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6 Migrant Integration Policies in Bavaria (Germany)

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6. Migrant Integration Policies in Bavaria (Germany)

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6.1 Statistical information

According to the Federal Office of Statistics there were 21.9 million people with a statistically attributed “migration background”² in Germany in 2020 (Destatis 2020). That is 26.7% of the total population, which means that one in four people living in Germany has a “migration background” – 29.1% of the population in western Germany and 8.2% of the population in eastern Germany (Destatis 2020).

Foreigners, i.e. individuals who do not have German citizenship, made up 11.4 million of this group. Migration from EU countries constitutes 42.8 % of the overall migration flow into Germany and a further 26.6% of migrants originate from other countries on the European continent. The remaining 30.6% of migrants come from non-European countries (Destatis 2021).

In the 2019 statistical microcensus, approximately 2.6 million people stated that they had come to Germany as repatriates or late repatriates (“Aussiedler” or “Spätaussiedler”) (Oswald 2019). (Late) repatriates are Germans within the meaning of the Basic law (*Grundgesetz*)³ (hereinafter referred to as German Constitution) and Federal Law on Refugees and Exiles who lived as persons of German ancestry in Eastern Europe and remained there after 1945. Most of them arrived in Germany between the 1960s and 1990s from the successor states of the former Soviet Union

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- 1 With the assistance of Hangwen Maierhofer, who participated in the research and data collection for the purposes of this chapter. Chapter conclusion: Marie Jelínková, Réka Lörincz
 - 2 “A person has a migration background if they or at least one of their parents was not born with German citizenship”, for more details see: <https://www.destatis.de/DE/Themen/Gesellschaft-Umwelt/Bevoelkerung/Migration-Integration/Glossar/migrationshintergrund.html>.
 - 3 The whole text of the German Constitution is available at: <https://www.bundestag.de/gg>.

(2019: 1.6 million) – mainly Kazakhstan (720,000) and Russia (661,000) – and large numbers also came from Poland (699,000) and Romania (226,000). (Late) Repatriates are entitled to claim German nationality and voting rights at all levels upon their arrival to Germany, if they fulfil two requirements: they must have been born before 1992 and prove basic knowledge of the German language. They can also bring their family members (husband or wife and children) with them, who do not count as repatriates themselves. (Late) Repatriates were previously addressed by special integration programmes, as it was assumed they were Germans “returning” to their home country, Germany. They are not counted as having a “migration background”.

In terms of their residence in Germany’s federal states, most people with a “migration background” live in North Rhine-Westphalia (2019: 25.6%); about one in six lives in Baden-Württemberg (17.4%) and a similar share in Bavaria (15.7%) (BMI 2020). 23.8% of the total population in Bavaria has a “migration background” (Oswald 2019) and these people are concentrated in the larger cities: they constitute 47% of the population in Nuremberg, 43% in Munich and 41% in Augsburg (Altunordu 2020; München.de 2020).

6.2 Integration on the federal level

The Federal Republic of Germany is constitutionally structured as a multilevel system: the distribution of responsibilities between the federal government and the federal states is supplemented by the responsibilities of the municipalities, whose rights to self-government are assured within the German constitution and the respective state constitution. Legislative and administrative competences and financial responsibility for the performance of public tasks are distributed across these various levels (Fincke 2012, 55).

In so far as legislative competence lies solely with the federal government, the federal states are generally not allowed to legislate (Art. 71 and Art. 73 of the German constitution). This applies, for example, to citizenship law and thus in particular to the requirements for naturalization of migrants and persons born in Germany without German citizenship. The German Constitution, too, can only be changed by the federal legislature.⁴ A change in the German constitution would be nec-

4 Two-thirds of the members of the Bundestag and two-thirds of the members of the Bundesrat

essary e.g. in order to grant non-EU nationals the right to vote in local elections (Fincke 2012, 58).

Despite all the opportunities offered by its flexible, subsidiary and relevant regulatory structure, the multi-level system enshrined in the German Constitution suffers from a number of inadequacies that become particularly evident in areas relevant to migrant integration policy. The distribution of legislative competences and administrative tasks to different actors in the federal, state and local governments leads to numerous parallel and overlapping responsibilities, which makes it difficult to bundle integration policy measures effectively. As a result, there is also the risk that municipalities may not have sufficient funds to implement targeted integration policies locally (Fincke 2012, 67).

