

VERMIETUNGSGENOSSENSCHAFT LUDWIG – FRANK EG MANNHEIM

GERMAN REPORT

ACTION PROGRAMME AGAINST DISCRIMINATION

„THE WORLD IN MY HOUSE“

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Preface

Actually there are approximately 7,3 Million Immigrants living in Germany. That means 8,9 % of the total population. The Turkish citizens form a part of 28 % and are the biggest group of foreigners. While there are hardly any problems with immigrants from other EU-member states, the integration of the Turkish citizens seem to be more difficult, as they came from a totally different cultural background and now have to come along in a rather unknown form of life for them. As far as they belong to the immigrants of the first generation, they generally have a rather low level of training and qualification, which makes integration more difficult. Even after many years of their stay in the Federal Republic of Germany they have a low standard of German language knowledge.

In the times of economic growth of industry especially Turks were asked to come to Germany as guestworkers in most cases for unqualified work. It was though for a long time that they would return to their home country one day or be integrated into the society of the majority. Both cases rarely did occur. The guestworkers asked their families to follow them. So a certain segregation in urban areas with old buildings or with low standard started at the same time. In this way „immigration areas“ were formed, which were not always favourable for integration, as opinion leaders characterised it. In spite of that , others found out, that the local segregation also had some advantages of a better self-organisation and possibilities of communication for the immigrants. The social distance to the society of the majority would reduce tensions and conflicts. Those urban areas, which are mainly populated by foreigners, would be waiting rooms with open entries and exits.

The general situation within the German housing market changed completely, which is due to a significant new housing construction and especially through the reunification between western and eastern Germany during the last ten years. While the guest workers were living in provisional and collective housing units, apart from some exceptions, they are nowadays provided with housing, meeting their demands. In Western Germany we can talk about a balanced housing market, while there is a vacancy rate of approximately 1 Mio. housing units in Eastern Germany. This is caused by a strong migration flow from the East to the West, the birth decline with a relative high rate of death as well as the subsidy policy and specific depreciations, which led to a overproduction of housing units. At present there is a discussion about the pulling down of whole settlements in Eastern Germany. Of course there is an enormous difference in demand and offer in the housing market. In the booming agglomerations there is partly a certain lack of housing, especially low-cost and family adequate dwelling units. But in the big cities immigrants concentrate and they have difficulties in finding adequate shelter.

In view of the demographic development of the population and the shortage of high qualified experts there is an increasing consensus among the parties, that there is a need for immigration in Germany. The discussion is dealing mainly

with numbers and conditions. The Federal Office of Statistics indicated a decrease from 82 Mio. inhabitants to 70 Mio. in 2050, if there would be a yearly immigration of 200.000 persons. This is mainly caused by an increase of elderly with low birth figures at the same time. In Germany the birth rate is just 1,2 (it should be 2,0) and is the lowest in the EU. This development will cause dramatic changes in the tax- and pension policy. At present proposals from all parties about an immigration- and integration law is prepared and discussed. The opinions about the necessary numbers of immigrants vary a lot. But there is a certain common sense, that such a law and a more liberated immigration will not stop the decrease of the population and the increase of elderly in the German society, but just can facilitate the consequences. A single inflow of immigrants does not induce a long-term growth rate of population. In order to fill the demographic gap and induce a younger society, the net inflow of immigrants would have to be very high, as the immigrants adapt their generative behaviour relatively fast to the original population. Furthermore this would politically not be possible and would overburden the capability of integration of the original population. Therefore the immigration will just induce a time-shift in the structural reform of the social systems. Also there is a certain common sense about the fact, that the policy of immigration is mainly dominated by the development of the labour market, because an unlimited immigration without adequate possibilities of employment would aggravate the problems of the existing high joblessness. For example in Eastern Germany only every fifth job in the industry remained, so that the unemployment rate is 20 % at present, while it is 9,2 % in Germany as a whole. There are also big regional differences. While in July 2001 there were 4,8 % unemployed in Baden-Württemberg, there were 6,7 % at the same time in Hessen and Rheinland-Pfalz. But also within one Land there are big differences. In Mannheim there is the highest rate in Baden-Württemberg with 9,4 %.

Following the opinion of the president of the regional employment office in Baden-Württemberg, Mr. Otto-Werner Schade, the economic growth is hardly contributing to the decrease of unemployment. The technological process has totally changed the world of labour in the last 50 years. Already today many millions are excluded from a useful employment. The human being in many cases is valued by his labour force. If this labour force is reemplaced or becoming useless, his frustration is growing in spite of social networks. Also the basic and in most cases existing readiness of the German population is decreasing, if the fear of becoming jobless is increasing. Therefore attention should be paid to the permanent changes in the labour market. Globalisation and the concentration of multinationals together with an increasing degree of automatisisation are diminishing more and more jobs. Especially people with a low qualification are tackled by this problem, while highly qualified staff is urgently looked for-also from abroad.

Large parts of the German population are afraid, that in connection with the eastern enlargement of the EU . It is calculated with 4-5 million people in the first 15 years-a strong inflow of immigrants will cause worse income

possibilities and worse chances for an adequate job. The immigration law, which is at present under discussion, has this difficult task to solve: enable immigration without neglecting the essential interests of the domestic population, because otherwise a reasonable integration of the immigrants would not be possible and social peace would be endangered. Therefore social conflicts should be avoided as far as possible.

INTRODUCTION

Apart from some Länder there is no individual right for housing in the constitution of the Federal Republic of Germany. Portugal, Spain and the Netherlands are far ahead in this point and included this right for adequate housing into their constitutions. The obligation of the federal German government and the Länder for an adequate provision with housing of the population is resulting from a very generally formulated norm in the German constitution (Article 1, 1: Respect of Human Rights) and from the principle of social state (Article 20, 1).

The Federal Law of Social Assistance (Bundessozialhilfegesetz-BSHG) is regulating forms of assistance including costs of shelter. The term housing unit is avoided. For the provision of a housing unit the recipient of social assistance has to be active. Only in case of homelessness or in case of urgent need under the threat of eviction assistance is offered in order to secure the housing unit (§ 15 a BSHG).

There is no real difference in housing provision between the German population and the immigrants, as all people are equal in the German constitution. In Article 3, 3 it is formulated in a precise way: "Nobody may be discriminated or privileged caused by sex, origin, race, language, home country or origin, religion or the religious or political opinions. "Following the law a discrimination is excluded. In the behaviour of people among each other a different treatment in individual cases, privilege or discrimination, cannot be excluded.

Discriminations of immigrants as well as disrespect or offences do not result from legal, but from multiple problems of joint living of different cultures, different political opinions and the society in general, which is reflecting the economic situations of life.

There are some good intentions in order not to let these problems escalate, but deescalate them as far as possible. The Land Baden-Württemberg initiated a „Future Commission Society 2000“ in order to tackle the dangers, which could occur with immigration. The chairman of this commission, Mr. Wolfgang Frühwald, President of the Foundation Alexander von Humboldt indicates, that a intercultural society should be the target, where Germans and foreigner are living together instead of living apart from each other. Integration is a necessary task of priority and intensive language promotion of foreign children including Islamic religious classes at schools is demanded. A promotion of integration through the federal government and the Länder has not yet passed a certain stage. In this point municipalities and social housing providers are still left alone. Therefore the results of these efforts are rather unsatisfactory and need further empowerment. Housing associations, which are housing foreigners, are especially affected by the lack of integration.

