

Analytical report on education: national focal point for Germany

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Analytical Report on Education

National Focal Point for GERMANY

Europäisches Forum für Migrationsstudien/European Forum
for Migration Studies (EFMS), Bamberg

BY

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2004

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1. Executive Summary

This analytical study within the field of education aims to explore the *situation of migrants in the education system*. Here, first of all the question of legal regulations and political measures which promote the integration of migrants into the education system and which prevent discrimination are of importance. It can be stated that there are indeed *general regulations* prohibiting discrimination in the public education system. On the other hand, there is no special anti-discrimination law tailored for the specific features of the education situation and fixing concrete norms. Also special institutions, such as commissioners for anti-discrimination in schools, do not exist yet. There are, however, a *number of programmes* fostering the integration of migrants and contributing to tolerance and peaceful co-existence.

Apart from data on the participation in education, the educational success of migrants and the proportion of migrants in school classes, some analyses on other aspects of the education system have been scrutinised more closely, for example teaching material and the qualification of teachers. It turned out that a significantly important influence on educational success is exerted by the *proportion of migrant children* in classes, as the level of education in classes with a high number of migrant children was generally lower. The proportion of migrant children varies between different schools from almost 0% up to 90% though. Especially larger cities have to deal with this problem.

In order to assess the situation of children and young people from migrant backgrounds in the German education system, official education statistics were employed, in particular those of the Federal Statistical Office (*Statistisches Bundesamt*). In addition, recourse was made to various empirical studies. These studies take into account not only nationalities, but also birth places of students, allowing that ethnic German migrants, for example, can be identified. Hence these studies provide results that not only supplement the analysis of the official statistics, but also help put them into context.

The central results of the analysis were as follows:

- The *share of migrant children attending kindergartens* is slightly below the share of all children. In contrast, migrant children are over-represented in pre-school facilities. This indicates that migrant children enter school later than children from the majority population.
- Since the mid-nineties, the *participation share of migrant pupils in education* at secondary and higher schools has not risen. However, the trend towards *higher qualifications* remained positive until the end of the nineties.- a development which has not continued in 2000 and 2001. In addition, the proportion of migrant pupils at special needs schools (*Sonderschulen*) has also increased slightly since the mid-nineties. Decreases can be determined at vocational schools and in the case of apprenticeships. Thus, the opportunities for taking up professional training or starting University-level studies have not improved in comparison to those of German pupils. It is also particularly noticeable that young migrants are underrepresented in the training for employment in the public sector and in the information and communication professions, as well as in more demanding service jobs.

- The official data continue to show that compared to other tested groups Turkish and Italian pupils fared relatively poor in the German education system. This is also confirmed by several studies carried out in the social sciences. It is important to stress that these studies come to the conclusion that the **educational achievements of the second generation** are significantly higher than those of the first generation, and are also higher than those of migrant pupils in total. However, they are still low compared to those of young native Germans.
- The higher the social and cultural capital of the parents is (for example, the level of education of the parents or of one parent), the better the migrant children's preconditions are for successful integration into the German education system. Attending kindergarten also has a positive effect on the educational career of migrant children. On average, those who have attended kindergarten attain higher qualifications than those that have not attended. In addition, there is a link between the future educational career of the migrant children and the proportion of migrants in their primary school or their class. This is particularly important during the decision process at the transition between primary school and one of the secondary school types. However, it is unclear as to whether this can be traced back directly to the proportion of migrants or rather, if it is related to other factors such as the cultural capital in the families, or the residential area.
- The results of the PISA study show that in Germany the connection between achievement and social background is particularly noticeable. A further analysis indicated, however, that disparities in levels of participation in education are not only related to social position and cultural distance, but also to competence/lack of competence in the German language. **Language deficits** generally affect specific subject areas with the consequence that people with insufficient reading skills are impeded in acquiring competence in all academic fields. The results of the PISA-E study, which breaks down results by federal states, reveal that, alongside linguistic competence, the **quality of the school system in general** exerts a large influence on the school integration of children and young people.
- Young people from a non-German background are particularly disadvantaged at the **transition between school and employment**. For this reason, there is a range of measures offered at this point which aim to assist migrants in taking up professional training. One must differentiate between general measures (for example, assistance while training) on the one hand, which are aimed at helping all disadvantaged young people, but which are quantitatively especially important for young migrants, and a number of special measures which solely address migrants, and are thus able to deal with certain specific problems more intensively (for example, linguistic deficits).

The analysis of the situation of migrants in the education system shows that great differences still exist between German and migrant children and young people. However, it is methodologically very difficult to establish the extent to which the aforementioned **disparities in educational achievements** among the various groups can be traced back to forms of discrimination or to other factors, such as differences in the opportunities to obtain education as a result of different social backgrounds (e.g. level of education of the parents). In addition to the **problem of measuring discrimination**, the **differing definitions** of the term "discrimination" constitute a further difficulty when dealing with this topic.

Disregarding the difficulties in measuring discrimination and the definition of discrimination, however, forms of ***subjectively perceived discrimination*** also have a decisive effect on the feelings and behaviour of migrants. Information gathered by bodies carrying out anti-discriminatory work and studies which asked young people from a migrant background about their personal experiences confirm that migrant youth does consider various forms of behaviour in school discriminatory.

In a recent study, the question was explored as to whether the different levels of attainment in education of German and migrant children possibly could be traced back to forms of ***institutional discrimination***. The study came to the conclusion that above all discrimination can occur in schools at three transitional points: during initial enrolment for school, when assigning a pupil to a special needs school (*Sonderschule*), and at the point of transition from primary into secondary education. The extent to which individual or institutional discrimination is involved here does not become sufficiently apparent from the study, however. The methodological procedure of this approach must be developed further in this respect.

While there is only limited official statistical data available regarding instances of xenophobia in schools, a number of empirical studies have been conducted that dealt with the topic of **xenophobia in schools**. The results of these studies show that the extent of xenophobia is higher in schools in Eastern than in Western Germany and that it varies according to school type and level of education. Xenophobia tends to occur less often at vocational schools, *Realschule* (secondary schools leading to intermediate qualifications) and grammar schools (*Gymnasium*) than at secondary schools (*Hauptschule*, preparing for practical vocational training), schools in Eastern Germany and special needs schools. However, xenophobic attitudes in schools can also be affected by school-specific factors, such as surroundings of the school and its catchment area, as well as the general atmosphere within the school itself. This means that in schools where one might expect to find a high level of xenophobia, there may actually be a very low one, and vice versa.

In the light of the still existent differences between native and migrant pupils in the education system and the instances of xenophobia and discrimination in schools, the question must be raised which ***measures in the German education system*** are intended to combat this phenomenon. Closer examination reveals that, within the education system, there is a series of measures for migrant children in place in all the federal states. Here, particular mention should be made of special support classes and special instruction, as well as of additional classes conducted in the children's mother tongue and Islamic religious education. However, the mostly exclusive nature of these special measures for children and young people from a migrant background is often criticised. There is also broad agreement that the measures for migrant children within the education system are by no means sufficient.

It is thus all the more important that, within the field of education, a wide variety of governmental and non-governmental organisations, action groups and associations exist that tackle the topics of xenophobia, racism and anti-Semitism and, through various means of ***good practice***, attempt to contribute to combating these phenomena. In order to simplify matters, the numerous measures against discrimination and xenophobia in schools can be divided into the following areas: Legislative and political measures, measures in pre-school education, measures in schools (intercultural education and education towards tolerance as well as special measures for pupils of migrant

backgrounds), measures to foster vocational training for young migrants, and measures in the field of vocational training and further training for teachers. The target group of these measures is not only pupils of migrant backgrounds, but also German pupils, apprentices, teachers and educators and finally, in part, the parents of the children and young people from migrant backgrounds.

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3. Glossary¹

Migration: Migration comprises both migration inflows and outflows, and refers to individuals or groups relocating over socially significant distances for the purpose of changing their main sphere of life. Relocations that also involve the crossing of national borders are the main characteristic of international migration (cross-border migration). In the following, we will use migration in the sense of cross-border migration (migration flows across German national borders).

Migrants / migration inflows: Persons relocating across national borders and moving their main sphere of life to Germany. Under this definition, *Spätaussiedler* (ethnic German immigrants) are also categorised as migrants.

Non-Germans: Persons who do not hold German nationality.

(Spät-) Aussiedler: Ethnic German immigrants who are recognised as German nationals according to §4 Par.3 S.1 Federal Displaced Persons Act (*BVFG*) and Art. 116 Basic Law (German constitution). The legal requirements are that they are German nationals or of German descent, living in one of the areas recognised by the *BVFG* as German settlement areas. Under the 1993 Law on Resolving Long-term Effects of World War II (*Kriegsfolgenbereinigungsgesetz*), most of these settlement areas are territories within the former Soviet Union. The group of ethnic German immigrants can be differentiated by the date of their emigration: German minority members migrating to the Federal Republic of Germany between 1950 and 1st January 1993 are referred to as *Aussiedler*, whereas later arrivals are categorised as *Spätaussiedler* (ethnic German immigrants).

First-generation migrants: Migrants who entered Germany after growing up / being socialised to a large extent in their country of origin. This category includes all nationalities.

Second-generation migrants: Migrants' children who were born and grew up in Germany, or have at least completed the larger part of their school education in Germany.

Children / young people from a migratory / migration background: This category includes first-, second- or third-generation foreign residents as well as *Aussiedler* (ethnic German immigrants) and naturalised persons.

Non-German / foreign pupils: Children or young people who do not hold German nationality, but attend German schools. Consequently, this category does not comprise *Aussiedler* (ethnic German immigrants) and naturalised persons.

“Autochthonous” Germans: Indigenous persons; German nationals without a migratory background. This category does not comprise *Aussiedler* (ethnic German immigrants) and naturalised persons.

¹ It has to be noted that many of the terms employed here lack a legal definition.

Educational non-nationals (*Bildungsausländer*): Persons who have obtained the right to study abroad and come to Germany for the purpose of studying.

Educational nationals: (*Bildungsinländer*): Persons who have obtained the right to study in Germany but who do not have the German citizenship: educational nationals are mostly members of the second generation of migrants.

“*Seiteneinsteiger*”: Newcomers entering education at a later stage, i.e. young people entering the German school system at a comparatively late age, after completing the greater part of their school education in their countries of origin.

Refugees: Convention and civil-war refugees who are granted residence in Germany according to international law, or for humanitarian and political reasons.

Persons entitled to political asylum: Persons who have been recognised as entitled to political asylum in Germany because they were subject to political persecution in their home countries. Under German law, these persons receive a more secure residence status than refugees.

Asylum applicants / seekers: Persons having submitted a petition for political asylum in Germany, with their application still pending.

Discrimination: Unfair treatment of an individual or group of people on the grounds of their ethnicity.

Direct discrimination: Past, present or future unfair treatment of people in a given situation on the grounds of their ethnicity.

Indirect discrimination: Unfair treatment of ethnic groups as a consequence of seemingly neutral regulations, criteria or procedures.²

Individual discrimination: All kinds of individual behaviour leading to unfair treatment on the grounds of ethnicity.

Institutional discrimination: Regulations or institutional / administrative practices leading to the unfair treatment (positive or negative discrimination) of a particular ethnic group in relation to another group.

Hauptschule: The *Hauptschule* usually takes five years. It imparts a general education as the basis for practical vocational training and prepares its pupils for attending the *Berufsschule* (vocational school).

Sonderschule: The *Sonderschule* (special needs schools) serves in the fostering and care of physically and mentally disadvantaged or socially endangered children who otherwise could not be taught in the other school types or at least not taught with sufficient success.

² In our view, it is important to mention another special case of indirect discrimination: **discrimination in the form of lack of educational support**. It is one of the main responsibilities of educational institutions to support disadvantaged groups. Consequently, equal treatment does not inevitably lead to equal opportunities. On the contrary, in some cases it is necessary to offer additional support in order to level the playing field in the first place.

Realschule: The *Realschule* is a secondary school which, upon completion, offers the basis for more highly skilled jobs (compared to the *Hauptschule*).

Gymnasium: The *Gymnasium* usually lasts nine years and is the most demanding form of secondary education. The completion of *Gymnasium* is a qualification entitling pupils to begin university-level studies.

4. Introduction

This analytical study within the field of education explores – apart from various general conditions in school – especially also the situation of migrants in the education system. Of importance in this context are the questions as to the educational involvement and achievement of migrants, on the one hand, and the extent to which young migrants have to fight against discrimination within the field of education on the other. The focus of the study is children and young people from migrant backgrounds. Thus, the study takes into account first and second generation migrant citizens and, inasmuch as is apparent from the statistics or studies, also ethnic German migrants (*Aussiedler*) and those who have been naturalised. The data relating to these groups are principally examined in comparison to that of German children and young people and, as far as possible, differentiations will be made within the groups of migrants as well. When making these comparisons, significant differences become apparent between both the different groups of migrants as well as between the autochthonous group and migrants. However, one must note at this point that it is methodologically very difficult to determine the extent to which these differences in the educational situation can be traced back to forms of discrimination or whether they are caused by other factors, such as differences in the opportunities to obtain education as a result of different social backgrounds (e.g. level of education of the parents). Thus, in the same way as it is for children from German families, achievement in education for the children of families from a migrant background is dependent on the material, cultural and social resources available to the family as well as the respective placement strategies.

Education and training impart the knowledge which is crucial for integration into the world of work, and thus, play a central role in the structural, cultural and social integration of children and young people from migrant families or those from a migrant background. The present job market offers hardly any regular employment opportunities (liable for contributions to social security) for those without certificates of school completion. In addition, knowledge and skills gained at school contribute to cultural integration. Qualifications gained through completed schooling and/or a completed period of vocational training are decisive for the opportunities for fostering the lasting integration of migrants into German society. Furthermore, educational and training institutions are important places of encounter between migrants and German citizens and thus support social integration in the private sphere as well. A low level of education on the part of young people of migrant origin leads not only to problems in professional integration, but “it also hinders social integration due to a low level of acceptance of migrants among the German population” [own translation] (Beauftragte der Bundesregierung für Ausländerfragen 2000, p. 113; 1B0020). Thus, data from the field of education constitute significant indicators for the structural integration of migrants into German society.

After a brief overview on measures fostering migrant children at German schools and the basic legal regulations regarding discrimination in the education system, first of all the situation of migrant children and young people will be presented in greater detail especially on the basis of the official education statistics whereby mention will also be made of the education and further training situation. Alongside a more detailed examination of the educational situation of migrant children and young people, in

particular those of the second generation, closer attention will be paid to discrimination in the field of education. Studies will be presented which deal with this aspect and which reveal possible causes of discrimination. In this context, the problem of the measurability of discrimination will be explored as well. At the end, various “good practice” measures from the areas politics and legislation and the areas of pre school, primary and secondary school, vocational training and further training for skilled teaching personnel will be presented.

5. Legislation and policies in the area of Education of relevance for migrants and minorities

5.1. SHORT OVERVIEW OF SPECIAL LEGISLATION OR POLICIES FOR DIVERSITY IN EDUCATION

According to the German Constitution, the responsibility for the system of education in Germany lies with the individual federal states (federalist state structure). For that reason no nationally standardised legal regulations regarding the school attendance of migrants exist. With the 2001 publication of 'School Education for Children of Minorities in Germany 1989-1999' (Gogolin/Neumann/Reuter 2001; 3B0015) for the first time, there has been a comprehensive survey of the legal, organisational and curricular regulation of the school attendance of children from migrant backgrounds which also deals with the particularities of the individual federal states. It reveals that in all federal states supportive measures are offered for children and young people from migrant backgrounds. These measures vary greatly, however, with respect to their legal basis, target group and organisational implementation.³ Particularly due to the results of the PISA Study differing strategies are discussed in many federal states (see chapter 12.4.4 for more details).

In general, four different types of measures for migrant children exist which are offered in almost all the federal states with varying emphases. On the one hand, we find **special support classes and instruction**; on the other hand, there is **additional instruction in the migrants' mother tongue** and **Islamic religious education**. As a fifth aspect directed at promoting intercultural cohabitation in schools, we can identify the pedagogical principle of **"intercultural education,"** which, at least in some federal states, is currently receiving more attention. The latter principle is not only geared towards migrants, but also autochthonous children.

³ As an example, mention could be made of a measure which is only offered in Bavaria for migrant children: the bilingual classes, as they are known. These classes are comprised of children with the same non-German mother tongue. As this selection often leads to children of one nationality coming together into these classes, the bilingual classes are sometimes referred to as national classes. Teaching is carried out in the pupils' mother tongue and in German, whereby the proportion of German increases in the higher classes. Although transfer into regular classes is possible and (at least officially) desired, the pupils can actually continue attending these classes until the 9th level. In the early 1980's, approximately 40% of all migrant pupils in Bavaria attended such classes. Currently, there are only 188 bilingual classes (formerly 1,400), which are mainly attended by Turkish children. However, there are also still 28 Greek, 16 Italian, 3 Croatian and 2 Serbo-Croatian classes (as per the school year 1996/97; cf. Neumann 2001, 34). The reduction in the number of these classes is at least in part due to widespread criticism which accuses this class form of encouraging segregation. A complete abolition of these classes is not under discussion at the present, however. A similar segregation effect is seen in national schools that were established primarily for Greek pupils due to co-operation between Greek migrant organisations and the Greek government.

5.1.1. Special support classes⁴

Special support classes are generally found at the outset of primary education for beginners, but are also found in primary schools and secondary modern schools for “newcomers entering education at a later stage” (*Seiteneinsteiger*), as they are known. In these classes, children and young people who cannot yet take part in regular teaching due to lacking German skills, for example, are prepared for transition to the regular classes. They mainly learn German, but they also receive subject-related teaching. They should be in position to join regular classes after one year in such a special class. The period of attendance can be reduced or, in exceptional cases, extended up to a period of two years maximum. This model, which attempts to foster a form of teaching as integrated as possible with German and migrant pupils in regular classes, is currently the predominant model – with minor differences – in all federal states.

5.1.2. Special instruction

If the formation of a special support class is not possible due to a low number of participants⁵ special instruction (support course, intensive course, etc.) is offered as an accompanying instrument. As with special support classes, learning German and receiving some instruction in other subjects, such as mathematics, is the main purpose of the teaching. Special instruction is conceived of as a temporary measure to facilitate integration into the regular classes and to reach the level of the class. In order to establish such a measure, a minimum number of pupils who require special instruction is required. In primary and secondary modern schools in Baden-Württemberg, for example, at least four migrant pupils must have difficulties with German as the teaching medium or demonstrate lacking knowledge in other subjects in order for special courses to be offered (cf. Schroeder 2001, p. 14; 3B0015).

5.1.3. Additional instruction in the migrants' mother tongue

Additional instruction in the migrants' mother tongue is mainly offered in the western federal states, primarily for children from the recruitment countries of former guest workers. As an exception Hamburg can be named which is currently the only federal state in Germany offering Romany as a school subject in seven schools (Open Society Institute 2002, p.146; PUBDE0035). In the Eastern German federal states courses are occasionally offered in other languages, too (cf. Reuter 2001, p. 114; 3B0026). Teaching in the respective mother tongue is primarily carried out by foreign teachers employed by the federal state concerned. In other federal states, by contrast, teaching is offered by the consulates, but within the school buildings. Participation in instruction in the migrants' mother tongue is voluntary. The aim of such teaching was initially to facilitate the children's return to their home country and to ease their return into the school system in these countries. It was only later that the socialisation function of the native language was accepted. In the meantime, it is assumed that promoting the mother tongue does not

⁴ The terminology used for this educational measure differs in the various federal states. For example, some states refer to preparatory classes or courses or transitional classes.

⁵ As a general rule, special classes are created when an average of 10 children cannot immediately be integrated into regular classes.

hinder the learning of German, but rather increases linguistic competence in general (cf. Die Beauftragte der Bundesregierung für Ausländerfragen 2001; 3B0002).

5.1.4. Islamic religious education

Currently, Islamic religious education is not taught in any federal state in the sense of Article 7, Paragraph 3 of the German Constitution. The main reason for that is the lacking union of the various confessions and groups within the Islam to a corporation or religious denomination that could be a legitimate institution to approach the public authorities (Bundesministerium für Familie, Senioren, Frauen und Jugend 2000, p. 171; 3B0032). However, state religious education is offered in five federal states⁶. In four other states, there are non-state courses of religious instruction, mainly offered by diplomatic representatives, in Schleswig Holstein, for example, they are also offered by Koran schools (cf. Ständige Konferenz der Kultusminister der Länder in der Bundesrepublik Deutschland 2002, pp. 19ff.; PUBDE0043). The underlying directives or curricula with respect to religious education also vary. In Bavaria, for example, the Turkish curriculum for religious and ethical education is taken as a model and is supplemented by teaching matters from the present-day living environment of the children. In North Rhine-Westphalia, in contrast, own teaching units were developed and a school textbook was published. The teachers are, in part, native speakers who also teach regularly in Germany (for example, in Hamburg or Lower Saxony), but who gained the right to teach religion in their country of origin or who were prepared for such classes in courses (for example, in North Rhine-Westphalia). The courses are mostly offered in the language of the country of origin, not least because they are mostly integrated in the courses for additional instruction in the migrants' mother tongue. Only in Bavaria and North Rhine-Westphalia there are a number of schools where religious instruction is taught in German.

5.1.5. Intercultural education

Initially, intercultural education was initially introduced within the framework of the so-called “foreigners pedagogics (Ausländerpädagogik)” – as a first systematic approach to the issue of the consequences of migration for schooling – and was restricted to classes with a high percentage of migrant children. Today, in contrast, intercultural education is increasingly seen as a cross-section duty of schools which is relevant to all subjects and to all children (cf. Reuter 2001, p. 118; 3B0026). However, this task can be undertaken in a wide variety of different forms in the various curricula with the consequence that the form of this teaching in part continues to remain the task of the individual teacher. In this context, demands are repeatedly made to include intercultural education as a part of teacher training (cf. Ständige Konferenz der Kultusminister der Länder in der Bundesrepublik Deutschland 2002; PUBDE0043). School textbooks that deal with the various foreign cultures in different ways should also become elements of teaching which follows the principles of intercultural education. Even though some progress has been made in this field since the 1970s, there is still repeated criticism of school textbooks (occasionally even of new ones) which support prejudices about certain ethnic groups (cf. Höpken 1993; 3B0024, for example, or Poenicke 2001; PUBDE0046).

⁶ In religious education courses the contents of a religion, its culture and history as well as forms of religious practice are described. The message of God is not preached. Instead of this the main focus is on the teaching of religious knowledge and understanding. Religious instruction, however, is “much more dominated by the conviction that the presented religious messages are true” [own translation] (Die Beauftragte der Bundesregierung für Migration, Flüchtlinge und Integration, 2000, p. 14).

Thus, it can be said that there are a number of measures for migrant children within the German school system. However, they are often not referred to as good practice or are at least seen as being insufficient (for recommendations resulting from this please see chapter 12.6). These lacking efforts could also be interpreted as discrimination through a lack of support.

5.2. OVERVIEW OF SPECIAL ANTI-DISCRIMINATION LEGISLATION OR POLICY IN THE EDUCATION SECTOR

In the area education no special antidiscrimination law exists in Germany. However, the regulations of the Basic Law (GG) are of fundamental importance for the public sphere, and therefore also for school education. In Art.3 Par.3 Basic Law it is stipulated that it is illegal to discriminate against anybody because of their sex, descent, race, language, origin, belief, or their religious and political views. This article applies directly to all state authorities (including schools) and everybody who charges public officials with discrimination is entitled to take legal action. A civil servant who violates the rights that are guaranteed by the constitution consequently also violates his duties according to his work agreement. Therefore a penalty might be imposed on him or – in more serious cases – he might be dismissed. In addition, a discrimination ban is included in some school laws of various federal states. In the Hessian School Law, for example, it is stipulated that the school must not discriminate against pupils because of their sex, descent, race, language, origin, belief, or their religious and political views (§3 Abs.3 HSchG).

It can therefore be noted that general regulations prohibit discrimination in public educational institutions, but that there are no special antidiscrimination laws dealing with the special features of the educational situation and fixing concrete norms. Also special institutions, such as antidiscrimination commissioners at schools, do not exist yet. Assistance in cases of discrimination in school is offered by antidiscrimination bureaus, apart from regular offers in schools (e.g. teachers offering counselling).

6. Description and analysis of existing data and sources in the education sector

The existing data on integration and discrimination of migrants in education can be divided into two categories, to simplify matters. On the one hand, there are data on the general conditions in schools, on the other hand there are data on the specific situation of children and young people with a migration background in the German education system. To describe the general conditions in schools data are used e.g. on the number of migrants in schools, on the qualification and further training of teachers, but also on the inclusion of migration and integration topics in the teaching material. In order to assess the situation of migrant children and young people in the German education system, official education statistics are employed, the sources of which are primarily the Federal Statistical Office (*Statistisches Bundesamt*), the State Statistical Offices (*Statistische Landesämter*), the Federal Ministry of Education and Research (*Bundesministerium für Bildung und Forschung*) and the Conference of Ministers for Education and Culture (*Kultusministerkonferenz*).⁷ In addition, recourse is made to various empirical studies which investigate the different areas of the topic more closely, and whose results supplement the official statistics and help put them into perspective. Particularly worth mentioning here is the differentiation between first and second generation of migrants which makes it possible to assess the integration process (for details on the methodological approach and main results of the research studies please also refer to chapter 12.4. in the appendix). Besides analysing special measures for children from a migration background (see chapter 5.1), the analysis of the situation of migrant children and young people in the German education system has employed the following main indicators:

- the attendance of kindergartens and pre-school institutions
- the enrolment rates of migrant pupils among the various school types in comparison to those of German pupils
- the school leaving certificates obtained
- acquisition of certain competences (e.g. ability to read)
- the proportion of migrant young people in apprenticeship
- participation in further training programmes
- the proportion of migrant young people in university education

⁷ Attention must be drawn to a *problem of the official education statistics*. They only register the characteristic “nationality” and thus underestimate the proportion of children and young people from families that have experienced migration. Also it should be noted that these statistics offer less comprehensive information about migrant pupils, apprentices and students than about Germans. For example, no differentiation according to nationality is made when examining the qualifications achieved by students upon leaving school, and there are no qualification statistics for migrant apprentices and students. For further information about the data collection c.

6.1. DATA ON GENERAL CONDITIONS IN SCHOOL

As mentioned before the individual federal states are responsible for school matters in Germany. For that reason hardly any statements can be made on the general conditions in schools in Germany. A more detailed analysis of the conditions in all 16 German federal states would certainly go beyond the scope of this study⁸. In the following we will only pick some exemplary aspects in order to illustrate common features, but also differences in the education system of the individual federal states.

6.1.1. Proportion of migrants in schools

One factor exerting big influence on the educational opportunities of German as well as non-German children is the proportion of migrant children in individual school classes. Various studies (see Kristen 2002; 3B0014, Stanat 2003; PUBDE0018) showed that the level of education in classes with many migrant children is generally lower. A detailed analysis of the international OECD education study PISA reaches the conclusion that already a migrant share of 20% in a school class causes a sharp decline of “medium performance”.⁹ Having a closer look at the proportion of migrant children in German schools (see table 1 and 2) one can state that there are considerable differences between the individual federal states. Apart from the city states Hesse (15%), North Rhine-Westphalia (13.2%) and Baden Wurttemberg (12.8%) have the highest share of migrants. A similar distribution, even though with much higher shares, is also stated by the results of the PISA Study which, however, has not collected data by the feature “citizenship”, but by the parents’ country of origin (see table 3). However, these data only allow to draw conclusions on individual schools to a limited extent. The proportion of migrants can vary considerably across the various regions of a federal state. Especially in larger cities and certain parts within these cities, a large share of the non-German population is concentrated.¹⁰ There is indeed no nation-wide research, for example on the segregation of foreigners, but there are case studies of numerous cities that allow generalisations with a high plausibility as they have a similar structure (see Häußermann/Siebel 2001, p. 36; PUBDE0039). The geographical distribution of migrants, especially in cities, is the crucial factor for the distribution of migrants in schools, as, at least for primary schools, the principle of residence applies for the school choice; this means that children have to attend the schools near to the place they live. From this a proportion of migrants of up to 80% arises also due to the differing age structure of the German and non-German population.¹¹ Including not only non-Germans, but all children from a migration

⁸ Information on the individual states can for example be obtained at the website of the Education Server: <http://www.bildungsserver.de> (08.06.2004); NFPDE0013.

⁹ If this share rises to 40% or more, there is no further decline of the level of performance. The Max Planck Institute for Educational Research which has been the responsible research institute in Germany explains this with the fact that schools only introduce special measures after a certain „critical threshold“ has been crossed, see chapter 12.1 of the annex.

¹⁰ In some parts of Frankfurt, for example, the number of migrants amounts to more than 50%, the same applies to parts of the city of Offenbach (see for more details Bosswick/Will 2002; PUBDE0041).

