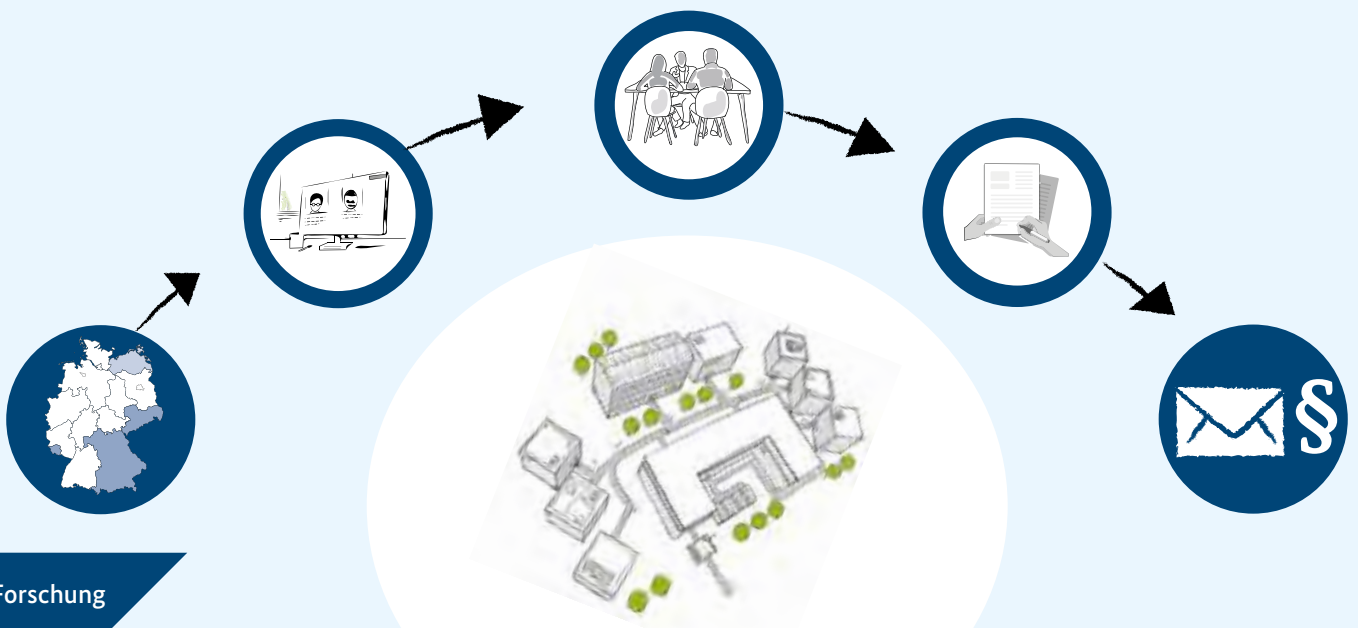




Federal Office
for Migration
and Refugees

Evaluation of AnkER Facilities and Functionally Equivalent Facilities

Research Report 37



Forschung



Research Centre
Migration, Integration and Asylum

Evaluation of AnkerER Facilities and Functionally Equivalent Facilities

Research Report 37

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Part I

Federal Report

**“Evaluation of AnkER Facilities and
Functionally Equivalent Facilities”**

Summary

As part of the coalition agreement for the nineteenth legislative period, the CDU, CSU and SPD stipulated the construction of central arrival, decision and return centres (AnKER facilities). The first AnKER facilities commenced operations in Bavaria on 1 August 2018. Saxony's AnKER facility in Dresden commenced operations at the same time. The AnKER facility in the Saarland opened on 1 October 2018. In 2019, facilities were opened in the federal states of Mecklenburg-Western Pomerania, Schleswig-Holstein, Saxony and Brandenburg which are categorised as having an equivalent function to the AnKER facilities. In January and December 2020, one additional functionally equivalent facility was opened in Hamburg and Baden-Württemberg, respectively.

The Federal Office for Migration and Refugees' (BAMF) Research Centre conducted an evaluation of the AnKER facilities and functionally equivalent facilities between 1 August 2018 and 31 July 2020.

The COVID-19 pandemic outbreak and associated protective measures had a significant impact on the entry of asylum applicants and on asylum procedures at the AnKER/functionally equivalent facilities and at other BAMF sites from March 2020 onwards. In the wake of the preventive and protective measures taken to curb a further spread of the virus in Germany, the number of first-time asylum applications and interviews decreased in the national asylum procedure from March 2020. There was also a temporary suspension of Dublin transfers and removals.

The analyses primarily focus on the question whether cooperation at the AnKER/functionally equivalent facilities between the actors involved leads to an increase in efficiency and effectiveness and which

process steps in asylum procedure processing demonstrate this. The mainly positive results refer to the operations of 14 AnKER/functionally equivalent facilities in six federal states (excluding Hamburg and Baden-Württemberg) and can be summarised as follows:

Benefits of cooperation of involved authorities

AnKER/functionally equivalent facilities implement measures to establish the origins and identity of persons seeking protection earlier than the other BAMF sites – the majority before the asylum application is filed. If persons seeking protection lack identity documents, in AnKER/functionally equivalent facilities more than 50% of mobile data devices are analysed before application, which is considerably more frequently than at the other sites.

BAMF sites at the AnKER/functionally equivalent facilities process the asylum procedures of individuals applying for asylum in Germany for the first time and residing in one of the reception facilities of the federal state an average of five days earlier than the other sites.

When processing follow-up procedures, the BAMF sites at the AnKER/functionally equivalent facilities achieve an increase in efficiency of nine days compared to the other sites. A follow-up application can be filed if changes occur, after the uncontested rejection of a previous asylum application.

BAMF sites at the AnKER/functionally equivalent facilities process the asylum procedures of individuals not residing in a reception facility of the federal state,

including the asylum procedures of unaccompanied minors, 22 days earlier than other BAMF sites.

Comprehensive counselling and orientation services for persons seeking protection

Approximately 86% of persons seeking protection admitted to AnkER/functionally equivalent facilities make use of the BAMF's general asylum procedure counselling service. This is provided before the asylum application is filed.

Due to geographic proximity, persons seeking protection can attend the initial orientation and roadmap courses in AnkER/functionally equivalent facilities without much personal effort. The courses are designed to convey knowledge of Germany to a large number of participants soon after their arrival and offer the opportunity to acquire useful information for everyday use and simple German language skills. In the evaluation period, 13,479 participants attended the initial orientation course and 2,600 participants attended the roadmap course.

The BAMF provides individual voluntary return counselling at some AnkER/functionally equivalent facilities at the request of the federal states. This specialised division of roles offers relief for the federal states and enables the deployment of more resources in the areas of arrival, counselling and daily structure for persons seeking protection. At all sites, where counselling is provided, approximately 20% of all individuals who have received a negative administrative asylum decision make use of BAMF counselling services.

Early voluntary return decision

At the AnkER/functionally equivalent facilities, individuals obliged to leave the country make a voluntary return decision an average of 37 calendar days earlier than individuals obliged to leave at other sites.

Increase in Dublin transfers and removals over time

Over time, the AnkER/functionally equivalent facilities show a steady increase in transfers of persons seeking protection to the Member States responsible for them. From October 2019 to January 2020, AnkER/functionally equivalent facilities achieved higher transfer rates than other sites. As a result of initial inefficiencies, however, the likelihood of transfers from AnkER/functionally equivalent facilities is five percentage points lower than at the other sites when considered over the total evaluation period.

The likelihood of successful removals from AnkER/functionally equivalent facilities to countries of origin or other accepting states also increased from March 2019.

No significant difference between AnkER/functionally equivalent facilities and the other sites is observed in the average duration of Dublin procedures. The Dublin procedure determines Member State responsibility and is conducted prior to the material examination of the asylum application. It serves to ascertain which Member State should examine the asylum application.

1 Starting Point and Assignment

As part of the coalition agreement for the nineteenth legislative period, the CDU, CSU and SPD stipulated the construction of central arrival, decision and return centres (AnKER facilities). The federal state authorities responsible for receiving and accommodating persons seeking protection, the Federal Office for Migration and Refugees (BAMF) and the immigration authorities work together at the AnKER facilities to optimise the administrative process. In addition to the state-run, independent and comprehensive asylum procedure counselling services, integration preparation measures and measures to structure the day, voluntary return counselling and other counselling and support services by non-state actors are provided at the AnKER facility sites. Offices of the Federal Employment Agency and the legal application offices of the responsible administrative courts are also located at the facilities or in the direct vicinity. All of the procedural steps (registration, application, decision, municipal allocation and return) and various counselling services are thus combined in one place.

The first seven AnKER facilities in Bavaria (Augsburg/Donauwörth, Bamberg, Deggendorf, Manching, Regensburg, Schweinfurt and Zirndorf) commenced operations on 1 August 2018. The Saxon AnKER facility in Dresden commenced operations at the same time. The AnKER facility in Lebach, Saarland, opened its doors on 1 October 2018 (cf. Figure 2).

In addition to the stipulation in the coalition agreement, the coalition committee decided on 5 July 2018, with the aim of making removals more effective, that the Federal Government would assume responsibility for transfers from the AnKER facilities in Dublin cases, if requested by the respective federal states. At the 2018 autumn conference of interior ministers

and senators, the Federal Government and the federal states also agreed to expand the Federal Government's offer to facilitate Dublin transfers with Federal Police support to the facilities that are functionally equivalent to the AnKER facilities. Federal Police support for Dublin transfers by way of official assistance to the federal states and within the scope of the resources available to the Federal Police is generally only provided from the AnKER facilities or functionally equivalent facilities (AnKER/functionally equivalent facilities).

In order for federal states wishing to benefit from this support to nominate suitable facilities, they have been informed of the necessary characteristics which must be established to confirm that a facility is functionally equivalent to an AnKER facility:

- In principle, the asylum applicants remain at the facility for as long as it takes to be granted protection.
- In the event of a negative decision, asylum applicants generally remain at the facility until their voluntary departure or removal to their country of origin or an accepting third country.
- The authorities involved are generally 'under one roof' to ensure efficient processes.
- The principle of benefits in kind is implemented consistently, as far as this is legally and effectively possible.
- There is a willingness to record the presence of asylum applicants in a sustainable manner.
- There should also be a willingness to use the tool of detention to enforce removals more efficiently.

Functionally equivalent facilities were opened in the federal states of Mecklenburg-Western Pomerania (Nostorf-Horst with the branch office Stern-Buch-

holz¹), Schleswig-Holstein (Neumünster), Saxony (Chemnitz and Leipzig) and Brandenburg (Eisenhüttenstadt) in 2019. The Federal Government is also holding talks with other federal states regarding the opening of AnkER/functionally equivalent facilities. Two more functionally equivalent facilities were opened over the course of these talks, one in Hamburg in January 2020 and one in Baden-Württemberg (Heidelberg) in December 2020 (cf. Figure 1).

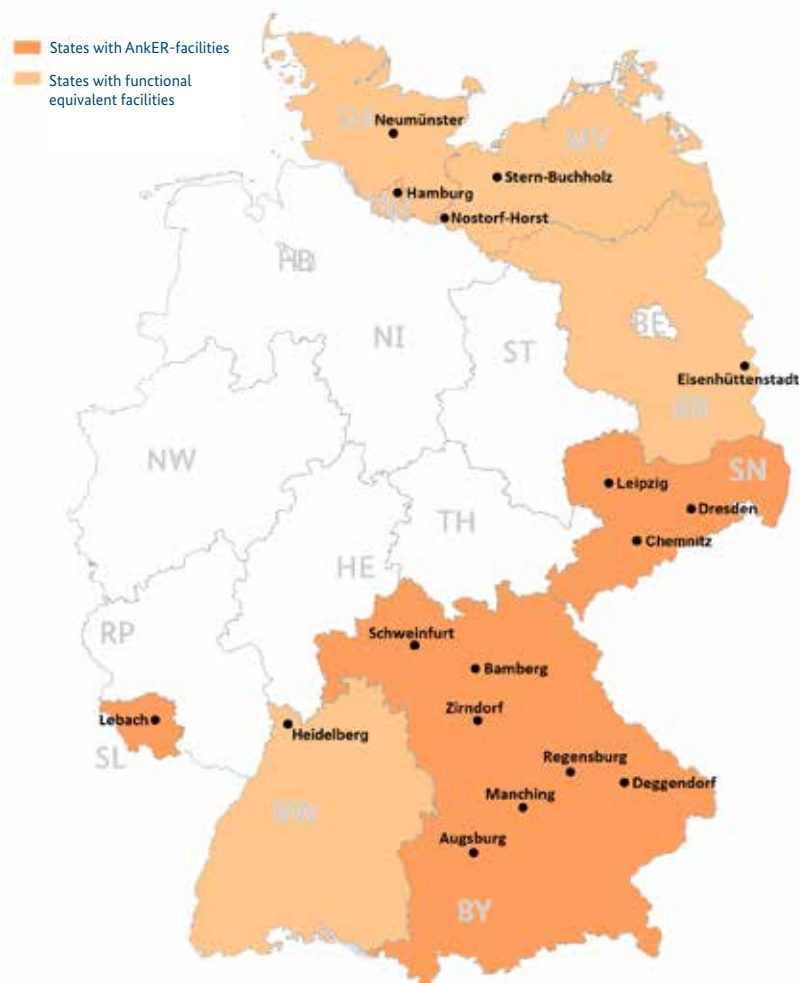
The basis for cooperation between the various actors at the AnkER/functionally equivalent facilities is a model federal administrative agreement which describes the main fields of cooperation between the Federal Government and the federal states. Along with the aforementioned support provided by the Federal Police for Dublin transfers, the provisions generally include ascertaining jurisdiction regarding accommodation, counselling and support services, the

determination of identity and the asylum procedure, measures to structure the day, voluntary return counselling, voluntary return and removal (cf. Chapter 2).

The Federal Government and the federal states continuously identify adjustment and optimisation requirements and implement these successively. An evaluation of the AnkER/functionally equivalent facilities was also conducted by the Federal Office for Migration and Refugees' Research Centre between 1 August 2018 and 31 July 2020. The research report consists of one federal section (Part 1) and one federal state section (Part 2). In Chapters 1 to 8 of the federal research report, the BAMF's Research Centre explains the evaluation project and the results, then discusses the key findings in Chapter 9. The federal states involved in implementing the AnkER/functionally equivalent facilities describe the current state of implementation as well as distinctive regional features at the facilities in the second part of the evaluation report.

1 The Stern-Buchholz branch office has been renamed the Schwerin branch office, effective 15 June 2020.

Figure 1: Map of AnkER and functionally equivalent facilities



Source: BAMF.

The evaluation primarily focuses on the question of whether cooperation between the actors involved leads to an increase in efficiency and effectiveness in the processing of asylum procedures and in which stages of the process (from arrival to application, decision and return) these are recorded.² Efficiency particularly means time savings in the administrative process, while effectiveness takes into account the achievement of targets when measures are implemented. The evaluation presents analyses on the duration of individual types of asylum procedure and on transfer and return policy in practice. Technical tools to establish identity, asylum procedure counselling,³ initial orientation and roadmap courses and voluntary return counselling provided by the BAMF are also considered.

2 As the analyses focus on the implementation of AnKER/functionally equivalent facilities, this is a process evaluation (cf. Bortz/Döring, 2006).

3 This counselling service was part of a pilot measure and only available at the AnKER/functionally equivalent facilities until approximately the beginning of 2020. As a result of the “Orderly Return Act”, Section 12 a “asylum procedure counselling” was introduced to the Asylum Act (entering into force on 21 August 2019), therefore creating a legal basis for independent, state-provided asylum procedure counselling across the board via the BAMF.

2 Key Features of Cooperation in Anker and Functionally Equivalent Facilities

The basic concept of arrival centres,⁴ in place since 2016, was further developed with the creation of the Anker/functionally equivalent facilities. The Anker/functionally equivalent facilities are home to different actors (BAMF, immigration authorities, charities, application offices for the administrative courts, the Federal Employment Agency as well as other non-state counselling and support actors and, at some sites, federal state police posts), either on the premises or in the direct vicinity of the federal state's reception facilities. In addition, the Federal Police support the federal states by way of official assistance within the scope of available resources when it comes to Dublin III transfers from the facilities.

The physical proximity of various actors is intended to ensure an optimisation of the procedure, from the arrival of persons seeking protection to allocation to the municipalities or return. Key elements here are short distances and direct contacts on site. This should facilitate mutual exchange and the meshing of individual process steps.

Another vital requirement for the efficiency of the Anker/functionally equivalent facilities is that persons seeking protection stay in a reception facility which is as close as possible to the responsible authorities, as the perception of rights and obligations in the asylum procedure can be managed more successfully in this manner. Most individuals requesting asylum in Germany are obliged to live in a reception facility

responsible for their reception.⁵ Until August 2019, the obligation to reside in a reception facility was limited to up to six weeks, but for no longer than six months. Within the scope of the "Orderly Return Act", which entered into force in August 2019, Section 47 of the Asylum Act was amended to the effect that the maximum residential period must not exceed six months for families with minor children, and in all other cases 18 or 24 months.⁶ Within the framework of these legal requirements, persons seeking protection generally stay at the Anker/functionally equivalent facilities until the conclusion of their asylum procedures. If an application is rejected, the applicant must remain in these facilities until departure or removal, where possible. Persons seeking protection who are accommodated at the Anker/functionally equivalent facilities may leave them temporarily at any time, as they are open facilities.

Unaccompanied minors are not included in the obligation to reside at the Anker/functionally equivalent facilities or other federal state reception facilities. They are taken into the care of the youth welfare authorities on the basis of the Eighth Book of the Social

⁴ See online: <https://www.bamf.de/DE/Themen/AsylFluechtlingsschutz/AblaufAsylverfahrens/ablaufasylverfahrens-node.html> (24 September 2020).

⁵ Section 47 of the Asylum Act governs the obligation to reside at the reception facilities.

⁶ There are exceptions to these regulations for individuals from safe countries of origin. These individuals are legally obliged (Section 47 subs. 1 letter a of the Asylum Act) to reside at the facility responsible for their reception until a decision is made by the Federal Office for Migration and Refugees on their asylum application or until departure or execution of a threat or order of removal in the event that the asylum application is rejected in accordance with Section 29 a of the Asylum Act on the grounds that it is manifestly unfounded, or inadmissible according to Section 27 a of the Asylum Act. Families with minor children are obliged to reside at the facility responsible for their reception for a maximum of six months.

Code (SGB VIII) and accommodated in suitable facilities (residential groups). Other individuals, for example in hospital or prison (including detention), or individuals who have resided in Germany for longer than six months at the time of their application,⁷ are not obliged to reside at an Anker/functionally equivalent facility or other reception facility of the federal state, either.

Registration by the federal state authorities of persons seeking protection and early establishment of identity by the BAMF upon arrival are stipulated. Persons seeking protection are also provided with information about the asylum procedure within the scope of independent, state asylum counselling before filing an application.

The formal asylum procedure⁸ then begins with the application to the BAMF. All steps stipulated in the asylum procedure, such as the interview and examination of grounds for asylum, should take place centrally, at the Anker/functionally equivalent facilities. If there are indications that another Member State is responsible⁹ when the application is filed, initiation of the Dublin procedure is stipulated at the respective Dublin centre of the Federal Office for Migration and Refugees with local jurisdiction. If the Dublin centre deems the criteria to be sufficient, the next step is submission of a request to take charge to the Member State. If the request to take charge is accepted, the BAMF rejects the asylum application as inadmissible and orders a transfer to the responsible Member State.

After a negative administrative decision has been received in the national procedure, or the asylum application is assessed as inadmissible within the scope of the Dublin III Regulation, persons seeking protection have the option of submitting legal remedy within the stipulated deadlines to the respective administrative courts with jurisdiction. Corresponding legal application offices are either located at the Anker/functionally equivalent facilities or the administrative courts with jurisdiction are located in the vicinity. After receipt of entitlement to asylum,

the beneficiaries of protection¹⁰ are distributed to the municipalities. If a negative administrative decision becomes binding and enforceable, the individual is expelled to the country of origin or to another state willing to accept the individual or, in the case of enforceable decisions under the Dublin procedure, transferred to the responsible Member State from the Anker facility. Based on the administrative agreement, the Anker/functionally equivalent facilities have the option of requesting official assistance from the Federal Police with supporting transport services when carrying out Dublin transfers.

Until the official procedure has been concluded, persons seeking protection can make use of an individual asylum counselling service provided by the BAMF, or of other counselling services provided by state and non-state actors which are located within the facilities. Persons seeking protection also have the option of taking part in initial orientation courses. These courses are designed to facilitate orientation after arrival. Where requested, the federal state authorities, or the BAMF on behalf of the federal states, offer voluntary return counselling at the Anker/functionally equivalent facilities. Voluntary return counselling may also be provided by non-state actors on behalf of the federal states.

7 These are predominantly individuals who already had a residence permit before applying.

8 The term “formal asylum procedure” comprises the process steps from application to delivery of administrative decision.

9 The term “Member State” comprises the states included in the “Dublin area” within the framework of the Dublin III Regulation. This covers the members states of the European Union, Norway, Iceland, Switzerland and Liechtenstein.

10 Beneficiaries of protection are individuals who have been granted the right to asylum in accordance with Art. 16 a of the German Constitution (GG), refugee protection as per the Geneva Refugee Convention (Section 3 of the Asylum Act) or subsidiary protection (Section 4 of the Asylum Act), or those who may remain in Germany based on a removal ban. See online: <https://www.bamf.de/DE/Themen/AsylFluechtlingsschutz/AblaufAsylverfahrens/Schutzformen/schutzformen-node.html> (06/11/2020).

3

Methodology

3.1 Data Basis

The analyses in this report are based on the evaluation of anonymised data from the workflow and document-management system for process handling in the asylum and Dublin procedure (MARiS),¹¹ as well as the Central Register of Foreigners (AZR). The documentation data¹² used to implement asylum procedure counselling and data from the Federal Police regarding their support of Dublin transfers from AnkER/functionally equivalent facilities were also analysed. The analysis further contains expert interviews with representatives from the authorities involved and non-state actors¹³ in seven AnkER/functionally equivalent facilities as well as interviews with the Federal Police.

To ensure the validity of the results, clearly delineated definitions regarding time and terminology were provided for the scope of the analysis.

11 MARiS enables complete file processing in the electronic system. MARiS holds all of the necessary document templates for the asylum and Dublin procedures. See online: https://www.bamf.de/DE/Service/ServiceCenter/Glossar/_functions/glossar.html?nn=282918&cms_lv3=294946&cms_lv2=282966 (07/11/2020).

The Central Register of Foreigners is a federal, personal file kept centrally by the BAMF. It contains information about foreign nationals who are residing/have resided in Germany for longer than three months.

See Chapter 3.3 for the definition of procedures at the AnkER/functionally equivalent facilities and for the definition of procedures at other sites.

12 The documentation being considered is made up of official, anonymised key figures on the take-up of state asylum procedure counselling and has been generated manually by counsellors.

13 See Chapter 3.4 for the significance of the data gathered during the expert interviews.

3.2 Period under Review

The evaluation of the AnkER/functionally equivalent facilities considers 14 facilities in the period from 1 August 2018 to 31 July 2020. Due to the outbreak of the COVID-19 pandemic and associated protective measures, there has been a considerable impact on asylum arrivals and the asylum procedures at the AnkER/functionally equivalent facilities and other BAMF sites since March 2020.

Global preventive and protective measures had been introduced by the time the World Health Organisation (WHO) declared the outbreak of the SARS-CoV-2 virus to be a pandemic on 11 March 2020 (cf. WHO 2020). The Federal Government approved border controls and restrictions on admission to contain the spread of the virus in Germany (cf. German Bundestag 2020b). The Robert Koch Institute (RKI) moreover issued recommendations on hygiene and social distancing regulations (cf. RKI 2020a), including on the management of COVID-19 in reception facilities and shared accommodation (cf. RKI 2020b). The number of first-time asylum applications and interviews started to decline as early as March 2020 in the national asylum procedure due to the preventive COVID-19 pandemic measures taken. There was also a temporary suspension of Dublin transfers and removals (Federal Ministry of the Interior, Building and Community; BMI, 2020).

With these developments going on, asylum and Dublin events from March 2020 onwards must be considered primarily under pandemic conditions and do not offer a valid empirical basis for evaluating the efficiency or effectiveness of the AnkER/functionally equivalent

facilities. Even after the successive restart of public traffic at the BAMF sites and slight increase in first-time asylum applications in June and July 2020, analyses of data after March 2020 are not suitable for the purpose of providing statements which can be generalised regarding the processes and operations at AnKER/functionally equivalent facilities. Therefore, the analyses in this evaluation relate to the period from 1 August 2018 to 31 March 2020. and not, as was planned, to 31 July 2020. The developments in the asylum and Dublin sector during the period 1 April 2020 to 31 July 2020 will be presented separately to illustrate the situation under COVID-19 conditions in the corresponding analysis chapters.

In the data analyses, no evaluations were carried out according to individual facilities or federal states. Instead, a sharp distinction is made between the AnKER/functionally equivalent facilities and all other BAMF sites to identify the improvements made thus far

and any optimisation requirements from a comparative perspective. The 14 AnKER/functionally equivalent facilities demonstrate varying term lengths (cf. Figure 2). As not all AnKER/functionally equivalent facilities started their work at the same time, only procedures involving asylum applications from the point at which the AnKER/functionally equivalent facilities commenced operations will be analysed. An exception here is analysis of the topic of return, whereby all departures, whether voluntary or within the scope of measures terminating residence, which took place over the total period under review are taken into account.

The analyses refer to data from nine AnKER facilities which have already been operational for longer than 18 months. Then there is the data from five functionally equivalent facilities which have been in operation for between eight and twelve months (cf. Figure 2).

Figure 2: Term lengths at individual AnKER/functionally equivalent facilities

	Aug 18	Sep 18	Oct 18	Nov 18	Dec 18	Jan 19	Feb 19	Mar 19	Apr 19	May 19	Jun 19	Jul 19	Aug 19	Sep 19	Oct 19	Nov 19	Dec 19	Jan 20	Feb 20	Mar 20
Augsburg	AnKER facility																			
Bamberg	AnKER facility																			
Deggendorf	AnKER facility																			
Manching	AnKER facility																			
Regensburg	AnKER facility																			
Schweinfurt	AnKER facility																			
Zirndorf	AnKER facility																			
Dresden	AnKER facility																			
Lebach	Arrival centre	AnKER facility																		
Mecklenburg-Western Pomerania	Arrival centre								Functionally equivalent facility											
Schleswig-Holstein	Arrival centre										Functionally equivalent facility									
Chemnitz	Arrival centre										Functionally equivalent facility									
Leipzig	Arrival centre												Functionally equivalent facility							
Brandenburg	Arrival centre														Functionally equivalent facility					

Source: BAMF diagram.

The different AnkER/functionally equivalent term lengths may distort the results of the analysis slightly, since a term length of at least eight months sees 93% of national asylum procedures being concluded, which means that 7% of the procedures cannot be considered. To minimise this distortion and ensure that the procedures at the AnkER/functionally equivalent facilities can be compared with the other BAMF sites, only so-called “year procedures” will be considered in the analyses. This means that only the procedures decided within one year of application acceptance, both at the AnkER/functionally equivalent facilities and other BAMF sites, will be taken into account. Therefore, 98% of all first-time cross-border asylum applications¹⁴ filed during the period under review, both at the AnkER/functionally equivalent facilities and the other sites, are considered. Due to the overall high number of cases, the data analyses are not significantly distorted by the presence of four facilities in the period under review, Leipzig and Chemnitz in the Free State of Saxony and one each in Schleswig-Holstein and Brandenburg, which had existed as functionally equivalent facilities for less than twelve months.

3.3 Definition of the AnkER/Functionally Equivalent Procedures

To make a sharp distinction between national asylum procedures and Dublin procedures at the AnkER/functionally equivalent facilities on the one hand and procedures at other BAMF sites on the other, the following definitions are made.

The subject of the study on national asylum procedures was defined as first-time cross-border asylum applications and subsequent applications. First-time cross-border asylum applications are asylum applications filed in Germany for the first time which were usually preceded by entry into Germany. First-time asylum applications from children born after their parents arrived in Germany are not taken into account, nor are they covered by this evaluation.¹⁵ Subsequent applications are renewed asylum applications filed

after the first application was withdrawn or incontestably rejected.¹⁶ The evaluation report considers the first-time application procedure and subsequent procedures separately, as processing these applications may place different demands from the cooperation between actors at the AnkER/functionally equivalent facilities.

Some criteria have been defined to model comparable research groups so that a comparison between the results from AnkER/functionally equivalent facilities and other sites is possible.

National asylum procedures at the AnkER/functionally equivalent facilities include all cross-border asylum applications (first-time and subsequent applications are each shown separately)

- where there was an obligation to reside at the AnkER/functionally equivalent facilities,
- which were filed within the defined period at one of the AnkER/functionally equivalent facilities and
- which were pending as of 31 March 2020 at an AnkER/functionally equivalent facility or decided by this point.

Dublin procedures at the AnkER/functionally equivalent facilities include all asylum applications

- where there are indications that another European state was responsible,
- which were filed within the period defined above at one of the AnkER/functionally equivalent facilities and
- which were decided at a Dublin centre and not transferred to the national procedure.

The comparison group comprises national asylum procedures

- where there was a residential obligation,
- which were filed within the defined period at one of the other BAMF sites and
- which were pending as of 31 March 2020 at one of the other BAMF sites or decided by this point.

14 For a definition of first-time cross-border asylum applications, see Chapter 3.3.

15 The evaluation adopts the definition of first-time cross-border asylum applications provided by the BAMF's Asylum Business Statistics. See online: <https://www.bamf.de/DE/Themen/Statistik/statistik-node.html> (07/11/2020).

16 A renewed asylum application after the withdrawal or incontestable rejection of a previous asylum application is termed a subsequent application according to the definitions in Section 71 subs. 1 of the Asylum Act. See online: https://www.bamf.de/DE/Service/ServiceCenter/Glossar/_functions/glossar.html?nn=282918&cms_lv2=282950 (07/11/2020).

Dublin procedures in the comparison group include all asylum applications

- where there are indications that another European state was responsible,
- which were filed within the period defined above at one of the other BAMF sites and
- which were decided at a Dublin centre and not transferred to the national procedure.

3.4 Number of Asylum Procedures and Dublin Procedures Reviewed

Across Germany, a total of 249,372 asylum applications were made to the BAMF in the defined period under review (1 August 2018 to 31 March 2020). To facilitate a better comparison, 9% (22,438) of the procedures which only partly corresponded to the above mentioned definitions were not considered. These also included Dublin procedures transferred to the national procedure and decided within the evaluation period.

The evaluations relate to 31,165 national procedures at the AnkER/functionally equivalent facilities and to 165,053 national procedures at other sites. Furthermore, 7,260 Dublin procedures at the AnkER/func-

tionally equivalent facilities and 23,456 Dublin procedures at other sites were analysed. All calculations relate to the research and comparison groups defined in the respective context and are not based on the total number of all first-time asylum applications and subsequent applications filed within the period under review. In this context, the values determined here (for example on procedure duration) may differ from the data published in the Asylum Business Statistics of the BAMF¹⁷. A detailed list of the asylum procedures analysed in the evaluation is provided in Table 1.

3.5 Survey and Evaluation Methods

The analyses in this report are based on a combination of quantitative and qualitative methods (cf. Flick 2008) to generate results which are as valid as possible. The statistical analyses use data from MARiS and the Central Register of Foreigners on all procedures corresponding to the above definitions. The quantitative evaluation methods enable a comprehensive statistical comparison of AnkER/functionally equivalent facilities with the other sites.

¹⁷ These also include regular official reporting of statistics, for example: Das Bundesamt in Zahlen (BAMF 2019a).