The German society is in a structural change. The numbers of criteria and the facts and interrelations, which are affecting social life, are so complex and mul-

tiple, that it will be difficult to find the right solution, which also can guarantee social peace in the society if more immigrants are coming. The pressure of adaption for all participants is very high and the field of tension between Germans and immigrants will not be reduced and a peaceful coexistence of harmony be created, if forces are not pooled and strengthened.

It is the declared target of the policy in Germany to enable all citizens an active participation in the economic, social and cultural life. There should not be any social exclusion by poverty. Through a social network of the federal, regional and local governments the provision of people is offered, so that they can manage their life by themselves. Social assistance should protect the people from emergency need, but be at the same time help for self-help. The social partners, the federations of welfare organisations and numerous small organisations of self-help are completing the locally different strategies of struggle against poverty and social exclusion. Through such a preventive policy people in urgent need should be helped, so that poverty circles would not occur.

The overcoming of the existing and long-term joblessness is and will be the most important target and would be the most effective assistance. This is due for Germans and immigrants. The targets are recognised, but the way towards these targets are still long and difficult.

Foreigners in general have specific difficulties to find a job. Those who do not have a job, has specific difficulties to find a dwelling. The high unemployment among foreigners is not caused by an ethnic discrimination, but in most cases by the lack of school or professional qualification. In 1999 the percentage of jobless immigrants without a qualified professional training in Western Germany was 78 % being twice as high as the Germans (37, 9 %). This problem occurs mainly in the former FRG, as immigrants are concentrated here. In Eastern Germany there are only 2-3 % of the residents of non-German origin. Despite of this fact, anti-foreigner-behaviour is more obvious and more frequent than in Western Germany.

In general terms unemployment within the foreign population was much higher than in the German population. In 1999 there was an unemployment rate of 8,8 % in total, but 18,4 % among the foreign jobseekers. The high difference can be explained with deficits of language skills and inadequate professional qualification of immigrants. Here there should be an instrument for the funding of qualification programmes.

The agreement of labour, training and capability of competition initiated an action- programme for the improvement of education chances of immigrants, but some time will be needed until concrete measures will be taken. There is still discussion about the details.

Concerning the housing situation in Germany, it can be stated as good in general terms. This is also true for foreigners and jobless people. Although the housing market is balanced at national level, especially in some big cities there is not a sufficient offer of low-priced adequate housing units for large families

with children. In the framework of social housing municipal housing associations, cooperatives and other companies offer housing units with low rents for households with low income and difficulties in the housing market. Low income groups also receive personal housing allowances and people living on social welfare can receive subsidies to the housing costs. The social departments also can take over certain rent debts in certain cases to avoid the threat of homelessness.

In some urban areas of big cities there is also a certain concentration of immigrants. In many cases these areas can be characterised by neglected public spaces, an unattractive environment, neglected maintenance of buildings and dwellings and the lack of a sufficient social and cultural infrastructure. The federal and the Länder governments therefore initiated the programme „The Social City“. The target of this programme is to integrate urban policy with other political fields. In this way an equal treatment of all socially neglected citizens can be achieved. Also through additional programmes of the Länder as for example „Urban Renewal“ the municipalities are encouraged for measures of improvement in difficult urban areas.

Concrete measures, which should lead to a successful integration of immigrants in the field of labour, housing and training, have mainly to be realised at local level. The big municipalities have to fulfil a huge task without receiving the adequate financial means. The precondition for the acceptance of further immigrants it is also essential to increase the readiness of the host population to tolerate them. There should be specific measures against overburdened neighbourhoods. Caused by migration in general the urban population increased from 85,3 % to 87,5 %. The urbanisation is a Europe-wide phenomenon and not limited to Germany.

Although the attempts altogether were insufficient, the new right of nationality of the year 2000 caused a high number of naturalisations. Compared with 1999 30 % more immigrants received the German passport, which means an equal treatment as citizen without intervening in private affairs. The absolute figure of 186. 691 citizens is far too small. The biggest group is the Turkish population.

For the social housing providers there is an important task to fulfil with the supply of adequate housing for immigrants. There is hardly any housing association, where no social workers are engaged, to tackle the problems before they occur and to create a favourable social climate in the settlements (slogan: Together instead of against each other). In more and more housing associations and cooperatives communication centres have been created, where offers of integration and qualification for all groups of residents are made. Some examples are described in detail.

ANALYSIS OF QUESTIONNAIRES

METHODOLOGICAL APPROACH

The answering of the questions seem to be easier, as they turned out in practice. The reason was not the way the questions were formulated, but the common opinion of the interview partners, that it would not be necessary to go into details, as immigrants are principally treated in the same way as the German population. A great part of the interview partners did not go into details or particularities. Therefore the interviews-face to face or by phone after sending the questions-did not lead to differentiated results. But they illustrate the dominating situation, that there is a major tolerance on the German side towards immigrants. Especially in Western Germany and in the leading management of local authorities, banks and housing associations there is mainly the opinion expressed : There is no discrimination in their activity. Only in the extreme right political field there are actions of racist or anti-foreigner background, which are individual single cases. Youngsters without a clear perspective are ready to accept rightwing slogans and to react accordingly. Furthermore some real estate agents commented, these actions are exaggerated by the journalists. This picture seems to be a little bit unrealistic. In daily life there is discrimination until the refusal of foreigners which is sometimes disguised under other arguments. If the questionnaires are adequate for an international comparison, as they are general and not differentiated answers, may be open. It was tried to get more colour into the mosaic by further insisting questions, but the picture „Germany and the Immigrants“ could not be described in a different way.

The interviews are not representative, as the numbers of questions are far too small. Furthermore it had to be stated, that real estate agents, banks or housing providers did have adequate statistics. Therefore the answers are more emotional than objective. This means that the elaboration of the results had to be seen in a more relative way. In the annex there are no questionnaires included, as the results in the analyses are well elaborated and the answers had no further specific comments. Finally part of the interview partners asked for discretion.

ANALYSIS OF THE RESULTS

REAL ESTATE AGENTS

Question 1

*How many clients/interested persons do you have per year on an average?
Among them how many German s and how many foreigners?*

Independent of the total number of the successful business (tenants` contract or sale contract) the percentage of foreign clients is mentioned with 10-20 % with a different number of interested persons. The purchase of properties and the renting of highly valued dwellings by immigrants in many cases fails with too high costs of properties or with high rents, but also with the provision of the real estate agent, who takes 3 % of the sales price or 2-3 monthly rents in Baden-Württemberg plus V. A. T. These provision fees are different in Germany, for example in Hessen 5 % of the sales price has to be paid to the real estate agent. Additionally there is a security payment in the rental agreement of two monthly rents to be paid to the landlord. Immigrants normally have to look within the free housing market. As there are most of the anti-foreigner-feelings, they are sent to the housing authorities, which have the occupancy right for social housing units. Also the stock of municipal housing associations is open for immigrants and their families. Most of the social housing providers are still committed to their social mission and therefore they are more open towards housing of foreigners than private landlords.