¹¹ In Berlin there are about 30 schools with a migrant proportion higher than 80%. In the e.o.-plauen- primary school in Berlin 94% of all pupils are of non-German origin, in Hamburg in the primary school in Billbrook-deich the share of migrants is even 98.2%. The school figures of Bonn show how different the share of migrants can be depending on schools within the city: The range of the proportion of migrants at general schools in Bonn varies from 1% to more than 70%.

background, this share increases even more. Particularly after the PISA study indicated that the level of education in classes with a higher proportion of migrants is generally lower and thus, disadvantages result not only for the migrant children, but also for German pupils, demands were increasingly made to allow only a certain proportion of children with a non-German mother tongue into a class. A limitation of the proportion of migrants could be achieved by “bussing”¹² or by a redefinition of the catchment areas for schools. Another solution to deal with classes which have a high proportion of migrant children is suggested by the Independent Commission 'Migration' (2001; PUBDE0055): school classes with a high proportion of migrant pupils and socially disadvantaged children should be reduced in size and assigned more teachers.¹³

6.1.2. Qualification and further training for teachers

As it can be seen in chapter 5.1. a number of regulations have been adopted to foster the integration of pupils from migration backgrounds into the German education system in the meantime. However, one cannot say that cultural diversity has become a central topic in the considerations of educational policies. One indicator for that is that “currently one can still successfully complete a “normal” academic teachers’ training without having considered the question of the consequences of linguistic, national, ethnic and cultural diversity in the classes for the general subjects, for the teaching language or for school life“ [own translation] (Krüger-Potratz 2001, p. 33; PUBDE0032).

In only very few federal states the participation in a seminar on topics such as immigration, integration and interculturality or German as a second language is obligatory. There are indeed offers in all federal states,¹⁴ but the student teachers are free to take advantage of them or not. Most of the seminars on intercultural education are part of the academic courses on theory and methodology of education, but there are hardly any courses on this topic within the in-depth academic course programme and in the didactical training of a specific subject.

In case teachers are especially interested in those topics, they have the possibility of completing an additional course of study (Intercultural Education and/or German as a Second Language). There is, however, the disadvantage of having to spend additional time for studying as well as the fact that “this additional qualification in general does not result in a bonus” (ibid. p. 34). In addition, this shows that intercultural education is still considered a topic which is relevant only for certain teachers (e.g. in classes with a high share of migrants), but not as a general basic qualification for all teachers.

As in the area vocational qualification of teachers there are also programmes for intercultural education in adult education in all federal states. These range from individual

¹² “Bussing” was practised in America at the end of the 1960s to prevent segregation. Mainly African-American pupils were taken to other parts of the city in school buses (for more information on “bussing” as well as empirical findings on this practice, cf. Farley 1982, pp. 333ff.). In Germany, demands are made particularly by foreign parents that this measure should be applied to both German and migrant pupils. However, the introduction of “bussing” is not under serious discussion in Germany at the moment.

¹³ Although it is already possible in all the federal states that schools with a high proportion of migrants can be allocated additional funds for teachers, this does not seem to be sufficient.

¹⁴ A detailed overview on the qualification and further education courses in the individual federal states can be found in Gogolin/Neumann/Reuter 2001.

courses to comprehensive further training programmes. For these courses, however, the same applies as for the academic qualification: the seminars are generally not obligatory and it is left to the interest of the individual teachers whether they want to learn more about dealing with multicultural classes or not.

6.1.3. Data on teaching material

From the mid-eighties until the beginning of the 1990s there had been a large number of research studies and publications researching the way school books are dealing with other cultures and religions (especially the Islam). Apart from the question whether those topics were dealt with at all, it was researched whether school books reproduced prejudices and stereotypes characterising certain ethnic groups. With time, apart from the existence of racist presentations, the question about aspects of euro-centrism was also given priority.

In recent times there has been less interest in the analysis of teaching material with regard to racist contents, but there are still individual projects dealing with this topic. These projects are carried out, for example, in the teaching practice, e.g. to sensitise teachers as well as pupils (see for example Landeszentrum für Zuwanderung Nordrhein-Westfalen 2001; NFPDE0007) or in research (see for example Schweiger 1998; PUBDE0042, Poenicke 2002; PUBDE0046 or the project “we” and “they” – Images of Foreigners in the school book at the University of Frankfurt; ACTDE0040).

In sum, three main critical aspects can be stated which are partly contradictory though:

- Euro centrism: It is criticised, on the one hand, that there is no presentation of the history of certain minorities in Germany (e.g. Sinti and Roma people): If those groups are dealt with in school books at all, this happens often only in the context of German history, for example in a presentation of the holocaust. On the other hand it is criticised that the illustration of certain historical events (e.g. colonialism) is only presented from a European perspective and that the perspective of other cultures is totally neglected.
- Problem orientation: The presentations of migrants and minorities in Germany, but also of persons from other cultural backgrounds are dominated by a problem orientation. This means that migrants are presented as a problem (e.g. criminality of foreigners) or as persons who themselves have a problem (e.g. street kids in Brazil, victims of racist attacks) who should be met with feelings of sympathy. It is often neglected to introduce persons from other ethnic backgrounds as “normal” class mates, neighbours or colleagues.
- Emphasising the differences: It is criticised that especially school books with the objective of intercultural education point out cultural distinctive features of non-German class mates and therefore emphasise those differences. By trying to esteem and tolerate the value of the culture of origin a paradoxical situation arises, according to the education scientist Frank-Olaf Radtke in Frankfurt: „First, a difference is emphasised, something that might not be appreciated by the persons in question. As a next step this difference is made the subject of education for tolerance.” [own translation] (quoted from Büche 2000).

6.2. SITUATION OF CHILDREN AND YOUNG PEOPLE OF NON-GERMAN ORIGIN IN THE EDUCATION SYSTEM

6.2.1. Data on kindergartens and pre-school institutions

Attending the kindergarten or other pre-school institutions in particular exerts an influence on the further educational career as well as the future educational success of non-German children and young people. Attending a kindergarten is of decisive importance both for the social as well as cultural integration of children from migrant families. One reason for this is that a significant portion of linguistic integration takes place in kindergarten since, through the contact to the teachers and other children (German-speaking environment), there is an opportunity to learn the German language and to reduce linguistic deficits before enrolment in school takes place. It has been shown, for example, by the results of the assessment of linguistic abilities in Berlin, 'Bärenstark', (Senatsverwaltung für Bildung, Jugend und Sport 2002; ACTDE0024) that migrant children who have attended a kindergarten have considerably fewer linguistic deficits at the point of enrolment into schools than migrant children who have not attended such an institution. In addition, research on the second generation of migrants (for details see chapter 12.4.1 and 12.4.2) has confirmed that migrant children who have attended a kindergarten achieve a higher average level of qualification later on. In the EFFNATIS Study, for example, it was stated that 21.3% of the Turkish young people who had attended a kindergarten, achieved higher levels of education whereas this only applied to 8.1% of the Turkish young people who did not attend a kindergarten (cf. Lederer 2000, p. 28; 3B0033). Additionally, the kindergarten is also an important place for the social encounter between migrants and Germans, both for children as well as for their parents.

Table 4 shows that the *proportion of kindergarten attendance* of 3-6 year old migrant children (39.4%) lies slightly below that of all 3-6 year old children (45.5%), although the difference is not as clear as often assumed. It can be determined that the proportional discrepancy between the participation rate of migrant children and that of children as a whole (disregarding those under 3) reduces with the increasing age of the children.

Migrant children are over-proportionally represented in pre-school institutions (pre-school classes and school kindergartens). In 2001, 21% of children in pre-school classes¹⁵ and 25% of children in school kindergartens¹⁶ were of foreign nationality, compared to approximately 12% of primary school pupils. The reason for this higher proportion lies, above all, in the more frequent postponement of enrolment into schooling in the case of migrant children. These postponements into institutions of pre-school education "are usually justified by deficits in German skills and the cultural unfamiliarity of the parents, although this should not be a hindrance to enrolling in school according to the education laws of most federal states" [own translation] (Beauftragte der Bundesregierung für Ausländerfragen 2002, p. 176; PUBDE0012).

¹⁵ Pre-school classes are attended by children who are ready for school, but who are not yet required to attend school by law.

¹⁶ School kindergartens are institutions of pre-school education that are attended by children who are ready for school, but who are not yet required to attend school by law.

6.2.2. Data on schools providing general education

PARTICIPATION IN EDUCATION

The *proportion of migrant pupils* at all schools has been over 9% since 1993 (cf. table 5). The higher share of migrants at German schools in comparison to the percentage of migrants in the population as a whole reflects the differing age structures of the German and foreign population.

The *participation of migrant and German citizens in education* (attendance rate of migrant youth in various school types) is an indicator by which the development in the integration of migrants into the area of education can be followed in a longitudinal analysis. The indicator reveals how the German and migrant pupils (with reference to pupils of the same age) are distributed among the various school types (schools providing a general education, vocational schools and further training institutions). In the following, the distribution of migrant pupils among the various school types (cf. table 6-8) and the qualifications they achieve (cf. table 9-11) will be described more closely and observed in individual comparison with German pupils.

The number of migrant pupils at schools providing general education in Germany in the school year 2001/2002 was 955,718, with pupils of Turkish descent making up for 43.7% of this number. This corresponds to a proportion of 9.7% of all pupils at schools providing a general education. An examination according to school type shows that migrant children and young people, in comparison to German pupils, are particularly highly represented at *Hauptschulen* and *Sonderschulen*. In the year 2001, about 20.6% (2000: 20.1%) of all migrant pupils at schools providing a general education took classes in the *Hauptschule* and 6.8% (2000: 6.6%) attended *Sonderschule* while the corresponding proportions for German pupils were 10.3% and 4.0% respectively (2000: 10.1% and 4.0% respectively). In contrast, migrant pupils are underrepresented at higher secondary schools. In 2001, 8.8% and 9.3% (2000: 8.5% and 9.3%) of migrant pupils attended *Realschule* and *Gymnasium* respectively. The quota for the German pupils was 13.4% and 24.6% (2000: 13.1% and 24.1%) respectively.¹⁷

The positive trend *attendance of higher secondary school* by young migrants, which prevailed up until the early nineties, has been at a *standstill* since 1993. In contrast, the proportion of migrant pupils in the *Sonderschule* has increased slightly. A significant cause for this development in the statistics is beside naturalisations (naturalised persons cannot be identified as migrants in the school statistics any more; see for more details table 33) the aforementioned “newcomers entering education at a later stage,” such as the children of refugees from civil wars, in particular in Yugoslavia and Bosnia-Herzegovina, who frequently only entered the German school system at a relatively late stage in their lives. The problem of “newcomers entering education at a later stage” is also reflected in the fact that pupils of Yugoslavian descent constitute the highest attendance rate at *Sonderschulen* (14.1%) compared to other nationalities (cf. table 7).

¹⁷ In North Rhine-Westphalia, the only federal state in which ethnic German migrants are included in the school statistics, the children of such families are over-represented in the *Hauptschule* (29%) and *Realschule* (19%), but underrepresented in the *Gymnasium* (9%). With a slightly worse quota than children of foreign nationality, and in contrast to migrant children, they are also underrepresented in the *Sonderschule* (3%) (*Landesamt für Datenverarbeitung und Statistik NRW* 2001, p. 58).

If one considers the *attendance rate broken down by nationality* (cf. table 7), then large differences in the achievements in education of the different migrant nationalities become apparent. The highest attendance rate at the *Gymnasium* in 2001, alongside pupils from Austria and Switzerland, were those from France, the Russian Federation, Poland and the United Kingdom. Extremely low quotas at the *Gymnasium*, but high quotas at *Hauptschulen* and *Sonderschulen* were registered for pupils from former Yugoslavia (a special case due to migration of refugees from civil war in the nineties), Turkey, Italy, Bosnia-Herzegovina (also due to civil war) and Portugal.¹⁸ Also a current analysis of SOEP data shows that migrant children, especially Italian and Turkish children, are doing worse in the education system than autochthons (see Diefenbach 2003; PUBDE0024; for more details on this study please see also chapter 12.4.6).

Another group that is often disadvantaged in the education system are Sinti and Roma; this, however, is not reflected in official statistics. In its report on the situation of Sinti and Roma people in Germany within the programme “Monitoring the protection of minorities in the European Union” [own translation] the Open Society Institute (2002, p. 96; PUBDE0035) stated that Sinti and Roma children are “seriously disadvantaged” concerning the access to schools. It is “further reported that Sinti and Roma children are overrepresented in special needs schools and that a very high proportion of the children drops out of school early. Only few Sinti and Roma achieve a higher level of school education” [own translation] (ibid.). The Consulting Committee for the Agreement on the Protection of National Minorities (Beratender Ausschuss für das Rahmenübereinkommen zum Schutz nationaler Minderheiten, ACFC) reaches the same conclusion in its statement on Germany (2002, p. 23; PUBDE0038). Here it is stated that „children of Roma/Sinti [...] are overrepresented in special needs schools for children with learning difficulties and accordingly underrepresented in secondary schools” [own translation].

The Federal Government, however, points out in its reaction on the statement of the ACFC that a „fewer participation in education of this group of pupils is not reliably demonstrable in the statistics” [own translation] (Bundesministerium des Innern 2002, p. 16; PUBDE0034) as it is not allowed to register the ethnic belonging of persons in Germany. There are reports in individual federal states though stating that Sinti and Roma children attend general special schools (special needs schools) to a great extent. Consequently the Federal Government considers it necessary to make further efforts to improve the general educational situation of this group of pupils. “Such an improvement, however, cannot exclusively be achieved by governmental measures. In the federal state Schleswig Holstein, for example, in a project for the promotion of Sinti children a strikingly high number of repeated absences from school was stated, although four Sinti women are integrated as educational assistants. To reach fundamental changes it is therefore also necessary that also the individual families of the group of pupils made sure that their children attend school regularly, using the already existing offers in the public school system.” [own translation] (ibid.).

Differentiating the school participation of non-German youths according to sex one can note that non-German girls, on average, are more often attending secondary schools than non-German boys. The difference between the male and female youth is not as high as it is the case with German youths, but is still very significant (see table 8).

¹⁸ Powell/Wagner (2000, p. 13) offers “individual experiences of migration, cultural and religious backgrounds and differing socio-economic backgrounds” [own translation] as reasons for the large differences according to nationality in the sending of children to special needs schools.

Also the results of the PISA Study show (for more details see chapter 12.4.4) that children and young people from a migration background have lower chances to obtain a high degree of education. Children from families with a migration background are strongly over-represented at Hauptschule and strongly under-represented at Gymnasium. The study also shows, however, that the differences of educational opportunities between youths from families with or without a migration background are much less significant than the disparities between youths from different social strata. This means that in Germany the correlation between school performance and social background is particularly high. Despite long residence in Germany, the social structure of migrant families still differs considerably from the social structure of the German population – almost two thirds of the persons who were not born in Germany are still employed as workers, of which almost 50% have semi-skilled jobs (cf. Baumert/Schümer 2001, p. 341ff; PUBDE0047). Thus, the factor of coming from a relatively poor social background affects children and young people from a migration background especially severely. In addition, further analysis showed that not only the social background or the cultural distance are the reasons for such disparities concerning participation in education, but also particularly the competence/ non-competence of the German language. Linguistic deficits have a cumulative effect in general subjects with the consequence that persons with insufficient reading competence are hampered in their acquisition of all other academic subjects (ibid. 2001, p. 379). “For children from migrant families language competence is the decisive barrier in their educational career” [own translation] (Max-Planck-Institut für Bildungsforschung, 2001, p. 37; 3B0051).

THE PUPILS' COMPETENCES

In a national amendment to the PISA study, research was additionally undertaken about the competence of 33,809 15-year-olds and 33,766 pupils in the ninth grade from 1,460 schools. The main aim of this PISA-E study, as it was called, was a *comparison of abilities between students in the individual federal states*. It became apparent that the achievement differentials between children from families in which at least one parent was born in Germany and children from purely migrant families varied greatly from federal state to federal state. The federal state of Bavaria thus distinguished itself due to its “consistently low disparities, showing a relatively high level of competence in the migrant group.” In the area of reading comprehension, the differences in achievement between young people with and without a migrant background were relatively small in the states of Hesse and Rhineland-Palatinate. In contrast, “a large achievement differential across the board could be found in the states of Bremen and North Rhine-Westphalia” (cf. **Max-Planck-Institut für Bildungsforschung** 2002, p. 58; 3B0007). These results which are differentiated according to federal state reveal, above all, that migrant children profit to a great extent from the general quality of the school system. In other words, not only the support measures offered to foster the integration of migrant children into the school system are important, but also regular measures and educational offers within an education system make a significant contribution to fostering the equality of opportunities for migrants and autochthonous Germans.

The results of the IGLU Study (see for more details chapter 12.4.5) show that children with a migration background performed significantly worse in the three tested competence areas (reading, mathematics, natural sciences) than native pupils. The worst among pupils from a migration background were children of parents who both were born

abroad. It is typical for that group that the lacking language competence occurs due to the non-German speaking socialisation in the family (cf. Bos et al. 2003, p. 32; PUBDE0019).

EDUCATIONAL LEVELS OF QUALIFICATION

The differences in school achievements of German and migrant pupils are also apparent in the developments in statistics (cf. table 9). In comparison to German pupils, migrant pupils on average finish school with significantly lower qualifications. In the year 2001, 75,348 migrant pupils left schools providing general education. While 20.2% of these pupils left without formal qualifications, this is true for only 8.7% of German pupils. 39.6% of migrant pupils left schools providing a general education with the *Hauptschule* certificate and 28.9% passed *mittlere Reife* (comparable to the General Certificate of Secondary Education). In comparison, 41.7% of Germans who finished school left with a *Realschule* certificate and 24.2% with a *Hauptschule* certificate. 25.5% of German pupils, but only 11.4% of migrant pupils obtained the right to study or to go to a *Fachhochschule* (that is, passed A-levels (*Abitur*)).

If one examines the *educational qualifications* of migrant pupils over time it can be determined that, during the course of the nineties, the trend towards secondary education continued, albeit at a slower rate.¹⁹ However, this development did not continue in 2000 and 2001. Although there was a rise in the percentage of migrant pupils obtaining a *Realschule* certificate (from 26.5% in 1994 to 28.9% in 2001), the percentage of migrant pupils obtaining qualifications allowing them to study at the university level had continually risen from 9.6% in 1994 up to 11.4% in 2001. In addition, after dropping during the period from 1994 to 1999 from 20.4% to 19.3%, the percentage of migrant pupils leaving school without a *Hauptschule* qualification rose again to 19.9% and 20.2% in 2000 and 2001 respectively.

If one breaks down migrant school leavers by gender, it becomes apparent that migrant girls or young women record slightly higher educational achievements than migrant boys or young men. In 2002, migrant female pupils left school less frequently without qualifications than their male peers (15.6% compared to 23.1%), but more frequently with a *Realschule* certificate (31.9% compared to 25.9%) or A-levels (12.8% compared to 9.2%) than their male counterparts (cf. table 10).

In conclusion, several comments must be added on the participation in education which is specific to the respective federal states. With regard to attendance at the different school types and to educational qualifications, there are significant differences between the different federal states (cf. table 11). For example, Bavaria and Baden-Württemberg have the lowest percentages of migrant pupils at *Realschule* and *Gymnasium*, but an over-proportional percentage at *Hauptschule* and *Sonderschule* (cf. Hunger/Thränhardt 2001, pp. 55ff.; 3B0002; Bundesministerium für Familie, Senioren, Frauen und Jugend 2000, p. 180; 3B0032). When examining the disparities between the attainments of foreigners/migrants in the different federal states, however, it is important to note that these results are also based on general structural differences in the education systems of

¹⁹ An explanation for the supposed contradiction between this trend and the stagnation determined above in the attendance of secondary schools is offered by the temporal difference between enrolling in school and completing school.

the individual states. Thus, in North Rhine-Westphalia, for example, where the quota of migrant pupils achieving a secondary school-leaving qualification is significantly higher than in Bavaria and Baden-Württemberg, the average level of school-leaving qualifications of *all* pupils is higher, as well.

In the analysis of the educational qualifications of German and non-German young people it becomes apparent that non-Germans are still lagging behind their German peers. Research of the second generation of migrants provides a more differentiated picture and shows that the educational successes of this group are much higher than that of migrants in general which are shown in official statistics. One can state that the educational level has a high correlation with the time of immigration to Germany or the fact that the migrant was born in Germany. With increasing duration of socialisation in Germany there is a decreasing risk of leaving school without school-leaving certificate or to acquire a qualification at *Hauptschule* only; the probability of acquiring a medium or higher education level, on the other hand, increases (see Straßburger 2001; 3B0010).

6.2.3. Vocational schools and vocational training

In the year 2001, there were slightly more than 200,000 migrant pupils at vocational schools. This corresponds to a proportion of 7.4% of all pupils at vocational schools. The *percentage of migrants at vocational schools* thus was 2.3% below their percentage at schools providing general education (9.7%). The number of migrant pupils at vocational schools has dropped continually since 1994, both in absolute as well as relative terms (cf. table 12). This development is a clear sign that it is increasingly difficult for migrant pupils to begin training at a vocational school, even after finishing general education, and to finish their training successfully with a professional qualification (Jeschek 2002; PUBDE0051).

The *distribution of migrant pupils among the various vocational school types* also differs from that of German pupils (cf. table 12). Young migrants are under-represented particularly at the *Berufsoberschule* (vocational secondary school) and the *Fachoberschule* (secondary technical school) with a percentage of 6.1% as well as at *Fachschulen* (technical schools) with a percentage of 3.2% (German pupils: 8.1% and 5.7% respectively). Nonetheless, the trend towards broader attendance of technical schools should be seen as positive one, because further education is offered alongside initial professional training in these schools, and professional qualifications can be obtained there which are not offered elsewhere (schools for master craftsman and technical schools) (cf. Jeschek 2002; PUBDE0051). Attendance at these schools usually follows the completion of an apprenticeship by the pupil. Migrant pupils are over-proportionally represented in the vocational preparatory year or vocational foundation year with 9.5% (German pupils: 3.9%). The high percentages of migrants at this school type is a sign that many pupils of foreign nationality either do not find apprenticeships immediately after leaving school or increasingly switch to shorter training programmes not leading to a professional qualification (Jeschek 2001, p. 4; PUBDE0050). These programmes that support preparation for a profession should particularly foster professional integration.

If one examines the distribution of migrant pupils among the various school types differentiated broken down by their *countries of origin*, then it becomes apparent that

particularly young Ex-Yugoslavians and Turks are over-represented in the lower vocational school types and under-represented in the higher ones (cf. table 13). Similar to this, pupils from the Russian Federation (including “newcomers entering education at a later stage”, i.e. family members of ethnic German migrants as well as Jewish refugees) are over-represented in the vocational preparatory year or vocational foundation year. Russian pupils are also over-represented in the higher types of vocational schools, however.

In addition, it becomes apparent that a significantly higher number of migrant than German pupils in vocational schools left school *without qualifications* (cf. table 14), and thus have less favourable perspectives to achieve good qualifications (Bremer 2000, p. 130; PUBDE0037). Of the 89,299 migrant pupils who graduated from vocational schools in 2001, more than a third (38.8%) did not obtain a school-leaving certificate. In the case of the German pupils, the proportion was 19.5%. Braking down qualifications by sex one can see that young women perform better than their male peers. 35.7% of non-German women leave the vocational school without a school-leaving certificate (compared to 41.5% of the male non-German vocational pupils) (see table 15). When interpreting this official data, one must take into account the increased number of “newcomers entering education at a later stage” since the mid-nineties.

The majority of pupils in vocational schools start an apprenticeship at the same time. However, while 64% of German vocational school pupils were in an apprenticeship in 2001, only around 46% of the migrant pupils were in a similar position. The *share of migrant apprentices* among the total number of apprentices as a whole has decreased continually from 8% in 1994 (in absolute terms: 125,887) to 5.5% in the year 2001 (in absolute terms: 92,300) (cf. table 16). Related to the 18-21 age group, this means that approximately two thirds of the young Germans, but only about a third of migrants are doing an apprenticeship. This reduction occurred despite the efforts of numerous institutions (Federal Employment Office (*Bundesanstalt für Arbeit*), national and federal governments, economic associations, trade unions) who initiated numerous measures to offer more migrants places to take up an apprenticeship (Jeschek 2002; PUBDE0051). In 2001, the proportion of women among the migrant apprentices was 42% (in absolute terms: 38,777), meaning that there is a slow, but continuous increase (see table 17).

Among the apprentices with a migrant background in 2001, young people with Turkish citizenship made up the largest group (40.3%) ahead of the Italians (11.4%), the Yugoslavians (7.4%) and the Greeks (5.1%) (cf. table 18). Apprentices with a foreign nationality are employed in the field of industry and trade with a percentage of 47.4% and in craft professions with a percentage of 37.9%. In addition, it becomes apparent that migrant apprentices are particularly underrepresented in public service. This often is due to the regulations relating to becoming a civil servant, which in many fields of public service require the employee to be a German citizen (Bundesministerium für Bildung und Forschung 2001a, pp. 78ff.; 3A0044).

If one examines the migrant apprentices differentiated according to *professional groups*, the following picture emerges: the migrant apprentices are concentrated in a limited number of jobs. Young women are most often in an apprenticeship as hairdressers, shop assistants or assistants to doctors or dentists. Young men often have found positions as motor mechanics, painters or car sprayers. The business profession was also among the preferred apprenticeships of young migrants. However, young migrants were under-

represented in the information and communication sector as well as in more demanding service positions. Of particular interest for professional training are 26 new training professions introduced in the years 1996 to 1999 because they mostly occur in the manufacturing and service sectors (for example, electricians for IT systems, media designers for digital and print media). At the end of 2001, around 71,000 apprentices were employed in these professions. The percentage of migrants in these new sectors, however, was only 4.2% and thus only 2.2% of all migrants apprentice contracts.

Also in the area of vocational qualification studies on the second generation of migrants show that the situation of migrant young people who have been living in Germany for a long period of time is improving (see e.g. Straßburger 2001; 3B0010). There are, however, considerable deficits which particularly become apparent in low levels of school-leaving qualifications. In sum one can state that, despite the improved situation of the second migrant generation, young people from migration background still have less chances in vocational qualification and in accession to the labour market. For that reason it is consistent that there is a number of measures aiming at assisting in the transition from school to labour market. On the one hand, there are general measures geared towards all disadvantaged young people. On the other hand, there are special measures which are tailored to assist young people from a migration background (for more information on these measures see chapter 12.6 in the appendix).

6.2.4. Further training

As for further training measures offered later in the course of the professional life, non-Germans participate less frequently in further training than Germans; this applies to general further training as well as vocational further training.²⁰ The rate of participation of Germans, for example, amounted to 44% in 2000 in the age group 19-64, but to only 27% of non-Germans.

In the area of vocational further training the participation rate of Germans and non-Germans differs significantly in adaptation courses and other job seminars/courses. Regarding the participation in general further training measures it becomes apparent that non-Germans frequently attended language courses in 1997 as well as in 2000, most of them probably being German language courses. There is an increasing trend towards the participation in language courses of non-Germans, in contrast to Germans. The second important topic area for non-Germans is “computer, EDP, internet” which is the most

²⁰ This is the result of a representative population survey based on oral data which was carried out by the institute Infratest Sozialforschung on behalf of the Federal Ministry for Education and Research (2001). The survey which is carried out every three years included for the first time in 1997 the non-German population living in Germany. The problem is here that only those non-Germans are interviewed, without costly additional measures, whose competence of the German language is sufficient for an interview. One can assume that those will be better integrated non-Germans who also frequently participate in further education courses. An earlier study (cf. Behringer/Jeschek quoted in *ibid.*) confirms also that non-Germans with very good or good competence in German participate more frequently in further education measures than those with poor competence in German or none at all. It therefore appears to be plausible that the variation of the participation rates among Germans and all non-Germans living in Germany might be higher. In addition, the small number of cases don't allow a differentiated analysis according to citizenship, a general comparison of the participation rates of Germans and non-Germans can be made though. For further information on this study please see chapter 12.4.6.

important further qualification course for Germans. Courses on other topic areas are attended by migrants much less frequently than by Germans.

6.2.5. University/Academic Qualification

In the period commencing with the winter term 1993/1994 to the winter term 2001/2002, both the absolute number as well as the percentage of migrant students among the total number of students as a whole has risen continually (cf. table 19). One must differentiate between two groups of foreign students, “educational non-nationals” (*Bildungsausländer*) and “educational nationals” (*Bildungsinländer*). The proportion of the latter lies relatively constantly at around one third of all students of foreign nationality (between 31% and 35%). The percentage of educational nationals among all students was 3.4% in winter term 2001/2002. (For comparison: The percentage of non-nationals was 7.6% in winter term 2001/2002.)

A vast majority of *educational nationals* possess the citizenship of one of the recruitment states of former guest workers or their successors (cf. table 20 and 21). 29.8% of all educational nationals have Turkish citizenship. 83.8% of Croatian students, 78.4% of Turkish students, 68.7% of Portuguese students and 67.9% of the students from former Yugoslavia are educational nationals. The majority of these educational nationals belong to the second generation of migrants. In general, however, one can assume that members of the second generation of migrants are clearly under-represented in the *Fachhochschulen* and universities compared to their proportion in the total population of the corresponding age group.

The proportion of female non-German students in Germany has been increasing continuously since the winter term 1997/98 and amounted to 47.7% of all foreign students in the winter term 2001/02 (cf. table 22). Braking down the data by to citizenship one can see that the proportion of women varies considerable. Whereas 56% of all Polish students are female, there are only 19% female students among Moroccan students (cf. table 21).

Having described and analysed the existing data on migrant children and young people in education, in sum one can state that non-German children still have less educational opportunities than German children. Various studies have come to the conclusion that the second migrant generation has reached considerably higher levels of education compared to the first generation, but that it is still lagging behind native German young people. With regard to education the second generation thus has taken up a position between their parents' generation and the corresponding German age group. Similar to the data of the official education statistics the studies also reach the conclusion that Turkish and Italian children and young people perform particularly badly in the German education system.

