzeige.csp&ID=1019423> (07.08.2007).

¹ Specialised upper secondary school leads to an Advanced Technical Certificate (Fachhochschulreife) entitle to post-secondary. technical colleges

Table 8: Percentages of German and foreign pupils by type of vocational school and sex, 2005

Type of school	All pupils	German pupils			Foreign pupils		
		All	Males	Females	All	Males	Females
Part-time vocational schools	100	94.2	94.5	93.7	5.8	5.5	6.3
Preparatory vocational training	100	82.7	83.3	81.8	17.3	16.7	18.2
Full-time basic vocational training (not part of the dual apprenticeship system)	100	89.0	90.3	85.7	11.0	9.7	14.3
Advanced vocational schools	100	82.6	82.7	82.4	17.4	17.3	17.6
Full-time basic vocational schools	100	90.7	89.4	91.7	9.3	10.6	8.3
Specialised upper secondary schools ¹	100	94.0	93.9	94.2	6.0	6.1	5.8
Specialised grammar schools	100	94.9	94.9	94.8	5.1	5.1	5.2
Vocational /technical academic secondary schools	100	96.1	96.8	95.2	3.9	3.2	4.8
Technical colleges	100	95.9	95.8	96.1	4.1	4.2	3.9
Technical academies	100	92.9	92.5	92.9	7.1	7.5	7.1
Total	100	93.2	93.3	93.0	6.8	6.7	7.0

Source: Statistisches Bundesamt (2006) *Bildung und Kultur, Berufliche Schulen, Schuljahr 2005/2006, Fachserie 11 Reihe 2, Tab. 1.2.2, 2005/2006*, p. 53, available at: <https://www-ec.destatis.de/csp/shop/sfg/bpm.html.cms.cBroker.cls?cmspath=struktur,vollanzeige.csp&ID=1019423> (20.09.2007)

¹ Specialised upper secondary school leads to an Advanced Technical Certificate (Fachhochschulreife) entitle to post-secondary

Table 9: Apprentices by occupational fields and sex in total numbers, 2002-2006

Year	Apprentices		Apprentices according to occupational field					
	All	Industry and Trade	Craft professions	Farming	Public service	Liberal professions	Housekeeping/domestic economy	Shipping (sea)
Males								
2002	957,101	497,934	408,500	27,263	15,714	6,519	805	366
2003	939,111	498,977	388,487	28,626	15,196	6,524	921	380
2004	937,064	504,721	377,943	30,652	15,755	6,570	957	466
2005	936,435	513,163	367,769	31,738	15,883	6,349	919	614
2006	950,217	527,748	366,565	32,613	15,692	5,963	887	749
Females								
2002	665,340	352,224	119,352	9,791	29,522	142,292	12,139	20
2003	642,518	339,392	113,878	9,665	28,143	139,207	12,216	17
2004	627,000	333,193	111,228	9,746	28,265	132,141	12,406	21
2005	617,002	335,054	109,414	9,574	27,483	124,071	11,380	26
2006	620,398	345,056	110,050	9,412	27,280	117,679	10,891	30
All								
2002	1,622,441	850,158	527,852	37,054	45,236	148,811	12,944	386
2003	1,581,629	838,369	502,365	38,291	43,339	145,731	13,137	397
2004	1,564,064	837,914	489,171	40,398	44,020	138,711	13,363	487
2005	1,553,437	848,217	477,183	41,312	43,366	130,420	12,299	640
2006	1,570,615	872,804	476,615	42,025	42,972	123,642	11,778	779

Source: Statistisches Bundesamt (2007) *Bildung und Kultur, Berufliche Bildung, Fachserie 11 Reihe 3, Tab. 2.1, p. 14*, available at: <https://www-ec.destatis.de/csp/shop/sfg/bpm.html.cms.cBroker.cls?cmspath=struktur,vollanzeige.csp&ID=1020493> (20.09.2007).

Table 10: Foreign apprentices by occupational fields and sex in total numbers, 2002-2006

Year	Foreign apprentices	Foreign apprentices by occupational field						
	Total	Industry and Trade	Craft professions	Farming	Public service	Liberal professions	Housekeeping/domestic economy	Shipping (sea)
Males								
2002	48,186	23,773	23,621	241	259	254	35	3
2003	43,996	22,000	21,181	235	261	270	41	8
2004	40,047	20,439	18,818	251	255	240	34	10
2005	37,565	19,350	17,406	275	261	243	16	14
2006	36,344	19,491	16,081	258	264	224	15	11
Females								
2002	37,032	15,891	7,856	82	662	12,037	504	-
2003	35,209	14,715	7,380	88	644	11,887	495	-
2004	32,004	13,449	6,999	80	545	10,400	529	2
2005	30,037	12,861	6,799	74	484	9,341	478	-
2006	29,357	12,987	6,839	69	484	8,551	427	-
All								
2002	85,218	39,664	31,477	323	921	12,291	539	3
2003	79,205	36,715	28,561	323	905	12,157	536	8
2004	72,051	33,888	25,817	331	800	10,640	563	12
2005	67,602	32,211	24,205	349	745	9,584	494	14
2006	65,701	32,478	22,920	327	748	8,775	442	11

Source: Statistisches Bundesamt (2003) *Bildung und Kultur, Berufliche Bildung, Fachserie 11 Reihe 3, Tab.2a and Tab.2b, pp. 81-83*, available at: <https://www-ec.destatis.de/csp/shop/sfg/bpm.html.cms.cBroker.cls?cmspath=struktur,vollanzeige.csp&ID=1013056> (20.09.2007); Statistisches Bundesamt (2004) *Bildung und Kultur, Berufliche Bildung, Fachserie 11 Reihe 3, Tab. 2.5 and Tab. 2.6, pp. 22-23*, available at: <https://www-ec.destatis.de/csp/shop/sfg/bpm.html.cms.cBroker.cls?cmspath=struktur,vollanzeige.csp&ID=1014457> (20.09.2007); Statistisches

Bundesamt (2005) Bildung und Kultur, Berufliche Bildung, Fachserie 11 Reihe 3, Tab.2.5 and Tab.2.6, pp.22-23, available at: <https://www-ec.destatis.de/csp/shop/sfg/bpm.html.cms.cBroker.cls?cmspath=struktur,vollanzeige.csp&ID=1016724> (20.09.2007);
Statistisches Bundesamt (2006) Bildung und Kultur, Berufliche Bildung, Fachserie 11 Reihe 3, Tab.2a and Tab.2b, pp.75-87, available at: <https://www-ec.destatis.de/csp/shop/sfg/bpm.html.cms.cBroker.cls?cmspath=struktur,vollanzeige.csp&ID=1018901> (20.09.2007);
Statistisches Bundesamt (2007) Bildung und Kultur, Berufliche Bildung, Fachserie 11 Reihe 3, Tab. 2.5 and Tab. 2.6, pp.24-25, available at: <https://www-ec.destatis.de/csp/shop/sfg/bpm.html.cms.cBroker.cls?cmspath=struktur,vollanzeige.csp&ID=1020493> (20.09.2007).

- = Data not available.

Table 11: German and foreign pupils in public and private schools of the health system by sex, 2001-2005 (in total numbers)

Pupils	2001	2002	2003	2004	2005
German pupils	105,610	107,044	110,953	113,112	114,378
Males	19,103	19,470	21,769	23,561	24,779
Females	86,507	87,574	89,184	89,551	89,599
Foreign pupils	6,168	6,330	6,667	6,547	6,624
Males	1,048	1,104	1,229	1,265	1,288
Females	5,120	5,226	5,438	5,282	5,336

Source: Statistisches Bundesamt (2006) *Bildung und Kultur, Berufliche Schulen, Schuljahr 2005/06 Fachserie 11 Reihe 2 – 2005/06, Anhang, Tab. 1, p.296*, available at: <https://www-ec.destatis.de/csp/shop/sfg/bpm.html.cms.cBroker.cls?cmspath=struktur,vollanzeige.csp&ID=1019423> (20.09.2007)

University

Table 12: German and foreign students by sex, winter semester 2003/2004-2006/2007 (in total numbers)

Winter semester	Total	Females
	All students	
2003/2004	2,019,465	957,921
2004/2005	1,963,108	936,909
2005/2006	1,985,765	948,622
2006/2007 ¹	1,974,932	944,673
German students		
2003/2004	1,773,329	837,611
2004/2005	1,716,774	814,795
2005/2006	1,737,408	824,712
2006/2007 ¹	1,729,146	821,455
Foreign students		
2003/2004	246,136	120,310
2004/2005	246,334	122,114
2005/2006	248,357	123,910
2006/2007 ¹	245,786	123,218

Source: Statistisches Bundesamt (2007) *Bildung und Kultur, Studierende an Hochschulen, Vorbericht, Wintersemester 2006/2007, Fachserie 11 Reihe 4.1, Tab. 1.4, p. 21*, available at: <https://www-ec.destatis.de/csp/shop/sfg/bpm.html.cms.cBroker.cls?cmspath=struktur,vollanzeige.csp&ID=1020017> (20.09.2007).

¹ Preliminary data.

Table 13: Bildungsinländer¹ and Bildungsausländer² by sex, winter semester 2003/2004-2005/2006 (in total numbers)

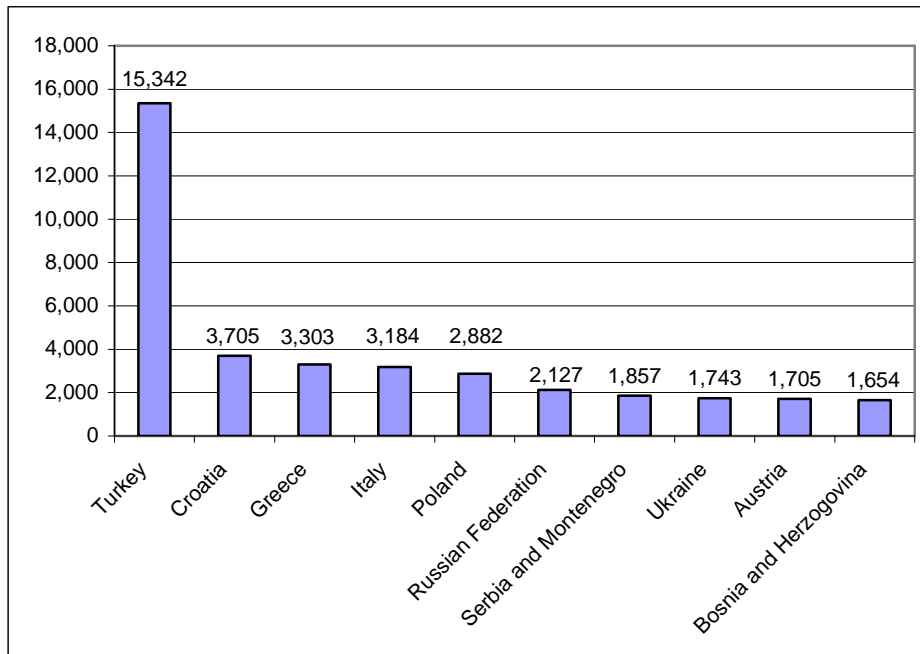
Winter semester	Total	Males	Females
	Bildungsinländer		
2003/2004	65,830	36,726	29,104
2004/2005	59,678	33,344	26,334
2005/2006	58,907	32,393	26,514
Winter semester	Bildungsausländer		
	Total	Males	Females
2003/2004	180,306	89,100	91,206
2004/2005	186,656	90,876	95,780
2005/2006	189,450	92,054	97,396

Source: Statistisches Bundesamt (2004) *Bildung und Kultur, Studierende an Hochschulen, Wintersemester 2003/2004, Fachserie 11, Reihe 4.1, Tab. 12 and Tab. 13*, pp. 399f, available at: <https://www-ec.destatis.de/csp/shop/sfg/bpm.html.cms.cBroker.cls?cmspath=struktur,vollanz,eige.csp&ID=1014817> (20.09.2007); Statistisches Bundesamt (2005) *Bildung und Kultur, Studierende an Hochschulen, Wintersemester 2004/2005, Fachserie 11, Reihe 4.1, Tab. 12 and Tab. 13*, pp. 417f, available at: <https://www-ec.destatis.de/csp/shop/sfg/bpm.html.cms.cBroker.cls?cmspath=struktur,vollanz,eige.csp&ID=1016945> (20.09.2007); Statistisches Bundesamt (2006) *Bildung und Kultur, Studierende an Hochschulen, Wintersemester 2005/2006, Fachserie 11, Reihe 4.1, Tab. 12 and Tab. 13*, pp.430f, available at: <https://www-ec.destatis.de/csp/shop/sfg/bpm.html.cms.cBroker.cls?cmspath=struktur,vollanz,eige.csp&ID=1019190> (20.09.2007).

¹ *Bildungsinländer* refers to non-German students who have obtained their university entry qualification in a German school.

² *Bildungsausländer* refers to non-German students who have not obtained their university entry qualification in a German school; they have come to Germany in order to study at a university.

Figure 3: *Bildungsinländer*¹ by country of origin, winter term 2005/2006 (in total numbers)



Source: Statistisches Bundesamt (2006), *Bildung und Kultur, Studierende an Hochschulen, Fachserie 11 Reihe 4.1*, p. 18, available at: <https://www-ec.destatis.de/csp/shop/sfg/bpm.html.cms.cBroker.cls?cmspath=struktur,vollanzeige.csp&ID=1019191> (18.09.2007).

¹ 'Bildungsinländer' refers to non-German students who have obtained their university entry qualification in a German school.

Table 14: Students by migration status, social background and source of income, 2006 (in percentages)

Students by migration status				
Without a migration background	92			
With a migration background ¹	8			
<i>Of which</i>				
Bildungsinländer ¹	43			
Persons with dual citizenship	11			
Naturalised persons	46			
Students by migration status and social background				
	low	average	upper	high
All students ²	13	25	24	38
Students with a migration background	41	18	15	26
<i>Of which</i>				
Bildungsinländer ¹	42	17	13	28
Persons with dual citizenship	21	14	23	42
Naturalised persons	44	19	16	21
Composition of monthly income by financial source				
	Parents	BAföG ³	Earnings	Other sources
All students	52	14	24	10
Students with a migration background	39	22	30	9
<i>Of which</i>				
Bildungsinländer ¹	41	17	33	9
Persons with dual citizenship	48	17	27	8
Naturalised persons	34	29	28	9

Source: Bundesministerium für Bildung und Forschung (2007) *Die wirtschaftliche und soziale Lage der Studierenden in der Bundesrepublik Deutschland 2006*, 18. Sozialerhebung des Deutschen Studentenwerks durchgeführt durch HIS Hochschul-Informations-System, pp. 432-433, available at: http://www.bmbf.de/pub/wsldsl_2006.pdf (20.09.2007).

¹ 'Bildungsinländer' refers to non-German students who have obtained their university entry qualification in a German school.

² The category 'All students' refers to the household type of the average student.

³ Federal Training Assistance Act (educational funding law).

Table 15: Number of *Sprachlernklassen* [Language Learning Classes]¹ and participants, Bavaria, 2002/03-2006/07

	Classes	Students
2002/03	104	1.266
2003/04	166	1.976
2004/05	215	2.657
2005/06	270	3.030
2006/07	296	3.728

Source: Bayerisches Staatsministerium für Unterricht und Kultus, 2007, statistical data upon NFP request (04.10.2007).

¹ The language learning classes aims at enabling young students to attend regular classes. The target groups are children of primary education and young people up to lower and intermediate secondary education. They are taught separately in core subjects, and attend regular classes (parallel classes) in other subjects (e.g. fine arts, handicrafts). Approx. 14 hours/week are taught in German. Pupils in the last year of the compulsory education system should obtain the lower secondary school certificate within these classes. *Sprachlernklassen* can be compulsory for certain students. The duration of *Sprachlernklassen* is limited to two years. As from 2007/08 *Sprachlernklassen* will be named *Deutschlerngruppen*.

Table 16: Number of *Übergangsklassen* [Transition Classes] ¹ and *Eingliederungsklassen* [Integration Classes]² in Bavaria, 1993/94-2006/07³

	Transition Classes	Integration Classes
1993/94	277	230
1994/95	285	113
1995/96	250	83
1996/97	220	85
1997/98	215	77
1998/99	178	59
1999/00	182	44
2000/01	186	40
2001/02	191	39
2002/03	194	29
2003/04	190	20
2004/05	140	19
2005/06	114	11
2006/07	101	9

Source: Bayerisches Staatsministerium für Unterricht und Kultus, 2007, statistical data upon NFP request (04.10.2007).