Question 2

*How do the housing providers (for letting or sale) commit themselves in the beginning or during your work as real estate agent?
Are there any restrictions with the objective to exclude immigrants from leasing or buying?
Could you give details, how often such conditions are formulated?*

The results of these questions show that there is hardly any restriction such conditions would be less than 5 %. Like dealing with German clients, it is not the passport, which matters, but his/her economic status. Nevertheless it is also stated, that there is a significant number of housing providers, which do not want to let housing units to foreigners at all.

The capability of adaptation to an existing or newly formed community in the building/dwelling is also playing an important role in letting or selling housing units to immigrants. Especially to large families with children housing providers do not want to let or sell housing units, if these families from southern countries let their children play outside until late night, while families from middle Europe generally are sleeping at that time.

All interview partners mentioned, that a confirmed job engagement and a secure income has to be documented. In case of students or trainees a guarantee of their parents is demanded. As far as restrictions from housing providers are made, they have to be respected, as otherwise there would not be any business for the real estate agent. The landlord is the king for the real estate agent.

For the landlord a decent treatment of the property by the tenant or the joint property in case of free hold flats is very important. A responsibility of the user –apart from a solid job or a guarantee of the parents would be considered as more important than a so called „guarantee“ on a piece of paper.

Question 3

Do you accept restrictions without any discussion?

Do these restrictions influence your activity?

Are the reasons for these restrictions of cultural or economic nature?

The restrictions are mainly of economic nature. The activity is not restricted by it, as the owners of the property are generally determining the conditions. This is not only applied to foreigners, but generally to all clients. The capability for payment is always the first priority, followed by the kind of profession and the family status, e. g. number of children.

Question 4:

What kind of guarantee would be a motivation to let or sell dwellings to immigrants?

Who could offer such guarantees? (Municipal administrations, companies, non-profit organisations)

There is no need for guarantees of public bodies. Apart from the personal credibility and the economic status a guarantee would not be asked for. Furthermore it would be considered as impossible, that any body could offer a guarantee for an adequate behaviour. For the economic fulfilment of the contracts it is regarded as sufficient to check the economic status and the agreement conditions based on the existing legal rules. In case of emergency each contract could be dissolved.

Question 5

Are there any cultural conditions for German clients or immigrants, if new contracts of lease or sale are formulated?

What are the main obstacles for a successful agreement?

Which documents have to be presented by the immigrants, before they sign the contract of lease or sale?

There are differences made in lease contracts according to the origin or cultural criteria. For the real estate agent it is the same service for German clients or

immigrants, if the landlord agrees with it. In contracts and internal house rules the general conditions are fixed. Also the regulations concerning certain behaviour, e. g. respect of certain hours of silence, cleaning services, music volume, etc. are agreed upon. There are no specific rules for immigrants.

Before signing the contract the same conditions are checked in case of immigrants, as it is done with German clients –apart from the permission of residence. These are:

- identity card
- permission of residence
- information of personal financial status
- income certificate

As main reasons for refusals of contracts are mentioned:

- lack of capability of payment
- missing permission of residence
- no permanent professional activity
- no information of economic status

Question 6

Have you ever signed an agreement with an organisation representing immigrants in order to facilitate lease or sale of housing units for immigrants?

There are no agreements with organisations representing immigrants in order to facilitate lease or sale by real estate agents or developers. They are not regarded as necessary, which is partly explained by the previous comments. There are no significant problems resulting from individual signing of contracts. Finally there no organisations, which could change this practice.

Question 7

Have you already made a market analysis or a survey to evaluate the potential of immigrants?

Have you published information material in several languages?

Only general surveys have been made so far. There are no statistics, as they do not turn out to be profitable for real estate agents. Information material generally is only offered in German language, but that is not problematic at all, as the foreign clients are accompanied by interpreters or by a family member with sufficient knowledge of German. Certainly it would be far easier, if the clients could read the modalities by themselves. Also the contracts are just signed in German language. Therefore the consultancy of skilled advisors would be commendable

Question 8

In order to solve the housing problem, what should be done by:

- the government*
- the municipal administration*
- the banks*
- the municipal housing associations*
- the real estate agents*
- the organisations, which represent immigrants*
- the employers?*

The housing supply depends explicitly on the housing market. There are no problems in case of a balanced market. As soon as there is more demand than supply, foreigners would immediately have less chances. If there is a higher supply than demand, then housing requests of foreigners are welcome. Nevertheless social housing in the Federal Republic of Germany and the Länder should be targeted and politically confirmed for low income households including immigrants. This is due for agglomerations and all communes with a higher housing demand.

Several times it has already been mentioned, that Länder and communes should promote the integration of immigrants in a more efficient way. This would improve their acceptance and contribute to a more peaceful co-existence between German and immigrant population.

There were no further demands to politics formulated. Nor did this happen to partners of lease or sale contracts.

Experiences with immigrants are generally regarded as positive. There are no big differences in respect of their countries of origin. But it was also stated that immigrants from other EU-countries would find an easier access than immigrants from non EU-countries. The reason could be, that landlords have more positive experiences of their own with migrants from other EU-countries and are more acquainted with their habits than with those from other countries.

To compensate the shrinking population, it is clear that immigration is needed. Also to facilitate the problems in the social security systems the importance of immigration is frequently underlined by the interview partners. Clear legal regulations of a limited immigration policy, orientated to the labour market, is generally welcome. The necessary immigration figures vary significantly – between 20. 000 and 300. 000 persons per year.

In view of the demographic and economic development the law should be flexible in regard of immigration quota. Especially the immigration of highly qualified professional experts and a highly qualified labour force is regarded as absolutely necessary. But if this target will be achieved successfully, it is also doubted. Therefore it is often criticised, that staff and also craftsmen, who are urgently needed by the economy and by the handicraft business, are still being sent back to their home countries, because they formally do not fulfil the condi-

tions of residence. A better regulation for a permanent right for residence should be passed as soon as possible and bureaucratic procedures be reduced.

BANKS

Question 1

*Has your bank ever developed specific financial mechanisms facilitating the purchase of housing units for immigrants?
If yes, do you consider the publication of this initiative as a good practice for your business?*

The banks, which were interviewed, stated, that there is no difference between German and foreign clients concerning credits. There are no specific programmes for immigrants.

Question 2

Which are the basic criteria, applied by banks, offering mortgages to immigrants?

There are no specific criteria. The conditions are orientated to the legal regulations, which are the same for all debtors.

Question 3

Does the bank demand additional guarantees and/or specific securities from immigrants before a mortgage is granted?

As the experiences with immigrants and German debtors differ only in a marginal way, there are no additional securities demanded from immigrants. Before the credit is granted, the economic status of the debtor as well as the housing unit (location, way of construction, value, profitability) is carefully checked. Therefore there is only the normal risk for the bank regardless of the nationality of the client. The moral of repayment of mortgages by immigrants is by no means worse than the experience with German debtors. Legal steps are not more frequent in the case of immigrants compared with other debtors.

A permission of permanent residence is the precondition for any credit and this is checked. The income status of the whole family is considered, as the purchase generally is financed by all family members.

