

2022: A New Era for Refugee and Asylum Policy?

Policy Recommendations for Learning Systems

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Introduction

In the words of German Chancellor Olaf Scholz, the war between Russia and Ukraine has catalyzed a "Zeitenwende", a turning point, in German and European politics in 2022 - and not merely in the world of political rhetoric. Our very underlying assumptions of security and defense policy in Europe, until now taken for granted, have been called into question and ultimately changed. Equally, the implementation of the Temporary Protection Directive has marked a paradigm shift, at least temporarily, in refugee policy at the European level, with critical implications for member states. Increased immigration in 2015 and 2016 exacerbated conflicts over asylum and refugee policy and deepened political divisions in the European Union. Conversely, since the start of the war on February 24, 2022, decisionmaking on refugee policy has been largely unified, even as refugee migration impacts the individual EU member states in markedly different ways. The political situation can be characterized by a fundamental willingness to accept refugees from the war in Ukraine in the EU, to extend protection, and facilitate their temporary, if not permanent, integration into the member state of their choice.

That said, the experience of countries with a longer history of migration and of taking in refugees from war and crises in the old EU (pre-2004) differs from that of the countries to have acceded in 2004 and 2007. For Poland, Romania, the Czech Republic, and Slovakia in particular (as well as the Republic of Moldova outside the EU), the extraordinarily high influx of refugees and their potential integration is by and large a new experience. For the first time, their political and administrative systems are facing the issue of migration management on a larger, systemic scale. Broadly speaking, inducting refugees into institutions, the regional distribution of refugees, teaching the national language, and integrating such large numbers of people into both the countries' educational systems and national labor markets are all new challenges for these countries. But Germany, too, is coming up against new questions in welcoming and integrating

refugees as well as in reforming its asylum and refugee system. Refugee acceptance and integration in Germany is not a matter of simply continuing the policy of 2015/16, but is instead taking place in a different political, legal, and social environment. Accordingly, we must now take stock of existing German and European asylum and refugee policies and enact lasting reform where changes and transformation are pertinent or even essential.

The current realignment of refugee policy is unfolding against the backdrop of a war in the immediate vicinity of the EU, a conflict with no foreseeable end, both in terms of when and how, in sight (as at mid-May 2022). But the war and refugee crisis raise not only practical but also far-reaching conceptual questions for refugee, acceptance, and integration policy. We now stand to draw political and administrative lessons from these experiences, not least in comparison with political practice since 2015, when refugee policy last underwent a major realignment. This process is taking place within German society, but also between different societies at the European level.

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Within German society, the focus is on questions relating to refugee distribution, whether they intend to stay, and above all the conditions and prospects for their integration. Questions of distribution are also important between different societies and thus at European level, an issue that reaches far beyond how refugees are distributed among the EU member states and into sharing economic and financial burdens. Among host countries, these factors differ enormously, with refugee numbers varying drastically between Portugal and Poland, for example, or Sweden and Slovakia. Quite simple in and of itself, this fact touches on older, unresolved issues in EU asylum and refugee policy, namely the reform of the dysfunctional Dublin system, or the existing political regulation of access, acceptance, and residence. The ongoing debate on the EU migration and asylum package provides the overarching political framework for the new regulation. Also important is the intersocietal exchange of ideas, practices, and experiences among European host countries, offering potential for transfer and mutual learning. Invoked rhetorically, the new era could in fact also catalyze a long-term turning point toward a refugee policy based on experience and knowledge, and thus to a better and fairer asylum and refugee policy in Germany and Europe.

With this in mind, the recommendations set out at the end of this text are intended to think about the future design of asylum and refugee policy. They should be understood as suggestions for the further reform of an ever-learning system in times of change.

Refugees from and in Ukraine: figures, facts, and data

The UN Refugee Agency estimates the number of international refugees to have fled Ukraine since the Russian invasion on February 24, 2022, as 5.7 million (as at: May 4, 2022). Estimates suggest an additional 7.7 million internal refugees (as at: April 17, 2022), many of whom have however since gone on to become international refugees. 2 Roughly speaking, the total of all internal and international refugees from and in Ukraine numbers around 10 to 12 million people, over a quarter of the entire population. This figure marks Europe's largest refugee movement since 1947, with refugee numbers far higher than during the Yugoslav wars in the 1990s or in 2015/16. Within Ukraine, internal refugees have arrived in central or western Ukraine from the country's embattled east, while international refugees have fled from across Ukraine, primarily to the EU and especially the country's close neighbors. In absolute terms, the country with the greatest number of refugees is by far neighboring Poland, followed by Romania, the Russian Federation, Hungary, the Republic of Moldova, Germany, Slovakia, and the Czech Republic. Per capita, the Republic of Moldova recorded the highest number of initial arrivals, with 112 persons per thousand inhabitants.

² IOM (2022): Ukraine – Internal Displacement Report – General Population Survey Round 2 (24 March – 1 April 2022), https://displacement.iom.int/reports/ukraine-internal-displacement-report-general-population-survey-round-2-24-march-1-april and https://www.iom.int/news/one-six-people-internally-displaced-ukraine.

Table 1: Total refugee influx and influx relative to the population³

Country	Total refugee influx (figures rounded)*	Refugee influx per thousand people of resident population (own calculation)
Bordering countries		T
Poland	3,144,000	82
Romania	857,000	44
Russian Federation	728,000	5
Hungary	551,000	56
Republic of Moldova	452,000	112
Slovakia	392,000	72
Belarus	26,000	3
Other European countries		
Germany	403,000**	5
Czech Republic	327,000	31
United Kingdom	118,000	2
Italy	107,000	2
Bulgaria	95,000	13
Spain	86,000	2
France	50,000	1
Austria	64,000	4
Lithunia	51,000	18
Netherlands	50,000	3
Switzerland	46,000	5
Belgium	40,000	3
Estonia	36,000	27
Sveden	34,000	3
Portugal	33,000	3
Irland	27,000	6
Lativa	26,000	13
Denmark	24,000	5

^{*} There are limits to how far this data can be compared, as some data relates to border crossings and other to registrations, applications for protected status, or visa applications (UK). With regard to the border crossings reported, refugees are likely to have been counted twice in the case of onward migration from neighboring countries to other EU countries. In particular, many of the more than three million refugees counted at Poland's external border with Ukraine are now likely to be in western EU states.