¹ Especially for newly arrived migrant children (primary education as well as intermediate and lower secondary education). It is aimed to enable the pupils to attend regular classes.

² Especially for German ethnic migrants. Integration classes are similar to transition classes.

³ As from 2007/08 the differentiation between ‘Übergangsklassen’ and ‘Eingliederungsklassen’ will be discontinued. These courses will be named ‘Übergangsklassen’.

Table 17: *Intensivkurse* [Intensive Courses] and *Förderunterricht* [Support/remedial classes]¹ for pupils with a non-German mother tongue in Bavaria, 1995/96-2006/07

	Courses
1995/96	4.547
1996/97	4.838
1997/98	5.307
1998/99	5.779
1999/00	5.653
2000/01	5.954
2001/02	6.139
2002/03	6.984
2003/04	6.231
2004/05	6.557
2005/06	6.566
2006/07	6.302

Source: Bayerisches Staatsministerium für Unterricht und Kultus, 2007, statistical data upon NFP request (04.10.2007).

¹ German language support measures for students who attend regular classes in primary education and lower or intermediate secondary education schools. These courses are meant to follow other preceding support measures for students with insufficient language proficiencies. There are, on average, eight students per course.

North-Rhine Westphalia

Table 18: Participants of remedial teaching and 'Support Groups' at general education schools in North Rhine-Westphalia, 2001/02-2006/07

	'Support Groups' for non-German and ethnic German migrant students¹	Remedial teaching for non-German and ethnic German migrant students²	Remedial teaching for classes with a high proportion of non-German or ethnic German migrant students³
2001/02	32,175	118,398	56,685
2002/03	36,061	146,432	71,735
2003/04	34,072	132,225	74,044
2004/05	29,752	134,383	92,572
2005/06	25,262	137,121	98,101
2006/07	19,104	138,522	112,862

Source: Ministerium für Schule und Weiterbildung des Landes Nordrhein-Westfalen; 2007, *Das Schulwesen in NRW aus quantitativer Sicht, Schuljahr 2006/07, Statistische Übersicht Nr. 359*, available at: http://www.bildungsportal.nrw.de/BP/Schulsystem/Statistik/2006_07/Quantita2006Nr359.pdf (01.10.2007),

2006, *Das Schulwesen in NRW aus quantitativer Sicht, Schuljahr 2005/06, Statistische Übersicht Nr.355*, available at: http://www.bildungsportal.nrw.de/BP/Schulsystem/Statistik/2005_06/Quantita05_06.pdf (01.10.2007),

2005, *Das Schulwesen in NRW aus quantitativer Sicht, Schuljahr 2004/05, Statistische Übersicht Nr.34*; upon request (09.10.2007),

2004, *Lerngruppen, Teilnehmerzahl und erteilter Unterricht*, available at: http://www.bildungsportal.nrw.de/BP/Schulsystem/Statistik/2003_04/Unterricht.pdf (01.10.2007),

2003, *Lerngruppen, Teilnehmerzahl und erteilter Unterricht*, available at: http://www.bildungsportal.nrw.de/BP/Schulsystem/Statistik/2002_03/jUnter02.pdf (01.10.2007),

2002, *Lerngruppen, Teilnehmer und erteilter Unterricht*, available at: http://www.bildungsportal.nrw.de/BP/Schulsystem/Statistik/2001_02/jUnter01.pdf (01.10.2007).

¹ Complementary classes for foreign pupils/ethnic German migrants not attending Preparatory Classes or 'Auffangklassen'. Students in these classes do not have any knowledge of the German language.

- ² Support/Remedial teaching measures in German for foreign students and ethnic German migrants in regular classes.
- ³ 'External differentiation' in regular classes with a high share of foreign pupils or ethnic German migrants. Pupils with poor command of German can attend temporarily remedial teaching in the German language (at least two hours per day) within the scope of external differentiation. The courses are held for special target groups of a class and in an extra classroom.

Table 19: Foreign pupils and German ethnic migrants in *Vorbereitungsklassen* [Preparatory Classes]¹ and *Auffangklassen*² by type of school, North Rhine-Westphalia, 2004/5-2006/7

Type of school	Foreign pupils			Ethnic German migrants		
	Preparatory Classes	' <i>Auffangklassen</i> '	Foreign pupils total	Preparatory classes	' <i>Auffangklassen</i> '	Ethnic German migrants total
	2004/05					
Elementary school	1,064	17	119,536	72	128	25,923
Lower secondary school	2,847	243	62,451	505	577	23,970
Intermediate secondary school	121	66	30,851	9	129	14,335
Upper secondary school (grammar school)	86	112	26,731	9	193	8,565
Integrated comprehensive school	140	46	38,231	14	47	9,609
2005/06						
Elementary school	575	28	116,389	22	86	24,825
Lower secondary school	2,298	270	59,002	338	599	20,325
Intermediate secondary school	138	54	31,058	24	99	12,000
Upper secondary school (grammar school)	86	87	27,281	4	165	7,596
Integrated comprehensive school	107	77	38,715	14	31	8,312
2006/07						
Elementary school	469	3	110,853	10	5	24,252
Lower secondary school	1,970	211	55,415	225	186	16,757
Intermediate secondary school	146	38	31,369	16	32	10,091
Upper secondary school (grammar school)	65	91	27,672	-	89	6,559
Integrated comprehensive school	118	61	38,541	11	10	7,362

Source: Landesamt für Datenverarbeitung und Statistik Nordrhein-Westfalen;

2007, *Allgemeinbildende Schulen in Nordrhein-Westfalen, 2006, Landesergebnisse, Tab. A 3, p. 12*, available at: <https://webshop.lds.nrw.de/webshop/gratis/B139%20200600.pdf> (20.09.2007),

2006, *Allgemeinbildende Schulen in Nordrhein-Westfalen, 2005, Landesergebnisse, Tab. A 3, p. 12*, available at: <https://webshop.lds.nrw.de/webshop/gratis/B139%20200500.pdf> (20.09.2007),

2005, *Allgemeinbildende Schulen in Nordrhein-Westfalen, 2004, Landesergebnisse, Tab. A 3, p. 12*, available at: <https://webshop.lds.nrw.de/webshop/gratis/B139%20200400.pdf> (20.09.2007).

- ¹ Classes for newly immigrated children with no/little knowledge of the German language. Young students should be enabled to attend regular classes. The classes emphasise the acquisition the German language. German lessons amount to 10-12 hours/week. The children should not stay longer than two years in preparatory classes.
- ² Classes, especially for ethnic German migrants, having no/little knowledge of the German language. Students should be enabled to attend regular classes. The classes emphasise the acquisition the German language. German lessons amount to 10-12 hours/week. The children should attend these classes no longer than one year. Ethnic German migrants entering the German school system at the beginning of the 9th grade (almost the end of the compulsory education) can attend special learning groups to successfully graduate.

Table 20: Participants in mother tongue education as complementary classes in general education schools in North-Rhine Westphalia, 2001/02-2006/07

	2001/02	2002/03	2003/04	2004/05	2005/06	2006/07
Mother tongue education instead of another language/an elective¹	3,300	1,848	1,343	1,333	923	1,339
Mother tongue complementary teaching for foreign pupils in preparatory and regular classes²	93,545	94,243	86,991	85,701	80,916	75,594

Source: Ministerium für Schule und Weiterbildung des Landes Nordrhein-Westfalen

2007, *Das Schulwesen in NRW aus quantitativer Sicht, Schuljahr 2006/07, Statistische Übersicht Nr. 359*, available at: http://www.bildungsportal.nrw.de/BP/Schulsystem/Statistik/2006_07/Quantita2006Nr359.pdf (01.10.2007),

2006, *Das Schulwesen in NRW aus quantitativer Sicht, Schuljahr 2005/06, Statistische Übersicht Nr.355*, available at: http://www.bildungsportal.nrw.de/BP/Schulsystem/Statistik/2005_06/Quantita05_06.pdf (01.10.2007),

2005, *Das Schulwesen in NRW aus quantitativer Sicht, Schuljahr 2004/05, Statistische Übersicht Nr.347*, upon request (09.10.2007).

2004, *Lerngruppen, Teilnehmerzahl und erteilter Unterricht*, available at: http://www.bildungsportal.nrw.de/BP/Schulsystem/Statistik/2003_04/Unterricht.pdf (01.10.2007),

2003, *Lerngruppen, Teilnehmerzahl und erteilter Unterricht*, available at: http://www.bildungsportal.nrw.de/BP/Schulsystem/Statistik/2002_03/jUnter02.pdf (01.10.2007),

2002, *Lerngruppen, Teilnehmer und erteilter Unterricht*, available at: http://www.bildungsportal.nrw.de/BP/Schulsystem/Statistik/2001_02/jUnter01.pdf (01.10.2007).

¹ 'Unterricht in einer Muttersprache anstelle einer Pflichtfremdsprache oder eines Wahlpflichtfaches'. This subject can not be attended by students of primary and lower secondary schools. It is marked in the same way as other subjects and may be offeed instead of another language or an elective.

² ‚Muttersprachlicher Ergänzungsunterricht für ausländische Schüler in Vorbereitungs- und Regelklassen’. Students can attend mother tongue education (5 hours/week) at grade 1 to 10. More than 14 different languages are taught.

Annex C3: Housing

Table 1: Households according to tenure distinguishing between Germans and non-Germans, 2002

Nationality	Total	Of which					
		homeowners		tenants		subtenants	
	1,000	1,000	%	1,000	%	1,000	%
Non-Germans	1,917	297	15.5	1,545	80.6	74	3.9
Germans	33,956	14,831	43.7	18,359	54.1	765	2.3
total	35,873	15,128	42.2	19,905	55.5	840	2.3

Source: Statistisches Bundesamt: Mikrozensus-Zusatzerhebung 2002
 Wohnsituation von Haushalten, Bestand und Struktur der Wohneinheiten
 Fachserie 5 Heft 1, Tabelle 20

Table 2: Households according to dwelling units per house distinguishing between Germans and non-Germans (in 1,000), 2002

Nationality	Total	Of which living in houses with		
		1 dwelling unit	2 dwelling units	3 and more dwelling units
Non-Germans	1,842	181	166	1,470
Germans	33,191	9,763	6,050	17,019
total	35,033	9,944	6,216	18,489

Source: Statistisches Bundesamt: Mikrozensus-Zusatzerhebung 2002
 Wohnsituation von Haushalten, Bestand und Struktur der Wohneinheiten
 Fachserie 5 Heft 1, Tabelle 21

Table 3: Households according to square meters in dwelling units distinguishing between Germans and non-Germans (in 1,000), 2002

Nationality	total	Of which living in dwelling units with..						Average square meters per dwelling unit
		Less than 40 m ²	40-60 m ²	60-80 m ²	80-100 m ²	100-120 m ²	120 and more m ²	
Non-Germans	1,842	164	414	625	341	139	159	74.7
Germans	33,191	1,395	5,816	8,260	5,842	4,264	7,613	90.9
total	35,033	1,559	6,230	8,885	6,184	4,404	7,772	90.0

Source: Statistisches Bundesamt: Mikrozensus-Zusatzerhebung 2002
Wohnsituation von Haushalten, Bestand und Struktur der Wohneinheiten
Fachserie 5 Heft 1, Tabelle 23

Table 4: Households of tenants according to monthly gross rent excluding service charges (heating, water, electricity) distinguishing between Germans and non-Germans (in 1,000), 2002

Nationality	Total	Of which with a gross rent from ... until less than... Euro							Average gross rent excluding service charges per dwelling unit in Euro
		Less than 200	200-300	300-400	400-500	500-600	600-750	750 and more	
Non-Germans	1,359	75	242	381	301	186	110	62	422
Germans	15,170	874	3,441	4,376	2,958	1,631	1,135	755	407
Total	16,529	949	3,683	4,757	3,259	1,818	1,245	818	408

Source: Statistisches Bundesamt: Mikrozensus-Zusatzerhebung 2002 Wohnsituation von Haushalten, Bestand und Struktur der Wohneinheiten
Fachserie 5 Heft 1, Tabelle 25.1

Table 5: Households of tenants according to monthly gross rent excluding service charges (heating, water, electricity) per square metre in dwelling units distinguishing between Germans and non-Germans (in 1,000), 2002

Nationality	Total	Of which with a monthly gross rent per m ² from...until less than...Euro								Average gross rent excluding service charges per m ² in Euro
		Less than 3.50	3.50-4.00	4.00-4.50	4.50-5.00	5.00-6.00	6.00-7.00	7.00-8.50	8.50 and more	
Non-Germans	1,359	54	49	90	123	338	285	236	184	5.88
Germans	15,170	709	762	1,287	1,674	4,221	2,974	2,131	1,411	5.58
Total	16,529	763	811	1,377	1,797	4,559	3,260	2,367	1,595	5.60

Source: Statistisches Bundesamt: Mikrozensus-Zusatzerhebung 2002 Wohnsituation von Haushalten, Bestand und Struktur der Wohneinheiten Fachserie 5 Heft 1, Tabelle 26

Table 6: Households of tenants according to their monthly expenditures on housing (*Mietbelastung*) distinguishing between Germans and non-Germans (in per cent), 2002

Nationality	Total (in 1,000)	Of which with a monthly share of expenditures for housing form...% until less than...% of the monthly net income of the household								Average monthly share of expenditures for housing in %
		Less than 10	10-15	15-20	20-25	25-30	30-35	35-40	40 and more	
Non-Germans	1,224	2.7	9.5	15.8	17.6	14.8	11.1	8.4	20.0	24.3
Germans	13,935	3.5	11.6	17.6	18.3	15.0	10.5	7.4	16.1	22.6
Total	15,159	3.4	11.4	17.5	18.3	15.0	10.5	7.5	16.4	22.7

Source: Statistisches Bundesamt: Mikrozensus-Zusatzerhebung 2002 Wohnsituation von Haushalten, Bestand und Struktur der Wohneinheiten Fachserie 5 Heft 1, Tabelle 27

Data form the German Social-Economic Panel (GSOEP)

Table 7: Rent and share of expenditures for rent distinguishing between Germans, Foreigners and Turks, 1995 and 2001

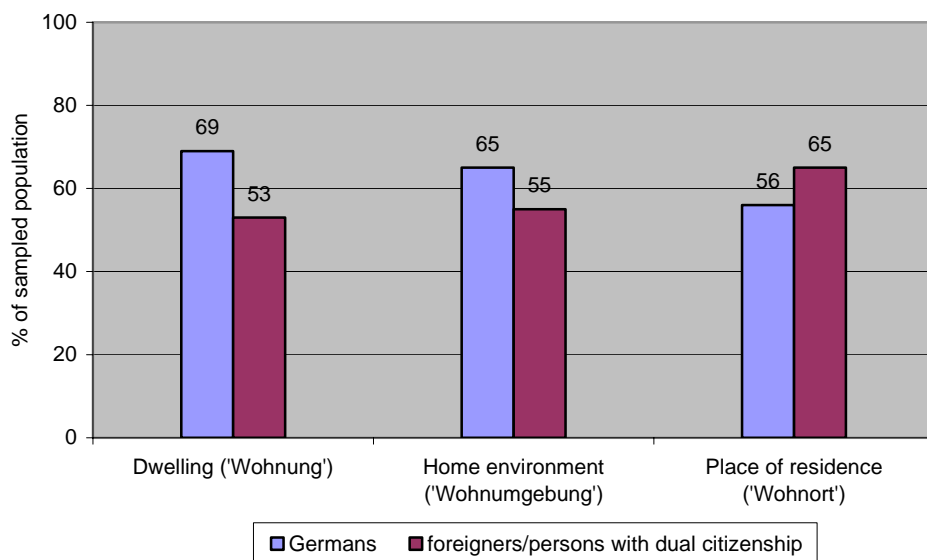
		Germans		Foreigners		Turks	
		1995	2001	1995	2001	1995	2001
Monthly gross rent excluding service charges per m² in dwelling units	In total	4.60 Euro	5.50 Euro	5.30 Euro	5.90 Euro	5.10 Euro	5.90 Euro
	Large cities	5.00 Euro	6.10 Euro	5.70 Euro	6.10 Euro	5.50 Euro	6.30 Euro
Monthly share of expenditures for housing	In total	26.3%	26.7%	24.3%	29.0%	23.4%	29.0%
	Large cities	26.1%	27.7%	26.0%	28.1%	24.6%	29.4%

Source: Bundesamtes für Bauwesen und Raumordnung (2004) Wohnungsmärkte in Deutschland. Ergebnisse der regionalisierten Wohnungsmarktbeobachtung, available at: <http://www.eukn.org/binaries/germany/bulk/policy/2005/10/housing-markets-in-germany-2004.pdf> (27.10.2007)

The GSOEP is a representative longitudinal study of private households in Germany. It provides information on all household members, consisting of Germans foreigners, and recent immigrants to Germany. The Panel was started in 1984. In 2006, there were nearly 11,000 households, and more than 20,000 persons sampled.