Question 4

In order to facilitate the access to a mortgage, what should be done by:

- the government*
- the municipal administration*
- the banks*
- the municipal housing association*
- the employers?*

No proposals were made by the banks, how and by which body the access to housing should be facilitated for immigrants. As immigrants have to fulfil the same conditions as German debtors, such measures are not considered to be necessary. It was argued just on the contrary: The principle of equality would then be violated and introduce inequality. If immigrants would get easier access to capital than German debtors, this would lead to problematic deformations.

REMARKS

Banks are controlled by the Federal Supervisory Office of Credits. There are strict rules formulated in the German law on credits, which are added by obligatory and additional specific auditing as well as a permanent obligation to report regularly. In case of violation against these rules there would be sanctions by the Federal Supervisory Office of Credits, which could even lead to the cancellation of the permission for banking.

HOUSING ASSOCIATIONS

Preliminary Remarks

Non-profit organisations and former non-profit housing associations and cooperatives are more sensitive towards social problems and thus towards the integration of immigrants. It is generally underlined, that no differences are made between German and foreign clients. Many housing associations, where we tried to receive answers to the relevant questions, did not seem to regard such an answer as necessary, because their social commitment is based on solid ground without any doubts.

Question 1

Immigrants have most difficulties to find adequate housing. Please mention the main reasons for that.

As main reasons for difficulties of immigrants to find adequate housing are mentioned: The lack of language knowledge (difficulties of communication) and therefore poor chances to adapt to long existing communities. In a building, problems caused by non respecting times of silence and lack of comprehension for rules within the building as well as regulations in the contract of lease.

Sometimes critical positions are formulated, that other residents do not accept foreign neighbours, so that not all clients can be considered. If there are too many foreign families in a community of a building, tensions could more easily occur as experiences show. This should be avoided to maintain social peace within the building. Often German residents are afraid, that foreign neighbours might get the majority. Also the high numbers of children is playing a role in this situation. It is not only the big number of children, but the common attitude to let the children make noise, when German workers want to relax or have already gone to bed. Therefore it is a balanced relation between Germans and immigrants which should be achieved with the objective of a better integration. A balanced relation generally is regarded as the same percentage of foreign families in the house as the percentage of immigrants of the total population in the area.

Immigrants from Turkey have specific difficulties to find a dwelling unit in the private sector, as they differ in their habits from our norms. People from other EU-countries are in a better position. The immigrants looking for dwelling units are mostly dependent on the public offices for housing, which have occupancy rights in social housing and in municipal housing associations. But also housing cooperatives are important providers of housing for immigrants.

Question 2

*Have you ever observed discrimination against immigrants by owners of properties or real estate agents?
Could you give details?*

In spite of single cases of refusals there are no discriminations of immigrants observed, which can be explained by the above mentioned reasons. There is hardly any intolerant feeling about foreigners by tenants of housing associations, unless their would be majority of foreign tenants in the building. Sometimes Muslims are rejected because of their dominant behaviour. It is less the religion, but the verbal conflict, which easily occur, if the necessary documents are asked for:

- identity card
- permission of stay
- job certificate
- income certificate
- financial status

Question 3

Which are the main problems for immigrants to find housing and in relation to the owners of properties?

For some foreigners it is difficult to get accustomed to German neighbours and this depends a lot on the country of origin. Often they are coming from a low standard of living and do not know the technical and sanitary equipment. Mostly they are accustomed to a less forced housing situation and to a more liberal way of co-housing. This can lead to a certain period of adaptation and therefore to some interhuman problems, which can become a heavy burden on the relation between residents.

As a specific problem in the relation housing provider/immigrant-tenant the desire for TV-connections to home-channels, if there are immigrants from different countries in one single building. The technical and financial possibilities are limited.

Question 4

If there are unfair and illegal practices of public institutions, housing associations, real estate agents-what have you done against it?

There is no case of heavy violation against the principle of equality known. At least no comments have been made about this matter. If there are slight cases of discrimination, then the housing associations try to intervene in order to find a consensus by helping the immigrants. This can be done through interventions in the public offices. In order to help the immigrants to facilitate the contact to neighbours, to public bodies and other institutions, big housing associations have already engaged some staff, knowing the language of the dominating foreign tenants. Otherwise interpreters are used in order to find out the reasons of discrimination and to intervene in an easier way.

Sometimes it is discussed, if it would be necessary to pass a law against discrimination towards foreigners. Although this matter is not regarded as absolutely necessary by housing associations, but in certain areas with a tendency to anti-foreigner feelings it could certainly help. But partly it is also feared, that it would probably become more difficult to let housing units following the principles of market economy. A free decision must be possible without being blamed of discrimination, even if there are immigrants among the clients. The intention to pass a law against discrimination and to define certain requirements, e. g. language skills and other criteria, is generally welcome and is regarded as absolutely necessary. But a balanced mix of population should be safeguarded by then. The responsible political leader for matters of foreigners in Berlin, Mrs. Barbara John formulated it in the right way: „Without a German environment no good German , without German no good marks at school, without good marks at school, no labour and without labour no good housing, “

According to the expressed opinion of the housing associations there should also be some training (qualification of integration) about the rules of Co-Housing and living of different ethnic groups in a special way. A law about immigration without improved efforts for integration is generally considered as not possible. Improved efforts towards a better integration of immigrants by the majority would up-grade the situation of the immigrants in total. Integration is necessary for humanitarian, social and economic reasons. Potentials for productivity could otherwise not be used in an efficient way for a long time.

The presented report of the „Süssmuth-Commission“ contains good proposals for this matter. It will be the basis for a broad discussion, until finally there will be a law, which hopefully can be accepted by the majority of the population. There are still different opinions among the parties about the question, which potential immigrants should be welcome and about the numbers of immigrants. The federal government is trying to find a consensus to a new immigration law in the time of preparation. The positions of the parties, which are represented in the parliament, are briefly described in the annex.

GOOD PRACTICE EXAMPLES

- Housing Cooperative Ludwig Frank e.V., Mannheim
- Housing Cooperative Am Beutelweg e.G., Trier
- Forum Weingarten e.V., Freiburg
- Stadt und Land Wohnbauten-Gesellschaft mbH, Berlin
- Planerladen e.V., Dortmund

HOUSING COOPERATIVE
LUDWIG FRANK MANNHEIM

„CO-OPERATION IS CREATING PEACE“

Preface

With 320. 000 inhabitants Mannheim is the second largest city of Baden - Württemberg and the centre of the triangle Rhein-Neckar, one of the trans-boarder-regions with Rheinland-Pfalz. As an important city for commerce and industry where the Neckar is ending at the Rhine with one of the most important internal harbours of Europe, it is a very attractive centre for immigrants. The percentage of foreigners is approximately 20 %.

The city had been destroyed to a high degree during the war. Apart from the reconstruction and one of the first inner city new construction of 400 social housing units were done in 1949/50. The design and the equipment of the housing units at that time was a good offer, but some time later turned out to be insufficient for the increasing requirements of clients. As a consequence a high fluctuation rate took place, especially because the municipal housing association as the owner of the buildings planned at a relatively early period to pull the buildings down and to erect new buildings at the same place. That was the reason, why no investment was made in the buildings or its environment. Neglecting the settlement caused a further trend towards fluctuation of tenants, who were looking for other housing units.

