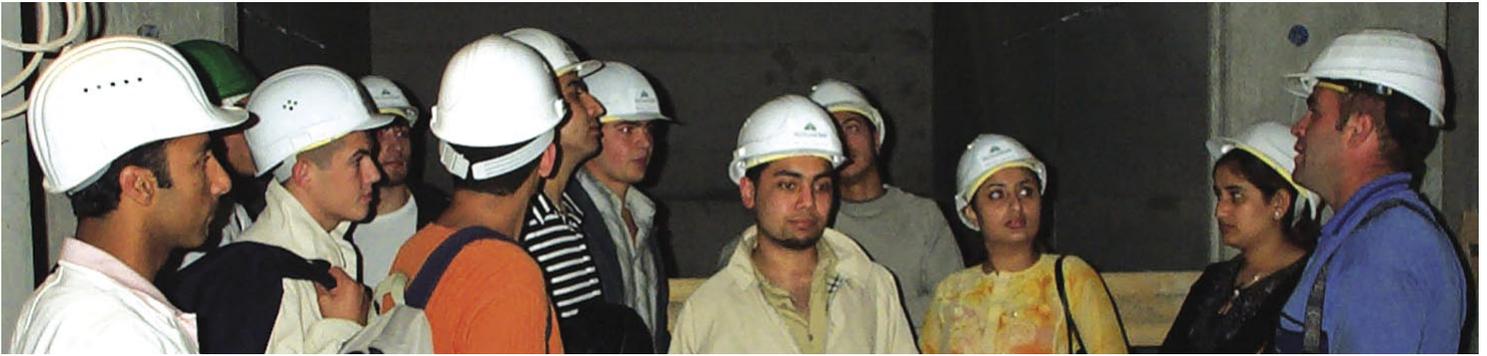


# FLUCHTORT HAMBURG

Hamburg as a Safe Haven – Vocational Training for Refugees

Special Issue - May 2007



## Access to education for „tolerated“ young people and refugees

### Five years of the EQUAL network for asylum seekers in Hamburg – successes and challenges

**There is hardly any member state of the European Union where educational, social and employment policy is as restrictive as it is in Germany. Young people in particular suffer from discrimination in their social and legal situation.**

Most asylum seekers and refugees are cut off from any future perspectives, at the latest on completion of their general schooling. (The legislative framework for the right to stay is described in the article on “Toleration’ – a German speciality” on page 2.) The legislative barriers to obtaining a work permit after success in finding a job are insuperable for most of them. The barriers deter potential employers at a very early stage, and the result is very much like a complete ban on training. The basis of these legal restrictions is applicable law (the Employment Procedure Ordinance), which stipulates that anyone selecting a candidate for a training place must give preference to a German citizen or citizen with equivalent status – and this is checked out in an extensive process. However, if a commercial company is willing to provide an additional training place, it is possible to waive this priority rule. That is practically the only chance for the asylum seeker or refugee to get a work permit for a training position.

### More training places – also for young people from Germany and priority candidates

The Development Partnership “Fluchtort Hamburg” (see portrait on page 4) practises this procedure in cooperation with employers and labour agencies – at present there are

about 60 young asylum seekers and refugees who are getting a training in the retail trade, in restaurant and catering operations, and in the services sector. And a remarkable consequence for the labour market is that implementation of the EQUAL programme has resulted in many companies doubling the number of training places they are offering, i.e. there are now more training places for those with priority status, too. More and more commercial companies in Hamburg appreciate the skills that young asylum seekers and refugees bring with them – knowledge of languages, motivation and commitment are often the decisive factors for the company to engage in active support to help the candidate for a trainee position to obtain a work permit (see portraits on pages 2).

### Paradigm change in government and public authorities?

The situation has changed for a minority of the rejected asylum seekers and refugees, following a change in rights of stay for those who have had ‘tolerated’ status for a long period. In Hamburg, for example, the new regulation applies to about 3000 of the 10,000 ‘tolerated’ persons. Anyone who has been living in Germany for eight (or in some cases six) years in July 2007, and can earn their own living, will receive a residence permit, limited initially to two years.