Data from the annual BBR-survey

Figure 1: Satisfied with one's dwelling, home environment and place of residence, Germans and foreigners (including persons with dual citizenship)¹, in per cent² (on average) for the years 2004-2006



Source: Bundesamt für Bauwesen und Raumordnung, Laufende Bevölkerungsumfrage des BBR, statistical data upon request (01.10.2007).

¹ Only 2 per cent of the sampled population (n=11,230) are foreigners or persons with dual citizenship. Subsequently the survey data on foreigners can not be considered as representative.

² Per cent of sampled population answering on a scale of 1 (very dissatisfied) to 7 (very satisfied) with 6 or 7.

The survey is conducted annually in the Eastern and Western part of Germany by the *Bundesamt für Bauwesen und Raumordnung* (BBR) [Federal Office for Building and Regional Planning]. The sample size contains an average of 2,000 households; the samples are drawn as a multi-stratified random sample. In 2004-2006 only 2 per cent of the sampled population (n=11,230) were foreigners or persons of dual nationality. Therefore, the survey data can not be considered as representative for the migrant population.

Table 8: Assessment of the size of the dwelling, Germans and foreigners (including persons with dual citizenship), in per cent, (on average) for the years 2004-2006

Assessment	Germans	foreigners/persons of dual citizenship
Adequate	76	73
Could be larger	14	25
Actually too large	10	2

Source: Bundesamt für Bauwesen und Raumordnung, Laufende Bevölkerungsumfrage des BBR, statistical data upon request (01.10.2007).

¹ Only 2 per cent of the sampled population (n=11,230) are foreigners or persons of dual nationality. Subsequently the survey data can not be considered as representative.

Data from the Generations and Gender Survey (GGS)

Table 9: Homeowner or tenant? Germans and Turks up to the age of 60 years, 2005/2006, in per cent

	Germans	Turks
Homeowner	55	10
Tenant	42	90

Source: F. Micheel, R. Raderi (2007) „Überlegungen zur ökonomischen Situation älterer Türiinnen und Türken in Deutschland – Zahlen aus der ‚Generations and Gender Survey‘“, in: BiB-Mitteilungen, 02/2007, 30.07.2007, Vol. 28, pp. 29-33.

Table 10: How do the over 60 year olds live? Germans and Turks, 2005/2006, in %

	Germans	Turks
Detached house	43	6
Semi-detached house	7	4
Terraced house	13	10
Flat in a multi-storey house	36	79
Others	1	2

Source: F. Micheel, R. Raderi (2007) „Überlegungen zur ökonomischen Situation älterer Türiinnen und Türken in Deutschland – Zahlen aus der Generations and Gender Survey“, in: BiB-Mitteilungen, 02/2007, 30.07.2007, Vol. 28, pp. 29-33.

Council housing

Table 11: Allocation of council housing in Munich

Year	Allocated flats without 'WoFü'-dwellings ¹	'WoFü'-dwellings ¹	Nomination of foreigners		
				Of which: Foreigners from EU-countries	Of which: Other foreigners
1997	5,410	470	2,138 (36.4%)	430	1,708
1998	5,164	395	2,134 (38.4%)	412	1,722
1999	5,299	420	2,092 (37.0%)	450	1,642
2000	4,964	529	2,018 (36.7%)	424	1,594
2001	3,849	612	1,545 (34.6%)	342	1,203
2002	3,583	717	1,415 (32.9%)	277	1,138
2003	3,491	666	1,579 (37.8%)	271	1,308
2004	4,576	635	2,022 (38.8%)	372	1,650
2005	4,008	482	1,769 (39.4%)	355	1,414
2006	4,020	442	1,762 (39.5%)	359	1,403

Source: Landeshauptstadt München (2007) *München soziale Entwicklungen*

1997 - 2006, p. 24, available at:

http://www.muenchen.de/cms/prod1/mde/_de/rubriken/Rathaus/85_soz/pdf/muenchen_sozial2006.pdf (22.10.2007).

¹ Allocation of flats in the context of the 'Städtische Wohnungsfürsorge' [housing provision of the City of Munich].

Table 12: Allocation of council housing in Frankfurt, 1999-2005

Year	Total	Germans		Foreigners	
		Total	Percentage of all allocations	Total	Percentage of all allocations
1999	3,133	1,676	53.5	1,457	46.5
2000	3,109	1,625	52.3	1,484	47.7
2001	2,569	1,376	53.6	1,193	46.4
2002	2,734	1,513	56.3	1,221	44.7
2003	2,527	1,350	53.4	1,177	46.6
2004	2,603	1,286	49.4	1,317	50.6
2005	2,401	1,359	56.6	1,042	43.4

Source: Stadt Frankfurt am Main, Amt für Multikulturelle Angelegenheiten

(Amka) Integrationsbericht 2005, Anlage 4, available at:

http://www.frankfurt.de/sixcms/media.php/738/Integrationsbericht_2005.pdf (26.10.2007)

Data on homelessness

Table 13: Homeless persons in Germany⁴⁸⁵ according to citizenship 1993, 1998 and 2003, in per cent

	1993	1998	2003
Germans	94.2	89.2	91.7
EU foreigners	1.8	3.0	2.7
Others	3.8	7.6	5.6
Stateless	0.2	0.2	0.1
N	16,952	18,476	15,260

Source: H. Schröder (2005) *Statistikbericht 2003 der BAG Wohnungslosenhilfe e.V.*

Table 14: Number of persons accommodated in guesthouses, emergency lodgings and 'clearing houses' on 31.12.2006 in Munich

	Persons						House-holds	
	Total	In households						
		German / mixed	Foreigners	With children				Total
				Total	German / mixed	Foreigners		
Guest houses	1,023	655	358	195	82	113	747	
Emergency lodgings	791	410	381	104	40	64	622	
‘Clearing Houses’	52	36	16	19	11	8	25	
Total	1,866	1,111	755	318	133	185	1,394	

Source: Landeshauptstadt München (2007) *München soziale Entwicklungen 1997 - 2006*, p. 21, available at: http://www.muenchen.de/cms/prod1/mde/_de/rubriken/Rathaus/85_soz/pdf/muenchen_sozial2006.pdf (22.10.2007).

⁴⁸⁵ The BAG W statistical report in 2005 is based on data from a total of 42 central offices with a total of 70-80 organisations and provides client-related data of homeless people with special social difficulties. The data from a total of 16,817 homeless men and women were analysed. The participation in the survey is voluntary and does not conform to the representative criteria of quantitative research. Thus, the data is not representative.

Local survey on homelessness in Hamburg⁴⁸⁶

Table 15: Clients of services and institutions for the homeless and for drug addicts in Hamburg, 2002 distinguished by nationality

		Interviewees in services and institutions for:		In total
		the homeless	drug addicts	
Germans	Actual number	877	120	997
	Percentages	83.4	80.5	83.0
Non-Germans	Actual number	175	29	204
	Percentages	16.6	19.5	17.0
In total	Actual number	1,052	149	1,201
	Percentages	100.0	100.0	100.0

Source: Freie und Hansestadt Hamburg, Behörde für Soziales und Familie, Amt für Soziales und Rehabilitation (ed.) (2002) *Obdachlose, auf der Straße lebende Menschen in Hamburg 2002. Eine empirische Untersuchung*, Hamburg, p. 24, available at: <http://fhh.hamburg.de/stadt/Aktuell/behoerden/soziales-familie/service/veroeffentlichungen/obdachlosenstudie-2002-download,property=source.pdf> (26.10.2007)

Table 16: Clients of services and institutions for the homeless and for drug addicts in Hamburg, 2002 distinguished by sex and nationality

		sex		In total
		Female	Male	
Germans	Actual number	210	787	997
	Percentages	21.1	78.9	100.0
Non-Germans	Actual number	38	166	204
	Percentages	18.6	81.4	100.0
In total	Actual number	248	953	1,201
	Percentages	20.6	79.4	100.0

Source: Freie und Hansestadt Hamburg, Behörde für Soziales und Familie, Amt für Soziales und Rehabilitation (ed.) (2002) *Obdachlose, auf der Straße lebende Menschen in Hamburg 2002. Eine empirische Untersuchung*, Hamburg, p. 25, available at: <http://fhh.hamburg.de/stadt/Aktuell/behoerden/soziales-familie/service/veroeffentlichungen/obdachlosenstudie-2002-download,property=source.pdf> (26.10.2007)

⁴⁸⁶ The survey was commissioned by the City of Hamburg and conducted by a social researcher (Torsten Schaak) in 2007. The study analysed 1,281 standardized interviews of homeless rough sleepers in Hamburg. The rough sleepers were interviewed by personnel of almost 117 different services and institutions for the homeless and for drug addicts in Hamburg

Table 17: Clients of services and institutions for the homeless and for drug addicts in Hamburg, 2002 distinguished by nationality

		Nationality		In total
		German	Non-German	
15 to 18	%	0.6	0.6	0.6
18 to 20	%	1.5	3.5	1.8
20 to 30	%	17.6	24.4	18.7
30 to 40	%	23.6	36.6	25.7
40 to 50	%	31.2	25.6	30.3
50 to 60	%	17.2	7.6	15.6
60 to 70	%	7.0	1.2	6.0
70 to 81	%	1.4	0.6	1.2
In total	Interviewees	874	172	1046
	%	100.0	100.0	100.0

Source: Freie und Hansestadt Hamburg, Behörde für Soziales und Familie, Amt für Soziales und Rehabilitation (ed.) (2002) *Obdachlose, auf der Straße lebende Menschen in Hamburg 2002. Eine empirische Untersuchung*, Hamburg, p. 26, available at: <http://fhh.hamburg.de/stadt/Aktuell/behoerden/soziales-familie/service/veroeffentlichungen/obdachlosenstudie-2002-download,property=source.pdf> (26.10.2007)

Segregation

Table 18: Population within selected cities distinguished by migration background and sex in 1,000

Cities		Total	Persons with migration background	Persons with migration background in the wider sense ¹	Persons with migration background in the narrow sense ²
Augsburg	<i>all</i>	262.0	167.2	94.8	91.8
	<i>women</i>	134.3	87.1	47.2	45.5
	<i>men</i>	127.7	80.2	47.5	46.3
Bonn	<i>all</i>	312.0	220.4	91.6	87.4
	<i>women</i>	166.3	121.2	45.1	42.7
	<i>Men</i>	145.8	99.3	46.5	44.7
Dortmund	<i>all</i>	588.0	422.6	165.4	159.1
	<i>women</i>	303.5	223.1	80.4	76.8
	<i>men</i>	284.5	199.5	85.0	82.4
Duisburg	<i>all</i>	503.7	373.2	130.5	126.8
	<i>women</i>	261.4	198.6	62.8	60.7
	<i>men</i>	242.4	174.6	67.8	66.2
Düsseldorf	<i>all</i>	573.4	388.8	184.6	178.6
	<i>women</i>	303.6	211.1	92.5	89.3
	<i>men</i>	269.7	177.7	92.0	89.3
Essen	<i>all</i>	587.3	461.6	125.6	120.6
	<i>women</i>	303.6	243.2	60.4	57.9
	<i>men</i>	283.7	218.5	65.2	62.7
Frankfurt a. M.	<i>all</i>	647.6	392.0	255.6	243.6
	<i>women</i>	329.9	201.7	128.2	122.0
	<i>men</i>	317.7	190.3	127.4	121.6
Gelsenkirchen	<i>all</i>	269.8	205.2	64.5	61.2
	<i>women</i>	139.4	108.0	31.4	30.3
	<i>men</i>	130.4	97.2	33.1	31.0
Region of Hanover	<i>all</i>	1,128.3	867.8	260.5	253.6
	<i>women</i>	581.7	453.0	128.7	126.0
	<i>men</i>	546.6	414.8	131.8	127.7
Cologne	<i>all</i>	972.8	662.1	310.6	303.3
	<i>women</i>	494.2	344.5	149.7	145.5
	<i>men</i>	478.6	317.6	160.9	157.
Munich	<i>all</i>	1,253.9	822.8	431.0	420.0
	<i>women</i>	644.8	431.5	213.3	206.8
	<i>men</i>	609.1	391.4	217.7	213.2
Nuremberg	<i>all</i>	492.0	308.6	183.5	177.5
	<i>women</i>	255.1	160.5	94.6	91.4
	<i>men</i>	237.0	148.1	88.9	86.1

Stuttgart	<i>all</i>	591.4	354.2	237.2	229.9
	<i>women</i>	301.6	186.7	114.9	111.6
	<i>men</i>	289.8	167.5	122.3	118.3
Wuppertal	<i>all</i>	7.8 ³	249.5	111.1	108.1
	<i>women</i>	7.8 ³	130.8	55.8	54.1
	<i>men</i>	7.8 ³	118.7	55.3	54.0

Source: Statistisches Bundesamt (2006), *Bevölkerung und Erwerbstätigkeit. Bevölkerung mit Migrationshintergrund. Ergebnisse des Mikrozensus 2005. Fachserie 1 Reihe 2.2*, pp. 106-107, 112-113, 118-119, available at: <https://www-ec.destatis.de/csp/shop/sfg/bpm.html.cms.cBroker.cls?cmspath=struktur,vollanzeige.csp&ID=1020312> (02.08.2007).

- ¹ The category “people with a migration background in a wider sense” includes the category “people with a migration background in the narrow sense” and “people whose migration background is not consistently definable”. “People whose migration background is not consistently definable” are Germans who were born in Germany, whose migration background depends on their parents, and who do not live in the same household as their parents. The information to identify this group is only available in the 2005 and 2009 micro census.
- ² The category “people with a migration background in the narrow sense” includes all people who immigrated to Germany (Germans and foreigners), foreigners who were born in Germany, naturalised citizens and Germans with at least one parent who immigrated to Germany or at least one parent who was born in Germany as a foreigner. “People whose migration background is not consistently definable” are not included.
- ³ Numbers were taken from the original document unchanged though obviously containing an error.

Table 19: Population within cities by migration background in % (2006)

Cities	Total	With migration background	With migration background in the wider sense ¹	With migration background in the narrow sense ²
Augsburg	100.0	63.8	36.2	35.0
Bonn	100.0	70.6	29.3	28.0
Dortmund	100.0	71.9	28.1	27.1
Duisburg	100.0	74.1	25.9	25.2
Düsseldorf	100.0	67.8	32.2	31.2
Essen	100.0	78.6	21.4	20.5
Frankfurt a. M.	100.0	60.5	39.5	37.6
Gelsenkirchen	100.0	76.1	23.9	22.7
Region of Hanover	100.0	76.9	23.1	22.5
Cologne	100.0	68.1	31.9	31.2
Munich	100.0	65.6	34.4	33.5
Nuremberg	100.0	62.7	37.3	36.1
Stuttgart	100.0	59.9	40.1	38.9
Wuppertal	100.0	69.2	30.8	30.0

Source: Statistisches Bundesamt (2006), *Bevölkerung und Erwerbstätigkeit. Bevölkerung mit Migrationshintergrund. Ergebnisse des Mikrozensus 2005. Fachserie 1 Reihe 2.2, p.31*, available at: <https://www-ec.destatis.de/csp/shop/sfg/bpm.html.cms.cBroker.cls?cmspath=struktur,vollanzeige.csp&ID=1020312> (02.08.2007).

¹ The category “people with a migration background in a wider sense” includes the category “people with a migration background in the narrow sense” and “people whose migration background is not consistently definable”. “People whose migration background is not consistently definable” are Germans who were born in Germany, whose migration background depends on their parents, and who do not live in the same household as their parents. The information to identify this group is only available in the 2005 and 2009 micro census.

² The category “people with a migration background in the narrow sense” includes all people who immigrated to Germany (Germans and foreigners), foreigners who were born in Germany, naturalised citizens and Germans with at least one parent who immigrated to Germany or at least one parent who was born in Germany as a foreigner. “People whose migration background is not consistently definable” are not included.

