

**Facts and Figures
on the Situation of Foreigners in the
Federal Republic of Germany**

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Foreign resident population

The Central Register of Foreigners¹⁾ reported 7 344 000 foreigners in Germany at the end of 1999, accounting for about 9% of the total population (see Table 1 on Page 20). This figure falls in the upper range for a European country. One in four foreigners was from a member state of the European Union. Between 1994 and the end of 1999, the share of foreigners from other EU member states remained at a relatively constant level (25.3%). As regards the former recruitment countries of foreign workers, there was a slight decrease in the shares of Yugoslavs from the Federal Republic of Yugoslavia (from 11.9% to 10.0%), of Greeks (from 5.1% to 5.0%), of Moroccans (from 1.2% to 1.1%), of Spaniards (from 1.9% to 1.8%) and of Tunisians (from 0.4% to 0.3%). There was a slight rise in the shares of Italians (from 8.2% to 8.4%) and of Portuguese (from 1.7% to 1.8%) in the relevant period. The share of Turks has been remaining at a relatively constant level of 28.0% (see Tables 2 and 3 starting on Page 21), with the exception of the years 1997 (28.6%) and 1998 (28.8%).

Nationalities

At the end of 1999, the largest groups among the foreign resident population were the Turks, numbering 2 050 000 (28.0%); nationals of the Federal Republic of Yugoslavia (Serbia and Montenegro), numbering 737 264 (10.0%); Italians, numbering 615 900 (8.4%); Greeks, numbering 364 354 (5.0%); Poles, numbering 291 673 (4.0%); Croatians, numbering 213 954 (2.9%); Austrians, numbering 186 090 (2.5%), and Bosnians, numbering 167 090 (2.3%).

Some 25.3% of all foreigners living in Germany were nationals of EU member states at the end of 1999, following the accession of Finland, Austria and Sweden to the EU on 1 January 1995. The largest groups of foreign EU nationals came from Italy (33.1%), Greece (19.6%), Austria (10.0%), Portugal (7.1%), Spain (7.0%), the UK (6.1%) and the Netherlands (6.0%) (see Table 3 on Page 22).

Age groups and sex

Male foreigners numbered 4.01 million (54.6%) and female foreigners 3.33 million (45.4%) in 1999. 1.64 million (22.3%) were under 18, 5.39 million (73.4%) from 18 to 65, and 314 151 (4.3%) aged 65 or above (see Table 4 on Page 23). The foreign population is substantially younger than the German population. In 1998, the figures for the corresponding groups in the German population were 18.7% (under 18), 64.2% (18 up to under 65), and 17.1% (65 and

over). However, the proportion of older foreigners, both male and female, will gradually increase in future as well.

Already 1.66 million (22.5%) of all foreigners in Germany were born here, in the age group of those up to under 18 1.12 million or 68.2%, and among those under 6 even 88.8%.

An analysis of the older foreign population (aged 60 and over) by nationality and continent reveals substantial differences. While 11.5% of all foreigners from the EU, 7.3% of those with Yugoslav nationality, 6.3% of Poles, 6.0% of Turks and 5.5% of Romanians are over 60, only 3.7% of Asians and 3.5% of Africans have reached this age (see Table 5 on Page 24).

Birth rates

The long-term demographic trend in Germany is towards a decline in the German population share and a drastic shift in favour of older age groups. This is mirrored by birth rates. The birth rate remained between 800 000 and just over one million from 1949 (when the Federal Republic of Germany was founded) to 1967. 1 019 459 children were born in 1967, 972 027 of German and 47 432 (4.7%) of foreign nationality. Since the early 1970s, children born to foreign parents have accounted for between 10% and 13% of all children born in Germany. In 1998, they numbered roughly 95 000, which corresponds to a share of foreigners of 12.4% (see Table 6 on Page 25). Today, just over two-thirds of all foreign children under 18 were born in Germany, and the vast majority will grow up, attend kindergarten and school, undergo occupational training, enter employment, marry here, and have children who, as from this year, will acquire German nationality as a result of their being born here. Statistically speaking, these will no longer be registered as foreigners.