Whereas the descriptive findings about migrant children's educational attainments are numerous and quite consistent, the discourse about possible determinants points to a more fragmented picture. Roughly speaking, two types of explanation attempts can be discerned: on the one hand, there are explanations based on the idea that the lower educational attainments could be traced back to less cultural capital on the part of the migrants themselves – such as the parents' social status and level of education, language deficits, cultural differences, etc. On the other hand, there are explanations which focus

on the structural characteristics of the education system “which ensure that, in the course of school education and vocational training, a multi-staggered filtration process comes into play which leads to a stronger gradual ‘weeding out’ of foreign children and young people in comparison with German pupils” [own translation] (Thesis on 'institutionalised discrimination', Gogolin 2000, p. 80; 3B0014).

7. Analysis of discrimination in school

It is extremely difficult from the methodological point of view to assess the extent to which the aforementioned differences in the educational situation can be traced back to forms of discrimination or whether they are caused by other factors, such as differences in the opportunities to obtain education as a result of different social backgrounds (e.g. level of education of the parents). Several studies have attempted to deal with the *problem of measuring discrimination* in the education sector. As an example, one may briefly mention the methods employed by Alba/Handl/Müller in their study “Ethnische Ungleichheit im deutschen Bildungssystem”²¹ (“Ethnic Inequality in the German Education System”). Data from the micro-census and the Socio-economic Panel were used as a basis for the study.

Since discrimination usually cannot be measured directly, Alba et al. attempted to deduce its appearance indirectly from still existent ethnic differences, so to speak, as a remaining “residual category” after all the important explanatory factors/variables had been checked. The following control variables were employed: length of residence, generation status, socio-economic status of the parents, the conditions in the place of residence, gender, the number of children in the household, cultural differences (measured by the existent language skills), the orientation towards the society of origin (intention to return, transfer of money to the home country, identity as German or migrant, continuity in the school career) and the ethnic composition of the place of residence. Alba et al. determined that, even after checking all these factors, significant disadvantages remain, particularly for children of Turkish and Italian parents. Whether this “residual effect” can be attributed to discrimination cannot be determined clearly since one cannot be completely certain if the decisive explanatory factors have been controlled.

This difficulty in measuring discrimination is also revealed in the fact that there is no systematic registration and hence no national statistics of cases of discrimination. However, individual cases are collected and documented by various organisations which are consulted by people subject to discrimination. Here, mention may be made of the anti-discrimination bureaus (especially in North Rhine-Westphalia and Brandenburg), which are responsible for issues affecting migrants. These anti-discrimination bureaus partly collect statistics on the persons that have been subject to discrimination and who turned to the bureaus with a request for assistance or counselling. The discrimination cases are registered according to various criteria, for example according to nationality, origin and sex of the affected person, but also according to the area in which the victim has been confronted with discrimination (e.g. authorities, the police, education institutions, searching for an apartment) (see for example Antidiskriminierungsbüro Siegen 2000; PUBDE0040). These cases are based on individual experiences by people from a migrant background. The registered number of cases is much too small to allow a statement on the general situation concerning discrimination in the education system.

Beside problem of the measuring discrimination, the *differing definitions* (see glossary) of the term discrimination present another difficulty when dealing with this topic.

²¹ Although the study has already been published in 1994, the methodological approach is still applicable.

7.1. STUDIES ON THE MEASUREMENT OF DISCRIMINATION

For that reason “**perceived discrimination**” is frequently used as a category in research of discrimination which can be easily measured in interviews. In case of perceived discrimination a individual experience of discrimination is researched, independent of the fact whether it has actually occurred or not. Perceived discrimination, even if actual discrimination has not occurred, plays a major role for the feelings and behaviour of migrants: “If the host society is perceived as ‘closed’ and prejudiced, this may lead to a reinforcement of ethnic ties with negative consequences for the cultural, social and identificational processes” (Heckmann/Lederer/Worbs 2001, p. 63; 3B0033). Thus, the individual perception of discrimination is also of importance, irrespective of the extent to which this subjective perception corresponds to the actual discrimination.

Different behaviour in school might indeed be perceived as discrimination by children and pupils from migration backgrounds. This has not only been confirmed by personnel of anti-discrimination offices which deal with cases of discrimination in the education system every now and then, but also by a number of studies which asked young people from migration backgrounds whether they had ever personally experienced discrimination in different areas of life, for example in school.

In the EFFNATIS study, for example, young Turks and Yugoslavs of the second generation were interviewed on whether they had ever personally experienced discrimination in different areas of life, namely in the educational system when trying to get an apprenticeship or a job, while in employment, or in other situations of life. The question “Have you ever been discriminated at school or university because of your ethnic origin?” had been answered affirmatively by 85 of the 282 young Turks asked (30.1 %) and negatively by 197 persons (69.9 %). Among the 281 young people from former Yugoslavia 51 (18.1 %) answered Yes and 230 (81.9 %) said No. The main problems in the educational system are verbal abuses by other pupils and teachers, unjustified treatment by teachers and lack of support for the educational career of the respondents (vgl. Worbs, 2001, p.303; 3B0033).

In the Frankfurt study (Straßburger 2001; 3B0010), immigrants were also explicitly asked questions about discrimination and whether they had personally experienced discrimination in Frankfurt because of their foreign origin or because of the colour of their skin. In addition, they were asked whether they have been verbally abused or physically attacked because of their ethnic origin or skin colour. 90 per cent of the interviewees said that they had never been attacked because of their ethnic origin or their skin colour. 6.6 % had experienced such harassment rarely, 3 % occasionally. A much larger number of the interviewed persons have experienced weaker forms of discriminating treatment. More than half of the interviewed persons said they have been affected by general discrimination (54.9%) and more than a third (36.1%) has been exposed to verbal abuse. (Table 27 lists the institutions or situations in which the interviewed persons have experienced discrimination.) braking down this data by gender additionally shows that mostly males are affected by discrimination experiences caused by the police. The problem of being stopped when entering a night club is also clearly specific to males. These two forms of discrimination are mostly named by male migrants. Female migrants, however, often perceive discrimination when approaching

administrative bodies or when looking for a place to rent. Behind these discrimination experiences, discrimination in schools was reported third.

The extent to which *individual groups of migrants* are affected by discrimination, verbal insults or racist violence varies considerably. This can be seen from a comparison of the distribution of answers of the two largest ethnic groups. Whereas interviewed persons from countries of the former Yugoslavia reported discrimination and racism experiences with below average frequency, the values for the Turkish interviewed persons are largely above average. In the Turkish group every eighth person subjectively perceived discrimination “often” and every eighteenth reported that he or she has been “verbally abused frequently.”

While in the studies described above the interviewees were questioned about their subjectively perceived discrimination, which mostly happens as individual discrimination by classmates or teachers, another approach raises the question as to whether also the school as an institution discriminates against migrants. After all, school statistics clearly show a differing educational participation and differing school success between German and non-German children.

This approach has been adopted by Gomolla and Radtke (Gomolla 1998; PUBDE0054; Gomolla/Radtke2002; PUBDE0002). They formulate the hypothesis: “A not insignificant part of inequality in educational participation of German compared to non-German pupils [...] *cannot* be attributed to the children’s characteristics or migration-related disadvantages regarding their starting point, but is generated by the organisation school itself” [own translation]“ (Gomolla/Radtke 2002, p. 16f.). The research focuses on the question whether institutional discrimination happens in school. Institutional discrimination is defined here as discrimination “that emerges as effect of ‘normal’ structures and practices of a number of social institutions and organisations” [own translation] (ibid., p. 15).²²

The authors reach the conclusion that there are mainly *three intersections* in school where discrimination happens: when *starting school* (higher risk of migrant children of being turned down for school enrolment), in the *assignment to special needs schools* as they have previously been sent back to the kindergarten or due to missing competence of the German language, as well as in the transition *from primary school to secondary school* (1. The school choice is directed by a principal recommendation to send migrant children to comprehensive schools. 2. Assignment of newcomers entering education at a later stage (*Seiteneinsteiger*) to collective and preparatory classes that mostly exist at the *Hauptschule* only. 3. Denial of a recommendation to attend the *Gymnasium* despite good marks, e.g. due to latent language deficits, anticipated lacking support by the parents and lacking social integration into the German-speaking social environment).

Gomolla and Radtke indeed point out intersections in the German education system at which discrimination might occur frequently. However, the authors describe these disadvantages of migrant children as the result of organisational operating and functional

²² A presentation of the research design and more detailed results of this study can be found in the annex (chapter 12.4.8).

interests of individual schools²³ (e.g. homogeneous classes), organisational differentiations of the school (e.g. special needs school for children with learning difficulties, supportive classes) as well as the result of individual preferential decisions and the involved parties' professional styles. A clear distinction of *individual and institutional discrimination* would have to be made here. For that reason it should also be discussed to what extent distinctive features of individual schools or the behaviour of certain teachers as well as school headmasters cause discrimination against pupils from migrant families, before one raises the question of institutional discrimination in schools.

While the studies mentioned above tried to research subtle forms of discrimination by asking the question about subjectively perceived discrimination or by critically analysing seemingly neutral regulations, there are a few studies available which focus on evident discrimination (e.g. in form of xenophobic incidents) in schools.²⁴

As far as we know, publications of official statistics on *xenophobic incidents* in schools hardly exist. Only within a question to the town parliament of the city of Hamburg on the topic "Influence of extreme right-wing organisations on pupils, youths and students in Hamburg (Bürgerschaft der Freien und Hansestadt Hamburg, 2001; PUBDE0044) incidents with extreme right-wing background at schools in Hamburg had been included. Based on police statistics, 33 extreme right-wing incidents occurred with schools as the scenes of crime from 1997 to 2000, 30 of which were so-called propaganda crimes. Much more shocking numbers were provided by a statistic by the Ministry of Education in Brandenburg which had been collected in 2001 for the first time: at the schools in Brandenburg almost 190 incidents with extreme right-wing and xenophobic background were registered (cf. Berliner Zeitung 2001; 2A0030).

In Brandenburg, the majority of incidents with xenophobic and extreme right-wing background were so-called propaganda crimes as well, but in almost 20 cases the victims were threatened or even hurt (cf. table 28). For other federal states, unfortunately, there are no comparable data available. If one compares the data of Hamburg and Brandenburg and considers the numbers of the Criminal Investigation Registration Service – m Politically Motivated Criminality in the year 2001 (which shows the highest numbers for Brandenburg (see for more details Rühl 2002) as well as the fact that there are more xenophobic attitudes in eastern Germany (see e.g. Angermeyer/Brähler 2001; PUBDE0045, Würtz 2000; 3B0003), one can assume that the high numbers from Brandenburg are not representative for Germany as a whole. Regular registration and publication of xenophobic incidents in school would be desirable in all federal states.

Other current studies tackle the question why there is xenophobia in some German schools while there is not in others. In their research, Krüger and Pfaff (2001; 3B0018) do

²³ It has to be mentioned that certain organisational operating and functional interests of school might possibly have positive effects on the integration of migrant children. If a school has to make sure that it attracts a sufficient number of pupils it might possibly happen that this school accepts migrant children to an increased extent in order to ensure the necessary overall number of pupils.

²⁴ It should be mentioned here that xenophobic attitudes might cause discrimination, but a causal connection between prejudices and discrimination does not necessarily exist. Somebody who is prejudiced against foreigners might treat a non-German classmate respectfully, because this is in accordance with the general manner within class and he subordinates the prejudice to the integration in class. This occurrence, however, could also happen in reverse: A pupil who does not have a xenophobic attitude might be forced to discrimination actions by group pressure (cf. e.g. Farley 1988, p. 40ff.; Heckmann 1992, p. 125ff.).

not raise the question as in which extent pupils are xenophobic, but they want to present long-term developments and the relevance of factors in school (atmosphere, school organisation) for right-wing extremism. As results can be stated: an important factor for the degree of xenophobia is the *type of the school* (there is a higher degree of xenophobia in *Hauptschule* than there is in *Gymnasium*), although the authors point out that this might also correlate with the age of pupils as the researched phenomena decrease in higher classes (see *ibid.* p. 19). Other tendencies such as *regional differences* (rural schools are more affected than urban schools) and differences in the *level of education* (schools with a lower educational level are affected more severely, e.g. schools with business training versus vocational preparation) are important. This, however, is not a sufficient explanation, as the example of one researched school shows: this school belongs to an unfavourable type of school and is situated at an unfavourable location, however, it is not affected by xenophobia to a high degree. For that reason Krüger and Pfaff also analysed differences concerning the *school atmosphere and school-cultural differences*, for example dimensions of interaction, teacher-pupil-relationships, concrete forms of the lessons, subjective feelings in social relationships in schools, and special pupil-oriented action of the teachers. They reach the conclusion that active participation of pupils in the organisation of school life is an important aspect of opposing xenophobia in schools (cf. *ibid.*, p. 20). Authoritarian actions by teachers or missing mediation potential in school, in contrast, seem to have a negative impact.

These results are confirmed by the study on xenophobia in schools by Würtz (2000; 3B0003; see for more details chapter 12.4.10) and are supplemented by additional findings. According to Würtz the following factors can also be stated as causes of xenophobic attitudes: *supposed competition*, specifically the perception that foreigners would *be treated preferentially* compared to Germans (e.g. exaggerated supportive measures for integration by teachers) and perceived *dissociation by the migrants* (e.g. by speaking in the mother tongue).

7.2. AFFECTED GROUPS

Looking at the groups that are most strongly affected by xenophobia in schools the studies showed that Turkish children report discrimination experiences particularly often. Apart from them also African pupils, especially children from refugee families, are confronted with discrimination more frequently than other groups (see Apedjinou 2002; PUBDE0031 and Niedrig/Seukwa/Schroeder 2002; PUBDE0031). More detailed data are not available.

According to a report by the Open Society Institute (OSI) children of Sinti and Roma people also belong to groups that are affected by discrimination in schools. Many representatives of the Sinti and Roma people believe that the assignment to special needs schools is often arbitrary. Frequently the children of Sinti and Roma people are perceived by teachers and school administration as “disturbance of the normal school life” [own translation]. Due to language deficits and lacking education the parents of these children are frequently not aware of the consequences of an assignment to special needs schools. In addition, the parents rather agree to send other children to the special needs school, too, if one child already attends it in order to avoid the separation of the children. This means that frequently “complete Sinti and Roma families and neighbourhoods end up in

special needs schools” [own translation] (see Open Society Institute 2002, p. 98; PUBDE0035).

The report by the OSI states various factors which contribute to the poor position of Sinti and Roma people. Those are the lacking pre-school education, language deficits and a high level of poverty with living conditions that do not promote learning for school. According to representatives of the Sinti and Roma people the discrimination by teachers and school administration is also a crucial factor (see Open Society Institute 2002, p. 96). Roma parents reported, for example, that verbal attacks (e.g. insults such as “Gypsies out!”) or sometimes physical attacks by class mates happen to their children and that teachers frequently react to such incidents indifferently.

7.3. RELATION BETWEEN SCHOOL EDUCATION, EMPLOYMENT AND UNEMPLOYMENT FIGURES FOR MIGRANTS AND MINORITIES

As seen in chapters 6 and 7, non-German children and young people are disadvantaged in the German education system. Those findings are of special importance if one considers the correlation of school education, labour market participation and unemployment rates of non-Germans. The analysis of the labour market situation of non-German employees shows that a successful school career and vocational qualifications are indispensable for good labour market opportunities. However, as the educational achievement of migrant children is considerably lower, the consequences are poorer opportunities on the labour market. The positive trend towards higher participation in secondary education and the achievement of higher school-leaving qualifications of pupils from migration background has come to a standstill. Participation in vocational training (on the various levels) is still decreasing, and drop-out rates for non-German youngsters are twice as high as they are for Germans (Jeschek 2002; PUBDE0051). Especially on the level of the German dual vocational training system, non-German young people should be offered much more opportunities to get prepared for future jobs. Employers, however, increasingly tend to select higher qualified school-leavers for training places within this system. This means that the large number of non-German drop-outs of the schooling system hardly have any chance to find a way into promising sectors of the labour market.

Due to structural economic changes entailing an increased demand for highly qualified employees, unemployment among non-Germans has risen disproportionately over the last years. Since 1980, the development of unemployment has been different for foreign and German labour. The gap between unemployment rates of Germans and non-Germans generally has been widening – with some minor variations due to economic cycles (cf. graph 1 in chapter 12.5). The unemployment rate among foreigners is currently twice of that of the total rate. Turkish employees have been affected most severely by this development.

Due to the structural economic changes mentioned above, the ensuing increased demand for highly qualified employees, and the generally insufficient qualification levels of foreign labour, the latter have been increasingly side-tracked. At present (June 2002), more than 17% of non-German workers are unemployed. In some regional labour markets, respective figures are as high as 40%. All in all, the majority of these

unemployed lack adequate qualifications. This, of course, is also true for all unemployed persons (unemployment among all unskilled persons equalled 19.4% in Western Germany in 2000, compared to 5.7% among persons which have successfully completed vocational training, or 2.6% among graduates from universities and polytechnics; cf. Reinberg 1999; PUBDE0056, Reinberg/Hummel 2002; PUBDE0052), but non-German employees have been affected even more severely.

If one compares different nationalities, unemployment is highest among Turkish labour, standing at about 21% in 2001. In addition, the gap between Turkish and other foreign groups has been widening considerably since the beginning of the nineties. Unemployment rates among labour from Portugal and Spain at present amount to about 11 or 12% respectively, which is still clearly above the total unemployment rate. Respective rates for Italians and Greeks are about 15% (cf. graph 2 in chapter 12.5).

Looking at the qualification structure of the unemployed there are huge differences to be observed between Germans and foreigners. For Germans, the share of persons without certificates in total German unemployment is at about 40%, whereas the respective share for non-Germans is at almost 80% (graph 3 in chapter 12.5). That means in fact that unemployed non-Germans have few opportunities to find employment.

After having discussed the overall unemployment situation and development and the differences between Germans and non-Germans, a final picture shall be given, comparing present qualification structures of working age population, employment and unemployment among Germans and non-Germans (see graph 4 in chapter 12.5). On the one hand, this final comparison between nationalities and working status reflects the general pattern of qualification structure differences between nationalities. On the other hand, it shows that lower qualified people are excluded from the employment process more often: in all cases the share of better qualified persons is higher in employment than in unemployment. But for Turkish, the much higher percentage of low qualified people deteriorates their future opportunities on the labour market.

Due to the high percentage of non-Germans (especially Turks) below the age of 6 years in the resident population, it can be assumed that the number of new entries from this group into the labour market will be disproportionately high over the next 10-15 years. Therefore it is essential – for employment, economic and general policy reasons – to increase investments into the educational system substantially (cf. e.g. Jeschek 2001; PUBDE0050 and 2002; PUBDE0051 and Granato/Werner 1999; 3B0006). It has to be emphasised that young workers of non-German origin, due to their multiple language skills, could make an important contribution to Germany's export-oriented economy.

8. Good Practice

8.1. ANTI-DISCRIMINATION LAWS AS WELL AS NEW POLICIES AND LAWS ON THE INTEGRATION OF MIGRANTS

There have been no changes or new regulations in the area anti-discrimination in school recently. However, there have been some developments in other areas: various aspects concerning equal opportunities for migrants and the integration of children from a migration background are currently under discussion. As a consequence of the PISA Study the Conference of Ministers for Education and Culture (*Kultusministerkonferenz, KMK*) passed a catalogue of seven areas in December 2001, in which the federal states and the KMK should primarily take action and which were designed to improve the situation of children and youths from a migration background (see Ständige Konferenz der Kultusminister der Länder in der Bundesrepublik Deutschland, 2002b; PUBDE0036). Among those are:

- measures aiming at the improvement of the language competence in pre-school age,
- measures aiming at effectively fostering of educationally disadvantaged children, especially also children and youths with migration background, and
- measures aiming at the extension of all-day schooling and extra-curricular programmes with the objective to provide expanded education and fostering opportunities, especially to pupils with education deficits and extraordinarily talented pupils.

The federal level as well as the federal states have already initiated or carried out first measures on the basis of these recommendations.

Some federal states, for example, have expanded the language training to children from families with a migration background. In Hesse, for instance, in 2002 the school law was modified and now stipulates that facultative language courses have to be offered to children who have language deficits at the time they enrol for school. It is controversially discussed, however, that the law also stipulates that children might be turned down if they do not show sufficient language competence in the enrolment test. On the basis of this modified law the Hessian State Government initiated a programme on pre-school language training for children from migrant families without sufficient competence of German, as language deficits have turned out to be a fundamental barrier for a successful integration in the education system. These pre-school language courses, which run during nine months preceding the date of enrolment, have taken place successfully during the first year, according to a survey by the newspaper *Frankfurter Rundschau*. According to the survey only very few children were denied school enrolment because of language deficits (see *Frankfurter Rundschau* 24. Mai 2003, p. 25). In Bavaria, an extension of language classes by another hundred was decided for the upcoming school year.

In some federal states it is planned to supplement the increased language teaching of children from migration background by involving the parents more intensely in their

children's education (for example with additional German language courses for parents, work with parents in their mother tongue and more counselling services on school and pre-school extra courses). In addition, it is planned to firmly establish language tests before school enrolment in order to be able to diagnose language deficits early and to compensate for them by offering adequate language teaching.

After the PISA study, it has been decided to extend all-day schooling. Within the federal government's investment programme "Future Education and Extra-Curricular Programmes" [own translation] (*Zukunft Bildung und Betreuung*) all in all four billion Euro have been provided for primary schools and the first years of secondary schooling for the years 2003 to 2007. In 2003, the federal states have 300 million Euro at their disposal. The expansion of all-day schooling offers has the objective, among others, to provide additional educational opportunities, especially for pupils with educational deficits.

8.2. EXAMPLES FOR MEASURES AND INITIATIVES

In the area of education, there are also a number of official and non-governmental organisations, initiatives, and associations that deal with the topics xenophobia, racism and anti-Semitism and try to contribute to the fight against this phenomenon with a wide range of good practice. The *numerous measures against discrimination and xenophobia in school* can be categorised into the following types: Measures in pre school, measures in school (Intercultural Education and Education for Tolerance or special measures for pupils from migration background, for example), measures to promote vocational training for young people of a non-German origin, and measures in further and adult training for teachers. Target groups of these measures are therefore not only pupils from a migration background, but also German pupils, trainees, teachers and educators, and to some extent the parents of children and young people from a migration background.

In the following, selected measures in the above-mentioned areas will be described in more detail.

8.2.1. Pre-school measures

Supportive measures for migrant children in pre-schooling initiatives that also include the children's parents have proved to be effective. The best known initiative in this area is surely the *HIPPY Programme* (Home Instruction Programme for Pre-school Youngsters; 3B0052).

HIPPY is an international approach that is offered in many German cities by now (e.g. Berlin, Bremen, Munich, Nuremberg), mostly offered by charitable organisations. The programme comprises *assistance at home* for non-German *pre-school children* from four to six and their *mothers*. The mothers are encouraged to learn German at home with their children, firstly, in order to prepare them better for school and secondly, in order to improve their own language skills. It is often difficult to reach migrant women with measures that take place outside their home. For that reason HIPPY counts on volunteer women (mostly also from a migrant background and with the respective mother tongue)

who are trained and supported by qualified experts of the funding organisation. The volunteer visits the mother participating in the programme once a week. She brings along the teaching material for the following week and explains it. The mothers and children spend about 15 minutes per day working with the material provided by HIPPY. HIPPY is carried out in coherent learning units and consecutive learning steps that correspond with the development of the child and promote it in a lasting way. During the weekly meetings with the volunteer or in regular meetings with other mothers participating in the programme, experiences can be exchanged and problems can be discussed. Consequently, HIPPY at best not only improves the mothers' and children's *language skills*, but also promotes (additional) *social contacts*. The long-term objective of the programme is therefore to improve the opportunities of a successful integration in school, vocational training and in social relationships.

8.2.2. Measures in school

Within schools, various types of measures can be noted that aim to fight xenophobia and discrimination. On the one hand, these are measures which are geared at all pupils and which aim at promoting tolerance and a peaceful co-existence of different cultures; this area can be summarised with the terms Intercultural Education/ Education for Tolerance. On the other hand, though, there are explicit measures within the education system that are solely targeted at migrant children and migrant youths, specifically providing support for them. There are joined projects by the Federal Ministry of Education and Science and the federal states, such as the programme "Learning and living democracy" ("Demokratie lernen und leben")²⁵ and the research and educational project "Our school... Social quality of school. School internal evaluation and further education" ("Unsere Schule... Soziale Schulqualität. Schulinterne Evaluation, Fort- und Weiterbildung").²⁶

8.2.2.1. Measures of Intercultural Education / Education for Tolerance

In the project "School without Racism – School with Courage" ("*Schule ohne Rassismus – Schule mit Courage*") (3B0019) which is coordinated by Aktioncourage e.V. (NFPDE0105), children and young people are to be strengthened against xenophobic attitudes and their awareness for democracy is to be promoted. The basic idea here is that especially in childhood and adolescence, important patterns of thinking and acting are being developed, and consequently anti-racist work should start at an early age. The idea for this initiative originated in Belgium in the 1980s and has been carried out in Germany by Aktioncourage e.V. since 1995. The programme is supported by the Federal Ministry for Labour and Social Affairs with funds from the European Social Fund.

The objective of this project are to **sensitise** young people to all forms of discrimination and racism as well as *promoting their commitment* to integration and equal opportunities. In addition, the project supports children's and young peoples' humane and democratic patterns of acting and thinking and tries to reduce racist tendencies and violence with a lasting effect.

²⁵ Further information can be accessed at www.blk-demokratie.de (13.09.2004).

²⁶ Further information can be accessed at www.ibbw.de (13.09.2004).

In order to be awarded the title “School without Racism” it is required that at least 70% of all the persons who learn or work at a school commit themselves with their signature that it will become a central task in their school to develop initiatives and project against violence, discrimination and racism. The pupils receive a starting set which includes all the necessary information on the project. Furthermore, they are assisted by a *cooperation network*. This provides ideas and assistance for the young people, but also for the educators and key personnel in developing their activities. It is a special feature of the project that the development of ideas for initiatives and their implementation are in the hands of the pupils. Through “School without Racism,” they experience a wide range of assistance. This not only refers to important characteristics of intercultural competence, democratic awareness and participation in society, but also to independent and responsible planning and implementation of ideas and therefore, accompanying qualification (e.g. for internet, public relations, documentation, management, art) and team work. It should also be mentioned here that a celebrity represents the school participating in the programme and takes part in the award ceremony.

Currently 123 German schools have been awarded the title “Schools without Racism.” At the moment, the project coordinators are trying to encourage more East German schools to participate in the programme. The project received several awards, such as the Buber-Rosenzweig Medal of the Association for Christian-Jewish Cooperation (Gesellschaft für Christlich-Jüdische Zusammenarbeit) in 2001.²⁷

Beside measures in schools that generally aim to fight racism and xenophobia and that want to provide education for tolerance, there are also projects in schools that are explicitly set up to fight *anti-Semitism*. This is of particular importance seeing how in other areas, (e.g. on the labour market) anti-Semitism is hardly perceived as a separate problem. As an example we would like to point out a brochure by the Commissioner for Foreigners of the Senate in Berlin (2001; NFPDE0008) in which various examples for projects and material from schools in Berlin is presented.

8.2.2.2. Measures for the integration of migrants within schools

As presented in chapter 2.2 there are regulations in all federal states for the provision of certain supportive measures intended for pupils of non-German origin. These measures are carried out with the intention to make the integration into the German education system easier for children and young people from migration backgrounds, but data shows that they are still not sufficient.

It is therefore not surprising that there are a number of additional measures within schools intended to assist migrants in their everyday life in school. These initiatives are sometimes proposed by committed teachers, social workers, but also by the pupils’ parents. As an example for an initiative which has been active for quite a while in providing support for non-German children in schools is the *Network of Regional Offices for Foreigners’ Affairs (Netzwerk von Regionalen Arbeitsstellen für Ausländerfragen (RAA; NFPDE0150)*. In West Germany 29 of these Offices have currently been established, and in East Germany 17 of these facilities have been founded. The various Regional Offices and further associated projects cooperate in a Federal Association.

²⁷ Further information on “School without Racism – School with Courage” can be found at <http://www.actioncourage.de> (10.06.2004).

Whereas the organisations in West Germany focus mainly on the fostering of integration of immigrant children and youths, the main emphasis in East Germany lies on combating xenophobia and on measures for Intercultural Education (further tasks of the RAA can be found at <http://www.raa.de/>).

Beside such larger networks there is also a number of smaller initiatives that have managed to establish co-operations in the regional context as well as in city districts. As an example we will introduce a project to promote the integration of ethnic German youths (*Aussiedlerjugendliche*) which developed from a *Parents' Initiative for Aussiedler (Aussiedler-Elterninitiative)*

The project "*New People of Marzahn*" („*Neue Marzahner*“;3B0017) is located at the Thuringia secondary school in Berlin-Marzahn and is financed by the federal schools inspector of Berlin. The project's objective is the improvement of integration opportunities of young ethnic Germans in school as well as assistance for the transition into a vocational career. In addition, the communication between locals and immigrants is to be improved. The objectives of this project are supposed to be achieved by several measures: social training for youths, leisure time programmes, assistance and support in cases of learning difficulties, accompaniment and assistance in the search of apprenticeships, and provision of the information course for parents "Our School." The project activities are supported by a close network of youth and school social work as well as by the Rotary Club Berlin-Nord and Berlin-Gendarmenmarkt as well as by the Foundation of Berlin Citizens (Bürgerstiftung Berlin). Currently, the number of Russian-German pupils who get an opportunity to reach the A-level has been increased to 40% at the Thuringia secondary school, whereas the share in the rest of Berlin amounts to 4% (cf. Bertelsmann Stiftung 2002, p. 15; PUBDE0057).