Table 1: Number of asylum procedures and Dublin procedures reviewed at the AnkER/functionally equivalent facilities and at other sites

	AnkER/functionally equivalent facilities	Other sites
Procedures pending	5,605	32,308
Procedures decided	25,560	132,745
of which		
First-time cross-border asylum applications with residential obligation	12,625	55,439
First-time cross-border asylum applications without residential obligation	3,957	22,688
Subsequent applications	2,873	15,626
Miscellaneous*	6,105	38,992
Dublin Regulation	7,260	23,456
of which with residential obligation	6,363	20,283
Total of considered procedures	38,425	188,509
	226,934 (91%)	
Procedures not considered as only partial features	22,438 (9%)	
Asylum applications during the period under observation – Total	249,372	

* The category “Miscellaneous” primarily comprises first-time asylum applications for children born after their parents arrived in Germany. Source: MARiS, last revised 31 March 2020, our calculation and diagram.

Bivariate evaluations are compiled to compare the AnkER/functionally equivalent facilities with the other sites. Statistical correlations between two variables are also analysed. To minimise potential distortion due to other factors in the bivariate analyses, multivariate analyses¹⁸ are carried out for individual aspects of efficiency or effectiveness. These statistical methods can be used to identify variables which influence the extent of the correlation between two other variables. This facilitates the verification of correlations which have already been identified. A sliding mean which shows a general trend for the effectiveness of the measures over time is calculated¹⁹ for the observations in the chapters “Dublin Procedure” and “Return”.

Data from qualitative expert interviews are analysed along with the statistical evaluations. Guided individual or group discussions were carried out at seven AnkER/functionally equivalent facilities during the evaluation period. A total of more than 100 individuals took part in these discussions. At each AnkER/functionally equivalent facility, representatives from the federal and federal state authorities located there (the federal state authorities, BAMF and immigration authorities responsible for reception and accommodation), representatives of the state counselling services working there (asylum procedure counselling and, at some sites, voluntary return counselling) and employees of non-government counselling and support actors (such as Caritas, DRK, Diakonie) had a chance to speak. Discussions with representatives of the Federal Police, and with representatives of the police of the federal state at one site, regarding participation in removal measures from the AnkER/functionally equivalent facilities were also held. The expert respondents described the experiences of their institutions regarding cooperation at the AnkER/functionally equivalent facilities and reported on successive improvements as well as challenges.²⁰

Unlike qualitative evaluations, which aim to achieve statistical representativeness, the goal of qualitative surveys is to acquire more in-depth information. The interviews provide insight into practical and other processes as well as experiences in the field which cannot be adequately described using statistical analysis. The experts' statements are not, therefore,

individual viewpoints. Instead, they reflect the institutional knowledge acquired during cooperation in half of all AnkER/functionally equivalent facilities. In this context, the experts' statements provide insightful additions to the statistical analyses carried out in this report.

18 Results of the multivariate regression models are listed in the annex.

19 The data set is smoothed using a sliding mean when time sets are analysed. The advantage of this is that trends can be identified without extreme fluctuations concealing them in the data sets.

20 Thank you to all the actors who took part in the discussions for their support and expertise.

4 From Registration to Application

4.1 Establishing Identity as Early as Possible

Increased cooperation between the reception facilities, BAMF sites and any central immigration authorities, where applicable, should allow the origin and identity of persons seeking protection to be established at the AnKER/functionally equivalent facilities as early as possible. Various process steps should play a role here. The first step is to compare the newly-recorded data (in particular fingerprints from the age of 14) with existing data from the Central Register of Foreigners and data from the Federal Criminal Police Office to examine whether it is a first-time application, a subsequent application or possibly a multiple application. With the help of a Europe-wide system (EURODAC),²¹ it is also ascertained whether another European state may be responsible for conducting the asylum procedure. All applicants are photographed and their basic personal data and other information is recorded in the Central Register of Foreigners (as per Section 3 subs. 2 of the Central Register of Foreigners Act; AZRG). With the storage in the Central Register of Foreigners automatic register and security checks are carried out. The aim is to shed light on further personal data, false or multiple identities and uncover double entries by retrieving data from national and European databases such as the European VIS database²² and

national visa file. All public agencies requiring the data for their respective tasks and authorised as per the AZR Act (AZRG) have access to it. Searches, visa applications and identity documents carried are also examined. Where possible, the BAMF's physical-technical analysis team examines the documents directly after registration so that there is sufficiently comprehensive information on the authenticity of the documents available in time for the interview.

To support BAMF decision-makers in establishing identity and country of origin in the asylum procedure, the BAMF has tested further IDMS tools at various BAMF sites and incorporated these into their regular operations. With the aim of establishing identity as early as possible, the AnKER/functionally equivalent facilities have tested the consistent upstreaming of IDMS tools in the registration process. The IT tools for establishing identity and country of origin are valuable assistance systems which can provide BAMF decision-makers with important information. The additional information means that asylum decisions can be made on a broader basis in many cases.

The IDMS tools include the reading of mobile data carriers to generate information on identity and nationality and, for Arabic speaking applicants, language biometrics and name transcriptions.²³ Language biometrics is a speech and dialect-recognition process which allows languages and dialects to be assigned to a region of origin. Arabic name transcription is carried out by an automated programme which converts Arabic names into Latin alphabet spellings in a uniform manner. These spellings are used to generate

²¹ See online: [https://eur-lex.europa.eu/summary/DE/230105_1\(07/11/2020\)](https://eur-lex.europa.eu/summary/DE/230105_1(07/11/2020)).

²² The Visa Information System (VIS) is a European Union database used by the authorities to examine third-country nationals requiring a visa to enter the Schengen Area. See online: [https://www.europarl.europa.eu/news/de/press-room/20190307IPR30744/erneuerte-eu-visa-informationsdatenbank-fur-mehr-sicherheit-an-den-aussengrenzen\(07.11.2020\)](https://www.europarl.europa.eu/news/de/press-room/20190307IPR30744/erneuerte-eu-visa-informationsdatenbank-fur-mehr-sicherheit-an-den-aussengrenzen(07.11.2020)).

²³ See online: [https://www.bamf.de/DE/Themen/Sicherheit/Identitaetsmanagement/identitaetsmanagement-node.html\(29/09/2020\)](https://www.bamf.de/DE/Themen/Sicherheit/Identitaetsmanagement/identitaetsmanagement-node.html(29/09/2020)).

information about the individual's origins, which also means that confusion of names and registration under different spellings can be avoided.

The language biometrics process identifies spoken dialects, which can constitute the only indication of an individual's origin along with the applicant's statements. The necessity of commissioning much more elaborate and expensive language assessments can be avoided with the use of these tools (German Bundestag 2018c). This can shorten the overall duration of the asylum procedure in question.

AnKER and functionally equivalent facilities generally provide good conditions for deploying the IDMS tools as early as possible at the beginning of the registration process. According to statements made by the BAMF experts and federal state authorities interviewed, however, use of the IT assistance systems depends on various factors. In practice, technical and organisational parameters such as structural obstacles and a lack of IT interfaces may mean that the IDMS tools cannot be deployed early on in the process at each site.

Use of the IT assistance systems also involves additional time, space and personnel, as the persons seeking protection must be advised comprehensively of the data protection regulations and be present in the room alone. Due to the short period between persons seeking protection arriving at the reception facility and being registered, it may be difficult to get hold of language mediators for rare languages quickly when using the IDMS tools.

In most cases, however, it is possible to use the IT assistance systems at the AnKER/functionally equivalent facilities before or during the registration of persons seeking protection, at the latest when the application is filed (cf. Figure 3). The physical proximity and close cooperation between the employees of the responsi-

ble federal state authorities and the BAMF have proven to be particularly useful. This cooperation enables solutions for early use of the IT assistance systems which take local conditions into account.

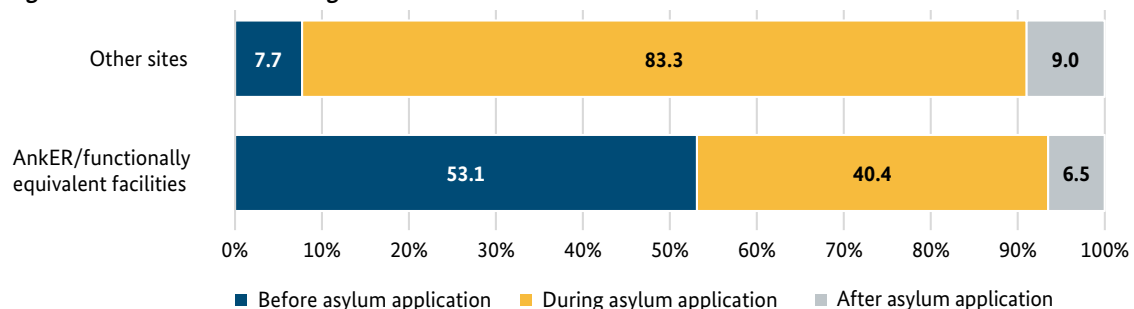
MARiS evaluations which identify the time at which mobile data carriers²⁴ were analysed confirm that the AnKER/functionally equivalent facilities' analysis of mobile data carriers takes place before the application is filed²⁵ more frequently than at the other sites. It is carried out before an application is filed for 53% of all persons seeking protection whose mobile data carriers are analysed in the AnKER/functionally equivalent facilities. At other BAMF sites, by contrast, only 8% of mobile data carriers are analysed this early. The percentage of mobile data carriers analysed at the AnKER/functionally equivalent facilities has increased significantly over time. While at the AnKER/functionally equivalent facilities the analysis rate before an application was filed was 39% as of 31 May 2019 (cf. BAMF 2019b:13), it increased to approximately 53% as of 31 May 2019 (cf. Figure 3).

Interviewed representatives at the AnKER/functionally equivalent facilities of the authorities involved pointed out that it would make sense, along with the measures described above, to develop further the cooperation between federal state authorities and the BAMF in establishing the origin and identity of

24 The evaluation only provides key statistical figures regarding the time at which mobile data carriers are analysed, as this evaluation is carried out for all persons seeking protection without a valid passport or documents in lieu of passports and is recorded in MARiS. It is not currently possible to make valid evaluations on the early deployment of name transcriptions or voice biometrics as they only relate to a small number of applicants. Entries in the MARiS database regarding the time at which analyses are carried out are also handled differently depending on local site conditions, so it is not possible to make the data comparable.

25 These are solely first-time cross-border asylum applications filed by individuals who were obliged to reside at a reception facility.

Figure 3: Time of reading mobile data carriers



Source: MARiS, last revised 31 March 2020, our calculation and diagram. The figures in Figure 3 relate to cases in which the mobile data carriers were analysed. They do not relate to all first-time applications filed during the period under review.

persons seeking protection. The sites visited within the scope of the evaluation are already making regular use of discussion rounds to intensify cooperation in this area. At one site, reception facility employees responsible for establishing origin and identity, as well as BAMF and central immigration authority employees, had organised reciprocal work shadowing. The joint working group on establishing identity has also developed measures for the early extraction of information regarding the identity of persons seeking protection. Cooperation between immigration authorities and the BAMF has priority, establishing a holistic process of establishing identity and making the information obtained in this way available to the authorities involved as quickly as possible.

4.2 Duration between Registration and Application

As described above, several process steps are carried out after arrival at the AnkER/functionally equivalent facilities which are upstream of the application being filed. Along with measures to establish the origin and identity of persons seeking protection, all new arrivals should take part in a general group counselling session on the asylum procedure, provided by the BAMF (cf. Chapter 7.1).

Upstreaming these measures more consistently at the AnkER/functionally equivalent facilities means that the time between arrival and application is extended by three calendar days. The average duration of this phase is 15 calendar days at AnkER/functionally equivalent facilities and 12 calendar days at other sites.

According to statements made by representatives of the authorities involved in the AnkER/functionally equivalent facilities, cooperation between the federal states and the Federal Government in the time between arrival and application is very intense. The offices of the federal and federal state employees responsible for this phase are generally directly adjacent to one another at the AnkER/functionally equivalent facilities, which means that the individual work steps can seamlessly interlock. Regular meetings are held on varied, current issues requiring a solution. According to the respondents, this exchange leads to increased mutual understanding and enables solutions to be found through shortened official channels.

4.3 Interim Conclusion

One of the aims of cooperation between the Federal Government and the federal state authorities at the AnkER/functionally equivalent facilities is to determine the origin and identity of persons seeking protection earlier and more effectively. IT assistance systems are used for this purpose, along with other tools. At the AnkER/functionally equivalent facilities, more than 50% of mobile data carriers are analysed even before an application is filed; far more frequently than at other sites. Over time, the rate of early analysis of mobile data carriers at the AnkER/functionally equivalent facilities has increased by more than 10%.

Even though the average duration of the phase between arrival and filing an application at the AnkER/functionally equivalent facilities increases by three calendar days in comparison with the other sites, intense cooperation can be observed especially between the federal state authorities and the BAMF at the AnkER/functionally equivalent facilities in this phase. Representatives of the authorities involved emphasise the positive significance of physical proximity, well-coordinated processes and the benefits of constant exchange. In addition to consistently upstreaming identity-securing measures, group counselling sessions on the asylum procedure are held at the AnkER/functionally equivalent facilities (cf. Chapter 7.1).

5

National Asylum Procedure

After registration, the majority of persons seeking protection go through the national asylum procedure. This begins with a personal application. During a personal interview, BAMF decision-makers hear the asylum applicants' accounts of their travel routes and reasons for persecution in the presence of a language mediator. The interview is recorded in a transcript, translated back and a copy is handed to the asylum applicant. A decision is made on the asylum application on the basis of the interview and, where applicable, further investigation. The decision is issued in writing along with advice on legal remedy.²⁶ Subsequent applications are also processed in the national asylum procedure, along with the first-time applications. A subsequent application may be filed if changes occur after the incontestable rejection of an earlier asylum application. A new asylum procedure may only be conducted in accordance with Section 71 of the Asylum Act under the conditions specified in Section 51 of the Administrative Procedure Act (VwVfG).²⁷

The analysis submitted here considers the differences between AnKER/functionally equivalent facilities and the other sites regarding duration of national asylum procedures, duration of pending procedures and duration of procedures in the individual procedural phases. First-time cross-border asylum applications and subsequent applications are reviewed separately, as their processing may place different requirements

on the cooperation between actors at the AnKER/functionally equivalent facilities. For the analyses on the national asylum procedure, only those procedures are used which were filed and decided within the defined review period at one of the facilities (cf. Chapter 3.3).

5.1 Procedures Pending

Since the opening of the AnKER/functionally equivalent facilities under review, a total of 31,165 individuals had filed an asylum application by 31 March 2020 (cf. Chapter 3.4, Table 1 for the number of asylum procedures considered). Of these, 25,560 procedures have already been decided and 5,605 procedures were still pending as of 31 March 2020 (cf. Chapter 3.4, Table 1). This means that 18% of all procedures filed at the AnKER/functionally equivalent facilities were still pending. At 32,308 (20%), the number of undecided cases at the other BAMF sites are slightly higher than at the AnKER/functionally equivalent facilities.

The average age of procedures pending at the AnKER/functionally equivalent facilities as of 31 March 2020 is 148 calendar days. The average duration at the other sites is 227 days. This means that the average duration of procedures pending at the AnKER/functionally equivalent facilities is 35% lower than at the other BAMF sites. This indicates that the number of longer-than-average procedures pending at the AnKER/functionally equivalent facilities is lower than at the other sites.

²⁶ Information on the national asylum procedure is taken from the online information of the Federal Ministry of the Interior, Building and Community. See online: <https://www.bmi.bund.de/DE/themen/migration/asyl-fluechtlingsschutz/asyl-fluechtlingsspolitik/asyl-fluechtlingsspolitik-node.html> (04/09/2020).

²⁷ See online: <https://www.bamf.de/DE/Themen/AsylFluechtlingsschutz/ErstFolgeZweittraege/erstfolgezweittraege-node.html> (04/09/2020).

5.2 Procedures Decided

Between 1 August 2018 and 31 March 2020, a total of 12,625 first-time cross-border asylum applications concerning individuals obliged to reside at the AnkER/functionally equivalent facilities²⁸ were decided in the national procedure (cf. Chapter 3.4, Table 1 for the number of asylum procedures considered). In the same period, 55,439 first-time cross-border asylum applications concerning individuals obliged to reside at a reception facility were decided at the other sites (cf. Chapter 3.4, Table 1).

In addition to the procedures of individuals with a residential obligation, there may be indirect increases in efficiency at the AnkER/functionally equivalent facilities regarding the procedures of asylum applicants not obliged to reside at the reception facility resulting from the cooperation of the authorities involved. Unaccompanied minors, individuals in hospital or prison (including detention) and individuals who have resided in Germany for longer than six months at the time of application are not subject to the obligation to reside in a reception facility.²⁹ In the period under review, 3,957 first-time cross-border asylum applications involving individuals with no residential obligation were decided at the AnkER/functionally equivalent facilities. At the other sites, 22,688 such procedures were decided in the same period (cf. Chapter 3.4, Table 1).

²⁸ See Chapter 3 for a definition of the obligation to reside at an AnkER/functionally equivalent facility or other reception facility of the federal state.

²⁹ Cf. Chapter 3 Asylum applications from children born in Germany who are also not obliged to reside at a reception facility were not considered.

5.3 National Asylum Procedures Involving Individuals Obligated to Reside at the AnkER/Functionally Equivalent Facilities

5.3.1 Duration between Application and Delivery of Administrative Decision

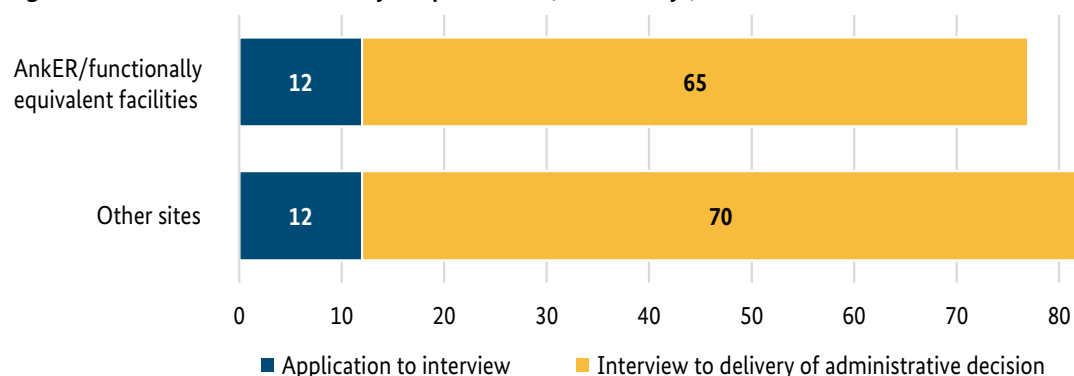
The overall duration of procedures is divided into two phases in relation to this evaluation: the phase between application and interview and the phase between interview and delivery of an administrative decision. Both phases are considered in more detail below.

AnkER/functionally equivalent facilities process first-time cross-border asylum applications in an average of 77 calendar days. In comparison, other sites require 82 calendar days to process the procedure.³⁰ An efficiency gain of five calendar days can be observed (cf. Figure 4).

To prevent distortions in the calculation of the duration of procedures due to differences in the composition of applicant groups, for example by nationality or ethnic nationality, a statistical control procedure was conducted. This shows that a slight efficiency increase

³⁰ Only first-time cross-border asylum applications decided within 12 months ("year procedures") are taken into account in these calculations.

Figure 4: Total duration of asylum procedures (calendar days)



Source: MARiS, last revised 31 March 2020, BAMF diagram and calculation.

remains when the individual characteristics of asylum seekers³¹ are taken into account.

5.3.2 Duration between Application and Interview

Individuals who file an asylum application at an AnkER/functionally equivalent facility can attend an interview approximately 12 calendar days after filing an application. This also takes an average of 12 calendar days at other BAMF sites (cf. Figure 4). The phase between application and interview therefore is equally efficient at all sites.

In the opinion of some representatives of reception facilities of the federal state and representatives of charities working within the AnkER/functionally equivalent facilities, it does not make sense to hold the interview only a few days after the application is filed. A waiting time of several days until the interview is said to give persons seeking protection the opportunity to make use of the individual asylum procedure counselling service and other support services on site, preparing them more effectively for the asylum procedure.

In general, all persons seeking protection have the chance to make use of the individual asylum procedure counselling service in the period between application and interview, which takes an average of 12 calendar days anyway.

5.3.3 Duration between Interview and Delivery of Administrative Decision

AnkER/functionally equivalent facilities require an average of 65 days after the interview to decide and deliver an administrative asylum decision, making them five calendar days quicker than other sites which require an average of 70 calendar days for this (cf. Figure 4). Counsellors from the state asylum procedure counselling service who were interviewed assumed that asylum applicants went into interviews better prepared due to the information provided by

the asylum procedure counselling service and were able to answer the questions more precisely. Although the interviews do take longer on average, they are run in a more targeted manner regarding the extraction of procedure-related information. It has also been observed that the applicants more frequently bring relevant documents such as passports, certificates and other documents with them to the interviews.

Representatives of the federal state authorities working at the AnkER/functionally equivalent facilities who were interviewed welcome the quick processing of asylum procedures, but at the same time express the need for improved coordination in the delivery of entitlement to asylum. The federal state authorities request information on the result of the asylum procedure as early as possible to allocate the individuals entitled to asylum as quickly as possible from the AnkER/functionally equivalent facilities to the municipalities. A closer exchange of information would make it possible to avoid impractical occupancy of the facilities. The desire to establish an arrangement for cross-agency cooperation was mentioned several times in this context.

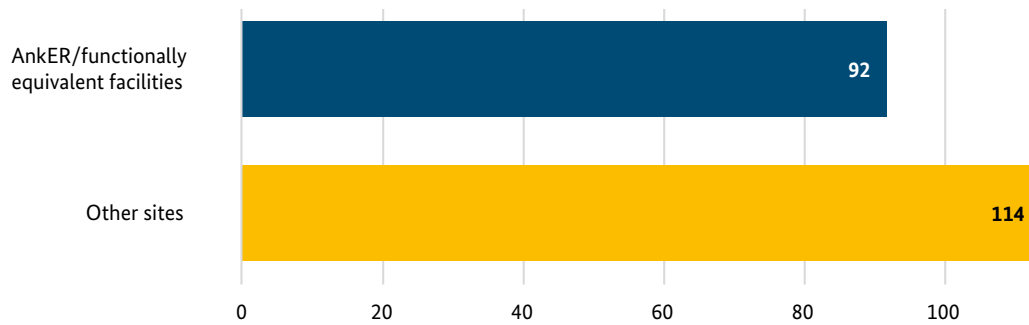
5.4 National Asylum Procedures Involving Individuals Not Obligated to Reside at a Reception Facility

Asylum procedures which are decided at one of the AnkER/functionally equivalent facilities where the individuals are not accommodated are decided 22 days earlier than comparable procedures at other sites (cf. Figure 5). First-time cross-border asylum applications from individuals without a residential obligation are decided in an average of 92 days, while the total duration at other sites is 114 days.³² After application of a statistical procedure to minimise distortion based on potentially varying compositions of asylum applicant groups in terms of their country of origin, age and family status, the efficiency increase of approximately 22 days at the AnkER/functionally equivalent facilities remains.³³

31 In these multivariate regression models, individual asylum seeker characteristics (country of origin, age, marital status, ethnic nationality) which influence the duration of the asylum procedure are identified. Considering these characteristics, potential distortions due to the unequally distributed composition of the two research groups (at the AnkER/functionally equivalent facilities and other sites) can be avoided, which increases the significance of the evaluations. The results of the regression analysis are listed in Table 1 of the annex.

32 These calculations only apply to year procedures.

33 The results of the regression analysis are listed in Table 2 of the annex.

Figure 5: Duration of procedure for individuals with no obligation to reside at a reception facility (calendar days)

Source: MARiS, last revised 31 March 2020, BAMF diagram and calculation.

The coordinated scheduling of necessary asylum applicant interviews with the authorities has an accelerating effect on the procedures of individuals with no obligation to reside at an AnkerER/functionally equivalent BAMF site.

5.5 Subsequent Procedures

In the period from 1 August 2018 to 31 March 2020, 2,873 subsequent procedures were decided at all AnkerER/functionally equivalent facilities³⁴ (cf. Chapter 3.4, Table 1 for the number of asylum procedures considered). At all other sites, 15,626 subsequent procedures were decided in the same period (cf. Chapter 3.4, Table 1). The average period between application and delivery of an administrative decision at AnkerER/functionally equivalent facilities was 54 days.³⁵ If the composition of the two study groups regarding asylum applicants' countries of origin, age and family status is taken into account, there is a gain of nine days at the AnkerER/functionally equivalent facilities compared with the other sites.³⁶

Representatives of the BAMF and federal state authorities involved emphasise that subsequent applications are processed swiftly due to close cooperation between the authorities. At some facilities, it is already checked upon arrival whether it is a subsequent application. If this is the case, the subsequent application can be filed immediately and promptly forwarded to the BAMF for examination.

5.6 National Asylum Procedures under Pandemic Conditions

There was already a 31% decrease in first-time cross-border asylum applications being filed in March 2020 compared with the previous month of February at all BAMF sites.³⁷ In April and May, application numbers decreased further by 48% and 68%, respectively, in comparison with February and stayed in the low quadruple-digit range (cf. Figure 6).

In the wake of the protective measures taken at a federal and federal state level, public traffic at the BAMF sites was largely reduced. The number of interviews decreased significantly from March onwards, with only 121 interviews being conducted across Germany in April (cf. Figure 6). Measures were developed to resume the interviews promptly and enable remote interviews where possible (e.g. hygiene measures, use of video conference technology). The number of interviews conducted continued to increase from mid-May in the wake of these measures.

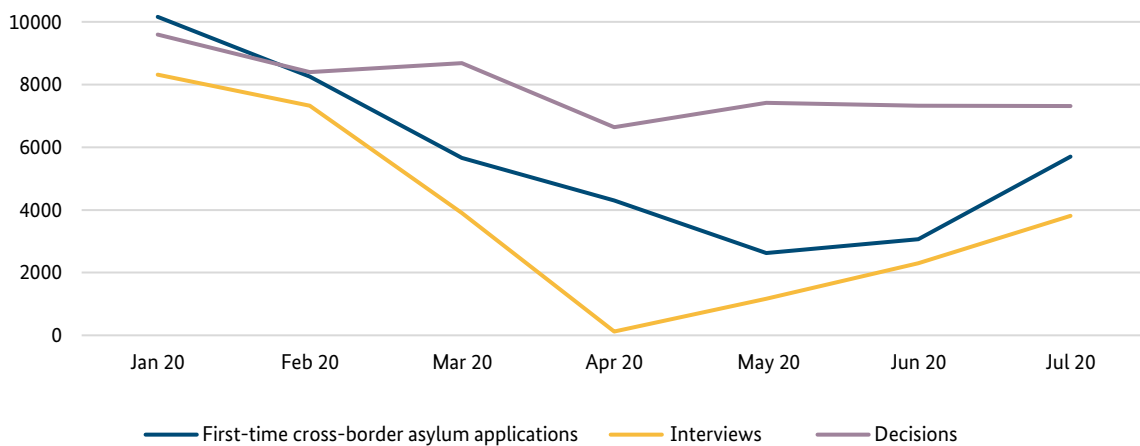
Despite the decline in first-time asylum application and interview numbers, the number of decisions remained constant in the months April until the end of July. This shows that outstanding procedures continued to be processed under pandemic conditions. It was possible for approximately 15,000 pending procedures to be decided during the above months (cf. Figure 6). The BAMF heavily restricted the delivery of negative administrative decisions in March and April

³⁴ See Chapter 3.3 for an exact definition of subsequent applications.

³⁵ These calculations only apply to year procedures.

³⁶ The results of the regression analysis are listed in Table 3 of the annex.

³⁷ The analyses on asylum procedures under COVID-19 conditions do not distinguish between AnkerER/functionally equivalent facilities and the other sites; they relate to all BAMF sites across Germany. Due to the unforeseen circumstances and wide-ranging implementation of protective measures, all sites are subject to the same challenges.

Figure 6: Development of key asylum procedure-related figures, January till July 2020

Source: MARiS, last revised 31 July 2020, our calculation and diagram.

2020 due to the infection-control measures, showing consideration for the limited options of making use of legal advice and representation in the event of a rejection. The delivery of negative administrative asylum decisions was resumed successively from May 2020. From May 2020, both the number of first-time cross-border asylum applications and interviews increased constantly. The levels of January and February 2020 were not reached by the end of July 2020, however.

difference between the AnKER/functionally equivalent facilities and other sites when it comes to the amount of time required in the phase from asylum application to interview.

Counselling services and intensified cooperation lead to efficiency gains in the phase between hearing and decision in the asylum procedures of individuals obliged to reside at the AnKER/functionally equivalent facilities.

5.7 Interim Conclusion

The AnKER principle of “everything under one roof” is being implemented fully in asylum procedure processing. National first-time asylum applications are processed at AnKER/functionally equivalent facilities and at other sites in an average of 2.6 months. Compared with the previous year 2019, in which the average duration was 3.1 months, a saving of 0.5 months can be observed.³⁸ This means that there is limited scope to further accelerate the procedures in the AnKER/functionally equivalent facilities.

There is also a clear acceleration of subsequent applications and in the procedures of individuals with no obligation to reside at an AnKER/functionally equivalent facility. The results indicate an increased efficiency in asylum procedure processing due to cooperation between the authorities at the AnKER/functionally equivalent facilities.

Intensive cooperation and process-optimisation contribute to a decrease in the overall duration of procedures at AnKER/functionally equivalent facilities for first-time cross-border asylum applications. First-time cross-border asylum applications from individuals who are obliged to reside at AnKER/functionally equivalent facilities are concluded five calendar days earlier than comparable procedures at other sites. There is no

³⁸ See also the Federal Government’s response to verbal question 49, plenary protocol 19/159.

6

Dublin Procedure

The Dublin procedure determines Member State responsibility and is conducted before the material examination of the asylum application. It serves to ascertain which Member State should examine the asylum application. It is the aim of the Dublin III Regulation³⁹ for each asylum application filed on the territory of the European Member States (Dublin area) to be examined by only one Member State in terms of substantive law. The Dublin area includes the Member States of the European Union, Norway, Iceland, Switzerland and Liechtenstein.

The Dublin procedure is conducted at the AnKER/functionally equivalent facilities and at other BAMF sites in the same way. At all of these sites, the files are created, processed and, in particular, the hearings on the admissibility of the asylum application (pursuant to Section 25 of the Asylum Act) take place. If it is determined, with the help of the available information in conjunction with the interview on admissibility, that another Member State may be responsible for the asylum procedure, the case is handed over to the responsible BAMF Dublin centre for further processing. After the responsible Dublin centre has decided, the AnKER/functionally equivalent facilities, as well as the other sites, deliver the administrative decisions.

The asylum applicants remain at the AnKER/functionally equivalent facilities, or at the other sites in the reception facilities responsible for hosting them, until they are transferred to the responsible Member State or the asylum procedure is concluded. According to

the administrative agreements between the Federal Government and the federal states regarding the construction of AnKER/functionally equivalent facilities, it is also generally possible to request official assistance from the Federal Police in the manner of transport services for Dublin transfers.

This chapter considers the efficiency and effectiveness of the Dublin procedure at the AnKER/functionally equivalent facilities. The core indicator of efficiency is the duration of the Dublin procedures from application until delivery of the administrative decision. Effectiveness is measured by how well the transfers to responsible Member States from the AnKER/functionally equivalent facilities succeed in comparison with other BAMF sites.

6.1 Number and Duration of Dublin Procedures

Only first-time cross-border asylum applications from individuals obliged to reside at a reception facility and whose procedures were decided at one of the responsible Dublin centres are taken into account for the analysis of Dublin procedures at the AnKER/functionally equivalent facilities and other sites.⁴⁰ This concerns 87% (26,646) of all decisions under the Dublin procedure generated in the period from 1 August 2018 to 31 March 2020 at the Dublin centres. Of these, 6,363

³⁹ The legal basis for the Dublin procedure is provided by Regulation (EU) No 604/2013 (Dublin III) in conjunction with the Commission Implementing Regulation (EU) No 118/2014 and the “EURODAC” Regulation (EU) No 603/2013.