Data from the 8th Multi-Topic Survey⁴⁸⁷

Table 20: Perceived ethnic composition of one's residential area in North Rhine-Westphalia in per cent, 1999–2006

Year	Mainly Germans	Germans and Turks in equal measure	Mainly Turks	Mainly other foreigners
1999	57.2	17.4	21.3	4.5
2000	65.6	13.2	18.3	2.9
2001	60.8	14.1	19.8	4.9
2002	55.1	18.3	22.8	3.8
2003	58.3	17.4	19.8	4.4
2004	58.0	14.5	21.5	5.8
2005	57.2	16.9	20.8	5.2
2006	57.6	16.2	19.6	6.4

Source: Stiftung Zentrum für Türkeistudien (ed.) (2007) *Perspektiven des Zusammenlebens. Die Integration türkischstämmiger Migrantinnen und Migranten in Nordrhein-Westfalen. Ergebnisse der achten Mehrthemenbefragung. Eine Analyse im Auftrag des Ministeriums für Generationen, Familie, Frauen und Integration des Landes Nordrhein-Westfalen*, p.255, available at: <http://kunde6.juli.bimetal.de/UserFiles/File/NRW-Bericht%202006.pdf> (20.10.2007).

⁴⁸⁷ The Multi-Topic Survey is annually conducted by the Stiftung Zentrum für Türkeistudien [Centre for Studies on Turkey] commissioned by the Ministerium für Generationen, Familie, Frauen und Integration des Landes Nordrhein-Westfalen [Ministry for Intergenerational Affairs, Family, Women and Integration of North Rhine-Westphalia]. The surveyed population are persons with a Turkish origin in North Rhine -Westphalia (Turkish citizens, naturalised persons, children of Turkish parents born in North Rhine - Westphalia in 2000 or later and automatically obtained the German citizenship). The random sample contains around 5,000 households, around 1,000 interviews are successful.

Data from the annual BBR-survey⁴⁸⁸ and the MARPLAN multi topic survey⁴⁸⁹

Table 21: Contact with foreigners in the neighbourhood in West Germany 1991, 1994, 1997, 1999, 2004, German interviewees, in per cent

	1991	1994	1997	1999	2004
Contact	32	39	38	36	38
No contact	68	61	62	64	62

Source: Bundesamt für Bauwesen und Raumordnung (2007) *LebensRäume. Wohn- und Lebensbedingungen aus Sicht der Bewohner. Berichte. Band 24, p. 180-181*

Table 22: Contact with Germans in the neighbourhood in West Germany 1991, 1994, 1997, 1999, foreign interviewees, in per cent

	1991	1994	1997	1999
Contact	87	87	85	84
No contact	13	13	15	16

Source: Bundesamt für Bauwesen und Raumordnung (2007) *LebensRäume. Wohn- und Lebensbedingungen aus Sicht der Bewohner. Berichte. Band 24, p. 186-187*

Table 23: Attitudes concerning the living together with foreigners in West Germany 1991, 1994, 1997, 2002, 2004, German interviewees, in per cent

	1991	1994	1997	2002	2004
It's good to live together.	42	49	45	55	63
Indifferent	37	36	38	32	24
It's better to live separated.	21	15	17	12	13

Source: Bundesamt für Bauwesen und Raumordnung (2007) *LebensRäume. Wohn- und Lebensbedingungen aus Sicht der Bewohner. Berichte. Band 24, p. 182-183*

⁴⁸⁸ The survey is conducted annually in the Eastern and Western part of Germany by the Bundesamt für Bauwesen und Raumordnung (BBR) [Federal Office for Building and Regional Planning], the sample size contains an average of 2,000 households in each case, the samples are drawn as a multi-stratified random sample.

⁴⁸⁹ Since 1970, the institute MARPLAN conduct an annual survey among Turks, Italians, Greeks and citizens of the former Yugoslavian states in Western Germany. The size of the sample is N=2,000 interviews, n=400 per nationality based on a random-quota-mix.

Table 24: Attitudes concerning the living together with Germans in West Germany 1991, 1994, 1997, 2002 foreign interviewees, in per cent

	1991	1994	1997	2002
It's good to live together.	78	77	72	72
Indifferent	13	12	17	15
It's better to live separated.	9	10	12	14

Source: Bundesamt für Bauwesen und Raumordnung (2007) *LebensRäume. Wohn- und Lebensbedingungen aus Sicht der Bewohner. Berichte. Band 24, p. 183-184*

Table 25: Relationship between Germans and foreigners in West Germany, 1993, 1999, 2002, 2004, German interviewees, in per cent

	1993	1999	2002	2004
Very good relationship	50	38	36	37
Normal relationship	45	56	55	58
Conflicts	5	6	6	5

Source: Bundesamt für Bauwesen und Raumordnung (2007) *LebensRäume. Wohn- und Lebensbedingungen aus Sicht der Bewohner. Berichte. Band 24, p. 183-184*

Table 26: Relationship between foreigners and Germans in West Germany, 1991, 1993, 1999, 2002, foreign interviewees, in per cent

	1991	1993	1999	2002
Very good relationship	28	25	23	24
Normal relationship	61	62	64	64
Conflicts	12	12	13	12

Source: Bundesamt für Bauwesen und Raumordnung (2007) *LebensRäume. Wohn- und Lebensbedingungen aus Sicht der Bewohner. Berichte. Band 24, p. 186-187*

Annex C4: Health and social care

Table 1: Average age of decedents by nationality and sex in per cent¹ (2003)

	<i>Non-German</i>		<i>German</i>	
	<i>Women</i>	<i>Men</i>	<i>Women</i>	<i>Men</i>
<i>Cases of death</i>	65.3	60.2	80.3	71.7
<i>of which:</i>				
<i>External causes</i> ²	44.9	40.5	70.0	54.2
<i>Accidents</i>	48.0	39.9	73.5	54.6

Source: Bundesministerium für Familie, Senioren, Frauen und Jugend (2005) *Gender-Daten Report. 1. Datenreport zur Gleichstellung von Frauen und Männern in der Bundesrepublik Deutschland*, chapter 8.6.,; available at: <http://www.bmfsfj.de/Publikationen/genderreport/01-Redaktion/PDF-Anlagen/gesamtdokument,property=pdf,bereich=genderreport,rwb=true.pdf> (25.10.2007).

¹ Data based on the GBE, statistics on causes of death.

² External causes include all non-natural causes of death (e.g. injuries, contaminations and accidents).

Table 2: Infant mortality in the first year of live (1990-2002)

Infant mortality in the first year of live per 1000 live births			
Year	Total	German	Non-German
1990	7.1	-	-
1991	6.7	-	-
1992	6.1	5.9	8.0
1993	5.8	5.6	7.1
1994	5.6	5.4	6.6
1995	5.3	5.1	6.5
1996	5.0	4.9	5.9
1997	4.8	4.6	6.3
1998	4.7	4.5	5.8
1999	4.5	4.4	5.4
2000	4.4	4.2	5.5
2001	4.3	-	-
2002	4.2	-	-

Source: Bundesministerium für Gesundheit, Statistisches Taschenbuch Gesundheit 2005, p.74, available at:
http://www.bmg.bund.de/cln_040/nn_603384/SharedDocs/Publikationen/Gesundheit/a-404-05,templateId=raw,property=publicationFile.pdf/a-404-05.pdf
 (25.10.2007).

Table 3: Number of deceased children per 1,000 live births and stillborn infants (1990-2002)

Number of deceased children per 1,000 live births and stillborn infants			
Year	Total	German	Non-German
1990	3.5	-	-
1991	3.3	3.1	4.6
1992	3.3	3.2	4.0
1993	3.1	2.9	4.2
1994	4.0	3.8	5.5
1995	4.4	4.2	5.9
1996	4.5	4.2	6.1
1997	4.3	4.1	5.8
1998	4.0	3.9	5.0
1999	4.0	3.9	4.8
2000	4.0	3.8	5.3
2001	3.9	3.8	5.0
2002	3.7	-	-

Source: Bundesministerium für Gesundheit, Statistisches Taschenbuch Gesundheit 2005, p.74, available at:
http://www.bmg.bund.de/cln_040/nn_603384/SharedDocs/Publikationen/Gesundheit/a-404-05,templateId=raw,property=publicationFile.pdf/a-404-05.pdf
 (25.10.2007).

Table 4: Prenatal and premature deaths per 1,000 live births and stillborn infants (1990-2002)

Stillborn children and those deceased in the first 7 days of life per 1,000 live births and stillborn infants			
Year	Total	German	Non-German
1990	6.3	-	-
1991	5.8	5.6	7.6
1992	5.8	5.6	7.1
1993	5.4	5.2	7.0
1994	6.4	6.2	8.2
1995	6.8	6.5	8.9
1996	6.8	6.5	8.8
1997	6.5	6.2	8.5
1998	6.2	5.9	7.8
1999	6.2	6.0	7.3
2000	6.1	5.8	8.1
2001	5.9	5.7	7.8
2002	5.8	-	-

Source: Bundesministerium für Gesundheit, Statistisches Taschenbuch Gesundheit 2005, p.74, available at:
http://www.bmg.bund.de/cln_040/nn_603384/SharedDocs/Publikationen/Gesundheit/a-404-05,templateId=raw,property=publicationFile.pdf/a-404-05.pdf
 (25.10.2007).

- No data available.

Table 5a: Population, listed by migration status and health status: invalid and injured by accident in 1,000 (2005)

	Population providing data concerning health status	Invalid and injured by accident		of which	
		all	%	Invalid	Injured by accident
Total of Population	71,120.8	9,057.8	12.7	8,624.7	433.2
<25	17,851.6	1,566.1	8.8	1,471.5	94.6
25-35	8,342.9	767.8	9.2	710.3	57.5
35-45	11,683.4	1,121.8	9.6	1,044.7	77.1
45-55	10,184.7	1,137.6	11.2	1,079.3	58.3
55-65	8,558.4	1,257.7	14.7	1,213.0	44.7
65<	14,499.8	3,206.9	22.1	3,106.0	100.9
Persons without a migration background	58,188.1	7,668.2	13.2	7,292.5	375.7
<25	13,056.2	1,197.1	9.2	1,120.3	76.8
25-35	6,100.4	595.0	9.8	547.2	47.8
35-45	9,622.6	931.1	9.7	865.6	65.5
45-55	8,576.7	937.5	10.9	886.7	50.8
55-65	7,405.1	1,047.0	14.1	1,008.3	38.7
65<	13,427.3	2,960.6	22.0	2,864.4	96.2
Persons with migration background in the wider sense¹	12,932.8	1,389.6	10.7	1,332.2	57.5
Persons with a migration background in the narrow sense²	12,464.2	1,332.6	10.7	1,278.4	54.1
<25	4,492.8	334.0	7.4	317.9	16.1
25-35	2,136.0	159.6	7.5	150.8	8.8
35-45	2,021.9	185.1	9.2	174.1	11.0
45-55	1,596.5	198.5	12.4	190.9	7.5
55-65	1,148.4	209.9	18.3	203.9	6.0
65<	1,068.5	245.6	23.0	240.8	/

Source: Statistisches Bundesamt, *Bevölkerung und Erwerbstätigkeit. Bevölkerung mit Migrationshintergrund. Ergebnisse des Mikrozensus 2005. Fachserie 1 Reihe 2.2*, pp.272-289, available at: https://www-ec.destatis.de/csp/shop/sfg/bpm.html.cms.cBroker.cls?cmspath=struktur,vollanz_eige.csp&ID=1020312 (02.08.2007).

Table 5b: Population, listed by migration status and health status: invalid and injured by accident in 1,000 – male population (2005)

	Population providing data concerning health status	Invalid and Injured by accident		of which	
		all	%	Invalid	Injured by accident
Total of Population	34,779.8	4,203.9	12.1	3,958.8	245.1
<25	9,172.4	801.7	8.7	740.3	61.5
25-35	4,249.7	375.8	8.8	334.4	41.3
35-45	5,936.5	561.9	9.5	511.2	50.6
45-55	5,043.0	552.6	11.0	516.9	35.7
55-65	4,221.8	636.5	15.1	614.0	22.5
65<	6,156.4	1,275.4	20.7	1,242.0	33.5
Persons without a migration background	28,213.9	3,509.3	12.4	3,303.6	205.6
<25	6,716.8	612.1	9.1	562.0	50.1
25-35	3,117.9	287.8	9.2	253.9	33.9
35-45	4,866.8	457.5	9.4	415.9	41.6
45-55	4,253.3	459.1	10.8	428.6	30.5
55-65	3,615.5	527.6	14.6	509.1	18.5
65<	5,643.6	1,165.2	20.6	1,134.2	31.1
Persons with migration background in the wider sense¹	6,565.9	694.6	10.6	655.2	39.4
Persons with a migration background in the narrow sense²	6,336.6	663.4	10.5	625.9	37.5
<25	2,308.4	170.2	7.4	159.5	10.6
25-35	1,082.1	81.4	7.5	74.7	6.7
35-45	1,048.2	101.1	9.6	92.5	8.6
45-55	783.0	92.3	11.8	87.1	5.2
55-65	604.0	108.6	18.0	104.6	/
65<	510.8	109.9	21.5	107.5	/

Source: Statistisches Bundesamt, *Bevölkerung und Erwerbstätigkeit. Bevölkerung mit Migrationshintergrund. Ergebnisse des Mikrozensus 2005. Fachserie 1 Reihe 2.2*, pp.272-289, available at: <https://www-ec.destatis.de/csp/shop/sfg/bpm.html.cms.cBroker.cls?cmspath=struktur,vollanzeige.csp&ID=1020312> (02.08.2007).

Table 5c: Population, listed by migration status and health status: invalid and injured by accident in 1,000 – female population (2005)

	Population providing data concerning health status	Invalid and Injured by accident		of which	
		all	%	invalid	Injured by accident
Total of Population	36,341.0	4,854.0	13.4	4,665.9	188.1
<25	8,679.2	764.4	8.8	731.3	33.1
25-35	4,093.1	392.0	9.6	375.8	16.2
35-45	5,747.0	559.9	9.7	533.4	26.5
45-55	5,141.7	585.0	11.4	562.4	22.7
55-65	4,336.6	621.1	14.3	599.0	22.2
65<	8,343.5	1,931.5	23.1	1,864.0	67.4
Persons without a migration background	29,974.2	4,159.0	13.9	3,988.9	170.1
<25	6,339.4	585.0	9.2	558.3	26.7
25-35	2,982.4	307.2	10.3	293.4	13.9
35-45	4,755.8	473.6	10.0	449.7	23.9
45-55	4,323.4	478.4	11.1	458.0	20.3
55-65	3,789.6	519.4	13.7	499.3	20.2
65<	7,783.6	1,795.4	23.1	1,730.2	65.1
Persons with migration background in the wider sense¹	6,366.8	695.0	10.9	677.0	18.0
Persons with a migration background in the narrow sense²	6,127.7	669.1	10.9	652.5	16.6
<25	2,184.4	163.8	7.5	158.4	5.5
25-35	1,053.9	78.2	7.4	76.0	/
35-45	973.7	84.0	8.6	81.6	/
45-55	813.6	106.2	13.1	103.8	/
55-65	544.4	101.2	18.6	99.2	/
65<	557.7	135.7	24.3	133.4	/

Source: Statistisches Bundesamt, *Bevölkerung und Erwerbstätigkeit. Bevölkerung mit Migrationshintergrund. Ergebnisse des Mikrozensus 2005. Fachserie 1 Reihe 2.2*, pp.272-289, available at: https://www-ec.destatis.de/csp/shop/sfg/bpm.html.cms.cBroker.cls?cmspath=struktur,vollanz_eige.csp&ID=1020312 (02.08.2007).

¹ The category “persons with a migration background in the wider sense” includes the category “persons with a migration background in the narrow sense” and “persons whose migration background is not consistently definable”. “Persons whose migration background is not consistently definable” are Germans who are born in Germany, whose migration background are depending on their parents, and who do

not live in the same household with their parents. The information to identify this group is only available in the 2005 and 2009 micro census.

- ² The category “Persons with a migration background in the narrow sense” includes all persons who are immigrated (Germans and foreigners), foreigners who are born in Germany, naturalised persons, and Germans with at least one parent immigrated or at least one parent born in Germany as foreigner. “Persons whose migration background is not consistently definable” are not included.

Table 6: Cases of long-term sick leave by nationality and age in per cent (1997 and 2002)¹

Nationality	Non-Germans from recruitment countries		Germans	
Age	18 – 44	45 - 64	18 - 44	45 - 64
Long-term sick leave ²	2002			
Yes	5.7	13.7	4.3	6.9
No	94.3	86.3	95.7	93.1
	1997			
Yes	4.5	14.7	4.4	8.1
No	95.5	85.3	95.6	91.9

Source: V. Özcan, W. Seifert (2006) ‘Lebenslage älterer Migrantinnen und Migranten in Deutschland’, in: *Deutsches Zentrum für Altersfragen (ed.) (2006) Lebenssituation und Gesundheit älterer Migranten in Deutschland*, Berlin: Lit, p.48.