Although migration to Germany has been substantial and evolving since the 1950s, the first law promoting integration, known as the Immigration Act, was introduced only in 2005 by the new government of the Christian Democratic Union of Germany (CDU) / Christian Social Union in Bavaria (CSU) and The Social Democratic Party of Germany (SPD)⁵. The coalition began to set new trends in migration and integration policy, which focused on promoting migrants' integration and placing stronger controls on further immigration. Integration courses were introduced to improve migrants' German language and social skills and these became a central component of the integration policies (Butterwegge 2007).

The integration courses in Germany consist of a language course and an orientation course. Generally, integration courses are available for all migrants and refugees who hold residence permits or have "good prospects of remaining" in Germany. Citizens of the EU and German citizens can also take part in these courses if space is available; to do so they must apply to the Federal Office for Migration and Refugees for admission. A 100-hour general integration course costs €1,540.00. However, under certain conditions all the above-mentioned groups of participants are entitled to partial or full exemption from these fees (for example, unemployed, (late) repatriates, refugees). In particular cases, the foreigners'

must agree in order to change the German Constitution, which represents a hurdle that must be overcome to achieve any legislative changes concerning the extension of voting rights or requirements for naturalisation.

- 5 The CSU is a Christian Democratic and Conservative political party in Germany. Having a regionalist identity, the CSU operates only in Bavaria while its larger counterpart, the Christian Democratic Union (CDU), operates in the other fifteen states of Germany. The CSU is known for its conservative rhetoric towards migration, which has caused some dispute between the sister parties.

office may require an individual to participate in an integration course as a condition for the issue of a residence permit. Participation in an integration course can also shorten the residence requirement for naturalisation from 8 years in Germany to 7. Other requirements include e.g. oral and written German language skills equivalent to at least B1 level.⁶

The Federal Government initiated its first “Integration Summit” in June 2006 under the auspices of the Chancellery, in order to seek dialogue with migrants on integration issues. As a result, a “National Integration Plan”⁷ was developed with the participation of civil society and migrant organisations. A particular focus was also set on dialogue with Muslims, themselves a varied and heterogeneous group of around 3.5 million people in Germany. At the same time, the Immigration Act tightened the law on foreigners’ entry and residence, in particular setting tougher requirements for naturalisation and integration, placing restrictions on family reunification and strictly regulating the immigration of skilled workers (National Integration Plan 2006).

The next important legislative step was taken in 2012, when the Law for the Improvement of the Determination and Recognition of Professional Qualifications Acquired Abroad⁸ was introduced, aiming to make the practice of recognising qualifications acquired abroad more uniform, transparent and effective. The federal government further anchored integration tasks in law in 2015 and 2016.

During the so-called “refugee crisis “ more than one million refugees arrived in Germany (Herbert a Schönhagen 2020). This large influx of people seeking protection within a short period of time triggered debate in Germany about the focus of EU asylum and refugee policy and about Germany’s own immigration and asylum policy. The German society’s attitudes and behaviours towards the refugees ran the full spectrum between welcoming and xenophobia. On the one hand, there was Angela Merkel’s famous statement “Wir schaffen das” (“we can do this”), and various civil society efforts to help refugees and facilitate their integration. On the other hand, some efforts were made to deport rejected asylum seekers as quickly as possible and to close national borders

6 Further details on Germany’s integration courses (Integrationskursen) are available at: <https://www.bamf.de/DE/Themen/Integration/ZugewanderteTeilnehmende/Integrationskurse/integrationskurse-node.html>.

7 The text of the National Integration Plan (2006) is available at: <https://www.bundesregierung.de/resource/blob/975226/441038/acdb01cb90b28205d452c83d2fde84a2/2007-08-30-nationaler-integrationsplan-data.pdf?download=1>.