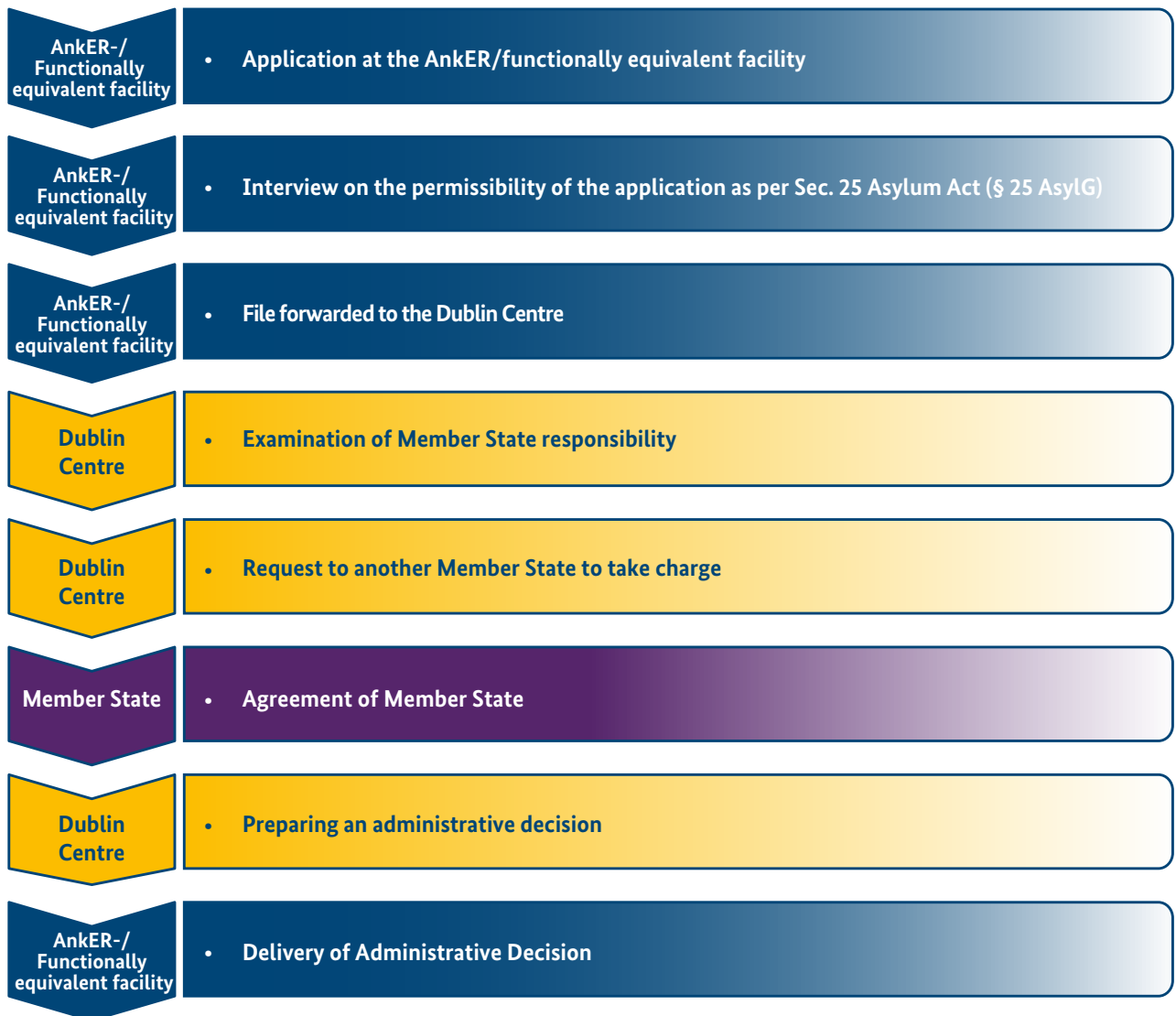
⁴⁰ For the exact definition of procedures analysed at the AnKER/functionally equivalent facilities and other sites, see Chapter 3: Methodology and definitions.

decisions under the Dublin procedure were issued to individuals obliged to reside at the AnkER/functionally equivalent facilities and 20,283 decisions under the Dublin procedure were served on asylum seekers obliged to reside at other reception facilities (cf. Chapter 3.4, Table 1).

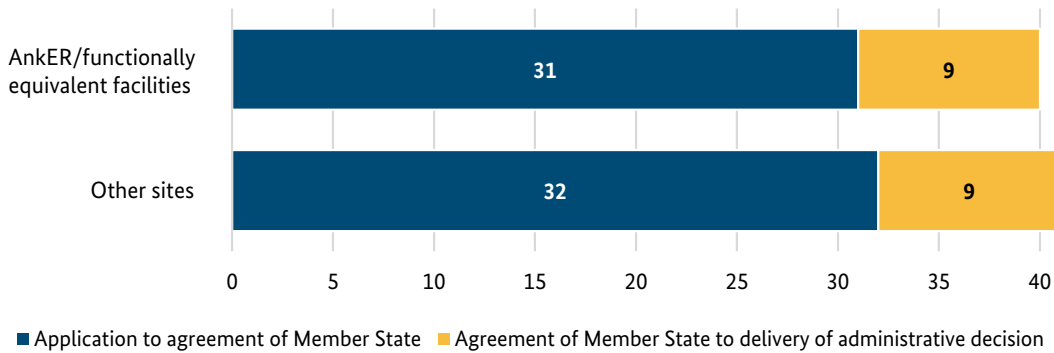
The duration of Dublin procedures also depends on external factors, in particular the responsiveness of the Member States involved. This means that an acceleration of the Dublin procedure is only possible in individual phases: in the phase of the application, the interview on the application’s admissibility and the subsequent forwarding of the files to the Dublin centre, as well as in the phase of delivering the administrative decision (cf. Figure 7).

Dublin procedures from AnkER/functionally equivalent facilities and other sites are processed quickly due to the centralised processing in the Dublin Centres. The internal time targets of two days for the submission of the take-over request from receipt of the procedure in the Dublin centre and the decision within four days from receipt of the approval in the Dublin centre are met to a very high degree. From application until delivery of an administrative decision, Dublin procedures take an average of 40 calendar days at AnkER/functionally equivalent facilities and 41 calendar days at other sites.

Figure 7: Dublin procedure at AnkER/functionally equivalent facilities



Source: BAMF diagram.

Figure 8: Average duration of Dublin procedures (calendar days)

Source: MARiS, last revised 31 March 2020, our calculation and diagram.

Figure 8 shows that, at AnkER/functionally equivalent facilities, it takes 31 days from the time an asylum application is filed until a Member State agrees to take over the applicant, whereas in Dublin procedures at other sites, 32 calendar days are needed for this stage of the procedure. During this phase, the respective Member State examines the request to accept the asylum applicant. This takes an average of 20 calendar days and the BAMF has no influence on accelerating this process. The administrative decision is delivered within nine days both at the AnkER/functionally equivalent facilities and the other sites.

6.2 Dublin Transfers

Before a decision under the Dublin procedure becomes enforceable, there is the option of submitting legal remedy against it at the responsible administrative court within one week of service. Where no legal remedy or only a court action with no urgent application has been submitted as per Section 80 subs. 5 of the Administrative Court Procedure Code (VwGO), the decision becomes enforceable immediately after expiry of the one-week appeal period. When a court action with urgent application is filed as per Section 80 subs. 5 of the Administrative Court Procedure Code, a Dublin transfer is only possible after a negative court judgment regarding this urgent application.

When the decision under the Dublin procedure becomes legally enforceable, the so called modality is drawn and sent to the relevant immigration authority. It contains the transfer parameters stipulated by the Member State with the BAMF's instructions on this, as well as the BAMF's examination of domestic obstacles to the removal. From this point onwards, the Dublin

transfer can be planned and executed by the immigration authorities.⁴¹

The number of modality letters are the reference value for the calculation of Dublin transfer rates in the evaluations submitted here. It is assumed that the Dublin transfer is enforceable if a modality letter has been generated for the Dublin procedure in question. The transfer rate calculated in this way provides information on the transfers which have actually taken place or failed in all enforceable cases at selected sites. The rate therefore measures the effectiveness of enforcing Dublin transfers from the AnkER/functionally equivalent facilities in comparison with the other sites.⁴²

Measured by the number of modality letters issued, transfers from the AnkER/functionally equivalent facilities are enforced less frequently. The transfer rate is 36% at AnkER/functionally equivalent facilities compared to 47% at the other sites.

There is a risk, with exclusively bivariate⁴³ analyses such as the above rate calculation, that the result will be distorted by 'external factors'. For example, the lower transfer rate at the AnkER/functionally equivalent facilities may be less due to the ineffectiveness of the transfer procedure and more due to the higher

41 Planning covers varied components such as scheduling the transfer, provision of personnel from the immigration authorities, provision of interpreters for charter measures, additional medical staff and cabin crew, coordination with police of the federal state and, where necessary, Federal Police and flight booking.

42 The rates calculated in this way differ from the data provided by the Federal Government (example: German Bundestag 2018a) as the latter accounts for the number of successful transfers in proportion to the total cases of Member States agreeing to the measure.

43 In bivariate analyses, the statistical correlation between two variables is determined.

frequency of scenarios in which transfers are harder to enforce. A statistical control procedure was carried out to prevent distortions in the calculation of transfer rates. The influence of characteristics such as the applicant's country of origin, the responsible Member State and target state for the transfer as well as the age, ethnic nationality and marital status of the applicant are considered in this procedure. This adjusted probability of transfer from AnkER/functionally equivalent facilities and other sites can be used to validate previous bivariate findings on the efficiency of transfer practice.

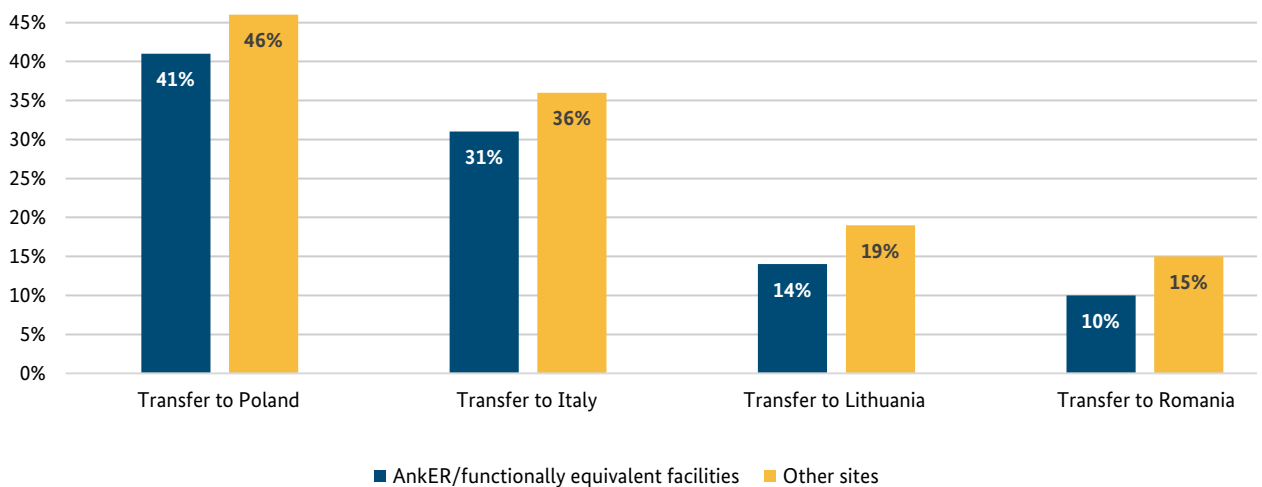
After controlling the above-mentioned characteristics, it is apparent that lower transfer rates at the AnkER/functionally equivalent facilities are partly because they have to transfer more often to Member States with limited reception capacities of their respective asylum systems (e.g. Bulgaria and Greece). In contrast, factors such as the composition of applicants by countries of origin or ethnic groups do not impede the effectiveness of transfers from the AnkER/functionally equivalent facilities. The marital status of applicants does not negatively influence the likelihood of transfer from the AnkER/functionally equivalent facilities, either. When all of the characteristics stated above and the responsible Member States in particular are considered, the difference in transfer rates between AnkER/functionally equivalent facilities and all other sites, relating to the overall period under review, falls from eleven to five percentage points.⁴⁴

⁴⁴ The results of the regression analysis are listed in Table 4 of the annex.

The difference of five percentage points in the adjusted transfer probability can be demonstrated using exemplary case groups (cf. Figure 9). Figure 9 shows a calculation of the likelihood of transfer of males aged 26 for four different Member States to which they are to be transferred. As characteristics such as country of origin, ethnic nationality and marital status have no significant influence on the likelihood of transfer, they are not considered in the presentation of individual scenarios. The likelihood of transfer in each of the above scenarios at the AnkER/functionally equivalent facilities and other sites is shown.

It is evident that the likelihood of transfer varies depending on Member State. For example, the likelihood of a 26-year-old male individual being transferred from an AnkER/functionally equivalent facility to Romania is 10%, whereas a transfer from the other sites for the same group is 15%. The probability of transfer is significantly higher for persons transferred to Poland. The likelihood of a functioning transfer from the AnkER/functionally equivalent facilities is 41%, compared to 46% at the other sites. Considering the scenarios, it becomes apparent that the likelihood of individuals from AnkER/functionally equivalent facilities being transferred is 5% lower than from other sites, regardless of the Member State to which they are being transferred.

Figure 9: Likelihood of Dublin transfers for exemplary case groups



Source: MARIS, last revised 31 March 2020, our calculation and diagram.

6.3 Dublin Transfer Challenges in Practice

Numerous challenges were addressed regarding transfer practice during the expert discussions. Representatives of the immigration authorities and the Federal Police have observed networking between individuals to be transferred and a lively exchange of information, particularly on the possibilities of escaping a transfer by absconding to other accommodation units or defiant conduct at the airport in the case of air transfers. These phenomena also occur in other facilities in which large groups of individuals who are to be transferred are accommodated. Practical experiences such as these are reflected in the MARiS data. Dublin transfers from reception facilities with a capacity of more than 750 individuals fail 10% more frequently because individuals who are to be transferred cannot be found or abscond.

In addition to these challenges, the transfer rates of AnKER/functionally equivalent facilities reflect changes in the administrative processes, shifts in responsibility and tight deadlines in the Dublin procedure. According to the experts interviewed, the effects of these adjustment processes were especially noticeable at the beginning of operations at the respective AnKER/functionally equivalent facilities and have improved considerably over time thanks to intensified cooperation between all actors involved. After new structures were successfully established, it was possible to gradually reduce the initial efficiency losses. The MARiS data demonstrates this over the entire evaluation period, since Dublin transfers from the AnKER/functionally equivalent facilities fail as a result of in-

ternal inefficiency⁴⁵ 7.5% less frequently than at the other sites.

Experts from the Federal Police gain insights into Dublin transfers in practice to the extent that the Federal Police provide official assistance by transporting individuals who are to be transferred to the airport or, in the case of transfers via land, to the Member State border from a previously agreed meeting point. However, two thirds of planned transfers at the AnKER/functionally equivalent facilities where support from the Federal Police has been requested do not take place. According to Federal Police calculations, the total cost of enforcement for Dublin transfers from AnKER/functionally equivalent facilities where official assistance is provided amounts to 3,325 working hours for the year 2019. Of these working hours, 2,697 were spent without a successful Dublin transfer resulting from them.

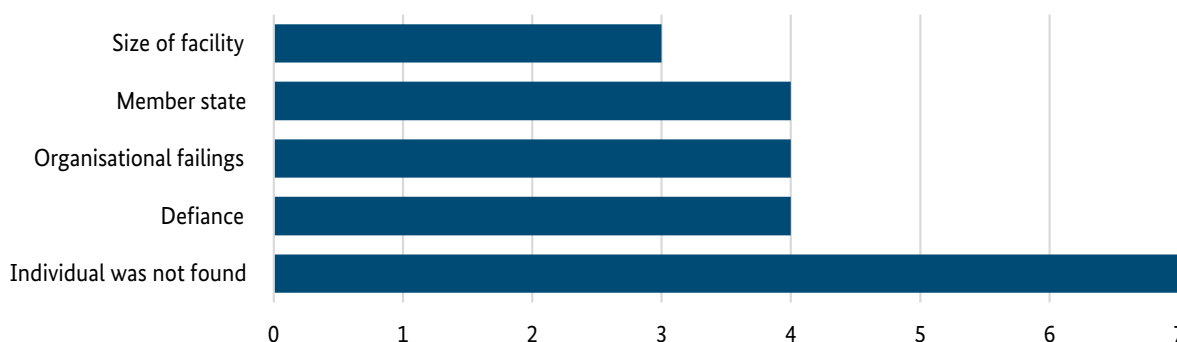
Figure 10 gives an overview of factors addressed by experts which influence Dublin transfers from the AnKER/functionally equivalent facilities.

6.4 Transfer Rates over Time

To analyse how the transfer practice of AnKER/functionally equivalent facilities developed during the period under observation, the Dublin transfer rates at AnKER/functionally equivalent facilities and all other

⁴⁵ Internal inefficiency is summarised in MARiS under the attribute "Inactivity of immigration authorities". The reasons for these instances of inefficiency are not recorded in MARiS.

Figure 10: Factors influencing Dublin transfers at the AnKER/functionally equivalent facilities



Source: Our survey and diagram.

Legend: The y-axis shows various challenges in Dublin transfer practice, while the x-axis represents how often the reason was mentioned. There is qualitative data available for a total of seven AnKER/functionally equivalent facilities. One named attribute was only counted once per AnKER/functionally equivalent facility surveyed, even if the reason was cited by several individuals. It was possible to specify different reasons within on facility.

sites were considered over time. A moving average of transfer rates was calculated for each month between January 2018 and March 2020. The moving average forms the average of the previous three arithmetic monthly mean values. The advantage of this kind of calculation is that extreme fluctuations in the data sets can be smoothed and trends can be identified.

Initially, the calculations demonstrate a clear discrepancy between the transfer rates at AnkER/functionally equivalent facilities and the other sites. For example, the average transfer rates for sites before AnkER/functionally equivalent facility operations were commenced (January to July 2018) were 44%, whereas the average transfer rates for other sites in the same period were 56%. Until August 2019, the AnkER/functionally equivalent facilities demonstrated a consistent 10–15 percentage points lower effectiveness in Dublin transfers compared to the other sites. However, the AnkER/functionally equivalent facilities showed continuous improvement from June 2019.

Despite limited personnel resources at the Federal and Land police forces and the mentioned factors influencing Dublin transfers (cf. Chapter 6.3), the AnkER/functionally equivalent facilities demonstrated higher average transfer rates than the other sites from October 2019 onwards. This is also a consequence of the close official cooperation between all actors involved. In light of this dynamic development, the initially lower transfer rates improved significantly over time so that between 50% and 60% of all individuals for whom a modality letter was available were successfully transferred from the AnkER/functionally equivalent facilities between October 2019 to January 2020. The transfer rates at other sites were below 50% at this point. The overall picture shows that the AnkER/

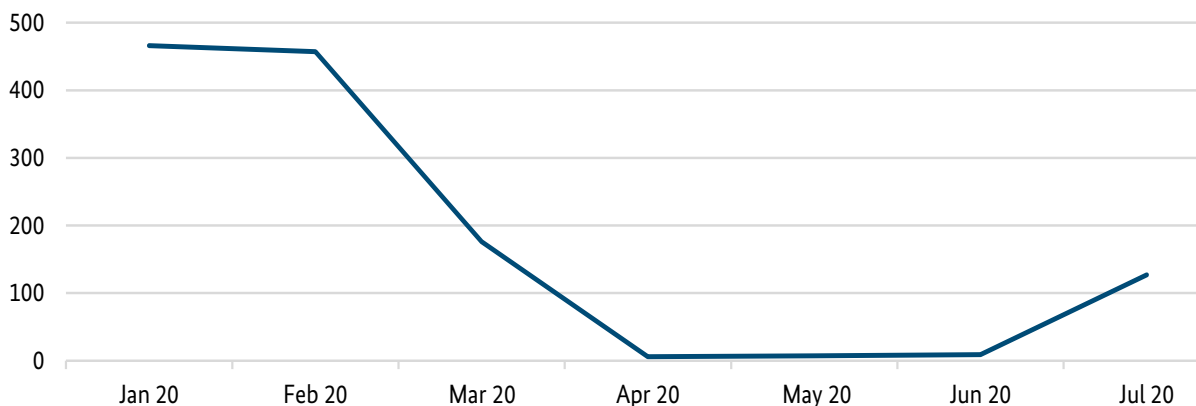
functionally equivalent facilities experienced a continuous rise in Dublin transfer rates from June 2019. It is not possible to assess the sustainability of this development conclusively due to the outbreak of the COVID-19 pandemic, however. The transfer rates at the AnkER/functionally equivalent facilities as well as at other sites decreased significantly from February (cf. Chapter 6.5).

6.5 Dublin Regulation under Pandemic Conditions

Dublin transfers were suspended temporarily on 18 March 2020 due to partial border closures in Europe (Neumann 2020). The subsequent sharp reduction in Dublin transfers to European Member States is especially evident in the development of transfer figures between March and July 2020⁴⁶ (cf. Figure 11). While more than 900 individuals were successfully transferred to a responsible Member State in January and February, Dublin transfers decreased considerably at the beginning of March. A slow increase in transfer numbers for the month of July can be observed after the decision to resume transfers to neighbouring states on 15 June (cf. German Bundestag 2020a).

⁴⁶ The analyses in this sub-chapter do not distinguish between AnkER/functionally equivalent facilities and the other sites; they relate to all BAMF sites across Germany. Due to the unforeseen circumstances and wide-ranging protective measures being taken, all sites are subject to the same challenges.

Figure 11: Dublin transfer figure development, January till July 2020



Source: MARiS, last revised 31 July 2020, our calculation and diagram.

6.6 Interim Conclusion

Overall, it is apparent that Dublin procedures are decided quickly for reasons including centralised processing at the Dublin centres. There is no significant difference in the average duration of Dublin procedures between AnkER/FG facilities and the other sites.

Taking into account the number of modality letters as well as the individual characteristics of the persons, it is apparent that the transfer rates at AnkER/functionally equivalent facilities are 5% lower than at other sites in relation to the entire period under review when the individuals' distinct characteristics are taken into account.

Core factors influencing Dublin transfers from AnkER/functionally equivalent facilities which have been observed include a high percentage of individuals absconding and increasingly defiant conduct, particularly in relation to air transfers. These factors can be attributed in particular to the size of the facilities and close networking between individuals to be transferred at AnkER/functionally equivalent facilities. The transfer practice mentioned here can occur in all reception facilities, regardless of the AnkER/FG facility, and can increase with the size of the facility.

Despite the challenges specified, there has been a gradual improvement in the effectiveness of Dublin transfers from AnkER/FG facilities over time. Transfer rates have increased steadily since June 2019 due to improved cooperation between the actors involved. By the end of 2019, transfers from AnkER/functionally equivalent facilities were more effective than from other sites. It is not possible to assess the sustainability of this development conclusively due to the COVID-19 pandemic and accompanying decline in transfers.

7

Other Modules

7.1 Asylum Procedure Counselling

The BAMF offers an asylum procedure counselling (AVB) at all AnkER/functionally equivalent facilities. This counselling was part of a pilot measure and only available at the AnkER/functionally equivalent facilities until approximately the beginning of 2020. As a result of the so-called “Orderly Return Act”, Section 12 a “Asylum procedure counselling” (AVB) was newly inserted to the Asylum Act (entering into force on 21 August 2019), thus creating a legal basis for nationwide independent, state-run asylum procedure counselling by the BAMF.

Further AVB offices commenced operations across Germany in the first half of 2020 in addition to the services at the AnkER/functionally equivalent facilities. There are 120 full-time positions available at the BAMF for nationwide implementation of the AVB. Asylum procedure counsellors attend a one-week training course and are continuously supported by the central BAMF group “Quality”. Asylum procedure counsellors are also separated from the asylum unit regarding organisational and professional matters. They do not process any ongoing asylum procedures of the persons seeking protection they advise (German Bundestag 2020d).⁴⁷

The nationwide launch of AVB at all BAMF sites had not yet been fully completed by 31 July 2020, the end of the period under review.⁴⁸ The AVB sites

launched in 2020 have also only been in operation for a short period of time. For this reason, it is primarily the analyses regarding implementation of AVB at the AnkER/functionally equivalent facilities which provide relevant information about the use of asylum procedure counselling, its content-related orientation and the cooperation between the BAMF’s AVB and other actors working at the AnkER/functionally equivalent facilities.

7.1.1 General Asylum Procedure Counselling

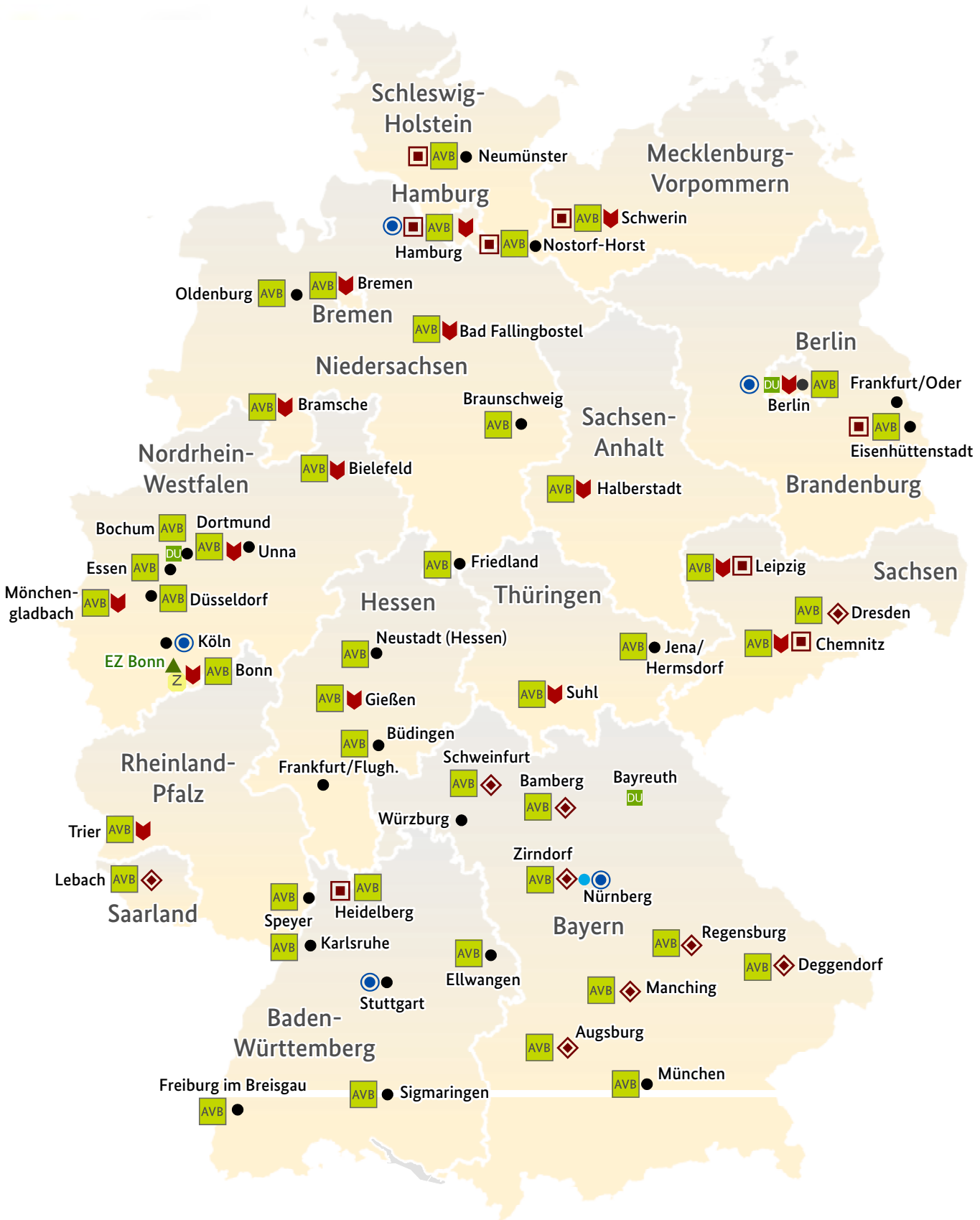
The counselling varies depending on the stage of the procedure in which persons seeking protection find themselves. The two-step counselling model consists of a general AVB in small groups (Step 1) and an individual AVB in personal meetings (Step 2). After registering, persons seeking protection receive the first offer of an appointment for a general AVB, which takes place in small groups before an application is filed. This first, informative meeting is attended by approximately 86% of all persons seeking protection at the AnkER/functionally equivalent facilities in the period under review.⁴⁹

⁴⁷ See online: <https://www.bamf.de/DE/Themen/AsylFluechtlingsschutz/AVB/avb-node.html> (30/10/2020).

⁴⁸ The nationwide launch was completed on 16 November 2020

⁴⁹ Statements based on data from counselling services as of 31 March 2020. Data from the counselling lists 21,071 individuals who were made aware of the AVB services after arrival at the AnkER/functionally equivalent facilities in the period under review. Of these, 18,086 individuals made use of the service. Evaluation of the AVB documentation provides a rough overview of counselling activities. As the AVB documentation was continuously developed and the turnover of asylum procedure counsellors was high over the course of the project, it was not always recorded uniformly across the sites. The Federal Office for Migration and Refugees is working to continuously improve the data-gathering process.

Figure 12: Sites with asylum procedure counselling

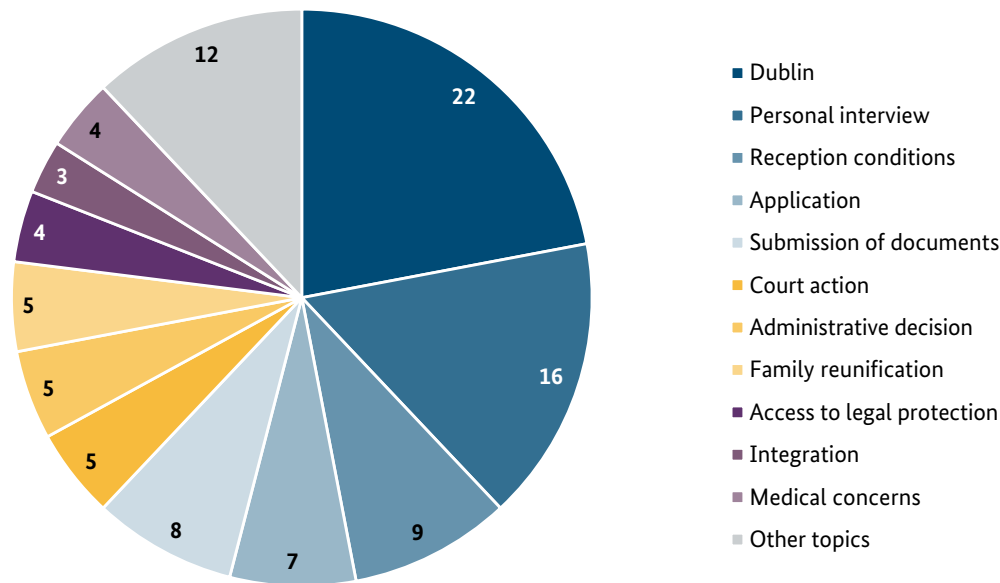


Current Federal Office for Migration and Refugees sites*

*It is possible that there are several properties on one site

- Branch office/Office
- Federal Office Headquarters
- ▲ Decision-making Centre
- DU Dublin Centre
- ◆ Branch office at AnKER facility
- ▣ Functionally equivalent facility
- ▼ Branch office at arrival centre
- Z Distribution centre
- AVB Asylum procedure counselling
- ⦿ Operative implementation of professional language courses

Figure 13: Questions asked during general asylum procedure counselling sessions before application, in %



Source: AVB documentation, last revised 1 June 2019 to 31 May 2020, our calculation and diagram, number of evaluable citations 4,196, note: Multiple answers possible.