Migration flows

The positive balance of migration (the difference between entries and departures) rose continuously from 1990 to 1992. It increased from 376 000 in 1990 to 593 000 in 1992. The large increase in 1991 and 1992 was primarily attributable to large numbers of refugees from former Yugoslavia. In 1993, the balance of migration was less than half the 1992 level, having declined from 593 000 to 277 000. The balance was only 153 000 in 1994, 225 000 in 1995, only 149 000 in 1996 and even negative in 1997 (-22 000) and in 1998 (-33 000). This strong decline is inter alia due to the return of the Bosnian refugees. In 1999, the positive migration balance came to 118 000 again, which can be attributed, among others, to the relatively high number of entries of persons from the Federal Republic of Yugoslavia (+40 000). The positive migration balance of Turks, on the other hand, which had still amounted to 30 000 in 1996, went down to 6 000 in 1999 (see Table 7 on Page 26).

In 1999 the overall number of entries from the former recruitment countries exceeded that of departures by only about 20 800. As was mentioned above, the highly positive migration balance of persons from the Federal Republic of Yugoslavia (+40 000) and the highly negative migration balance of Bosnians (-23 000) stand out most. Apart from that, Macedonians (+1 000), Moroccans (+2 300), Turks (+6 200) and Tunisians (+1 000) have positive migration balances, whereas the balances are negative for Greeks (-1 800), Italians (-1 000), Croats (-1 100), Slovenes (-11), Portuguese (-1 200) and Spaniards (-1 100).

Refugee groups in the Federal Republic of Germany²⁾

The figures on refugee groups in Germany are overall figures accumulated over the years or estimates which, for the most part, are compiled by the Ministry of the Interior. Accumulated figures give an impression of the acceptance of refugees and migrant groups in Germany of the past years. However, they cannot be directly used to determine the need for integration or the burden which the entry of refugees represents for society, as large numbers of refugees of the different groups have already been living in Germany for years or decades and are well integrated.

The very rough estimate of the number of relatives of recognized refugees will be included in the number of refugees for 1998 and 1999 again. For the first time, in 1999 the group of foreigners who have received a residence title for exceptional purposes under s. 30 of the Aliens Act will be shown separately. It is mainly composed of de facto refugees whose deportation had formerly been temporarily suspended. Even though most foreigners with a residence title for exceptional purposes live in Germany with the explicit intention of remaining here, they had so far been included in the number of de facto refugees, which from now on will only consist of foreigners whose deportation has temporarily been suspended and who may not be deported (legal reasons against deportation) or who cannot be deported (factual reasons against deportation). Furthermore, the figures indicated for the number of the de facto refugees and the overall number of refugees will be changed for the years 1996 to 1999, as up to now, Convention refugees had apparently been counted twice, both under the category of Convention refugees as well as under the category of de facto refugees.

Against this backdrop, the following can be said:

In the Federal Republic of Germany, the number of refugees had risen from 700 000 in 1987 to about 1 900 000 in 1993. By the year 1997, their number had declined to roughly 1 400 000; at the end of 1999, only 1 200 000 refugees were staying on German territory³⁾. In 1987, their number corresponded to a share of 16.5%, in 1993 to a share of 28.0%, in 1997 to a share of 19.0% and in 1999 to a share of 16.3% of all foreigners.

Out of the 1 200 000 refugees in 1999, about 185 500 were entitled to asylum, 44 000 were Convention refugees, an estimated 130 000 were relatives of recognized refugees, an estimated 9 500 were quota refugees, 120 500 were Jewish migrants from the follow-up states of the Soviet Union⁴⁾, about 120 000 were foreigners with a residence title for exceptional purposes under s. 30 of the Aliens Act, 13 500 were homeless foreigners, 255 000 were de facto refugees, 264 000 were asylum seekers and about 50 000 were refugees from Bosnia-Herzegovina with a temporary suspension of deportation (roughly 46 000) or with a residence title for exceptional purposes (roughly 6 300) (see Table 8 on Page 28)⁵⁾.