^{**} Data from the German Federal Ministry of the Interior. Accessed May 4, 2022. On May 5, the Federal Office for Migration and Refugees gave the figure as 610,000 persons.

Data is based on information from the UNHCR (https://data2.unhcr.org/en/situations/ukraine), Mediendienst Integration (https://mediendienst-integration.de/migration/flucht-asyl/ukrainische-fluechtlinge.html), and national media (Belgium, Ireland, Latvia, Sweden).

Data on individual countries accessed between April 27 and May 5, 2022, depending on the country. Countries not shown: no current data available.

As such, the influx of refugees is primarily impacting

East-Central Europe, parts of Southeast Europe, and western Central Europe, while Western and Southern Europe have seen comparatively fewer refugees from Ukraine. Nevertheless, it is difficult to determine the real number of refugees, as reliable data on refugee registration, onward migration within the EU, or return and circular migration is not yet available.⁴

The majority of refugees in Germany are younger people under the age of 40, mostly women and children. Men between 18 and 60 years of age who are fit for military service are prohibited from leaving Ukraine. According to a survey carried out by the German Federal Ministry of the Interior, the refugees have an average age of 38.5 Only 17 percent of refugees arrived all alone. Of that number, most were elderly.

To a certain degree, this is the opposite of the demographic situation in 2015/16. While refugees at the time were largely also younger people, two-thirds were male. Among refugees from Ukraine in 2022 are both (ethnic) Ukrainians and ethnic Russians or Russian native-speakers, but also non-Ukrainian nationals with right of residence in Ukraine. Broadly speaking, Russian speakers or ethnic Russians come from eastern Ukraine, where they account for between 40 and 70 percent of the population, despite the strong political and cultural Ukrainization of these parts of the country since it became independent in 1991.

Politically speaking, the way in which refugees from Ukraine were received in the EU was novel. The EU's Temporary Protection Directive was adopted by the EU in 2001 against the backdrop of the Yugoslav wars but never applied. Following a unanimous decision from all member states, it came into effect on March 3, 2022. Under the directive, "Ukrainian nationals residing in Ukraine before 24 February 2022" and "stateless persons, and nationals of third countries other than Ukraine, who benefited from international protection or equivalent national protection in Ukraine before 24 February 2022" are granted "temporary protection" for one year upon presentation of an identity document.8 The "temporary protection" status can be extended first to two years and then, following a decision by the European Council, three years. Under the Ukraine Residence Transition Ordinance (Ukraine-Aufenthalts-Übergangsverordnung) from the Federal Ministry of the Interior, international students, of whom there are about 60,000 in Ukraine, may enjoy protection in Germany only until August 31, 2022. While these students are not covered by the Temporary Protection Directive, they can enter the Federal Republic of Germany without a visa and for the time being do not have to apply for a residence permit. The German Rectors' Conference (Hochschulrektoren-Konferenz) calls for "enabling this group of people to apply for study visas in Germany."9

- 4 It is highly likely that the high refugee figures in Ukraine's EU border states dramatically overestimate the actual number of refugees in these countries, as they reflect only border crossings from Ukraine to Poland, Romania, etc., and not onward migration to other EU countries that do not share a border with Ukraine. The same is true of Germany, where the figures shown do not reflect onward migration to Western Europe.
- 5 German Federal Ministry of the Interior (2022): Befragung ukrainischer Kriegsflüchtlinge [Survey of Ukrainian war refugees], https://www.bmi. bund.de/SharedDocs/kurzmeldungen/DE/2022/04/umfrage-ukraine. html;jsessionid=4A9F736286E64558D6DA7C07A9EA73C1.1_cid364.
- 6 Robert Bosch Stiftung, ed. (2016): Chancen erkennen Perspektiven schaffen Integration ermöglichen [Recognizing opportunities creating perspectives enabling integration], p. 45, https://www.bosch-stiftung.de/de/publikation/chancen-erkennen-perspektiven-schaffen-integration-ermoeglichen.
- 7 Cf. The 2001 and 2019 censuses http://2001.ukrcensus.gov.ua/results/ general/nationality/ and https://ukraineverstehen.de/gobert-volkszaehlung-ukraine.
- 8 European Union (2022) (ed.): Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof, https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32001L0055.
- 9 Forschung und Lehre (2022): Unklare Perspektiven für Studierende aus Drittstaaten [Outlook unclear for international students], https://www. forschung-und-lehre.de/politik/unklare-perspektiven-fuer-studierende-aus-drittstaaten-4545.