¹ Data based on the German Socio-Economic Panel (SOEP), cross-sections 1997 and 2002.

² Cases of sick leave longer than six weeks in the previous year.

Table 7: Persons signed off sick by migration background in per cent (2005/2006)

	Germans without migration background	Germans with migration background*	Foreigners**
No sick leave during the past 12 months	59	55	55
Sick leave due to sickness or accident during the past 12 months	41	45	45
Of which: days signed off sick			
1-2	7	9	11
3-4	15	15	14
5	15	15	12
6-9	11	13	17
10-14	19	16	22
15-20	9	8	7
21-59	15	15	10
60 and more	9	9	5
Average	22.4	23.5	16.2

Source: BIBB/BAuA-Erwerbstätigenbefragung 2006 – Arbeit und Beruf im Wandel, Erwerb und Verwertung beruflicher Qualifikation (Representative survey of 20.000 employed persons in Germany. The survey took place from October 2005 to March 2006. The basic population was employed persons from the age of 15 years. Employment was defined as gainful employment with at least 10 weekly working hours.); data available on request from the Bundesanstalt für Arbeitsschutz und Arbeitsmedizin (BAuA) [Federal Institute for Occupational Safety and Health], contact person: Frank Brenscheidt.

* Germans with a migration background are defined as persons who have learned another language than German as their mother tongue in their childhood.

** The representativeness of the survey is restricted concerning foreigners, since only those foreigners with sufficient German language proficiency were interviewed.

Table 8: People with health afflictions due to their work, sorted by migration background in per cent (2005/2006)

Health afflictions	People with health afflictions due to their work (multiple answers)			Of whom: People who have been under medical or therapeutic treatment because of this complaint		
	Germans without a migration background	Germans with a migration background*	Foreigners**	Germans without a migration background	Germans with a migration background*	Foreigners**
Lower back pain	42	49	47	69	61	62
Neck or shoulder pain	45	49	52	63	59	54
Arm and hand pain	19	29	30	49	42	48
Painful hips	11	16	14	63	54	49
Knee pain	17	21	25	56	56	46
Leg and foot pain, swollen legs	19	28	27	36	33	32
Headache	28	34	36	36	37	39
Heart trouble, twinges, tightness in the chest	5	6	7	65	56	57
Shortness of breath	3	5	2	69	68	45
Coughing	7	11	9	52	52	62
Running nose or sneezing	12	14	15	34	45	35
Eye irritation	19	22	21	47	57	52
Skin irritation, itching	8	12	12	50	48	51
Sleep disorder	19	23	21	22	16	24
General tiredness, fatigue, or exhaustion	41	49	56	15	14	17
Stomach problems or	10	10	12	60	61	59

digestive disorders						
Hearing disorders, tinnitus	13	14	12	51	48	48
Nervousness or irritability	27	31	32	13	10	20
Despondency	18	21	21	16	14	20
Dizziness	4	7	8	53	49	47
Burnout	7	7	6	28	28	24
Depression	4	6	7	56	38	56
Other complaints	3	4	4	43	38	40
Sum (multiple answers)	379	469	478	-	-	-
No afflictions/ no treatment	20	15	14	57	50	50

Source: BIBB/BAuA-Erwerbstätigenbefragung 2006 – Arbeit und Beruf im Wandel, Erwerb und Verwertung beruflicher Qualifikation (Representative survey of 20.000 employed persons in Germany. The survey took place from October 2005 to March 2006. The basic population was employed persons from the age of 15 years. Employment was defined as gainful employment with at least 10 weekly working hours.); data available on request from the Bundesanstalt für Arbeitsschutz und Arbeitsmedizin (BAuA) [Federal Institute for Occupational Safety and Health], contact person: Frank Brenscheidt.

* Germans with a migration background are defined as persons who have learned another language than German as their mother tongue in their childhood.

** The representativeness of the survey is restricted concerning foreigners, since only those foreigners with sufficient German language proficiency were interviewed.

Table 9: New HIV infections in Germany by region of origin (2001-2004)

	2001	2002	2003	2004
Germany	682	776	898	972
Western Europe	45	46	60	38
Middle Europe	32	51	57	53
Eastern Europe	32	22	55	48
Sub-Saharan Africa	243	315	313	275
Other Regions	75	118	113	116
Unknown	377	407	484	427
Total	804	959	1082	957

Source: Robert-Koch-Institut (2004), In: *HIV/AIDS und Migrant/innen. Gesundheitsrisiken, soziale Lage und Angebote einschlägiger Dienste. Nationale Auswertung für Deutschland*, p. 8 available at: http://www.bmg.bund.de/cln_041/nn_603380/SharedDocs/Publikationen/Forschungsberichte/f-342,templateId=raw,property=publicationFile.pdf/f-342.pdf (27.10.2007).

Table 10: Tuberculosis incidence per 1,000 habitants by age and citizenship (2004)

Age group	Germany	Foreign country
< 5 years	2,8	21,7
5 - 9 years	0,8	9,2
10 - 14 years	0,6	4,6
15 - 19 years	1,2	24,4
20 - 24 years	2,5	44,4
25 - 29 years	4,2	41,8
30 - 39 years	4,0	34,5
40 - 49 years	5,6	29,9
50 - 59 years	6,5	26,8
60 - 69 years	7,3	34,3
> 69 years	12,5	41,7

Source: Robert Koch-Institut, *Gesundheitsberichterstattung des Bundes, Themen-Heft 35*, figure 2, available at: <http://www.gbe-bund.de/> (28.10.07).

Table 11: Tuberculosis incidence by citizenship and country of birth (2004)

	Total	Per cent
Citizenship		
Germany	4.150	65,0
Foreign country	2.231	35,0
unknown	202	
total	6.583	
County of birth		
Germany	3.429	54,4
Foreign country	2.879	45,6
unknown	275	
total	6.583	

Source: Robert Koch-Institut, Gesundheitsberichterstattung des Bundes, available at: <http://www.gbe-bund.de/>(28.10.07).

Table 12: Perceived degree of disability in every ay life by nationality and age in per cent (1997 and 2001)¹

Nationality	Non-Germans from recruitment countries			Germans		
Age	18 - 44	45 - 64	65 and older	18 - 44	45 - 64	65 and older
	2001					
Not disabled in everyday life	83.3	43.3	30.6	80.3	52.0	23.5
A little disabled	13.1	36.6	51.3	17.1	36.3	52.5
Very disabled	3.6	20.2	18.3	2.6	11.7	24.0
	1997					
Not disabled in every day life	83.6	42.8	38.7	80.9	51.0	25.3
A little disabled	13.9	40.9	44.8	16.3	35.0	49.3
Very disabled	2.5	16.3	16.5	2.8	14.0	25.5

Source: V. Özcan, W. Seifert (2006) 'Lebenslage älterer Migrantinnen und Migranten in Deutschland', in: *Deutsches Zentrum für Altersfragen (ed.) (2006) Lebenssituation und Gesundheit älterer Migranten in Deutschland*, Berlin: Lit, p.50.

¹ Data based on the German Socio-Economic Panel (SOEP), cross-sections 1997 and 2002.

Table 13: Employed persons with an officially acknowledged disability, sorted by migration background in per cent (2005/2006)

	Germans without a migration background	Germans with a migration background*	Foreigners**
Persons without an officially acknowledged disability	93	93	96
Persons with an officially acknowledged disability	7	7	4
of which			
Degree of disability less than 50 ¹	54	62	62
Degree of disability 50 or more ¹	46	38	35
Not stated	-	-	3

Source: BIBB/BAuA-Erwerbstätigenbefragung 2006 – Arbeit und Beruf im Wandel, Erwerb und Verwertung beruflicher Qualifikation (Representative survey of 20.000 employed persons in Germany. The survey took place from October 2005 to March 2006. The basic population was employed persons from the age of 15 years. Employment was defined as gainful employment with at least 10 weekly working hours.); data available on request from the Bundesanstalt für Arbeitsschutz und Arbeitsmedizin (BAuA) [Federal Institute for Occupational Safety and Health], contact person: Frank Brenscheidt.

* Germans with a migration background are defined as persons who have learned another language than German as their mother tongue in their childhood.

** The representativeness of the survey is restricted concerning foreigners, since only those foreigners with sufficient German language proficiency were interviewed.

1 According to German social legislation, persons whose degree of disability is 50 or more are considered severely disabled.

Table 14: Severely disabled German and non-German men and women (2005)

	Non-German		German	
	Women	Men	Women	Men
All ages	114.207	179.914	3.123.165	3.348.069
Under 18	5.913	8.182	61.406	86.054
18 to under 25 years	3.221	4.740	43.512	60.249
25 to under 35 years	6.694	10.363	81.062	101.942
35 to under 45 years	10.110	15.767	207.255	235.449
45 to under 55 years	21.544	21.550	354.611	396.955
55 to under 60 years	22.134	30.021	249.714	305.598
60 to under 62 years	7.826	14.514	113.782	145.918
62 to under 65 years	9.182	22.197	207.190	296.729
65 years and older	27.583	52.580	1.804.633	1.719.175

Source: Statistisches Bundesamt – Gesundheitsberichterstattung des Bundes, available at: <http://www.gbe-bund.de/> (08.08.2007).

Table 15: Severely disabled German and Non-German men and women (2003)

	Non-German		German	
	Women	Men	Women	Men
All ages	101.615	169.479	3.051.936	3.315.862
Under 18	6.179	8.720	62.771	86.786
18 to under 25 years	3.186	4.755	41.233	57.035
25 to under 35 years	6.522	10.268	85.982	107.634
35 to under 45 years	8.993	14.345	209.611	243.543
45 to under 55 years	22.707	22.994	339.261	385.554
55 to under 60 years	18.112	30.250	231.776	288.187
60 to under 62 years	6.271	14.574	125.978	173.161
62 to under 65 years	7.769	21.289	226.539	341.355
65 years and older	21.876	42.284	1.728.785	1.632.607

Source: Statistisches Bundesamt – Gesundheitsberichterstattung des Bundes, available at: <http://www.gbe-bund.de/> (08.08.2007).

Table 16: Severely disabled by citizenship, sex and age (31/12/2005)

	EU (incl. Germany)	Germany	Africa	America	Asia	Australia and Oceania	Stateless	unknown	NA
Male	3,402,773	3,348,069	5,795	2,195	7,915	107	1,182	755	3,188
Female	3,156,099	3,123,165	1,886	1,584	5,122	99	630	496	2,716
All	6,558,872	6,471,234	7,681	3,779	1,3037	206	1,812	1,251	5,904
< 4	14,026	13,882	47	4	113	1	4	12	9
4-6	14,029	13,864	48	3	120	-	8	8	16
6-15	83,228	81,885	89,372	448	990	1	25	70	150
15-18	38,427	37,829	40,735	160	350	1	10	24	40
18-25	105,331	103,761	110,438	392	692	1	22	33	94
25-35	186,648	183,004	197,638	736	1,234	4	48	82	197
35-45	449,441	442,704	464,292	995	2,148	23	106	123	389
45-55	766,118	751,566	788,838	1,187	2,688	20	276	207	721
55-60	571,159	555,312	603,524	1,026	1,336	23	216	162	783
60-62	266,603	259,700	280,524	370	468	7	40	58	347
62-65	513,406	503,919	280,589	538	618	20	75	89	533
65 +	3,550,457	3,523,808	3,594,444	1,734	2,280	105	982	383	2,625

Source: Statistisches Bundesamt (2005), *Sozialleistungen. Schwerbehinderte Menschen. Fachserie 13/ Reihe 5.1, Table 10.1., pp.66-67*, available at: <https://www-ec.destatis.de/csp/shop/sfg/bpm.html.cms.cBroker.cls?cmspath=struktur,vollanzeige.csp&ID=1020647> (28.10.2007).

Table 17: Officially acknowledged disability, sorted by migration status in 1,000 (2005)

Officially acknowledged disability	Total	Persons without a migration background	Persons with a migration background in the wider sense*	Persons with a migration background in the narrow sense**				
				All	Germans		Foreigners	
					with	without	with	without
					own migration experiences			
Yes, degree of disability under 50%	1,123.3	996.4	126.8	124.3	60.3	/	56.2	/
Yes, degree of disability between 50% and 99%	4,301.6	3,860.0	441.6	434.5	217.7	17.4	179.9	19.4
Yes, degree of disability 100%	1,156.8	1,043.6	113.2	110.0	53.3	13.5	32.6	10.6
No	75,340.0	60,762.5	14,577.5	14,043.3	4,461.9	2,599.2	5,269.9	1,712.4

Source: Statistisches Bundesamt, *Bevölkerung und Erwerbstätigkeit. Bevölkerung mit Migrationshintergrund. Ergebnisse des Mikrozensus 2005. Fachserie 1 Reihe 2.2, p.34*, available at: <https://www-ec.destatis.de/csp/shop/sfg/bpm.html.cms.cBroker.cls?cmspath=struktur,vollanzeige.csp&ID=1020312> (02.08.2007).

* The category “persons with a migration background in the wider sense” includes the category “persons with a migration background in the narrow sense” and “persons whose migration background is not consistently definable”. “Persons whose migration background is not consistently definable” are Germans who are born in Germany, whose migration background are depending on their parents, and who do not live in the same household with their parents. The information to identify this group is only available in the 2005 and 2009 micro census.

** The category “Persons with a migration background in the narrow sense” includes all persons who are immigrated (Germans and foreigners), foreigners who are born in Germany, naturalised persons, and Germans with at least one parent immigrated or at least one parent born in Germany as foreigner. “Persons whose migration background is not consistently definable” are not included.

Table 18: Officially acknowledged disability, sorted by migration status in per cent of the respective population (2005)

Officially acknowledged disability	Total	Persons without a migration background	Persons with a migration background in the wider sense*	Persons with a migration background in the narrow sense**				
				All	Germans		Foreigners	
					with	without	with	without
					own migration experiences			
Yes, degree of disability under 50%	100.0	88.7	11.3	11.1	5.4	/	5.0	/
Yes, degree of disability between 50% and 99%	100.0	89.7	10.3	10.1	5.1	0.4	4.2	0.5
Yes, degree of disability 100%	100.0	90.2	9.8	9.5	4.6	1.2	2.8	0.9
No	100.0	80.7	19.3	18.6	5.9	3.4	7.0	2.3

Source: Statistisches Bundesamt, *Bevölkerung und Erwerbstätigkeit. Bevölkerung mit Migrationshintergrund. Ergebnisse des Mikrozensus 2005. Fachserie 1 Reihe 2.2, p.35*, available at: <https://www-ec.destatis.de/csp/shop/sfg/bpm.html.cms.cBroker.cls?cmspath=struktur,vollanzeige.csp&ID=1020312> (02.08.2007).

* The category “persons with a migration background in the wider sense” includes the category “persons with a migration background in the narrow sense” and “persons whose migration background is not consistently definable”. “Persons whose migration background is not consistently definable” are Germans who are born in Germany, whose migration background are depending on their parents, and who do not live in the same household with their parents. The information to identify this group is only available in the 2005 and 2009 micro census.

** The category “Persons with a migration background in the narrow sense” includes all persons who are immigrated (Germans and foreigners), foreigners who are born in Germany, naturalised persons, and Germans with at least one parent immigrated or at least one parent born in Germany as foreigner. “Persons whose migration background is not consistently definable” are not included.

Table 19: Self-assessed health by nationality and age in per cent (1997 and 2002)¹

Nationality	Non-Germans from recruitment countries			Germans		
Age	18 - 44	45 - 64	65 and older	18 - 44	45 - 64	65 and older
2002						
Very good/ good	70.6	24.4	11.0	62.9	35.7	17.0
Satisfying	24.1	36.9	38.3	28.2	40.4	45.2
Not very good/ bad	5.3	38.6	50.7	8.8	24.0	37.8
N	638	394	109	2,904	1,765	1,109
1997						
Very good/ good	71.3	29.2	13.8	66.2	36.4	15.8
Satisfying	20.6	36.8	40.8	25.8	39.6	44.8
Not very good/ bad	8.0	34.0	45.4	8.0	24.0	39.4
N	962	601	74	3,462	1,909	1,116

Source: V. Özcan, W. Seifert (2006) 'Lebenslage älterer Migrantinnen und Migranten in Deutschland', in: *Deutsches Zentrum für Altersfragen (ed.) (2006) Lebenssituation und Gesundheit älterer Migranten in Deutschland*, Berlin: Lit, p.49.