8.2.3. Measures for vocational training of migrants

There are a number of programmes which encourage disadvantaged youths to start a vocational training, which assist them in the search of apprenticeships and which support them during the vocational training (cf. chapter 12.6). One of the problems of measures that are explicitly aimed at youths from migration backgrounds is that special needs (e.g. language deficits) cannot be addressed sufficiently because these problems are very complex. For that reason there is also a number of measures that is directly addressed at youths of non-German origin. An example is the programme "*Promoting competences – Vocational qualification for target groups with special needs for support*" („*Kompetenzen fördern – Berufliche Qualifizierung für Zielgruppen mit besonderem Förderbedarf*“) (NFPDE0111) that was developed by the Alliance for Labour, Qualification and Competitiveness (*Bündnis für Arbeit, Ausbildung und Wettbewerbsfähigkeit*) and which is implemented by the Federal Ministry for Education and Research. This programme includes four innovation areas, the fourth of which deals with the improvement of vocational qualification opportunities for migrants and in particular tries to increase the number of migrants participating in vocational qualification. The term "migrant" was deliberately used when formulating the fourth innovation area in order to include ethnic Germans as well as naturalised youths with migration background in the programme.

The programme aims particularly at promoting *networks* as “experiences show that a fundamental improvement regarding the qualification situation of migrants can only be achieved if forces are joined locally” [own translation] ((Bundesministerium für Bildung und Forschung 2001c, p. 16; NFPDE0111). Modelling on the “Counselling Centres for the Qualification of foreign Trainees” (*Beratungsstellen zur Qualifizierung ausländischer Nachwuchskräfte (BQN)*) that have been successfully implemented in a pilot project, cooperation networks will be established nationwide with the objective to increase the number of migrants in vocational qualification. The task of the counselling centres is not only to provide advice for migrant young people, but the BQN shall “function as the central focal points and initiative centres on the regional/ local level for everything that might contribute to improve the qualification situation of migrants” [own translation] (ibid., p. 17). In these networks all the relevant key organisations in vocational training and migration work shall be included, e.g. vocational schools, administration and job centres, companies, educational institutions and also migrant organisations as well as migrant social workers. The activities of the local networks are supported and coordinated by the federal level. For that reason an “*Initiative Office Vocational Qualification for Migrants*” (*„Initiativstelle Berufliche Qualifizierung von Migrantinnen und Migranten“*) has been established at the Federal Institute for Vocational Training (BIBB).

Beside measures that are explicitly aimed at youths there are a number of measures in vocational training with the objective of increasing the number of companies run by migrants that offer apprenticeships, and these should also be mentioned here. One example is the project “*Migrants create additional apprenticeships*” (*Migranten schaffen zusätzliche Lehrstellen*) which is funded by the Turkish Community in Schleswig-Holstein e.V. in Kiel (see for further details Bertelsmann Stiftung 2002; PUBDE0057 as well as <http://www.tgsh.de/deutsch/projekte/ausbildungsprojekt/ausbildungsprojekt.html>).

8.2.4. Measures for adult and further training for educators/ key personnel

One aspect that is always emphasised as being important when promoting tolerance and democracy as well as combating right-wing extremism and xenophobia in schools is further training for educators and key personnel. This concerns, on the one hand, the area *German as a Second Language*, on the other hand the implementation of the principle “*Intercultural Education*” in all lessons, as well as the right way to deal with xenophobic tendencies in school. It is true that a number of federal states offer courses within the general adult and further training programmes that deal with this topic (see for more details Gogolin/Neumann/Reuter 2001; 3B0015), but these courses can often only touch on this topic superficially due to their short duration and they are, in addition, mostly not obligatory.

Currently, however, there are a number of initiatives, often initiated by committed teachers, that intend to compensate for this deficit. An example is the project “*Educating Democracy and Tolerance*” (3B0054) of the Bertelsmann Foundation that was started in 1995. It is project’s objective to make a “lasting contribution to the promotion of a culture of tolerance, non-violence and democratic co-existence” (Bertelsmann Stiftung/

Bertelsmann Forschungsgruppe Politik 2001, p. 10; 3B0054). In order to implement this, **the training programme “A world of diversity”** developed by the Anti Defamation League was adapted to the German school lessons. It addresses teachers of classes up to the tenth grade. Teachers are familiarised with the methodological approach as well as with contents and structure of the training programme in further training seminars. With the assistance of the interactive teaching material the pupils shall learn to perceive cultural diversity, to reflect the own cultural socialisation and to experience differences as challenge and valuable addition. Moreover, they shall learn to understand the nature of prejudices and discrimination and their consequences in individuals and groups and shall develop strategies to fight prejudices and discrimination.²⁸

With a similar objective the project **“Viewpoint – Educators against Right-wing Extremism”** (3C0014) is carried out. The project was initiated by teachers in Berlin and is carried out in cooperation with the Friedrich Ebert Foundation (NFPDE0012) and the Centre for Democratic Culture (ZDK) (NFPDE0011). It is financially supported by the Paritätischer Wohlfahrtsverband, the Association of Victims of the Nazi regime and the Rosa Luxemburg Foundation. The core of the project is a **series of seminars** in which the teachers, firstly, receive information on the causes of xenophobia as well as on the organisation, world view and everyday life of right-wing extremist youth. Secondly, the right way of dealing with right-wing extremist youth in class or school yard is practiced, and teaching material is developed. From the following school year onwards a teacher in every school district will be appointed as an **expert on right wing extremism**. This expert consults with the other schools in the district and is the person to contact for his colleagues. The seminar is attended by the teachers mostly during school vacations. For the teachers working as experts on right-wing extremism in the future, a reduction of their obligatory teaching duties is currently being discussed.

²⁸ More information on this project can be found at www.bertelsmann-stiftung.de (10.06.2004).

9. Summary

It can be stated that in Germany *general regulations* prohibit discrimination in public education institutions, but that there is no special anti-discrimination law tailored for the specific features of the education situation and fixing concrete norms. There are, however, a number of programmes fostering the integration of migrants and contributing to tolerance and peaceful co-existence.

A deeper analysis of the situation of migrants in the German education system showed that there are still *considerable differences* existing between German pupils and pupils with migration background. This also applies to the participation in education and the educational success at general schools as well as vocation training schools. Also in vocational qualification and further training migrants do not participate to the same extent as Germans. Furthermore, the official data show that compared to other tested groups *Turkish* and *Italian* pupils fare relatively poor in the German education system. It is especially important to emphasise, however, that some social scientific studies show that the *educational success of the second generation* is much higher than the one of the first generation and that of all non-German pupils.

However, it is methodologically very difficult to establish the extent to which the aforementioned *disparities in educational achievements* among the various groups can be traced back to forms of discrimination or to other factors, such as differences in the opportunities to obtain education as a result of different social backgrounds (e.g. level of education of the parents). Some studies show, however, that *xenophobic incidents* indeed occur in the education system and that certain patterns of behaviour discriminate or are at least perceived as discrimination.

There are indeed a number of measures within the education system in all federal states which aim at removing intolerance gradually on the one hand and fostering the integration of migrant children on the other hand. It turns out, however, that those measures for migrants within the education system are not sufficient. This could also be called *discrimination by failure to render assistance*.

For that reason it is even more important that a number of (governmental and non-governmental) organisations, initiatives and associations exist in the area education, too, that deal with the topics xenophobia, racism and anti-Semitism and which try to contribute to fight those phenomena and to improve the integration of migrants into the education system by various types of *good practice*.

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Annex

10.1. DATA COLLECTION REPORT

10.1.1. Ascertaining and aggregating the data

Ascertaining school statistics takes place in the individual schools regularly approximately 6-8 weeks after the school year begins. That is, the number of pupils is determined on a definite date. Due to the various school holiday regulations, this date varies in the different federal states.

The respective head of the school is responsible for supplying the school statistics. The determination of this data takes place in a largely automated procedure. In this statistic, the nationality, among others, of each pupil is also registered. Migrant students who expect that they will spend the whole of the school year in Germany are included in the figures. Thus, exchange students are not counted.

The school head reports the data either to the local education authority, who then passes it on to the appropriate State Statistical Office (*Statistisches Landesamt*) or to the Ministry of Education of the federal state (*Bildungsministerium*), to the appropriate Ministry of Education, which then passes the data to the State Statistical Office, or to the State Statistical Office directly. This process varies between federal states; in the smaller states the statistics are sent to the State Statistical Office directly. These data specific to the individual states are then passed on to the Federal Statistical Office, which collates them into a federal statistic²⁹. The Federal Statistical Office gives the data to the Conference of Ministers for Education and Culture (*Kultusministerkonferenz*). The first federal school statistics then appear about six to nine months after the current school year has started in press releases or so-called 'quick reports' from the Federal Statistical Office.

On the basis of the catalogue of school types created by the Conference of Ministers for Education and Culture, the Federal Statistical Office annually publishes national results relating to the field of education (Series 11, *Bildung und Kultur*: Issue 1: *Allgemeinbildende Schulen*; Issue 2: *Berufliche Schulen*; Issue 3: *Berufliche Bildung*; Series 4.1: *Studierende an Hochschulen*). The Conference of Ministers for Education and Culture also regularly publishes statistical overviews on the situation of migrant pupils (*Ausländische Schüler*). Data on the educational and training situation of young migrants are also presented in the foundation and structural data published annually by the Federal Ministry for Education and Research, as well as in the Report on Vocational Training (*Berufsbildungsbericht*).

²⁹ Information from the Conference of Ministers for Education and Culture.

10.1.2. Methodological Notes

Attention must be drawn to a *problem of the official education statistics*. They only register the characteristic "nationality" and thus underestimate the proportion of children and young people from families that have experienced migration. Thus, children of later ethnic German migrants (*Spätaussiedler*), for example, even with insufficient language skills, are incorporated into the statistics as Germans. Consequently, this statistic underestimates the achievements in integration that are affected by the schools. People who have become naturalised are also classified as Germans in the official statistics. Thus, the criterion of comparison of nationality (German – migrant) creates a "dichotomy which is out of touch with reality" [own translation](Bundesministerium für Familie, Senioren, Frauen und Jugend 2000, p. 174).

It must be also noted that a direct comparison of educational data of Germans and migrants (or people with a migrant background) is problematic due to the differing educational preconditions (the level of education in the parental home), the changing composition of the pupils (immigration, emigration, 'newcomers entering education at a later stage' (*Seiteneinsteiger*)) and increasing rates of naturalisation. The educational progress of many young people from a migrant background is thus systematically underestimated. For example, achievements in education on the part of the so-called second generation are not visible in official statistics as these successes are counterbalanced by "newcomers" (for example, children of people who fled from civil wars in the nineties) who fare relatively badly.

The educational achievements of young people with a migrant background are also underestimated due to the fact that naturalised citizens are incorporated into the statistics as Germans. Due the requirements of the naturalisation process, children and young people who are included in these statistics tend to be more successful in the education system than children of foreign nationality who are not naturalised. Hence, the increasing percentage of naturalised children and young people contributes to the fact that the attainments in education of well-integrated groups of people from a migrant background are not completely reflected in the official statistics.

It should also be noted that many young ethnic German migrants enter the German education system at a relatively late stage and achieve poorer qualifications upon leaving school than the native autochthonous Germans do. Statistically speaking, however, this group is not proportionally large enough with respect to the total number of German pupils to distort the educational attainments of Germans.

In the comparative interpretation of education data, one must additionally consider that the group of "children and young people from migrant families" draws from various groups, and that the composition of this group varies over the course of time (for example, because of the processes of emigration and immigration). This is true both with respect to their national origin³⁰ and to their migration and educational biography. Although the current majority of children and young people with a migrant background

³⁰ While the migrants came from only a limited number of states in the early years, in particular from the former recruitment states (Italy, Spain, Portugal, Greece, Turkey, Morocco, Tunisia and Yugoslavia), a diversification in the origins of the migrants can be observed throughout the whole of the nineties.

were born in Germany (72.9% of migrants under 18 years of age)³¹, there was an increase in the number of young people who had migrated later entering the German school system at a relatively late age, particularly in the first half of the nineties. Lacking German skills and gaps in knowledge, both of which result from the late change into the German school system, hinder the successful participation of these young migrants in education. In general it seems that the older the migrant student is the more difficult the integration into the education system becomes.

Influence on the educational opportunities of young migrants is also attributed to the attitude of the parents towards their stay in Germany. Thus, it can be assumed that those who have not decided on permanent residence in Germany do not invest enough in the education of their children. Parents who intend to return to their country of origin or who have an uncertain status regarding residence in Germany prefer jobs for their children which they can also carry out in their home societies (cf. Seifert 2001, p.6; PUBDE0043).

The differing preconditions for education in the parental home contribute to the children and young people from migrant families profiting less from the general expansion in education than German young people do (autochthonous young people).

For example, since the first generation of migrants who came in the recruitment phase tends to be at the lower end of the social scale ("classes more distanced from education", characterised by lower qualification and unskilled jobs), their children profit from the general improvements in the educational situation to a lesser extent than other social groups. In addition, it must be said that these parents often do not have sufficient knowledge of the German education system (Lederer 1997, p. 108).

10.1.3. Difficulties with the data collection and the update of the study

Data from official education statistics (e.g. participation in education, school-leaving qualifications, number of trainees and students) for the year 2002 which differentiate according to Germans and non-German or according to different nationality, are only available in autumn 2003. For that reason the data in chapter 6.2 on the situation of children and youths of non-German origin in the education system could not be updated yet.

In addition, the NFP does not know of any cases of discrimination in school which resulted in legal proceedings. Research of a wide range of sources (e.g. collections of verdicts, press statements by courts, media statements, information provided by commissioner for foreigners) remained unsuccessful.

But the largest problem with the data collection is that there are no systematic and therefore no nation-wide statistics on cases of discrimination. However, individual cases are collected and documented by various organisations which are consulted by people subject to discrimination. Here, mention may be made of the anti-discrimination offices (especially in North Rhine-Westphalia and Brandenburg), which are responsible for issues affecting migrants. These anti-discrimination bureaus partly collect statistics on the

³¹ As of 31 December, 2000.

persons that have been subject to discrimination and who turned to the bureaus with a request for assistance or counselling. The discrimination cases are registered according to various criteria, for example according to nationality, origin and sex of the affected person, but also according to the area in which the victim has been confronted with discrimination (e.g. authorities, the police, education institutions, searching for an apartment) (see for example Antidiskriminierungsbüro Siegen 2000). By way of limitation, it should be said that these cases are based on individual experiences by people with a migrant background. In addition, the registered number of cases is much too small to evaluate the general situation concerning discrimination in the education system.

10.2. THE EDUCATION SYSTEM IN GERMANY

According to the German Constitution, the responsibility for the system of education in Germany lies with the individual federal states (federalist state structure). The central government is solely in charge of vocational training taking place outside of the schools, primarily in companies (cf. Statistisches Bundesamt (StBA) 1997, p. 36; PUBDE0048).

The education system of Germany is divided into the elementary level, the primary level, the secondary, and the tertiary level. The structure of the education system can be roughly outlined as follows.³²

The elementary level comprises institutions – mainly **kindergartens** – for children aged between 3 and 6. Upon reaching the age of 6, children are required to go to school³³ and attend the **Grundschule**, a primary school for all children which usually covers the first to the fourth year (primary level). The transition from primary school into one of the further school types (secondary level), which have to be attended until the end of compulsory schooling (usually after nine years of full-time education), is regulated differently in the various federal states. The secondary level in Germany basically comprises a division into three parts: the **Hauptschule** (secondary modern school), the **Realschule** (a secondary school leading to intermediate qualifications) and **Gymnasium** (grammar school) (cf. StBA 1997, p.43).

The **Hauptschule** usually takes five years. It imparts a general education as the basis for practical vocational training and prepares its pupils for attending the **Berufsschule** (vocational school). The **Realschule** is a secondary school which, upon completion, offers the basis for more highly skilled jobs (compared to the **Hauptschule**). The **Gymnasium** usually lasts nine years and is the most demanding form of secondary education. The completion of **Gymnasium** is a qualification entitling pupils to begin university-level studies. Access to university can also be gained by completing vocational courses at the secondary level II and/or evening classes at an **Abendgymnasium**. In some federal states, alongside the so-called "streamed" school system (**Hauptschule**,

³² A schematic presentation of the basic structure of the education system in the Federal Republic of Germany can be found on the homepage of the Standing Committee of the Education Ministers (*Konferenz der Kultusminister*) of the Federal States in Germany (http://www.kmk.org/dossier/aufbau_und_verwaltung.pdf).

³³ Foreign children are also principally obliged to go to school. However, in seven federal states children of asylum seekers are exempt from this rule; in three states the same is true for children of refugees from (civil) war. Every state offers children from these groups the opportunity to attend school, however (Reuter 2001, p. 112).

Realschule, *Gymnasium*), there is a regular school type called the *Gesamtschule* (comprehensive school). It imparts the content of the 'streamed' school system in years 5 to 9 or 10. In addition, there are *Sonderschule* (special needs schools) which serve in the fostering and care of physically and mentally disadvantaged or socially endangered children who could not be taught in the other school types (or at least not with sufficient success). The tertiary level comprises the universities and the *Fachhochschulen* (a type of higher technical college).

Initial vocational training can take place in Germany via two possible routes: the **dual apprenticeship** which takes place both "on the job" and in the vocational school (comparable to sandwich courses in Britain), and training in **full-time vocational schools** (such as the *Berufsfachschule*, a specialised vocational school). The clear majority of young people within the vocational training sector complete their training in the so-called 'Dual System' (Statistisches Bundesamt 1997, p. 37). The vocational school in this case complements simultaneous practical training in the workplace.

Alongside these fundamental structures of the education system, there are numerous educational measures (for example, the vocational preparatory year) which can, in part, differ across the individual federal states. It is not possible here to offer a comprehensive presentation of the German education system because it goes beyond the scope of this study.

10.3. TABLES

Table 1: Proportion of non-Germans at general schools in Germany broken down by federal states

Federal state	Pupils in total	Non-Germans	Proportion of non-Germans (%)
Baden-Wurttemberg	1,308,504	167,859	12.8
Bavaria	1,456,590	115,485	7.9
Berlin	380,306	59,563	15.7
Brandenburg	310,773	3,280	1.1
Bremen	74,247	11,503	15.5
Hamburg	178,197	36,265	20.4
Hesse	703,308	105,308	15.0
Mecklenburg-West Pomerania	214,430	2,024	0.9
Lower Saxony	983,907	73,222	7.4
North Rhine Westphalia	2,311,447	305,621	13.2
Rhineland Palatinate	489,642	36,810	7.5
Saarland	120,601	9,971	8.3
Saxony	453,648	5,156	1.1
Saxony-Anhalt	291,226	3,540	1.2
Schleswig-Holstein	335,211	18,098	5.4
Thuringia	258,408	2,013	0.8
Germany in total	9,870,445	955,718	9.7

Source: Federal Statistics Office, Special Series 11, Volume 1, 2001/02, own calculations

Table 2: Proportion of non-Germans at general and vocational schools in Germany according to federal states 2001/ 02

Federal state	Pupils in total	Non-Germans	Proportion of Non-Germans (%)
Baden-Wurttemberg	1,685,397	215,518	12.8
Bavaria	1,837,638	142,893	7.8
Berlin	478,849	67,712	14.1
Brandenburg	392,373	3,440	0.9
Bremen	99,418	13,989	14.1
Hamburg	235,994	44,668	18.9
Hesse	891,209	128,799	14.5
Mecklenburg-West Pomerania	284,168	2,130	0.7
Lower Saxony	1,248,906	85,577	6.9
North Rhine-Westphalia	2,871,584	362,036	12.6
Rhineland Palatinate	613,518	44,303	7.2
Saarland	156,766	12,319	7.9
Saxony	621,638	5,659	0.9
Saxony-Anhalt	378,101	3,713	1.0
Schleswig-Holstein	419,236	21,229	5.1
Thuringia	349,825	2,178	0.6
Germany in total	12,564,620	1,156,163	9.2

Source: Federal Statistics Office, Special Series 11, Volume 1, 2001/02, own calculations

Table 3: 15 year olds from families with migration background broken down by the father's country of birth and broken down by federal state in Germany

	Youths from migration backgrounds ¹ (in % of the 15 year olds in total)	Germany	Greece, Italy	Turkey	Poland, former Soviet Union	Ex-Yugoslavia	Other country
Baden-Wuerttemberg	28.8	13.6	13.6	13.3	23.0	13.1	23.4
Bavaria	22.4	16.1	5.5	11.7	29.3	8.9	28.5
Hesse	32.7	10.9	9.3	19.0	26.8	8.1	26.0
Lower Saxony	20.1	9.0	5.8	9.3	52.5	2.0	21.3
North Rhine Westphalia	32.2	12.0	5.5	21.4	38.8	3.6	18.6
Rhineland Palatinate	25.3	12.4	8.8	11.7	41.9	5.5	19.7
Saarland	19.6	14.1	11.8	10.0	35.3	4.6	24.3
Schleswig-Holstein	14.4	23.4	4.1	16.3	28.8	3.1	24.4
West Germany in total ²	26.6	12.9	7.7	16.0	34.2	6.7	22.5
Brandenburg	5.0	19.5	5.2	10.4	37.7	2.6	24.7
Mecklenburg-West Pomerania	3.9	19.7	2.6	1.3	42.1	3.9	30.3
Saxony	5.5	14.6	1.9	3.9	37.9	5.8	35.9
Saxony-Anhalt	3.5	19.4			38.9	2.8	38.9
Thuringia	2.9	25.9	1.9		38.9	5.6	27.8
East Germany in total	3.6	18.1	2.3	4.2	38.7	4.8	31.9
Bremen ²	40.7	7.5	2.6	24.3	42.5	2.6	20.4
Large cities ³	36.1	17.0	8.5	18.8	19.9	8.9	26.9
Germany in total	21.8	13.0	7.5	15.7	34.5	5.5	22.8

Source: German Pisa Consortium 2003

- 1) At least one parent born abroad.
- 2) City states Hamburg and Berlin were not taken into account as samples had been too small.
- 3) Without city states.
- 4) Cities with more than 300,000 inhabitants without city states.

Table 4: Rate of kindergarten attendance broken down by age group in 2000 (April) in percent

	Total	Under 3 years	3 to 4 years	4 to 5 years	5 to 6 years
Rate of kindergarten attendance of all children	45.0	9.5	56.2	82.8	87.4
Rate of kindergarten attendance of migrant children	39.4	6.2	46.4	75.4	82.1

Source: Federal Statistical Office: micro-census 2000

- 1) Proportion of all children living in Germany in the age group 0 to 6 years.
- 2) Proportion of all migrant children living in Germany in the corresponding age group.

Table 5: German and migrant pupils at schools providing general education and at vocational schools in Germany from 1992 to 2001

Year	Total number of pupils	Migrant pupils	Proportion in %	Proportion of migrants in total population in %
1992	11,815,201	1,056,791	8.9	8.2
1993	12,006,812	1,099,012	9.2	8.6
1994	12,187,462	1,122,208	9.2	8.7
1995	12,366,864	1,145,931	9.3	9.0
1996	12,549,795	1,173,832	9.4	9.1
1997	12,696,369	1,178,848	9.3	9.0
1998	12,708,559	1,156,751	9.1	8.9
1999	12,704,845	1,160,452	9.1	8.9
2000	12,642,284	1,155,318	9.1	8.8
2001	12,564,620	1,156,001	9.2	8.9

Source: Federal Statistical Office

Table 6: Migrant pupils at schools providing general education broken down by school type from 1993 to 2000

School types	1993				1994				1995			
	German pupils		migrant Pupils		German pupils		migrant pupils		German pupils		migrant pupils	
	Absolute	in %	absolute	in %	Absolute	in %	absolute	in %	Absolute	in %	absolute	in %
Schools providing general education	8,690,141	100	867,588	100	8,872,466	100	887,245	100	9,017,775	100	913,336	100
<i>Of which</i>												
primary schools	3,145,467	36.2	329,588	38.0	3,214,062	36.2	344,844	38.9	3,268,014	36.2	366,328	40.1
secondary modern	883,034	10.2	218,984	25.2	899,264	10.1	214,169	24.1	911,880	10.1	211,629	23.2
special schools	320,453	3.7	51,427	5.9	329,090	3.7	53,856	6.1	335,230	3.7	55,888	6.1
<i>Realschulen</i>	1,030,908	11.9	75,274	8.7	1,064,365	12.0	76,961	8.7	1,098,055	12.2	77,113	8.4
grammar schools	2,031,343	23.4	84,504	9.7	2,064,002	23.3	84,700	9.5	2,079,278	23.1	85,347	9.3
comprehensive schools	411,009	4.7	54,070	6.2	432,018	4.9	57,102	6.4	448,975	5.0	59,594	6.5
Other ¹	867,927	10.0	53,741	6.2	869,665	9.8	55,613	6.3	876,343	9.7	57,437	6.3
School types	1996				1997				1998			
	German Pupils		migrant Pupils		German pupils		migrant pupils		German pupils		Migrant Pupils	
	absolute	in %	absolute	in %	absolute	in %	absolute	in %	absolute	in %	Absolute	in %
Schools providing general education	9,128,973	100	941,238	100	9,195,767	100	950,705	100	9,170,950	100	936,691	100
<i>Of which</i>												
Primary schools	3,302,817	36.2	388,531	41.3	3,297,968	35.9	399,838	42.1	3,206,055	35.0	395,945	42.3
Hauptschulen	913,839	10.0	207,695	22.1	909,831	9.9	200,784	21.1	909,063	9.9	188,915	20.2
special schools	341,364	3.7	57,202	6.1	347,548	3.8	58,581	6.2	351,126	3.8	59,296	6.3
<i>Realschulen</i>	1,124,585	12.3	78,367	8.3	1,146,665	12.5	78,436	8.3	1,169,027	12.7	78,608	8.4
grammar schools	2,094,867	22.9	86,695	9.2	2,112,266	23.0	87,826	9.2	2,135,375	23.3	88,023	9.4
comprehensive schools	464,952	5.1	62,007	6.6	478,033	5.2	63,414	6.7	484,558	5.3	63,791	6.8
Other ¹	886,549	9.7	60,741	6.5	903,456	9.8	61,826	6.5	915,746	10.0	62,113	6.6
School types	1999				2000				2001			
	German Pupils		migrant Pupils		German pupils		migrant pupils		German pupils		Migrant Pupils	
	absolute	in %	absolute	in %	Absolute	In %	absolute	in %	absolute	in %	absolute	in %
Schools providing general education	9,102,095	100	946,300	100	9,009,961	100	950,486	100	8,914,727	100	955,718	100
<i>Of which</i>												

Primary schools	3,087,980	33.9	400,320	42.3	2,956,836	32.8	396,099	41.7	2,824,314	31.7	387,172	40.5
Hauptschulen	906,947	10.0	188,570	19.9	913,247	10.1	190,631	20.1	917,019	10.3	196,934	20.6
special schools	354,578	3.9	60,847	6.4	357,676	4.0	62,751	6.6	360,047	4.0	65,436	6.8
Realschulen	1,171,771	12.9	79,089	8.4	1,182,180	13.1	81,202	8.5	1,193,388	13.4	84,351	8.8
grammar schools	2,157,039	23.7	88,116	9.3	2,168,715	24.1	88,146	9.3	2,195,732	24.6	88,594	9.3
comprehensive schools	486,509	5.3	64,516	6.8	483,690	5.4	65,799	6.9	480,837	5.4	66,816	7.0
Other ¹	937,271	10.3	64,842	6.9	947,617	10.5	65,858	6.9	943,390	10.6	66,415	6.9

Source: Federal Statistical Office

1) Including, for example, school types with several courses of education, orientation classes independent of school type and evening schools.

2) As a percentage of all migrant pupils.