About 30% of the refugees have been given a formal refugee status (persons entitled to asylum, Convention refugees, quota refugees, Jewish migrants from the former USSR) as a result of a recognition procedure.

Length of stay and residence status

The foreign resident population forms an integral part of the population in Germany also because of the length of time most migrants remain here. Thus, at the end of 1999, one third of the total foreign population, both male and female, had lived in Germany for twenty years or longer, 40% for more than 15 years, and over 50% for more than 10 years. The average length of stay of foreign workers and their families from the former recruitment countries is even longer. 64.4% of Turks, 69.5% of Greeks, 72.7% of Italians and 79.1% of Spaniards have lived here for ten years or more (see Table 9 on Page 28). With regard to the relevant statistics, note that the average length of stay is reduced on account of the influx of relatively large numbers of asylum seekers and refugees over the last decade and the naturally short length of stay of the relatively large numbers of migrant children born here.

Considering the fact that foreigners – and especially foreign workers and their families – have lived here for many years and that for most of them, Germany has become the focus of their life, the residence status⁶⁾ of many migrants still leaves much to be desired. Of a total of 2.05 million Turks at the end of 1999, for example, 744 500 had a limited residence permit, 619 000 an unlimited residence permit, and only 476 000 had a right of unlimited residence (23.2%), the most secure residence status. The numbers with a right of unlimited residence are even lower among Tunisians, Moroccans and nationals of the Federal Republic of Yugoslavia – again, workers from the former recruitment states (see Table 10 on Page 29). Since secure residence status is essential for successful integration, there is still a deficit here.

Geographical distribution

The geographical distribution of the foreign population among the federal states and between urban and rural areas is extremely varied. At the end of 1998, over 70% of all foreigners were concentrated in the four large states of Baden-Württemberg, Bavaria, Hesse and North Rhine-Westphalia. Their shares amounted to 12.5% in Baden-Württemberg, 12.2% in Hesse, 11.4% in North Rhine-Westphalia and 9.2% in Bavaria (see Table 11 on Page 30). In the states of former West Germany, more than twice as many foreigners are to be found in large conurbations than in rural areas, and almost three times as many in the urban centres. Here, foreigners account for an average 15% of the total population, and in some cases the figure is even considerably higher. In 1995, the percentages were highest in the cities of Frankfurt am Main (30.1%), Stuttgart (24.1%) and Munich (23.6%)(unfortunately, more recent figures were not available). To forestall any possible misinterpretation, note that these high percentages of foreigners are not necessarily indicators of social flash-points or of high rates of criminal offences with a xenophobic motivation.

Foreigners make up a very small part of the population in the states of former East Germany. Excluding Saxony and Brandenburg (2.3% each), they account for less than two per cent, and only range from 1.8% to 2.8% even in the urban centres of Leipzig, Halle, Dresden, Rostock and Magdeburg (see Table 12 on Page 31).

Naturalizations

Naturalizations increased from 34 913 in 1985 to 313 606 in 1995. In 1996 their total number fell to 302 830, and in 1997 to 278 662 which was above all - but not only - due to the fact that the number of ethnic Germans from Eastern Europe who migrated to Germany was lower than in the years before. In 1998, the overall number of naturalizations rose to 291 331, which is mainly attributable to the increased use of the facilitated naturalization provided by the Aliens Act. The rising numbers of naturalizations, a strong tendency which could be observed over the past 15 years, have reached a more stable level of 260 000 to 300 000 naturalizations per year between 1994 and 1998. This increase is much more pronounced in the case of naturalizations by right (from 21 019 in 1985 to 281 718 in 1995 and 241 422 in 1998) than in the case of discretionary naturalizations (from 13 894 in 1985 to 49 909 in 1998). There was roughly an eight-fold increase in naturalizations by right over the period from 1988 to 1998 while discretionary naturalizations only about tripled. By way of explanation, it should be mentioned that naturalizations by right mainly include naturalizations of ethnic Germans and of foreigners under ss. 85, 86 (1) of the Aliens Act (young foreigners and foreigners with long periods of residence have a legal entitlement to a facilitated naturalization), whereas discretionary naturalizations are those of normal foreigners under s. 8 of the Nationality Act and s. 86(2) of the Aliens Act

(spouses and minor children of foreigners with long periods of residence may be naturalized). Of 291 331 naturalizations in 1998, 82.9% (241 422) were naturalizations by right, and 17.1% (49 909) were discretionary naturalizations.