¹ Data based on the German Socio-Economic Panel (SOEP), cross-sections 1997 and 2002.

Table 20: Satisfaction¹ with health by nationality and age (1997 and 2002)²

Nationality	Non-Germans from recruitment countries			Germans		
Age	18 - 44	45 - 64	65 and older	18 - 44	45 - 64	65 and older
2002	7.5	4.7	4.7	7.2	6.0	5.5
1997	7.5	5.6	4.5	7.2	6.0	5.5

Source: V. Özcan, W. Seifert (2006) 'Lebenslage älterer Migrantinnen und Migranten in Deutschland', in: *Deutsches Zentrum für Altersfragen (ed.) (2006) Lebenssituation und Gesundheit älterer Migranten in Deutschland*, Berlin: Lit, p.49.

¹ Self-assessment on a scale of 1 (very unsatisfied) to 10 (very satisfied).

² Data based on the German Socio-Economic Panel (SOEP), cross-sections 1997 and 2002.

Table 21: Health status of employed persons, sorted by migration background in per cent (2005/2006)

Health status	Germans without migration background	Germans with migration background*	Foreigners**
1= Excellent	12	11	9
2= Very good	25	23	31
3= Good	54	53	48
4= Not so good	8	10	10
5= Bad	1	2	3
Average	2.6	2.7	2.7

Source: BIBB/BAuA-Erwerbstätigenbefragung 2006 – Arbeit und Beruf im Wandel, Erwerb und Verwertung beruflicher Qualifikation (Representative survey of 20.000 employed persons in Germany. The survey took place from October 2005 to March 2006. The basic population was employed persons from the age of 15 years. Employment was defined as gainful employment with at least 10 weekly working hours.); data available on request from the Bundesanstalt für Arbeitsschutz und Arbeitsmedizin (BAuA) [Federal Institute for Occupational Safety and Health], contact person: Frank Brenscheidt.

* Germans with a migration background are defined as persons who have learned another language than German as their mother tongue in their childhood.

** The representativeness of the survey is restricted concerning foreigners, since only those foreigners with sufficient German language proficiency were interviewed.

Table 22a: Population, listed by migration status and smoking habits in 1,000 (2005)

	Population over 15 years providing data concerning smoking habits	Non- Smokers	Smokers					Average age of all smokers at the time they started smoking
			Total	Quota in %	Occasional smokers	Regular smokers		
						Total	Heavy Smokers	
Total of Population	59.800.7	43,551.6	16,249.1	27.2	2,349.8	13,899.3	2,168.2	18.0
<25	7,803.5	5,344.9	2,458.6	31.5	439.5	2,019.1	126.0	15.7
25-35	8,100.9	5,106.6	2,994.3	37.0	453.6	2,540.7	337.4	16.9
35-45	11,309.8	7,158.5	4,151.3	36.7	547.4	3,603.9	666.6	17.2
45-55	9,882.6	6,505.1	3,377.5	34.2	419.5	2,958.0	594.3	17.8
55-65	8,379.5	6,479.9	1,889.7	22.7	259.9	1,639.7	307.0	19.1
65<	14,324.4	12,956.7	1,367.7	9.5	229.8	1,137.9	136.9	20.3
Persons without a migration background								
Total	50,007.3	36,648.5	13,358.8	26.7	1,933.9	11,424.9	1,814.0	17.9
<25	5,938.1	3,952.2	1,985.9	33.4	351.8	1,634.1	104.8	15.6
25-35	5,915.9	3,732.4	2,183.5	36.9	327.6	1,855.9	256.4	16.7
35-45	9,313.7	5,881.8	3,431.9	36.8	459.0	2,972.9	550.3	17.1
45-55	8,320.5	5,440.9	2,879.6	34.6	357.5	2,522.1	517.2	17.6
55-65	7,254.9	5,630.7	1,624.1	22.4	226.6	1,397.6	261.6	19.0
65<	13,264.3	12,010.5	1,253.8	9.5	211.4	1,042.4	123.9	20.4
Persons with migration background in the wider sense ¹								
Total	9,793.4	6,903.1	2,890.3	29.5	415.9	2,474.5	354.2	18.2
Persons with a migration background in the narrow sense ²								
Total	9,521.9	6,736.5	2,785.4	29.3	396.6	2,388.7	343.8	18.2
<25	1,755.7	1,327.5	428.2	24.4	79.3	348.9	19.3	16.1

25-35	2,080.7	1,311.5	769.1	37.0	118.2	651.0	76.9	17.4
35-45	1,959.3	1,252.0	707.3	36.1	86.1	621.3	113.5	18.3
45-55	1,550.6	1,057.5	493.1	31.8	61.5	431.6	76.1	18.9
55-65	1,119.7	845.6	274.2	24.5	33.2	240.9	45.1	19.6
65<	1,055.9	942.4	113.5	10.7	18.3	95.1	13.0	20.1

Table 22b: Population, listed by migration status and smoking habits in 1,000 (2005) – male population

	Population over 15 years providing data concerning smoking habits	Non-Smokers	Smokers					Average age of all smokers at the beginning of smoking
			Total	Quota in %	Occasional smokers	Regular smokers		
						Total	Heavy Smokers	
Total of Population	28,994.0	19,660.0	9,334.1	32.2	1,223.1	8,111.0	1,542.9	17.6
<25	4,014.0	2,630.2	1,383.9	34.5	237.5	1,146	80.5	15.8
25-35	4,126.3	2,362.1	1,764.2	42.8	233.6	1,530.5	241.6	16.9
35-45	5,746.6	3,387.3	2,359.3	41.1	272.8	2086.6	475.3	17.2
45-55	4,891.4	3,018.1	1,873.3	38.3	209.7	1,663.6	420.1	17.4
55-65	4,310.2	3,001.4	1,128.8	27.3	143.0	985.8	225.2	18.3
65<	6,085.6	5,260.9	824.6	13.6	126.6	698.1	100.2	18.9
Persons without a migration background								
Total	24,047.8	16,573.1	7,474.7	31.1	997.7	6,477.1	1,264.7	17.5
<25	3,069.1	1,973.0	1,096.1	35.7	188.4	907.7	64.7	15.8
25-35	3023.5	1,767.2	1,256.3	41.6	170.3	1,086.1	178.1	16.7
35-45	4,710.0	2,827.4	1,882.5	40.0	223.4	1,659.1	382.1	17.0
45-55	4,124.1	2,564.7	1,559.3	37.8	177.7	1,381.7	363.4	17.3

55-65	3,541.6	2,603.9	937.7	26.5	123.6	814.0	187.3	18.2
65<	5,579.7	4,836.9	742.8	13.3	114.3	628.5	89.2	18.9
Persons with migration background in the wider sense¹								
Total	4,946.2	3,086.9	1,859.4	37.6	225.4	1,633.9	278.1	17.8
Persons with a migration background in the narrow sense²								
Total	4,816.9	3,011.4	1,805.5	37.5	215.8	1,589.7	271.1	17.8
<25	896.1	629.6	266.5	29.7	45.3	221.2	15.0	16.2
25-35	1,053.8	566.9	486.9	46.2	59.6	427.3	60.7	17.2
35-45	1,016.1	546.8	469.3	46.2	47.7	421.5	90.8	17.8
45-55	760.7	449.7	311.0	40.9	31.8	279.2	56.0	18.2
55-65	586.3	396.0	190.3	32.5	19.2	171.1	37.7	18.7
65<	503.9	422.3	81.6	16.2	12.2	69.4	11.0	19.0

Table 22c: Population, listed by migration status and smoking habits in 1,000 (2005) – female population

	Population over 15 years providing data concerning smoking habits	Non-Smokers	Smokers					Average age of all smokers at the beginning of smoking
			Total	Quota in %	Occasional smokers	Regular smokers		
						Total	Heavy Smokers	
Total of Population	30,806.6	23,891.6	6,915.0	22.4	1,126.7	5,788.4	625.4	18.5
<25	3,789.5	2,717.8	1,074.7	28.4	202.0	872.7	45.5	15.5
25-35	3,974.7	2,744.5	1,230.2	31.0	220.0	1,010.2	95.7	16.9
35-45	5,563.3	3,771.3	1,792.0	32.2	274.7	1,517.3	191.4	17.4
45-55	4,991.1	3,586.9	1,504.2	30.1	209.8	1,294.4	174.3	18.3
55-65	4,249.3	3,478.5	770.9	18.1	117.0	653.9	81.8	20.5

65<	8,238.8	7,695.7	543.1	6.6	103.3	439.8	36.7	23.8
Persons without a migration background								
Total	25,959.4	20,075.4	5,884.1	22.7	936.3	4,947.8	549.3	18.5
<25	2,869.0	1,979.2	889.8	31.0	163.5	726.4	40.1	15.4
25-35	2,892.4	1,965.2	927.2	32.1	157.3	769.9	78.3	16.6
35-45	4,603.7	3,054.3	1,549.4	33.7	235.6	1,313.8	168.2	17.1
45-55	4,196.4	2,876.2	1,320.3	31.5	179.9	1,140.4	153.8	18.1
55-65	3,713.3	3,026.8	686.5	18.5	103.0	583.5	74.3	20.4
65<	7,684.6	7,173.7	511.0	6.6	97.1	413.9	34.6	23.7
Persons with migration background in the wider sense¹								
Total	4,847.2	3,816.2	1,031.0	21.3	190.4	840.5	76.1	18.9
Persons with a migration background in the narrow sense²								
Total	4,705.1	3,725.2	979.9	20.8	180.9	799.0	72.7	19.1
<25	859.6	697.9	161.7	18.8	34.0	127.7	/	16.1
25-35	1,026.9	744.7	282.3	27.5	58.6	223.7	16.2	17.8
35-45	943.2	705.1	238.1	25.2	38.4	199.7	22.6	19.0
45-55	789.9	607.8	182.1	23.1	29.7	152.4	20.1	20.1
55-65	533.4	449.6	83.8	15.7	14.0	69.8	7.4	21.8
65<	552.0	520.1	31.9	5.8	6.2	25.7	/	24.3

Source: Statistisches Bundesamt, *Bevölkerung und Erwerbstätigkeit. Bevölkerung mit Migrationshintergrund. Ergebnisse des Mikrozensus 2005. Fachserie 1 Reihe 2.2*, pp. 296-313, available at: <https://www-ec.destatis.de/csp/shop/sfg/bpm.html.cms.cBroker.cls?cmspath=struktur,vollanzeige.csp&ID=1020312> (02.08.2007).

¹ The category “persons with a migration background in the wider sense” includes the category “persons with a migration background in the narrow sense” and “persons whose migration background is not consistently definable”. “Persons whose migration background is not consistently definable” are Germans who are born in Germany, whose migration background are depending on their parents, and who do not live in the same household with their parents. The information to identify this group is only available in the 2005 and 2009 micro census.

² The category “Persons with a migration background in the narrow sense” includes all persons who are immigrated (Germans and foreigners), foreigners who are born in Germany, naturalised persons, and Germans with at least one parent immigrated or at least one parent born in Germany as foreigner. “Persons whose migration background is not consistently definable” are not included.

Table 23a: Smoking habits, sorted by migration status in 1,000 (2005)

Smoking habits	Total	Persons without a migration background	Persons with a migration background in the wider sense*	Persons with a migration background in the narrow sense**				
				All	Germans		Foreigners	
					with	without	with	without
					own migration experiences			
People who have never smoked	32,079.3	26,557.6	5,521.7	5,390.9	2,260.1	429.8	2,289.1	411.9
Ex-Smoker	11,472.3	10,090.9	1,381.4	1,345.6	621.3	42.3	607.4	74.5
Occasional Smoker	2,349.8	1,933.9	415.9	396.6	151.8	28.9	180.0	36.0
Regular Smoker	13,899.3	11,424.9	2,474.5	2,388.7	846.8	138.4	1,159.6	244.0
Heavy Smoker	2,168.2	1,814.0	354.2	343.8	100.4	13.7	196.3	33.4

Source: Statistisches Bundesamt, *Bevölkerung und Erwerbstätigkeit. Bevölkerung mit Migrationshintergrund. Ergebnisse des Mikrozensus 2005. Fachserie 1 Reihe 2.2, p.36*, available at: <https://www-ec.destatis.de/csp/shop/sfg/bpm.html.cms.cBroker.cls?cmspath=struktur,vollanzeige.csp&ID=1020312> (02.08.2007).

* The category “persons with a migration background in the wider sense” includes the category “persons with a migration background in the narrow sense” and “persons whose migration background is not consistently definable”. “Persons whose migration background is not consistently definable” are Germans who are born in Germany, whose migration background are depending on their parents, and who do not live in the same household with their parents. The information to identify this group is only available in the 2005 and 2009 micro census.

** The category “Persons with a migration background in the narrow sense” includes all persons who are immigrated (Germans and foreigners), foreigners who are born in Germany, naturalised persons, and Germans with at least one parent immigrated or at least one parent born in Germany as foreigner. “Persons whose migration background is not consistently definable” are not included.

Table 23b: Smoking habits, sorted by migration status in per cent of the respective population (2005)

Smoking habits	Total	Persons without a migration background	Persons with a migration background in the wider sense*	Persons with a migration background in the narrow sense**				
				All	Germans		Foreigners	
					with	without	with	without
					own migration experiences			
People who have never smoked	100.0	82.8	17.2	16.8	7.0	1.3	7.1	1.3
Ex-Smoker	100.0	88.0	12.0	11.7	5.4	0.4	5.3	0.6
Occasional Smoker	100.0	82.3	17.7	16.9	6.5	1.2	7.7	1.5
Regular Smoker	100.0	82.2	17.8	17.2	6.1	1.0	8.3	1.8
Heavy Smoker	100.0	83.7	16.3	15.9	4.6	0.6	9.1	1.5

Source: Statistisches Bundesamt, *Bevölkerung und Erwerbstätigkeit. Bevölkerung mit Migrationshintergrund. Ergebnisse des Mikrozensus 2005. Fachserie 1 Reihe 2.2, p.37*, available at: <https://www-ec.destatis.de/csp/shop/sfg/bpm.html.cms.cBroker.cls?cmspath=struktur,vollanzeige.csp&ID=1020312> (02.08.2007).

* The category “persons with a migration background in the wider sense” includes the category “persons with a migration background in the narrow sense” and “persons whose migration background is not consistently definable”. “Persons whose migration background is not consistently definable” are Germans who are born in Germany, whose migration background are depending on their parents, and who do not live in the same household with their parents. The information to identify this group is only available in the 2005 and 2009 micro census.

** The category “Persons with a migration background in the narrow sense” includes all persons who are immigrated (Germans and foreigners), foreigners who are born in Germany, naturalised persons, and Germans with at least one parent immigrated or at least one parent born in Germany as foreigner. “Persons whose migration background is not consistently definable” are not included.

Table 24a: Body Mass Index, sorted by migration status in 1,000 (2005)

Body Mass Index (BMI)	Total	Persons without a migration background	Persons with a migration background in the wider sense*	Persons with a migration background in the narrow sense**				
				All	Germans		Foreigners	
					with	without	with	without
					own migration experiences			
Underweight (BMI under 18.5)	1,311.5	1,063.1	248.4	238.1	76.5	28.5	111.2	21.8
Normal weight (BMI 18.5-25)	25,862.7	21,634.3	4,228.5	4,088.2	1,594.4	275.2	1,872.9	345.7
Overweight (BMI 25-30)	18,658.4	15,781.0	2,877.4	2,825.0	1,267.3	100.5	1,286.5	170.7
Strong overweight (BMI 30 and over)	7,025.9	5,854.7	1,171.2	1,153.8	534.6	30.7	531.1	57.4

Source: Statistisches Bundesamt, *Bevölkerung und Erwerbstätigkeit. Bevölkerung mit Migrationshintergrund. Ergebnisse des Mikrozensus 2005. Fachserie 1 Reihe 2.2*, p.36, available at: <https://www-ec.destatis.de/csp/shop/sfg/bpm.html.cms.cBroker.cls?cmspath=struktur,vollanzeige.csp&ID=1020312> (02.08.2007).

* The category “persons with a migration background in the wider sense” includes the category “persons with a migration background in the narrow sense” and “persons whose migration background is not consistently definable”. “Persons whose migration background is not consistently definable” are Germans who are born in Germany, whose migration background are depending on their parents, and who do not live in the same household with their parents. The information to identify this group is only available in the 2005 and 2009 micro census.