Table 7: Pupils at schools providing general education broken down by selected nationalities and school types in school year 2001/2002

Country of nationality	Total	primary schools		secondary modern school		special need schools		Realschulen		Grammar schools	
			%		%		%		%		%
Germany	8,914,727	2,823,858	31.7	917,019	10.3	360,047	4.0	1,193,388	13.4	2,195,732	24.6
France	5,374	2,295	42.7	497	9.2	171	3.2	309	5.7	1,500	27.9
Greece	33,628	13,926	41.4	7,546	22.4	1,729	5.1	3,595	10.7	3,683	11.0
Italy	69,011	26,445	38.3	18,421	26.7	5,857	8.5	6,901	10.0	4,252	6.2
Austria	6,956	2,355	33.9	863	12.4	245	3.5	752	10.8	2,256	32.4
Portugal	13,130	5,110	38.9	3,113	23.7	861	6.6	1,396	10.6	1,127	8.6
Spain	7,505	2,791	37.2	1,183	15.8	367	4.9	971	12.9	1,141	15.2
United Kingdom	6,030	2,284	37.9	693	11.5	219	3.6	623	10.3	1,311	21.7
Bosnia-Herzegovina	19,188	6,867	35.8	4,210	21.9	979	5.1	2,273	11.8	1,956	10.2
Yugoslavia	68,345	29,853	43.7	15,116	22.1	9,635	14.1	4,091	6.0	2,854	4.2
Croatia	19,892	6,564	33.0	3,639	18.3	817	4.1	3,302	16.6	3,717	18.7
Poland	19,538	6,194	31.7	3,004	15.4	555	2.8	2,378	12.2	4,293	22.0
Russian Federation	20,496	6,894	33.6	3,127	15.3	480	2.3	1,696	8.3	5,220	25.5
Turkey	417,161	176,987	42.4	92,112	22.1	27,613	6.6	36,710	8.8	22,306	5.3
total of migrant pupils	955,718	387,628	40.6	196,934	20.6	65,436	6.8	84,351	8.8	88,594	9.3
total of pupils	9,870,445	3,211,486	32.5	1,113,953	11.3	425,483	4.3	1,277,739	12.9	2,284,326	23.1

Source: Federal Statistical Office

Table 8: German and foreign pupils at schools providing a general education broken down by school type and gender 2001/2002 (in %)

	Total = 100		Germans = 100		Foreigners = 100	
	Male	Female	Male	Female	Male	Female
schools providing general education	50.8	49.2	50.7	49.3	51.7	48.3
<i>Of which</i>						
primary schools	51.0	49.0	51.0	49.0	51.3	48.7
secondary schools	56.3	43.7	56.8	43.2	54.0	46.0
special schools	63.6	36.4	64.1	35.9	60.6	39.4
Realschulen	49.1	50.9	49.2	50.8	47.9	52.1
grammar schools	45.5	54.5	45.5	54.5	45.9	54.1
comprehensive schools	51.6	48.4	51.8	48.2	49.9	50.1
other	52.5	47.5	52.5	47.5	52.7	47.3

Source: Federal Statistical Office, Series 11, Issue 1, 2001/2002, own calculation

Table 9: Qualifications achieved by Germans and migrants upon leaving schools providing general education from 1996 to 2001

Type of qualification	1996				1997				1998			
	Germans		migrants		Germans		migrants		Germans		migrants	
	Absolute	in %	absolute	in %	absolute	in %	absolute	in %	absolute	in %	absolute	in %
without <i>Hauptschule</i> qualification	61,867	7.7	16,880	19.7	63,636	7.7	16,850	19.4	66,254	7.9	16,714	19.5
<i>Hauptschule</i> qualification	204,484	25.4	37,446	43.6	208,842	25.2	37,043	42.7	209,421	25.0	35,941	41.9
Intermediate school leaving certificate	325,762	40.4	23,637	27.5	339,161	40.9	24,417	28.1	345,756	41.2	24,785	28.9
A- level	214,408	26.6	7,912	9.2	217,773	26.3	8,431	9.7	217,192	25.9	8,295	9.7
Total	806,521	100.0	85,875	100.0	829,412	100.0	86,741	100.0	838,623	100.0	85,735	100.0
Type of qualification	1999				2000				2001			
	Germans		migrants		Germans		migrants		Germans		migrants	
	Absolute	in %	absolute	in %	absolute	in %	absolute	in %	absolute	in %	absolute	in %
without <i>Hauptschule</i> qualification	68,098	8.0	15,663	19.3	71,095	8.3	15,506	19.9	73,681	8.7	15,200	20.2
<i>Hauptschule</i> qualification	211,105	24.7	33,221	41.0	207,268	24.1	31,346	40.2	206,292	24.2	29,835	39.6
Intermediate school leaving certificate	350,868	41.0	23,427	28.9	350,297	40.7	22,513	28.9	354,798	41.7	21,747	28.9
A- level	226,249	26.4	8,789	10.8	231,301	26.9	8,564	11.0	216,733	25.5	8,566	11.4
Total	856,320	100.0	81,100	100.0	859,961	100.0	77,929	100.0	851,504	100.0	75,348	100.0

Source: Federal Statistical Office

Table 10: Qualification achieved by Germans and foreigners upon leaving schools providing general education in 2000/01 broken down by gender

Type of qualification	Total				Germans				Foreigners			
	Male		Female		Male		Female		Male		Female	
	Absolute	%	absolute	%	Absolute	%	absolute	%	absolute	%	absolute	%
Without <i>Hauptschule</i> qualification	56,779	12.0	32,102	7.1	47,201	10.9	26,480	6.3	9,578	24.3	5,622	15.7
<i>Hauptschule</i> qualification	135,155	28.5	100,795	22.2	119,264	27.5	86,875	20.8	15,891	40.2	13,920	38.8
Intermediate school leaving certificate	182,267	38.5	194,543	42.9	172,133	39.7	182,933	43.8	10,134	25.7	11,610	32.4
A-level	99,265	21.0	126,024	27.8	95,382	22.0	121,341	29.1	3,883	9.8	4,683	13.1
Total	473,466	100	453,464	100	434,980	100	417,629	100	39,486	100	35,835	100

Source: Federal Statistical Office, Series 11, Issue 1, 2001/2002, own calculation

Table 11: Qualification achieved by Germans and foreigners upon leaving schools providing general education in 2000/01 broken down by federal states (in %)¹

Federal state	Without Hauptschule qualification		Hauptschule qualification		Intermediate school leaving certificate		A-Level	
	Germans	Foreigners	Germans	Foreigners	Germans	Foreigners	Germans	Foreigners
Baden-Wuerttemberg	6.3	20.2	29.9	51.4	39.4	22.9	24.4	5.5
Bavaria	8.6	27.9	35.2	46.4	36.1	19.5	20.1	6.3
Berlin	8.9	24.0	20.2	32.0	38.3	30.8	32.5	13.2
Brandenburg²	8.9	7.6	19.5	13.9	43.5	31.1	28.1	47.4
Bremen	8.2	18.9	19.1	33.6	39.7	33.8	33.1	13.7
Hamburg	10.9	19.7	22.6	33.7	28.7	29.6	37.8	17.0
Hesse	7.9	20.0	22.0	37.8	39.1	29.4	31.0	12.8
Mecklenburg-West Pomerania^{2,3}	13.6	27.0	26.6	28.6	57.7	41.3	2.1	3.2
Lower Saxony²	8.9	27.4	22.5	29.4	44.1	33.6	24.5	9.6
North Rhine Westphalia	5.9	13.6	20.2	33.9	41.2	36.0	32.7	16.4
Rhineland Palatinate	8.4	23.2	31.1	50.8	35.8	20.1	24.7	5.9
Saarland	7.0	17.7	30.3	52.0	35.4	18.9	27.2	11.3
Saxony²	10.9	24.6	10.9	13.8	52.9	53.1	25.3	8.5
Saxony-Anhalt^{2,3}	17.9	27.9	14.9	22.4	65.3	45.6	1.9	4.1
Schleswig-Holstein	10.4	21.9	34.2	50.6	31.6	18.8	23.8	8.6
Thuringia²	12.3	38.4	18.1	24.0	43.2	31.2	26.3	6.4

Source: Federal Statistical Office, Series 11, Issue 1, 2001/2002, own calculation

¹ Share of German/foreign school-leavers at a certain school providing general education compared to the total number of German/foreign school-leavers according to federal state, for 2001

² The absolute number of foreign pupils in the new federal states is very small. This has to be considered interpreting the data for the new federal states.

³ The numbers of school-leavers with A-Levels are so small as the 13th school year was introduced that year.

Table 12: Migrant pupils at vocational school broken down by school types from 1994 to 2001

School types	1993				1994				1995			
	German pupils		migrant pupils		German pupils		migrant pupils		German pupils		migrant pupils	
	absolute	in %	absolute	in %	absolute	in %	absolute	in %	absolute	in %	absolute	in %
Vocational schools	2,217,660	100	231,423	100	2,192,789	100	234,962	100	2,203,160	100	232,593	100
<i>Of which</i>												
vocational preparatory/vocational foundation year	117,103	5.3	24,584	10.6	124,418	5.7	25,422	10.8	131,473	6.0	25,273	10.9
vocational school	1,467,771	66.2	145,944	63.1	1,420,339	64.8	143,532	61.1	1,417,737	64.4	138,628	59.6
vocational technical schools	252,989	11.4	32,489	14.0	259,661	11.8	35,358	15.0	269,775	12.2	36,906	15.9
vocational secondary and secondary technical school ¹	157,664	7.1	10,978	4.7	160,910	7.3	11,696	5.0	161,008	7.3	12,283	5.3
technical schools	150,308	6.8	3,901	1.7	153,837	7.0	4,492	1.9	148,085	6.7	4,725	2.0
School types	1996				1997				1998			
	German pupils		migrant pupils		German pupils		migrant pupils		German pupils		migrant pupils	
	absolute	in %	absolute	in %	absolute	in %	absolute	in %	absolute	in %	absolute	in %
Vocational schools	2,246,992	100	232,592	100	2,321,756	100	228,141	100	2,380,860	100	220,058	100
<i>Of which</i>												
vocational preparatory/vocational foundation year	84,265	3.8	20,899	9.0	85,475	3.7	21,118	9.3	88,042	3.7	19,620	8.9
vocational school	1,485,847	66.1	139,579	60.0	1,520,599	65.5	131,853	57.8	1,558,116	65.4	125,362	57.0
vocational technical schools	290,340	12.9	39,680	17.1	324,436	14.0	42,212	18.5	341,092	14.3	42,139	19.1
vocational secondary and secondary technical school	165,706	7.4	12,746	5.5	171,061	7.4	13,492	5.9	174,043	7.3	13,615	6.2
technical schools	145,969	6.5	5,231	2.2	142,428	6.1	5,289	2.3	136,753	5.7	5,297	2.4
School types	1999				2000				2001			
	German pupils		migrant pupils		German pupils		migrant pupils		German pupils		migrant pupils	
	absolute	in %	absolute	in %	absolute	in %	absolute	in %	absolute	in %	absolute	in %
Vocational schools	2,442,298	100	214,152	100	2,477,009	100	204,828	100	2,493,730	100	200,445	100
<i>Of which</i>												
vocational preparatory/vocational foundation year	89,280	3.7	19,003	8.9	94,455	3.8	19,568	9.6	97,177	3.9	19,128	9.5
vocational school	1,600,983	65.6	122,183	57.1	1,671,403	67.5	125,500	61.3	1,662,514	66.7	121,854	60.8
vocational technical schools	351,170	14.4	40,773	19.0	374,511	15.1	40,799	19.9	385,014	15.4	40,357	20.1
vocational secondary and secondary technical school	181,930	7.4	13,252	6.2	192,940	7.8	12,598	6.2	201,443	8.1	12,171	6.1
technical schools	133,234	5.5	5,377	2.5	136,317	5.5	5,843	2.9	141,048	5.7	6,356	3.2

Source: Federal Statistical Office

1) Including *Fachgymnasien* (specialised grammar schools), *technischen Oberschulen* (technical secondary schools) and *Berufsaufbauschulen* (vocational continuation schools)

Table 13: Pupils at vocational schools broken down by selected nationalities and school types in school year 2001/2002

Country of nationality	Total	Vocational preparatory year or vocational foundation year		vocational schools		vocational technical schools		vocational secondary schools/ secondary technical school		Technical schools	
		absolute	in %	absolute	in %	absolute	in %	absolute	in %	absolute	in %
Germany	2,493,730	97,177	3.9	1,662,514	66.7	385,014	15.4	201,443	8.1	141,048	5.7
France	1,137	41	3.6	645	56.7	252	22.2	70	6.2	103	9.1
Greece	9,270	477	5.1	6,152	66.4	1,816	19.6	518	5.6	291	3.1
Italy	21,104	1,329	6.3	14,380	68.1	3,947	18.7	810	3.8	574	2.7
Austria	2,273	35	1.5	1,463	64.4	311	13.7	216	9.5	191	8.4
Portugal	3,310	258	7.8	1,955	59.1	776	23.4	180	5.4	135	4.1
Spain	2,982	97	3.3	1,987	66.6	567	19.0	129	4.3	173	5.8
Bosnia-Herzegovina	5,539	315	5.7	3,641	65.7	1,030	18.6	353	6.4	191	3.4
Yugoslavia	11,714	1,553	13.3	7,510	64.1	1,882	16.1	512	4.4	240	2.0
Croatia	9,653	311	3.2	6,601	68.4	1,568	16.2	797	8.3	345	3.6
Macedonia	2,133	202	9.5	1,463	68.6	339	15.9	78	3.7	48	2.3

Poland	5,138	337	6.6	2,809	54.7	1,197	23.3	457	8.9	323	6.3
Romania	1,384	92	6.6	809	58.5	297	21.5	77	5.6	96	6.9
Russian Federation	2,935	387	13.2	1,508	51.4	626	21.3	220	7.5	139	4.7
Turkey	81,448	7,383	9.1	51,077	62.7	16,531	20.3	4,600	5.6	1,842	2.3
Migrant pupils in total	200,445	19,128	9.5	121,854	60.8	40,357	20.1	12,171	6.1	6,356	3.2
Total number of pupils	2,694,175	116,305	4.3	1,784,368	66.2	425,371	15.8	213,614	7.9	147,404	5.5

Source: Federal Statistical Office

Table 14: Graduates and others leaving vocational schools in 2001

Those leaving	Total	In %	Germans	in %	Migrants	in %
With leaving certificate ¹	221,469	21.2	186,815	19.5	34,654	38.8
With qualification	824,684	78.8	770,039	80.5	54,645	61.2
Graduates/leavers in total	1,046,513	100	957,214	100	89,299	100

Source: Federal Statistical Office

1) A leaving certificate is given when the aim of the respective level of education is not attained (without completing the vocational training)

Table 15: Graduates and others leaving vocational schools in 2000/01 broken down by gender

Those leaving	Total				Germans				Foreigners			
	Male		Female		Male		Female		Male		Female	
	absolute	%	absolute	%	absolute	%	absolute	%	absolute	%	absolute	%
With leaving certificate ¹	128,700	23.1	92,800	19.0	108,300	21.3	78,500	17.5	20,400	41.5	14,300	35.7
With qualification	427,900	76.9	396,800	81.0	399,100	78.7	371,000	82.5	28,800	58.5	25,800	64.3
Graduates/leavers in total	556,600	100	489,600	100	507,400	100	449,500	100	49,200	100	40,100	100

Source: Federal Statistical Office, Series 11, Issue 2, 2001/2002, own calculation

1) A leaving certificate is given when the aim of the respective level of education is not attained (without completing the vocational training)

Table 16: Migrant apprentices in Germany from 1993 to 2001

Year	Apprentices in total	Migrant apprentices	Proportion in %
1993	1,629,312	126,283	7.8
1994	1,579,879	125,887	8.0
1995	1,579,339	121,312	7.7
1996	1,592,227	116,246	7.3
1997	1,622,208	110,165	6.8
1998	1,657,764	104,250	6.3
1999	1,698,329	100,899	5.9
2000	1,702,017	96,928	5.7
2001	1,684,669	92,300	5.5

Source: Federal Statistical Office

Table 17: Apprentices in Germany from 1999 to 2001 broken down by gender (in %)

year	Total = 100		Germans = 100		Foreigners = 100	
	Male	Female	Male	Female	Male	Female
1999	59.5	40.5	59.5	40.5	60.3	39.7
2000	59.1	40.9	59.2	40.8	59.0	41.0
2001	59.0	41.0	59.0	41.0	58.0	42.0

Source: Federal Statistical Office, Series 11, Issue 3, 2001/2002, own calculation

Table 18: Apprentices broken down by fields of training and nationality 2001

Country of nationality	Total	Industry and trade		Craft professions		Public service		Self-employed		Others	
			in %		in %		in %		in %		in %
Germany	1,592,369	832,432	52.3	529,487	33.3	44,468	2.8	135,856	8.5	50,126	3.1
Greece	4,700	2,263	48.1	1,942	41.3	40	0.9	431	9.2	24	0.5
Italy	10,538	4,958	47.0	4,439	42.1	119	1.1	926	8.8	96	0.9
Austria	1,134	559	49.3	417	36.8	4	0.4	138	12.2	16	1.4
Portugal	1,539	770	50.0	584	37.9	17	1.1	148	9.6	20	1.3
Spain	1,514	913	60.3	444	29.3	22	1.5	124	8.2	11	0.7
Bosnia-Herzegovina	2,079	1,050	50.5	701	33.7	39	1.9	283	13.6	6	0.3
Yugoslavia	6,793	2,657	39.1	3,158	46.5	64	0.9	873	12.9	41	0.6
Croatia	4,157	2,680	64.5	953	22.9	80	1.9	429	10.3	15	0.4
Poland	2,145	997	46.5	622	29.0	22	1.0	480	22.4	24	1.1
Turkey	37,165	18,093	48.7	14,035	37.8	382	1.0	4,352	11.7	303	0.8
Morocco	1,361	970	71.3	53	3.9	33	2.4	288	21.2	17	1.2
Migrant apprentices in total	92,300	43,709	47.4	34,994	37.9	984	1.1	11,730	12.7	883	1.0
Total number of apprentices	1,684,669	876,141	52.0	564,481	33.5	45,452	2.7	147,586	8.8	51,009	3.0

Source: Federal Statistical Office

Table 19: Migrant students at German universities from winter term (WS) 1993/94 to winter term 2001/2002

Term	Total number of students	Students of foreign nationality	Rate of migrant students	Of which <i>Bildungsinländer</i>	Percentage of migrant students
winter term (WS) 1993/94	1,867,264	134,391	7.2	47,523	35.4
WS 1994/95	1,872,490	141,460	7.6	48,851	34.5
WS 1995/96	1,857,906	146,472	7.9	48,082	32.8
WS 1996/97	1,838,099	152,206	8.3	51,837	34.1
WS 1997/98	1,824,107	158,474	8.7	54,719	34.5
WS 1998/99	1,801,233	165,994	9.2	57,209	34.5
WS 1999/2000	1,773,956	175,140	9.9	62,182	35.5
WS 2000/2001	1,799,338	187,027	10.4	61,313	32.8
WS 2001/2002	1,868,666	206,141	11.0	63,355	30.7

Source: Federal Statistical Office

Table 20: Migrant students at German universities broken down by selected countries of origin in winter term 2001/2002

Country of origin	Students in winter term 2001/2002	Of which <i>Bildungsinländer</i>	Share of <i>Bildungsinländer</i> among students, related to their respective nationality
France	6,356	744	11.7
Greece	7,451	4,060	54.5
Italy	6,879	3,155	45.9
Austria	6,422	2,240	34.9
Spain	5,665	1,650	29.1
Bulgaria	7,321	367	5.0
Yugoslavia	3,453	2,345	67.9
Croatia	4,734	3,967	83.8
Poland	10,936	2,109	19.3
Russian Federation	8,383	1,285	15.3
Turkey	24,041	18,853	78.4
Ukraine	4,917	868	17.7
Egypt	1,278	56	4.4
Cameroon	4,464	155	3.5
Morocco	6,765	1,195	17.7
Tunisia	1,426	185	13.0
USA	3,318	618	18.6
China	14,070	547	3.9
Georgian Republic	2,033	60	3.0
India	2,088	343	16.4
Indonesia	2,246	230	10.2
Iran	5,757	2,828	49.1
Republic of Korea	5,144	1,415	27.5
Vietnam	1,424	762	53.5
Total	206,141	63,355	30.7

Source: Federal Statistical Office

Table 21: Studying “Educational nationals” (*Bildungsinländer*) broken down by the 12 most important countries of origin and gender in winter term 2001/02

	Total	Male		Female	
		absolute	%	absolute	%
Bildungsinländer in total	63,355	36,438	57.5	26,917	42.5
Of those					
Turkey	18,853	11,165	59.2	7,688	40.8
Former Yugoslavia	8,264	4,674	56.6	3,590	43.4
Greece	4,060	2,268	55.9	1,792	44.1
Italy	3,155	1,853	58.7	1,302	41.3
Iran	2,828	1,893	66.9	935	33.1
Austria	2,240	1,334	59.6	906	40.4
Poland	2,109	930	44.1	1,179	55.9
Republic of Korea	1,415	620	43.8	795	56.2
Spain	1,650	899	54.5	751	45.5
Russian Federation	1,285	623	48.5	662	51.5
Morocco	1,195	963	80.6	232	19.4
Portugal	1,108	580	52.3	528	47.7

Source: Federal Statistical Office, Series 11, Issue 4, 2001/2002, own calculation

Table 22: German and foreign students broken down by gender from winter term (WS) 1997/98 to winter term 2001/02 (in %)

Term	Total = 100		Germans =100		Foreigners = 100	
	Male	Female	Male	Female	Male	Female
WS 1997/98	56.4	43.6	56.4	43.6	56.9	43.1
WS 1998/99	55.5	44.5	55.5	44.5	55.6	44.4
WS 1999/00	54.7	45.3	54.7	45.3	54.5	45.5
WS 2000/01	53.9	46.1	54.0	46.0	53.4	46.6
WS 2001/02	53.3	46.7	53.4	46.6	52.3	47.7

Source: Federal Statistical Office, Series 11, Issue 4, 2001/2002, own calculation

Table 23: Migrant students broken down by subject groups and the 12 most frequent countries of nationality in winter term 2001/2002

Country of nationality	Total	Foreign students by subject groups				
		philology and cultural studies	law, economics and social sciences	mathematics and natural sciences	engineering sciences	medical sciences
Turkey	24,041	3,286	9,360	3,747	5,558	1,444
China	14,070	1,889	3,965	3,355	3,751	224
Poland	10,936	3,604	4,427	1,028	901	233
Russian Federation	8,383	2,539	2,707	1,350	758	234
Greece	7,451	1,852	2,297	1,014	1,028	820
Bulgaria	7,321	1,568	2,762	1,413	861	251
Italy	6,879	2,582	1,773	839	993	194
Morocco	6,765	771	1,108	1,569	3,065	87
Austria	6,422	1,783	2,082	1,018	745	202
France	6,356	2,267	2,068	573	974	104
Iran	5,757	699	916	1,374	1,529	980
Spain	5,665	1,911	1,486	698	1,000	156
Total	206,141	48,267	58,527	34,075	38,637	10,142
Of which <i>Bildungsinländer</i>	63,355	9,682	22,017	9,956	12,493	4,148

Source: Federal Statistical Office

Table 24: School qualifications of the group interviewed (in percent)

	German Autochthonous	Turkish CIM ³⁴	Former Yugoslavian CIM
Without qualification	3.0	6.7	1.6
Hauptschule qualification	24.8	64.4	55.0
Realschule qualification	32.1	15.9	28.1
Qualification permitting to attend university or polytechnic education or university qualification	40.0	13.0	15.3

Source: EFFNATIS field study data

³⁴ Children of International Migrants; for further information see chapter 12.4.1.

Table 25: Inter-generational education mobility by group

	German Autochthonous	Turkish CIM	Former Yugoslavian CIM
upwardly mobile	18.9	32.5	31.7
downwardly mobile	8.0	9.1	15.9
constancy	73.1	58.4	52.4

Source: EFFNATIS field study data

Table 26: Subjectively perceived discrimination in the Educational System by Group

have experienced Discrimination	Turkish CIM	in %	Former Yugoslavian CIM	in %
Yes	85	30.1	51	18.1
No	197	69.9	230	81.9
Total	282	100.0	281	100.0

Table 27: Institutions and situations in which discrimination has been experienced (multiple answers in per cent)

	Migrants in total	Males	Females
Administrative body	37.5	37.2	37.7
Police	34.8	50.8	14.1
Looking for place to rent	33.5	30.8	37.7
School	32.4	28.8	37.2
Work place	31.5	36.4	25.1
In public transport	30.1	26.8	34.0
Looking for a job	28.8	31.6	26.2
Nightclub	26.6	43.6	5.2
Others	22.8	22.8	23.6

♣

Table 28: Xenophobic incidents in schools in Brandenburg

Type of incident	Number
Bodily harm	4
Threat	15
Usage of badges of unconstitutional organisations	78
Incitement of the people	61
Wilful damage to property	28
Total number of xenophobic and extreme right-wing incidents	186

10.4. METHODS AND RESULTS OF SELECTED STUDIES

The results of studies which particularly examine the *second generation*, that is, the children of migrants already born in Germany or who came to Germany before their seventh birthday and thus experienced complete academic socialisation in Germany, show that the second migrant generation has certainly made achievements in education, even if this not reflected in the official statistics. The methods of these studies were, in part, empirical research, particularly on the basis of interviews. Thereby, questions could also be asked about the indicators which influence the educational careers of children from families of foreign origin such as the point in time when migration took place, the length of time their parents have been in Germany, their migration status, the generation status to which the children belong, the age at which they entered Germany and any interruptions to their stay there. The results of some other studies are based on evaluations of the micro-census and the Socio-Economic Panel (SOEP). These differentiated sets of data, along with other characteristics, also take the social origin into account referring to the profession of the head of the family. However, they only allow assessments to be made relating to the larger nationality groups (Turks, Yugoslavians, Italians, Greeks).

The following studies must be mentioned:

10.4.1. Effectiveness of National Integration Strategies towards Second Generation Migrant Youth in a Comparative European Perspective (EFFNATIS) (Heckmann/Lederer/ Worbs 2001)

In the framework of this study, 287 Turkish and 283 Yugoslavian 'Children of International Migrants' (CIM) were interviewed, that is, children born to Turkish parents or parents from the former Yugoslavia who had come to Germany by the age of 6 and who were between the ages of 16 and 25 at the time of the interviews. 13.6% had German citizenship. As a comparative group, 215 autochthonous young Germans were interviewed, too. The interviews took place in Nuremberg in 1999 and an evaluation of the micro-census was undertaken as well.

In the following, the central results of the study referring to the field of education will be presented briefly.

If one regards the qualifications attained a great difference between the group of autochthonous Germans and the second migrant generation becomes apparent. On the one hand, more than 70% of the Turks and more than half the Yugoslavians interviewed have either no school-leaving qualification or, at best, one from a secondary modern school (*Hauptschule*), while they are severely under-represented in the higher types of qualifications. On the other hand, at least the Yugoslavian CIM have almost drawn level with the Germans in the intermediate qualifications.

A differentiation according to gender reveals that "a slight tendency of better education for Turkish and Yugoslavian female CIM in comparison to male CIM can be identified" (Lederer 2000, p. 26). In addition, research was undertaken in the EFFNATIS study examining the connection between attending a kindergarten and achievement in education. It became apparent that "CIM, especially with a Turkish background who

attended kindergarten in Germany, are more likely to achieve a higher educational level” (Lederer 2000, p. 28). For example, 21.3% of those who attended kindergarten achieved a higher form of qualification, whereas this was only the case for 8.1% of those who did not attend kindergarten.

In a *comparison between the second and first migrant generation* (inter-generational mobility), it can be determined that ”one third of each CIM group in Germany can be described as upwardly mobile with reference to their parents; i.e. former Yugoslavian and Turkish CIM slowly ‘catch up’” (Lederer 2000, p. 32). It should be noted, however, that the starting position of the migrant children is significantly different from that of the autochthonous group. This stems from the fact that the great majority of autochthonous parents already have a higher qualification (about 75%), whereas this is true for less than a third of the CIM parents (in the case of Turkish parents) or less than half (in the case of Yugoslavian parents).

In sum, it can be said that, despite the poorer results in the German education system of the second generation compared to the autochthonous Germans, *progress in comparison to the parental generation* of the CIM can be registered. This result was also confirmed by the additional evaluation of the micro-census data which revealed that the second generation, on average, fares better in the German education system than the group of migrants as a whole, and thus takes up an intermediate position between the latter and the group of autochthonous Germans.

10.4.2. Evaluation of integration processes in Frankfurt am Main (Straßburger 2001)

In this study, interviews were carried out with approximately 1,300 people between the ages of 18 and 40, both Germans and migrants who either were born in Germany or had lived in Frankfurt at least since they were 11. The interviews took place in Frankfurt in the year 2000. In addition, data from the communal education statistics were also evaluated and expert interviews were conducted.

The evaluation of the official education statistics in the city of Frankfurt confirms the differences in education between young Germans and young migrants as presented in chapter 4 (cf. Straßburger 2001, pp. 90ff.). The evaluation of the interviews carried out with the second migrant generation puts this picture into perspective, and reveals that the achievements in education of this group are significantly higher than those of the migrants in general registered in the official statistics. Particularly the migrant children who were born in Germany and who have mainly experienced socialisation in Germany have almost reached the level of education of the native Germans (cf. Straßburger 2001, pp. 167ff.). Specifically, 38.6% of immigrants have a higher level of education (A-levels (*Abitur*) or similar qualifications) and 41.6% have obtained an intermediate qualification (certificate from the secondary modern school (*Haupt-schule*) or Intermediate school leaving certificate (*mittlere Reife*)). In the comparable German group, the statistics for higher qualifications are 44.4% and 36.3% for intermediate qualifications. In addition, women have somewhat higher achievements in education than men do: 36% of the female immigrants, but only 33% of the males have A-levels or similar qualifications. 42% of the female immigrants and 38% of their male counterparts have intermediate

qualifications. Correspondingly, women have lower qualifications less frequently than men do (13% to 19%).

The study also shows that the level of education is closely linked to the point in time when the migration took place or to the fact of being born in Germany. While more than every fourth "newcomer entering education at a later stage" (*Seiteneinsteiger*), as they are known, leaves school without qualifications or with only a basic qualification from the secondary modern school, this is the case for only every ninth migrant born in Germany. With an increasing *length of socialisation* in Germany, the number of intermediate or higher qualifications also rises. The research additionally shows that the immigrants' achievements in education are also related to whether they attended kindergarten. In the case of immigrants born in Germany who did not attend kindergarten, the percentage of those with A-levels is almost one third less than those who did, and the proportion of people with lower qualifications more than a third higher than those who attended kindergarten.