8 More details on this law are available at: <https://www.anerkennung-in-deutschland.de/html/de/pro/anerkennungsgesetz.php>.

against unwanted immigration. The political parties differed greatly in their guiding principles for migration and asylum policy as well. This led to the 2016 Federal Integration Law, which contrary to its title did not form a framework for a comprehensive integration policy, but rather contained detailed technical regulations about the labour market integration of recognized refugees and asylum seekers with good prospects of remaining in the country.⁹

In the following years the government adapted new legal regulations. Two central laws were passed: 1) the Skilled Workers Immigration Act (*Fachkräfteinwanderungsgesetz*) in 2019, which aimed to facilitate the immigration of skilled workers, but also improved the enforcement of deportations (Hanewinkel 2019); and 2) the National Action Plan on Integration in 2020, which includes provisions for “pre-integration” (*Vorintegration*): potential migrants are to be better prepared for a life in Germany in a first step, for example through language and orientation courses in their country of origin or qualification and information on the labour market (e.g. on the possibility of having their qualifications officially recognised) (Hirsch 2020).

6.3 Integration on the state and municipal levels

While the federal government is primarily responsible for shaping migration policy and the federal states for implementing it, the federal states can still make significant contributions to stimulating and promoting active and strategically oriented integration policies in municipalities. The widespread realisation that integration takes place locally does not only require carefully worded political appeals to districts, cities and municipalities, but needs to be systematically supported with resources and networks at the federal state level. This can be done within the framework of funding programmes or on a legal basis. Structures must be created on site that can promote the migrants’ integration and participation in a needs-oriented and sustainable manner, regardless of the municipality’s financial situation and the economic cycle of project funding.

It is fair to say that there is a centralistic tendency in Germany’s integration policies as far as immigration, citizenship, naturalisation and

9 The text of the Integration law, known as “Integrationsgesetz 2016” is available at: https://www.bgbl.de/xaver/bgbl/start.xav?startbk=Bundesanzeiger_BGBI&start=%252F%252F%255B%2540attr_id=%2527bgbl116s1939.pdf%2527%255D#___bgbl___%2F%2F%255B%40attr_id%3D%27bgbl116s1939.pdf%27%25D__1656710907961.

residence are concerned. In that regard, it is important to mention the Federal Office for Migration and Refugees (BAMF), the central migration authority with competencies in the areas of migration, integration, naturalisation and return. The scope of its responsibilities includes the development and organisation of integration courses, promotion of projects and measures for social, linguistic and professional integration, accompanying scientific research, resettlement, relocation, humanitarian admission, etc.¹⁰ The federal states, however, are responsible for the legal framework of local self-administration in their federal state (municipal constitutions, district ordinances, etc.). Since municipalities have had practical experience in integration work for several decades, they are highly familiar with the necessities, challenges and experience involved. They, with the direct involvement of migrant communities, are best placed to formulate the necessary framework for local integration. The federal states can set up programmes through which they provide support (including financial) to their municipalities and districts in developing these local integration concepts.¹¹

This implementation sovereignty provides the federal states with a certain level of flexibility in the extent and form of their implementation. They can, for example, strive to create a more “welcoming culture” in immigration offices (Gesemann a Roth 2014), include more migrant representatives in decision-making processes and grant migrants the corresponding financial support and recognition. To what extent this flexibility is used to the benefit of migrant communities depends on the political situation in the particular federal state.

In addition, the federal states regulate the admission, accommodation and care of asylum seekers through their own (refugee) admission laws. They also autonomously regulate culture, school and education policies, which impact the settings within which initial socialisation and integration takes place for children with migration backgrounds. Consequent, needs-oriented, anti-discrimination-based access to education and the education process itself contribute to better participation and inclusion of migrants.

In the federal states’ adoption of state integration, laws complementary to the relevant federal legislation (see above) can be of high benefit. Depending on their formulation, such laws can improve the effectiveness

10 For more, see The Federal Office for Migration and Refugees (BAMF) https://www.bamf.de/DE/Startseite/startseite_node.html.