The informative meeting includes explanations of asylum procedure steps and on the rights and obligations of persons seeking protection. Further counselling services are also pointed out, including services provided by non-state actors.

Persons seeking protection can ask questions during the informative meeting. The information required by persons seeking protection is recorded in the AVB documentation and can therefore be quantified. The data shows that, before the asylum procedure, persons seeking protection primarily make enquiries about the Dublin procedure, the process of personal interview, conditions of reception at the reception facilities and the application process (cf. Figure 13).

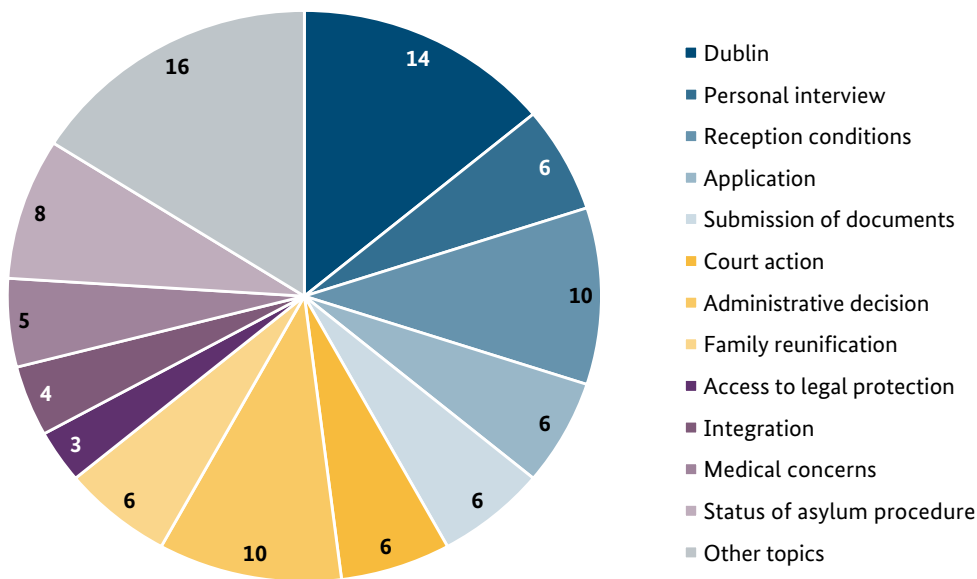
7.1.2 Individual Asylum Procedure Counselling

Until the end of the asylum procedure, persons seeking protection can make use of individual counselling in individual meetings held by the BAMF to build upon the general informative meeting. During the period 1 August 2018 to 31 March 2020, 3,673 individuals made use of individual, state-run asylum procedure counselling at the AnkER/functionally equivalent facilities. That is approximately 17% of all adults who were informed of the state-run counselling by the reception authorities of the federal states and, where applicable, the BAMF after their arrival.

Of all the individuals who received counselling, 646 sought out the AVB before filing an application. By contrast, the majority (82%, 3,027) attended their first counselling session after filing an asylum application.

An evaluation of the AVB documentation regarding individual asylum procedure counselling shows that persons seeking protection particularly sought out individual counselling on issues relating to transfer to other Member States (Dublin procedure; cf. Figure 14). Approximately 10% of all counselling concerns are related to explanations of administrative asylum decisions. Another 10% of all questions arising at the counselling sessions are dedicated to various aspects of accommodation at reception facilities. These included questions about the issuing of visitor permits or the wish to be transferred to another facility or another federal state. Persons seeking protection also enquired about the status of their asylum procedure or asked questions about legal protection and court action options. In the case of concerns relating to legal protection, the asylum procedure counsellors provide information on statutory deadlines and refer to non-state counselling services. Asylum procedure counsellors also refer to the legal application offices located either at the AnkER/functionally equivalent facilities or in the vicinity of the respective facilities.

Figure 14: Questions asked during individual asylum procedure counselling sessions, in %



Source: AVB documentation, last revised 1 June 2019 to 31 May 2020, our calculation and diagram, number of evaluable citations 3,078, note: Multiple answers possible.

7.1.3 Cooperation with Actors Involved

Each Member State must ensure, in accordance with European law, that all persons seeking protection can lay claim to the rights applicable to them and comply with the legal obligations arising for the duration of the asylum procedure. The EU's Asylum Procedure Directive states: "Certain applicants may be in need of special procedural guarantees due, inter alia, to their age, gender, sexual orientation, gender identity, disability, serious illness, mental disorders or as a consequence of torture, rape or other serious forms of psychological, physical or sexual violence." (Directive 2013/32/EU, recital 29). In this evaluation, groups of individuals with special procedural guarantees⁵⁰ are referred to as individuals with special requirements.

The timely identification of individuals with special requirements is not only important so that special guarantees can be granted in the asylum procedure, but also so that accommodation at the reception facilities is in line with their needs.⁵¹ Special requirements are identified by the federal state authorities at reception facilities during registration (cf. contributions from the

federal states) or by the BAMF when an application is filed, but is also possible at any stage of the asylum procedure. Along with its information and counselling remit, the BAMF's counselling has the task of providing support in identifying individuals with special needs.

It is particularly during the individual counselling sessions that persons seeking protection address subjects which indicate their special requirements. In the time from 1 August 2018 until 31 May 2020, for example, approximately 500 individuals were identified via the AVB at the AnkER/functionally equivalent facilities as having special requirements. With the express written consent of the person seeking protection, asylum procedure counsellors forward the information on special requirements to the BAMF so that specially trained decision-makers (special representatives⁵²) can be deployed to process the procedure. The evaluable data from MARiS indicates that the special requirements of persons seeking protection are considered more frequently in asylum procedures processed at the AnkER/functionally equivalent facilities than those at the other BAMF sites.⁵³

⁵⁰ Article 2 d) Directive 2013/32/EU Definitions: "For the purposes of this Directive: [...] applicant in need of special procedural guarantees' means an applicant whose ability to benefit from the rights and comply with the obligations provided for in this Directive is limited due to individual circumstances; [...]"

⁵¹ See Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013.

⁵² For the tasks of BAMF special representatives, see online: <https://www.bamf.de/SharedDocs/Meldungen/DE/2019/20190730-am-welttag-gegen-menschenhandel.html?nn=282658> (2/11/2020).

⁵³ At the AnkER/functionally equivalent facilities, the asylum decisions relating to 4% of all first-time cross-border asylum applications involved experiences of human trafficking, individuals persecuted on the basis of gender, traumatised individuals and

At most AnKER/functionally equivalent facilities, the BAMF counselling cooperates with the support and counselling for persons seeking protection which are available there. During the expert discussions in which representatives from non-state counselling and support services took part alongside asylum procedure counsellors, the cooperation was overwhelmingly assessed as positive by both sides. The asylum procedure counsellors consider additional counselling and support services from non-state actors as important since they cannot fully respond to all of the concerns of persons seeking protection within the scope of their responsibilities. In turn, non-state counselling services appreciate having contacts at the BAMF for their clients' questions relating to the asylum procedure.

Beyond the cooperation at AnKER/functionally equivalent facilities, asylum procedure counsellors also participate, where possible, in regional counselling networks for persons seeking protection. Knowledge of the regional counselling landscape is important for asylum procedure counsellors in the sense that they can refer persons seeking protection to specialised counselling services such as those for victims of human trafficking or for LGBTIQ-individuals and provide support in establishing contact.

7.2 Initial Orientation and Roadmap Courses

To support persons seeking protection in finding their way after arriving and filing an asylum application in Germany, the BAMF cooperated with the Bavarian State Ministry of Employment and Social Affairs, Family and Integration to develop the course concept "Initial orientation and learning German for asylum seekers" and began implementing it in the Free State of Bavaria. Since July 2017, the BAMF has funded a standardised orientation course known as the initial orientation course (EOK).⁵⁴ It is closely coordinated with the federal states. The initial orientation course primarily targets persons seeking protection whose prospects of remaining are unclear,⁵⁵ who have

survivors of torture. This was the case for 2% of applicants at the other sites.

54 For more information, see: <https://www.bamf.de/DE/Themen/Integration/ZugewanderteTeilnehmende/Erste-Orientierung/Erstorientierungskurse/erstorientierungskurse-node.html> (11/11/2020).

55 Cf. Meseberger declaration on integration published by the Federal Government in 2016, stipulating on page 6 that "even

no access to an integration course⁵⁶ and are not from a safe country of origin.⁵⁷ Participants should be supported in their particular living situations by having the opportunity to acquire knowledge of the country and simple German skills in a timely manner (with a total of up to 300 teaching units). The module on "Values and Living Together" is mandatory. Language support is not the main emphasis here. Initial orientation courses have been gradually introduced at all AnKER/functionally equivalent facilities since autumn 2018.

The BAMF has also been testing an orientation service in languages of origin since August 2018, the roadmap course.⁵⁸ The course aims to convey useful information for day-to-day life and the basic principles of cultural coexistence in Germany to persons seeking protection, regardless of their prospects of remaining, as soon as possible after their arrival (15 lesson units). As persons seeking protection do not have the necessary German skills at the beginning of their stay in Germany, roadmap course lessons are given by cultural mediators in the respective language of origin, or in a bridge language. This ensures that complex subjects can be discussed without course participants being limited in their ability to understand and express themselves. Roadmap courses therefore constitute a supplementary service alongside the initial orientation courses, which are conducted in German.

asylum seekers with no good prospect of remaining (...) (should) receive orientation during their stay in our country" See online: <https://www.bmi.bund.de/SharedDocs/downloads/DE/veroeffentlichungen/2016/meseberger-erklaerung.html> (1/12/2020). As a result of this declaration, the guidelines on the promotion of initial orientation and value-conveying measures for asylum applicants of 01/01/2020 (Joint Ministerial Gazette 2020, No. 1, p. 6 (7) stipulate that "Participants in initial orientation courses (are) primarily asylum applicants with no good prospect of remaining, but who do not come from a safe country of origin."

- 56 The integration course is a basic state-provided linguistic and political education service for migrants and beneficiaries of protection. The course should enable them to communicate independently in all day-to-day matters, see online: <https://www.bamf.de/SharedDocs/Dossiers/DE/Integration/integrationskurse-im-fokus.html>; https://www.bamf.de/SharedDocs/Dossiers/DE/Integration/integrationskurse-im-fokus.html?jsessionid=F086863AC891A8E092FB39C73221D959.internet561?nn=284228&cms_docId=411136 (17/11/2020).
- 57 Safe countries of origin are defined in Section 29 a of the Asylum Act These are states where there are a democratic system and general political situation in which there is no risk of state persecution. These states should also be capable of protecting their citizens from non-state persecution. The following states are deemed to be safe countries of origin in Germany: the Member States of the European Union, Albania, Bosnia-Herzegovina, Ghana, Kosovo, North Macedonia, the former Yugoslavia, Montenegro, Senegal, Serbia (last revised November 2020). Online: <https://www.bamf.de/DE/Themen/AsylFluechtlingsschutz/Sonderverfahren/SichereHerkunftsstaaten/sichereherkunftsstaaten-node.html> (11/11/2020).
- 58 For more information, see: <https://www.bamf.de/DE/Themen/Integration/ZugewanderteTeilnehmende/ErsteOrientierung/Wegweiskurse/wegweiskurse-node.html> (11/11/2020).

The roadmap course concept was developed in Saxony at the end of 2015 and initially implemented only there. Since the AnkER facilities commenced operations in Saxony, the roadmap courses have continued to be financed and conducted by the Free State of Saxony. There have been BAMF-funded trials of roadmap courses in Bavaria (since August 2018) and Schleswig-Holstein (since January 2020). Due to the pandemic, no courses took place during the period under review in the Saarland, where the trial began in February 2020.

Between August 2018 and March 2020, 519 initial orientation courses were held at AnkER/functionally equivalent facilities. So far, a total of 13,479 participants have been reached via the initial orientation courses at AnkER/functionally equivalent facilities. Participants from Iran (11%) and Turkey (10%) made up the largest participant groups. They are followed by participants from Venezuela and Iraq (9% each). In total, 65% of initial orientation course participants at AnkER/functionally equivalent facilities were male and 65% were under the age of 35.

A total of 221 roadmap courses have been held at the AnkER/functionally equivalent facilities since trials began in the period August 2018 to 31 March 2020, reaching 2,600 participants. Most of the roadmap courses were conducted in Arabic (50 courses) and Persian (Farsi) (38 courses), followed by English (36 courses) and Russian (36 courses). With a share of 21%, participants from Iran make up the largest group. They are followed by participants from Turkey and Syria (15% each). In total, 68% of roadmap course participants were male and 61% were under the age of 35.

As part of an evaluation of the initial orientation courses and roadmap courses by the consulting firm Syspons GmbH, data was collected on the course location of AnkER/functionally equivalent facility. Four case studies, one focus group with cultural mediators, three provider interviews and 16 telephone interviews with former participants were conducted in spring 2019 along with the monitoring of 80 roadmap courses and 140 initial orientation courses (course and participant data).

The Syspons evaluation obtained the following findings: the framework conditions at AnkER/functionally equivalent facilities enable relatively easy access to courses for potential participants. They can participate in the courses without too much personal effort. The fact that the maximum capacity of 20 individuals per course is frequently reached and participants do

not always get a place in a course immediately after arriving at the AnkER/functionally equivalent facilities shows that the service is perceived well.

Evaluations have also revealed that the courses have a positive impact on participants' stay in the facilities. It was reported that the initial orientation course offers participants a meaningful way of occupying themselves and bridging the waiting gap, helping them to structure the day through participation in regular learning activities with a fixed timetable. The initial orientation course is also a good way of conveying the house rules at AnkER/functionally equivalent facilities and dealing with conflict situations in cooperation with the operator. By establishing elementary German skills among participants, communication and mutual understanding are likewise facilitated.

The excursions stipulated by the initial orientation concept play a valuable role in learning success. Funding is also available for volunteers within the framework of the initial orientation course. They supervise and support the learning process in the course's small work groups, providing course participants with the opportunity to discuss and, above all, socialise. This means that there are more opportunities for participants to use what they have learned in the course, which is sometimes limited due to the lack of contact with people outside of the AnkER/functionally equivalent facility.

The participants generally receive the roadmap course as positive and useful. Moreover, emphasis here is on the benefits of holding courses in participants' languages of origin. Participants report an increased understanding of facility rules.

Course instructors describe a high turnover of participants as challenging, e.g. due to frequent transfers or a lack of motivation on the part of the participants, for example due to the uncertain outcome of the asylum procedure. To improve AnkER facilities as places of learning, both course instructors and participants desire improved areas for private study or increased room capacity so that participants can even better internalise what they have learned.

There seems to be scope for improvement in the exchange between facility managers and course leaders, which was not always sufficiently ensured on site when the study was conducted. The responsible authorities sometimes had inadequate information about course provision. Those responsible for the courses demonstrated poor knowledge of relevant contacts at the AnkER/functionally equivalent

facilities. As part of the roadmap course trial in Bavaria, a check-list with local points of contact was developed early on, so that cooperation between all actors at the AnKER/functionally equivalent facilities could be further improved.

7.3 Voluntary Return Counselling Provided by the Federal Office for Migration and Refugees (BAMF)

Individual voluntary return counselling provided at the reception facilities is usually funded by the federal states or the federal states are responsible for implementing it (cf. EMN/BAMF 2019). The BAMF offers individual voluntary return counselling from its own employees at the AnKER/functionally equivalent facilities if requested by the federal states. The BAMF provides voluntary return counselling with the aid of its own experienced employees. BAMF employees qualify for deployment as return counsellors by taking part in a four-day training course and shadowing colleagues for several days. The training course is designed by specialist BAMF lecturers, external experts from “IntegPlan”, a non-state project promoting voluntary return, the International Organization for Migration (IOM) and the German Corporation for International Cooperation GmbH (GIZ). The course content is regularly updated and developed further and an ever-expanding pool of counsellors benefits due to staff rotation. The dual role of return counsellor and participant in the asylum procedure should be avoided in the deployment of staff.

Since 1 January 2019, the BAMF has provided individual voluntary return counselling at the AnKER facility in Dresden and the functionally equivalent facilities in Chemnitz and Leipzig on behalf of the Free State of Saxony. Individual voluntary return counselling has also been provided by the BAMF at the Lebach AnKER facility on behalf of the Saarland since 1 September 2019. On 1 September 2020, the BAMF took over individual voluntary return counselling at the sites in Nostorf-Horst and Stern Buchholz⁵⁹ on

behalf of the federal state of Mecklenburg-Western Pomerania.⁶⁰

The target group for voluntary return counselling provided by the BAMF is primarily individuals accommodated at the reception facilities. Individuals who have already been allocated to the municipalities can also attend the BAMF’s voluntary return counselling sessions if interested. In general, the option of individual voluntary return counselling is available regardless of prospects of remaining and at any time before, during or after the asylum procedure. The option of voluntary return and the offer of individual voluntary return counselling is pointed out at different times during individuals’ stay at AnKER/functionally equivalent facilities (cf. Figure 15).

To facilitate access to individual return counselling, especially for individuals obliged to leave the country, all individuals with a decision under the Dublin procedure or negative administrative asylum decision are specifically invited to the BAMF’s return counselling sessions. An invitation to a specific counselling appointment with the date and time is enclosed with the respective administrative decision. In the case of decisions under the Dublin procedure sent via the respective Dublin centre, a separate invitation to an appointment is sent by letter to the respective individuals. In Saxony, the decisions under the Dublin procedure are delivered via the AnKER/functionally equivalent facilities with an invitation to a counselling session. Attendance at the voluntary return counselling session is voluntary.

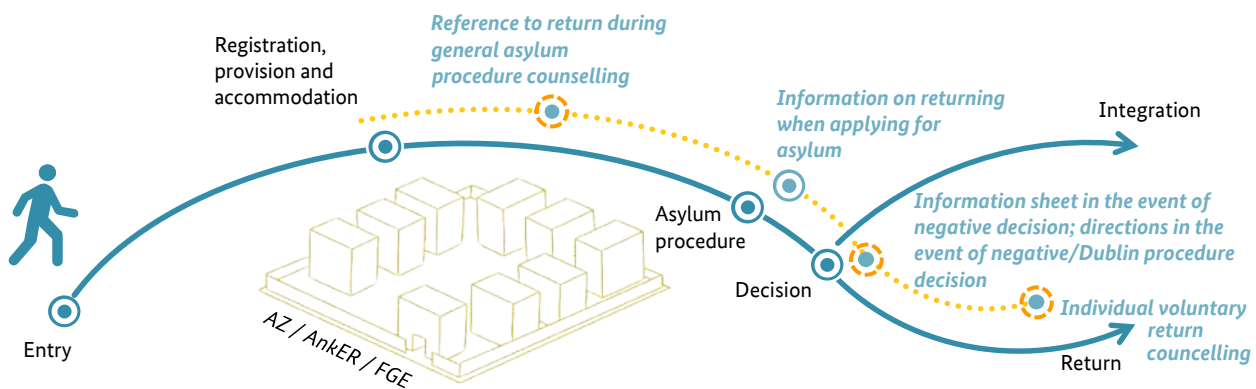
From the point that the BAMF began providing voluntary return counselling in Saxony at the AnKER facility in Dresden, and at the functionally equivalent facilities in Chemnitz and Leipzig in January 2019, until 31 March 2020, 19% of invitations sent along with administrative decisions were taken up. At the Lebach AnKER facility in the Saarland, 25% of invitations to appointments were taken up from the point at which the BAMF began providing voluntary return counselling until 31 March 2020.

To ensure that optimum counselling is provided to those interested in returning, the BAMF’s return counselling services are supported in counselling sessions by freelance interpreters who are licensed by the BAMF to provide language mediation in asylum and Dublin procedures and in state-run asylum procedure

⁵⁹ The Stern-Buchholz branch office was renamed the Schwerin branch office, effective 15/06/2020.

⁶⁰ All AnKER/functionally equivalent facilities offer voluntary return counselling, either via the BAMF or funded and/or implemented by the federal states. For more detailed information, cf. contributions of participating federal states.

Figure 15: Interconnected system of information and counselling provided by the BAMF



Early information for all asylum seekers before conclusion of the asylum procedure

Systematic interplay of references to returning voluntarily, information on returning voluntarily and voluntary return counselling

Standardised reference to returning/standardised information on returning tailored to the individual according to country of origin and individual voluntary return counselling

Attendance at individual voluntary return counselling sessions possible at any time before, during or after the asylum procedure on a voluntary basis

Source: BAMF diagram.

counselling sessions. Between January 2019, when the BAMF began providing voluntary return counselling, and 31 March 2020, a total of 1,447 cross-site counselling sessions were conducted with 1,106 individuals at the AnKER facility in Dresden, Saxony and the functionally equivalent facilities in Chemnitz and Dresden, Saxony. Of these individuals, 305 departed voluntarily for their home country or a third country willing to accept them with or without state funding. Between September 2019, when the BAMF began providing voluntary return counselling, and 31 March 2020, a total of 158 counselling sessions were conducted with 136 individuals at the Lebach AnKER facility in the Saarland. Of these individuals, 38 departed voluntarily for their home country or a third country willing to accept them.

BAMF voluntary return counselling services work particularly closely with the responsible immigration authorities, employees of the reception facilities, AVB colleagues and reintegration scouts⁶¹ from GIZ. This cooperation involves the BAMF voluntary return counselling services in Saxony offering a regular voluntary return counselling session at the shared accommodation facilities in consultation with

the State Directorate of Saxony (LDS) and the reception facility operators. This service facilitates access to voluntary return counselling for individuals obliged to leave the country and those interested in returning. Additionally, informative events specifically in languages of origin are organised and conducted at the facilities in Chemnitz and Dresden in a collaborative effort between the BAMF, LDS and GIZ to draw specific attention to the option of voluntary return and reintegration as well as to the individual counselling service.

By working closely with the responsible immigration authorities, the BAMF's return counselling services can arrange the assumption of travel costs to embassies and consulates for those interested in returning, the assumption of costs to procure travel documents and assumption of further costs relating to departure. If it is determined, within the scope of voluntary return counselling, that further specialist counselling services must be consulted, individuals interested in returning are referred to the corresponding bodies on the reception facility premises or specialist counselling services in the direct vicinity. BAMF return counsellors are involved in regional and national voluntary return counselling networks at all sites and regularly participate in information events and networking meetings.

⁶¹ German Corporation for International Cooperation GmbH (GIZ) reintegration scouts support voluntary return counselling services by contacting ports of call in the respective countries of origin and providing information on perspectives and offers of employment in the countries of origin. For more online information, see: www.build-your-future.net (07/09/2020).

7.4 Interim Conclusion

Overall, 86% of persons seeking protection who are newly accommodated at the AnKER/functionally equivalent facilities make use of the general asylum procedure counselling service. The most frequent questions in group counselling sessions relate to the topics of Dublin transfers, personal interviews, reception conditions and filing an application. Approximately 17% of persons seeking protection at the AnKER/functionally equivalent facilities make use of the offer of individual counselling provided by the BAMF, only a small number of these before the asylum application. Cooperation between the BAMF's asylum procedure counselling service and non-state counselling services is overwhelmingly assessed as positive as the counselling services complement each other well on site.

The initial orientation and roadmap courses offered at the AnKER/functionally equivalent facilities also reach a large number of participants. Initial orientation was attended by 13,479 participants and the roadmap course was attended by 2,600 participants. Participants generally see the services as helpful. The effect of structuring the day and learning something useful for day-to-day life were specifically highlighted.

Individual voluntary return counselling is provided by the Federal Government at some AnKER/functionally equivalent facilities at the request of the federal states. At the various sites, approximately 20% of all individuals who have received a negative administrative decision show willingness to participate. Along with the counselling given, there is also support for travel preparations. The assumption of travel costs to embassies and consulates for those interested in returning, the assumption of costs to procure travel documents and the assumption of further costs relating to departure is also clarified.

8

Return

The cooperation between the authorities in the AnkER/functionally equivalent facilities pursues, among other things, the goal of intensifying the return of individuals who are obliged to leave the country. The evaluation of AnkER/functionally equivalent facilities investigates whether individuals obliged to leave the country are more likely to return voluntarily or can be more effectively deported because of closer official cooperation and comprehensive information on returning as well as voluntary return counselling at the AnkER/functionally equivalent facilities.

The following analysis relates solely to individuals obliged to leave the country in the period under consideration, regardless of the time at which they filed their application. The 20-month period under review, 1 August 2018 to 31 March 2020, is sufficient for an analysis of voluntary return as most decisions to return voluntarily are made in the first three months of receiving a negative administrative decision (cf. Chapter 8.1.1). With regard to the effectiveness of removals, this period under consideration is relatively short, as there is an average of 363 days between a negative administrative asylum decision and subsequent removal (cf. Chapter 8.2). A longer observation period could not be realised within the framework of this study due to the circumstances of the COVID 19 pandemic. The analyses in this evaluation are precise and reliable despite the relatively limited period of observation as there is comparability between AnkER/functionally equivalent facilities and the other sites.

The analysis regarding the return of individuals obliged to leave the country out of the AnkER/functionally equivalent facilities is based on AZR data. This register contains information on the residence status and registration status of individuals seeking asylum. The latter makes it possible to identify individuals obliged to

leave the country at the AnkER/functionally equivalent facilities⁶² and track whether these individuals have departed voluntarily⁶³ or left the Federal Republic of Germany in the context of removal.⁶⁴

Individuals are obliged to leave the country if their asylum applications are rejected, if this has been confirmed by the courts, where applicable, and there are no other grounds for a right of residence in the Federal Republic of Germany. The individuals concerned are notified of the obligation to leave the country by means of a letter from the authorities requesting that

62 Individuals obliged to leave the country were identified at AnkER/functionally equivalent facilities in a two-step approach. A group was formed of individuals from the AZR and compared with information from MARIS in a manner compatible with data protection law using certain characteristics (cf. Chapter 3.3: Definition of AnkER/functionally equivalent facilities). The second step was to assign individuals obliged to leave the country from this sub-group to the respective AnkER/functionally equivalent facilities or other sites by the agency which entered the current residence status in the AZR.

63 The registration status saved in the AZR was used to evaluate the voluntary departure. The status which is saved contains information including the characteristic “Departed abroad”. The status “Departed abroad” is recorded in the AZR if there is evidence of a departure and it is assumed that the individual has left Germany and is no longer residing in the country (cf. German Bundestag 2020e, Question 35). It has been possible since May 2020 to break down the categories into promoted and non-promoted voluntary departures following introduction of the new AZR categories regarding promotion of voluntary departure and reintegration through the Second Data Exchange Improvement Act (2. DAVG).

64 The individual federal states and the Federal Police also have information on the return of individuals obliged to leave the country at their disposal (cf. contributions from the federal states). As the federal states and the Federal Police collect their own data and evaluate it in accordance with their own criteria, it may differ from the figures in the Central Register of Foreigners (AZR). The AZR appears to be a suitable data source for the AnkER evaluation project as it has available a comparable data basis for all 16 federal states.

they leave the country within a certain period of time (usually between seven and 30 days).

If individuals obliged to leave the country do not voluntarily comply with this request, the threat of removal is declared (Section 34 of the Asylum Act, Section 59 of the Residence Act). Removals in this context are forced measures terminating residency where individuals are removed from the country, if necessary using coercive means. The responsibility of removals lies with the individual federal states and their immigration authorities. The immigration authorities execute the removal if the BAMF has previously issued a negative administrative decision and a removal order could be imposed, the individual concerned has not departed voluntarily and there are no reasons to postpone removal in terms of Sections 60 a, b, c or d of the Residence Act (AufenthG).

8.1 Voluntary Return of Individuals Obligated to Leave the Country

From 1 August 2018 to 31 March 2020, a total of 54,226 individuals⁶⁵ at AnkER/functionally equivalent facilities or other BAMF sites across Germany received a negative administrative decision in the national asylum procedure. In the procedures decided at the AnkER/functionally equivalent facilities, 10,671 individuals received a negative administrative asylum decision in the national asylum procedure for the period under review. In procedures decided at other BAMF locations, 43,555 cases ended with a negative asylum decision in the national asylum procedure.

The number of individuals with a negative administrative asylum decision who have voluntarily left the country, therefore fulfilling their obligation to leave the country, is of particular interest in this evaluation. Voluntary departure is funded by various return programmes and is preferable to forced measures terminating residency.

When the authorities become aware of voluntary departures taking place, mainly within the framework of programmes promoting voluntary return, they are

recorded in the AZR.⁶⁶ Of the 10,671 individuals in receipt of a negative administrative asylum decision whose national asylum procedures were decided at an AnkER/functionally equivalent facility, 12% (1,224) departed voluntarily for their country of origin or to a third country willing to accept them in the period under review. A total of 11% (4,556) of individuals who received a negative administrative asylum decision at other BAMF sites in the evaluation period departed voluntarily.

8.1.1 Time of Departure Decision

Officially registered voluntary departure occurs an average of 116 calendar days after receipt of a negative administrative decision from the BAMF in the national asylum procedure. Individuals who have gone through the asylum procedure at AnkER/functionally equivalent facilities make the decision to depart voluntarily much earlier, however. They decide to depart an average of 37 days earlier than individuals whose procedures were decided at other sites.

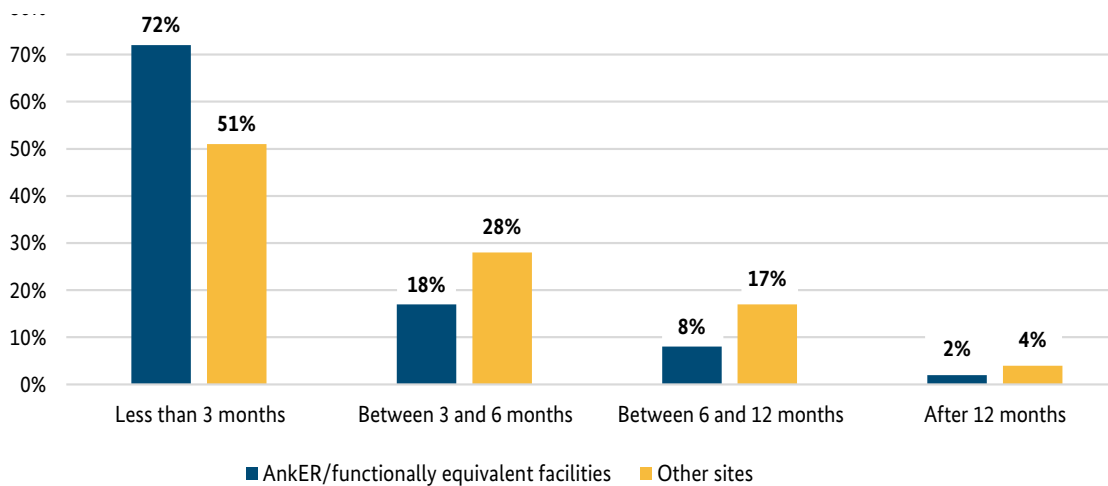
The trend of officially registered voluntary departures taking place earlier in procedures at the AnkER/functionally equivalent facilities than at the other sites is also apparent from the interval analysis of the duration between receipt of a negative decision and departure (cf. Figure 16). Of all individuals who departed voluntarily and whose asylum procedures were decided at the AnkER/functionally equivalent facilities, 72% made the decision to return within the first three months. In comparison, 51% of individuals at the other sites who departed voluntarily decided to do so this early on. A possible explanation is the systematic interplay of the various information and counselling at the AnkER/functionally equivalent facilities pointing to the option of voluntary return (cf. Chapter 7.3 and contributions from the federal states involved).