The vacant dwellings were then filled with jobless people, persons living on social welfare, persons with rent debts and foreigners. Housing units, which became vacant in the middle of the eighties were not occupied anymore in order to prepare the pulling down of the buildings. The delapidation of the buildings continued. The remaining tenants were more and more discriminated as they lived in bad conditions with damages of the building and a neglected dirty environment.

Started as pilot housing projects after the war the settlement became a social problem area. The remaining tenants demanded from the public housing association a simple maintenance, but this was refused with the argument, that investment in such delapidated buildings would not make sense anymore.

Then a tenants' association was formed and this led to the foundation of a housing cooperative in 1990. This cooperative had to negotiate with the city council and the city administration with the result to receive the delapidated

stock at very favourable conditions. This was the condition for a complete rehabilitation.

The cooperative rehabilitated and modernised the buildings and the dwellings in a way, that there is no vacancy anymore and that there is a sufficient demand for the dwellings. 80 % of the residents commented in a survey, that they fell comfortable in their dwelling. Further 72 % of the residents underlined that their housing conditions have been improved very well during the last ten years. The rent was considered to be favourable or adequate concerning 93 % of the members, who were interviewed. This positive result encouraged the cooperative to continue the way of permanent improvement of the settlement. The investment for maintenance and rehabilitation in the year 2000 was 877.000,-- DM, which means 31 % of the rent income or approximately 44,-- DM per square meter living space. The specific and probably unique feature of this project is the ethnic composition of the housing users from 20 different countries with a percentage of 66 % foreigners. In the settlement „Neckarstadt“, the percentage with nearly 75 % is even higher. The biggest group (54 %) is the Turkish one. Only 3 % are coming from other EU-countries.

The establishment of a kindergarten and a communication centre (meeting point „Neckarstadt-East“), where an intensive integration work is taking place, makes it possible, to find the cooperative consensus for this heterogenous group of residents and to found a peaceful community, which has already been doing a successful work for more than 10 years. The activities of the communication centre is financed by a funding group („Förderkreis meeting point Neckarstadt-East“) in close cooperation with the Housing Cooperative Ludwig Frank.

The programme for the residents of the project and their neighbours is rather complex and offers for all age groups some elements for leisure or a better qualification. As examples of the changing monthly programmes should be mentioned:

- assistance for home work of school children
- German language courses for different age and sex
- sewing courses
- silk painting
- elderly care
- computer courses

and many more

Special attention is put on the kindergarten, where 18 out of 24 children are of non-German origin. Here the first contacts start with the German language, culture and way of living. Through the engagement of well trained staff with adequate promotion, the deficit of language could be reduced before the entry to the German primary school. The two social paedagogical staff members working in the kindergarten are a little bit overburdened with this task. The founder

and former chairman of the board Walter Pahl could receive the World Habitat Award 1992 in the UN Headquarters New York.

The Housing Cooperative Ludwig Frank also participated in the prize competition „Social City“ and reached the final award. The jury explained the award with the following comments:¹⁾

„The inhabitants stabilised with their activities a housing area, which had already been run down and this is connected with their own biography. The cooperative did not strive for exclusiveness, but for the cooperation between residents of Turkish and German origin in such a project, which is not an easy task to set an example of inclusive development of an urban area. The cooperative is participating to the financing of its social institution and made it possible to keep it running independent of the up and down of the municipal budget.“

The social profit of the project is especially achieved by the reduced violence and the improved possibilities of integration. In first place the children have a benefit at their school by the assistance in the communication centre and their improved language skills.

„Altogether a lightening example for engagement in urban social affairs“, the jury stated, as the award „Social City“ was handed over to the Cooperative Ludwig Frank.

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1)The prize competition was made by: Deutscher Städtetag (national organisation of German cities), Arbeiterwohlfahrt Bundesverband e. V. (National Welfare Organisation), GdW, Bundesverband deutscher Wohnungsunternehmen (Federal Federation of German housing associations and cooperatives), the Foundation Schader, Deutsches Volksheimstättenwerk and Bielefelder Gemeinnützige Wohnungsgesellschaft mbH (Municipal Housing Association in Bielefeld)

HOUSING COOPERATIVE AM BEUTELWEG EG TRIER

In a former and neglected military base „Am Beutelweg“ social institutions had been created through the initiative of students. An association for community work and self-help had also been founded. In 1983 a citizens' house was then opened, which became finally the housing cooperative „Am Beutelweg e. G.“ in 1991.

Such a cooperative cannot work without a hard working group of idealist people, who know how to motivate other members and to activate them for co-operation. The students succeeded in doing so in an excellent way. The citizens' house in the northern part of Trier is very popular. It is supported by social and cultural institutions of the city, the residents and self-help groups, different federations and churches as well as by science and the commercial economy. It is a close cooperation by all these groups and the project.

Today 40 staff members are working for the cooperative, among them there are also trainees. The concept „integrative rehabilitation“ is based on the three columns „Housing, Working and Self-Help“. In each project it is safeguarded that all three principles are closely connected. Through the buying and rehabilitation of further buildings the activities of the cooperative is steadily growing. The total investment of the rehabilitation is calculated with 35 Mio DM. In order to get long-term unemployed people into a solid job, outsourced filials have been created, working for the cooperative and for others. In this way already an independent limited company was founded dealing with administration and rehabilitation of buildings („Hausverwaltungs- und Sanierungs GmbH“)

Another project „local economy and founding initiatives“ wants to help to create more employment in the area. It is a specific feature of the project to combine housing with Working. This can be a model for all over Europe and worldwide.

During the Prize Competition „Social City“ this project had been awarded and the development of the local economy , offering jobs and being connected with the living and working conditions of the residents was underlined to be an excellent example for self-help, neighbourhood and job creation.

The project was subsidised by the European Union, the Federal and the Regional Government as well as by the City of Trier. This support was also promoted by politicians, companies, scientists and groups of residents, who recognised, that also reconstruction projects are an important part of the future „Social City“.

Further information:

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FORUM WEINGARTEN 2000 e. V. , FREIBURG

In the suburb „Weingarten“ of the City Freiburg there is an area with high rised building from the seventies. There are 835 housing units with 2400 residents in the buildings, which were owned by the municipal housing association „Siedlungsgesellschaft Freiburg GmbH“ 40 % of the residents are immigrants.

As the maintenance of the housing stock and the environment was not satisfactory according to the residents, they founded an initiative of tenants in that area in order to cooperate with the city administration and the owner of the property an improvement of the situation through a socially orientated rehabilitation. The residents of the building „Krotzingerstr. 4“ founded a cooperative, because they were convinced, that they would be able to realise the rehabilitation of their building in a more efficient and more economic way than the housing provider. Although there was no direct financial success, as the financial demands of the owner was too high, but there was a certain political pressure, so that it could be succeeded that the rehabilitation could be made in a quicker way than originally planned.

Apart from the conception, developed by the cooperative and the members of the office in the area „Forum Weingarten 2000 e. V. “ It was not only the rehabilitation itself claimed, but the demands included:

- the formation of a rehabilitation council;
- the stabilisation of the social structure through the liberalisation from the occupancy rights by the public housing office;
- codetermination by tenants in the matter of new occupancy;
- improvement of the social infrastructure through the opening of four communication centres;
- installation of an adventure playing ground and a playing house
- installation of a job creation project for long-term unemployed.