However, since the new Aliens Act came into force in January 1991 which provides for a facilitated naturalization of young foreigners and of foreigners with long periods of residence, there has been a relatively strong increase in discretionary naturalizations (from 1 July 1993, naturalizations by right in the groups just mentioned). The year-on-year rise amounted to only 15% between 1989 and 1990, to 35% in 1991, 36% in 1992 and 21% in 1993. The reason for the lower 1993 figure compared with the growth rates for 1991 and 1992 is that from the second half of 1993 onwards, naturalizations under s. 85 and s. 86(1) of the Aliens Act have been recorded as naturalizations by right. Taking discretionary naturalizations and those under s. 85 and s. 86(1) of the Aliens Act together shows an annual increase of 54% in 1994, 23% in 1995 and 20% in 1996. Only in 1997 (82 913) that number fell by 3 443 (4%) as against the year before (86 356). In 1998, it strongly increased again by 29% (106 790) compared to 1997.

At 1.46% of the total foreign resident population, the number of discretionary naturalizations and naturalizations by right under ss. 85, 86(1) of the Aliens Act in 1998 was still very low. This figure has almost quintupled over the last fifteen years (in 1985 when naturalizations by right under the Aliens Act were not yet possible it amounted to 0.30%). In 1998 the figure rose again to 1.46% from 1.13% in 1997, the first year in which it had decreased (see Table 13b on page 32).

Of a total of 101 569 discretionary naturalizations and naturalizations by right under the Aliens Act (excluding Hamburg) in 1998, Turks accounted for 53 696 or 52.87%, Moroccans for 4 971 or 4.89%, Bosnians for 3 469 or 3.42%, Vietnamese for 3 452 or 3.40%, Yugoslavs from the Federal Republic of Yugoslavia for 2 404 or 2.37%, Croats for 2 198 or 2.16%, Sri Lankans for 2 087 or 2.05%, Poles for 1 854 or 1.83%, Tunisians for 1 822 or 1.79%, Lebanese for 1 692 or 1.67%, Romanians for 1 335 or 1.31%, Russians for 1 198 or 1.18%, Pakistanis for 1 186 or 1.17%, Iranians for 1 131 or 1.11%, Afghans for 1 118 or 1.10%, Italians for 1 085 or 1.07% and Filipinos for 1 038 or 1.02%.

In terms of the total resident population of each nationality, the naturalization rates were as follows in 1998: Naturalization rates were relatively high among Tunisians (7.42%), Moroccans (6.01%), and Vietnamese (4.04%). The middle range of naturalization rates comprised Turks (2.54%), Bosnians (1.82%), Iranians (1.64%), Afghans (1.64%) and Croats (1.05%). Low rates of naturalization, under one per cent, were observed among large migrant groups such as Poles (0.64%), Yugoslavs from the Federal Republic of Yugoslavia (0.33%), Italians (0.18%) and Greeks (0.11%). This means that Tunisians become naturalized almost three times as often as Turks, and sixty-seven times as often as Greeks. The naturalization rate among Turks had risen

from 1.57% in 1995 to 2.26% in 1996 but fell again to 1.86% in 1997 before rising to the highest level of 2.54% in 1998. One reason for higher naturalization rates is that some states do not release their nationals from their original nationality so that German nationality may be acquired while the original nationality is retained. In general, foreigners from other EU countries are less interested in becoming naturalized since they largely enjoy the same legal status as Germans and see themselves as citizens of the Union.