As there is no visa requirement for Ukrainian citizens, they should not face any issues on entry, and there is no need for any individual applications for asylum or refugee protection. The Temporary Protection Directive grants Ukrainian refugees access to the German labor market and, since its March 2022 implementation, freedom of movement within the EU. Member states are responsible for registering persons with temporary protection, and in Germany refugees must officially register to access social benefits. Here, temporary protection status also entitles the holder to attend a German language course (Integrationskurs) free of charge. On April 7, the German government, in consultation with the Conference of Federal State Prime Ministers, also stipulated that the target group (from June 1, 2022) should be directly entitled to benefits equal to Hartz IV benefits, thus circumventing the less favorable regulations of the Act on Benefits for Asylum Applicants.¹⁰

Thus far, the arrival of refugees from Ukraine has been largely met with sympathy and widespread solidarity in the EU, as evidenced by support both from civil society and in politics for reception and initial integration. In Germany as well as Poland and Romania, the acceptance of refugees from Ukraine aims at more than simply providing protection and security. Here, an economic and labor market policy dimension is also emerging based on the hope that the refugees could potentially fill gaps in their respective national labor markets. 11 Only time will tell whether or not this hope is justified. The survey carried out by the Federal Ministry of the Interior indicated a widespread hope for return, with one-third of (adult) persons surveyed in late March 2022 stating they wanted to return home as soon as possible. 12

- 10 German Federal Government (2022): Besprechung des Bundeskanzlers mit den Regierungschefinnen und Regierungschefs der Länder am 7. April 2022 [Meeting of the German Chancellor with the heads of government of the German federal states on April 7, 2022]. Decision, https://www.bundesregierung.de/resource/blob/974430/2024136/2b-9c8c9e35437cf86f840fab2ebeb052/2022-04-07-mpk-beschluss-data. pdf?download=1.
- 11 MDR (2022): Warum ukrainische Flüchtlinge in Rumänien so gefragt sind [Why Ukrainian refugees are in such high demand in Romania], https://www.mdr.de/nachrichten/welt/osteuropa/land-leute/rumaenienarbeitsmarkt-fachkraeftemangel-ukrainische-gefluechtete-100.html.
- 12 German Federal Ministry of the Interior and Community (2022): Befragung ukrainischer Kriegsflüchtlinge [Survey of Ukrainian war refugees], https://www.bmi.bund.de/SharedDocs/kurzmeldungen/DE/2022/04/umfrage-ukraine.html;jsessionid=931208F5016A8397146023435D-986CAC.2 cid364.

Within individual national systems, the integration measures in place in host countries vary considerably. Comparatively speaking, Germany has a relative advantage here with integration policies largely secured institutionally, and usually also financially, at national, individual federal state and municipal levels.¹³ The country is now able to draw on its many years of experience in reception and integration policy, not least from 2015/16, with many lessons learnt and remembered, particularly at municipal level. Analogous structures are currently developing at pace in host countries across East-Central and Eastern Europe, with momentum coming in part from the ranks of civil society and in part through the steps taken by state actors. Nonetheless, it remains to be seen whether refugee and integration policy measures will continue to be financed in these countries, especially in Poland, in the long term. To reduce the strain on Poland and prevent potential discrimination against refugees, it may therefore be necessary for Europe to shoulder a more equal share of the burden, offering increased financial support or the relocation of refugees to other countries.14 As early as mid-March, for example, Andrzej Wnuk, the Mayor of the eastern Polish city of Zamość which has been hit hard by the high numbers of refugees, warned that the country would see a dramatic drop in willingness to accept refugees if they were left to cope with the situation on their own without financial support.15

- 13 To compensate for additional costs, it was decided at the Conference of Federal State Prime Ministers on April 7, 2022, in the presence of the German Chancellor, that the German government will make an initial four billion euros available to the individual German states and municipalities, with a potential further sum in November. Additional national funds have also been promised for those individual federal states particularly affected by the logistics of refugee distribution.
- 14 Initiated by the French, a first pilot project for this is currently being designed by France and Poland for the cities of Montpellier and Nantes.
- Lowen, Mark (2022): Poland feels the strain of Ukraine's refugees, https://www.bbc.com/news/world-europe-60731369. In early April 2022, the EU had approved 3.5 billion euros in emergency payments from cohesion policy funds for the reception of refugees from Ukraine. 560 million euros of this has been paid to Poland; European Council (2022a): Ukraine: Council approves immediate disbursement of € 3.5 billion to EU countries welcoming refugees, https://www.consilium.europa.eu/de/ press/press-releases/2022/04/06/ukraine-council-approves-immediate-disbursement-of-3-5-billion-to-eu-countries-welcoming-refugees and Spiegel Online (2022): EU-Kommission unterstützte Flüchtlingsaufnahme mit 3,5 Milliarden Euro [EU Commission provides 3.5 billion euros to support the arrival of refugees], https://www.spiegel.de/ausland/ukraine-krieg-eu-kommission-unterstuetzte-fluechtlingsaufnahme-mit-3-5-milliarden-euro-a-e79d6033-7cd8-42a3-b346-b30e0562b713. The EU has thus far allocated or reallocated a total of 17 billion euros from a range of funds and programs to cope with the reception and support of refugees from Ukraine. European Council (2022b): Ukraine: Council unlocks € 17 billion of EU funds to help refugees, https://www.consilium.europa.eu/ en/press/press-releases/2022/04/04/ukraine-council-unlocks-17-billionof-eu-funds-to-help-refugees.

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The prospects of the millions of internally displaced persons in central, southern, and western Ukraine remain uncertain. As things stand, they are provided for by the Ukrainian government and support from international organizations should they fail to find shelter with friends, acquaintances, or relatives. Once the war ends, they will have the option to return, provided their homes, towns, and cities still exist and are habitable. Should the war intensify or spread further into western Ukraine, internally displaced persons could quickly become international refugees seeking protection in the EU.

Questions of refugee and integration policy: arenas, challenges, and thresholds in Germany and Europe

In Germany, the arenas for and challenges of welcoming and integrating refugees will by and large be decided by how the war progresses and ultimately pans out. This relates both to the ongoing reception of refugees and the potential for their medium- or long-term integration versus returning to their country of origin. Another factor to play a role in the total number of refugees in Germany is the potential for secondary migration on the part of refugees from Ukraine. Refugees who initially applied to enter one EU country can legally and easily move on to Germany or other EU countries. In the medium term, this could lead to a further rise in the number of refugees moving to Germany, including potentially through planned European or bilaterally coordinated voluntary relocation processes.