In the field of vocational training, an improvement in the situation can also be registered. There, 48% of immigrants and 47% of Germans completed vocational training either at school or on-the-job. However, immigrants have slightly fewer academic qualifications than the comparable German group (10% and 12% respectively). In addition, in the case of the Germans, among those interviewees who do not (yet) have a professional qualification there are significantly more people who have A-levels than among the immigrants who have completed professional training. As a result of this study, it can be said that, although the integration of the second migrant generation has made good progress in the field of vocational training, there are still several deficits to be noted (cf. Straßburger 2001, p.174).

10.4.3. Study on ethnic differences at the transition from primary to secondary schooling (Kristen 2000 and 2002)

The study researches the *ethnic differences in the school placement* of German pupils and migrant children at the transition from primary education into one of the three secondary school types (*Hauptschule, Realschule, Gymnasium*) using the example of six primary schools in Baden-Württemberg. The sets of data comprise information on 3,354 pupils in class 4 (before the transition from primary to secondary schooling) in 151 school classes from six primary schools in Baden-Württemberg. The study covers a period of up to sixteen years (from 1983/1984 to 1999/2000), which varied from school to school.

Within these years, the *points of transition in the educational career* at which courses of education with varying degrees of difficulty are chosen are examined; they are particularly suited for research into differences in education (cf. Kristen 2002, p. 535). In a school system where assignment to a particular school type is based on achievement (grades), it could be expected that the same school grades would show the same rate of transition into the various school forms, independent from the membership of an ethnic

group. After checking the school grades for differences between German and migrant children, the question arises as to the reasons for these differences.³⁵

”The school placement of various ethnic groups is investigated through logistical regression and logistical multi-level models. The central independent working model is the educational achievement of a child, which is operationalised here via the transition into one of the three school types” [own translation] (Kristen 2002, p. 539). The ethnic groups taken into account are Turks, Italians, Yugoslavians and ethnic German migrants. German pupils form the reference group.

It becomes apparent that migrant children on average change from primary school to *Hauptschule* more frequently than German pupils of the same age do, and thus, have correspondingly lower rates of transition to the *Realschule* and *Gymnasium*. In addition, there are significant differences between the various ethnic groups. Turkish and Italian children fare worst; their rate of transition to the *Hauptschule* is more than twice that of their fellow German pupils. Compared with this, German children change over to the *Gymnasium* four times more frequently than Turkish or Italian primary school pupils do. Yugoslavian pupils occupy a middle position: they fare worse than Germans, but better than Turkish and Italian pupils. In contrast, children of ethnic German migrants have only slight differences in their rates of transition in comparison to German pupils.

The study reaches the conclusion that, for the transition into one of the three school types, the grades in the subjects of mathematics and German are of central importance, and as may be expected, the achievements in the subject of German play a key role. At the same time, checking the school grades has not led to a complete disappearance of the effects of ethnic origin. Thus, ethnic origin plays a decisive role – especially in the case of Turkish and Italian children – in the question as to whether a child will change to the *Hauptschule* or not. In the decision between transition to the *Realschule* or *Gymnasium*, in contrast, there are no significant ethnic differences, with the result that ethnic origin loses its significance for those children who make the transition to a more advanced secondary school (*Realschule* or *Gymnasium*). For the other children, however, the question arises as to the possible causes for the existing differences. ”At this point, it seems plausible to suggest discrimination on the part of the school. However, this conclusion is not definitive seeing as how other, thus far unexamined differences could also be responsible for the continuing existence of such differences” [own translation] (Kristen 2002, p. 549).

These factors include the influence of the school and its environment, for example. In this study, especially the effects of the ethnic composition of the pupils were investigated. Pupils who are, on average, comparatively less successful are found in school classes concentrated with a high proportion of migrants and/or a high proportion of children from lower social classes. ”The standards of achievement are generally set at a lower level and can create a correspondingly negative climate for aspiration” [own translation] (Kristen 2002, p. 537). This, in turn, can be seen in the educational achievements and, in consequence, in the decisions taken in education by the pupils and their parents at the point of transition to secondary schools. In addition, it is usually necessary in school classes with a high proportion of migrants to pay particular attention to language acquisition as the children on average have lower achievements in subjects which are

³⁵ According to Gomolla/Radtke 2002, forms of institutional discrimination play a role here (cf. chapter 5.1.3).

centred on language (German). This means that the standards of achievement in the subject of German are comparatively low due to the fact that otherwise, many pupils would not be able to follow the lessons. Furthermore, the time for other learning processes is shortened. For the situation at the point of transition, this could mean that teachers of classes with many comparably weak children will be rather hesitant in recommending a higher level of education for their pupils.

The study confirms that particularly the *proportion of migrants in the school or in the class* influences the decision made at the point of transition or in the placement of pupils at the transition between primary and secondary education. "Those who grow up in an environment where there are only few migrant children will profit from this fact at the point of transition, whereas correspondingly negative effects result for children in classes with a high proportion of migrants" [own translation] (Kristen 2002, p. 548). After taking the concentration of migrants into account, nationality effects can hardly be determined any more (the current discussion on "bussing," as it is known, can be linked to this point).

10.4.4. PISA study (Max-Planck-Institut für Bildungsforschung 2001 and 2002)

In 2000, within the framework of the international PISA study, a representative cross-section of approximately 5,000 15-year-old pupils from a total of 219 schools was selected in Germany. Within the framework of the current PISA study, the participation in education of young people from migrant families was researched more closely for the first time. The cross-section also included 1,056 children from families with a migrant background. In order to avoid the aforementioned weaknesses of the official education statistics, questions were asked in the study as to the parents' and the 15-year-olds' native country and the language of communication used within the family. In addition, the mother tongue and the length of the interviewees' residence was also registered. This is particularly important in order to be able to also identify Germans with a migrant background (naturalised Germans, ethnic German migrants). Just less than 22% of the 15-year-olds came from families in which at least one parent was not born in Germany. In just more than 15% of the families, both parents had migrated to Germany. If one considers only West Germany the proportions were even higher: 27% and 19% respectively. Approximately half of all the 15-year-olds of whom at least one parent was not born in Germany have been living in Germany since they were born. More than 70% of the young people from these families attended educational institutions throughout the system, from kindergarten to the end of compulsory schooling. "Newcomers entering education at a later stage" (*Seiteneinsteiger*) could only be found in a significant number in the cases of families of ethnic German migrants, refugees or asylum seekers, but also in these cases enrolment in school had already taken place at primary-school age.

Despite longer residence, the migrant families clearly differ in their social structure from German families. Almost two thirds of the family members of primary responsibility who were not born in Germany are employed as workers; approximately half of them carry out semi-skilled jobs (cf. Baumert/Schümer 2001, pp. 341 ff.).

The PISA study revealed that there is a difference in the participation in education between children from families in which both parents were born in Germany, children from families in which just one parent was born in Germany and children from families in

which neither parent was born in Germany. The participation in education of young people from the first two groups differs only slightly from each other in the relative *Hauptschule* and *Realschule* area. Specifically, children from families in which one parent was born in Germany attend *Hauptschule* slightly more frequently and represented in the *Realschule* slightly less so. In contrast, young people from purely migrant families are greatly over-represented at *Hauptschule* and greatly underrepresented at the *Gymnasium*. In addition, it became clear that the differences in educational opportunities between children from families with and without a migrant background are far less than the disparities between young people from different social classes. That means that in Germany, the **connection between achievement and social background** is particularly noticeable. A further analysis, however, came to the conclusion that neither social position nor cultural distance are primarily responsible for disparities in the participation in education; rather, the competence/lack of competence in the German language seems to be responsible. Linguistic deficits cumulatively affect content-related subjects with the consequence that people with insufficient reading comprehension skills are hindered in their acquisition of competence in all academic fields (cf. Baumert/Schümer 2001, p. 379). "For children from migrant families, **linguistic competence** is the decisive obstacle in their educational career" (Max-Planck-Institut für Bildungsforschung 2001, p. 37).

In a national amendment to the PISA study, research was additionally undertaken into the competence of 33,809 15-year-olds and 33,766 pupils in the ninth grade from 1,460 schools. The main aim of this PISA-E study, as it was called, was a **comparison of abilities between students in the individual federal states**. It became apparent that the achievement differentials between children from families in which at least one parent was born in Germany and children from purely migrant families varied greatly from federal state to federal state. The federal state of Bavaria thus distinguished itself due to its "consistently low disparities by a relatively high level of competence in the migrant group." In the area of reading comprehension, the differences in achievement between young people with and without a migrant background were relatively small in the states of Hesse and Rhineland-Palatinate. In contrast, "a large achievement differential across the board could be found in the state of Bremen and North Rhine-Westphalia" (cf. Baumert et al. 2002, p. 58). These results which are differentiated according to federal state reveal, above all, that migrant children profit to a great extent from the general quality of the school system. In other words, not only the support measures offered to foster the integration of migrant children into the school system are important, but also the regular measures and educational offers within an education system make a significant contribution to increasing the equality of opportunity for migrants and autochthonous Germans.

A detailed analysis of the international OECD education study PISA which was published at the beginning of 2003 (see Stanat 2003) confirms the correlation stated by Kirsten (2002) in the above-mentioned study between the proportion of migrant children in school classes and the educational achievements. The analysis reaches the conclusion that already a migrant share of 20% in a school class causes a sharp decline of "medium performance". If this share rises to 40% or more, there is no further decline of the level of performance. The Max Planck Institute for Educational Research which has been the responsible research institute in Germany explains this with the fact that schools do only introduce special measures after a certain „critical threshold“ has been crossed. "These findings lead to the conclusion that schools already have difficulties in dealing with

heterogeneity, even if the multi-lingual composition of the school classes is fairly low from a quantitative point of view.” [own translation] (Stanat 2003, p. 256).

10.4.5. International Study of the Reading Competence in Primary Schools (IGLU)

The International Study of the Reading Competence in Primary Schools (IGLU) in which the reading competence of pupils in the 4th school year has been tested in particular took place in spring 2001³⁶. More than 10,000 pupils took part in Germany. Compared to the PISA Study in which the German pupils reached results below the average, the German primary school pupils reached the upper mid-table³⁷. In addition, it turns out that – in contrast to the findings of the PISA Study – the educational achievements in primary school are less significantly dependent of the social background as in secondary school. However, the bad results of the IGLU Study also confirm that children with migration background do significantly worse in all three competence areas (reading, mathematics, natural sciences) than German native pupils.

The worst among those were pupils of parents who both were born abroad. It is typical for that group that the lacking language competence occur due to the non-German speaking socialisation in the family (cf. Bos et al. 2003, p. 32).

Due to the pupils’ better results in the IGLU Test compared to the PISA Study the politicians argued for the introduction of educational standards for all types of schools and an extension of primary school participation³⁸ as the drop in educational achievements would only occur after distribution in the three school branches, according to the results of those two studies. Due to the limited comparability of both studies such a conclusion should be very carefully considered though.

10.4.6. Participation in education and job transition of children and youths from migrant families on the basis of data of the Socio-Economic Panel (SOEP) (Diefenbach 2002)

The study on the participation in education and the job transition of children and youths from migrant families are based on the data of the Socio-Economic Panel from 1984 to

³⁶ In Germany the competence in mathematics and natural sciences were tested in addition.

³⁷ It has to be pointed out though that the results of PISA and IGLU cannot be compared directly as not the same states participated in the survey. Of the 20 countries which did better than Germany in the PISA study 10 didn’t participate in IGLU. In addition, the German pupils had a slight advantage in IGLU as the pupils in the 4th school year are on average one year older than in most of the other countries.

³⁸ The Federal Minister for Education Bulmahn championed the idea, for example, to extend the primary school years attended by all children together from four to six or eight years.

1998. The analysis of the SOEP data confirms more or less the results of the official education statistics. Only the overrepresentation of children with non-German citizenship in special needs schools could not be confirmed by the SOEP data. Further results of the study can be summed up as follows:

- Migrant children most frequently attend *Hauptschule* after the completion of primary school. By the time there has been a continuous decrease of that choice. This corresponds with a continuous increase of cases in which migrant children attend a *Realschule* after completing primary school. In contrast to migrant children German native children choose to a much higher extent the *Gymnasium* in the transition from primary to secondary school.
- The analysis of the SOEP according to nationality shows that Italian migrant children have the highest share of pupils attending *Hauptschule* after completing primary school and at the same time the lowest share of pupils attending *Gymnasium* after primary school, followed by Turkish children. Among the migrant children the Greek children do best, but also worse than the German native children (see Diefenbach 2002, p. 29).
- Looking at the change of school types within secondary school it turns out that children from migrant families, more frequently than German native children, change to a school type which offers a higher level of school-leaving qualification than that they chose immediately after completing primary school (see *ibid*, p. 31). “This compensation, however, does not occur to an extent which would be necessary to talk about almost equal participation in education of children from migrant families and German children.” [own translation] (*ibid*, p. 32). In addition, migrant children mainly change from *Hauptschule* to *Realschule* whereas German children more frequently also change from *Realschule* to *Gymnasium*.
- Youths from migrant families in total attend less frequently higher levels of education (such as courses of studies at universities) than German youths (see *ibid*, p. 35).
- Youths from migrant families leave the education system earlier than German youths. This can be seen from the higher proportion of employees as well as of not employed persons compared to German youths at the ages of 18 and 19. From the age of 24, however, the proportion of employees among German youths exceeds the proportion of employees of youths with migration background (see *ibid*, p. 19).
- Youths from migrant families enter the vocational training slightly earlier than German youths. Up to 17 years the proportion of youths from a migration background who are in vocational training are higher than those of German youths. From the age of 18, however, this proportion reverses (see *ibid*).
- Youths with migration background serve an apprenticeship considerably less frequently than German youths. “Looking at it across all age groups almost three times as much youths from migrant families are employed in unskilled or semi-skilled employment as German youths.” [own translation]. (*ibid*, p. 36).
- Trainees from a migration background earn less on average than German trainees. On the other hand, youths from migrant families who work as unskilled, semi-skilled or skilled workers earn more than German youths in similar jobs. (*ibid*, p. 43f).

- With regard to the reasons that cause the disadvantages of children and youths with migration background in the education system – as the descriptive findings show – the study reaches the conclusion that especially cultural factors influence the attendance of a certain school type in secondary school. The child's country of birth does not influence the choice of the educational career. The intention to return to the country of origin, however, does have a statistically significant effect on the *Realschule* attendance of the child: If the head of the household wants to stay in Germany forever, the probability of the child attending *Realschule* increases (see *ibid*, p. 58).

10.4.7. Representative Survey on the Situation of Adult Education in Germany 2001

The survey was carried out by the Institute Infratest Sozialforschung on behalf of the Federal Ministry for Education and Research. The design is a representative oral population survey which has been carried out every three years since 1979. The survey provides information on the extent and the direction of the demand for adult education.

As a sample are regarded all German-speaking persons living in a private household during the time of the survey in the age of 19 to 64 in the Federal Republic of Germany (random sample). The selection of the persons to be interviewed is based on a multi-layered, multi-level random sample with the layer criteria federal state, districts, types of towns/cities.

In the survey at hand 7,043 oral interviews were carried out in total, of which 5,612 interviews in the old federal states and 1,431 interviews in the new federal states.

In 1997 the non-German population living in Germany was included in the sample for the first time. The problem is here that only those non-Germans are interviewed, without costly additional measures, whose competence of the German language is sufficient for an interview. One can assume that those are better integrated non-Germans who also frequently participate in further training courses. In addition, the small number of cases does not allow a differentiated analysis according to nationality. A general comparison of the participation rates of Germans and non-Germans can be made though.

As central aspects the following aspects can be stated:

Participation in adult education in total: The participation in adult education in total which had been increasing continuously from 1985 to 1997 has decreased in 2000 for the first time. The decrease only affected German participants, the number of non-German participants remained the same. The participation in adult education is lower in the east of Germany and also the participation of non-Germans is lower than that of Germans. In addition, persons elder than 50 years participate less frequently in adult education than younger persons. Nation-wide almost every third in the age group 50-64 participated in adult education in total, whereas in the age groups 35-49 and 19-34 every second participated.

Participation in vocational adult education: The participation rate in vocational adult education (vocational retraining, further training for career, initial training, preliminary courses as well as other courses/seminars on the job) amounted to 29% in 2000 and has therefore not changed significantly compared to 1997 (30%). The general decrease of the participation in adult education does therefore only originate to a small part in vocational adult education. The decrease of the participation in adult education does only affect Germans; the calculated number of non-German participants in vocational adult education amounts to about 400,000, the same as in 1997. Looking at it in a chronological perspective the participation rate in vocational adult education is about three times higher in 2000 as it used to be in 1979. In an east-west-comparison one can state that the participation rate in vocational adult education has hardly changed in the old federal states; in the new federal states, however, it has decreased by 6 percentage points.

Despite this fact, employees in the new federal states have participated more actively in vocational adult education than the Germans in the old federal states in 2000 (31% vs. 28%). The distance has decreased considerably though, from eight to three percentage points since 1997. Especially the participation in vocational retraining programmes is still much higher in the new federal states than in the old federal states; the participation rate in other programme types, however, shows hardly any differences anymore in an east-west-comparison in 2000.

School-leaving qualifications and adult education: With increasing level of education the participation in adult education increases; this also applies for vocational adult education. The participation quota in adult education also increases with higher vocational qualification.

Employment, vocational position and adult education: In 2000 employed persons participated much more frequently in adult education than unemployed persons. The difference originates primarily in the higher participation rate of employees in vocational adult education. A differentiation according to job position shows that the participation rate in vocational adult education differs considerably according to profession: in 2000 60% of the civil servants, but only 24% of the workers participated nation-wide in adult education. The participation rate of employees and self-employed ranges in between, with 46% and 43% respectively.

Gender and adult education: Nation-wide women participate considerably less frequently in adult education than men (34% vs. 23%).

Nationality and adult education: In 2000 non-Germans continued to participate less frequently in adult education programmes than Germans; the participation rate of Germans in 2000, for example, amounts to 44% in the age group 19-64, but only to 27% with non-Germans. An older study confirms (see Behringer/Jeschek 1993) that non-Germans with very good or good competence in German participate more frequently in further training measures than those with poor competence in German or none at all. It therefore appears to be plausible that the variation of the participation rates among Germans and all non-Germans living in Germany might be higher. Due to the very small number of non-Germans living in East Germany an east-west-comparison is not adequate because of the small sample.

In the area of vocational adult education the participation of Germans and non-Germans differs especially significantly with regard to preliminary courses and other courses/seminars on the job. Regarding the participation in general further training measures it becomes apparent that non-Germans frequently attended language courses in 1997 as well as in 2000. Those were probably mostly German language courses. There is an increasing trend concerning the participation in language courses of non-Germans, in contrast to Germans. The second important topic area for non-Germans is “computer, EDP, internet” which is the most important further qualification course for Germans.

10.4.8. Research study on institutional discrimination in school (Gomolla 1998; Gomolla/Radtke 2002)

This approach has been adopted by Gomolla and Radtke. They formulate the hypothesis: “A significant part of inequality in educational participation of German compared to non-German pupils [...] *cannot* be attributed to the children’s characteristics or migration-related disadvantages regarding their starting point, but is generated by the school organisation itself” [own translation] (Gomolla/Radtke 2002, p. 16f.). The research focuses on the question whether institutional discrimination happens in school. Institutional discrimination is defined here as discrimination “that emerges as effect of ‘normal’ structures and practices of a number of social institutions and organisations” [own translation] (ibid., 15).

In researching this, the authors did not compare individual population groups (e.g. German and non-German grammar school pupils), but development trends within organisations, focusing on specific characteristics of various groups (e.g. the development of the number of German pupils in special needs schools (*Sonderschulen*) of a school district within a certain period, compared to the development of the numbers of non-German pupils at special needs schools within the same time period). As soon as the quotas in a longitudinal perspective differ from each other considerably, the need for an explanation arises. It should be examined whether the reasons for these differences can be traced back to the development of collective changes in characteristics in the respective groups or whether the developments might be attributed to other causes, such as variable treatment in school.³⁹

The authors reach the conclusion that there are *three intersections* in school where discrimination might occur.

1. Starting school:

According to the authors migrant children have a higher risk of being turned down for starting school and being sent back to the school kindergarten for another year. The reasons given for delaying the start of schooling are mainly bilingualism and deficits in

³⁹ As a case study, the education system of a large city with widely differentiated school types and with a significantly high number of non-German pupils in North Rhine-Westphalia was chosen. A total of 20 schools (10 primary schools, one special school, all three comprehensive schools and two schools of the secondary school types) were examined. In the research design quantitative and qualitative approaches were combined. Besides an examination of the education statistics to detect potential changes in the types of schools or in the educational participation, a document analysis (e.g. expert reports in special schools) and expert interviews were carried out. The research was carried out for 1980-1990.

German language skills. The authors consider this as being direct discrimination as attending the school kindergarten does not have the main objective of improving the language skills. On the other hand, these proceedings are considered indirect discrimination as children with deficits in German language skills are usually more thoroughly tested to determine whether they are ready for school. Also, lacking kindergarten attendance apparently generally leads to the assessment that additional instruction is needed before starting school.

2. Assignment to special needs schools:

The second area where institutional discrimination might happen in school is the assignment to special needs schools. Prior supportive measures (e.g. extended attendance of the school kindergarten) can have a negative effect for children from migrant families retrospectively, because the prior needs are considered as an indicator for current supportive needs. In addition, the children are too old to start primary school and would interfere with the school classes' homogeneity. Moreover, it should be ensured in the entrance examination for special needs school that insufficient German language skills are not the causes behind existing learning difficulties. According to Gomolla and Radtke however, this guideline is often evaded.

3. Transition from primary school to a secondary school:

Regarding the transition to the secondary school level, Gomolla (1998, page 137f.) describes two mechanisms of institutional discrimination. On the one hand, there is the recommendation to send migrant children to comprehensive schools on the basis of principle (as in this case the decision for a certain school type does not have to be made by the primary school teacher); on the other hand, "newcomers entering education at a later stage" (*Seiteneinsteiger*) are sent to preparatory and collective classes that mostly exist at the *Hauptschule*. Beside this direct form of discrimination, one can also assume indirect discrimination. Migrant children are often denied recommendation for grammar school attendance, despite good marks. Latent language problems, anticipated lack of support by the parents and too little social integration in the German-speaking social environment are given as reasons.

Conclusively it can be stated that Gomolla and Radtke indeed point out intersections in the German education system at which discrimination might occur frequently. However, the authors describe these disadvantages for migrant children as the result of organisational operating and functional interests of individual schools⁴⁰ (e.g. homogeneous classes), organisational differentiations of the school (e.g. special needs school for children with learning difficulties, supportive classes) as well as the result of individual preferential decisions and the involved parties' professional styles. A clear distinction of *individual and institutional discrimination* would have to be made here. For that reason it should also be discussed to what extent distinctive features of individual schools or the behaviour of certain teachers as well as school headmasters cause discrimination against pupils from migrant families, before one raises the question of institutional discrimination in schools.

⁴⁰ It has to be mentioned that certain organisational operating and functional interests of the school might possibly have positive effects on the integration of migrant children. If a school has to make sure that it attracts a sufficient number of pupils it might possibly happen that this school accepts migrant children to an increased extent in order to ensure the necessary overall number of pupils.

10.4.9. Research on the relevance of factors in school on right-wing extremism

In their research, Krüger and Pfaff (2001) do not raise the question as up to which extent pupils are xenophobic, but they want to present long-term developments and the relevance of factors in school (atmosphere, school organisation) for right-wing extremism. To approach this research question, xenophobic attitudes at various schools in Saxony-Anhalt were gathered at three consecutive points in time (1993, 1997, 2000). In addition, the authors compared data on school organisation (e.g. type of school) in order to identify potential differences between highly affected and less affected schools. Finally, two schools were analysed in greater detail (one with high, one with low xenophobia) by group discussions.

The following results were recorded: like Würtz, the authors noted that the *type of school* is an important predictor of how a school is affected by xenophobia, although they point out that this might also correlate with the pupils' age given that the researched phenomena decrease in higher years (cf. *ibid.* p. 19). Other tendencies such as *regional differences* (rural schools are more affected than urban schools) and differences in the *level of education* (schools with a lower education level are more affected, e.g. schools with business training versus vocational preparation) are important. This, however, is not a sufficient explanation, as it can be seen in only one researched school, which happens to have an unfavourable location and type of school, but is not affected to a high degree by xenophobia. For that reason Krüger and Pfaff also analysed differences concerning the *school atmosphere and school-cultural differences*, for example dimensions of interaction, teacher-pupil-relationships, concrete forms of the lessons, subjective feelings in social relationships in schools, and emphatic pupil-oriented action of the teachers. They reach the conclusion that active participation of pupils in the organisation of school life is an important aspect of opposing xenophobia in schools (cf. *ibid.*, p. 20). Authoritarian actions by teachers or missing mediation potential in school, in contrast, seem to have a negative impact.

10.4.10. Research on xenophobia in schools (Würtz 2000)

In her research, Würtz also focuses on the question if and why xenophobia happens in German schools. She does not look at xenophobic violence, but at causes and quantitative proportions of xenophobia and the various images young people have about people of other ethnic backgrounds. The project did not aim to formulate differentiated statistical statements on the quantitative proportions of xenophobic attitudes, but to identify the way young people view the problem (cf. *ibid.*, p. 132). As a research method, 27 group discussions with pupils (partly complete classes, partly groups across classes such as class spokesmen or particularly problematic pupils) and 13 group discussions with teachers were carried out. The results can assist further research as well-founded hypotheses:

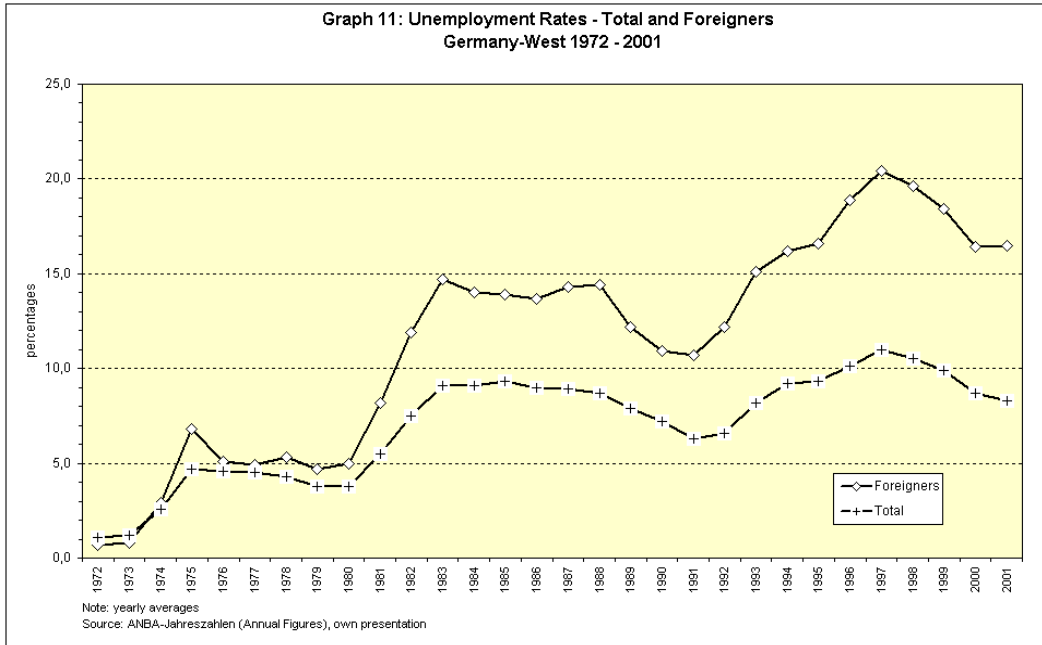
- Xenophobia in schools in *East Germany* is higher than in schools in West Germany; there seems to be a gap between pupils along political views of "Left" and "Right."
- Xenophobia varies according to *type of school and level of education*. These attitudes tend to occur less frequently at vocational schools, *Realschule* and

Gymnasium and more frequently at *Hauptschule*, East-German regular schools and special needs schools. There are, however, exceptions due to specific factors of the environment and the catchment area of schools, leading to the effect that schools in more demanding educational tracks are also affected by xenophobia.