The total number of discretionary naturalizations and naturalizations under ss. 85, 86(1) of the Aliens Act in 1998 - without Hamburg - (101 569) included 20 187 (19.9%) cases in which multiple nationality was accepted. Multiple nationality was accepted most frequently in the case of Eritreans (91.1%), Moroccans (91.0%), Iranians (90.1%), Afghans (86.6%), Lebanese (85.8%), Greeks (84.8%), Syrians (82.5%), Tunisians (78.7%), Yugoslavs from the Federal Republic of Yugoslavia (72.8%) and Jordanians (55.1%). This tolerance of multiple nationality may well explain the higher rates of naturalization compared with other nationalities. In case of the nationalities mentioned above, multiple nationality is accepted frequently because it is often very difficult or even impossible for citizens of these states to obtain release from their previous nationality. Multiple nationality is also accepted in the case of Turks - according to the statistics in 8.0% of all cases. Note, however, that these figures partly include those whose multiple nationality is - due to the relevant proceedings - only of a temporary nature. This means that they are lower in practice (see footnote 2) to Table 14 on Page 33).

As mentioned earlier, the greater ease with which German nationality can be obtained under ss. 85, 86 of the Aliens Act has led to an increase in naturalizations. In 1998 there were 16 932 naturalizations under s. 85 of the Aliens Act (facilitated naturalization for young foreigners), with young foreign women accounting for a considerably higher share, both in absolute and relative terms, than young foreign men, and 65 953 naturalizations under s. 86 of the Aliens Act (facilitated naturalization for long-stay foreigners). Compared with 1997, however, (when for the first time naturalizations under the Aliens Act fell by 5.3% as compared to the year before) this corresponds to a considerable average increase in the number of naturalizations by 30.9% (see Table 15a on Page 34).

Naturalizations under s. 85 of the Aliens Act were most frequent among Turks (9 359), Moroccans (857), Bosnians (721), Croats (687), Yugoslavs from the Federal Republic of Yugoslavia (632), Iranians (523), Vietnamese (355) and Lebanese (324)(see Table 15b on Page 35). The ranking is as follows for naturalizations under s. 86 of the Act: Turks (40 853), Moroccans (3 291), Bosnians (2 333), Vietnamese (2 137), Yugoslavs from the Federal Republic of Yugoslavia (1 439), Tunisians (1 369), Croats (1 332) and Italians (877).

Education and training

Despite a slight trend towards higher qualifications and better education participation rates that continued into the 90s, pupils with foreign passports are still disadvantaged in the education and training system. They are over-represented at lower secondary and special schools, and accordingly under-represented at intermediate and grammar schools. Reality has clearly shown that the idea that school, language or job-related problems of migrants disappear automatically the longer they stay in Germany is wrong. School education in general has improved significantly from the eighties to the beginning of the nineties, but since the middle of the nineties a stagnation can be observed. The above-mentioned trend towards higher qualifications discontinued in 1992/93 so that a retrograde development of the education participation rates of pupils of foreign origin is to be assumed. To continue to improve the education and training situation of migrants' children by targeted measures must therefore remain a political aim to be treated with urgency.

In 1998, 1 156 751 pupils with foreign passports attended general or vocational schools in Germany, including day grammar schools for adults (in North-Rhine Westphalia). They accounted for 9.1% of all pupils. 81% (936 693) were in general education and 19% (220 058) at vocational schools. For a breakdown by nationality of pupils with foreign passports, reference is made to Tables 16 to 18 (Page 36 to 38).

Out of all foreign pupils who attended general schools in 1998, 42.3% were at primary schools, 23.4% at lower secondary schools, 9.4% at grammar schools, 8.4% at intermediate secondary schools, 6.3% at special schools and 7.0% at comprehensive schools or Rudolf Steiner schools (see Table 18 on Page 38).

Only the school-leaving certificates of young people of foreign origin attending intermediate secondary schools have slightly improved in comparison to 1997. 31.8% acquired mid-level qualifications (1997: 30.7%). The share of foreign young people who received university entrance qualifications remained roughly the same (14.5%). While at the beginning of the eighties more than 30% of all school leavers of foreign origin had left lower secondary schools (including special schools) without certificates, this share amounted to only 17% in 1998. However, this figure is still almost twice as high as the one corresponding to German school leavers. On the whole, the trend towards higher qualifications slowed down considerably since 1993 and the gap between the shares of German and foreign school leavers with higher qualifications has not narrowed, since the trend towards higher qualifications continues among German school leavers.