Reception and integration policies and measures will play a vital role in deciding the future of refugees in Germany. The application of the Temporary Protection Directive for the case of Ukrainian refugees has removed the need for individual application and status recognition procedures, unlike for refugees previously fleeing to the EU. This regulation, which provides collective recognition of refugee status, makes this matter entirely redundant. This time around, unlike in 2015/16, the bureaucracy involved in the Federal Office for Migration and Refugees' (BAMF) interview and recognition processes will not be subjected to another acid test. As freedom of movement has been granted to refugees from Ukraine in the EU, the question of regional distribution among and within the German federal states can also take a back seat. The Königsteiner Schlüssel quota system is generally used as an internal distribution mechanism in Germany,

however, sometimes it is ignored. Left to their own devices, refugees from Ukraine take up residence where they have a social anchor (community, family) or where they can expect to find the best prospects. The new refugee situation in 2022 will once again call into question the functional sense of the now outdated *Königsteiner Schlüssel*.¹⁶

With the application of the Temporary Protection Directive, the question of how to distribute refugees within Europe, potentially with a quota or through political negotiations, has ceased to be an explosive European political issue. Nevertheless, the unequal distribution of refugees in the EU still poses challenges, not to mention the question of sharing the financial burden and European compensation. This is all the more relevant in light of the fact that the majority of refugees have found refuge in comparatively economically weaker EU countries.

16 Yuliya Kosyakova: "Germany cannot repeat the mistakes of the past – by which we mean distributing refugees on the basis of the Königsteiner Schlüssel. Back in 2015 and 2016, this quota often saw refugees disproportionately settled in structurally weak regions with high unemployment. The residency requirement has only exacerbated this, and this has permanently damaged refugee employment prospects." Cf. Keitel, Christiane (2022): "Wir sehen gute Integrationsperspektiven für die ukrainischen Geflüchteten [We are predicting good integration prospects for Ukrainian refugees]", (Interview with Herbert Brücker and Yulia Kosyakova), IAB Forum, March 29, 2022, https://www.iab-forum.de/wir-sehen-gute-integrationsperspektiven-fuer-die-ukrainischen-gefluechteten.

As far as integration policy is concerned, Germany continues to see three main arenas: language teaching, access to educational institutions, and entry to the labor market. Issues relating to returning or family reunification could also gain in relevance depending on how the war progresses.

In terms of language teaching, refugees from Ukraine can enjoy instant and free access to the language courses offered by the BAMF (integration courses), meaning demand for these courses is sure to rise. Accordingly, course providers must drastically increase the numbers of courses offered, which in turn will require both additional funds from the German national budget and more teachers.

Regarding access to the education system, namely kindergartens, schools, and universities, lessons can certainly be learnt from the diverse experiences of 2015/16. Congested even before the rise in migration, kindergartens could well see bottlenecks and are already overloaded in many urban areas. There is a shortage of places and, above all, a growing shortage of specialist staff. In schools, there is a need for welcome, preparatory, or integration classes. According to the Kultusministerkonferenz, an assembly of the education ministers of the German states, a good 106,000 refugee children/adolescents from Ukraine had joined both general educational and vocational schools by the midst of May 2022.17 In other words, 0.97 percent of Germany's total student body (own calculation). A new question is whether, and if so how, teaching for students from Ukraine could be systematically linked to digital Ukrainian-language options, as proposed by the Ukrainian side. The idea is to ensure older students on the cusp of graduating high school in Ukraine can do so remotely. On the other hand, it is also an argument for guaranteeing that all students will be able to continue their education should they return once the war ends. In terms of technology, the options created by digital teaching, as trialed during the COVID-19 pandemic, would in principle allow such an approach.¹⁸ However, the question of coordination between German schools and teachers

- 17 Kultusministerkonferenz (2022): Geflüchtete Kinder/Jugendliche aus der Ukraine an deutschen Schulen [Refugee children/adolescents from Ukraine in German schools], https://www.kmk.org/dokumentation-statistik/statistik/schulstatistik/gefluechtete-kinderjugendliche-aus-der-ukraine.html.
- 18 German School Portal: Fragen und Antworten. Wie Schulen geflüchtete Kinder aus der Ukraine aufnehmen [Questions and answers: How schools are taking in refugee children from Ukraine], https://deutsches-schulportal.de/bildungswesen/ukraine-wie-schulen-gefluechtete-kinderaufnehmen.

in Ukraine remains open, as does the possible curricular orientation of a mixed-teaching program. Initially, the Ukrainian diplomatic side called for a single option: digital lessons following the Ukrainian curriculum.¹⁹

In principle, refugees from Ukraine should be able to access the German labor market quickly, as the regulations that came into force with the Temporary Protection directive ensure barriers are kept to a minimum. Nonetheless, the language barrier in place for skilled and regulated professions is still high. While it has become easier to recognize qualifications since 2016, the process remains a hurdle. While the Institute for Employment Research (Institut für Arbeitsmarkt- und Berufsforschung) in Nuremberg states that the refugees are highly qualified individuals, it remains unclear whether their swift integration into the labor market could alleviate the shortage of skilled labor in Germany. 20 Equally, their permanent integration into the labor markets is at odds with the fact that many refugees intend to return to Ukraine once the war ends to reunite with their estranged families. The alternative, family reunification in Germany or the EU, will only be an option once the war has ended, when the men conscripted into the armed forces are allowed to leave again. A further brain drain of this kind would have a major impact on the rebuilding and future development of Ukraine, which, demographically speaking, has already been one of the main 'losers' in Europe over the last 30 years.²¹