** The category “Persons with a migration background in the narrow sense” includes all persons who are immigrated (Germans and foreigners), foreigners who are born in Germany, naturalised persons, and Germans with at least one parent immigrated or at least one parent born in Germany as foreigner. “Persons whose migration background is not consistently definable” are not included.

Table 24b: Body Mass Index, sorted by migration status in per cent of the respective population (2005)

Body Mass Index (BMI)	Total	Persons without a migration background	Persons with a migration background in the wider sense*	Persons with a migration background in the narrow sense**				
				All	Germans		Foreigners	
					with	without	with	without
					own migration experiences			
Underweight (BMI under 18.5)	100.0	81.1	18.9	18.2	5.8	2.2	8.5	1.7
Normal weight (BMI 18.5-25)	100.0	83.7	16.3	15.8	6.2	1.1	7.2	1.3
Overweight (BMI 25-30)	100.0	84.6	15.4	15.1	6.8	0.5	6.9	0.9
Strong overweight (BMI 30 and over)	100.0	83.3	16.7	16.4	7.6	0.4	7.6	0.8

Source: Statistisches Bundesamt, *Bevölkerung und Erwerbstätigkeit. Bevölkerung mit Migrationshintergrund. Ergebnisse des Mikrozensus 2005. Fachserie 1 Reihe 2.2, p.37*, available at: <https://www-ec.destatis.de/csp/shop/sfg/bpm.html.cms.cBroker.cls?cmspath=struktur,vollanzeige.csp&ID=1020312> (02.08.2007).

* The category “persons with a migration background in the wider sense” includes the category “persons with a migration background in the narrow sense” and “persons whose migration background is not consistently definable”. “Persons whose migration background is not consistently definable” are Germans who are born in Germany, whose migration background are depending on their parents, and who do not live in the same household with their parents. The information to identify this group is only available in the 2005 and 2009 micro census.

** The category “Persons with a migration background in the narrow sense” includes all persons who are immigrated (Germans and foreigners), foreigners who are born in Germany, naturalised persons, and Germans with at least one parent immigrated or at least one parent born in Germany as foreigner. “Persons whose migration background is not consistently definable” are not included.

Table 25a: Population, by migration background and body Mass Index¹ in 1,000 (2005)

	Population older 18 providing data concerning size and weight	Average Body-Mass-Index	of which: with Body-Mass-Index from ...to under...			
			Under 18.5	18.5-25	25-30	Over 30
Total of Population	52,858.5	25.4	1,311.5	25,862.7	18,658.4	7,025.9
<25	5,078.3	22.5	416.3	3,742.1	741.7	178.2
25-35	7,402.0	24.1	263.1	4,670.2	1,909.0	559.7
35-45	10,407.2	25.0	218.7	5,638.9	3,445.2	1,104.4
45-55	9,081.8	26.0	125.0	4,079.8	3,468.2	1,408.8
55-65	7,751.1	26.6	79.1	2,890.7	3,325.7	1,455.6
65<	13,138.2	26.5	209.2	4,841.1	5,768.7	2,319.2
Persons without a migration background						
Total	44,333.0	25.4	1,063.1	21,634.3	15,781.0	5,854.7
<25	3,848.4	22.5	313.9	2,852.4	545.0	137.1
25-35	5,388.9	24.0	185.7	3,444.2	1,347.8	411.2
35-45	8,561.1	24.9	184.9	4,711.8	2,781.4	883.0
45-55	7,642.5	25.9	108.3	3,508.1	2,895.4	1,130.7
55-65	6,714.7	26.5	71.7	2,561.3	2,870.7	1,211.0
65<	12,177.4	26.4	198.6	4,556.4	5,340.7	2,081.7
Persons with migration background in the wider sense²						
Total	8,525.5	25.3	248.4	4,228.5	2,877.4	1,171.2
Persons with a migration background in the narrow sense³						
Total	8,305.1	25.4	238.1	4,088.2	2,825.0	1,153.8
<25	1,158.2	22.6	96.9	838.7	185.6	37.1
25-35	1,917.6	24.2	74.1	1,163.8	538.5	141.1
35-45	1,811.2	25.4	33.2	907.4	652.2	218.5
45-55	1,428.9	26.5	16.1	567.7	569.0	276.2
55-65	1,032.0	27.3	7.4	327.8	452.8	244.0
65<	957.2	27.5	10.5	282.8	426.9	237.0

Source: Statistisches Bundesamt, *Bevölkerung und Erwerbstätigkeit. Bevölkerung mit Migrationshintergrund. Ergebnisse des Mikrozensus 2005. Fachserie 1 Reihe 2.2*, pp.272-289, available at: <https://www-ec.destatis.de/csp/shop/sfg/bpm.html.cms.cBroker.cls?cmspath=struktur,vollanzeige.csp&ID=1020312> (02.08.2007).

Table 25b: Population by migration background and body Mass Index¹ in 1,000 (2005) – male population

	Population older 18 providing data concerning size and weight	Average Body-Mass-Index	of which: Body-Mass-Index from ...to under...			
			Under 18.5	18.5-25	25-30	Over 30
Total of Population	26,044.4	26.1	251.9	10,949.1	11,211.9	3,631.4
<25	2,637.2	23.1	116.6	1,943.3	482.8	94.5
25-35	3,842.5	25.0	38.9	2,186.9	1,308.0	308.6
35-45	5,389.7	26.0	26.5	2,371.6	2,340.6	651.0
45-55	4,583.3	26.8	18.3	1,585.9	2,194.3	784.9
55-65	3,887.3	27.2	14.9	1,129.8	1,959.3	783.3
65<	5,704.5	27.0	36.7	1,731.6	2,927.0	1,009.2
Persons without a migration background						
Total	21,705.7	26.1	204.7	9,032.2	9,417.3	3,051.5
<25	2,020.8	23.1	93.1	1,502.0	353.2	72.4
25-35	2,818.2	24.9	30.0	1,640.3	925.6	222.4
35-45	4,421.9	26.0	21.4	1,972.4	1,899.2	528.8
45-55	3,866.8	26.8	14.9	1,345.6	1,851.8	654.6
55-65	3,338.2	27.2	12.1	972.3	1,692.2	661.5
65<	5,239.8	26.9	33.1	1,599.7	2,695.2	911.8
Persons with migration background in the wider sense²						
Total	4,338.7	25.9	47.2	1,916.9	1,794.7	579.9
Persons with a migration background in the narrow sense³						
Total	4,231.4	25.9	45.2	1,854.4	1,760.9	570.9
<25	583.6	23.4	22.2	418.1	123.0	20.4
25-35	979.5	25.2	8.4	520.3	368.0	82.8
35-45	948.2	26.2	5.1	390.0	432.8	120.4
45-55	710.3	26.9	/	237.8	340.0	129.1
55-65	546.9	27.4	/	157.1	266.0	121.2
65<	463.0	27.3	/	131.2	131.2	97.1

Source: Statistisches Bundesamt, *Bevölkerung und Erwerbstätigkeit. Bevölkerung mit Migrationshintergrund. Ergebnisse des Mikrozensus 2005. Fachserie 1 Reihe 2.2*, pp.272-289, available at: <https://www-ec.destatis.de/csp/shop/sfg/bpm.html.cms.cBroker.cls?cmspath=struktur,vollanzeige.csp&ID=1020312> (02.08.2007).

Table 25c: Population, by migration background and body Mass Index¹ in 1,000 (2005) – female population

	Population older 18 providing data concerning size and weight	Average Body-Mass-Index	of which: Body-Mass-Index from ...to under...			
			Under 18.5	18.5-25	25-30	Over 30
Total of Population	2,6814.1	24.8	1,059.5	14,913.7	7,446.4	3,394.5
<25	2441.1	21.9	299.7	1,798.8	258.9	83.7
25-35	3,559.5	23.1	224.1	2,483.3	601.0	251.1
35-45	5,017.5	24.0	192.2	3,267.3	1,104.6	453.4
45-55	4,498.5	25.1	106.8	2,494.0	1,273.9	623.9
55-65	3,863.8	26.0	64.2	1,760.8	1,366.4	672.4
65<	7,433.7	26.2	172.5	3,109.5	2,841.7	1,310.1
Persons without a migration background						
Total	22,627.3	24.8	858.4	12,602.0	6,363.7	2,803.2
<25	1,827.6	21.9	220.8	1,350.4	191.8	64.7
25-35	2,570.7	23.1	155.7	1804.0	422.2	188.9
35-45	4,139.2	23.9	163.5	2739.4	882.1	354.2
45-55	3,775.7	24.9	93.4	2162.5	1043.7	476.2
55-65	3,376.4	25.9	59.6	1589.0	1178.4	549.4
65<	6,937.6	26.1	165.4	2956.7	2645.5	1169.9
Persons with migration background in the wider sense²						
Total	4,186.8	24.8	201.2	2,311.6	1,082.7	591.3
Persons with a migration background in the narrow sense³						
Total	4,073.6	24.8	193.0	2,233.7	1,064.1	582.9
<25	574.6	21.8	74.7	420.6	62.6	16.8
25-35	938.1	23.1	65.8	643.5	170.5	58.3
35-45	863.0	24.5	28.1	517.5	219.4	98.1
45-55	718.6	26.2	12.7	329.9	229.0	147.1
55-65	485.1	27.3	/	170.7	186.9	122.9
65<	494.2	27.7	7.1	151.6	195.7	139.8

Source: Statistisches Bundesamt, *Bevölkerung und Erwerbstätigkeit. Bevölkerung mit Migrationshintergrund. Ergebnisse des Mikrozensus 2005. Fachserie 1 Reihe 2.2*, pp.272-289, available at: <https://www-ec.destatis.de/csp/shop/sfg/bpm.html.cms.cBroker.cls?cmspath=struktur,vollanzeige.csp&ID=1020312> (02.08.2007).

¹ The Body Mass Index (BMI) = bodyweight (kg) / body height (cm). BMI > 25 = underweight, BMI 18.5 – 25 = normal weight, BMI < 25 – 30 = overweight, BMI > 30 = adiposity.

² The category “persons with a migration background in the wider sense” includes the category “persons with a migration background in the narrow sense” and “persons whose migration background is not consistently definable”. “Persons whose migration background is not consistently definable” are Germans who are born in

Germany, whose migration background are depending on their parents, and who do not live in the same household with their parents. The information to identify this group is only available in the 2005 and 2009 micro census.

- ³ The category “Persons with a migration background in the narrow sense” includes all persons who are immigrated (Germans and foreigners), foreigners who are born in Germany, naturalised persons, and Germans with at least one parent immigrated or at least one parent born in Germany as foreigner. “Persons whose migration background is not consistently definable” are not included.

Table 26: Distribution of overweight (BMI 25-30) and adiposity (BMI > 30) by nationality, age and sex in per cent (1999)

Age	Non-German				German			
	Women		Men		Women		Men	
	BMI 25-30	BMI > 30	BMI 25-30	BMI > 30	BMI 25-30	BMI > 30	BMI 25-30	BMI > 30
20-29	26.1	4.7	13.3	4.5	28.9	5.4	15.3	5.3
30-39	40.7	8.9	19.3	7.1	43.6	8.2	25.0	7.9
40-49	47.4	14.2	26.4	10.5	47.8	12.4	33.3	16.8
50-59	51.8	16.4	34.3	13.8	50.6	19.0	38.1	24.3
60+	52.1	15.5	38.6	14.6	47.4	19.1	40.3	23.5

Source: M. Häfeler Th. Lampert, A. Saß, Th. Ziese (2005) *Armut, soziale Ungleichheit und Gesundheit, Expertise des Robert-Koch-Instituts zum 2. Armuts- und Reichtumsbericht der Bundesregierung*, p.132, Berlin:RKI, available at: http://www.beruf-und-familie.de/files/dldata/0215313159b021f6a0d9d6e58551e1a8/rki_armut_ungleichheit_gbe.pdf (08.08.07).

Table 27a: Population in ambulatory or stationary treatment, broken down by migration status (2005)

	Population providing data concerning health status	Population in ambulatory or stationary treatment					Not in treatment
		Total	Ambulatory			Stationary	
			Total	At the doctor's	In hospitals		
Total population	71,120.8	8,036.8	6,979.7	6,480.9	498.8	1,057.1	938.4
<25	17,851.6	1,283.0	1,190.1	1,103.7	86.4	92.9	272.0
25-35	8,342.9	633.5	570.8	522.8	48.0	62.6	125.5
35-45	11,683.4	962.8	851.6	779.3	72.3	111.2	146.6
45-55	10,184.7	1,015.8	875.1	810.8	64.3	140.7	107.9
55-65	8,558.4	1,150.5	977.9	902.4	75.5	172.6	94.2
65<	14,499.8	2,991.2	2,514.2	2,361.9	152.3	477.0	192.2
Persons without a migration background	58,188.1	6,825.4	5,902.1	5,481.2	420.9	923.3	775.4
<25	13,056.2	976.0	906.0	839.8	66.2	70.0	213.5
25-35	6,100.4	489.5	441.9	405.8	36.1	47.6	98.3
35-45	9,622.6	795.6	704.6	643.2	61.4	91.0	124.7
45-55	8,576.7	836.1	718.6	665.9	52.7	117.5	90.3
55-65	7,405.1	960.9	812.0	749.6	62.4	148.9	75.7
65<	13,427.3	2,767.4	2,319.0	2,177.0	142.0	448.4	172.8
Persons with a migration background in the wider sense¹	12,932.8	1,211.4	1,077.6	999.7	77.9	133.8	163.0
Persons with a migration background in the narrow sense²	12,464.2	1,164.8	1,035.5	959.7	75.8	129.3	153.7
<25	4,492.8	278.1	258.0	239.3	18.7	20.1	53.4
25-35	2,136.0	133.0	118.8	107.3	11.5	14.2	25.0
35-45	2,021.9	162.9	143.0	132.3	10.7	19.9	20.6
45-55	1,596.5	178.6	155.6	143.9	11.6	23.0	17.2
55-65	1,148.4	189.2	165.5	152.4	13.1	23.7	18.1
65<	1,068.5	223.1	194.6	184.4	10.2	28.5	19.4

Table 27b: Population in ambulatory or stationary treatment by migration status (2005) – male population

	Population providing data concerning health status	Population in ambulatory or stationary treatment					
		Total	Ambulatory			Stationary	Not in treatment
			Total	At the doctor's	In hospitals		
Total population	34,779.8	3,720.9	3,207.5	2,948.3	259.2	513.3	443.3
<25	9,172.4	660.0	611.2	560.1	51.2	48.8	135.5
25-35	4,249.7	313.5	279.4	253.6	25.8	34.1	57.9
35-45	5,936.5	484.9	427.6	389.4	38.2	57.3	70.5
45-55	5,043.0	491.2	420.7	388.1	32.6	70.5	54.6
55-65	4,221.8	582.5	492.0	450.6	41.4	90.5	47.3
65<	6,156.4	1,188.9	976.6	906.5	70.2	212.2	77.5
Persons without a migration background	28,213.9	3,114.0	2,667.3	2,451.2	216.1	446.7	363.8
<25	6,716.8	502.6	464.8	424.8	40.1	37.8	105.4
25-35	3,117.9	238.4	213.0	193.7	19.4	25.4	46.0
35-45	4,866.8	392.6	343.5	311.4	32.2	49.1	59.1
45-55	4,253.3	407.7	347.8	322.1	25.7	59.9	46.2
55-65	3,615.5	483.8	406.1	372.2	33.9	77.7	38.0
65<	5,643.6	1,088.9	892.0	827.1	64.9	196.9	69.0
Persons with a migration background in the wider sense¹	6,565.9	606.9	540.2	497.1	43.2	66.6	79.5
Persons with a migration background in the narrow sense²	6,336.6	581.5	516.9	474.9	42.0	64.7	74.6
<25	2,308.4	141.3	131.6	121.2	10.4	9.7	27.6
25-35	1,082.1	69.6	61.3	55.2	6.0	8.3	10.9
35-45	1,048.2	89.7	81.7	75.7	5.9	8.1	10.7
45-55	783.0	82.8	72.3	65.4	6.9	10.5	7.9
55-65	604.0	98.5	85.8	78.3	7.5	12.8	9.1
65<	510.8	99.6	84.3	79.1	5.3	15.3	8.5

Table 27c: Population in ambulatory or stationary treatment by migration status (2005) – female population

	Population providing data concerning health status	Population in ambulatory or stationary treatment					
		Total	Ambulatory			Stationary	Not in treatment
			Total	At the doctor's	In hospitals		
Total population	36,341.0	4,315.9	3,772.2	3,532.6	239.6	543.8	495.1
<25	8,679.2	623.0	578.9	543.7	35.2	44.2	136.5
25-35	4,093.1	320.0	291.4	269.2	22.3	28.6	67.6
35-45	5,747.0	477.9	424.0	389.9	34.1	53.9	76.1
45-55	5,141.7	524.7	454.4	422.6	31.8	70.3	53.3
55-65	4,336.6	568.0	485.9	451.8	34.2	82.1	46.9
65<	8,343.5	1,802.3	1,537.5	1,455.4	82.1	264.8	114.7
Persons without a migration background	29,974.2	3,711.4	3,234.8	3,030.0	204.9	476.6	411.7
<25	6,339.4	473.4	441.2	415.0	26.2	32.2	108.2
25-35	2,982.4	251.1	228.9	212.1	16.7	22.3	52.3
35-45	4,755.8	403.0	361.1	331.8	29.3	42.0	65.6
45-55	4,323.4	428.4	370.8	343.8	27.0	57.6	44.0
55-65	3,789.6	477.0	405.9	377.4	28.6	71.1	37.7
65<	7,783.6	1,678.5	1,427.0	1,349.9	77.1	251.5	103.8
Persons with a migration background in the wider sense¹	6,366.8	604.5	537.4	502.6	34.8	67.1	83.5
Persons with a migration background in the narrow sense²	6,127.7	583.3	518.6	484.8	33.9	64.7	79.1
<25	2,184.4	136.8	126.5	118.2	8.3	10.3	25.8
25-35	1,053.9	63.4	57.5	52.1	5.4	5.9	14.1
35-45	973.7	73.2	61.4	56.6	/	11.8	9.9
45-55	813.6	95.8	83.3	78.5	/	12.5	9.3
55-65	544.4	90.7	79.8	74.2	5.6	10.9	9.0
65<	557.7	123.4	110.3	105.3	/	13.2	11.0

Source: Statistisches Bundesamt, Bevölkerung und Erwerbstätigkeit. Bevölkerung mit Migrationshintergrund. Ergebnisse des Mikrozensus 2005. Fachserie 1 Reihe 2.2, pp.272-289, available at: <https://www-ec.destatis.de/csp/shop/sfg/bpm.html.cms.cBroker.cls?cmspath=struktur,vollanzeige.csp&ID=1020312> (02.08.2007).