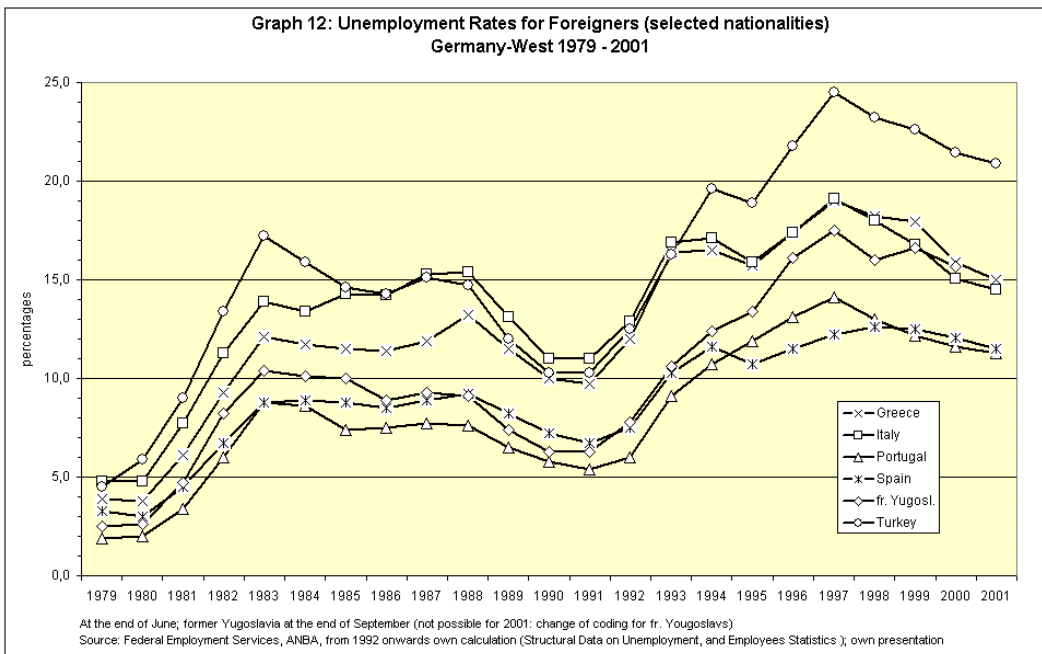
- The ***number of migrants and the development of the migrant population*** can influence the atmosphere at German schools. As a general tendency one can note that residential facilities for asylum seekers and ethnic Germans (*Aussiedler*) in the immediate vicinity of schools generally contribute to increased fears of local people and their anger towards migrants. Particularly in the case of an increasing number of non-German pupils which might be temporary but quantitatively important, strong xenophobic attitudes of the German classmates are noticeable.
- Würtz assumes that ***"Common sense"*** is possibly impaired when interaction with foreigners or the unknown becomes necessary. The presence of this foreign or unknown in the media seems to be a sufficient ground for impairment. However, Würtz points out that the respective ***"Common sense"*** is not rigid, but subject to negotiations, and might even be negotiated with the foreigners and unknown themselves. Problems of these joint negotiations are possible communication difficulties due to the migrants' language deficits, and the lack of opportunity for such negotiations, as is the case in East Germany (cf. *ibid.* p.242ff.)
- According to Würtz, the following additional causes of xenophobic attitudes can be noted: ***supposed competition***, specifically the perception that foreigners would be ***treated preferentially*** compared to Germans (e.g. exaggerated supportive measures for integration by teachers) and perceived ***dissociation by the migrants*** (e.g. by speaking in the mother tongue).

10.5. GRAPHS ON THE CORRELATION OF SCHOOL EDUCATION AND LABOUR MARKET

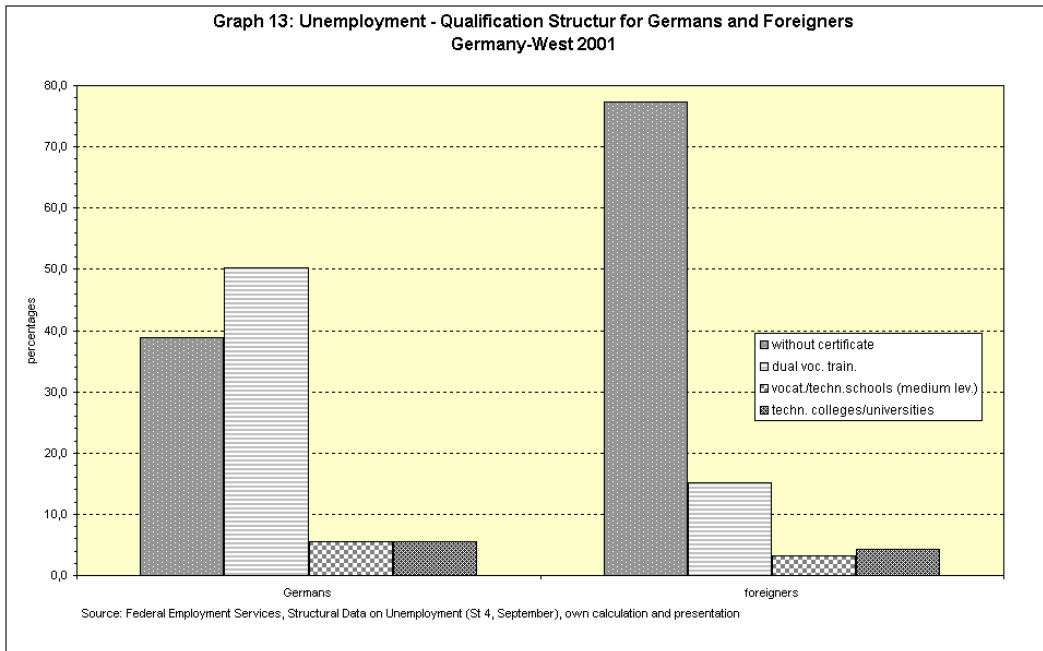
Graph 1: Unemployment Rates – Total and Foreigners Germany-West 1972 bis 2001



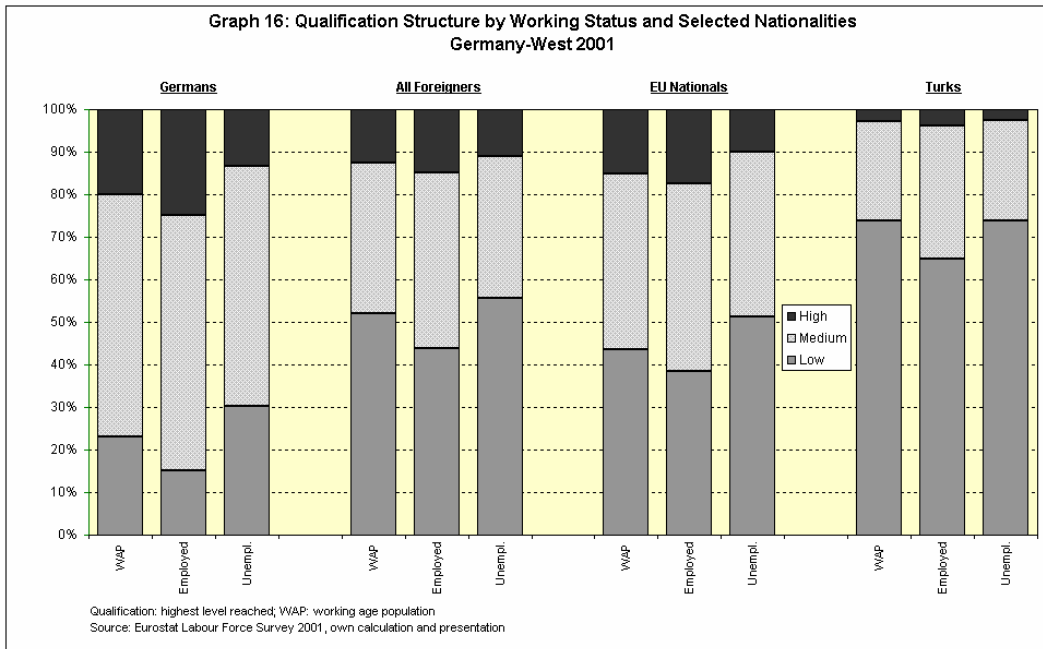
Graph 2: Unemployment Rates for Foreigners (selected nationalities) Germany-West 1979-2001



Graph 3: Unemployment – Qualification Structure for Germans and Foreigners Germany-West 2001



Graph 4: Qualification Structure by Working Status and selected Nationalities Germany-West 2001



10.6. MEASURES AT THE TRANSITION BETWEEN SCHOOL AND PROFESSION

As becomes clear from the over-proportional participation of young migrants in school-based preparatory measures for employment (vocational preparatory year or vocational foundation year) and from the decreasing participation in training in the dual system, it is increasingly difficult for young migrants to enter into vocational training after completing school. In addition to the general risk of youth unemployment which affects all young people, it is some of the disadvantaged groups in particular, to which young migrants also belong, who face an especially high risk of unemployment. The disadvantage here exists "when a person's chances of finding work are significantly reduced as a consequence of personal characteristics, or if this person does find work, but only in menial employment (with an unsecured employment status, a very high degree of flexibility, poor level of payment, etc.)" (Nicaise/Bollens 2000, p. 13).

Therefore, brief mention should be made of some of the measures which are aimed at facilitating the transition between school and profession, and the participation of young migrants in these offers of training should be examined.⁴¹

10.6.1. School-based preparatory measures for employment

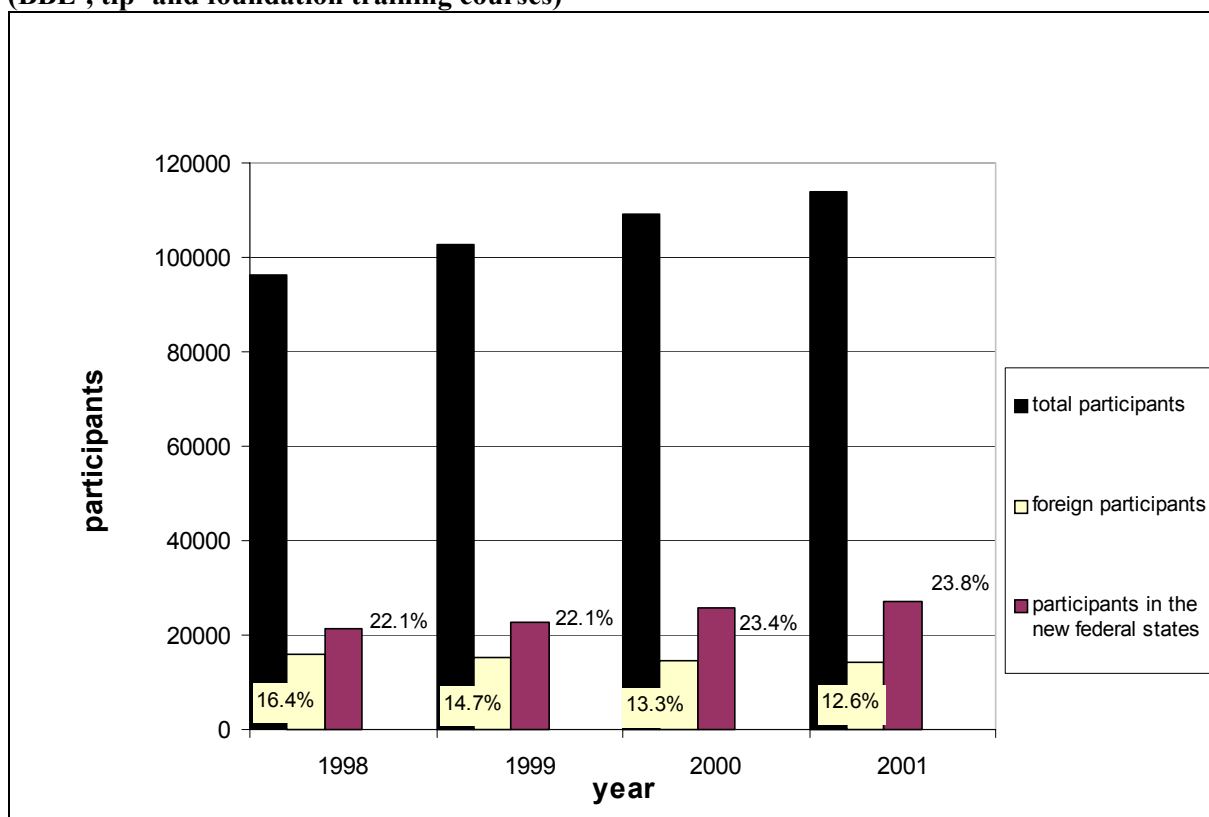
The aim of school-based preparatory measures for employment is for young people to obtain the skills to take up vocational training. In the case of the *Berufsvorbereitungsjahr* (a one-year preparatory course for employment), this is to be achieved, above all, by allowing the *Hauptschule* (secondary modern school) qualification to be obtained later than usual, for example, or by making up for deficits (for example, by improving the pupil's German skills). In the *Berufsgrundbildungsjahr* (vocational foundation year), job-related qualifications are emphasised more strongly. Here qualifications can be obtained in specific areas, such as metalwork or housekeeping. Successful completion of this one-year basic vocational training course can result in this period being counted as a part of the vocational training in the dual system. As already mentioned, the participation rates show that school-based preparatory vocational measures quantitatively play a significant role for non-German pupils. Clearly directed support of young people who are not yet ready for vocational training, for example, in the form of a preparatory year, is principally to be evaluated positively as well. It is problematic, however, that the participants in such preparatory years have differing individual prerequisites and interests; thus, attention can only partially be paid to specific problematic situations such as insufficient German skills, for example (cf., for example, Bundesministerium für Bildung und Forschung 1997, 30f.).

⁴¹ For more detailed information on the transition from school to profession, see the analytical study on the field of employment.

10.6.2. Preparatory measures for employment offered by the Federal Employment Office (*Bundesanstalt für Arbeit*)

In 2000, a total of 14,482 young foreigners participated in professional preparatory courses offered by the Federal Employment Office. This constituted a decrease of approximately 600 participants compared to the previous year, although the total number of participants has increased.

Illustration 1: Participation of young migrants in preparatory measures for employment offered by the Federal Employment Office (*Bundesanstalt für Arbeit*) (BBE-, tip- and foundation training courses)



Source: Managerial reports of the Federal Employment Office; own calculations and presentation

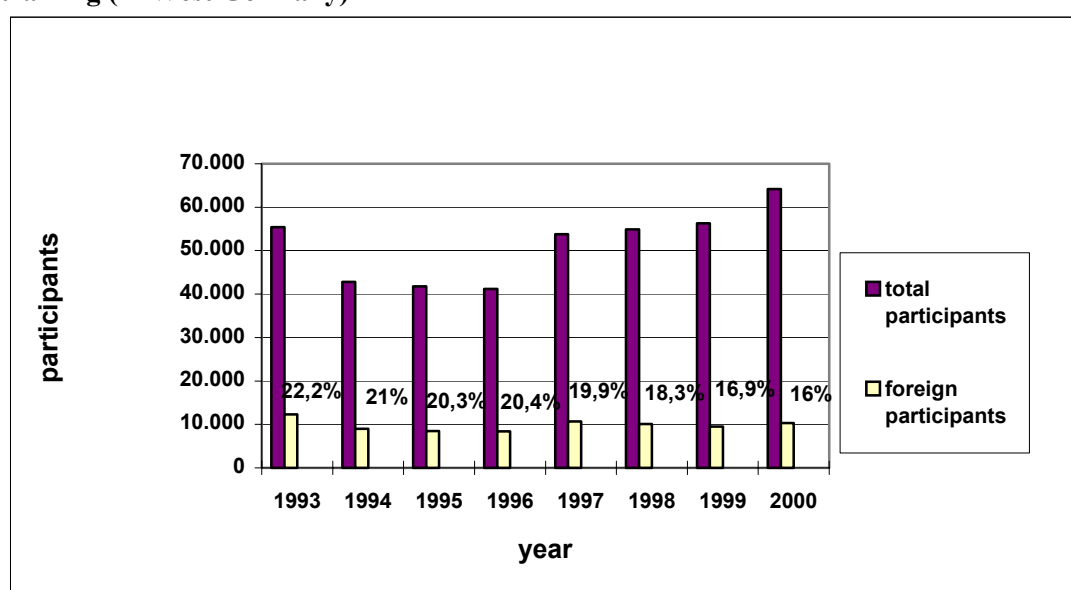
10.6.3. Measures according to SGB III (Code of Social Law)

Germans and foreigners under the age of 25 who were not able to obtain an apprenticeship place despite participating in preparatory measures for employment can participate in professional training measures in line with the Code of Social Law III, which comprise among others:

Assistance offered parallel to training should be mentioned as a particularly and qualitatively important measure of this programme. Young people who have entered into a training contract with a firm are offered such accompanying assistance since there is a

danger that, without this help, the training may not be successfully completed for a variety of reasons – for example, because of social difficulties or psycho-sociological problems. These forms of assistance may comprise, for example, subject-based language and theory lessons, support from social education workers, but also the fostering of co-operation between young Germans and foreigners, as well as the fostering of dialogue between parents, teachers and those involved in offering vocational training on-the-job. In the year 2000, 10,300 young foreigners made use of the assistance offered during their training. Although this meant an increase in the absolute number of participants, the proportion of young foreigners has been continually decreasing since 1996.

Illustration 2: Participation of young migrants in assistance offered parallel to training (in West Germany)

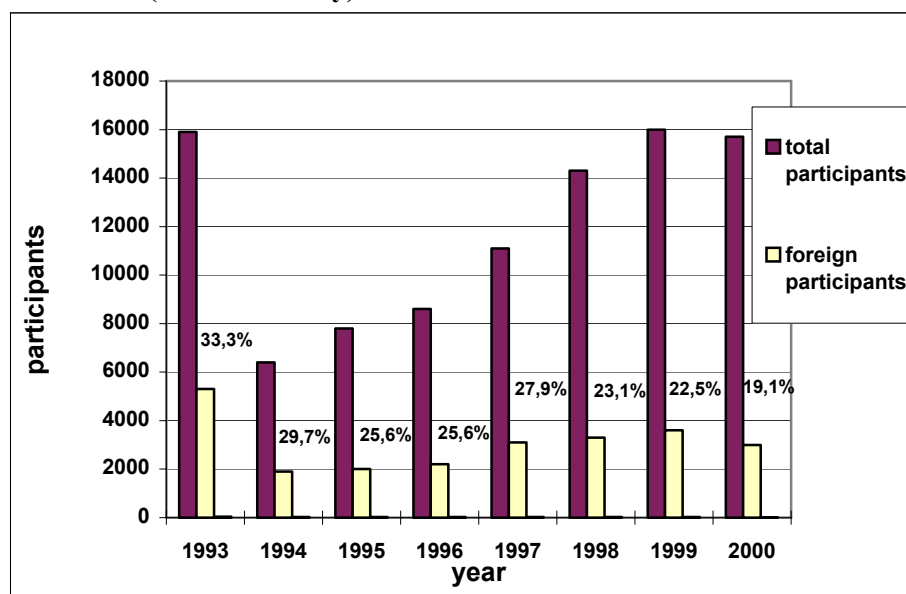


Source: Managerial reports of the Federal Employment Office; own calculations and presentation

If training is not available on-the-job despite such assistance programmes, it is still possible to complete an apprenticeship in institutions which are outside the workplace or on a higher level.

These "*off-the-job' institutions*" offer training in recognised professions, but they also give integrated, intensive support as an accompaniment to the training. Along with providing lacking general education and offering supportive measures to assist in acquiring the subject-related theory and practice, the support offered during training also comprises assistance from social education workers geared to the target group and its needs, as well as special language courses.

Illustration 3: Participation of young migrants in vocational training in 'off-the-job' institutions (West Germany)



Source: Managerial reports of the Federal Employment Office; own calculations and presentation

In 1993, 33.3% of all apprentices in "off-the-job" institutions in West Germany were of non-German origin. This proportion has dropped to 19.1% since then, however. An even more dramatic decrease in the proportion of participants would become apparent if one included East Germany, that is, those federal states formally belonging to the German Democratic Republic, as here emphasis is placed on the support for "off-the-job" training. 19,100 young people took part in this measure in Eastern Germany, while in the western part only 15,700 completed their training in such "off-the-job" institutions.

10.6.4. Immediate programme of the Federal Government

At the end of 1998, an immediate programme was instituted by the Federal Government with the aim of obtaining employment or a training course for 100,000 young people. In this programme, which is also known by the name "JUMP" ("Young people with a perspective" [own translation] *Jugend mit Perspektive*) or "100,000 Jobs", various measures have been instituted which are aimed at young people under the age of 25 who are without training or have been unemployed for at least three months (cf. Bundesanstalt für Arbeit 1999, 19). These include, for example, support for local and regional projects to utilise and increase offers of on-the-job training for applicants who do not yet have a placement. As the target group of this crash programme young migrants were explicitly named. An analysis of the target groups actually reached reveals that young people from East Germany, young people who have been unemployed on a long-term basis and disabled young people are over-represented while *young migrants are slightly underrepresented* (cf. Dietrich 2001). In 1999, 13.1% ("old" federal states: 19.3%) of the participants were of non-German origin and in the year 2000 the figure had dropped to only 10.3% ("old" federal states: 16.9%).

It is of particular importance to mention, however, that in the evaluation of the crash programme, distinctions are not only made on the basis of nationality, but also on the basis of the country in which the participants were born. Thus, it is possible to provide not only information on the participation of young migrants, but also on young ethnic German migrants (*Aussiedler*) and, in part, naturalised young people. In addition, differences can also be made between first and second generation – as long as the young people have not been naturalised. This is particularly important since the varying degrees of educational achievement of these groups can be shown and possible integration processes can be presented. In West Germany, 11.4% of migrants of the second generation, 7.4% of young migrants with foreign citizenship and 6.2% of young ethnic German migrants took part in the programme of the Federal Government.

The study of their subsequent whereabouts reveals that, after completing the programme, migrants and ethnic German migrants even have a *lower risk* of being unemployed than German young people do: in contrast to 33.5% of all participants, only 23.9% of ethnic German migrants and 28.9% of migrants face a new phase of unemployment upon completing the programme (cf. loc. cit., p. 19). However, these group-specific differences lose importance when statistically assessing the type of measure, performance at school, age, family background (above all, the professional status of the parents) and the region. Here, the structural weakness in East Germany, which especially affects young Germans, is of particular significance. A closer analysis of the assignment of specific groups of people to individual measures is still required as well (cf. *ibid.*).

10.6.5. Special measures for migrants

Alongside these general measures offered at the transition between school and employment which are open to both young Germans and migrants, there are several special measures which are explicitly directed towards young migrants. Here, we may mention *bi-national training projects*, which are measures that foster *training in "foreign-run" companies* or *networks* which aim to improve the training situation of migrants. In sum, it must be said that there is an endless variety of measures which are specially directed towards young migrants. The scope ranges from associations and action groups to larger co-operative associations and institutions which currently have branches in various towns and cities (cf. for a survey of some projects Schreiber/Schreier 2000).

Nonetheless, the general preparatory measures for employment offered by schools or the Federal Employment Office are quantitatively more important for migrants. When examining the participation quotas, a continual reduction in the proportion of young migrants can be observed.⁴² A possible cause for the reduction in the number of non-German participants in general measures relating to preparation and training for professional life could certainly be the increased support given in East Germany. Although more young people are supported as a result, the low percentage of non-Germans in East Germany indicates that young foreigners are hardly able to make use of this advantage. A closer examination of the proportion of participation in West Germany, however, reveals that this fact alone is an insufficient explanation; here, too, the

⁴² The sole exception here is in school-based preparatory measures for employment where the proportion of migrants is relatively stable. However, this is also due to the 10 years of compulsory education where many young people are obliged to take part in school-based measures if they do not start vocational training.

proportion of participation of young foreigners is decreasing even though the percentage of young foreigners among unemployed young people has not grown any less. The increased number of naturalisations⁴³ could also be a cause for the relative reduction in the number of participants in measures aimed at professional integration. However, it must be said that these numbers are still relatively low so that they cannot be seen as the sole explanation for this phenomenon.

10.7. RECOMMENDATIONS FOR THE PROMOTION OF INTEGRATION OF MIGRANTS WITHIN SCHOOL

In addition to general criticism of the measures within schools, detailed demands are repeatedly made from various quarters to implement more and above all better measures to support migrant children in the education system. Demands which are repeatedly made include (cf. Dannhäuser, Independent Commission 'Migration' 2001; and Ständige Konferenz der Kultusminister der Länder in der Bundesrepublik Deutschland 2002):⁴⁴

- The fostering of German as a second language should not only be seen as a short-term intermediate measure, but implemented for a longer term and coordinated with other teaching.
- Since the argument for implementing additional instruction in the migrants' mother tongue, namely the intention to return to the home country, has become increasingly obsolete, and because the socialisation function of this educational offer is now in the forefront, it is all the more important to base teaching in the mother tongue within the curriculum and to co-ordinate it with other teaching subjects.
- More attention should be paid to the topics of migration and integration in teaching training. This involves in particular increased training and further training of teachers for German as a second language as well as the inclusion of intercultural education within regular teacher training.
- Although intercultural education for all pupils (whether with or without a migrant background) and for all schools independent of their proportion of migrants has been incorporated into the majority of syllabi in the meantime, there are continuous demands that this should be implemented more consistently by the teaching staff and that this task should be made more concrete in the school curricula. Hereby, a change of perspective is to be achieved through which "being foreign and unfamiliar, being different and having variety is no longer interpreted as a deficit and employed for maintaining an undercurrent of exclusion, but [is seen] as enrichment and an opportunity to broaden one's own self-awareness, to deal with conflicts and to be open to change" [own translation] (Dannhäuser, p. 167).
- The parents of migrant children should be taken into account as a target group more intensively. On one hand, this comprises offers of information and advice

⁴³ In the year 2000, 31,200 young people aged between 15 and 25 were naturalised. This corresponds to a proportion of naturalisation of 2.8% in this population group (cf. *Statistisches Bundesamt* 2002).

⁴⁴ It must be kept in mind in the case of these demands that they have been implemented in part in some federal states or at least are part of various model projects. However, they have not yet been implemented nationally or have not been employed consistently.

(for example, by social workers who themselves have experience with migration and speak the parent's native tongue) and, on the other hand, also supporting language skills (for example, German courses for mothers at their children's school).

- Particularly after the PISA study indicated that the level of education in classes with a higher proportion of migrants is generally lower and thus, disadvantages result not only for the migrant children, but also for German pupils, demands were increasingly made to allow only a certain proportion of children with a non-German language in a class. A limitation of the proportion of migrants could be achieved by "bussing"⁴⁵ or by a redefinition of the catchment areas for schools. Another solution to deal with classes which have a high proportion of migrant children is suggested by the Independent Commission 'Migration' 2001: school classes with a high proportion of migrant pupils and socially disadvantaged children should be reduced in size and assigned more teachers.⁴⁶

In general, it should be kept in mind that the implementation of individual measures should not be isolated, but the individual offers in education should be linked together in an integrated concept, at least in order to guarantee a higher degree of effectiveness and to allow migrants to participate in the education system on equal footing. In the following, the present situation of migrants in the education system will be described and interpreted. To aid understanding, the basis of the data and the methodological problems involved in ascertaining it will first be presented.

⁴⁵ "Bussing" was practised in America at the end of the 1960s to prevent segregation. Mainly African-American pupils were taken to other parts of the city in school buses (for more information on "bussing" as well as empirical findings on this practice, cf. Farley 1982, pp. 333ff.). In Germany, demands are made particularly by foreign parents that this measure should apply to both German and migrant pupils. However, the introduction of "bussing" is not under serious discussion in Germany at the moment.

⁴⁶ Although it is already possible in all the federal states that schools with a high proportion of migrants can be allocated additional funds for teachers, this does not seem to be sufficient.

10.8. BACKGROUND INFORMATION

10.8.1. Non-German Population⁴⁷

At the end of 2001 about 7.3 million people in total lived in Germany with a foreign nationality. This amounts to a share of 8.9% of the total population.

Table 29: Foreign nationals and total population of Germany 1991-2001

Year	total population ¹	foreign population ¹	percentage of foreign nationals	change in foreign population (in %) ²
1991 ³	80,274,600	5,882,267	7.3	-
1992	80,974,600	6,495,792	8.0	+10.4
1993	81,338,100	6,878,117	8.5	+5.9
1994	81,538,600	6,990,510	8.6	+1.6
1995	81,817,500	7,173,866	8.8	+2.6
1996	82,012,200	7,314,046	8.9	+2.0
1997	82,057,400	7,365,833	9.0	+0.7
1998	82,037,000	7,319,593	8.9	-0.6
1999	82,163,500	7,343,591	8.9	+0.3
2000	82,259,500	7,296,817	8.9	-0.6
2001	82,440,400	7,318,628	8.9	+0,3
2002 ⁴	82,526,000	7,329,000	8,9	+0,1

Source: Federal Statistical Office

1) as of 31st December. Registered as foreigners are all persons who do not possess the German nationality (including stateless persons and persons whose nationality is not clear). Persons with multiple citizenship, who are nationals both of Germany and an additional country, are registered as German citizens.

2) annual change, i.e. compared to previous year.

3) since 31st December 1991, data refers to German territory as of 3rd October 1990.

4) As of 30th September.

About a quarter of the foreigners comes from a member state of the European Union (about 1.873 people, about a third of them Italians), 27.4% are Turkish nationals and about 15% had the nationality of one of the succession states of Ex-Yugoslavia.

Table 30: Non-German Residents in Germany according to the main nationalities 1990-2001

	Total	Turkey	Yugoslavia ²	Italy	Greece	Poland	Croatia	Bosnia-Herzegovina	others
1990	5,342,532	1,694,649	662,691	552,440	320,181	242,013	-	-	1,870,558
1991	5,882,267	1,779,586	775,082	560,090	336,893	271,198	-	-	2,159,418
1992	6,495,792	1,854,945	915,636	557,709	345,902	285,553	82,516	19,904	2,433,627
1993	6,878,117	1,918,400	929,647	563,009	351,976	260,514	153,146	139,126	2,562,299
1994	6,990,510	1,965,577	834,781	571,900	355,583	263,381	176,251	249,383	2,573,654
1995	7,173,866	2,014,311	797,754	586,089	359,556	276,753	185,122	316,024	2,638,257
1996	7,314,046	2,049,060	754,311	599,429	362,539	283,356	201,923	340,526	2,722,902

⁴⁷ Detailed „Data and Facts on the Situation of Foreigners“ can be found at www.integrationsbeauftragte.de/daten (11.06.2004).