Of all pupils at vocational schools, 8.5% had a foreign passport in 1998, most of them Turkish or from one of the successor states of the former Yugoslavia. Classified by type of school, 57.0%

were at part-time vocational schools, 19.1% at full-time vocational schools, 8.9% were on a pre-training or basic vocational training year, only 2.9% attended technical secondary schools, 2.9% technical grammar schools, and 2.4% technical schools (see Table 17 on Page 37).

In general, the stagnation of the school education of young people of foreign origin has a significant impact on their vocational qualifications, which have strongly deteriorated since 1994. While only 8% of German young people and adults remain without training, the rate of unskilled Turkish young people is five times higher at about 40% (foreigners overall: 33%).

Since 1995, a serious decline in the training participation rate of young migrants can be observed, which is alarming. Since the peak training participation rate in 1994 of 44% of young foreigners (Germans: 71%), their share dropped to 37.8% in 1998 (Germans: 66%), thus having fallen back to the level of 1991 in just four years (see Table 21b on Page 43). But not only the training participation rate is declining, also the absolute numbers of male and female trainees of foreign origin is falling (by another 6 000 compared to the year before), whereas the corresponding numbers of young Germans are rising. The share of foreign trainees of 8% is thus significantly lower by now than their share in the resident population of their cohort, which corresponds to about 15%.

In all training areas, a below-average number of young people of foreign origin receive training, compared to their share in the population. This holds true for industry and commerce, but also for crafts and liberal professions (1998) with a share of around 9% each, the rate for crafts having been considerably declining for several years. The public service continues to provide the least training opportunities for foreign young people: only 3% of trainees are not German nationals.

In addition to their significantly lower training participation, the actual range of occupations of young people of foreign origin is much narrower than the one of Germans of the same cohort. Trainees with foreign passports concentrate on a few occupations (see Table 22 on Page 44): Girls, who accounted for 38.6% of all foreign trainees in 1998 most often find training places as hairdressers (19%), medical and dental assistants (about 11% each), and clerks in retail trade (10%), boys as car mechanics (10%), painters and varnishers (12%) and gas and water fitters (12%). Foreign trainees, however, are not only poorly represented in the public service, but also in new IT professions for example with a share of 3.9%. In almost all occupations and sectors, the shares of foreign trainees went down compared to the year before.

Employment

The general stimulation of the labour market did not lead to an increase of employment subject to social insurance contributions of foreigners in the Federal Republic of Germany in 1999. Since 1994 this number has continually decreased. From June 1995 to June 1999 it fell from 2 128 722 to 1 982 758, that is by 6.9% (see Table 23 on Page 45).

The employment balance was significantly less negative in 1998/99 (4 710 jobs) than in 1996/97 or 1997/98 (75 822 and 14 392 jobs, respectively). In the years before, from 1980 to 1993, the number of foreigners engaged in employment subject to social insurance contributions had risen continuously from 1 583 898 to 2 183 579.

Since 1995, the number of economically active foreigners in Germany has steadily decreased. The vast majority have paid blue-collar and white-collar jobs (see Table 24 on Page 46). Of the foreign labour force of 2 820 000 in 1999, 9.3% (263 000) were self-employed, a new record high of a longstanding upward tendency. 0.8% (23 000) were family helpers. The proportion of white-collar workers (813 000) decreased slightly by 0.2% to 28.8% in 1999; in absolute terms, their numbers are more than twice as high as in 1987. The percentage of blue-collar workers accordingly fell over the same period, from 73.7% to 59.7%, though in absolute terms, their numbers actually rose from 1 358 000 to 1 684 000, hence there are roughly 240 000 fewer foreign workers than in 1993.