- 19 Vieth-Entus, Susanne (2022): Flucht nach Berlin Die Ukraine will keine schulische Integration in Deutschland [Refugees in Berlin: Ukraine does not want school integration in Germany], in: Der Tagespiegel, March 16, 2022, https://www.tagesspiegel.de/wissen/flucht-nach-berlin-die-ukraine-will-keine-schulische-integration-in-deutschland/28169516.html.
- 20 Herbert Brücker: "In principle, adult refugees from Ukraine are well equipped to integrate well into the labor market. A greater proportion of the Ukrainian population holds university degrees than in Germany. That said, many of the qualifications acquired as part of our vocational training system are taught as university courses there. Compared to other migrant groups, we are talking about highly educated people.", in: Keitel, Christiane (2022): "Wir sehen gute Integrationsperspektiven für die ukrainischen Geflüchteten [We are predicting good integration prospects for Ukrainian refugees]" (Interview with Herbert Brücker and Yulia Kosyakova), IAB Forum, March 29, 2022, https://www.iab-forum.de/wir-sehen-gute-integrationsperspektiven-fuer-die-ukrainischen-gefluechteten. Cf. also https://www.iab.de/389/section.aspx/Publikation/K220302PMI and https://www.iab.de/185/section.aspx/Publikation/K220323P2T.
- In 1991, the year Ukraine achieved independence, the country still had a population of a good 51 million people; today, following migration, a decline in the birth rate and the loss of Crimea (approx. two million people), the population numbers just 37.3 million according to the latest census in 2019 (excluding the territories of Luhansk and Donetsk, which had already been occupied at that time, which had approx. 5.5. million inhabitants before the outbreak of the war and mass migration; it was not possible to carry out the 2019 digital census in these areas).

Since the outbreak of the war and the influx of refugees in late February, German civil society has strived to welcome and integrate refugees, as in 2015. These efforts cannot, however, be sustained in the long term. As in the past, it will fall to the state to provide long-term integration services, not least at national and municipal level. Civil society engagement could be further solidified through, for example, structural support for volunteering or by establishing and expanding private or community sponsorship programs "that allow individuals, groups of individuals or organizations to come together to provide financial, emotional and practical support for the reception and integration of refugees who are admitted to their country". 22 Such programs would help private individuals, NGOs, companies, and so on to support both those seeking protection and recognized refugees on a permanent and systematic basis.23

Easier access and the potential for rapid integration open great doors for refugees from Ukraine. Conversely, they also create a competitive environment as well as conflict over distribution with other refugee groups that are not privileged to the same extent.

²² UNHCR (2022): Community sponsorship programmes, https://www.unhcr.org/neu/about/our-work-community-sponsorship-programmes.

²³ See, for instance, the work of the Global Refugee Sponsorship Initiative (GRSI) as well as the now consolidated "Neustart im Team" [New Start in a Team] program in Germany, https://refugeesponsorship.org and https://www.neustartimteam.de.

Outlook: refugees from and in Ukraine

The future of refugees in and from Ukraine as well as how refugee influxes and subsequent migrations (family reunifications, secondary migrations between individual EU member states) develop further will depend on a number of factors:

- the duration of the war between Russia and Ukraine
- · the political-territorial consequences of the war
- the further developments in a possible peace settlement
- the bilateral relationship between Ukraine and the EU, especially regarding regulations on flight and migration.

Working on the assumption that the war continues conventionally, that is without NBC weapons being used, it is possible to outline at least five potential scenarios of how the war might develop in a text-book way, that is, as possible outcomes and not set-in-stone forecasts:

- **Scenario 1:** A rapid end to the bilateral war and a return to the territorial status quo before February 24, 2022.²⁴
- Scenario 2: A rapid (or at least medium-term) end to the bilateral war with territorial losses for Ukraine in the country's east. In other words, Ukraine would lose the two administrative districts (oblasti) of Donetsk and Luhansk as well as a land bridge between these two pro-Russian 'people's republics', unrecognized internationally, and Crimea, which was occupied by Russia in 2014.
- Scenario 3: A longer-term war with additional territorial losses for Ukraine in the country's east, with the potential for the state to be broken up along the Dnieper River into two separate states an independent western national-Ukrainian state and an eastern pro-Russian one.

- **Scenario 4:** A longer-term war which sees eastern Ukraine as far as the Dnieper River (excluding Kyiv) annexed and incorporated into the Russian Federation.
- **Scenario 5:** A war which expands beyond a bilateral military conflict into a direct, long-term war-like conflict between Russia and NATO with an uncertain outcome and the potential for escalation.

The possible and probable consequences for future refugee influxes and migration as well as reception and integration policies would be:

Scenario 1 (status quo ante-peace)

- Large numbers of refugees from the EU and internally displaced persons from western Ukraine re-migrate to their areas of origin.
- Low levels of family reunification involving Ukrainian men moving to join their wives and children who had fled Ukraine for the EU.
- Low levels of secondary migration between EU member states, especially between Poland and other EU states.
- Minimal outlay required for additional reception and long-term integration measures in Germany and the EU.

Scenario 2 (rapid peace with 'manageable' territorial losses for Ukraine)

- Manageable ongoing refugee migration to the EU and western Ukraine.
- Minimal re-migration to eastern Ukraine in terms of refugees from the EU and internally displaced persons from western Ukraine. Can expect a larger re-migration to western and central Ukraine on the part of refugees from Ukraine currently in the EU.
- Medium levels of family reunification involving Ukrainian men moving after the war to join their wives and children who had fled Ukraine for the EU.
- Medium levels of secondary migration between EU member states, especially between Poland and other EU states
- Not too great an outlay for additional reception measures and medium outlay for long-term integration measures in Germany and the EU.