### DEAR READERS,

The Community Initiative Programme EQUAL is the first labour market programme in Germany that includes asylum seekers and refugees. Access to the labour market – that is the greatest challenge for German refugee policy, was addressed by the Development Partnership “Fluchtort Hamburg” (Hamburg as a Safe Haven). Its focus included the area where the barriers are the highest for this group – in-company training of asylum seekers and refugees.

Our strategic partner, Rolf Steil of the Hamburg Labour Agency, was quite right when he said “Participation in society is possible only by participation at work and in training.” After just five years of EQUAL, and untiring efforts to make the impossible possible, it is now time to draw up a first summary of what has been achieved.

We wish you much enjoyment in reading it,

*Your Coordination and  
Mainstreaming Agency*

“Fluchtort Hamburg” in cooperation with the Hamburg Labour Agency and the Department of the Interior has played an active part in counselling and job arrangement, first for young

(continued on page 3)

## Heinemann – an international business

Heinemann is a family business established in 1879, and now has 180 airport shops in ten countries, with a workforce of more than 2000 people, coordinated from its head office in Hamburg. "Heinemann is a global company. The more international our workforce, the better our chances," says Head of Training Birgit Schwedler, explaining the principles of the company. The requirements are correspondingly high for the new staff for training in the retail business at the airport shops – they need to have not only a good command of English, but also resourcefulness and initiative. That is why this retail organisation is happy to train migrants such as Rakhi Arenja, a 20-year old Afghan girl. Birgit Schwedler believes that Rakhi Arenja has exactly what it takes, thanks to

her own development background – she left Afghanistan as a refugee five years ago, made her own way to Hamburg, and since then she has completed a language school training programme with the main focus on English.

Rakhi Arenja informed her future employer during the recruitment interview back in spring 2006 that she would need a work permit to take up a training position. At that time it was a long and difficult process to apply for this and go through all the necessary procedure. But that was no obstacle for Birgit Schwedler, who says "We wanted her, it was as simple as that". As Heinemann increased the number of training places, recognition of this position as additional went through quickly and without complications.



Head of Training Birgit Schwedler and Rakhi Arenja at one of the eleven airport shops in Hamburg

## Scheffler Senior Citizens Home – training or illegal employment?

For more than a year now, Marion Scheffler has been training the 22-year-old Visare Hoti from Kosovo as a healthcare and nursing assistant. The training contract with the Scheffler Senior Citizens Home was signed and recognised, and Visare Hoti was attending vocational training school and practical nursing tuition, and received her monthly trainee's allowance. But she was no longer permitted to work at the Scheffler Senior Citizens Home – some months beforehand, the Manager of the Home had received a letter from the Central Customs Office threatening a fine of 30,000 euros for illegal employment. Visare Hoti had failed to apply for a work permit at the beginning of her training, when she had to extend her



Visare Hoti and Marion Scheffler (Manager) with one of the residents of the Scheffler Senior Citizens Home

'toleration' status with the aliens department. After all, she had a work permit for the long-term placement at the Senior Citizens Home. The letter was quite a shock for the Manager of the Home, though she managed to prevent the fine, but since then Management and the Residents of the Home were expecting that Visare Hoti would have to return to her country of origin.

That has all been changed by the new regulations on the right to stay. Visare received her residence and working permit, because she not only had a training position, but also the written agreement of Scheffler Senior Citizens Home that it would take her into employment after completion of her training.