8.1.2 Voluntary Departure from Central AnkER/Functionally Equivalent Facilities and Shared Accommodation

After a period of stay at the AnkER/functionally equivalent facilities, which can be between six and

⁶⁵ The number differs from the official BAMF asylum statistics due to the specific definition of the research group, for example: Das Bundesamt in Zahlen (BAMF 2019a).

⁶⁶ The AZR figures underestimate the actual departures from Germany of individuals who have sought asylum. It may be assumed that some returnees do not give notice of departure or submit a border-crossing certificate and are therefore not recorded as having departed in the AZR (cf. Destatis 2020).

Figure 16: Time of decision to depart after negative administrative decision

Source: AZR, last revised 31 March 2020, our calculation and diagram.

24 months depending on the federal state and the specific case constellation, asylum seekers are generally transferred to shared accommodation⁶⁷ (cf. contributions from the federal states). This also applies to individuals in the national asylum procedure who have received a negative administrative asylum decision, which has not (yet) been enforced. In the period under review, 42% of all individuals with a negative administrative asylum decision⁶⁸ whose national asylum procedure was decided at the AnkER/functionally equivalent facilities were transferred to shared accommodation⁶⁹ (cf. Figure 17).

In a nuanced consideration of the data, it becomes apparent that 18% of individuals with a negative administrative asylum decision in the national asylum procedure voluntarily depart from one of the central AnkER/functionally equivalent facilities for their country of origin or to another state willing to accept them. In

comparison, approximately 2% of individuals in shared accommodation who received a negative administrative asylum decision decide to depart voluntarily (cf. Figure 17). While comprehensive and easily-accessible voluntary return counselling⁷⁰ is available to individuals housed in the AnkER/functionally equivalent facilities, individuals housed in shared accommodation receive counselling on voluntary return and support for departure from local immigration authorities non-governmental agencies, where applicable.

A multivariate control procedure was conducted to analyse the differences in return habits between individuals at AnkER/functionally equivalent facilities and those in shared accommodation. This statistical procedure calculates the likelihood of voluntary return from the AnkER/functionally equivalent facilities and shared accommodation, taking into account the country of origin, age, marital status and sex of the individual obliged to leave the country. In conclusion, an officially-registered, voluntary departure is 9% more likely from AnkER/functionally equivalent facilities than from shared accommodation.⁷¹

If third-country nationals are not living at their previously registered address and have not given notification of their departure from Germany, they are listed as having “moved to an unknown address” in the AZR (cf. German Bundestag 2019:42f). These individuals may have departed for their country of origin, another European state or a third country. They may also be

67 According to Section 53 of the Asylum Act, applicants who are not or no longer obliged to reside in a reception facility are usually housed in shared accommodation. The term “shared accommodation” will also be used in the following for subsequent accommodation in places such as municipal facilities (including apartments), as it is not possible to distinguish between shared accommodation, subsequent accommodation and other types using the data available.

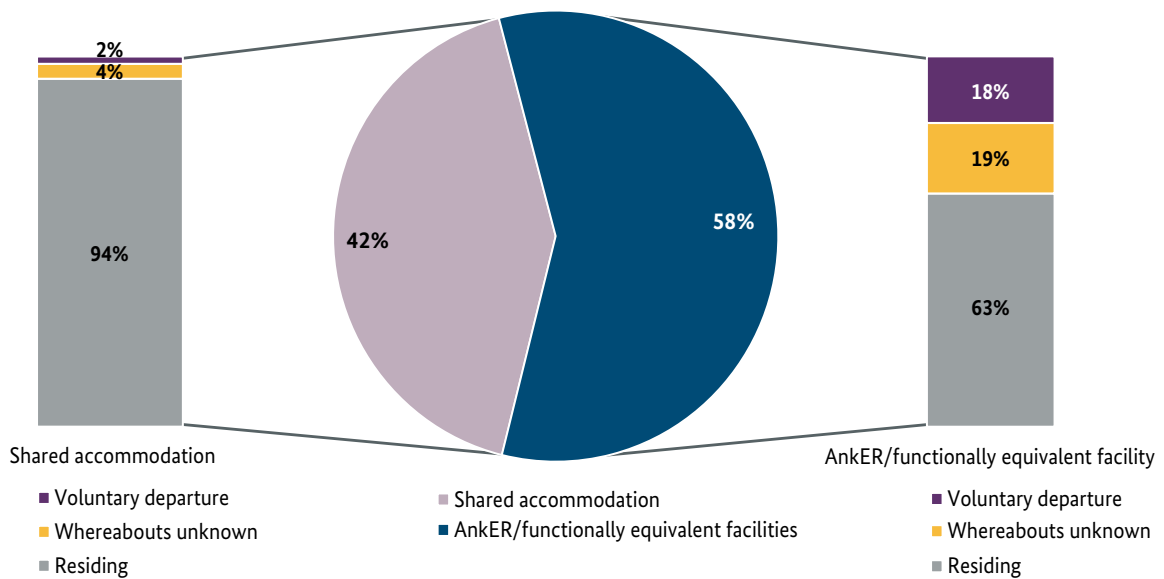
68 This only records individuals who were initially obliged to reside in one of the AnkER/functionally equivalent facilities and whose asylum application was also refused there between 01/08/2018 and 31/03/2020.

69 This describes transfers to shared municipal accommodation, not to annexes of the respective reception facility. Using AZR information on registration status, it is possible to identify whether individuals were/are registered with a central immigration authority at the time of the evaluation or if, after allocation to shared accommodation, responsibility was transferred to the immigration authority in the respective rural district or urban municipality where the accommodation is located.

70 See also Chapter 7.3 and the federal state reports for a detailed illustration of voluntary return counselling services.

71 The results of the regression analysis are listed in Table 5 of the annex.

Figure 17: Voluntary return from central Anker/functionally equivalent facilities and shared accommodation



Source: AZR, last revised 31 March 2020, our calculation and diagram.

residing in the Federal Republic of Germany with no contact to the immigration authorities, however.

At the Anker/functionally equivalent facilities, the whereabouts of 19% of individuals with a negative administrative asylum decision were unknown as of 31 March 2020, whereas this is the case for 4% of the persons accommodated in shared accommodation. Approximately 63% of individuals in receipt of a negative administrative asylum decision who are accommodated at the Anker/functionally equivalent facilities are still residing at the facility as of 31 March 2020. The proportion of individuals, who were transferred to shared accommodation and still housed there, is 94% (cf. Figure 17).

8.2 Removal of Individuals Enforceably Obligated to Leave the Country

In order to calculate the statistics of how effective removal measures from Anker/functionally equivalent facilities are, it is necessary to assume that removals are enforceable. This evaluation uses the information on removal orders entered in the AZR as a statistical indicator for the enforceability of removals. It is assumed that removals are enforceable against individuals who are in receipt of a negative decision in the national asylum procedure and whose AZR data con-

tain at least a removal order within the period under review. In the following analysis, these individuals are deemed “enforceably obliged to leave the country” (cf. Chapter 8.1).⁷² In the period between 1 August 2018 to 31 March 2020, a removal order was declared to 14,558 individuals.⁷³ At the Anker/functionally equivalent facilities, 3,379 individuals had a removal order as an entry in the AZR; at the other sites, 11,179 individuals were identified as having received a removal order.

Within the period under review, 31% of the 3,379 individuals at the 14 Anker/functionally equivalent facilities who were enforceably obliged to leave the country were removed to their country of origin. By comparison, 36% of the 11,179 individuals at the other sites who were enforceably obliged to leave the country were removed. The differences in the removal rates remains even when the individual characteristics of individuals at the Anker/functionally equivalent facilities and other sites who are enforceably obliged to leave the country, such as country of origin, age and marital status, are taken into account.⁷⁴

⁷² Only national asylum procedures involving individuals at Anker/functionally equivalent facilities or comparable sites who were enforceably obliged to leave the country during the period under review are considered in this chapter’s analyses. Procedures which could not be clearly attributed to any of the two research groups were excluded. This explains the variations from the publicly-accessible, nationwide removal numbers (for example German Bundestag 2018b; German Bundestag 2019)

⁷³ Data source: AZR.

⁷⁴ The results of the regression analysis are listed in Table 6 of the annex along with an Info Box as a reading aid for interpreting the individual results (Annex Info Box).

On average, removal takes place 363 days after receipt of a negative decision in the national asylum procedure. The main reasons for this time frame are court examinations of the administrative asylum decision and the preparation of measures terminating residency.

For individuals enforceably obliged to leave the country whose asylum procedures were decided at the AnkER/functionally equivalent facilities, 30% of removals are carried out within the first six months after the administrative decision in the national asylum procedure. A further 30% of all removals are carried out between six and 12 months after receipt of a negative administrative asylum decision at an AnkER/functionally equivalent facility. For national asylum procedures decided at AnkER/functionally equivalent facilities and at other sites, 60% of all removals were executed within the first 12 months of receipt of a negative administrative asylum decision in the national asylum procedure (cf. Figure 18).

The national share of individuals enforceably obliged to leave the country who have moved to an unknown address is 31%. There are no differences between the AnkER/functionally equivalent facilities and the other sites. A closer inspection reveals that the majority of moves to an unknown address occur within the first three months after receiving a negative decision in the national asylum procedure.

8.2.1 Removals from Central AnkER/Functionally Equivalent Facilities and Shared Accommodation

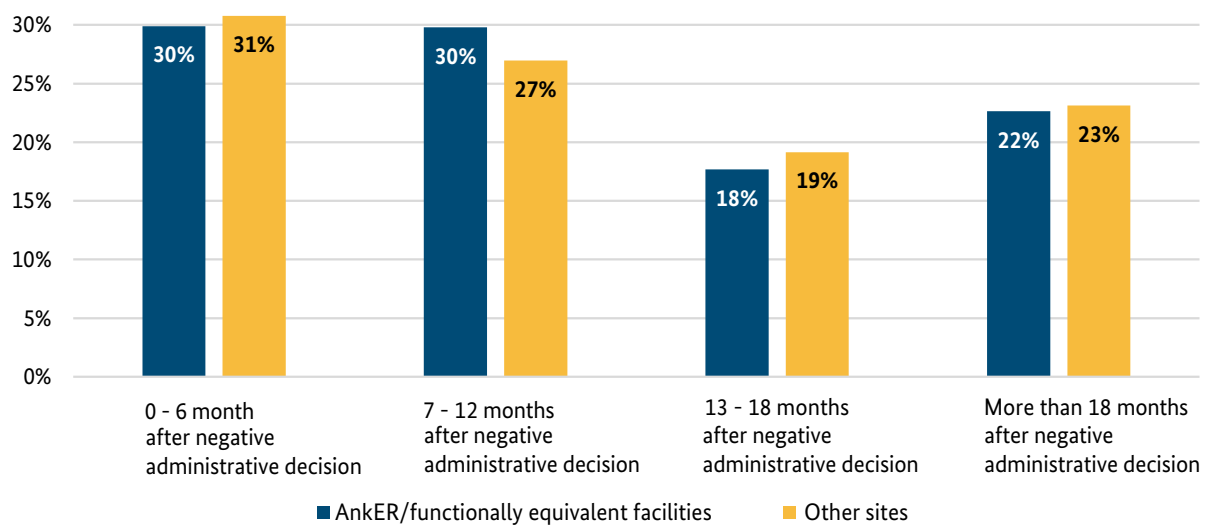
After a period of residence at the AnkER/functionally equivalent facilities, which can last between six and 24 months depending on the federal state and the case constellation, persons seeking protection are transferred from the AnkER/functionally equivalent facilities to shared accommodations (cf. contributions from the federal states). This also affects individuals in the national asylum procedure who are obliged to leave the country and whose removal is enforceable. In the period under review, 23% of all individuals enforceably obliged to leave the country⁷⁵ whose asylum procedure was decided at the AnkER/functionally equivalent facilities were transferred to shared accommodation⁷⁶ (cf. Figure 19).

A nuanced consideration reveals that almost every third individual was removed from the AnkER/functionally equivalent facilities (2,602 individuals; 31%).

75 This figure only records individuals who were initially obliged to reside in one of the AnkER/functionally equivalent facilities and whose asylum application was also refused there between 01/08/2018 and 31/03/2020.

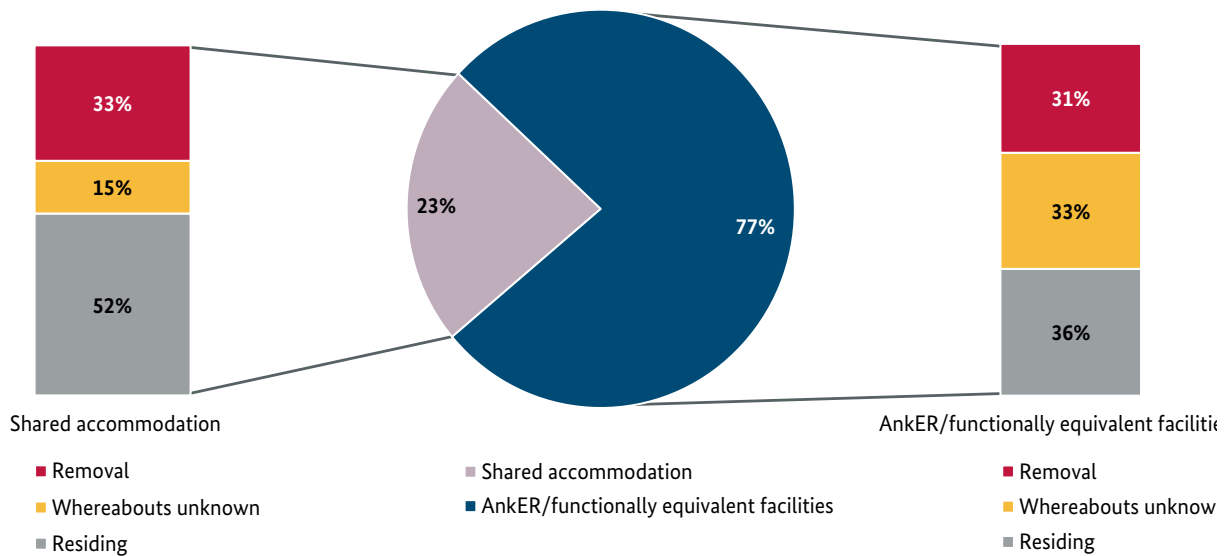
76 This describes transfers to shared accommodation, not to annexes of the respective reception facility. Using registration information from the AZR, it is possible to calculate whether individuals were/are registered with one of the central immigration authorities at the time of the evaluation or if, after allocation to shared accommodation, responsibility was transferred to the immigration authority in the respective rural district or urban municipality where the accommodation is located.

Figure 18: Date of removal



Source: AZR, last revised 31 March 2020, our calculation and diagram.

Figure 19: Removals from central AnkER/functionally equivalent facilities and shared accommodation



Source: AZR, last revised 31 March 2020, our calculation and diagram.

The rate of removal of individuals enforceably obliged to leave the country who are transferred to shared accommodation is 33% (777 individuals) and does not differ notably from the rate at the AnkER/functionally equivalent facilities.

The proportion of persons subject to an enforceable obligation to leave the country who were accommodated in an AnkER/FG facility but had moved to unknown address by the cut-off date of 31.03.2020 is 33%, which is higher than the proportion of persons who were transferred to a collective accommodation facility (15%). The higher rates of individuals at AnkER/functionally equivalent facilities who had moved to an unknown address may be the result of the sustainable records of the presence of persons seeking protection-protection at these facilities and therefore swifter official awareness of individuals moving to unknown addresses.

8.2.2 Likelihood of Successful Removals over Time

An examination of the likelihood of successful removals over time reveals a slight increase in effectiveness for removals of individuals enforceably obliged to leave the country,⁷⁷ whose national asylum

procedures were decided at the AnkER/functionally equivalent facilities.

Figure 20 shows the likelihood of a successful removal for AnkER/functionally equivalent facilities and for the other sites. The illustrated respective likelihood of a successful removal results from a consideration of the relationship between the number of individuals who received a negative decision in the national asylum procedure at a certain point in time (in this case within one calendar month) and the proportion of those who could be removed within the following 365 days. For example, 21% of individuals at the AnkER/functionally equivalent facilities who were enforceably obliged to leave the country and received a negative decision in August 2017 were removed within 365 days viz. until August 2018. In comparison, 23% of individuals at the other sites who were enforceably obliged to leave the country and received a negative decision in August 2017 were removed within 365 days. The monthly values were merged so that the likelihood of successful removal could be examined over time. Figure 20 represents a moving average and not the monthly likelihood of successful removal.⁷⁸

The removal rates shown in Figure 20 represent a section of all removals at AnkER/functionally equivalent facilities and other sites. Removals of individuals

⁷⁷ This includes individuals in receipt of a negative decision in the national asylum procedure whose AZR data contained at least the threat of removal within the period under review.

⁷⁸ The likelihood of success is presented using a sliding mean. This enables the identification of trends without extreme fluctuations concealing them in the data sets. The values in Figure 20 make up the average of the previous three arithmetic monthly mean values.

enforceably obliged to leave the country who received a negative administrative asylum decision in the national asylum procedure between July 2017 and September 2019 are included in the examination.⁷⁹ For reasons of improved comparability, only removals that took place within 365 days⁸⁰ after receiving a negative decision are considered in the evaluations, which corresponds to a share of 60% of all successful removals (cf. Figure 18).

The likelihood of removal of individuals who received a negative decision in the national asylum procedure in the second half of 2017 was between 15% and 25% at all facilities. Removals of individuals in receipt of a negative decision between January 2018 and August 2018 increased gradually, regardless of the facility at which their asylum procedures were decided. While the likelihood that individuals who received a negative decision in December 2017 were removed within 365 days was 21%, both at the AnkER/functionally equivalent facilities and at all other sites, it was 27% within 365 days for those who received a negative decision in July 2018.

There was a slight decline in the likelihood of successful removal within one year of individuals who received a negative decision at the beginning of the AnkER pilot project in August 2018. This was the case for AnkER/functionally equivalent facilities and the other sites. The likelihood of successful removal subsequently decreased at the AnkER/functionally equivalent facilities. For example, the likelihood of a successful removal for persons who received a negative asylum decision in March 2019 was 20%. The likelihood of successful removal at the AnkER/functionally equivalent facilities in the event of negative decisions from April 2019 increases continuously, however. Therefore, the likelihood of successful removals of individuals in receipt of a negative administrative asylum decision in the months of March to September 2019 increased to 27%.

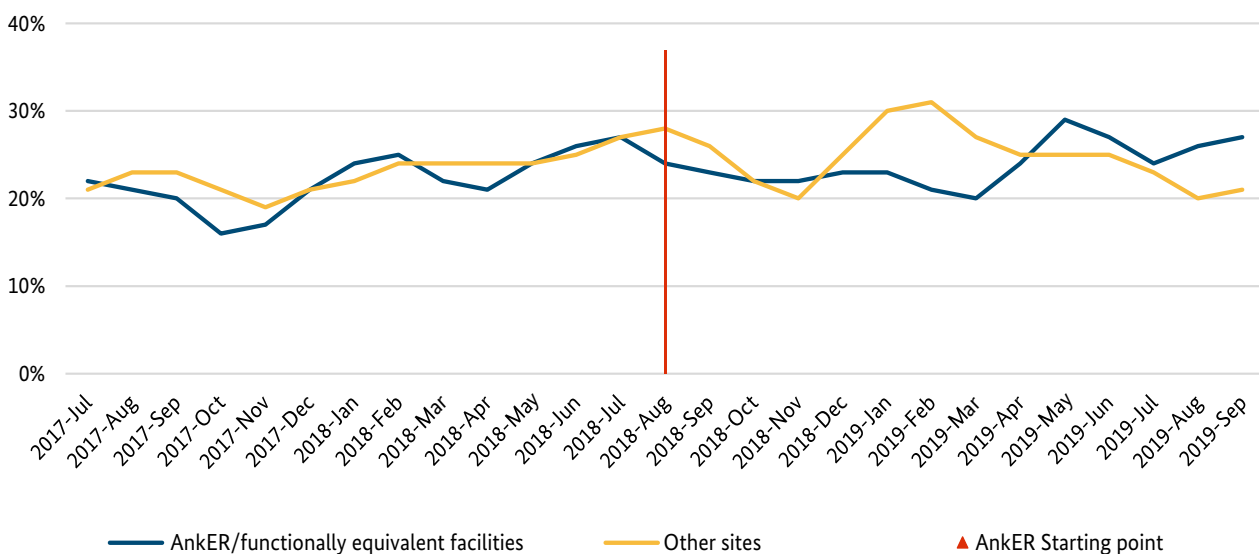
Currently, it is impossible to make reliable statements about the sustainability of the positive trends outlined at the AnkER/functionally equivalent facilities.⁸¹ There is significant distortion because of pandemic-related changes which cannot yet be gauged and prevents reliable statements on removal measures from the AnkER/functionally equivalent facilities at the present time.

79 Only individuals whose asylum application was filed after 01/12/2016 are considered in the trend analysis. This improves the comparability.

80 The restriction to 365 days for the consideration of likelihood of successful removals enables a comparison of values at various points in time. Without this time restriction, the likelihood of a successful removal would decrease successively as the time frame in which a successful removal is possible is reduced over time, therefore also reducing the likelihood of a successful removal. This would be less the result of poor removal practice and more the result of a short window of observation.

81 This is due in part to pandemic-related restrictions, but also the methodological problem that, with each additional month that passes, the time frame for a successful removal is reduced as only data until 31 March 2020 is analysed within the scope of the evaluation. The result is that the likelihood of success declines, which applies both to the AnkER/functionally equivalent facilities and the other sites. Comparison with previous values is therefore no longer possible.

Figure 20: Likelihood of successful removals over time



Source: AZR, last revised 31 March 2020, our calculation and diagram.

8.3 Return under Pandemic Conditions

Removals and voluntary departures were affected strongly by the circumstances of the COVID-19 pandemic and restrictions imposed on cross-border passenger transport. Along with the pandemic-related effects on passenger transport, there were further obstacles to the enforcement of removals. While the original tasks of the Federal Police have priority over administrative assistance to the federal states anyway, protection tasks to prevent the regional spread of the COVID-19 virus are the priority of the police of the federal states. This means limited capacities to execute forced returns (cf. BMI 2020).

These developments are evident from the federal removal numbers in the first half of 2020.⁸² While 1,000 removals per month were still being executed in January and February 2020, the number declined considerably when the pandemic and associated restrictions began. The number of removals was in double figures in April and May 2020 for the whole of Germany (cf. Figure 21; April: 27 removals, May: 81 removals). Removal measures were resumed from June 2020. There were approximately 400 removals in June

⁸² The analyses in this sub-chapter do not distinguish between AnKER/functionally equivalent facilities and the other sites; they relate to all BAMF sites across Germany. Due to the unforeseen circumstances and wide-ranging protective measures being taken, all sites are subject to the same challenges.

2020 (cf. Figure 21). Assuming that there are no more pandemic-related restrictions, it is estimated that the upwards trend in nationwide removals observed in June will continue in the following months.

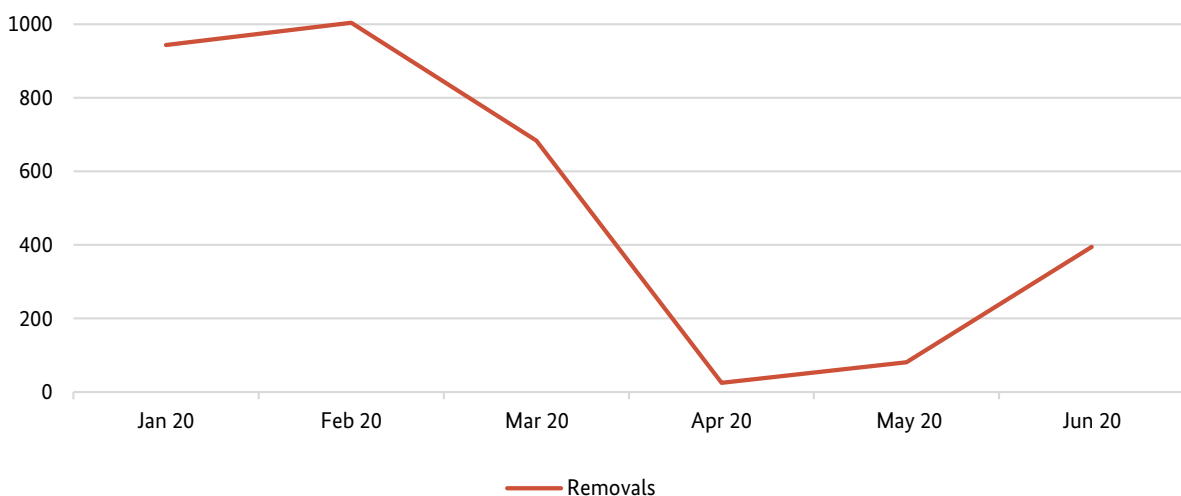
8.4 Interim Conclusion

Overall, it can be stated that 12% of individuals with a negative administrative decision at the AnKER/functionally equivalent facilities decided to return voluntarily to their country of origin or a third country willing to accept them. This number includes departures, which were known to the authorities and took place with or without governmental or federal state promotion of voluntary return.

The decision to depart voluntarily is made much earlier at the AnKER/functionally equivalent facilities than at the other sites. On average, departures from the AnKER/functionally equivalent facilities take place 37 calendar days earlier than at the other sites. In addition, almost three out of four officially-registered voluntary departures take place within the first three months after receiving a negative decision, while this is only the case for every second officially-registered voluntary departure at the other sites.

The AnKER/functionally equivalent facilities provide early and comprehensive information and counselling regarding the option of voluntary return. Individuals in receipt of a negative administrative asylum decision

Figure 21: Removal figure development, January till July 2020



Source: German Bundestag (2020c), last revised 3 August 2020, our calculation and diagram.

Due to delayed subsequent entries in the AZR, there was no reliable information available on the number of removals in July 2020 as of 31 July 2020, the time of the evaluation; the development of Dublin transfer rates in the first half of 2020 is reported separately (cf. Figure 12).

who are accommodated at the AnkER/functionally equivalent facilities more frequently decide to depart voluntarily than individuals transferred to shared accommodation.

During the period of evaluation, 31% of individuals deemed enforceably obliged to leave the country were successfully removed to their country of origin or another state willing to accept them. Approximately 60% of removals took place within the first 12 months after receiving a negative decision in the national asylum procedure.

Although the proportion of successful removals at the other sites is five percentage points higher than at the AnkER/FG facilities, a consideration of removal over time shows that the likelihood of removal within 365 days increased successively at the AnkER/functionally equivalent facilities, especially towards the end of the evaluation phase.

9

Key Results

As part of the coalition agreement for the nineteenth legislative period, the CDU, CSU and SPD stipulated the construction of central arrival, decision and return centres (AnkER facilities). By December 2020, a total of 16 AnkER/functionally equivalent facilities in eight federal states had commenced operations. The Federal Government and the federal states continue to implement measures to optimise cooperation at the AnkER/functionally equivalent facilities. At the same time, the Federal Office for Migration and Refugees' Research Centre conducted an evaluation of the AnkER/functionally equivalent facilities.

The evaluation relates to the period 1 August 2018 to 31 July 2020. The COVID-19 pandemic outbreak and associated protective measures had a significant impact on the arrival of asylum applicants and on asylum procedures at the AnkER/functionally equivalent facilities and at other sites from March 2020 onwards. Data and figures available for the period after March 2020 are therefore inconclusive and cannot be used for the evaluation. Accordingly, the analyses relate to the period 1 August 2018 to 31 March 2020 and not, as planned, until 31 July 2020.

A total of 14 AnkER/functionally equivalent facilities are considered with a period of at least eight months. Hamburg was not included in the analysis as the facility had only existed as a functionally equivalent facility for a few months by the end of the period under review and could not, therefore, generate valid statements for the Hamburg site. The evaluation primarily considers the efficiency and effectiveness of the national asylum procedure, the Dublin procedure and measures terminating residency at the AnkER/functionally equivalent facilities. It further-

more describes the implementation of asylum procedure counselling provided by the BAMF, voluntary return counselling offered by the BAMF and the initial orientation and roadmap courses at the AnkER/functionally equivalent facilities.

The conceptual idea of uniting all actors involved in the asylum procedure under one roof was implemented at all the sites considered. The data analysis in this evaluation permits the following statements:

- 1. Intensive cooperation takes place between federal and federal state authorities at the AnkER/functionally equivalent facilities during the arrival phase**

AnkER/functionally equivalent facilities implement measures to establish the origin and identity of persons seeking protection as early as possible more intensively than other BAMF sites. For example, 53% of mobile data carriers are analysed early, before an asylum application is filed, at the AnkER/functionally equivalent facilities (cf. Chapter 4.1). The actors involved in the asylum procedure also engage in an intensive exchange at the AnkER/functionally equivalent facilities, in particular the BAMF sites and the federal states' reception authorities, regarding the requirements of effectively establishing the origin and identity of persons seeking protection. The average duration between arrival and application at the AnkER/functionally equivalent facilities, extended to three days, can be attributed to the intensive cooperation between federal state authorities and the BAMF, in particular measures to establish the origin and identity of persons seeking protection early on in the process.

2. National asylum procedures are processed more quickly at the AnkER/functionally equivalent facilities

The average duration of national asylum procedures for individuals subject to a residential obligation at the AnkER/functionally equivalent facilities is 77 calendar days and therefore five days shorter than at other sites, with 82 calendar days (cf. Chapter 5.3). According to representatives of the agencies involved, these efficiency gains are the result of early state-run asylum procedure counselling and intensified cooperation.

The asylum procedures of persons seeking protection who are not obliged to reside at one of the federal state's reception facilities, for example those of unaccompanied minors, are concluded an average of 22 calendar days earlier at the AnkER/functionally equivalent facilities than at the other BAMF sites (cf. Chapter 5.4). Subsequent procedures at the AnkER/functionally equivalent facilities are also processed nine calendar days faster than at the other sites (cf. Chapter 5.5).

The national asylum procedures of individuals not obliged to reside at the AnkER/functionally equivalent facilities and subsequent procedures generally have requirements which are different from those of the procedures of individuals who are obliged to reside at the reception facility. It is not possible to compare the duration of these types of procedure. Nevertheless, the benefits of intensified cooperation at the AnkER/functionally equivalent facilities have an effect in all three types of procedure. For example, coordinated scheduling of the processes and necessary appointments of persons seeking protection increases efficiency in all three procedure types.

The average age of the pending procedures is 148 days at the AnkER/functionally equivalent facilities and 35% lower than the average age of pending procedures at the other sites (227 calendar days, cf. Chapter 5.1). This means that the proportion of asylum procedures at the AnkER/functionally equivalent facilities which are long-term cases is lower at the other sites.

3. The Dublin transfer rate from AnkER/functionally equivalent facilities increased continuously over time

Dublin procedures are decided quickly, which is partly due to centralised processing at the Dublin centres,

and administrative decisions are delivered quickly. There is no significant difference between AnkER/functionally equivalent facilities and the other sites to be observed in this regard. From application to delivery of an administrative decision, Dublin procedures take an average of 40 calendar days at AnkER/functionally equivalent facilities and an average of 41 calendar days at all other sites (cf. Chapter 6.1).

The AnkER/functionally equivalent facilities exhibit a continuous increase in transfers of persons seeking protection to the Member States responsible for them. AnkER/functionally equivalent facilities achieved higher transfer rates than other sites from October 2019 to January 2020 (cf. Chapter 6.4). It is not possible to assess the sustainability of this development due to the COVID-19 pandemic and accompanying decline in transfers. As a result of initial inefficiencies, however, the likelihood of transfers from AnkER/functionally equivalent facilities is 5% lower than at the other sites when considered over the total evaluation period (cf. Chapter 6.2).