In West Germany, the share of foreigners engaged in employment subject to social insurance contributions in the overall number of employed persons remained at the same level of 8.9% in 1999 as compared to 1998; in absolute numbers it fell slightly from 1 984 452 to 1 978 476. In the Eastern part of Germany, the respective numbers rose from 43 089 (0.9%) to 55 114 (1.1%). The figures for the entire country increased from 7.3% in 1998 to 7.5% in 1999.

A breakdown of employees by economic sectors for the past years (see Table 25 on Page 47) shows that 736 000 foreigners are employed in the manufacturing industry, making it the industrial sector with the clearly highest number of foreign workers in absolute terms. Given a reduction of 57 000 jobs in 1999 as compared to 1998, foreigners assumed a buffer function here.

A long-term look at annual average unemployment figures and rates in the federal territory (see Table 27 and 28 on Page 49 and 50) shows that in 1999 with an annual average of 477 728 unemployed persons, unemployment remained under the peak level it had reached in 1998 with 505 158 unemployed persons, and even under the level of 1996 (481 715). The reduction of

unemployment in 1999 as compared to 1998 was less pronounced among women (2.8%) than among men (6.9%).

The encouraging absolute reduction of unemployment figures contrasts with the continuing increase of the relative difference between the overall unemployment rate and the unemployment rate of foreigners. This figure equalled 109.1% in 1999, having never been at this high a level before: in 1998 - 1999, overall unemployment decreased more strongly than unemployment of foreigners.

In 1999, 78% of the foreigners who were unemployed did not have training certificates, whereas this percentage was only at 37.9 for unemployed Germans (see Table 29 on Page 51).

After a steep decline in the absolute number of foreigners entering further training schemes run by the Federal Employment Service in 1993 and 1994 (see Table 33 on page 55), enrolments of foreigners, numbering 42 662 in 1999, fell by 9.8% as compared to 1998; however, the measures themselves had been reduced by 19.3%, so that the share of foreigners still reached a record high of 8.7%, which, however, still is to be considered relatively low in proportion to the total number of unemployed foreigners.

Criminal offences with xenophobic motivation

Criminal offences with xenophobic motivation rose from 2 426 in 1991 to 6 336 in 1992 and 6 721 in 1993. There followed a decline in such offences of 48% from 1993 to 1994 (when there were 3 491 in total), of 29% from 1994 to 1995 (2 468), and 10% from 1995 to 1996 (2 232). From 1996 to 1997, criminal offences with xenophobic motivation rose by 32% (to a total of 2 933). In 1998 (2 644) and 1999 (2 283), this figure fell by 10% and 14%, respectively, compared to the year before. There was one accomplished and 10 attempted homicide cases in 1999, 386 personal injuries, 29 arson or explosives attacks and 1 856 other criminal offences with xenophobic motivation (see Table 34 on Page 56).

Notes

- ¹⁾ In the 1987 census year, there was a discrepancy of 600,000 between the census figures (4.1 million foreigners) and those from the Central Register of Foreigners (4.7 million). One can only speculate as to the reasons. One possibility is that foreigners had left German territory without notifying the authorities. It is thus highly likely that the true number of foreigners residing on German territory is lower than indicated by the Central Register of Foreigners.
- ²⁾ Refugees are classified as follows in German law:
- *Persons entitled to asylum* are recognized victims of political persecution under Article 16a (1) of the Basic Law. They have proved that they are victims of persecution directed specifically at their person by state entities in the entire territory of their country of origin. People who have entered or wish to enter the country from a 'safe third country' cannot rely on Article 16a of the Basic Law. Instead, they are turned back at the border or expelled to the transit state if this is known and is prepared to accept them. The safe third countries comprise all EU states, plus Poland, Switzerland, the Czech Republic, and Norway. Germany is thus surrounded by a belt of countries who may reaccept refugees. Persons entitled to asylum have a right to bring their *family members* to Germany.
 - The Geneva Convention on the Legal Status of Refugees of 28 July 1951 defines a *Convention refugee* as a displaced person who, because of a membership in a particular political or social group, religion, race or nationality, cannot or will not return to his or her own country for fear of serious persecution. Anyone who comes within the scope of this Convention is recognized by states that have signed it as being in need of protection. Most such countries lack provisions comparable to Article 16a of the Basic Law and equate victims of political persecution with Convention refugees. Exact information on the number of Convention refugees living in Germany has only been available since 1996. Convention refugees have a right to bring their *family members* to Germany under certain conditions.