Scenario 3 (long war with major territorial losses for Ukraine)

- Significant additional refugee migration to both the EU and western Ukraine.
- Minimal re-migration to eastern Ukraine involving refugees from the EU and internal refugees from western Ukraine.
- Significant levels of family reunification involving Ukrainian men moving after the war to join their wives and children who had fled Ukraine for the EU.
- Significant levels of secondary migration between EU member states, especially between Poland and other EU states.
- Significant outlay for additional reception and long-term integration measures in Germany and the EU.

Scenario 4 (long war with territorial annexations by Russia)

- High levels of further refugee migration to the EU and western Ukraine, not least as a result of the nationalization ('Russification') of the administrative and educational systems in eastern Ukraine and Russian passports being issued to former Ukrainian nationals.
- Minimal re-migration to eastern Ukraine involving refugees from the EU and internally displaced persons from western Ukraine.
- High levels of family reunification involving Ukrainian men moving after the war to join their wives and children who had fled Ukraine for the EU.
- High levels of secondary migration between EU member states, especially between Poland and other EU states.
- High outlay for additional reception and long-term integration measures in Germany and the EU.

Scenario 5 (expansion of war)

- Refugee migration expands from east to west to include new war and crisis regions.
- (Almost) no re-migration involving refugees from the EU and internal refugees.
- Very few family reunifications involving conscripted Ukrainian men moving to join their wives and children who had fled Ukraine for the EU.
- (Likely) no more free secondary migration between EU member states for new refugees, as the EU and member states would set up a new reception and distribution scheme.
- Ongoing high outlay for additional reception and longterm integration measures in Germany and the EU.

Recommendations in times of change: policy, practice, and research

Have Germany, Europe, and the world really reached the turning point described by politicians as a result of the war in Ukraine? Or is this war simply the next in a string of political-military conflicts since the end of the Second World War? Consideration of migration and refugee policy in wartime suggests that current developments for Germany are more likely part of a chain of longer continuities that since the early 1990s have seen the country transform into a true host nation with a society shaped by migration. Nonetheless, the current activation of the Temporary Protection Directive in Europe does in fact add a new dimension, signaling a change in European refugee and reception policy. This is especially true if it is to mark a new standard in European policy for refugees fleeing crisis and war. Perhaps it is more accurate to say this change of course has heralded a new chapter in a longer-term transition, one shaped by law, interests, and pragmatics, rather than a turning point of the abrupt arrival of a new era entirely.

What, therefore, does it take to secure a transition in challenging times? Clear maneuvers and a steady hand at the tiller. In other words, a route-based goal, a sober analysis of the political atmosphere, and clear and critical foresight. The following recommendations are intended to help in this and are based on current political analysis, discussions with twelve experts from the fields of political consulting, academia, administration, and practice, and the practical experience of the author.

Europe (between different societies)

1. Realign EU asylum and refugee policy and coordinate it with the EU migration and asylum package

The experience gained through the Temporary Protection Directive must be harnessed for a future, coordinated, and harmonized reception and distribution policy in the EU. With this in mind, ongoing negotiations on the EU migration and asylum package should include some core considerations:

- a) New, long-term refugee policy agreements must be negotiated within Europe. The pressure added by the situation at hand facilitates the negotiation of difficult issues, not least with Poland and Hungary, meaning existing obstacles can be resolved.
- b) Within the EU, a new voluntary distribution instrument should be created to regulate the distribution of refugees from Ukraine and other countries of origin.
- c) Help needs to be provided for states with external EU borders (specifically Poland in 2022 but also Greece and other Mediterranean countries). Reducing the strain on countries currently shouldering the majority of the burden should be negotiated as a package that includes support for Southern European countries.
- d) Scenarios should be used to assess secondary migration and family reunification as a result of the current influx of refugees, thus enabling their management in keeping with their distribution.

e) Within the EU, there must be no two-tier society for refugees from comparable crisis and war zones. This includes both creating or consolidating such systems and applies with regard to reception, status recognition, and integration. Those seeking protection and refugees should be treated equally in keeping with human rights standards.

European funding from the EU pledging event and EU funds should offer greater support to bilateral projects between municipalities and local civil society organizations with their partners in Ukraine. Such funding must aim to build municipal and civil society capacity. As such, the creation of structures outweighs that of individual projects.

2. Establish and expand sponsorship programs

To date, private or community sponsorship programs have by and large not been utilized as a tool for welcoming and supporting refugees – in either Germany or Europe. In Germany, the "Neustart im Team" [New Start in a Team] pilot program has been in place since 2019. Such programs, which structure and consolidate the engagement of non-state actors, should further support the reception of Ukrainian refugees. In addition, the lessons learnt from these programs can be carried across to other reception and distribution programs, meaning these high levels of civil society commitment can be institutionalized and stabilized.

3. Utilize municipal experience and capacity bilaterally and at European level

Municipal partners, governmental and non-governmental alike, should forge alliances to share ideas, experience, and practice. For example, German-Polish, German-Polish-French, or Polish-Ukrainian-French, etc. More specifically, partnerships of this kind could focus on the following areas:

- Pilot and expand the municipal relocation or redistribution of refugees from heavily affected countries to those with fewer refugees.
- Utilize partnerships between municipal integration actors to promote intra-European experience and knowledge transfer on reception and integration policies.
- Organize and implement language courses to boost experience and knowledge transfer. In the case of Germany, for instance, through partnerships between the BAMF and BAMF-approved municipal language course providers with equivalent institutions in Central and Eastern European host countries, not least Poland.
- Bolster municipal learning partnerships between Ukrainian schools and their European counterparts, which are currently educating Ukrainian refugee children.

4. Involve the Ukrainian diaspora and migrant organizations

Within Germany and the EU, integration policies and plans for Ukrainian reconstruction must, as a matter of course, include Ukrainian and Russian, or Ukrainian- and Russian-speaking, minority and migrant organizations (old and new diaspora networks). Care must, however, be taken to ensure that such organizations do not pursue nationalistic or one-sided agendas in such partnerships.