11 There is no statistical data on the number of municipalities in Bavaria or Germany, which have their own integration concepts, but that number is growing.

of integration policy by anchoring integration as a cross-sectional task and institutionalising structures of coordination and participation, as has been seen in Berlin (2010), North Rhine-Westphalia (2012) and Baden-Wuerttemberg (2015) (Karsch 2017). Integration laws can be particularly effective if they formulate a broad political consensus and have the backing of migrant communities as well as other civil society actors. An extremely controversial example of this was the first Bavarian Integration Act, which was passed by the majority of the CSU in December 2016. The law was strongly criticised by the opposition parties in the Bavarian parliament, as well as by civil society and migrant communities. Many critics pointed to the questionable use of the term *Leitkultur* (“Leading Culture”), indicating the desire for migrants to adhere to one (*German*) cultural code and a potential requirement for migrants to give up their own cultures. The Act’s portrayal of migrants (characterized by negative prejudices), repressive tone and failure to reflect on successful integration processes have been also strongly criticised. A lawsuit brought by the two opposition parties in the Bavarian government led to a decision by the Bavarian Constitutional Court in 2019, which found the Act to be partially unconstitutional (Mittler a Wittl 2019). Since then, the opposition parties and civil society have demanded the introduction of a “Participation Law” in place of the “Integration Law”, which would focus on providing equal participation possibilities to all rather than expecting migrants to assimilate.

All of Germany’s federal states have migrant representatives at state level in one form or another (integration officers, state Integration Councils, associations of municipal Integration and Migration Councils, see AGABY below). Most of these have solely advisory roles without any secured entitlement to participate in municipal decisions and/or do not have their own resources. Federal state governments can, however, also pass laws containing binding regulations for their municipalities that enable the voices of migrants’ representative bodies to be heard in the political decision-making processes. For example, they can make the establishment of Integration and Migration Councils binding and municipalities’ tasks on integration issues compulsory (Gesemann a Roth 2014, 89). The federal states also have jurisdiction over the introduction of antidiscrimination laws and the establishment of antidiscrimination agencies at the state level.¹²

12 See more at AGABY’s website: <https://www.agaby.de/presse/detailansicht/grosse-notwendigkeit-fuer-ein-landesantidiskriminierungsgesetz-und-eine-landesantidiskriminierungsstelle-in-bayern>.

Special funding options are created at the federal, state and municipal levels that are designated for projects and measures related to integration, inclusion and participation of migrants, or specifically to refugees, women migrants or youth with migration histories.¹³ Some of these funds go directly to municipalities and relevant local administrative bodies. One good example of such support for municipalities at the state level is the integration guides (*Integrationslotsinnen*) initiative.¹⁴ These guides work in municipalities to coordinate integration networks locally, support voluntary initiatives and assist migrants in their orientation. Unfortunately, the frequent uncertainty that comes with the project financing system inhibits the continuity of their work and results in such roles often not being established long-term. The same uncertainty is also a feature of the project funding relied on by many civil society organisations that contribute greatly to the integration process.

6.4 Historical insight and prerequisites for the emergence of the integration and migration Councils

In order to understand how integration and migration policies have developed, along with migrants' self-organisation and emancipation in Germany, it is important to take a closer look at their history.

Germany is now an established immigration country; more than a quarter of its population consists of people with migration backgrounds. Although migration to and within Germany was present even before World War II, the rhetoric, perception and development of integration and migration policies in the country have primarily been shaped by the flow of migration between the 1950s and the 1990s.

In 1955, West Germany made its first bilateral recruitment agreements with Italy, via which it actively recruited so-called "guest workers" (*Gastarbeiter*innen*) to work in the industrial sector to supplement the existing workforce: West Germany was experiencing an "economic miracle" (*Wirtschaftswunder*) and also needed to rebuild after the damage done during the war. Further bilateral recruitment agreements followed

13 Examples of projects offered by the Bavarian State Ministry of the Interior, for Sport and Integration, the ministry responsible for integration in Bavaria, are available at: https://www.innenministerium.bayern.de/mui/integrationspolitik/integration_frauen/index.php.

14 For detailed information on integration guides in Bavaria see: <https://www.stmi.bayern.de/mui/integrationspolitik/integrationslotsen/index.php>.

with Spain, Greece, Turkey, Morocco, South Korea, Portugal, Tunisia and Yugoslavia in 1968 (Rietig a Müller 2016).