For the residents there is a democratically legitimated structure of participation. General assemblies are held for all relevant matters.

A speaker of the residents, who is acting as a consultant, is elected for every two years. In the advisory council for rehabilitation affairs elected representatives of residents are discussing with city consultant and the city administration about occurring problems and projects.

After six years of work there is a significant profit for the community of residents: There is only half of the fluctuation compared with the situation before. The percentage of new residents with a sallery income of their own has obviously increased. Last not least the satisfaction of the residents with their living standard after the rehabilitation measures is much higher than ever before.

For example the measures for noise protection and the glass in front of the balconies (Loggia) brought significant savings of heating costs. The office of the area „Forum Weingarten 2000“, financed by the city of Freiburg, takes care of the problems and difficulties of the residents. The office is headed by paid staff and achieved to meet the demands of the residents, because they claimed their rights in unity.

The Forum Weingarten also participated in the prize competition „Social City“ and were among the first ten awards. The project was mentioned as an excellent example for the inclusion of citizens' engagement in the development of an urban area. The residents' group participated actively in the planning- and building process for their own interests, they carried out surveys, developed proposals for building and designing and initiated job creation programmes. The award is handed to a lively initiative, which has achieved over the last ten years, that the residents of high rised buildings are involved in the improvement of their housing situation, its environment and in their social and cultural situation.

Further information:

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STADT UND LAND WOHNBAUTEN-GESELLSCHAFT MBH

35 % foreigners from 34 countries can be met in the streets of Berlin. In the housing area of „Rollberg-settlement“ there are 5750 residents. 15 % from them are from Turkey. They are the biggest group within the foreigners. In the end of 1999 the housing association administered a stock of 2014 dwelling units in this area. There is a special need of development and an up-grading in the area could be achieved through urban development and through the input of resources in the labour market and in economic and ecologic affairs.

Together with several partners and associations with the participation of the advisory council of tenants and in close cooperation with Berlin and the district office Neukölln took the pilot initiative to contribute significantly to the social stabilisation of the area. There are enormous financial burdens caused by the integration needs. Additionally 25 % of the households are dependent on social welfare. The unemployment rate is higher than the average in the city.

As the biggest housing provider in the area Stadt und Land together with other actors from economy and commerce took the initiative and founded a „territorial agreement on employment“ in order to raise the number of jobs in the area. The agreement was made for young founders of companies and small and medium enterprises, is claiming for training, pooling training with different actors and is organising –last not least- an active marketing for the area. These activities are promoted by the senate of Berlin, the urban district Neukölln and especially by the housing association Stadt und Land. which founded a specific management unit for social affairs in the area. Since 1998 tailored made actions have been organised with the residents to up-grade the Rollberg-Settlement.

In accordance with the agreement on employment residents are provided with a job, that their work is offering a visible and sustainable benefit for the whole area and increasing its attractiveness. To mention a concrete project: With a project of Graffiti large walls of concrete and garages were painted and thus improve the impression of the settlement. Also corresponding activities have been developed for playing grounds.

The initiative made a local network possible, which is connecting the different institutions and actors. Joint actions improve the environment of the area in a sustainable way. Thus working promotion is combined with housing and its environment and is promoting the engagement of the residents. In this way offers for leisure are made increasing the self-confidence of residents and the attractiveness of the area.

Better housing and a more adequate environment result in an improved image for inhabitants and the whole area. Caused by the improvements there are far less fluctuations. Therefore it can be concluded that the management of the area and the intensive measures of the employment agreement were very effective. The bad image of the area and automatically its inhabitants could be stopped.

The projects for the improvement of the social situation of the area had been combined with possibilities of the regulations of the labour promotion schemes of the government. The engagement of the active residents , especially of the advisory council , not only within the development , but also within the realisation of the project , has to be underlined. Inhabitants are finding a job and at the same time have benefits from a better housing offer and the improved environment within a well looked after landscape. In this way they are beneficiaries of their own work, e. g. through the group of painting, the services for an improved neighbourhood, the tenants´ breakfast or the communication house, which had been erected by the inhabitants.

Further information:

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PLANERLADEN e. V. DORTMUND

Association for the Promotion of Democratic Urban Planning and Community Work in the Area

Since 1982 the registered association is dedicating its work to the promotion of democratic urban planning and community work in the area. The activities are orientated towards the 60. 000 inhabitants living in the northern part of Dortmund. Especially the problems of the socially vulnerable households are tackled and discussed in various project groups.

Since the beginning of 1997 the Ministry of Labour, Social Affairs and Urban Development of Northrhine-Westphalia has been promoting a pilot project of Planerladen in the framework of the regional programme „Measures and Initiatives against Racism and Intolerance against Foreigners“, which is dealing with the housing situation and the co-existence with the German population. Almost half of the inhabitants in the northern part of the city are immigrants, who have a vote in the projects and can engage themselves actively. The working fields are covering urban social and community activities, urban planning and offers of employment, qualification and continuous training.

A complete network with many actors and institutions have been created, working together with the city administration. The association defines its work to initiate and support citizen`s groups (e. g. associations for parents, initiatives for tenants), realisation of small-scale measures in the environment (e. g. School gardens, playing grounds, green belts in self-help), creation of communication room(e. g. women`s breakfast, girls` meetings neighbourhood forum, youth meetings) Generally the projects combine non-remunerated engagement with professional staff activity, which means, that sustainable economic structures could be established.

In an excellent leaflet „Anti-discrimination in housing“ interviews are collected, containing a realistic presentation of the problems, concerning the search of immigrants for an adequate housing unit. Also the suffering of disguised discriminations are mentioned. It is finally stated, that the situation of the immigrants has significantly been improved, but that there are still forced barriers to the housing market for them. Based on insufficient income on the immigrants, they are dependent on inexpensive housing units. In distinction of German clients foreigners are asked to pay higher rents, so-called discrimination supplements. But this is generally only be found in the case of private landlords.

Despite of a detension of the housing market the provision of low-income households within the segment of low-priced housing is insufficient. These households often have to cope with too small or too expensive dwellings. For their provision only dwellings in old buildings can be used and they are generally equipped in a low quality. Following the experiences of the tenants` association , the most significant form of discrimination can be found in the fact,

that immigrants are forced to lease the worst dwellings. The landlord, who normally would have to improve his stock, in order to lease it to an adequate tenant, is letting the neglected dwellings to defavourized groups.

In contrast to Germans, who generally are able to choose the dwelling, this is hardly possible in the case of immigrants. For instance, if further family members are coming, families are getting united or visitors want to stay for a while, a public authorisation and a certificate about the situation of the dwelling (size, equipment, permission of the owner) has to be presented.

In general it can be shown through the surveys, that first of all German residents are looked for. In the case of housing associations it is difficult to prove, how far they are channeling the occupancy policy with foreigners.

The public office for housing found a regulation, in order to create a more balanced social structure of residents. It had been tried to reach a quota of 20 % foreigners. But this quote is not any longer practised as it turned out to be unrealistic.