4. Voluntary return counselling provided at the AnkER/functionally equivalent facilities plays an important role in the promotion of voluntary return

In the period under review, 12% of individuals who received a negative administrative asylum decision at an AnkER/functionally equivalent facility decided to depart voluntarily to their country of origin or a third country willing to accept them. The voluntary departure rate at the other sites is 11% (cf. Chapter 8.1).

Individuals whose asylum procedures were decided at the AnkER/functionally equivalent facilities make a decision to return voluntarily much earlier than individuals whose asylum procedures are decided at other sites. Individuals at AnkER/functionally equivalent facilities who received a negative administrative decision depart an average of 37 days earlier than those at other sites (cf. Chapter 8.1.1). This is due in part to the comprehensive information on return and low-threshold voluntary return counselling at the AnkER/functionally equivalent facilities.

If individuals in receipt of a negative administrative asylum decision are moved from the AnkER/functionally equivalent facilities to shared accommodation, they are less likely to decide to depart voluntarily than those accommodated in a central AnkER/functionally equivalent facility (cf. Chapter 8.1.2).

5. The likelihood of successful removals increased at AnkER/functionally equivalent facilities from March 2019

The likelihood that removals at AnkER/functionally equivalent facilities will fail is 5% greater than at other sites. The removal rate at AnkER/functionally equivalent facilities is 31% compared to 36% at the other sites. This difference remains when taking into account the individual characteristics of individuals obliged to leave the country (cf. Chapter 8.2).

Over time, the likelihood of a removal within 365 days at the AnkER/functionally equivalent facilities increased during the second half of the pilot phase (cf. Chapter 8.2.2). It is currently impossible to make reliable statements about the sustainability of this positive trend at the AnkER/functionally equivalent facilities due to the circumstances of the COVID-19 pandemic.

6. AnkER/functionally equivalent facilities offer comprehensive counselling and support services

21,071 individuals had used the BAMF's general asylum procedure counselling service at the AnkER/functionally equivalent facilities by 31 March 2020. That is a proportion of 86% of all persons seeking protection who arrived at the AnkER/functionally equivalent facilities during that period. 3,673 individuals attended the BAMF's individual asylum procedure counselling sessions. More than 80% of individual asylum procedure counselling sessions were conducted after an application had been filed (cf. Chapter 7.1).

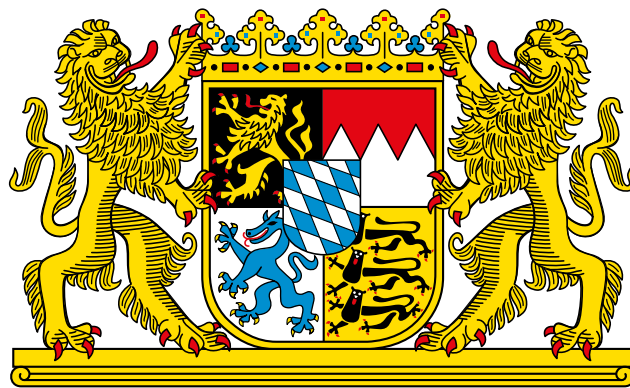
Individual voluntary return counselling is provided by the BAMF at some AnkER/functionally equivalent sites at the request of the federal states. Approximately 20% of all individuals who received a negative administrative decision were prepared to take part in the BAMF's voluntary return counselling sessions (cf. Chapter 7.3).

By 31 March 2020, a total of 13,479 individuals had taken part in initial orientation courses and 2,600 had taken part in roadmap courses at the AnkER/functionally equivalent facilities. The courses are generally assessed positively by participants as they help to structure the day at AnkER/functionally equivalent facilities and convey information on the house rules and elementary language skills (cf. Chapter 7.2).

Part II
Federal State Reports on
Implementation of the Concept
of Anker and Functionally
Equivalent Facilities

1

Free State of Bavaria



1.1 State of AnKER Implementation

1.1.1 Current Situation

In its Asylum Plan of 5 June 2018, the Bavarian State Government adopted a resolution to set up AnKER facilities in each administrative district. The agreement between the former State Ministry of the Interior and for Integration and the Federal Ministry of the Interior, Building and Community of 8 October 2018 set out the details of how the AnKER facilities are operating (see Chapter 1.7). On 1 August 2018, the former reception facilities in Manching, Ingolstadt (Upper Bavaria), Deggendorf (Lower Bavaria), Regensburg (Upper Palatinate), Bamberg (Upper Franconia), Zirndorf (Central Franconia), Schweinfurt (Lower Franconia) and Donauwörth¹ (Swabia) were converted into AnKER

facilities. Each AnKER facility either consists of a facility (agency headquarters with accommodation) and, where applicable, allocated accommodation annexes, or of one agency headquarters and allocated accommodation annexes.

All the actors involved work hand in hand on site at the AnKER facilities. This includes accommodation administration, the Federal Office for Migration and Refugees (BAMF), the administrative courts, the central immigration authorities and the Federal Employment Agency. Youth welfare offices are not yet a fixture at the AnKER sites.

Bavaria is a pioneer in the implementation of AnKER facilities, which are based on the concept of Bavarian transit centres, already successfully established in Manching (Ingolstadt), Regensburg and Deggendorf since mid-2017. The Bavarian transit centres and remaining Bavarian reception facilities are already implementing a great number of AnKER functions. The Bavarian transit centres primarily housed foreign nationals from safe countries of origin, in particular the western Balkan states. Since operations

¹ Closed as of 31 December 2019. The administrative centre in Augsburg is the functional successor.

commenced at the Bavarian transit centres, there has been a clear decline in applications from individuals from safe countries of origin. The AnKER facilities house all new foreign arrivals, regardless of their prospects of remaining. Special attention is given to

achieving a balanced occupancy structure, in particular with regard to prospects of remaining.

1.1.2 Facility Capacity

Capacity in AnKER facilities and accommodation annexes as of 31 July 2020	Location	Max. capacity (= 100%)
AnKER Lower Bavaria		
AnKER Facility Deggendorf	Deggendorf	501
Accommodation annexe	Hengersberg	166
Accommodation annexe	Osterhofen	205
Accommodation annexe	Stephansposching	136
		1,008
AnKER Upper Bavaria		
AnKER Facility Manching/Ingolstadt	Manching/Ingolstadt	680
Accommodation annexe	Fürstenfeldbruck	1,000
Accommodation annexe	Garmisch-Partenkirchen	170
Accommodation annexe	Ingolstadt	500
Accommodation annexe	Ingolstadt	390
Accommodation annexe	Ingolstadt	380
Arrival centre Munich	Munich	222
Brief admission	Munich	460
Accommodation annexe	Munich	300
Accommodation annexe	Munich	370
Accommodation annexe	Waldkraiburg	400
		4,872
AnKER Upper Franconia		
AnKER Facility Bamberg	Bamberg	1,500
		1,500
AnKER Central Franconia		
AnKER Facility Zirndorf	Zirndorf	500
Accommodation annexe	Neuendettelsau	30
Accommodation annexe	Nuremberg	700
Accommodation annexe	Nuremberg	180
Accommodation annexe	Nuremberg	294
		1,704
AnKER Upper Palatinate		
AnKER Facility Regensburg	Regensburg	500
Accommodation annexe	Regensburg	285
Accommodation annexe	Regensburg	125
Accommodation annexe	Schwandorf	200
		1,100



Capacity in Anker facilities and accommodation annexes as of 31 July 2020	Location	Max. capacity (= 100%)
Anker Swabia		
Administrative centre	Augsburg	176
Accommodation annexe	Augsburg	90
Accommodation annexe	Augsburg	120
Accommodation annexe	Augsburg	200
Accommodation annexe	Augsburg	110
Accommodation annexe	Mering	150
		846
Anker Lower Franconia		
Anker Facility Geldersheim/Niederwerrn	Geldersheim/Niederwerrn	1,500
		1,500
Anker in Bavaria	Total	12,590

1.1.3 Average Duration of Stay

Since the amendment to the Asylum Act (AsylG) brought about by the Second Act to Improve the Enforcement of the Obligation to Leave the Country (Zweites Gesetz zur besseren Durchsetzung der Ausreisepflicht), which entered into force on 21 August 2019, a general federal residence obligation at an Anker facility for up to 18 months applies. With Art. 2 of the Reception Act (Aufnahmegesetz – AufnG), the Free State of Bavaria has also made use of its regulatory powers under Section 47 subs.1 b of the Asylum Act and sets a maximum residential obligation of 24 months for foreign nationals with no decision from the Federal Office for Migration and Refugees or whose asylum application was rejected as inadmissible or manifestly unfounded. If the foreign nationals concerned also come from safe countries of origin or their asylum applications were processed in accelerated procedures, they are generally obliged to reside at an Anker facility until they depart or are removed. Individuals who refuse to cooperate and those who have forged their identity are also obliged to live in an Anker until they leave the country. In the Bavarian system, families with minor children are obliged to reside at the Anker facility for a maximum of six months in all cases. The provisions of the Asylum Act have therefore been aligned with the duration of residence agreed in the coalition agreement between the CDU/CSU and the SPD.

The average length of stay of all individuals accommodated at the Bavarian Anker facilities was

approximately 4.4 months as of 31 March 2020; due (partly) to the SARS-CoV-2 pandemic (fewer arrivals, fewer departures), it had risen to approximately 6.2 months by 31 July 2020.

1.1.4 Distinctive Features of Bavarian Anker

There is an Anker facility in every Bavarian administrative district, each consisting of an Anker facility or administrative centre; in five administrative districts, there are additional accommodation annexes. The Anker facility serves as agency sites with accommodation; the accommodation annexes are primarily designed to provide accommodation.

Each Anker facility is a reception facility as defined by Section 44 of the Asylum Act and Section 15 a subs. 4 of the Residence Act (AufenthG) and recorded as such in EASY or ViLA, both systems for the initial distribution of asylum seekers. The Anker facilities are operated by the seven Bavarian district administrations; the Free State of Bavaria is the provider.

All asylum seekers arriving in Bavaria undergo identification procedures at the Bavarian Anker facilities and are registered in the Central Register of Foreigners (AZR; unless this has already been done at the border). A security check and establishment of identity are carried out at the site. The first medical examination as per Section 62 of the Asylum Act is carried out during accommodation at the Anker facility responsible for the accommodation.

When the obligation to reside at an AnKER facility comes to an end, foreign nationals are allocated to the administrative districts and assigned to subsequent accommodation in accordance with the internal Bavarian distribution rate given in the Ordinance on the Implementation of the Asylum Act (Asylum Implementation Ordinance – DVAsyl) and Section 12 a of the Residence Act. Subsequent accommodation includes decentralised accommodation and shared accommodation. Regardless of the size of the accommodation, this differentiation depends on the operator alone: shared accommodation facilities are operated by the administrations; decentralised accommodation facilities are operated by the administrative district offices in their capacity as federal state agencies and by the urban municipalities by way of delegated responsibility.

Individuals whose asylum application has already been positively decided at the AnKER facility must leave the AnKER facility without being assigned to subsequent accommodation.

When distributing individuals with a right of residence, the Free State of Bavaria makes use of the so-called "Residency Assignment" to allocate individuals to a specific residence as per Section 12 a subs. 2 and 3 of the Residence Act. According to Section 8 subs. 1 1st sentence 1 (1) of the Asylum Implementation Ordinance, the federal state's officer distributes individuals whose right to remain has been recognised to the administrative districts in accordance with the criteria provided in Section 3 subs. 1 of the Asylum Implementation Ordinance. In turn, the district administration initiates the residence assignment procedure to achieve distribution within the administrative district as per the rates in Section 3 subs. 2 of the Asylum Implementation Ordinance.

As a general rule of Section 12 a subs. 2 1st sentence of the Residence Act, recognition is followed by a letter from the BAMF regarding a hearing on allocation of residence. The individuals concerned are informed that they are no longer obliged or entitled to live at an AnKER facility. They are also notified that they must find their own place to live. If individuals entitled to remain do not find a "private" place to live, they are generally obliged as per Section 12 a subs. 2 of the Residence Act to take up residence in a certain rural district/urban municipality. At the same time, they are offered temporary shared accommodation or decentralised accommodation until they have found their own place to live. Otherwise, they are generally allocated in accordance with Section 12 a subs. 2 or 3 of the Residence Act to the municipality in which

individuals entitled to remain can be housed privately. In all cases, it should be ensured that allocation is generally to a rural district/urban municipality other than that of the AnKER facility involved to achieve distribution within Bavaria in accordance with the rates under Section 3 subs. 2 of the Asylum Implementation Ordinance. This procedure can take a few weeks. Until they are distributed to the rural municipalities or urban municipalities, the individuals concerned may remain at the AnKER facility.

As of 31 July 2020, there are a total of 233 surplus occupants accommodated at the Bavarian AnKER facilities. This may be partly due to the SARS-CoV-2 pandemic. The number of surplus occupants was 140 as of 31 March 2020.

1.2 COVID-19 Pandemic

The evaluation period was affected by the severe acute respiratory syndrome Coronavirus type 2 (SARS-CoV-2) pandemic.

The Free State of Bavaria took all necessary measures.

The State Government is in constant and close contact with the district administrations responsible for asylum accommodation to prevent the SARS-CoV-2 virus from spreading and individuals in accommodation from being infected to the best possible extent. Specifically, the following measures were taken to protect and inform the asylum applicants in accommodation:

- Since 27 February 2020, all new arrivals and asylum seekers in Bavaria who have arrived since 30 January 2020 are tested for SARS-CoV-2 regardless of symptoms. The test is carried out immediately after arrival at the AnKER. New arrivals are kept in separate accommodation until the result of the tests are known.
- Tests are carried out regardless of symptoms again on every visit to the medical centres located on the AnKER premises and for decisions on distribution.
- If asylum applicants who arrived earlier show symptoms, they are immediately sent to be checked by a doctor. At the AnKER facility, this is done by the doctors working in the medical centres located on the AnKER premises in a curative capacity.
- The administrations have taken measures to rectify occupancy at the accommodation facilities.

- This applies to accommodation buildings as well as individual rooms.
- Entry restrictions for individuals not housed in the accommodation and staff employed on a permanent basis were introduced to rule out further sources of infection. When an adequate protective concept has been submitted, however, the administrations should be able to again grant access to refugee and integration counsellors or volunteers. Residents are also free to leave the facilities at any time to obtain advice from the counselling services, for example.
- Separate accommodation for especially vulnerable individuals due to age, pre-existing conditions or other aspects is implemented on a voluntary basis, that is when individuals express the need. Residents are made aware of the infection risk via posters, flyers and personal discussions with accommodation staff and are informed of separate accommodation options, predominantly at the AnkER centres, but also at other facilities. Where required, there is a transfer to separate buildings or partitioned areas and single rooms within the respective accommodation facility and provided for accordingly.
- If meals are provided in the canteens, compliance with minimum social distancing of 1.5 metres is ensured by way of flexible seating. Opening times have also been extended. At the same time, many facilities allow residents to take meals to eat in their own rooms.
- In the event of a positive test result, all residents and employees at the accommodation facility concerned are tested. The entire facility is quarantined. Contacts are traced and the infection chain is determined with the assistance of the local health authorities. Quarantine generally lasts 14 days and there is a mass test for SARS-CoV-2 carried out on day 12 or 13. If a limited outbreak is assumed based on the results of the first mass test and identification of contact persons and tracing, the overall quarantine may be lifted or limited at the discretion of the local health authorities. An earlier second mass test is performed in this event as a rule.
- Residents who have tested positive, as well as their contacts and suspected cases are isolated in all cases in accordance with the recommendations of the Robert Koch Institute (RKI).

The district administrations have also drawn up risk assessments and specific instructions to protect employees working in accommodation administration. Increased hygiene measures are being implemented at the Bavarian asylum accommodation facilities to curb

the infection risk and staff are being provided with disinfectant, protective clothing and masks.

The administrations continuously examine the provisions made and adapt these where necessary to reflect new developments.

The altered framework conditions nevertheless had an impact on the AnkER facilities. The average length of stay increased for AnkER residents as they were not allocated from the AnkER facilities to subsequent accommodation, particularly during lockdown, and a simultaneous decline in arrivals distorted the result. Residency allocation was also suspended for infection control reasons, meaning that the number of surplus occupants increased. Removals under the Dublin procedure were initially suspended and only resumed on 15 June 2020, taking into account the corresponding protective measures and special examination of risk groups before transfer, where the provisions of each destination country must be taken into account as long as they are prepared to readmit the individual.

The AnkER concept has proved itself even in this special situation, with customised solutions being developed in close cooperation with all parties. Individual Bavarian AnkER facilities had to be temporarily removed from the grid due to infections. Together with the BAMF, the accommodation administrations each managed to react immediately, spreading arrivals out over other AnkER facilities and adapting the BAMF's processing responsibilities. To protect its employees, the BAMF only accepted written applications at times. Individual methods of implementation were found at the individual AnkER facilities, such as employees of the Free State of Bavaria handing out application forms.

1.3 Accommodation

All new arrivals are housed at the AnkER facilities, regardless of their prospects of remaining. To ensure balanced occupancy, individuals with good and poor prospects of remaining from various countries of origin are housed at all AnkER facilities.

The BAMF's EASY system determines which AnkER is responsible. A determining factor here is also which countries of origin are processed at the BAMF branch office to which the AnkER is allocated.

The top 10 nationalities accommodated as of 31 July 2020, in descending order:

AnKER Central Franconia: Syria, Nigeria, Belarus, Kazakhstan, Iraq, Tajikistan, Iran, Turkey, Cuba, unclear

AnKER Lower Bavaria: Syria, the Ukraine, Azerbaijan, Nigeria, Senegal, Eritrea, Sierra Leone, Unclarified, Hungary, Moldova

AnKER Upper Bavaria: Afghanistan, Moldova, the Ukraine, Myanmar (Burma), Yemen, Nigeria, Democratic Republic of the Congo, Sierra Leone, Turkey, Jordan

AnKER Upper Franconia: Iraq, Georgia, Iran, Russia, Syria, Nigeria, Albania, Ghana, Morocco, Bosnia-Herzegovina

AnKER Upper Palatinate: Syria, Iraq, Ethiopia, Nigeria, Moldova, Somalia, the Ukraine, Sudan (excluding South Sudan), Germany, Iran

AnKER Swabia: Iraq, Syria, Gambia, Turkey, Nigeria, Pakistan, Afghanistan, Ethiopia, Mali, Vietnam

AnKER Lower Franconia: Somalia, Côte d'Ivoire (Ivory Coast), Nigeria, Algeria, Armenia, Afghanistan, Ghana, Syria, Ethiopia, Morocco

In addition, special attention is paid to the following aspects at Bavarian AnKER facilities to ensure and maintain high accommodation standards:

1.3.1 Sex- and Age-Specific Accommodation and Accommodation for Vulnerable Groups

Accommodation administration staff have been made aware of how to react to special requirements in day-to-day contact with residents. If any individual need is determined, the necessary steps are taken. Specifically, there is the possibility of responding to special requirements within the context of the choice of accommodation (accessible, separate accommodation, lockable rooms etc.).

Due to the increase in families and women travelling alone with and without children, special accommodation was purpose-built for these groups of people in particular.

Individual Bavarian accommodation annexes (Munich-Moosfeld and Munich-Funkkaserne in Upper Bavaria, Neuendettelsau in Central Franconia, Hengersberg in Lower Bavaria and Mering in Swabia) have been dedicated fully to these groups. There are also separate areas and special buildings to protect women travelling alone, with or without children, in all other Bavarian AnKER facilities. Access to these buildings is limited, there are security guards on patrol and/or the rooms in these areas are largely lockable.

In the administrative district of Upper Bavaria there is separate accommodation for LGBTIQ*individuals within the scope of subsequent accommodation. Another corresponding accommodation option is being planned for the administrative district of Lower Franconia.

1.3.2 Protecting Children's Best Interests, Early Childhood Education, Schooling

Bavarian asylum accommodation has always taken into account the principles of the EU's refugee reception directive and the UN Convention on the Rights of the Child. Along with humane accommodation and the protection and safety of all residents, ensuring children's best interests is the priority in Bavaria in the arrangement of accommodation. The administrations responsible for asylum accommodation have been made especially aware of this.

The special situation of families and children at the AnKER facilities is also taken into account with extensive provisions (schooling, training, medical care, counselling and support services, private spaces, (creative) leisure activities, sporting activities, etc.).

There are also volunteers working with children at the AnKER facilities in consultation with the respective facility managers.

1.3.2.1 Early Childhood Education

Children at AnKER facilities are not entitled to a nursery or daycare place under the Bavarian Child Education and Care Act (BayKiBiG). Benefits as per the Eighth Book of the Social Code (SGB VIII) may only be claimed when Germany becomes the ordinary place of residence, Section 6 subs. 2 of the Eighth Social Code. Therefore, entitlement to support in a nursery or daycare facility is not granted at the AnKER facilities as per Section 24 Eighth Book of the Social Code.

The Bavarian State Government nevertheless facilitates the implementation of childcare services in accordance with the UN Convention on the Rights of the Child by providing funds for the respective administration. The Free State of Bavaria also put forward three million Euros for each of the fiscal periods 2019 and 2020 to further develop early-years education and care services as defined in the UN Convention on the Rights of the Child at asylum accommodation facilities. Positions for educational support staff have also been created and filled at the AnKER facilities and accommodation annexes. Funds have also been made available for childcare to be contracted out to external service-providers and for the expansion of playing facilities.

The goal is positive pre-school child development and support. The AnKER facilities therefore offer low-threshold play activities and supervision.

1.3.2.2 Schooling

As per the last part of Art. 35 paragraph 1 (2) Bavarian Law on Education and Teaching (BayEUG), compulsory schooling begins for asylum applicants three months after they arrive from abroad.

School-age children housed in AnKER facilities are not generally subject to any legal restrictions; they are treated as native citizens. This also includes the possibility of attending a regular school. Nevertheless, German classes at primary and vocational schools have been set up for school-age children and young people who are housed at AnKER facilities. The German

classes are external classes of state primary and vocational schools. The extent of the schooling depends on the timetables in effect or, in the case of German classes at vocational schools, on the applicable letter from the education ministry. As a large majority of the above-mentioned group of persons have no or very little knowledge of German, the German class is, from an educational perspective, the right place to learn German.

It is the aim of the Bavarian State Government to generally provide schooling on the premises of the AnKER facility, particularly because the pupils usually remain with their class for only three months as per Section 47 subs. 1 b of the Asylum Act.

Table 1-1: Number of school-age children and classes as of 31 July 2020 AnKER

AnKER Upper Bavaria

	Number of school classes in AnKER	Number of schoolchildren
Primary and vocational school	4	Internal: 104 External: 87
Vocational college	3	Internal: 137 External: 45
Total	7	373

AnKER Lower Bavaria

	Number of school classes in AnKER	Number of schoolchildren
Primary and vocational school	2*	Internal: 42 External: -
Vocational college	3*	Internal: 42 External: -
Total	5	84

AnkER Upper Palatinate

	Number of school classes in AnkER	Number of schoolchildren
Primary and vocational school	-	Internal: - External: 8
Vocational college	2	Internal: 51 External: -
Total	2	59

AnkER Upper Franconia

	Number of school classes in AnkER	Number of schoolchildren
Primary and vocational school	6	Internal: 34 External: -
Vocational college	1	Internal: 44 External: 6
Total	7	84

AnkER Central Franconia

	Number of school classes in AnkER	Number of schoolchildren
Primary and vocational school	-	Internal: - External: 35
Vocational college	-	Internal: - External: 39
Total	-	74

AnkER Lower Franconia

	Number of school classes in AnkER	Number of schoolchildren
Primary and vocational school	2	Internal: 21 External: -
Vocational college	3	Internal: 60 External: -
Total	5	81

AnkER Swabia

	Number of school classes in AnkER	Number of schoolchildren
Primary and vocational school	-	Internal: - External: 9
Vocational college	-	Internal: - External: 5
Total*	-	14

* There is also subsidiary school provision (1 external school class, 9 pupils).

1.3.3 Measures to Structure the Day

Section 5 subs. 1 of the Asylum Seeker Benefits Act (AsylbLG) provides for **work opportunities** at AnkER facilities and state, municipal and charitable providers.

Those entitled to benefits are able to perform meaningful activities which structure the day. Carrying out work for the common good also increases acceptance from the population. Depending on where they are employed, asylum applicants come into contact with the population. This interaction serves to remove potential barriers from the minds of the population. As work opportunities are also available to individuals with no permanent access to the employment market yet, they constitute a tool to help avoiding the negative effects of unemployment. At the same time, those entitled to benefits can contribute to society. Where possible, job opportunities in Bavaria are created at the AnkER facilities, shared accommodation facilities and decentralised accommodation facilities, but also at state, municipal and charitable providers, such as rural districts and municipalities, churches, church organisations, aid organisations, food banks, sports clubs, neighbourhood organisations and animal welfare organisations. The activities include cleaning, assisting in the accommodation facility's laundry, collecting refuse, interpreting work at the medical centre, assisting in the maintenance of playgrounds and support in care homes.

There are also job opportunities based on the employment market programme **refugee integration measures** as per Section 5 a of the Asylum Seeker Benefits Act. Asylum applicants from safe countries of origin may not participate.

Further measures to structure the day are offered by the operators of accommodation facilities, service providers at the accommodation facilities, refugee and integration counsellors, charitable organisations and volunteers. The measures help the individuals housed there to find their way in day-to-day life and socialise inside and outside the AnkER facility. The type and extent may differ depending on the respective facility and include the following activities, for example:

For children and young people:

Children and young people's club, art projects, sport and play activities (games bus, playroom, etc.), music, theatre and dance group, language support, parent-and-child group, preparation for school, homework supervision

For adults:

Vocational and voluntary return courses; counselling on employment market integration; welcome/women's cafés; (bicycle) workshop; knitting, crocheting and sewing courses; hygiene training; sport; chess; disco evenings; counselling; horticultural courses; wood-work courses; language support; internet café; tea-time; Refugee Law Clinic; health projects; computer course; prayer rooms; supervised excursions (cinema, theatre, sport)

1.3.4 Healthcare

The Free State of Bavaria has set up medical centres at the AnkER facilities to provide low-threshold, curative care to the asylum applicants housed there. These medical centres are equipped in line with the requirements and generally include gynaecology, paediatrics, psychiatry and psychotherapy along with general medical care. Antenatal care is also emphasised, depending on the requirements, and it is sometimes possible to provide midwife consultation hours at the AnkER facilities. The care of newborns and (small) children is ensured in the AnkERs.

The medical centres constitute additional medical services.

Incidentally, asylum applicants with a treatment note from the responsible social services office have access to general medical care.

1.3.5 Violence Protection Concepts/ Violence Prevention

The Bavarian State Government takes the protection of all individuals housed in Bavarian asylum accommodation and in particular that of vulnerable groups very seriously. No discrimination or violence of any form is tolerated at Bavarian accommodation facilities and any reports are immediately dealt with.

The Bavarian protective concept of accommodation administration was developed to prevent violence at asylum accommodation facilities and to protect all of the individuals housed there.

The Free State of Bavaria furthermore employs protection from violence coordinators at the AnkER facilities and subsequent accommodation facilities who are responsible, in close cooperation with the

residents and employees working there, for practically implementing protection from violence concepts. The protection from violence coordinators are specially trained staff and raise awareness amongst employees at the respective accommodation administrations on the subject of protection from violence, are in contact with local specialist services and advise the respective district administrations on the development of the protection from violence concept, challenges and requirements. There are currently special training courses being held for new protection from violence coordinators and facility managers. Since 2019, 16 state positions for protection from violence coordinators have been introduced in the administrations. Bavaria is a pioneer in this respect.

Organisations specialising in the identification and support of victims of human trafficking and forced prostitution are also included, in particular SOLWODI (Solidarity with Women in Distress, an international human-rights and aid organisation which advises and supports victims of human trafficking, forced prostitution and intimate partner violence) and JADWIGA (a specialist counselling organisation for the rights of female victims of trafficking).

The possibility of separate accommodation for women at Bavarian asylum accommodation facilities is also being expanded further. There are already special buildings at the AnKER facilities which are only accessible with a chip card and exclusively for women travelling alone, with or without children.

Safety in and around the asylum accommodation facilities, and in particular the protection of residents, is an important matter for the Bavarian State Government, which is why adequately-equipped and high-quality private security staff are employed at all AnKER facilities, which create a safe environment for residents. The specific use of security staff is tailored individually to the respective property and depends on numerous factors, such as the location of the property, the type of accommodation and the occupancy level. As of 1 January 2020, there are up to 549 security guards on duty at all Bavarian AnKER facilities.

1.4 Counselling and Support

1.4.1 Asylum Procedure Counselling

The BAMF provides voluntary, two-step, independent state asylum procedure counselling for asylum seekers. The first step, before an application is filed, involves an informative group session for all asylum seekers on the asylum process and on the possibility of returning. The second step involves individual asylum procedure counselling sessions for all asylum seekers. The BAMF provides this in Bavaria.

1.4.2 Refugee and Integration Counselling Funded by the Federal State

The refugee and integration counselling service created after the merger of the federal state migration counselling and social asylum counselling services in 2018 is available to asylum applicants as well as those with a permanent right to remain who have a migration background and therefore constitutes a homogeneous counselling structure for the first time. Funding is provided on the basis of the Counselling and Integration Guideline (BIR) which entered into force in 2018. Each subject area is given an appropriate staff budget for counselling. There are about 600 staff budgets available in the whole of Bavaria. The staff budgets may be divided between several actors on site, with the allocation of counsellors within the subject area and therefore the staff budgets falling to the AnKER facilities or accommodation annexes being incumbent on the active providers.

The following staff budgets are available for refugee and integration counselling:

AnKER Upper Bavaria:	21.25
AnKER Lower Bavaria:	3.00
AnKER Upper Palatinate:	3.00
AnKER Upper Franconia:	6.50
AnKER Central Franconia:	12.38
AnKER Lower Franconia:	6.00
AnKER Swabia:	3.74

Professional and comprehensive, the refugee and integration counselling service assumes a key role in successfully integrating people into our society. It provides new migrants, individuals entitled to remain

who have a migration background and asylum applicants with good prospects of remaining with the option of counselling based on their requirements and target group in the first three years after their arrival. Asylum applicants without a good prospect of remaining also receive counselling specific to their target group.

1.4.3 Pathways to Profession

There are Federal Employment Agency offices at all AnKER facilities and the parties are cooperating well. The counselling services offered by the Federal Employment Agency at the AnKER facilities, aimed at the foreign nationals accommodated there with a good prospect of remaining, are seen by them in a positive light. The extent of the services depends on demand, in particular on the number of foreigners with good prospects of staying.

1.5 Return

1.5.1 Voluntary Return

1.5.1.1 Voluntary Return Counselling

Return counselling has been provided in Bavaria since 2003/2004 at the central return counselling centres (ZRB) in Nürnberg (ZRB Nord), Würzburg (ZRB West) and Augsburg (ZRB Süd). Providers include various charities and are funded by the Free State of Bavaria and the EU. The model for this was provided by the “Coming Home” voluntary return counselling service set up by the federal state capital of Munich in 1996.

In 2015, central immigration authorities (ZAB) were opened in every administrative district and given the task of taking measures terminating residency in addition to the statutory assignment of voluntary return counselling. Since then, Bavaria has had a comprehensive voluntary return counselling network with a total of 11 voluntary return counselling services, seven of which are state-run within the central immigration authorities and three of which are central, charitable voluntary return counselling services, in addition to Coming Home in the federal state capital, Munich. To ensure a uniform standard of voluntary return counselling, all voluntary return counselling services take part in regular exchanges under the lead

of the Bavarian State Office for Asylum and Repatriation (LfAR).