Parallel to this development, East Germany also began recruiting foreign contract workers (*Vertragsarbeiter*innen*). Officially, these “foreign workers” who came to the German Democratic Republic from the 1960s onwards were “friends” arriving to receive training in order to then help rebuild their homelands, which were allied Communist countries (Rabenschlag 2016) . The first such agreement was signed with Poland in 1963, followed by agreements with Hungary, Algeria, Cuba, Mozambique, Vietnam, Angola, Mongolia, China and North Korea (ibid.).

In both cases, these “guest workers” and “foreign contract workers” were not given long-term residence rights; their migration was based on a workforce rotation principle (*Rotationsprinzip*), whereby migrants would come to the industrial centres of Europe to work for a few years before returning to their countries of origin with the money saved and skills acquired, making room in turn for new workers to do the same (Rabenschlag 2016). West Germany stopped recruiting such “guest workers” in 1973. After the German unification in 1990, the federal government tried to dissolve the ongoing intergovernmental agreements on contract workers that East Germany had and sent “contract workers” back to their homelands.

During the recruitment decades, hundreds of thousands of migrants came to both parts of Germany; many of them left again, but many also stayed, some brought their families, and others started their families here. These foreign workers were not seen as an equal part of the society, whose integration was a matter to be facilitated. The absence of any integration or inclusion measures for them led to a neglectful approach towards their well-being. They often had to endure very precarious working conditions, lower remuneration for their work in comparison with the locals, and xenophobic and hostile attacks.¹⁵

This historical phase was very important and relevant to the further development and the appearance of numerous migrant self-organisations and associations, migrants’ participation in trade unions, protests and demonstrations, and the establishment of the first Integration and Migration Councils (*Ausländer-, Migranten und Integrationsbeiräte*) in response to migrants’ lack of rights, participation possibilities and representation opportunities as well as their discriminatory experiences.

15 For more information see: <https://www.dw.com/en/25-years-after-rostock-lichtenhagen-dont-dwell-on-the-past/learn-from-it/a-40155429> .

From the mid-1980s, Integration and Migration Councils (Ausländer-, Migranten und Integrationsbeiräte, hereinafter IMCs) were actively established in response to the increasing number of foreign residents living permanently or at least for longer periods in Germany without any form of representation. Meanwhile, municipalities began to realise the need for more contact and exchange with the migrant communities in their districts. Integration and Migration Councils provided a platform through which social, political and legal integration, participation in local decision-making processes and connections between the migrant communities and the local society could be promoted. IMCs thus became the first form of political participation for migrants at the local level and played an essential role in formulating political appeals to shape Germany as a country of immigration from the very beginning (Nergiz 2019). The IMCs also gave migrants living in Germany the opportunity to vote: migrants have both active and passive voting rights within the IMCs, which remedy/redress their otherwise non-existent voting rights.

At present, only German citizens can vote and be elected at all levels of government in Germany; citizens of EU countries can vote and be elected at the municipal level after being resident in a German municipality for at least three months. Non-EU citizens are excluded from voting at all levels. Although some German states extended local-level voting rights to migrants in 1989, these regulations were withdrawn in 1990 by the Constitutional Court (Pedroza 2019, 114).¹⁶ Therefore, Germany's example is seen as "a relevant negative case" of how to approach migrants' political rights because of its failed implementation of this necessary political step (Pedroza 2019, 114). This means that, even now, the IMCs are the only means through which non-EU nationals are able to exert a democratically legitimised influence on politics (Wilmes 2018). The IMCs, however, cannot and should not replace the municipal right to vote, which both the IMCs themselves and their umbrella organisations have been calling for since their establishment. Today, Germany has 9.5 million residents (Destatis 2020) who cannot participate in any elections because they are neither German citizens nor citizens of other EU member states. This means that their political participation options are limited to informal participation opportunities (for example: civic engagement, protests, demonstrations, volunteering) and participation in the IMCs.

16 For details see: Bundesverfassungsgericht, Beschluss vom 12. Dezember 1991, <https://www.wahlrecht.de/wahlpruefung/19911212.htm>.