Planerladen found out in years of different surveys, that a peaceful as well as a well functioning neighbourhood between immigrants and Germans can be found in a stock with a low as well as in a stock with a high percentage of foreigners. Nearly in all parts complaints can be found from tenants about the noise of children, different ideas about cleaning and other problems of daily life. This does also occur in buildings, where only German residents are living. Nevertheless it is also stated, that general social problems increase the tensions. "In the degree, as Germans are tackled by the problems of unemployment and other problems, they tend to brush up old fashioned prejudgements".

Several consulting services are offered by the association in the area. Immigrants are not treated as an object of a dominant work of integration, but they are asked to participate in favourable occasions of self-chosen activities. In the framework of the anti-discrimination-project a complete information and PR-Work is done. Actors in the housing market are sensibilized for questions of housing supply and housing needs. In this way prejudgements towards letting of private landlords to immigrants can be reduced. The perspective is a general improvement of the chances of immigrants to have access to housing.

PLANERLADEN for the northern part of Dortmund is not only a good pilot project, but also for other parts in Europe, it is also a sustainable and multiethnic integrative project. It was also chosen in the prize competition of „Social City“.

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CONCLUSIONS

When we talk about a balanced housing market in Germany, this is a general statement, which cannot be related to the individual case. There is no homogeneous housing market. There are significant differences from one Land to the other and from one region to the other. The market is split up in a horizontal and in a vertical sense. Even in areas, where a higher rate of vacancy can be found, German or immigrant families with a low income and a high number of children can have extreme difficulties to find an adequate housing unit according to the family size and the affordability of household income.

Following the most recent surveys of the Statistical Office of Baden-Württemberg the lack of housing units officially is mentioned with 0,8 % and could be considered as marginal. But in the city of Mannheim there are 5,5 % housing units affordable units for low-income sections are missing. There are no differences between German and immigrant families in this difficult segment of the market. This is not surprising, as Mannheim has the highest unemployment rate of 8 % in the region of Baden-Württemberg.

In spite of the vacancy rate, which is still within the calculated loss of rents it should be respected, that there are enormous regional differences. In Eastern Germany the vacancy rate with 1 Mio. vacant dwellings has reached a dramatic size, but this may not cause a withdrawal of the state to offer dwellings for disadvantaged groups.

Social housing has to be continued locally and targeted for certain groups of the population. There should not be a pause, as it is demanded sometimes, if we do not want to face enormous gaps of housing provision during the next years. The present housing subsidies are insufficient in order to offer affordable housing to the people, affected by poverty. Public housing is too expensive and can hardly be financed. Housing units frequently are more expensive than the low-cost part in the freely financed segment. A very simple and provisional housing construction should not be done anymore.

For a long time Germany is a country of immigration, but officially this had been neglected. First there were the guest workers, who were needed by the industry, the economic miracle needed more and more workers. They came from different countries, a big number came from Turkey. There are certain resentments against this group on the part of housing providers, which could be explained through the different religion, culture and a different rhythm of life. Turks seem to be less prepared to integrate themselves into an existing community in a house than other immigrants. The German housing association make a lot of efforts, to reduce existing problems and to facilitate their integration through assistance for a better integration. Apart from certain measures financed by the federal government, there are also specific programmes of the Länder for the professional and social integration of foreigners. Private welfare organisations and numerous housing associations and social institutions contribute to this integration assistance.

There will not be a significant remigration, as it had been expected many years. It is more probable, that in view of the increasing immigration after passing the respective law and later on after the eastern enlargement of the European Union, the efforts for integration will have to be strengthened in order to unify and not to separate the society. The acceptance of the German population has to be observed very carefully. From the immigrants it has to be demanded that they inform themselves about the habits of the host country and use the possibilities of learning the host language in a better way.

In order to increase the acceptance on the side of the German population an exaggerated concentration of foreigners in certain areas should be avoided. The concentration in few areas is easily leading to more separation and is making integration more difficult. There are hardly any contacts, suspicion and prejudgement is growing. The practice of housing offices, which have the occupancy rights in social housing, should consider this social necessity. Only in this way a social and spatial integration can be achieved.

The reform of the right for nationality, which became valid on the 1. January 2000 enables immigrants to receive the German nationality already after 8 years instead of 15 years and children to get the German nationality from the moment of birth, made it possible that the numbers of foreigners, who became German citizens increased. Thus it is becoming obvious, that immigrants are integrating themselves more and more into the German society. In a Europe without borders, it is necessary to come to a common immigration policy. Europe has to agree on a unique and open policy with clear rules for forms of immigration in order to avoid illegal immigration and to stop the illegal business with the transport of illegal immigrants to the „host countries“.

There is no serious doubt about the necessity of immigration to Germany for demographic and economic reasons. The discussion about the immigration law is dealing with quotas and conditions.

Germany succeeded on the way to integrate immigrants. At the same time the country is preparing itself for further immigration. The immigration commission, which had been installed by the actual government made good proposals for the improvement of the immigration without rules, as we are facing it now. The proposals have to be checked carefully now and to be discussed. There is a common sense about the question to reach an improvement of their social participation and about a ruled acceptance of immigrants. Facing the problems, created by the pressure of immigration, national solutions are only pieces of an effective regulation, which can only be achieved in a European way. In a Europe without borders there has to be a common immigration policy. State programmes of national governments are not sufficient anymore in order to protect the EU before uncontrolled immigration and their illegal organisers.

The readiness for acceptance and integration on the side of the German population depends on the fact, how far adaptation to the dominant habits will occur. Language skills is one of the first preconditions, in order to be able to commu-

nicate with neighbours. The education of the children is also mentioned as a indispensable condition for a peaceful co-existence. Tolerance on one side needs also care taking on the other side. Various housing associations installed kindergartens of their own and offer assistance for homework for children and young people. Also offers for leisure and for qualification including sewing and computer courses are valuable forms of help to integrate oneself at school, in the job and in the society in a better way. These initiatives are not sufficiently promoted by public bodies deserves a lot of respect.

The efforts for integration aim at a situation, where there is no difference anymore between Germans and foreigners concerning the participation in central social areas like housing, working and education. The different religions and cultures should not be an obstacle, as integration does not have to be confused with assimilation.

The successful integration of immigrants into a society cannot succeed without a broad common agreement of the majority society. There should not be a loss of identity on the side of the immigrants belonging to a certain ethnic community, but it is just expected from them, that they regard the norms of the host country as important and accept its basic values. The non-remunerated, remunerated and half-time staff members of the welfare organisations are not strong enough to manage this difficult task by themselves. It needs a broader support.

Discriminative and unfair behaviour towards immigrants could not be observed within the group of leading persons for the housing provision in a single case. On the other side, it is underlined, that –independent of origin and sex, there is an equal treatment, which is demanded by law. Those, who are reading the reports in the media about racist or more generally anti-foreigner comments and actions, has to admit that there are discriminations and disadvantages in a more disguised form. Also violence against foreigners cannot be ignored. Apart from an extreme right background and the lack of perspectives for youngsters, especially in eastern German Länder, this is in certain groups just the desire, to have conflicts and to create fear. Those are not only political extremists, but also other groups like hooligans. These cases are single affairs and are rejected by the big majority of the population. As the neighbourhood of people is taking place in buildings, the housing associations and cooperatives are taking a lot of initiatives to help immigrants and to take care for a good atmosphere in their housing stock through a better information and PR-campaign as well as a mixed occupancy of housing units

In order to reach the target of integration, the law of immigration, which is in preparation, should not only define Quota and their criteria, but also contain the financing of the necessary measures for integration. As these measures have to be done at municipal level, the local authorities should receive the necessary funds for it. In addition to the law of immigration and the improved right for nationalisation there should also be a law for non-discrimination in order to discipline the anti-foreigner groups, which are ready for violent actions.