Voluntary return counselling was therefore implemented at the Bavarian AnKER facilities when the central immigration authorities were integrated into the AnKER facilities on 1 August 2018. AnKER residents have access to a voluntary return counselling network which is able to draw on many years of experience. The central immigration authorities also provide counselling at the AnKER facilities to other individuals who are not housed there but are interested in leaving the country. It is important that AnKER residents are free to choose which return counselling service they use within the administrative district.

This structure has proved successful, as those willing to leave the country then have a comprehensive system of counselling of equivalent quality which out-reaches the AnKER facilities. As there is no separate record of individuals receiving counselling by their respective address, it is difficult to evaluate the statistics of the voluntary return counselling given, particularly to individuals accommodated at Bavarian AnKER facilities.

1.5.1.2 Federal State Programmes Promoting Voluntary Return

In connection with the creation of the AnKER facilities as well as the establishment of the Bavarian State Office for Asylum and Repatriation (LfAR) on 1 August 2018, the Guideline Promoting Voluntary Return to Countries of Origin (Bavarian Return Programme) was issued on 1 September 2019 after the successful implementation of the trial phase.

In contrast to the REAG/GARP programme conducted in the rest of Germany, the Bavarian voluntary return programme allows more room for manoeuvre for the voluntary return counselling centres, with various funding elements, so that they can react to the individual requirements of returnees.

Supplementary return assistance can be granted in addition to the REAG/GARP programme, for example. There is also the option of financing and organising voluntary return in cases where no funding is currently possible in accordance with the REAG/GARP programme. In many cases, this individual support has led to the individual receiving counselling actually deciding to leave the country. Experience has also shown that funds alone are often insufficient, however. It is also necessary to

point out perspectives in the countries of origin. The Bavarian State Office for Asylum and Repatriation (LfAR), which is in charge of promoting return in Bavaria, intensified its cooperation programme with the German Corporation for International Cooperation GmbH (GIZ) for this purpose. The deployment of reintegration scouts from the GIZ means that Bavarian voluntary return counselling services are supported in their efforts to arrange reintegration measures in the country of return for those leaving Germany.

In this context, a separate return programme for Africa was also created. The special Africa programme will be continued until 31 December 2020 and then re-evaluated.

1.5.2 Forced Returns

As set out above, since 2015 there have been central immigration authorities in each administrative district of Bavaria which were already present in the predecessor facilities to AnKER and then integrated into AnKER. Their responsibilities and remit have not changed as a result.

While the AnKER facilities were set up in Bavaria on 1 August 2018, the LfAR was simultaneously established as the Bavarian centre of excellence for removals. It acts as a central point of contact and a service provider for the immigration authorities, Bavarian Police and judicial authorities.

It is therefore impossible to evaluate the AnKER facilities without considering the activities of the LfAR. The cooperation between the two facilities has proved successful. It must be pointed out, however, that the conceptual idea of removing all asylum applicants not granted a right to remain directly from the AnKER facilities to their countries of origin cannot be realised due to the requirements of Section 47 of the Asylum Act, especially if it takes a long time to clarify the identity of the individuals concerned and/or the countries of origin do not cooperate sufficiently when it comes to the removal. The deadlines stipulated in Section 47 of the Asylum Act prove too short in this respect. The result in Bavaria is that the central immigration authorities continue to be responsible at the AnKER facilities for terminating residence, even after the individuals concerned have moved out of the AnKER facilities, but that this frequently cannot occur directly from the AnKER facilities due to Section 47 of the Asylum Act.

There have been considerable adverse effects on voluntary return and forced return as a result of the COVID-19 crisis. Air travel has been massively restricted and it is and has been impossible to carry out removals in several cases because many destination states were and are no longer willing to agree to the removal of their citizens or only allow it under very limited conditions. The situation has not yet got back to normal.

1.6 Summary and Suggestions for Further Development

The path chosen in Bavaria with transit centres and their conversion into AnKER facilities has proved successful.

Shorter lines of communication have been achieved thanks to the creation of administrative centres, meaning that official cooperation has intensified and procedures have been accelerated, but also that vulnerabilities can be more easily recognised. Bavaria has assumed a pioneering role. The creation of 16 positions for protection from violence coordinators in the seven Bavarian administrative districts and close cooperation between coordinators and accommodation administration and residents has resulted in effective implementation. It is also a sign that no form of violence will be tolerated at asylum accommodation facilities and that the protection of all individuals housed there, especially vulnerable groups, is taken very seriously. Finally, a comprehensive range of counselling services at the AnKER facilities ensures that initial steps are being taken to comprehensively integrate individuals with a good prospect of remaining.

There is still scope for development, however, specifically action from legislators.

Unaccompanied minor foreign nationals

(Legislative) action is still necessary with regard to the age assessments of (supposed) unaccompanied minor foreign nationals. The coalition agreement specifies that identity should be comprehensively established at the AnKER facilities.

After the age assessment, unaccompanied minors should be taken into the custody of the youth welfare authorities and adults should remain at the AnKER

facilities. If there is any doubt as to whether the individual is a young person or an adult, the age assessment should be carried out by the responsible youth welfare office at the AnKER facilities with the BAMF participating. It is not currently possible to implement these provisions. It would be necessary to make comprehensive amendments, in particular to the Eighth Book of the Social Code. The Free State of Bavaria is currently holding discussions with the Federal Ministry of the Interior, Building and Community and the BAMF regarding the extent to which stronger inclusion of the BAMF is possible, at least in age assessments where the (supposed) unaccompanied minor foreign national agrees to it.

Removals under the Dublin procedure and cooperation with other Member States

The creation of AnKER facilities was supposed to improve the rates of removals under the Dublin procedure and of establishing asylum applicants' identity.

It has been possible, overall, to accelerate Dublin procedures in national jurisdiction. Cooperation with important EU Member States to which individuals are to be removed continues to prove challenging, however. Bureaucratic stipulations linked with the removals continue to cause delays to or obstruct removals (e.g. removals only at certain border crossings on pre-determined days and at pre-determined times, no group charters etc.). Improvements are still necessary here. Removals to other Schengen states were temporarily suspended due to the COVID-19 crisis. Removals were resumed on 15 June 2020, but are still subject to COVID-19-related restrictions and the corresponding stipulations of destination countries.

Removals under the Dublin procedure and the deployment of Federal Police

The offer made to the federal states by the Federal Minister of the Interior to relieve them in the execution of removals under the Dublin procedure by providing assistance via the Federal Police was well received. Greater support from the Federal Police in removals from AnKER facilities under the Dublin procedure is also being examined for Bavaria to improve the removal situation. A test run limited to six months for now is to take place in consultation with the Federal Police and the Bavarian Police at the Manching, Ingolstadt AnKER facility. The appropriate preparations are underway. A corresponding agreement with the Federal Government is also being prepared.

Establishing identity

The AnKER facilities should also improve the establishment of identity. It has already been possible to achieve improvements due to the BAMF upstreaming IDMS tools, but only for groups whose fingerprints are already recorded in the systems and who are registered. There is still no satisfactory solution to the establishment of identity of individuals with no proof of identity whose fingerprints are not recorded in any locations involved in the execution of asylum and foreign-national legal proceedings. In these cases, their identity or any indication thereof can only be established via rigorous individual interviews at the earliest possible date. A continuous exchange of information between all bodies involved in establishing identity at the AnKER facilities is also necessary. Results should improve through cooperation and interaction between these bodies, in particular with accommodation administration, the central immigration authorities and above all the respective BAMF branch office.

1.7 Annex: Administrative Agreement



Bayerisches Staatsministerium
des Innern und für Integration



Bundesministerium
des Innern, für Bau
und Heimat

Vereinbarung

zwischen

**dem Bayerischen Staatsministerium des Innern
und für Integration**

und

dem Bundesministerium des Innern, für Bau und Heimat

Präambel

In den Bayerischen Transitzentren und den übrigen Bayerischen Erstaufnahmeeinrichtungen werden ANKER-Einrichtungen (Aufnahme-, Entscheidungs- und Rückführungseinrichtungen) eingerichtet. Dort werden die Asylverfahren der neu ankommenden Personen schnell, umfassend und rechtssicher bearbeitet, indem alle maßgeblichen Akteure (Bundesamt für Migration und Flüchtlinge, Bundesagentur für Arbeit, Jugendämter, Gerichte, Ausländerbehörden) vor Ort Hand in Hand eng zusammen arbeiten. In den ANKER-Einrichtungen sollen Ankunft, Entscheidung, kommunale Verteilung bzw. Rückführung stattfinden.

Die bestehende und ggfs. künftige Vereinbarungen zwischen dem Freistaat Bayern und dem Bund zur Funktionalität der ANKER-Einrichtungen als besondere Aufnahmeeinrichtungen nach § 5 Abs. 5 AsylG i.V.m. § 30a AsylG bleibt von dieser Vereinbarung unberührt.

Der Bund und der Freistaat Bayern verfolgen gemeinsam das klare Ziel, die Asylverfahren effizient zu gestalten und weiter zu beschleunigen, um insbesondere

- für Personen, die in einem anderen Mitgliedstaat in EURODAC registriert wurden und im Inland angetroffen werden, die Zuständigkeitsprüfung nach der Dublin-Verordnung schnellstmöglich abzuschließen.
- sicherzustellen, dass Flüchtlinge nach Anerkennung so rasch wie möglich Integrationsmaßnahmen beginnen.
- für abgelehnte Asylbewerber und für die Asylbewerber, für die ein anderer Mitgliedstaat der Europäischen Union oder ein Staat, mit dem die Europäische Union ein Assoziationsabkommen (CH, FL, IS, NO) geschlossen hat, zuständig ist, so rasch wie möglich die Rückkehr/Rückführung durchzusetzen.

Auf dieser Grundlage schließen das Bayerische Staatsministerium des Innern und für Integration und das Bundesministerium des Innern, für Bau und Heimat folgende Vereinbarung:

1. Standorte

Die bisherigen drei Bayerischen Transitzentren in Ingolstadt/Manching, Deggendorf und Regensburg sowie die vier regulären Erstaufnahmeeinrichtungen in Bamberg, Zirndorf, Schweinfurt und Donauwörth werden als ANKER-Einrichtungen vom Freistaat betrieben.

Eine Höchstkapazität der ANKER-Einrichtungen von bis zu 1.500 Plätzen pro konkreten Standort wird im Rahmen eines Zugangs von bis zu 220.000 Zuwanderern bundesweit pro Jahr vereinbart.

Der Bund und der Freistaat Bayern schaffen die Voraussetzungen, dass die ANKER-Einrichtungen ab 01.08.2018 vom Freistaat Bayern betrieben werden können.

2. Steuerung der Verteilung

In den ANKER-Einrichtungen (und ihren Unterkunfts-Dependancen) werden alle Personen, für welche der Freistaat Bayern eine Aufnahmeverpflichtung nach § 45 AsylG hat, zunächst unabhängig von ihrer Bleibeperspektive untergebracht und durchlaufen dort ihr BAMF-Verfahren. Um hier eine ausgewogene

Belegungsstruktur gewährleisten zu können, sind insbesondere folgende Cluster zu bilden und zwischen den ANKER-Einrichtungen im Freistaat Bayern gleichmäßig unter Berücksichtigung von Zugang und Kapazitäten zu verteilen:

- Personen mit EUODAC Treffern aus anderen Mitgliedstaaten
- gute Bleibeperspektive
- geringe Bleibeperspektive

Bei dem Cluster „geringe Bleibeperspektive“ sind die Erfolgchancen bei der Rückführbarkeit einzubeziehen, da es sonst zu einer Überlastung der Unterbringungskapazitäten mangels Abgang kommt.

Die Details der Steuerung der Verteilung in die einzelnen ANKER-Einrichtungen wird der Freistaat Bayern mit den beteiligten Stellen abstimmen.

Bei einer wesentlichen Änderung des Zugangsgeschehens oder anderen unvorhergesehenen Entwicklungen wird eine kurzfristige Anpassung der Herkunftslandverteilung zwischen dem Freistaat Bayern und dem BAMF erfolgen.

3. Der Freistaat Bayern betreibt die ANKER-Einrichtungen

Von Seiten des Freistaates Bayern werden folgende Dienst- oder Außenstellen der folgenden öffentlichen Einrichtungen in den ANKER-Einrichtungen vorgehalten und mit ausreichend Personal ausgestattet:

- Unterkunftsverwaltung. Diese gewährleistet im Rahmen der gebäudlichen Möglichkeiten an den einzelnen Standorten eine geschlechter- und jugendgerechte Unterbringung.
- Zentrale Ausländerbehörde, die auch die Beratung zur freiwilligen Rückkehr anbietet
- Rechtsantragsstellen der Verwaltungsgerichte

Zudem wird seitens des Freistaates Bayern

- der Einsatz von Flüchtlings- und Integrationsberatern wie bisher gefördert,
- bedarfsgerecht der Einsatz von privaten Sicherheitsdiensten veranlasst,

- die medizinische Versorgung zusätzlich zur freien Arztwahl bedarfsgerecht über medizinische Sprechstunden vor Ort und
- sichergestellt, dass Leistungen nach dem Asylbewerberleistungsgesetz (AsylbLG) soweit rechtlich und tatsächlich möglich nach dem Sachleistungsprinzip erfolgen.

4. Der **Bund** betreibt in den ANKER-Einrichtungen jeweils

- eine Außenstelle des Bundesamtes für Migration und Flüchtlinge (BAMF). Die Parteien sind sich einig, dass für alle in den ANKER-Einrichtungen untergebrachten Personen zügige Asylverfahren durchgeführt werden. Hierfür wird durch das BAMF sichergestellt, dass ausreichend Personal vorgehalten wird. Neben der Außenstelle des BAMF in Ingolstadt/Manching ist zudem weiterhin eine Zweigstelle des BAMF in München angesiedelt.
- Neben der Durchführung der Asylverfahren führt das BAMF im Rahmen der Pilotierung auch eine Asylverfahrensberatung in den ANKER-Einrichtungen ein. Diese soll u.a. Informationen und allgemeine Beratung zum Dublin- und Asylverfahren, Alternativen zum Asylverfahren, zu Rechtschutzmöglichkeiten und Rechtsanwälten sowie Verweis auf andere Beratungsangebote umfassen.
- Zudem konzipiert und finanziert das BAMF Maßnahmen der (kulturellen) Erstorientierung in ANKER-Einrichtungen.
- Durch die Regionaldirektion Bayern der Bundesagentur für Arbeit und ihre nachgelagerten Organisationseinheiten sollen bei Asylbewerbern mit guter Bleibeperspektive bedarfsorientiert so früh wie möglich
 - orientierende Informationen zum sehr ausdifferenzierten deutschen Ausbildungs- und Arbeitsmarkt geboten, sowie
 - erste Berufskompetenzfeststellungen vorgenommen, sowie
 - Informationen zu weiteren Unterstützungsangeboten (wie z. B. Beratungs- und Anerkennungsstellen) gegeben werden.

um den Einstieg in den deutschen Ausbildungs- und Arbeitsmarkt zu erleichtern. Damit wird ein positiver Beitrag zur erfolgreichen Integration von Geflüchteten in die Gesellschaft geleistet.

Bei Bedarf unterstützt der Bund den Freistaat Bayern bei der Angebotsgestaltung der Rückkehrberatung. Die Erweiterung der Angebote der Rückkehrinformation wird geprüft. Zudem soll - auf Kosten des Bundes für die Phase der Pilotierung der ANKER-Einrichtungen - gemeinsam mit dem BMZ auf die Durchführung von vorbereitenden und beratenden Maßnahmen hingewirkt werden, die die Reintegration im Heimatland fördern

Soweit es seitens der Bayerischen Polizei als notwendig erachtet wird, kann nach Absprache Amtshilfe durch die Bundespolizei geleistet werden, dies berührt jedoch nicht den Charakter als Landeseinrichtung. Der Bund sichert wohlwollende Prüfung einer Unterstützung zu.

Die liegenschaftsbezogene Unterstützung der Länder und Kommunen im Rahmen der Asylbegehrenden- und Flüchtlingsunterbringung durch die Bundesanstalt für Immobilienaufgaben (BImA) wird nach Maßgabe des Haushaltsvermerks Nr. 3,6 zu Kapitel 6004 Titel 121 01 des Bundeshaushaltsplans unter Berücksichtigung der rückläufigen Entwicklung des Zustroms von Asylbegehrenden und Flüchtlingen grundsätzlich fortgesetzt. Die Einzelheiten der Umsetzung erfolgen durch Vereinbarungen zwischen der BImA und dem jeweiligen Bedarfsträger.

5. Unbegleitete minderjährige Ausländer (UMA)

Im Rahmen der Pilotierung wird der gesetzliche Regelungsbedarf geprüft.

6. Aufenthaltsdauer in den ANKER-Einrichtungen

Soweit noch keine bundesgesetzlichen Anpassungen der zulässigen Höchstverweildauern (Regelaufenthaltszeit von 18 Monaten) in den ANKER-Einrichtungen durch den Bund erfolgt sind, gelten die im Asylgesetz in § 47 I, I a und I b AsylG normierten bzw. in Landesrecht umgesetzten Höchstverweildauern.

Bei Überschreiten der Höchstverweildauern erfolgt eine Abverlegung aus den ANKER-Einrichtungen entsprechend den gesetzlichen Regelungen.

Der Bund und der Freistaat Bayern prüfen gemeinsam im Rahmen der Pilotierung wie die Prozesse zur Identitätsklärung weiter verbessert und die Umsetzung von Rückführungen weiter optimiert werden können.

7. Evaluierungsphase

Der Bund und der Freistaat Bayern werden die praktische Umsetzung der Aufgaben der ANKER-Einrichtungen gemeinsam evaluieren. Hierzu finden regelmäßige Austauschgespräche/Telefonschaltkonferenzen zwischen dem Freistaat Bayern, dem Bundesamt für Migration und Flüchtlingen, der Regionaldirektion Bayern und der Zentrale der Bundesagentur für Arbeit sowie den zuständigen Bundesministerien statt.

Über die Ausgestaltung der Evaluierung der bayerischen ANKER-Einrichtungen entscheidet der Freistaat Bayern in Abstimmung mit den beteiligten Institutionen und im Benehmen mit dem Bund.

8. Ansprechpartner

Die Vertragsparteien benennen jeweils einen zuständigen Ansprechpartner nebst Vertreter für die schnelle Bearbeitung auftretender Abstimmungsbedarfe. Hierzu wird ein E-Mail-Verteiler festgelegt, an den eine sofortige Meldung erfolgt.

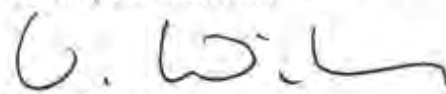
Beide Parteien sind sich darüber einig, dass eine Anpassung dieser Vereinbarung im Fall wesentlicher Änderungen, insbesondere im Zugangsgeschehen, kurzfristig bei beiderseitigem Einverständnis erfolgen kann. Beide Parteien vereinbaren eine enge und vertrauensvolle Zusammenarbeit.

München, den 07.10.2018



Dr. Jung
Ministerialdirigentin
Bayerisches Staatsministerium
des Innern und für Integration

Berlin, den 28.9.2018



Weinbrenner
Ministerialdirigent
Bundesministerium des Innern. für
Bau und Heimat

2

Free State of Saxony



2.1 Anker and Functionally Equivalent Facilities in Saxony

- Anker facility Dresden
- Functionally equivalent facility Chemnitz
- Functionally equivalent facility Leipzig

2.2 Arrangement of Anker Facilities in Saxony: Dresden and the Functionally Equivalent Facilities in Chemnitz and Leipzig

The Anker facility in Dresden encompasses the optimisation of the reception and counselling procedure by combining various agencies at one site and applying various modules (currently IDMS tools, asylum procedure counselling, voluntary return counselling). The same applies to functionally equivalent facilities.

Neither the Anker facility in Dresden nor the functionally equivalent facilities in Chemnitz or Leipzig meet the definition of reception and accommodation facilities. Reception facilities are, however, sometimes geographically assigned to the Anker and functionally equivalent facilities at the same site and therefore in the vicinity:

The following are currently geographically assigned to the Anker facility **Dresden**:

- **Hamburger Straße 19, D-01067 Dresden (HH-Str.)**
(including Hammerweg branch office)
Operator: European Homecare GmbH
- **Bremer Straße 25, D-01067 Dresden**
Operator: European Homecare GmbH
- **Stauffenbergallee 2 b, D-01099 Dresden**
(standby) Operator: European Homecare GmbH

The following are currently geographically assigned to the functionally equivalent facility **Chemnitz**:

- **Adalbert-Stifter-Weg 25, D-09131 Chemnitz (ASW)**
Operator: Malteser Werke gGmbH
- **Thüringer Weg 5, D-09126 Chemnitz**
Operator: Malteser Werke gGmbH
- **Alte Hohe Straße 1, D-08289 Schneeberg**
Operator: Malteser Werke gGmbH

The following are currently geographically assigned to the functionally equivalent facility **Leipzig**:

- **Max-Liebermann-Straße 36 b/c, D-04159 Leipzig (MAX)**
Operator: Johanniter-Unfall-Hilfe e.V.
- **Westringstraße 55, D-04435 Schkeuditz OT Dölzig**
Operator: Malteser Hilfsdienst gemeinnützige GmbH
- **Am Alten Flughafen 6, D-04356 Leipzig – Mockau III**
(previously standby, active since 6 April 2020)
Operator: Johanniter-Unfall-Hilfe e.V.

Individuals registered at the AnkER facility Dresden, or at a functionally equivalent facility, are usually housed at the reception facility geographically assigned to the respective site for the duration of the asylum procedure.

Transfers/accommodation regardless of the site of initial registration are possible where required due to central management of all reception facilities via the State Directorate of Saxony (LDS). This type of internal transfer is only exercised in exceptional circumstances (capacity management, avoidance of conflict) and after conclusion of the BAMF procedure in terms of the aim of efficient asylum procedures associated with the AnkER concept. The physical proximity between residents and the BAMF administration is therefore maintained as far as possible until a conclusive decision has been made.

A transfer of residents after conclusion of the BAMF procedure no longer has any effect on the continued duration of the removal procedure. As the accommodation administration is located at the reception facilities and preparation and organisation of removals, including detention/departure custody facilities, are located centrally at the LDS, the information required to prepare a removal always converges in one location, regardless of the respective whereabouts of the residents.

There are separate facilities in addition to the above reception facilities for vulnerable persons. The target groups of these facilities are combined here state-wide.

2.3 State of Implementation of the Dresden AnkER Facility, Functionally Equivalent Facilities Chemnitz and Leipzig

2.3.1 Current Situation

The AnkER facility in Dresden commenced operations on 1 August 2018; the functionally equivalent facilities in Chemnitz and Leipzig followed on 1 June 2019 and 1 July 2019, respectively. The following actors are combined under one roof at the AnkER and functionally equivalent facilities in the arrangement for Saxony described in section 2.2:

AnkER Facility Dresden:	BAMF, LDS, health authority of the city of Dresden, the federal state capital Dresden
Functionally equivalent facility Chemnitz:	BAMF, LDS, health authority of the city of Chemnitz, Federal Police investigation group
Functionally equivalent facility Leipzig:	BAMF, LDS, health authority of the city of Leipzig, police of the federal state

The respective operators are also involved via the reception and accommodation facilities allocated to the AnkER and functionally equivalent facility with various services, some provided by voluntary third parties.

The LDS and BAMF have mainly begun to cooperate more closely in the registration process. This is especially the case for the upstreaming of BAMF modules (IDMS tools and early use of interpreters). The LDS can start with the results of these modules in the registration process and profit from them, which has proved a great advantage. Physical proximity and the immediate option of clarifying the status of

procedures (e.g. admissibility of subsequent applications) also contribute greatly to making procedures more effective.

There are currently no plans to implement further modules. Nevertheless, there are continuous activities to optimise the existing modules, particularly in the area of IT and voluntary return counselling. Due to the existing proximity between the facilities and the judicial authorities, no legal application office has been added directly to the AnkER and functionally equivalent facilities yet.

2.3.2 Capacity and Occupancy of Reception Facilities Allocated to AnkER and Functionally Equivalent Facilities

Den Several reception facilities and branch offices are geographically allocated to both the AnkER and functionally equivalent facilities. Their capacity and occupancy are listed in the following tables. The cut-off date was set at 31 March 2020 as the global spread of COVID-19 infections compromised migration matters and processes massively, and a deadline or a period after March 2020 would not have been a suitable evaluation basis for normal processes.

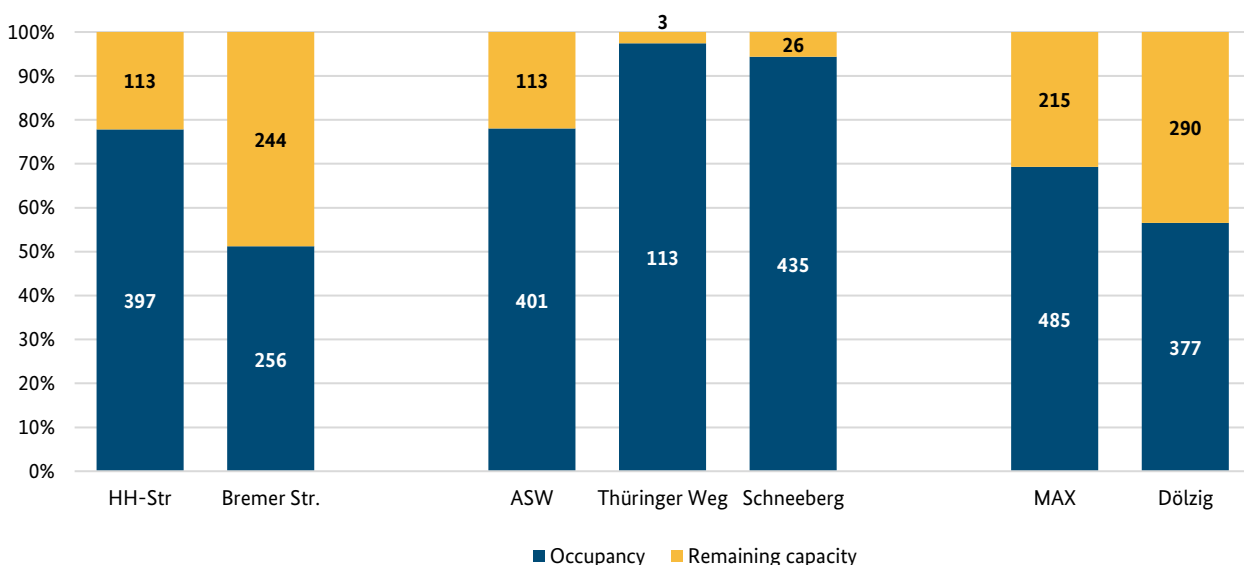
Table 2-1: Capacity and occupancy of reception facilities geographically allocated to AnkER and functionally equivalent facilities as of 31 March 2020

Allocation	Reception facility	Target capacity	Occupancy	Remaining capacity ¹⁾	Utilisation rate
AnkER Facility Dresden:	HH-Str.	875 ²⁾	397	113	78%
	Bremer Str.	500	256	244	51%
Functionally equivalent facility Chemnitz	ASW	520	401	113	78%
	Thüringer Weg	120	113	3	97%
	Schneeberg	560	435	26	94%
Functionally equivalent facility Leipzig	MAX	700	485	215	69%
	Dölzig	700 ³⁾	377	290	56%

¹⁾ After a deduction of places which cannot be occupied (see following footnotes); last revised 31 March 2020

²⁾ This target capacity was not available due to building measures, however.

³⁾ This target capacity was not available due to building measures, however.



The number of residents from safe countries of origin on the above cut-off date was investigated further (see Table 2-2).

The LDS has no statistics on the length of individual residents' or resident groups' stay. To gain an overview of the average length of stay nonetheless, LDS database information regarding individuals from safe countries of origin was evaluated according to the key figures relating to the calculation of length of stay, with the following result¹ (see Table 2-2).

2.3.3 Accommodation in the Dresden AnKER Facility and Reception Facilities Allocated to the Functionally Equivalent Facilities

2.3.3.1 Accommodation of Especially Vulnerable People

For special groups of residents (including the sick and disabled and other vulnerable residents), the LDS accommodation concept provides for a staggered order of various protective measures:

1 All individuals who stayed at the reception facility for at least one day between 1 July 2019 and 31 March 2020, whose stay at the reception facility has now come to an end and who were only party to one asylum procedure were included in the calculation to rule out distortions. If fewer than five individuals are identified per country of origin and site, the average value calculated from this is in italics..

- Men and women/families travelling alone are accommodated separately within the facilities, generally in separate buildings, but at least in separate areas of the building. Families are regularly kept together, but no more than one family is usually accommodated in one room.
- Vulnerable individuals and groups have access to special accommodation located outside of the larger accommodation facilities. Separate facilities were built in the greater Dresden area for women travelling alone or subjected to violence, and in Chemnitz (SFZ CoWerk) for individuals in need of special treatment or care and vulnerable people. The latter facility can also be used as a protected space and retreat for LGBTQI* individuals (if there is a specific risk).

The above special accommodation facilities are summarised in Table 3-3.

2.3.3.2 Early Childhood Care and Educational Measures

According to the law in Saxony, **school is not compulsory for those staying in a reception facility**. There is therefore no regular schooling at the reception facilities. There is an established policy of allocating families with school-age children to the municipalities within three months, when possible, so that school can be attended quickly and outside of the reception facilities in the Free State of Saxony.

In order to prepare children for schooling as early as possible, the pilot project **“Education programmes for children and young people in state reception**

Table 2-2: Number of residents from safe countries of origin at the reception facilities as of 31 March 2020

Safe countries of origin	Reception facility Chemnitz Schneeberg	Reception facility Dresden	Reception facility Leipzig, Dölzig
Albania	3	4	4
Bosnia-Herzegovina	6	0	0
Ghana	1	0	9
Kosovo	2	1	0
Montenegro	0	0	0
North Macedonia	23	11	0
Senegal	0	0	3
Serbia	6	0	0
TOTAL	41	16	16

Table 2-3: Key figures on special accommodation facilities

Reception facility	Capacity	Occupancy*	Case groups
Chemnitz, SFZ CoWerk	90	89	Medically-indicated vulnerability
Special facility Dresden	90	90	Women travelling alone or especially vulnerable women

* Last revised 31 March 2020

facilities” was launched at the reception facilities geographically allocated to the functionally equivalent facility in Chemnitz and is now running in all accommodation facilities. These voluntary programmes include modules on mathematics, English, movement and art and are coordinated with Saxony’s Ministry of Education and Cultural Affairs. Children and young people are divided into two groups (ages 6-11 and 12-18) and several ability levels. The model is currently being implemented at all reception facilities allocated to the Dresden AnKER facility and the functionally equivalent facilities.

Participation in the education programmes (since the transition from pilot phase to regular operations and expansion to all reception facilities² by the cut-off date 31 March 2020³) is presented in Tables 3-4 using certain key figures (last revised 31 August 2020).

2 The transition took place on 1 September 2019; expansion to all reception facilities took place in the two months that followed.

3 As the education programme had to be restricted depending on the local conditions due to the pandemic, only the period until 31 March 2020 has been selected. The respective average values have been specified.

The provisions in the operator contracts also stipulate further support services for children of different ages, which also cover educational purposes.

2.3.3.3 Measures to Structure the Day at Accommodation Facilities

The current operator contracts stipulate that the operator shall offer a variety of supervised and independent sports and leisure activities for adults and children on the accommodation premises, such as table football, pool, ball games, painting and drawing courses. A weekly timetable of activities must also be compiled.

The residents also have access to various, sometimes individual, common rooms for discussions, games and events (playroom, TV room, cafeteria, women’s meet-ups, men’s meet-ups, etc.). Religion can be practised in the prayer rooms available in each facility.