Integration and Migration Councils, however, are not the only form of migrant self-organisation. Germany has an estimated 12,400 to 14,300 migrant organisations (Schu 2020). These migrant organisations can be divided into three main groups according to their self-image: 1) multifunctional, participation-oriented organisations, 2) organisations that focus on and promote culture, and 3) organisations that represent the interests of various groups or of all migrants. Migrant organisations almost never work in isolation, but are integrated into diverse networks, where the IMCs and their umbrella organisations play an essential bridging function in connecting them on the local and state level, respectively.

6.5 Integration and migration councils in Bavaria

Many different factors contribute towards the successful integration of migrants in their municipalities of residence. One of the most important of these is the active involvement and participation of people with migration backgrounds in shaping local integration processes. One of the most tried and tested instruments for this is a functioning Integration and Migration Council.

Although the formation and establishment of IMCs Germany-wide started actively in the mid-1980s, the idea of representative bodies for migrants at the municipal level had already appeared in the late 1960s and early 1970s. The first IMC election in Bavaria took place in Nuremberg in 1973 (Gross 2017, 67) and so the IMCs have supported integration policies in numerous districts and cities in Bavaria (and other federal states) since the 1970s. At the municipal level, IMCs offer migrants opportunities to participate politically. This is extremely important because:

- In a democratic society, integration requires everyone’s participation.
- People with migration backgrounds can only integrate successfully if they are taken seriously as actors and are involved in decision-making processes.
- Migration experience, linguistic and cultural resources and access to ethnic networks are indispensable for successful integration work.
- The practical implementation of integration policy takes place locally, in the municipalities: the places where people live and where their children attend school or childcare facilities. These places are instrumental in how well and how quickly migrants become fully part of the society (AGABY 2012).

There are no specific legal requirements in the municipal code of the Free State of Bavaria¹⁷ for the establishment of IMCs as there are in other federal states (such as in Hesse and Rhineland-Palatinate). Municipalities in Bavaria are thus not required to establish such councils. More and more cities and municipalities in Bavaria are, nevertheless, now showing interest in migrants' political participation and in the establishment of IMCs. The vast majority of the Bavarian Integration and Migration Councils' members are elected directly by a vote among the migrants resident in a given municipality, although some IMCs are appointed by their city councils. This usually happens with newly established IMCs and, as a rule, these then aim to change to a direct vote for the following term.

Despite their differences, the majority of the Bavarian IMCs have one thing in common: they are democratically legitimised bodies that represent the interests of the population with a migration history in the given city or a district. Rather than representing the specific interests of a single nationality, they focus on questions that are relevant to all migrants and for successful coexistence in the local society as a whole. Due to their multinational, multifaith and multicultural composition, they work as models for solving the conflicts that might appear in a diverse society. The IMCs are able to deal with all issues that arise within the municipality and advise the city council accordingly. However, their main focus is on matters related to the design of local integration policies.

As the establishment of IMCs is not compulsory in Bavaria, there are no concrete legal requirements as to their form and function. The success and effectiveness of the IMCs' work, however, hinges upon whether their initiatives, recommendations and projects are noticed by politicians, authorities and the general public. An Integration and Migration Council thus needs certain rights such as:

- the right to submit applications and speak in the city council;
- the right to information from the public authorities as early as possible on topics and processes that fall within the IMC's area of responsibility;
- the right to submit opinions to the city council;
- the right to financial, human and material resources (to an extent agreed in consultation with the city council and administration) (AGABY 2014).

17 In German: Gemeindeordnung für den Freistaat Bayern.

These rights, along with the IMC's duties, its election procedure, the size of its board, allocation of seats, etc., are usually set out in their statutes (*Satzung*) (AGABY 2014).

Since IMCs usually only have an advisory function and no voting rights of their own in the municipal councils, it is up to the political decision-makers whether or not they implement the IMCs' recommendations. Close cooperation with the local municipal politicians is thus of critical importance. This is made possible, for example, by enabling members of the city council to attend meetings of the Integration and Migration Councils (in some cases they also have voting rights there) and, vice versa, inviting migrant representatives to attend meetings of political groups and relevant thematic working groups within the municipal council.

Studies show that the IMCs give migrants and people with a migration histories better access to resources in the municipality, provide intercultural exchange and intercultural opening, contribute to peaceful coexistence and serve as an empowerment platform for migrants in their political engagement (Wilmes 2018). Integration and Migration Councils have become an indispensable element on the local level that brings the interests of the population with a migration history into the local political decision-making process. Despite everything, they cannot and should not compensate fully for the lack of political participation opportunities offered to third country nationals.