## Andersen café house – „we sell products from all over the world, with people from all over the world“



Lars Andersen and trainee Mohamed Diane

Lars Andersen, the future Managing Director of this traditional Hamburg company, believes that a café house should be home to many cultures. That is reflected above all in his staff. Old and young, student and housewife, with and without migration background – that is his concept. "We thrive on the influences that these very different people bring with them, from their origins and their experience." And there are also good business reasons that motivate Lars Andersen, who did his own specialist training in a hotel, to train four young asylum seekers and refugees as skilled staff in the catering and restaurant sector. "A lot of our staff will be retiring in the near future," he ex-

plained. "We need young people to take their place, because in recent years we have just been keeping ourselves above water by employing unskilled staff." One of the trainees is Mohamed Diane, a young man who started his training at the café three months ago. The 24-year-old fled from Burkina Faso to Hamburg eight years ago, as an unaccompanied minor. At the beginning of his training, he also registered for a junior high school course at the evening institute. Naturally, Lars Andersen takes account of these evening lessons when drawing up the duty roster, because "this high level of motivation is just sensational."

## Participation by work and training

### Interview with Rolf Steil, Chairman of the Management Board of the Labour Agency, Hamburg

The Labour Agency is a strategic partner of the EQUAL development partnership “Hamburg as a Safe Haven”. How do you cooperate with this network?

**Steil:** The Hamburg Labour Agency provides support in the search for jobs and training positions. It makes use of the labour market promotion mechanisms where necessary. We exchange views with the development partnership on the people concerned.

What is the status of vocational training and education of asylum seekers and refugees for German society and for the German labour market?

**Steil:** For the asylum seekers and refugees who then return to their home country, it means they have better opportunities after completing modular training units. For those whose residence status in Germany is confirmed, the principle is that participation in society is only possible by participation in work and training – that creates integration. For the economy, it is important to be able to use the potentials of asylum seekers and refugees. And in economic terms, good future perspectives are only possible with good training.

A year ago, you called for establishment of a clear position of government and legislators on immigration, and on treatment of those who have for many years had ‘tolerated’ status. How do you assess the new legislation on the right to stay?

**Steil:** The new legislation on right to stay, in particular the extension of the



▲ Rolf Steil, Hamburg Labour Agency, at the “Initiative for Training and Employment” meeting organised by Hamburg as a Safe Haven

period, is an appropriate way to enable those who want to demonstrate their willingness for integration to participate in this society. It enables them to earn their own living, basically by opening up opportunities for work and training.

How has the Hamburg Labour Agency responded to these changes in the law, and to the paradigm change in treatment of asylum seekers and refugees?

**Steil:** We are opening up to this group of persons as clients. At the same time, we are preventing abusive conditions of employment and wage dumping in employment. We are also providing advice and mediation services in the

search for work and training.

I personally advertise for asylum seekers and refugees with rights to stay, in my discussions with Hamburg companies and in the media.

What opportunities do asylum seekers and refugees have in the Hamburg labour market?

**Steil:** The good economic climate means we have new opportunities – including for employment in lower-skilled jobs. At present there are 20,000 job vacancies advertised at the Labour Agency.

How do you assess the willingness of Hamburg companies to employ young asylum seekers and refugees?

**Steil:** Once the companies get to know young asylum seekers and refugees face to face, they are often very keen to take them on as trainees. The international contacts of many companies in Hamburg mean that they need people with international skills and knowledge of several languages.

### „Duldung“ (Toleration) – a German speciality

Most of the refugees who arrive in Germany are not granted asylum. Only about five per cent were given legal recognition for asylum in the past year. If they are not granted recognition, refugees are required to leave the country without delay. But if deportation is not possible at the time in question, for humanitarian reasons, they are given a provisional status of ‘Duldung’. This ‘Duldung’ is not a right to stay, but a time-limited suspension of deportation. It is granted for a short period only, and has to be extended repeatedly. In the event of changes in the circumstances in the country of origin, this suspension of deportation can be cancelled, so that the foreigner will then be deported.

This situation, known as ‘Ketten-duldung’ (chain toleration), excludes people from all integration programmes and from the labour market for many years, and leaves them no alternative but to live on social benefits.