- ¹ The category “persons with a migration background in the wider sense” includes the category “persons with a migration background in the narrow sense” and “persons whose migration background is not consistently definable”. “Persons whose migration background is not consistently definable” are Germans who are born in Germany, whose migration background are depending on their parents, and who do not live in the same household with their parents. The information to identify this group is only available in the 2005 and 2009 micro census.
- ² The category “Persons with a migration background in the narrow sense” includes all persons who are immigrated (Germans and foreigners), foreigners who are born in Germany, naturalised persons, and Germans with at least one parent immigrated or at least one parent born in Germany as foreigner. “Persons whose migration background is not consistently definable” are not included.

Table 28a: Illness or injury by accident, sorted by migration status in 1,000 (2005)

Illness/injury by accident	Total	Persons without a migration background	Persons with a migration background in the wider sense*	Persons with a migration background in the narrow sense**				
				All	Germans		Foreigners	
					with	without	with	without
					own migration experiences			
Ill/injured by accident during last four weeks	8,975.1	7,600.8	1,374.3	1318.5	506.0	189.9	510.3	112.3
With ambulatory treatment at the doctor's	6,480.9	5,481.2	999.7	959.7	373.5	141.3	364.3	80.6
With ambulatory treatment in hospitals	498.8	420.9	77.9	75.8	27.9	11.1	30.6	6.2
With stationary treatment in hospitals	1,057.1	923.3	133.8	129.3	54.9	10.7	55.1	8.7

Source: Statistisches Bundesamt, *Bevölkerung und Erwerbstätigkeit. Bevölkerung mit Migrationshintergrund. Ergebnisse des Mikrozensus 2005. Fachserie 1 Reihe 2.2, p.34*, available at: <https://www-ec.destatis.de/csp/shop/sfg/bpm.html.cms.cBroker.cls?cmspath=struktur,vollanzeige.csp&ID=1020312> (02.08.2007).

* The category “persons with a migration background in the wider sense” includes the category “persons with a migration background in the narrow sense” and “persons whose migration background is not consistently definable”. “Persons whose migration background is not consistently definable” are Germans who are born in Germany, whose migration background are depending on their parents, and who do not live in the same household with their parents. The information to identify this group is only available in the 2005 and 2009 micro census.

** The category “Persons with a migration background in the narrow sense” includes all persons who are immigrated (Germans and foreigners), foreigners who are born in Germany, naturalised persons, and Germans with at least one parent immigrated or at least one parent born in Germany as foreigner. “Persons whose migration background is not consistently definable” are not included.

Table 28b: Illness or injury by accident, sorted by migration status in per cent of the respective population (2005)

Illness/injury by accident	Total	Persons without a migration background	Persons with a migration background in the wider sense*	Persons with a migration background in the narrow sense**				
				All	Germans		Foreigners	
					with	without	with	without
					own migration experiences			
Ill/injured by accident during last four weeks	100.0	84.7	15.3	14.7	5.6	2.1	5.7	1.3
With ambulatory treatment at the doctor's	100.0	84.6	15.4	14.8	5.8	2.2	5.6	1.2
With ambulatory treatment in hospitals	100.0	84.4	15.6	15.2	5.6	2.2	6.1	1.3
With stationary treatment in hospitals	100.0	87.3	12.7	12.2	5.2	1.0	5.2	0.8

Source: Statistisches Bundesamt, *Bevölkerung und Erwerbstätigkeit. Bevölkerung mit Migrationshintergrund. Ergebnisse des Mikrozensus 2005. Fachserie 1 Reihe 2.2, p.35*, available at: <https://www-ec.destatis.de/csp/shop/sfg/bpm.html.cms.cBroker.cls?cmspath=struktur,vollanzeige.csp&ID=1020312> (02.08.2007).

* The category “persons with a migration background in the wider sense” includes the category “persons with a migration background in the narrow sense” and “persons whose migration background is not consistently definable”. “Persons whose migration background is not consistently definable” are Germans who are born in Germany, whose migration background are depending on their parents, and who do not live in the same household with their parents. The information to identify this group is only available in the 2005 and 2009 micro census.

** The category “Persons with a migration background in the narrow sense” includes all persons who are immigrated (Germans and foreigners), foreigners who are born in Germany, naturalised persons, and Germans with at least one parent immigrated or at least one parent born in Germany as foreigner. “Persons whose migration background is not consistently definable” are not included.

Table 29: Use of early diagnostic tests for children ¹ by migration status in per cent

	Persons without a migration background	Persons with a migration background
U3-U9 complete	85	56
U3-U9 incomplete	13	30
No examination	2	14

Source: Robert-Koch-Institut (Ed.) (2006), *Erste Ergebnisse zur KiGG-Studie zur Gesundheit von Kindern und Jugendlichen in Deutschland*, p.70, available at: http://www.kiggs.de/experten/downloads/dokumente/kiggs_elternbroschuere.pdf

- 1 Every child in Germany is entitled to nine free preventive examinations (U1-U9) from its birth until its sixth birthday and youth health consulting (J1) for 12-15 year old children. These examinations are voluntary and strongly recommended.
- 2 Data based on the German Health Interview and Examination Survey for Children and Adolescents (KiGGS). In this study by the RKI, 17,641 children and adolescents aged 0-17 or their parents were examined and questioned on various health subjects cf. <http://www.kiggs.de> (18.10.2007)

Table 30: Infant mortality (perinatal death) in Berlin, by nationality (2000-2006)*

Year	Premature death (within one week after birth) per 1.000 born alive		Stillborn children per 1.000 born		perinatal death (premature death and stillborn children) per 1.000 born	
	Germans	foreigners	Germans	foreigners	Germans	foreigners
2000	1.2	3.9	4.9	9.9	6.1	13.8
2001	1.3	2.9	3.6	8.9	4.9	11.7
2002	1.1	6.8	3.9	11.8	5.0	18.6
2003	1.7	4.4	4.0	9.7	5.6	14.1
2004	1.6	7.1	5.0	9.4	6.6	16.4
2005	1.3	7.8	3.8	9.6	5.1	17.4
2006	1.3	5.3	3.3	8.6	4.6	13.9

* Data that cover the years 1991-1999 is available, but is not presented here due to limited comparability with data covering the years 2000-2006 (because of the amendments to the naturalisation law which entered in to force on 1 January 2000).

Source: Berlin/Senatsverwaltung für Gesundheit, Umwelt und Verbraucherschutz (2007) *Gesundheitsberichterstattung Berlin. Basisbericht 2006/2007. Daten des Gesundheits- und Sozialwesens*, Berlin, p. 231 (Tab. 3.2.39a)

Table 31: Infant mortality (death within first year) in Berlin, by nationality (2000-2006)*

Year	born alive (total number)	Infant mortality: Death within the first year		
		Total	per 1.000 born alive	
			Germans	foreigners
2000	29,695	109	3.1	8.4
2001	28,624	98	3.2	5.4
2002	28,801	95	2.8	9.4
2003	28,723	112	3.7	6.7
2004	29,446	114	3.4	9.9
2005	28,976	98	2.8	10.7
2006	29,627	108	3.3	7.7

* Data that cover the years 1991-1999 are available, but are not presented here due to limited comparability with data covering the years 2000-2006 due to the amendments to the naturalisation law which entered in to force on 1 January 2000.

Source: Berlin/Senatsverwaltung für Gesundheit, Umwelt und Verbraucherschutz (2007) Gesundheitsberichterstattung Berlin. Basisbericht 2006/2007. Daten des Gesundheits- und Sozialwesens, Berlin, p. 230 (Tab. 3.2.39)

Table 32: Selected health-related indicators: pre-school medical examinations according to sex and migration background in Berlin 2005

Indicator	Examined children of German origin*		Examined children of non-German origin*	
	number of children examined	<i>of which: with medical evidence (in per cent)</i>	number of children examined	<i>of which: with medical evidence (in per cent)</i>
Female				
Cognitive development conspicuous	9,047	5.1	3,960	8.5
Smoker(s) in household**	8,447	45.3	3,720	50.5
Adiposity (body mass index > 97 percentiles)***	9,030	10.3	3,935	19.7
physical coordination	8,931	12.6	3,888	16.3
Male				
Cognitive development conspicuous	10,110	7.3	4,461	11.1
Smoker(s) in household**	9,410	45.4	4,186	53.0
Adiposity (body mass index > 97 percentiles)***	10,083	8.5	4,444	16.8
Physical coordination	9,936	15.9	4,353	18.6

Source: Berlin/Senatsverwaltung für Gesundheit, Umwelt und Verbraucherschutz (2007) Gesundheitsberichterstattung Berlin. Basisbericht 2006/2007. Daten des Gesundheits- und Sozialwesens, Berlin, p. 240 (Tab. 3.2.45 b).

* Origin irrespective of the passport of the children (criteria: citizenship, parents' country of birth, language mainly spoken at home)

** At least one parent (living in the household) smokes

*** According to the threshold value of Rolland-Cachera (European Childhood Obesity Group, ECOG)

Table 33: Smoking behaviour of parents (pre-school medical examination) according to origin, in Berlin 2005

origin	N (= 100 %)	Smoking behaviour – proportion in %		
		No one smokes	Father or mother smokes (including single parents)	Both parents smoke
German	17,857	54.7	30.1	15.2
Turkish	3,117	39.4	40.6	20.1
Arabic	668	49.6	39.4	11.1
East European	2,226	47.3	37.4	15.3
From western industrial countries	432	61.3	28.2	10.4
From other countries	1,463	63.8	28.9	7.2

Source: Berlin/Senatsverwaltung für Gesundheit, Umwelt und Verbraucherschutz (2007) Gesundheitsberichterstattung Berlin. Basisbericht 2006/2007. Daten des Gesundheits- und Sozialwesens, Berlin, p.342

Table 34: status of teeth (pre-school medical examination) according to origin, in Berlin 2005

origin	N (=100 %)	Status of teeth – proportion in %		
		Good status	Teeth need fixing	Tooth decay or loss of teeth due to caries
German	19,002	86.4	8.7	4.8
Turkish	3,220	77.2	15.4	7.4
Arabic	705	72.9	18.2	8.9
East European	2,328	64.7	22.0	13.3
From western industrial countries	463	90.1	6.5	3.5
From other countries	1,577	72.8	18.5	8.8

Source: Berlin/Senatsverwaltung für Gesundheit, Umwelt und Verbraucherschutz (2007) Gesundheitsberichterstattung Berlin. Basisbericht 2006/2007. Daten des Gesundheits- und Sozialwesens, Berlin, p.343

Table 35: (Pre-mature) retirement due to (illness induced) limitation of work capacity in Berlin (2006), according to sex, nationality and cause for retirement

Cause for retirement	Female		Male	
	Germans	Foreigners	Germans	Foreigners
	Proportion in %			
Affective disorders (depressions)	15.4	26.2	8.4	11.1
Neurotic, stress and adaptation disorders	15.1	15.0	6.2	8.8
Spine illness	4.2	3.2	5.0	5.2
Schizophrenia	3.8	5.7	3.6	7.1
Breast cancer	3.3	1.1	0.0	0.0
Personality disorder	3.2	2.5	2.7	2.6
Alcoholism	2.9	0.5	9.0	3.1
Unspecific symptoms	2.9	5.5	4.1	13.0
Cerebrovascular illness	2.8	1.6	3.8	2.8
Arthrosis	2.0	3.0	2.1	0.5
Lung cancer	1.7	2.1	2.6	1.7
Chomical illness of the respiratory tract	1.3	2.7	2.3	1.9
Multiple sclerosis	0.9	1.4	2.9	1.2
HIV illness	0.4	0.5	2.1	1.4
Diabetes mellitus	0.4	1.4	1.6	1.7
others	39.7	27.6	43.6	37.9
In total (in %)	100.0	100.0	100.0	100.0
Total number				
Cases in total	2,665	439	2,852	422

Source: Berlin/Senatsverwaltung für Gesundheit, Umwelt und Verbraucherschutz (2007) Gesundheitsberichterstattung Berlin. Basisbericht 2006/2007. Daten des Gesundheits- und Sozialwesens, Berlin, p.112

Table 36: People seeking counselling at social-medical service SMD in Berlin 2006, according to sex and nationality

Area/sex		German		Foreigner	
		number	%	number	%
Total number	Female	3,516	-	1,486	-
	Male	700	-	346	-
	Total number	4,216	69.7	1,832	30.3
Counselling related to pregnancy	Female	3,516	83.4	1,486	81.1
	Male	700	16.6	346	18.9
	Together	4,216	100.0	1,832	100.0
Family planning-related counselling	Female	23,390	97.9	5,679	93.3
	Male	179	0.7	65	1.1
	Couple	312	1.3	340	5.6
	Together	23,881	100.0	6,084	100.0
Pregnancy conflict/crisis related counselling	Female	2,806	83.0	731	74.7
	Male	7	0.2	1	0.1
	Couple	569	16.8	247	25.2
	Together	3,382	100.0	979	100.0
Marital/sexuality/partnership related counselling	Female	467	52.8	45	49.5
	Male	90	10.2	12	13.2
	Couple	328	37.1	34	37.4
	Together	885	100.0	91	100.0

Source: Berlin/Senatsverwaltung für Gesundheit, Umwelt und Verbraucherschutz (2007) Gesundheitsberichterstattung Berlin. Basisbericht 2006/2007. Daten des Gesundheits- und Sozialwesens, Berlin, pp.454-455

Table 37: Foreign doctors working in Germany by country of origin (2004)

Country of origin	Total			
	2001	2002	2003	2004
Europe	9,859	10,711	11,811	12,414
EU-States	4,187	4,436	4,751	7,072
Rest of Europe	5,672	6,275	7,060	5,342
Africa	758	789	786	820
America	584	613	643	655
Asia	3,603	3,715	3,770	3,808
Australia	15	14	12	17
Others / Stateless	324	318	296	277
Total	15,143	16,160	17,318	17,991

Source: Bundesgesundheitsministerium: Statistisches Taschenbuch Gesundheit 2005, pp. 94-95, available at: http://www.bmg.bund.de/cln_040/nn_603384/SharedDocs/Publikationen/Gesundheit/a-404-05,templateId=raw,property=publicationFile.pdf/a-404-05.pdf (25.10.2007).