1997	7,365,833	2,107,426	721,029	607,868	363,202	283,312	206,554	281,380	2,609,986
1998	7,319,593	2,110,223	719,474	612,048	363,514	283,604	208,909	190,119	2,831,702
1999	7,343,591	2,053,564	737,204	615,900	364,354	291,673	213,954	167,690	2,899,252
2000	7,296,817	1,998,534	662,495	619,060	365,438	301,366	216,827	156,294	2,976,803
2001	7,318,628	1,947,938	627,523	616,282	362,708	310,432	223,819	159,042	3,070,884

Source: Federal Statistical Office

1) since 1991, data refers to German territory as of 3rd October 1990.

2) Yugoslavia in 1992 comprises Serbia, Macedonia and Montenegro, from 1993 only Serbia and Montenegro.

55% of all non-Germans have been living in Germany for **more than ten years**. With regard to non-German employees and their families from former recruiting countries this rate is even higher: 67% of the Turks, 71.7% of the Greek, 73.6 of the Italians and 78.5% of the Spanish people have been living in Germany for ten years or longer. Among the 7.3 million non-Germans 1.614 million (about 22%) were **born in Germany**; among the non-Germans under 18 years old the proportion of people who were born in Germany rises to almost three quarters (72.9%). How this is reflected in the **residence status** of the non-German population can be gathered from the following table.

Table 31: Residence status¹ of non-German residents of selected nationalities (31st December 2000)

Nationality	Residence status							
	Total ⁴	Residence permit		Residence entitlement	Residence allowance	Residence authorisation	Leave of residence	Toleration certificate
		limited	unlimited					
Turkey	1,998,534	712,880	624,314	465,133	7,459	26,354	28,881	14,405
FR Yugoslavia ²	662,495	114,781	160,927	98,697	3,706	24,439	56,239	120,381
Bosnia-Herzegovina	156,294	41,723	29,497	22,838	2,961	6,535	3,376	34,303
Poland	301,366	88,721	74,776	7,821	50,170	7,728	437	1,215
Croatia	216,827	44,218	81,584	69,125	8,404	986	269	2,452
Russian Federation	115,856	38,424	47,415	353	8,522	2,014	3,245	1,831
Iran	107,927	22,204	39,295	10,808	2,133	8,277	11,007	2,036
Romania	90,094	20,777	16,070	665	15,845	2,387	2,315	1,059
Ukraine	89,282	15,680	57,297	88	4,852	1,108	469	731
Vietnam	84,138	23,493	25,886	1,707	1,330	9,329	2,662	9,216
Morocco	80,266	31,412	23,656	9,400	5,779	242	327	384
Afghanistan	72,199	8,768	12,828	228	246	20,536	14,564	13,124
Iraq	60,913	3,393	10,872	87	126	25,558	12,380	2,397
Sri Lanka	50,579	15,121	10,536	2,987	288	5,744	4,694	2,994
Hungary	54,437	10,800	14,141	4,271	16,448	331	46	77
Lebanon	51,375	12,798	7,636	363	550	14,547	2,121	5,397
China	50,885	14,215	4,956	932	17,177	2,409	2,940	2,257
Tunisia	24,136	8,740	7,164	2,864	1,366	154	298	111
Total³	7,296,817	1,727,381	2,037,428	809,883	262,711	199,233	199,831	261,506

Source: Federal Government Commissioner for Foreign Resident Affairs, Federal Administrative Office (Central Register for Foreigners)

1) Foreign-resident law in Germany differentiates between the following residence titles:

A Residence Entitlement (Aufenthaltsberechtigung) can be granted on application to foreign residents who have been legal residents of Germany for eight years, provided that further requirements are met (e.g. that applicants are able to earn their own living without resorting to welfare payments). Residence entitlements

are the most secure residence title since they are unlimited, i.e. there are no restrictions concerning the duration and place of residence.

A Limited Residence Permit (befristete Aufenthaltserlaubnis) forms the basis for a subsequent permanent residence status. In accordance with the duration of the residence, the residence status becomes legally more secure. Residence permits are granted unrelated to the purpose of residence in Germany.

An Unlimited Residence Permit (unbefristete Aufenthaltserlaubnis) constitutes the first step towards a permanent residence status. The main condition is that the applicants have been legal residents (with a limited residence permit) for at least five years. If further requirements are met, applicants are entitled to receive this residence status.

A Residence Allowance (Aufenthaltsbewilligung) allows residence for a clearly defined purpose; consequently, it limits the duration of residence (e.g. for university students, contract workers).

A Residence Authorisation (Aufenthaltsbefugnis) is granted because of international law, or for humanitarian or political reasons. It can only be extended if these humanitarian grounds continue to apply. This residence status is granted to, among others, quota and civil-war refugees.

Leaves of Residence (Aufenthalts gestattet) and Toleration Certificates (Duldung) constitute two further legal titles which, however are not classified as residence titles. A leave of residence is granted to asylum seekers for the duration of asylum procedures, and limits their right to movement to the district they have been allocated to by the authorities. A toleration certificate provides temporary protection against deportation, without repealing the general obligation to leave the country.

2) Category includes all persons registered by the Central Register for Foreigners as Yugoslavian nationals (on a set date).

3) The difference between the sum of different residence titles and the category "total" is, at least partly, due to the fact that EU nationals are virtually exempt from residence regulations. About 409,319 EU nationals had a limited Residence Permit – EC, a further 416,349 persons an unlimited Residence Permit – EC.

4) If one sums up individual columns, it becomes obvious that these sums differ, in part considerably, from the total given for individual countries. E.g. there are no data on the residence status of almost 120,000 Turkish nationals or of 34% of Romanian nationals.

Table32: Residence status of non-German residents of selected nationalities (31st December 2001)

Nationality	Residence status							
	Total ³	Residence permit		Residence entitlement	Residence allowance	Residence authorisation	Leave of Residence ³	Toleration certificate
		limited	unlimited					
Turkey	1,947,938	668,000	638,923	457,896	8,223	29,724		14,749
FR Yugoslavia ¹	627,241	111,241	155,984	94,700	3,694	41,366		102,783
Bosnia-Herzegovina	159,042	40,767	34,760	24,099	3,197	21,506		19,277
Poland	310,432	88,662	82,181	8,284	54,638	6,688		1,126
Croatia	223,819	42,405	87,696	72,124	8,519	1,392		2,078
Russian Federation	136,080	46,279	54,312	434	10,131	2,064		2,662
Iran	98,555	19,556	34,974	9,419	2,328	8,621		2,731
Romania	88,102	21,890	17,222	701	15,573	2,303		1,007
Ukraine	103,477	19,395	65,161	105	6,745	1,049		790
Vietnam	85,910	25,261	23,000	4,568	1,445	9,748		9,459
Morocco	79,444	30,376	23,750	9,112	6,672	277		374
Afghanistan	71,662	9,183	14,210	221	324	21,422		11,009
Sri Lanka	46,632	14,627	9,989	3,081	302	5,832		2,744
Hungary	55,978	10,952	14,709	4,316	17,524	296		72
Lebanon	49,109	12,567	7,592	360	752	13,823		5,166
China	63,111	15,751	5,379	1,020	26,705	1,951		2,860
Tunisia	24,066	8,657	7,271	2,682	1,610	160		141
Total	7,318,628	1,682,516	2,015,234	797,822	296,328	247,772		233,224

Source: Federal Government Commissioner for Foreign Resident Affairs, Federal Administrative Office (Central Register for Foreigners)

- 1) Category includes all persons registered by the Central Register for Foreigners as Yugoslavian nationals (on a set date).
- 2) The difference between the sum of different residence titles and the category "total" is, at least partly, due to the fact that EU nationals are virtually exempt from residence regulations. About 397,282 EU nationals had a limited Residence Permit – EC, a further 516,075 persons an unlimited Residence Permit – EC.
- 3) Data for 2001 has not been available yet.

Apart from considering the non-German population in Germany one must not forget that a large number of naturalised persons live in Germany, too. Looking at the naturalisation figures it becomes clear that the number of migrants who naturalised between 1995 and 2001 has more than doubled. This development might also have been accelerated by the *Law on the Reform of the Citizenship Bill* from July 15, 1999 (in force since January 1, 2000) which makes it easier for migrants to obtain the German nationality.

Table 33: Naturalisation broken down by former nationalities 1995-2001

	Total	Turkey	Iran	Yugoslavia	Afghanistan	Morocco	Lebanon	Croatia	Bosnia-Herzegovina	Vietnam
1995	71,981	31,578	874	3,623	1,666	3,397		2,637	2,010	3,430
1996	86,356	46,294	649	2,967	1,819	3,149	784	2,391	1,926	3,553
1997	82,913	39,111	919	1,989	1,454	4,010	1,134	1,789	995	3,119
1998	106,790	53,696	1,131	2,404	1,118	4,971	1,692	2,198	3,469	3,452
1999	143,267	103,900	1,863	3,608		4,980	2,515	1,648	4,238	2,597
2000	186,688	82,861	14,410	9,776	4,773	5,008	5,673	3,316	4,002	4,489
2001	178,098	75,573	12,020	12,000	5,111	4,425	4,486	3,931	3,791	3,014

Source: Federal Statistical Office

10.8.2. Migration flows

Over the last ten years, migration flows to and from Germany have been influenced by several factors. One important factor was the **fall of the "iron curtain"**, which allowed migration outflows from the former Eastern-European bloc. As for Germany, it has led to an increase in migration inflows of ethnic German immigrants ("*Aussiedler*") and asylum applicants from Eastern Europe. Secondly, the **civil wars** in former Yugoslavia resulted in considerable migration inflows of war and civil-war refugees, especially in the early 1990s. Thirdly, labour migration from neighbouring states, particularly Poland and the Czech Republic, has increased, too. As for migration flows to and from Poland, a distinct culture of "commuter migration" has developed, i.e. Polish nationals enter Germany for a limited period of time in order to seek temporary work.

Table 34: Migration in- and outflows across the borders of the Federal Republic of Germany (1992-2001)

Year	Inflows			Outflows			Net migration (inflows – outflows)	
	Total	of which: non-Germans	Percentage	Total	of which: non-Germans	Percentage	Total	of which: non-Germans
1992	1,502,198	1,211,348	80.6	720,127	614,956	85.4	+782,071	+596,392

1993	1,277,408	989,847	77.5	815,312	710,659	87.2	+462,096	+279,188
1994	1,082,553	777,516	71.8	767,555	629,275	82.0	+314,998	+148,241
1995	1,096,048	792,701	72.3	698,113	567,441	81.3	+397,935	+225,260
1996	959,691	707,954	73.8	677,494	559,064	82.5	+282,197	+148,890
1997	840,633	615,298	73.2	746,969	637,066	85.3	+93,664	-21,768
1998	802,456	605,500	75.5	755,358	638,955	84.6	+47,098	-33,455
1999	874,023	673,873	77.1	672,048	555,638	82.7	+201,975	+118,235
2000	840,771	648,846	77.2	673,340	562,380	83.5	+167,431	+86,466
2001	879,217	-	-	606,494	-	-	+272,723	-

Source: Federal Statistics Office

Groups of migrants

Groups of migrants can be differentiated, firstly, according to their legal status on entering Germany, and secondly, according to their residence title. These migration and residence regulations have a crucial impact on the living situation of migrants. For each migrant, it makes a huge difference whether he or she has entered Germany as an asylum seeker, contract worker or ethnic German immigrant ("Aussiedler"). In the following, we will outline the following **types of migration**:

- - EU-internal migration
- - labour migration
- - asylum seekers and quota refugees
- - ethnic German immigrant ("Aussiedler").⁴⁸

EU-internal migration

According to EU regulations (EEC Residence Regulations, as of 31st January 1980; EC Decree on Freedom of Movement, as of 17th July 1997) EU nationals enjoy freedom of movement within the European Union, provided certain requirements are given. First and foremost, gainfully employed persons (employees, self-employed persons and service providers) enjoy this privilege. In addition, spouses, direct descendants (children and grandchildren younger than 21 years) as well as parents and grandparents can accompany EU migrants, provided that the latter are able to provide for the maintenance of his or her family members. Europe's development from an economic community to a more deeply integrated European Union has given EU nationals and their family members the right to free movement within the EU, even if their migration to another EU-country is not economically motivated (EC Decree on Freedom of Movement, as of 17th July 1997).

⁴⁸ In addition to these types of migration, the following groups also have to be mentioned: Family and spouse migration of third-country nationals, migration inflows of Jews from the territories of the former Soviet Union, war, civil-war and de-facto refugees, non-German university students.

Table 35: Migration in- and outflows of EU-nationals to and from Germany: 1990 - 2001¹

	total inflows	inflows of EU-nationals ¹	percentage	total outflows	outflows of EU-nationals ¹	percentage
1990 ²	1,256,593	118,421	9.4	574,378	85,108	14.8
1991	1,198,978	128,142	10.7	596,455	96,727	16.2
1992	1,502,198	120,445	8.0	720,127	94,967	13.2
1993	1,277,408	117,115	9.2	815,312	99,167	12.2
1994	1,082,553	139,382	12.9	767,555	117,486	15.3
1995	1,096,048	175,977	16.1	698,113	140,113	20.1
1996	959,691	171,804	17.9	677,494	154,033	22.7
1997	840,633	150,583	17.9	746,969	159,193	21.3
1998	802,456	135,908	16.9	755,358	146,631	19.4
1999	874,023	135,268	15.5	672,048	141,205	21.0
2000	841,158	130,683	15.5	674,038	126,360	18.7
2001	879,217	120,590	13.7	606,494	120,408	19.9

Source: Federal Statistical Office

1) Nationals of the following 14 EU member states: Austria, Belgium, Denmark, Finland, France, Greece, Ireland, Italy, Luxembourg, the Netherlands, Portugal, Spain, Sweden and the United Kingdom (German citizens are not included).

2) as of 1990: West Germany.

Labour migration

On principle, nationals of non-EU member states or other states participating in the EEA (European Economic Area) are not entitled to enter Germany for the sake of taking up gainful employment. However, there are some exceptions, as outlined in the **Decree on Exceptions to the Ban on Allocating Foreign Labour** (*Anwerbestoppausnahmeverordnung – ASAV*⁴⁹). It is the goal of this decree to provide a legal channel for migrants from Eastern Europe and thus prevent illegal immigration. In addition, the programme helps to compensate for the labour shortage in some sectors of the German economy.

Under these regulations, Eastern European labour, especially from Poland and the Czech Republic, has been given an opportunity to take up employment in Germany. The majority of these labour migrants works as seasonal or contract workers. In 2001, the number of allocations of non-German seasonal workers amounted to 254,000, the number of non-German contract workers to 47,000. In addition, the passing of the so-called Green-Card regulations has opened up a new channel for migration inflows of **IT experts**. Under these rules, non-German information technology experts (who are not citizens of countries participating in the EEA) can be employed in Germany for a period

⁴⁹ According to §9, the following nationalities are exempted from the recruitment ban: nationals of EFTA states, the USA, Canada, Israel, Australia, New Zealand, Japan and small European states. According to §§2 to 5, the following professions are also exempted: contract workers, language teachers, specialist chefs, scientists, social workers and clergy for foreign nationals, nursing staff from Eastern European countries as well as artists and performers. Further exceptions exist for highly qualified specialists whose employment is in the national interest.

of up to five years. Work permits can also be allocated to non-German graduates of German universities and colleges who take up employment after graduation. Until May 2002, a total of 11,984 Green Cards or work permits has been granted to non-German IT specialists.

Foreign nationals that are residents of Germany and want to take up gainful employment have to apply for **work authorisation**, with the following groups being exempted from this obligation: EU nationals and citizens of EEA member states, persons holding a residence entitlement, and foreign nationals that were born in Germany and hold an unlimited residence permit. Work authorisation can be granted in two forms: firstly, in the form of a work permit in cases where job vacancies cannot be filled by German workers (or other European labour with a comparable legal status); secondly in the form of a work entitlement, which can be granted on condition that non-German residents have been legally employed in Germany for at least five years. Work permits can be temporary or limited to certain sectors of the economy. Work entitlements, on the other hand, are generally granted for an unlimited period of time.

Asylum seekers and refugees under the Geneva Convention

According to Art.16a Basic Law, non-Germans subject to political persecution have the constitutional right to asylum in Germany. Persons recognised as entitled to political asylum are granted an unlimited residence permit. In 2001, a total of 5,716 applicants were recognised as entitled to asylum (recognition rate: 5.3%).

In addition to the right to political asylum according to Art. 16a Basic Law, there is also the possibility of granting what is commonly referred to as the "little asylum" ("kleines Asyl") according to §51 Par.1 Foreigners Act (*Ausländergesetz*), based on the Geneva Convention for Refugees (Art.33). Persons recognised as convention refugees are granted a residence authorisation which is limited to a period of two years. This period can be extended if the persecution risk persists. In 2001, a total of 17,003 persons were recognised as protected against deportation. This equals a quota of 15.9%, in relation to all decisions passed by the Federal Office for the Recognition of Foreign Refugees (*Bundesamt für die Anerkennung ausländischer Flüchtlinge*).

In addition, §53 Foreigners Act requires that persons are also **protected against deportation** if they are threatened by torture, capital punishment, inhuman punishment or other imminent dangers to life and limb or to their freedom. These foreign nationals can be granted a **limited toleration certificate**. Once this period of toleration expires, these persons are under a legal obligation to leave the country. If repatriation is not admissible, for the reasons stated above, toleration certificates can be extended. In 2001, 3,383 persons were recognised as protected against deportation according to §53 Foreigners Act (a quota of 3.2%).

These two groups are thus legally protected against deportation, but their **residence status is relatively insecure**. Furthermore, they face restrictions in labour market access (a one-year waiting period and a subordinate status in comparison to EEA nationals).

The number of asylum seekers reached its peak in 1992, with almost 440,000 asylum applications, and has continuously decreased ever since. In 2001, the total of applications amounted to 88,287.

Table 36: Decisions of the Federal Office for the Recognition of Foreign Refugees between 1990 and 2002

year	number of decisions	entitled to political Asylum according to Art. 16/16a Basic Law	% ¹	protected against deportation according to §51Par.1 Aliens Act	% ²	impediments to deportation according to §53 Aliens Act ³	%	rejected	% ⁴	other completed cases ⁵	% ⁶
1990	148,842	6,518	4.4	<i>n.a.</i>	<i>n.a.</i>			116,268	78.1	26,056	17.5
1991	168,023	11,597	6.9	<i>n.a.</i>	<i>n.a.</i>			128,820	76.7	27,606	16.4
1992	216,356	9,189	4.2	<i>n.a.</i>	<i>n.a.</i>			163,637	75.6	43,530	20.1
1993	513,561	16,396	3.2	<i>n.a.</i>	<i>n.a.</i>			347,991	67.8	149,174	29.0
1994 ⁷	352,572	25,578	7.3	9,986	2.8			238,386	67.6	78,622	22.3
1995	200,188	18,100	9.0	5,368	2.7	3,631	1.8	117,939	58.9	58,781	29.4
1996	194,451	14,389	7.4	9,611	4.9	2,082	1.1	126,652	65.1	43,799	22.5
1997	170,801	8,443	4.9	9,779	5.7	2,768	1.6	101,886	59.7	50,693	29.7
1998	147,391	5,883	4.0	5,437	3.7	2,537	1.7	91,700	62.2	44,371	30.1
1999	135,504	4,114	3.0	6,147	4.5	2,100	1.6	80,231	59.2	42,912	31.7
2000	105,502	3,128	3.0	8,318	7.9	1,597	1.5	61,840	58.6	30,619	29.0
2001	107,193	5,716	5.3	17,003	15.9	3,383	3.2	55,402	51.7	25,689	24.0
2002	130,128	2,397	1.8	4,130	3.2	1,598	1.2	78,845	60.6	43,176	33.2

Source: Federal Office for the Recognition of Foreign Refugees (BAFI: Statistics on Administrative Cases)

1) In order to obtain the rate of approval, the total of individual cases is divided by the number of people entitled to asylum.

2) Percentage of asylum applicants that are protected against deportation, in relation to total of asylum decisions.

3) Since 1999, impediments to deportation according to §53 Aliens Act have been statistically registered as a separate category. In the years 1995 to 1998, respective figures were not included in the total of decisions.

4) Percentage represents quotient of rejections and total of asylum decisions.

5) This category comprises, among other things, withdrawn applications (e.g. because of return or transit migration).

6) Proportion of "other completed cases" to total decisions on persons.

7) Only since April 1994 persons that are protected against deportation according to §51 Par.1 Aliens Act have been statistically registered as a separate category. In previous years, their percentage amounted to 0.3% to 0.5% of all decisions (figures based on manual count).

Table 37: Asylum applicants from selected source countries: 1990-2002

Year	Total	Europe	Africa	America and Australia ²	Asia	Stateless persons and others
1990	193,063	101,631	24,210	402	60,900	5,920
1991 ¹	256,112	166,662	36,094	293	50,612	2,451
1992	438,191	310,529	67,408	356	56,480	3,418
1993	322,599	232,678	37,570	287	50,209	1,855
1994	127,210	77,170	17,341	214	31,249	1,236
1995 ³	127,937	67,411	14,374	235	45,815	102
1996	116,367	51,936	15,520	380	45,634	2,897
1997	104,353	41,541	14,126	436	45,549	2,701
1998	98,644	52,778	11,458	262	31,971	2,176
1999	95,113	47,742	9,594	288	34,874	2,615
2000	78,564	28,495	9,593	338	37,239	2,899

2001	88,287	29,473	11,893	263	45,622	1,027
2002	71,127	25,631	11,765	187	32,746	792

Sources: Federal Office for the Recognition of Foreign Refugees, Federal Ministry of the Interior

1) Since 1991 figures are for the whole of Germany.

2) 1997 and 1998 America only (without Australia).

3) Since 1995, the BAFI statistics differentiate between initial and follow-up applications. For the years after 1995 data refers to initial applications.

Ethnic German immigrants (Aussiedler)

Under §4 Par.3 *BVFG* (Federal Law on Displaced Persons), *Aussiedler* are legally considered as **Germans** according to Art.116 Basic Law. The legal requirements are that they are German nationals or of German descent, living in one of the areas recognised in the *BVFG* as German settlement areas. Under the 1993 Law on Resolving Long-term Effects of World War II (*Kriegsfolgenbereinigungsgesetz*), most *Aussiedler* are former residents of territories within the former Soviet Union. In 1993, a **quota** was imposed on migration inflows of *Aussiedler* (following an amendment of the *BVFG* and a federal law on debt reduction, as of 22nd Dec. 1999). Since then, the Federal Administrative Office (*Bundesverwaltungsamt*) responsible for the admission of *Aussiedler* is not entitled to issue more entry permits than were granted in 1998 (i.e. a total of 103,080 persons, including applicants and other family members).

Due to the rising number **inter-ethnic marriages**, the relation between *Aussiedler* and their accompanying family members has been reversed: from slightly more than 77% in 1993, to about 22% in 2001. Consequently, the great majority of entries today are accompanying non-German family members. On arrival in Germany, they are also entitled to receive German citizenship⁵⁰ and have the same legal entitlements as *Aussiedler* themselves. In 2001, approximately 98,000 persons entered Germany as *Aussiedler*. Since 1950, respective inflows of *Aussiedler* and accompanying family members have amounted to more than 4.2. million persons.

Table 38: Migration inflows of Spätaussiedler broken down by source territory: 1990-2002

Source territory	1990	1991 ³	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002
Poland	133,872	40,129	17,742	5,431	2,440	1,677	1,175	687	488	428	484	623	553
Former Soviet Union	147,950	147,320	195,576	207,347	213,214	209,409	172,181	131,895	101,550	103,599	94,558	97,434	90,587
Yugoslavia ¹	961	450	199	120	182	178	77	34	14	19	0	17	4
Romania	111,150	32,178	16,146	5,811	6,615	6,519	4,284	1,777	1,005	855	547	380	256
(Former) CSSR	1,708	927	460	134	97	62	14	8	16	11	18	22	13
Hungary	1,336	952	354	37	40	43	14	18	4	4	2	2	3

⁵⁰ On receiving their entry certificate, *Aussiedler* and accompanying family members (spouses and children) are automatically granted German citizenship. This amendment of nationality law (§7 *StAG*), which took effect as of 1st August 1999, has exempted this group from regular nationalisation procedures.

other countries ²	96	39	88	8	3	10	6	0	3	0	6	6	0
Total	397,073	221,995	230,565	218,888	222,591	217,898	177,751	134,419	103,080	104,916	95,615	98,484	91,416

Source: Federal Administrative Office (Bundesverwaltungsamt), Federal Ministry of the Interior

1) Including Croatia, Slovenia, Bosnia-Herzegovina and Macedonia, which all gained independence in 1992 and 1993 respectively.

2) "Other countries" plus inflows to Germany via a third country.

3) Figures after January 1, 1991 are for East and West Germany together.

10.8.3. Brief overview on legislation and policies in the areas migration, integration and anti-discrimination

Despite the continuously rising and permanently more diversifying immigration Germany stuck to the defensive self-characterisation that it is no country of immigration until the change of government in 1998. Only the new government coalition faced the new social reality of immigration and introduced a **new era in migration policy**. As a consequence there have been several modifications of the migration and foreigners policies and legislation especially from 2000 to 2002. This step has also been assisted by the **demographical development** of Germany as well as by a diagnosed **lack of skilled workforce** in certain sectors of the labour market. This paradigmatic shift resulted, first of all, in the 1999 reform of German **nationality law**. Further steps were marked by the appointment of an Independent Commission on Migration in summer 2000, and the passing of the so-called **Green Card Regulations** in August 2002, which broadened the access of non-German specialists to the labour market in Germany.

In 2002, finally, German parliament passed the new **Migration Law**, which was to take effect as of 1st January 2003. However, as the law has been declared invalid for formal reasons by the Federal Constitutional Court on 18th December 2002, the government introduced the law, which has not been modified, again at the beginning of the year. As the bill has to be passed by both houses of parliament, i.e. the *Bundestag* and the *Bundesrat*, it is up to a conference committee of both houses to work out a compromise between the government and the opposition. On the whole, the passing of the Immigration Law had been **welcomed in 2002 by a broad majority of organisations**, including trade unions, employers' associations, churches and charitable organisations, even though some of planned regulations have met with **criticism**. Human rights and refugee organisations, for example, have welcomed the law's extended protection for asylum seekers subject to non-governmental and gender-specific persecution, but also emphasised that some gaps would still remain in the protection of refugees.

Despite the fact that the goal of fostering integration has so far not been incorporated into law, local and state governments have already started to develop **new strategies in integration policy**. These efforts do not only aim at placing more emphasis on integration, but also at defining it as an **inter-departmental task**, e.g. by setting up new cross-cutting administrative departments.

Similar to integration, the issue of **discrimination** has so far not been regulated by one comprehensive anti-discrimination bill. However, several laws contain specific **discrimination bans**.

In the **public sphere**, protection is provided, first and foremost, by Germany's constitution, which stipulates in Art.3 Par.3 **Basic Law** (*Grundgesetz*) that it is illegal to discriminate against anybody because of their sex, descent, race, language, origin, belief, or their religious and political views. In addition, handicapped persons are also protected against discrimination. This article of the constitution applies directly to all state authorities (e.g. public schools and housing authorities), and everybody who charges public officials with discrimination is entitled to take legal action. In addition, there are detailed anti-discrimination regulations for all civil servants. For example, §8 Par.1 **Federal Civil Service Law** (*Bundesbeamtengesetz*) bans all forms of discrimination based on sex, descent, race, religion and religious or political views. Similar directives are to be found in §7 of the **Civil Service Outline Legislation** (*Beamtenrechtsrahmengesetz*) and in §67 **Federal Staff Council Law** (*Bundespersönalvertretungsgesetz*). However, it is obligatory for civil servants to have **German citizenship**; exceptions to this rule are only admissible if there is an urgent public need to recruit non-German civil servants (e.g. for the police force).

The **private sector**, on the other hand, has no comprehensive legal protection against discrimination. In Civil law, in particular §611a *Bürgerliches Gesetzbuch* (*BGB*), there are regulations banning all forms of discrimination against employees because of their sex. However, the law comprises, up to now, no regulations against discrimination because of ethnicity. Detailed anti-discrimination regulations are only to be found in **subordinate laws**, for example in insurance supervision, public transport laws, telecommunication customer protection laws, or in the industrial relations law (including individual industrial relations agreements).

In February 2002, the Federal Ministry of Justice has presented a **bill for preventing discrimination in civil law** (Civil Law Anti-Discrimination Bill), in order to transfer, at least partly, two EU anti-discrimination directives into national law. The bill, however, only regulates contract law, whereas other areas, such as the membership and participation in trade unions and employers' associations, are to be regulated in a specific anti-discrimination labour law; respective bills have so far not been introduced into parliament. The amendments comprise, firstly, an explicit ban of discrimination based on "race", ethnicity, sex, religion and other beliefs, disability, age or sexual identity, and, secondly, a new **definition** for discrimination, which differentiates between discrimination and admissible forms of distinction, as well as a simplification concerning **burden of proof rules**.

In addition to national legislative projects, Germany has also signed respective **international agreements** and founded an **Institute for Human Rights**, thus underlining its determination to fight racism, xenophobia and discrimination.

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