Germany (within German society)

5. Improve refugee registration

So far, the registration of refugees from Ukraine has been incomplete – something that must be rectified in order to obtain complete information and, accordingly, planning security for future integration processes. No visa is needed for entry and individual applications are not examined for admission and recognition of refugee status, which means there is no compulsory re-registration system upon entry or during status checks. Conversely, registration is required for accommodation in community housing or to receive social benefits. To date, technology shortages (Personalisierungsinfrastrukturkomponenten, or PIK for short) in arrival centers and initial reception facilities have also slowed registrations. Measures to address incomplete registration could include:

- The provision of centralized and multilingual information about registration and the associated benefits on the relevant electronic portals of the German government, the individual federal state governments, and aid and welfare organizations.
- The provision of PIK for better technical equipment for administrative activities.
- In addition to analog registration, the provision of a preconnected online application for registration, as is done for residency permit applications in Berlin, for instance.

6. Reorganize refugee distribution in Germany

a) A capacity and option model should replace both the Königsteiner Schlüssel instrument (where refugees are distributed among the federal states according to existing populations and economic strength) and the individual federal state instruments for distributing refugees among the municipalities. The criteria for distribution should be refugee demand (preference for individual federal states, social and family relationships in municipalities), as well as municipal supply and resources (housing, work). In turn, this should be supplemented by an incentive model whereby financial compensation and structural support is offered to those municipalities willing to welcome refugees. For distribution within the individual states, an algorithm-based distribution system is certainly an option, and experiences and suggestions from an existing pilot project (Match'In) could be brought in for this purpose.

- b) Vulnerable refugees (the sick, elderly, unaccompanied minors, people with disabilities, severely traumatized persons) should be systematically and exclusively accommodated in places with appropriate social and medical infrastructure. Accordingly, the registration process must include the systematic identification of these persons.
- c) Where refugees are allocated to rural areas, care should be taken to ensure that significant numbers of members of the same communities from the same villages or districts as well as families/family groups are accommodated at the same place of reception. Where possible, refugees from large cities should not be accommodated in rural areas. In light of the conditions of freedom of movement, the lack of mobility options in rural areas (public transport) leads refugees to migrate to cities, as experience gained in 2015/16 showed. Preferably refugees with a car could be accommodated in rural areas on a voluntary basis.

7. Standardize access to social and health services

The systematic evaluation of the experiences gained from the newly regulated receipt of benefits for refugees from Ukraine (benefits equal to Hartz IV benefits in accordance with Social Insurance Code II (SGB II) instead of the Act on Benefits for Asylum Applicants), which is expected to come into effect on June 1, 2022, is a vital step if we are to examine how this regulation might be analogously transferred to all groups of origin in the near future. The aim here should be to transfer these special regulations for the receipt of benefits by asylum seekers, persons entitled to asylum, and refugees into the general regulations for social and welfare benefits. This would prevent administrative duplication, save administrative costs, and help synchronize the provision of benefits and job placements.

All refugees, not merely those from Ukraine, should be provided with a health card of the kind given to those insured by statutory health insurance funds. Equal entitlement and unbureaucratic access to health care should be guaranteed. Regulated on a municipal level within the framework of the Act on Benefits for Asylum Applicants (Asylbewerberleistungsgesetz), the current regulation creates inequalities and is confusing.

8. Equip schools and kindergartens to welcome children and adolescents from Ukraine

- a) The schools taking in refugee children and adolescents from Ukraine need support in developing and implementing approaches for both integration and the teaching of German as a second language. The experiences of school administrators and teachers from 2015/16 should be taken into account in setting up welcome and preparatory classes for refugee students at (priority) schools. Such classes must offer flexibility and need:
- adaptive language-learning opportunities
- the opportunity to be integrated into the school community early on
- overlap with regular classes or transition options for non-language-focused subjects.

With regard to welcome and preparatory classes, Ukrainianand Russian-speaking teachers should be included and hired on annual contracts, including from within refugee communities. It is also important to offer these teachers in-depth German courses in small groups as well as to provide pedagogical support and further training at universities.

b) Like the school sector, work is also needed in the area of childcare for children below school age – a sector with (regional) shortages in Germany. Priority kindergartens should be identified at the municipal level, existing institutions should be expanded, and, where necessary, new ones established. This will ensure that children from refugee families, among others, are able to exercise their right to a place in a kindergarten. In the sphere of childcare, it is important to recruit refugees from Ukraine as (assistant) educators on annual contracts. If possible, they should have prior experience. Here, providers and umbrella organizations should offer these educators indepth German courses in small groups as well as pedagogical support and further training.

9. Consolidate and expand coordinated digital teaching; utilize the potential of digital learning materials in the language of origin

Digital lessons have already begun in cooperation with schools in Ukraine and using Ukrainian learning platforms. These should be continued and expanded, particularly for those students in higher grades and of high school age. Pilot projects should be established as part of both existing and new German-Ukrainian school or city partnerships. An innovative and complex project of this kind would require the following:

- the close involvement of pupils and parents
- · coordination with the school in Ukraine
- · coordination of curricula and syllabi.

Furthermore, available digital learning material in the language of origin should be used as supplementary material or material for the purposes of differentiation. Successful pilot projects should be converted into regular programs.

10. Recognize the language of origin as a second foreign language; start bilingual kindergartens and schools

The influx of migrants and refugees once again raises the question of how we can systematically promote and consolidate the bilingualism of children with a bilingual background in educational institutions. Recognizing the language of origin as a second foreign language is one possibility. More teachers trained in the language of origin would be required for this to become a reality, as would more bilingual educational institutions. This influx presents a real opportunity to establish (more) German-Ukrainian and German-Russian state-recognized and funded kindergartens and schools and is one we should seize. Initiatives to found such institutions should be supported and the knowledge and expertise of migrant and refugee organizations included.