6.6 AGABY and the Bavarian integration and migration councils

Founded in 1993, AGABY¹⁸ is the umbrella organisation for the municipal democratically elected Integration and Migration Councils in Bavaria. It supports and coordinates the work of the local IMCs and represents the interests of migrants in Bavaria as a democratically legitimised, non-partisan, cross-ethnic and cross-national migrant organization at the state level. As of April 2021, AGABY had 31 members,¹⁹ which are Integration and Migration Councils located in five districts

18 AGABY is an abbreviation for Arbeitsgemeinschaft der Ausländer-, Migranten und Integrationsbeiräte Bayerns

19 AGABY's map of the Bavarian Integration and Migration Councils is available at: <https://www.agaby.de/ueber-uns/unsere-mitglieder>.

and twenty-six cities of Bavaria. Its members are present in all large and almost all medium-sized cities in Bavaria.²⁰

As an umbrella organisation, AGABY represents Integration and Migration Councils and people with migration backgrounds at the state level. It advises the Bavarian state government, ministries, democratic political parties and parliamentary fractions on issues of migration and integration. It informs them about the challenges and discrepancies in the Bavarian integration policy and makes society as a whole aware of the integration hurdles faced by people with a migration histories.

AGABY further works with and for its members, passes practical experience onto them and strengthens networking and exchange between the IMCs. AGABY supports and accompanies the establishment of new IMCs and advises municipalities on the design of participatory integration policy and on the necessary steps for founding, establishing or restructuring their IMC and on framework conditions for the successful work of municipal councils. Furthermore, AGABY does public relations work and represents the IMCs in numerous organisations and committees at the state level. AGABY has been a founding member of the Federal Immigration and Integration Council (BZI)²¹, the umbrella organisation of the Integration and Migration Councils at the federal level, since 1997.

Through its project work, AGABY offers the IMCs opportunities for professionalization and empowerment. Until now, AGABY's work, and its funding, has been exclusively project-based. AGABY's demands include institutional recognition and financial support for the IMCs from the Bavarian State Government, as well as the obligatory establishment of IMCs in all municipalities in which the amount of people with migration histories exceeds e.g. 5,000 and the development of a full legislative framework for the IMCs.

AGABY's organisational structure includes an intercultural and multilingual team that works on the projects and puts the organisation's strategic vision into practice. It also includes a democratically elected board of seven members, which defines the organisation's political vision and strategy in close cooperation with the executive team and managers. The AGABY board is elected by its general assembly, which is the organisation's supreme body and consists of delegates sent by each of the

20 For further details, see also: „Handbuch erfolgreich arbeiten im Integrationsbeirat“, AGABY, (2014), available at: <http://handbuch.agaby.de/6-agaby/61-struktur-und-aufgaben>.

21 BZI (Bundeszuwanderungs- und Integrationsrat): <https://bzi-bundesintegrationsrat.de/bzi-zur-neuen-beraterin-des-auswaertigen-amtes/>.

Bavarian IMCs. The general assembly elects the AGABY board from among its voting delegates for a period of three years. The seven board members must belong to at least five different Bavarian IMCs. The chairperson and two deputies represent AGABY externally. Board and team meetings regularly take place in the AGABY offices in Nuremberg or online.

6.7 Conclusion

Integration and Migration Councils were set up to secure the participation of immigrants on the local level. Although their role at the local level has proved extremely valuable and beneficial in practice, municipalities are still not obliged to establish them unless the relevant Federal State has adopted relevant legislative measures. Most Migration and Integration Councils therefore still struggle to obtain sustainable funding and, in some cases, respect for their role at the local level, which remains substantially dependent on the attitudes of local politicians. In the long-term, the expansion of these Councils and their links with the Bavarian and Federal Government can be seen as major successes. In conclusion, if we look beyond the current workings of the Integration and Migration Councils in Bavaria, it is important to recall that the implementation of integration policies is, in Germany, the responsibility of the Federal States and that it can thus (with both positive and negative implications) take a variety of different forms.

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