On the part of the economy mainly highly qualified immigrants are expected. If they will really come in great numbers, is completely uncertain. Therefore the basic and advanced training for Germans and already in Germany living foreigners is of vital importance. There is no reliable prognosis, to what degree the economy is in a position to create new jobs. Therefore it is justified to put attention to middle-term periods of adaptation for the immigration from eastern Europe are decided, in order to avoid a further aggravation of the difficult situation on the labour market. On the other hand it is unclear, how many immigrants with the demanded high qualifications will come.

There should be a more sensitive practice, when foreigners are sent back to their home countries in future than in the past. Those, who already are living in Germany for a longer time and is holding a job, should not be forced and against his will be sent back to his home country. Especially handicraft companies are in urgent need of these labour forces. There is no sense in sending refugees from civil wars home and look at the same time for other immigrants.

The most important target of German politics is the struggle against long-term unemployment. The overcoming of the high unemployment is the most effective instrument for the social integration of further immigrants. Although the rate of unemployment has been dropping since 1988 continuously, it has not yet reached the level, the government intended to achieve. The good situation on the export market did not reduce the unemployment to a bigger extent. The better economic situation in some sectors has also been compensated by further automatisisation and technology as well as removal of the production to other countries. Higher profits did not sufficiently lead to new investment and therefore did not create new jobs.

A smaller offer of jobs is not encouraging potential immigrants to come to Germany. An active labour market policy, as it is intended by the European Union and by the „Action Agreement for Labour, Training and Capability for Competition“ of the Federal Government in Germany are not enough in order to struggle against long-term unemployment successfully. This is also true for the high youth unemployment, which is hampering the future perspectives for the young people and is leading to politically dangerous directions. The Europe-wide efforts to struggle against the high unemployment have urgently to be strengthened.

Following the opinion of the Director of the Labour Office in Berlin, Mr. Klaus Clausnitzer, in the next ten years 50 % of the non qualified jobs will be taken away.

Therefore there is a significant need for action.

In the beginning of August 2001 the German Federal Minister for Internal Affairs, Mr. Otto Schily presented a first bill for an immigration law. This bill

is considered in a differentiated way depending on different views. The parties of the opposition are criticising above all, that the bill does not contain any quota or limitation of immigration, but intends to adapt immigration to the needs of the national economy and therefore has to be flexible.

Furthermore a cost calculation of integration and their regulation is missing.

Finally it has to be observed, what kind of changes of the bill will be introduced by the cabinet, by the parliament and by the second chamber, the representation of the Länder. In the annex the different party positions to the bill are presented in a brief way.

ANNEX 1

The Bill of the German Government for a new Regulation of the Immigration and Positions of the Parties, represented in the Parliament

The bill of the German government for the new regulation of immigration is principally based on the proposals of the “Süssmuth-Commission”, which had been installed by the Federal Minister for Internal Affairs Otto Schily. The Commission presented a concept on 300 pages with the conclusion, that “Germany needs immigration”. The proposal is regarding asylum, refugees and immigration for seeking jobs as a unique affair. Especially it is dealing with controlled immigration of qualified foreigners.

According to a priority system with points bottlenecks in the labour market should be widened. There should be no restrictions for leading positions in the economy, science and research.

Within the humanitarian field the commission is convinced that there is a gap of protection for non-governmental and sex based threat. The efforts for integration should significantly be increased.

The draft of Mr.Schily intends to reform the status of the permanent stay and the working permission in Germany. In the future there should be only two kinds of stay: A limited permission of stay and an unlimited permission of residence.

Immigration should become more flexible. The Access to the labour market should be orientated to the regional needs. In this way the Offices for Labour receive a greater competence. Highly qualified immigrants receive from the very beginning an unlimited permanent permission of residence. There should be a special selection procedure to decide about adequate immigrants.

Refugees and asylum seekers receive a limited permission of stay. After three years it will be checked, if the conditions in their home countries have been changed. Refugees should become the right to work.

The Social Democratic Party (SPD) relies on the acceptance of the German population, which is the precondition for a successful integration policy. There must be a common sense about regulation, integration and social peace. Those refugees, who are threatened by non-governmental or sex based threat should be protected in a better way. Other ones from war or civil war situations should get a limited permission of stay.

The immigration for a permanent residence should be cancelled through a system with priority points.

In case of a labour orientated immigration there should only be two kinds of permissions: A limited and an unlimited one.

Until 2010 the SPD regards the need of immigration-apart from the highly qualified persons- as a small one. After that time the immigration of young and well trained people will be necessary.

The Christian Democratic Union/Christian Social Union (CDU/CSU) call their concept “regulate and limit immigration”. For them there is a principle “Training and Continuous qualification needs a priority before immigration”. The consideration of national interests is underlined. Therefore the immigration should be realised by following targets of integration. Both parties insist in stating that Germany is not a classical country of immigration. The paper aims at the prolongation of working hours, increase of productivity and higher quota of income. The decline of birth rates cannot be compensated with immigration.

About emergency cases in the humanitarian field the parties consider, that the “policy is asked to be sensitive of the victims of non governmental threat”. According the following immigration of family members, the actual age limit should be decreased from 16 years to 6 or at maximum 10 years. Integration is an indispensable element of the concept, which even claims for Islamic religion teaching in German language.

The Alliance 90/The Green (Bündnis 90/Die Grünen) want to realise a “three column model”. They distinguish immigration caused by economic, by political and by legal claim reasons as for example in case of asylum, immigration of following family members and in case of free movement of EU-citizens. Inflexible quota for immigration are refused by them. The need for labour force should be defined and replace a unsystematic immigration for economic reasons. The following family members should have the right to immigrate up to the age of 18 years. Furthermore there should be a secured status of protection for victims of non-governmental and sex based threat.

The Liberal Party (FDP) is also arguing with three columns for their demands. There should be a regulated immigration caused by the needs of the labour market, there are also humanitarian responsibilities and needs of integration. Regarding the needs of the labour market, immigration should not be limited to highly qualified labour force, but also to the needs of the small and medium enterprises, of the handicraft and the services. As a precondition for the permission of permanent permission of residence is the fact, that the labour force cannot be found among the national job seekers.

For non-governmental and sex based threat the Liberal Party wants to introduce a “small asylum”

The Party of Democratic Socialism (PDS) is calling Germany as a country of immigration. Following their opinion, immigration may not be restricted to a pure recruitment of highly qualified people. There should an individual right to claim immigration and a six months time should be left to immigrants to find a suitable job. Also those, who intend to study or come for a traineeship as well as those, who want to establish a business of their own, should be allowed to come, if he/she is able to prove a sufficient liquidity for living and to show a health insurance contract. As a unique party PDS wants to legalize illegal immigrants.

The above mentioned positions will offer enough points for a conflictive discussion, where the government is looking for a broad consensus, which can also be accepted by the population in Germany.

ANNEX 2

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