(continuation of page 1)

asylum seekers and refugees under the age of 25, who may be granted the right to stay if they have a contract for training.

There may be far-reaching changes coming up in Germany. Even for those not covered by the right to stay, the amendment legislation to the Immigration Act, currently being deliberated in

the German parliament, provides for a major improvement – access to the labour market for ALL ‘tolerated’ persons after a period of four years in Germany. It remains to be seen whether parliament will have the courage to take this step, which could initiate a paradigm change in German refugee policy – even if this does not eliminate the unacceptable system of “chain toleration” (explanation on page 2).

## Pulling together – the network „Fluchtort Hamburg“

“Hamburg as a Safe Haven – Vocational Training for Refugees” is one of eight development partnerships approved in Germany in work for asylum seekers.

“Hamburg as a Safe Haven” works for labour market integration of young and adult asylum seekers and refugees – in Germany, in a third country, or in their country of origin. The development partnership (DP) is a cooperative project involving various players from refugee work, the Hamburg vocational training schools, employment companies, and self-help organisations of migrants. It includes the authorities in Hamburg and the Federal Labour Agency, and also a large number of commercial companies in Hamburg. The community initiative programme EQUAL is funded by the Federal

Ministry of Economic Affairs and Labour, by the European Social Fund, and by the City of Hamburg.

The strategy of the 16 sub-projects of the DP are focused on four fields of action:

- Improving starting opportunities
- Institutional change among players in vocational training
- Training of entrepreneurial skills and empowerment for self-employment
- Clarification of return options

The two funding periods so far have provided support for about 2000 asylum seekers and ‘tolerated’ refugees (adults and minors) with advice, therapy, language training, and preparation for training and the labour market.

*“The enforced idleness and the long-term frustration in the life situation of many refugees makes them mentally ill, and breaks down their personality and their will to look after themselves. For the German host society, this marginalisation of refugees and asylum seekers takes from them their human dignity and thus violates their constitutional rights under the Basic Law“.*

*Prof. Dr. Dieter Oberndörfer, German Migration Council, Freiburg/Brsg.*

### Meeting with the partner networks in Rome



### Fluchtort Hamburg - transnational

➤ The DP works in transnational cooperation in AwareNet, which includes not only “Fluchtort Hamburg”, but also the DPs IntegRARsi (Rome, Italy), CD-VEC (Dublin, Ireland), and PROGRES (Ljubljana, Slovenia), with work on two trans-national projects: “EQUAL language - Manual on second language training for refugees in Europe”, a manual designed to help teaching staff in the planning and conduct of teaching a second language with this target group, and “EQUAL voices”, a film presenting ex-



### ▲ A harbour trip on the subject of „Migration in Hamburg“ with the Italian and Irish partners

amples of the flight, career biographies and life planning of asylum seekers and refugees in Europe.

### Coordination of DP Fluchtort Hamburg – Hamburg as a Safe Haven

The EQUAL Development Partnership “Fluchtort Hamburg” (Hamburg as a Safe Haven) is coordinated by the department “Migration and International Cooperation” of passage gGmbH, Nagelsweg 14, 20097 Hamburg.



#### Contact

##### Maren Gag

maren.gag@passage-hamburg.de

T. +49(0)40-24192785

##### Iris Beckmann-Schulz

iris.beckmann-schulz@passage-hamburg.de

T. +49(0)40-24192786

##### Tamer Ilbuga

tamer.ilbuga@passage-hamburg.de;

T. +49(0)40-24192788

www.fluchtort-hamburg.de

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Editorial & distribution:

Mainstreaming Agency

of the DP „Fluchtort Hamburg“

Rothestraße 66

22765 Hamburg/Germany

Contact & legal responsibility

**Diakonie**  **Michaela Ludwig**

Diakonisches Werk KK Niendorf

T. +49(0)172-41 40 484

mainstreaming@dwniendorf.de

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Ilka Tietje (1),

Ann Katrin Schultz (1), Michaela

Ludwig (2)

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