11. Simplify the application process for integration courses; make entitlement equal; improve equipment

- a) The BAMF's integration courses are in increasing demand. The additional administrative and pedagogical work involved requires the right structures to be in place, particularly with regard to applications. At present, the BAMF application process for integration courses is almost exclusively still paper-based. This should be fully digitalized, while the digital application process should be simplified with an amendment of the Online Access Act (Online-Zugangsgesetz).25 Both the relevant information, currently available in German and in parts in English, and the application form, German language only, must be available in at least Arabic, English, Farsi, French, Russian, and Ukrainian.
- b) In order to solve the existing or even growing backlog for processing applications, the BAMF needs more and better-paid middle management staff and therefore greater federal funds.
- c) All refugees and asylum seekers, regardless of their origin, should have equal opportunities when it comes to accessing integration courses and no group-specific privileges. To avoid competition and conflicts relating to distribution, there is a need for standardized rules for the assumption of costs for course fees.

12. Build broad bridges for access to higher education in Germany

More bridges must be built to broaden and improve the path to academic education in Germany for (future) students from Ukraine (both Ukrainian citizens and third-country nationals from Ukraine) at German universities.

a) The greatest barrier to entry is the need to demonstrate German language skills at C1 or C2 level. Here, more options are needed to bridge this gap for fast-tracked learners. Accordingly, the BAMF must expand its range of courses in cooperation with universities and in consultation with the Goethe-Institute.

- b) Where possible, access to English-language courses at German universities should be expanded to include the target group. This will require the corresponding support, both financial and in terms of staff, from federal and individual state funds.
- c) Foreign-national international students from Ukraine should be treated on a par with Ukrainian citizens.

13. Open up the job market through the rapid recognition of qualifications

The recognition of professional qualifications must be further simplified and accelerated. This process, which is already underway (through the recognition of *Teilqualifikationen* (modules toward a professional certificate) or the gradual recognition of qualifications, proof of qualification through practical examinations, the rapid recognition of diplomas) should be coordinated more closely at national level and needs to be made more manageable. Clear centralized regulations should become common practice while maintaining decentralized recognition processes by chambers and professional associations.

While refugees do bring additional skills and potential, the benefits they can offer German society should not become the primary consideration in resolving questions relating to refugee influxes and integration. More specifically, while refugee immigration should be considered in the context of potential labor market integration, it cannot be conceptualized as a solution strategy to plug the existing shortage of skilled workers. The priority here must be ensuring that refugees can return, and therefore reconstruct, once the war has ended, not least as many refugees come from families which have been separated.

14. Avoid legal inequality and competition

The implementation of the Temporary Protection Directive in conjunction with the rules on access to the labor market for refugees from Ukraine is tantamount to a temporary 'green light' for those persons who, because they come from safe regions of (western) Ukraine, would not otherwise have been granted refugee status if they had been examined on a case-by-case basis. Accordingly, we must put an end to the de-facto discrimination of other groups of origin – for instance refugees from Afghanistan who are not granted refugee status or are deported if they come from so-called 'safe areas' – in order to avoid legal inequality and competition.

15. Think ahead on return and reconstruction policy

Already, the outlook for return migration for refugees from Ukraine needs to factor into political discussion and debate on the post-war period, while reconstruction aid and programs must go hand in hand with this. The potential options refugees will have for return also need to play a role in setting the agenda for potential peace negotiations.

Strengthen Ukraine through return and reconstruction policies

Ukraine must not be weakened permanently politically, demographically and economically by the impact of refugee movements. Thus, return of Ukrainian refugees after the end of the war needs to be discussed and anticipated. This needs entangled programs for reconstruction and economic support.

16. Expand relevant comparative research

The current arrival of refugees from Ukraine in Germany and Europe is in no way identical to 2015/16 and the influx of refugees primarily from Syria, Iraq, and Afghanistan, not least as a number of different regulations and practices now apply. Here, comparative analysis of the experiences gained from these 'living laboratories' for refugee reception and integration could well yield key lessons for future policy and practice transfer. This, in turn, requires both evidence- and knowledge-based comparative research. As such, a consortium of co-funding institutions (Federal Ministry of Education and Research, Federal Ministry of Labor and Social Affairs, Federal Employment Agency/IAB, Federal Office for Migration and Refugees, The Expert Council of German Foundations on Integration and Migration, German Center for Integration and Migration Research, foundations, etc.) should work in collaboration to initiate and conduct relevant research and feed the findings into policy advice.

About the author

Social scientist and historian Rainer Ohliger (*1967) is a freelance project manager, consultant, and author in the fields of migration, cultural diversity, and integration. Since 1996, he has been behind numerous publications on the topics, serving as co-author and editor of the Robert Bosch Expert Commission's report on the Realignment of Refugee Policy in 2015/16. His engagement with questions of political expectations for the future in Ukraine as well as the historical legitimization of the new nation state dates back to the late 1990s (Rainer Münz/Rainer Ohliger: Die Ukraine zwischen Ost und West. Kollektive Erinnerung und politische Zukunftserwartung der Bevölkerung [Ukraine between East and West. Collective memory and the population's political expectations for the future], In: Jordan, P., Kappeler, A., et al. (2000) (eds.): Ukraine. Geographie – Ethnische Struktur – Geschichte – Sprache und Literatur – Kultur – Politik – Bildung – Wirtschaft – Recht [Ukraine. Geography – Ethnic Structure – History – Language and Literature – Culture – Politics – Education – Economy – Law] (Österreichische Osthefte), Frankfurt a.M. usw.: Peter Lang, pp. 709–740.)

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