Quota refugees are ones accepted in the course of humanitarian aid campaigns. They are granted a permanent right to stay in Germany without first having to apply for asylum.
 - *Refugees of war or civil war* gained the possibility of provisional acceptance without separate evaluation of each case under s. 32a of the Aliens Act effective since 1 July 1993. It is a political decision whether acceptance under s. 32a of the Aliens Act is granted. The war refugee status is conditional upon no application for asylum having been made or refused, and such refugees cannot demand to live in a specific place or state in Germany. The figures in Table 8 relate solely to civil war refugees from the republics of former Yugoslavia, primarily Croatia and Bosnia-Herzegovina, who were not subject to s. 32a of the Aliens Act but whose deportation had temporarily been suspended in most cases.
 - *De facto refugees* form the largest group, comprising those who have not applied for asylum or whose application has been refused. Their deportation is deferred because they face serious, real danger to their lives or freedom in their own country, or because urgent humanitarian or personal grounds dictate that they should be allowed to remain in Germany for the time being.
 - Foreigners with a *residence title for exceptional purposes under s. 30 of the Aliens Act* usually have the intention to remain in Germany. Unlike a temporary suspension of deportation, the residence title for exceptional purposes, which was granted on humanitarian grounds, can lead to a more secure residence status.
 - *Stateless persons* are also included in the Federal Ministry of the Interior statistics on refugees. These are displaced persons from World War II and their descendants.

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- 3) The figures are mainly based on a notification of the Federal Ministry of the Interior of February 2000.
- 4) The acceptance procedure for this group of persons already takes place in their country of origin, which constitutes an exception for refugees. In terms of the procedure that is applied, Jewish emigrants are treated more like repatriates than like refugees.
- 5) The number of refugees from Bosnia-Herzegovina continues to decline. In 1999, 15 000 Kosovo refugees of Albanian origin were added, who had been accepted in Germany in the second quarter of 1999 as refugees of civil war under s. 32a of the Aliens Act, but the majority of whom had already returned to Kosovo by the end of 1999.
- 6) The Aliens Act provides for different types of residence status according to the purpose of the stay:
- A *residence title for specific purposes* makes a person's stay conditional upon the reason for which it is issued. The holder must always leave Germany when the reason for his or her stay expires. For example, foreign students allowed to study in Germany under development aid schemes can apply for a residence title for their studies and, if granted one, may not remain in Germany for any other purpose.
 - A *limited residence permit* establishes a basis for permanent residence. The holder's residence status becomes more secure the longer he or she stays.
 - An *unlimited residence permit* is the first step towards secure residence status. Holders of a limited residence permit can apply for an unlimited one after five years provided that they satisfy certain other criteria.
 - A *right of unlimited residence* is the best and most secure residence status under the Aliens Act. Holders of a residence permit can apply for a right of unlimited residence after eight years provided that they satisfy certain other criteria.
 - A *residence title for exceptional purposes* is usually granted on humanitarian grounds. In practice it is mostly granted to civil war refugees. It can only be renewed if the humanitarian grounds for its issue still obtain, though holders may apply for a right of unlimited residence after eight years.
 - A *temporary suspension of deportation* is not a residence permit. It merely means that the state has abstained from deporting the person concerned. It may be granted on application when a foreigner is legally obliged to leave the country but there are legal or factual reasons against deportation (for example, the person's own country refuses entry or the person faces the death sentence there).
 - *Permission to reside* is separate from the various types of residence status provided for in the Aliens Act. It is the status accorded to an asylum seeker whose application is being processed. Asylum seekers who are granted asylum under the Basic Law receive an unlimited residence permit; those granted asylum under the Geneva Convention on Refugees receive a residence title for exceptional purposes.