Current operator contracts further stipulate that the asylum applicants being housed must have access to job opportunities in accordance with Section 5 and 5 a of the Asylum Seeker Benefits Act. The contract

Table 2-4: Key figures on participation in educational activities at the individual reception facilities

Reception facility	Entitled to participate ø	Participants ø	Participation rate
Chemnitz, ASW	82	50	61%
Chemnitz, Thüringer Weg	11	4	36%
Schneeberg	31	26	84%
SFZ CoWerk	41	35	85%
Sub-total Chemnitz area	165	115	70%
Dresden, HH-Str.	41	24	59%
Dresden, Bremer Str.	31	17	55%
Special facility Dresden	6	5	83%
Sub-total Dresden area	78	46	59%
MAX	75	35	47%
Dölzig	30	19	63%
Sub-total Leipzig area	105	54	51%
Total	348	215	62%

specifies a variety of potential job opportunities. In consultation with the LDS, the operator is free to offer further activities within the scope of job opportunities.

2.3.3.4 Healthcare and Office Hours

A clear difference must be made in Saxony between medical care at reception facilities and further-reaching medical treatment.

Operators must set up health centres, or “MedPoints” for the purposes of medical care at the reception facilities. These are primarily intended for initial treatment and mild illness. The tasks and qualifications of medical staff are contractually stipulated.

At the same time, there are refugee out-patient centres in the cities of Dresden and Chemnitz which are jointly financed by the Free State of Saxony and co-operating cities. Reception facility residents are able to seek them out for treatment. Refugee out-patient clinics specialise in the treatment of asylum applicants and refugees with respect both to language barriers and cultural characteristics. Treatment is billed via the general reimbursement of healthcare costs.

There is no longer a refugee out-patient centre in Leipzig, so doctors are bound by individual contracts to hold consultations at the reception facilities in Leipzig.

2.3.3.5 Violence Protection Concepts/ Violence Prevention

In December 2016, the “Konzept zu Prävention, Schutz und Hilfe vor Gewalt gegen Frauen sowie andere besonders schutzbedürftige Personen in Erstaufnahmeeinrichtungen des Freistaates Sachsen - Gewaltschutzkonzept”, a protection from violence concept preventing violence and helping women and other vulnerable persons at reception facilities in the Free State of Saxony, was enacted. In addition to the “Sicherheitsrahmenkonzept für Erstaufnahmeeinrichtungen” - the security framework concept for reception facilities of 2 December 2015, it is designed to protect vulnerable persons such as women, children and young people in addition to other individuals at reception facilities from violence and to govern procedures after violent incidents. The concept is available at https://www.asylinfo.sachsen.de/download/%20asyl/161202_Gewaltschutzkonzept.pdf and should be evaluated and revised soon.

The concept is primarily guided by the LDS. It has been tailored to the specific conditions of each

reception facility. The LDS has developed a quality assurance concept. The LDS regularly checks that the protection from violence concept is being implemented by the contracted operators and security firms with a multi-level quality assurance and verification system (cursory checks, regular and in-depth checks), demanding compliance with the specifications in the event of discrepancies.

2.3.4 Counselling and Support

2.3.4.1 Support Provided by Operators

The operator carries out social support duties for residents. These are structured in accordance with the respective support concept. The support concepts were covered by the decision-making project in the procurement procedure (qualitative criterion).

The following contractual demands are included:

- A “social support” team manager should generally be in place (except in very small facilities or branches) as a coordinator for all social projects and events
- Compliance with support conditions subject to the reception facility’s capacity
- Support staff quality requirements
- The offer of counselling and support services, for example in organising residents’ daily lives, ante-natal and post-natal support

2.3.4.2 Office Hours Provided by the State Administration of Saxony

The LDS also provides its own staff to liaise between agencies and reception facility residents. Their tasks include deliveries and holding regular consultation hours along with calculating and disbursing allowances.

2.3.4.3 Counselling Services Regarding Procedure

The following counselling services are offered:

- **General asylum procedure counselling** (BAMF)
- **Additional asylum procedure counselling** from DRK, Landesverband Sachsen e.V.

In addition to the counselling provided by the BAMF, the DRK Landesverband Sachsen e.V. (the state Red Cross association of Saxony) provided

independent, individual and free asylum procedure counselling from 1 February 2019 until 30 June 2020 within the scope of a project. This offer was aimed at asylum seekers and provided further counselling and, where applicable, support but no legal advice.

The counselling service was cofinanced with an EU grant from the Asylum, Migration and Integration Fund (AMIF) and by the Free State of Saxony.

According to the DRK, a total of 927 individuals from reception facilities were advised on the asylum and Dublin procedure during the project period.

■ Voluntary return counselling provided by the BAMF

Although the BAMF is responsible for voluntary return counselling, the BAMF and LDS work closely together to find continuous optimisation potential, for example reaching certain individuals in a targeted/improved manner (certain nationalities, safe countries of origin, Georgia, Russia) via formal invitations from the LDS to certain BAMF voluntary return counselling sessions.

2.3.5 Removal, in particular Key Removal Figures

As the LDS only has access to limited detailed data on voluntary departures, the following outline (Table 2-5) concentrates on the evaluation of forced return. One major problem with forced returns is the high rate of failed removals. The main reason for this is the lack of access. So that this could be investigated in more detail and the potential effects of the AnkER concept on

removals evaluated, data from the period 1 July 2019 to 31 March 2020 was analysed more closely.

First, the planned removals in the above period were evaluated separately depending on success and whether the removals took place from a reception facility, a municipal accommodation or a detention center.

The result reveals a minor increase in likelihood of successful removals from reception facilities compared with removals from municipal accommodation. However, due to the relatively short period of review and the duration of the complex removals process, it is not possible to extract a reliable result from this.

The data cited on returns from detention also reveal a not insignificant failure rate; even when absconion is ruled out, removals can fail for a number of other reasons and do fail in a significant number of cases.

2.3.6 Consequences and Experiences of the COVID-19 Pandemic Regarding the AnkER Concept

In many ways, the pandemic has had a massive impact on refugee accommodation and processes at AnkER and functionally equivalent facilities. Fundamental effects included:

1. Reduced arrival numbers due to significantly restricted entry into the country
2. Limited functioning of the EASY system, as transfers between the federal states were largely abandoned

Table 2-5: Key figures on forced returns between July 2019 and March 2020

Accommodation	Planned	Successful	Success rate
Reception facility	479	151	31.5%
Municipal	1459	440	30.2%
Prison/Young Offender Institution	161	142	88.1%
Detention/departure custody facilities (only cases in Saxony)	62	50	80.6%

3. Difficulty in arranging hygiene regulations (above all social distancing) with the statutory form of reception facilities as group accommodation
4. Significant restrictions to fundamental BAMF process steps within the AnKER concept as far as they were linked to direct contact with asylum applicants
5. At times significant restrictions to air traffic and therefore departure and return opportunities

Points 3 and 4 will be explored in more depth in the following.

2.3.6.1 Compliance with Hygiene Regulations in Shared Accommodation Facilities

Minimum social distancing rules are a fundamental part of protective COVID-19 regulations, but these can be difficult to implement inside reception facilities. Infectious disease targets often collided with the statutory concept of a reception facility. In Saxony, this meant that there were a variety of emergency legal proceedings for discharge from reception facilities in accordance with Section 49 subs. 2 of the Asylum Act. Even though Saxony's administrative courts determined in several orders that residents of one room at reception facilities should be seen as one household, meaning that social distancing rules did not have to be observed within those rooms, common rooms proved to be problematic (e.g. food-serving stations/dining rooms, shared sanitary facilities). Saxony's administrative courts set stringent conditions for the LDS and operators of reception facilities regarding the ways in which existing rules were conveyed and checked. Multilingual signs with the applicable regulations and hygiene rules alone did not suffice, as it could not be assumed that all residents were literate or understood legal language. It was also stated that residents with symptoms may not report to the MedPoint for fear of the effects on their continued accommodation (isolation, no transfer) and that this possibility should be provided for.

It was only through a variety of ever more refined measures, combined with a reduction in occupancy, that the LDS managed to convince the courts of legally-compliant accommodation at the reception facilities. The most important measures taken were:

- Separate reception of new arrivals and returnees after absences of several days in a separate reception facility created for this particular purpose (including COVID-19 tests there and separation for 14 days before further allocation could take place)
- Consistent distancing markers with seamless monitoring
- Widespread signs, communication of applicable regulations with the use of pictograms and informative events
- Distribution of face masks to all residents
- Consistent obligation to wear face masks, the only exception being in one's own room
- Seamless temperature checks for all entering the reception facility and strongly restricted access to the reception facilities for third parties
- Cordoned-off areas where social distancing is impossible

In the LDS's view, there should be an evaluation of experiences of the pandemic whereby Section 49 subs. 2 of the Asylum Act is then worded more clearly to rule out problems interpreting the purpose and extent of Section 49 subs. 2 of the Asylum Act in future (including protecting individuals from infection or merely protecting the functionality of reception facilities as public institutions?).

The early distribution of residents to shared accommodation in the municipalities, outside of the accommodation facilities, seems especially unsuited to protecting against infection during a pandemic and triggers significant complications for the continued asylum procedure.

2.3.6.2 Process Steps with Direct Asylum Applicant Contact

At the beginning of the pandemic, the BAMF initially suspended or strongly modified process steps involving direct contact with asylum applicants on occupational health and safety grounds. This meant that successfully-established tools (e.g. IDMS tools) could no longer be used. First and foremost, classic process steps such as asylum applications in person had to be suspended and replaced with written applications. Then again, the LDS's registration paths continued to work with personal contact to asylum seekers in accordance with their statutory mandate, with additional personal protective equipment, and also had to hand out and sometimes explain BAMF forms for written applications. The LDS believes that the way in which the BAMF handled this should be evaluated in more detail in a critical review of the pandemic situation.

2.4 Summary and Suggestions for Further Development

The Free State of Saxony's conclusion regarding the AnkER and functionally equivalent facility concept **during "normal operations"** outside of the pandemic is as follows:

- The **stronger links in the reception process**, including the successfully established **new modules** and **physical proximity of the BAMF and central immigration authorities** have proved a success.
- There has been an **improvement in communication in Dublin transfer procedures**.
- Consistent **voluntary return counselling** within the AnkER concept has **proved a success** and the close cooperation at the AnkER and functionally equivalent facilities has made the execution of **pilot projects** and non-bureaucratic **testing of optimisation potential** (e.g. testing various ways of delivering BAMF voluntary return counselling via the LDS) much easier.
- According to the data so far, the **success rate of forced returns** from reception facilities assigned to the AnkER and functionally equivalent facilities is **only slightly higher than the rate of removals** from everywhere else.

For an even more successful AnkER concept, there is room for improvement in the provision of charter flights to countries with a high number of individuals enforceably obliged to leave the country – for example Morocco in the case of Saxony.

When the pandemic comes to an end, there should be an in-depth review of **pandemic operations**. The LDS believes that the BAMF's wide-ranging suspension of processes involving direct contact with asylum applicants should be reflected on critically. The statutory provisions regarding accommodation and discharge from the reception facilities should be considered in a critical light in view of practical experiences during the pandemic.

3

Saarland



Preamble: COVID-19 Pandemic

The impact of the global SARS-CoV-2 pandemic and the COVID-19 virus caused by it (“COVID-19 pandemic”) has been palpable during the implementation of AnKER facilities, along with many other areas. As a result of the pandemic, it was not possible to continue with the measures described in the AnKER conception as planned and without amendments; they were severely restricted from March 2020 and partly came to a halt.

The closure of borders to curb the COVID-19 pandemic had an impact on monthly arrival figures, but also on global passenger transport and therefore removals. Departures were put back by several months, regardless of whether they were voluntary returns or removals. Removals which had already been initiated even had to be cancelled and individuals released from detention.

Group counselling and support services had to be cancelled to comply with the applicable social distancing rules.

Changes to administrative processes also caused delays as attention was intermittently switched to crisis management. The COVID-19 measures taken at AnKER Lebach are presented in section 3.2.5 of this report.

This unexpected development must be considered as a limiting factor in the results outlined in the following.

3.1 Initial Position

With its reception facility of the federal state (LAsT) in Lebach and the structures prevalent there, the Saarland already had a facility comparable to an AnKER facility before official “AnKER” implementation. Among other things, it has a reception facility, a central immigration authority and a branch office of the Federal Office for Migration and Refugees. There is also a medical practice for initial examinations, a Federal Employment Agency office and a city of Lebach resident registration office branch; the local police station is also represented on site, not least for the safety of residents. There are also charitable organisations located on the premises. A nursery funded by the federal state and operated by Caritas, with half of the children from the city and the other half from the facility, is to be found right next door.

The LAsT includes an open area of approximately 89,000m² and approximately 50 residential blocks, with 18 administrative and functional buildings. The reception facility of the federal state has been an open facility all along, designed without a perimeter fence or physical separation from the city of Lebach.

Organisationally, the LAsT is a special area of the central immigration authorities of the Saarland, in turn a department of the State Administrative Office. The State Administrative Office is a subordinate agency of the Saarland’s Ministry of the Interior, Building and Sport (MIBS).

As outlined above, there was already a facility equivalent to an AnKER facility in place as a result of the prevailing structures. Due to the swift asylum procedure in the Saarland, asylum applicants with good prospects of remaining usually stayed at the reception facility until being recognised and before being allocated to the municipalities. Individuals with no prospect of remaining were generally not distributed to the municipalities, but remained at the facility until residence was terminated. Residents are also consistently provided for on the principle of benefits in kind according to the Asylum Seeker Benefits Act. These are ultimately all factors intrinsic to the AnKER concept.

In this context, the Ministry of the Interior, Building and Sport (MIBS) announced to the Federal Ministry of the Interior, Building and Community (BMI) on 11 May 2018 its interest in participating in the AnKER pilot project. The MIBS ultimately concluded an agreement with the BMI on 28 September 2018 to build and operate an AnKER facility in Lebach as a

pilot site, detailing how the AnKER facility in the Saarland should be operated.

The following key elements were agreed between the Federal Government and the Saarland:

- Takeover of passport replacement paper procurement by the federal government.
- The Federal Government would carry out Dublin procedure cases, including transfers from the AnKER facility.
- The Federal Government would provide support in the execution of removals, in particular via charter measures and Federal Police supervision.

Further important points were also agreed, namely the introduction of a wide-ranging chip system to secure entrance doors to apartments and better protect residents, as well as support in structuring the day.

Along with the infrastructure already in place (such as the availability of rooms for the BAMF and Federal Employment Agency), the following further AnKER measures are also being implemented by the Saarland:

- Expanding entry checks to individuals who have been transferred
- Executing coordination processes with the Federal Government to improve exchange (e.g. in the form of a workshop)
- Developing concepts to implement support projects together with the Federal Government and organisations.

On 1 October 2018, the former reception facility within the reception facility of the federal state was converted into an AnKER facility.

3.2 Implementation

3.2.1 Accommodation

3.2.1.1 Facility Capacity

The reception facility of the federal state has a basic capacity of 1,200 places. With concentrated occupancy, it is possible to accommodate up to 2,000 individuals at the reception facility of the federal state.

Occupancy at the reception facility of the federal state fluctuated between 1,116 individuals on 1 October 2018 and 1,260 individuals on 31 January 2020. There

were 1,032 individuals at the facility by 31 July 2020, at the end of the period under review. 75 per cent of residents come from Syria, Iraq, Iran, Afghanistan, Turkey and Nigeria.

3.2.1.2 Sex- and Age-Specific Accommodation and Accommodation for Vulnerable Groups/Family Accommodation

The privacy of all women travelling alone, with and without children, is ensured at the reception facility of the federal state with separate living areas being made available. These rooms can be locked with individually programmable chip locking systems. The Federal Government subsidised the procurement of the chip system, not least in view of the protection from violence concept implemented at the facility (see also 3.2.1.6).

Conscious of the fact that structural conditions may prevent or reinforce violence, further building measures have been or are being taken which may have a minimising influence on potential violence at the site over the course of infrastructural development at the reception facility of the federal state (better lighting for sanitary facilities in the accommodation units, public sanitary facilities/communal bathrooms and hallways leading to them and, where possible, shortening them; rooms for women, children and other groups to retreat to, rooms for private conversation, etc.). LGBTI individuals are accommodated in separate units if they request separate accommodation or this is seen as necessary by the facility's management. Contact with the appropriate counselling centres is sought. Transsexual and intersex individuals can have their own shower facilities upon request.

Families are generally housed together as a family unit.

To achieve the greatest possible flexibility in view of the needs of those concerned, however, the rules are not rigid. Based on the specific on-site situation, accommodation type results from various other factors being weighed up, such as family unity, religion, ethnicity, sex, age, health condition, etc.).

Unaccompanied minor refugees or asylum seekers are not housed at the AnKER facility. A central, pre-clearing procedure is conducted under the jurisdiction of the Ministry for Social Affairs, Health, Women and Families (MSGFF) and male and female unaccompanied minor foreign nationals are accommodated separately in youth welfare facilities.

3.2.1.3 Protecting Children's Interests, Early Childhood Education, Schooling

There is a Caritas nursery and after-school club in the immediate vicinity of the facility. Places at these integrative facilities are allocated equally, so children from the reception facility of the federal state and those from the city of Lebach have been cared for together there for years. They learn to coexist in a shared, multicultural environment and are also helped with their schoolwork. These childcare institutions are an example of successful interaction between cultures and also enable children at the reception facility of the federal state easier access to our society. Opening them up for children from the city of Lebach has played a particularly significant role in the reception facility of the federal state being accepted by the population of Lebach. For the Ministry of the Interior, Building and Sport and not least the State Administrative Office therefore, these Caritas institutions are key to the way in which the reception facility of the federal state functions and also a figurehead for the Lebach AnKER facility. The buildings in use are the property of the federal state and have been made available to Caritas free of charge.

There are age-appropriate playgrounds within the facility. There is also a multifunctional space where all kinds of ball games can be played. Additional services such as social counselling, youth support, etc. funded by the federal state are offered by the charitable organisations working on site. The focus of the Caritas facility at the federal state reception facility is on socio-educational support for the children and young people there. There has been a homework club for many years which is in high demand. There are also numerous other activities (e.g. dance workshops, trips to the theatre, cinema, zoo and parks, children's parties, girls' clubs, Christmas bonfires). As the reception facility of the federal state is not a closed facility, residents are also free to engage in all leisure activities in Lebach and the surrounding areas.

Another special feature is that schooling is compulsory for the children and young people at the reception facility of the federal state, just as it is for children from the Saarland.

3.2.1.4 Healthcare

All new arrivals are examined by a doctor and vaccinated as needed at the AnKER facility, including those who will not remain in the Saarland according to the EASY procedure decision. This is because the AnKER project stipulates that the initial examina-

tion in accordance with Section 62 of the Asylum Act should also be extended to individuals optioned to other federal states, so all individuals transferred from the Saarland into other federal states are not only recorded upon arrival at the responsible reception facility in the Central Register of Foreigners and Maris and subjected to an ASYLKON check, but also given an entry examination and vaccinations. There is also a medical professional available to all residents as a first point of contact for medical matters and furthermore as a contact for the health authorities. Standard and emergency medical care for children and young people is furthermore available in the direct vicinity, within walking distance.

Psychological care is also ensured. Even if trauma is not generally evident to the naked eye, there is a wealth of help available for residents at the reception facility of the federal state who are in these circumstances. All individuals are subject to an extensive medical examination directly after registering at the reception facility of the federal state. If the first issues are already determined here, appropriate medical steps are taken. It goes without saying that those concerned themselves, or parents/guardians of children, can contact administration employees and point out any special requirements. In addition, there is always the option of seeking out the charitable organisations working on site. They regularly discuss the special requirements and situations of residents with the administration (including noticeable issues) so that solutions can be found quickly.

Traumatised children and young people can receive standard care. There is always the possibility of visiting child and youth therapy centres outside of the facility in acute cases.

3.2.1.5 Building Alterations Carried out by the Saarland

The building and renovation measures already started by the federal state are being continued parallel to the AnkER pilot project, resulting in further improvements to the accommodation situation.

Building renovations at the reception facility of the federal state began with a building completed in 2018 and are to continue over the next few years. Existing buildings from the 1950s will be phased out in the process.

The design of the new residential buildings includes smaller living units. These apartments have two bedrooms, a living/dining room and sanitary facilities.

Some of the apartments are accessible and adapted to the needs of disabled people. The federal state's pioneering role is also apparent from the implementation of climate-protection goals. All of the new, replacement buildings are state-of-the-art regarding energy provision. Depending on the direction of roof areas, the new buildings are either equipped with photovoltaic panels or green roofs, which benefits the microclimate of the entire residential complex. In addition to four more residential blocks, there will be a new after-school club built and the shower room and administrative buildings will be renovated in the near future. By 2023, the federal state will be investing a total of EUR 20 million into building developments at the reception facility of the federal state.

The new building replacing the after-school club, expected to be ready by 2023, will increase the available nursery places from 60 to 80. Half of these places will continue to go to children from Lebach, with the other half reserved for children from the reception facility of the federal state. The federal state is therefore supporting the integration of residents at the reception facility of the federal state into the municipal community of Lebach and simultaneously improving the provision of nursery places for the next generation.

3.2.1.6 Violence Protection Concept/ Violence Prevention

The reception facility of the federal state has a comprehensive security and protection from violence concept which is subject to continuous evaluation and development.

The protection from violence concept covers the protection of all residents, with particular focus on the interests of vulnerable groups (e.g. women travelling alone, children, disabled people, LGBTI people). The protection from violence concept contains a range of measures, such as consideration of personal requirements and potential vulnerabilities when assigning spaces (family, sex, religion, origins, sexuality, disability, etc.) to prevent conflict and reduce the potential for conflict via preventive measures as well as processes to protect victims in the event of violent incidents. The concept is an obligation to residents, in-house staff and also external providers working at the facility.

The subject of protection from violence is also addressed in meetings with charitable organisations working on site. There is a regular round table of management staff and representatives of the charitable

organisations during which fundamental project-planning issues and other topics are discussed. There is a “Monday meeting” every four weeks, in which measures at the reception facility of the federal state are discussed in detail with organisations.

A regular, rigorous exchange with the charitable organisations is therefore ensured alongside consultations as required. A “protection from violence” complaints and counselling service was ultimately set up within the scope of the AnKER pilot, covering prevention as well as appropriate reactions in the event of a complaint. This office is currently being operated by charitable organisations with state funding and in close consultation with the facility.

In the event of complaints, a decision on which measures to take and which institutions to involve (e.g. police, youth welfare office, counselling services, charitable organisations, etc.) is generally made based on the risks presented by specific situations.

Residents at the reception facility of the federal state can also contact administration, the police (there is a small police station within the facility), the 24-hour security service and charitable organisations working on site.

The concept of protection from violence was also considered in the structural changes made, as certain aspects are taken into account in the planning of new buildings (e.g. no out-of-sight corridors, appropriate lighting).

3.2.2 Counselling and Support

3.2.2.1 Asylum Procedure Counselling

The BAMF’s independent, state asylum procedure counselling has also been implemented at Lebach. The Federal Office provides independent, state asylum procedure counselling in two stages on a voluntary basis for asylum seekers. The first step, before an application is filed, involves an informative group session for all asylum seekers on the asylum process and on the possibility of returning. To build upon this, all asylum seekers can attend individual asylum procedure counselling sessions in the second stage from the point “before application” until “conclusion of official procedure”. This independent, state asylum procedure counselling offers asylum applicants the opportunity to obtain information at an early stage regarding all procedural steps, but also on the realistic prospects of their asylum procedures.

3.2.2.2 Refugee and Integration Counselling

If an asylum seeker is given protection and allowed to stay in Germany, the federally-funded integration work begins at the AnKER facility. First, the language abilities of beneficiaries of protection are tested so that they can be assigned to an appropriate integration course. Initial contact with the Federal Employment Agency is also made at this stage.

Values are conveyed and initial orientation courses held by charitable organisations at the AnKER facility (300 lesson units with information designed to help people cope with day-to-day life). For more information, please refer to the corresponding presentation by the Federal Government.

3.2.2.3 Employment Opportunities according to the Asylum Seeker Benefits Act (AsylbLG)

Residents at the reception facility of the federal state are offered job opportunities in accordance with Section 5 of the Asylum Seeker Benefits Act. They are employed in areas including the following:

- Lifeguards at community pool
- Maintaining outdoor areas (e.g. cutting, mowing lawns, sweeping)
- Winter maintenance
- Cleaning stairwells and hallways
- Assisting with relocation
- Support issuing payment in kind

Generally (before the COVID-19 pandemic), between 20 and 50 residents carry out community work (now on a reduced basis due to COVID-19), usually voluntarily.

3.2.2.4 Measures Provided by Charities to Structure the Day

More measures to structure the day, including reintegration measures, can be offered via the Federal Government’s financial support to create further support services via charitable organisations.

Measures to structure the day of residents at the reception facility of the federal state have been extended via reinforcement of community job opportunities and offers in cooperation with charitable organisations. Charitable organisations have filed corresponding project applications, submitted project concepts and ultimately had them approved.

These projects have been well-received. The sewing and bicycle workshop areas of the job opportunities project have been very popular. The sewing workshop was increasingly involved in producing protective face masks in view of the COVID-19 situation.

The table below shows the projects at the AnKER facility:

3.2.3 Return

3.2.3.1 Voluntary Return

The term voluntary return includes cases in which individuals depart, with or without financial support, for their home countries or a third country willing to accept them. In these cases, appropriate evidence of departure must be provided even if there was no financial support provided (e.g. with a border-crossing

certificate). If individuals abscond or do not verifiably depart the country, they are not deemed to have returned voluntarily.

Voluntary return counselling

Voluntary return counselling was reinforced from November 2016 after being provided for many years to relatively low numbers (at that time provided by charitable organisations). The pilot project “Integrated Return Management in Lebach/Saarland” was the first instance of state voluntary return counselling being implemented, already resulting in an increased number of voluntary departures. The BAMF was involved in the process at the time in an advisory capacity. The project was implemented permanently at the end of the pilot phase on 31 December 2017.

Cooperation with the Federal Government was intensified within the scope of the AnKER project. During the AnKER pilot project, the BAMF branch office in Lebach

Association	Project name	Brief description
Caritas Lebach	Youth club/ reintegration and relief as well as integration	Supplement to existing child and youth supervision services, particularly for young people with no prospect of remaining until they return. Creating a daily structure beyond schooling, relief and help with their problems via sporting activities with clubs (e.g. swimming courses, cycling courses).
Caritas Lebach	Extra-curricular supervision/ reintegration and relief	Supplement to existing project (“BISS”) funded by the federal state, further “educational coaching” measure. A coach as liaison between pupils and school, working in a learning group, holiday club to work on difficulties at school and improvement of conditions for subsequent school and vocational training, even after returning. Funding also from the county.
Diakonie Saar	Job opportunities/ reintegration (NAVIS)	The aim is to create a daily structure; vocational, general and language training; acquisition of skills for the employment market (soft skills), particularly in view of subsequent reintegration in home country.
Diakonie Saar	Women’s creative club/ reintegration and relief (AENDAH)	Bi-weekly, three-hour event, women’s retreat, health advice and creative work. Daily structure, reintegration, conveying skills which can be used after return and relief for situation after a negative decision.
Diakonie Saar/Saarland state Red Cross organisation	Protection from violence counselling service	The protection from violence concept developed by the federal state, which includes all actors, provides for a counselling service at the reception facility of the federal state. Particularly a point of contact in conflict situations, prevention
DRK Landesverband Saarland	Music session for children and young people	Playing music with different instruments, promoting communication
DRK Landesverband Saarland	Painting courses for children and young people	Dealing with experiences of forced migration, improving concentration
DRK Landesverband Saarland	Painting courses for women	Relief for women, especially if they have been traumatised
DRK Landesverband Saarland	Relaxation techniques	Group activity for applying relaxation techniques, low-threshold, aim: Maintaining social harmony and help with stressful situations
Diakonie Saar and Caritas Lebach	Initial orientation courses	Expanding on the initial orientation courses by conveying knowledge of Germany and simple German skills, supplementary provision (including roadmap courses)

assumed responsibility for voluntary return counselling sessions and application for REAG/GARP measures in cooperation with the central immigration authorities starting from September 2019. There is close coordination with the central immigration authorities, in particular with regard to funding measures, the procurement of documents in lieu of passports, flight bookings, etc. This cooperation has started off well.

This cooperation means that the state-provided voluntary return counselling provided by the Saarland has not only been provided with staff reinforcements, but also an improvement in quality thanks to the recourse to the knowledge and experience of trained, federal return counsellors. Both sides were able to profit from a mutual exchange of knowledge (figures based on experience in the Saarland, but also federal best practice from other federal states). It is also beneficial that the Federal Government has a “strong voice”, for example when negotiating with countries of origin, which goes beyond what the Saarland may be able to achieve.

The voluntary return counselling informs all asylum seekers of potential return options and, where applicable, opportunities in their home countries (such as employment).

Early, rigorous and individual counselling during the asylum procedure means that there is support for prompt and planned returns with the aim of sustainably integrating individuals in their home countries.

3.2.3.2 Removals

Charter measures

In 2019, two charter measures were successfully carried out with the help of the Federal Government. The destination countries were Djibouti and Latvia.

Procurement of documents in lieu of passports by the Federal Government

The Federal Government support agreed upon in the procurement of documents in lieu of passports commenced in April 2019. Since then, there have been approximately 154 cases of passport procurement submitted to the Federal Police/BAMF. Of these procurement cases, 48 led to a positive result.

Transport services for Dublin transfers with the assistance of the Federal Police

At the end of February 2019, the Federal Police assumed responsibility for individuals subject to

removals from an AnKER facility at a designated handover point, taking them to the airport or border crossing. These measures have increased successively over time.

It is the view of the central immigration authorities and in keeping with our information from the police of the federal state and Federal Police that the procedure has gone well and proved a success. This cooperation should therefore be continued.

The Federal Police have carried out transportation services for nearly all Dublin cases and continue to do so in accordance with the agreed procedure.

From February 2019 until February 2020, transfers of a total of 212 individuals were initiated in cooperation with the police of the federal state and Federal Police. Of these, 69 individuals were transferred and 143 of them had the procedure cancelled.

The most frequent causes for cancellation in the period 1 January 2019 to 1 March 2020 were: individual not found at residence, organisational reasons (last-minute security/medical supervision requirements, subsequent change of terms, flight cancellations, etc.), medical reasons, child(ren) missing or resistance from the individual concerned.

Federal Government responsibility for flight bookings

From March 2019, the Federal Police carried out flight bookings. For reasons of efficiency and effectiveness, it was agreed that the central immigration authorities would carry out bookings themselves via the Federal Police travel office. After clearing up the course of the procedure with all involved, the first booking was made on 13 June 2019 (and from this point onwards all flight bookings: 84 individuals booked and carried out (36 voluntary returnees, 48 deported) and an additional 84 cancellations).

3.3 Summary and Suggestions for Further Development

In summary, it can be asserted that the “AnKER” project has proved a success. Even if the structures were largely already in place in the Saarland before the AnKER concept, it has been possible to build on them and achieve further optimisation via the measures set out in the AnKER agreement.

Nevertheless, there is an apparent need for further development:

Transfers with the assistance of the Federal Police

A regular “AnKER” meeting has been set up with the police of the federal state and the Federal Police on an operational level, including the central immigration authorities, during which measures are discussed in advance, work procedures examined and, where necessary, improved.

The Saarland would like additional support from the Federal Police at an earlier stage when transferring Dublin cases, at the address of individuals concerned. Due to legal concerns expressed by the Federal Government, it is our opinion that legislative action is required (possibly an amendment to the Federal Police Act/Residence Act).

The Saarland supports stronger inclusion of the Federal Police in removals, not limited to Dublin procedures. Positive cooperation in transportation services up until now shows that closer cooperation leads to improvements in the efficiency of removals and therefore the consistent enforcement of residence termination. Corresponding amendments to the law would be necessary for the continued intensification of cooperation prior to this stage (Federal Police Act, Residence Act).

Removals

There is urgent need for practical action here due to the high number of failed removals (cf. 3.2.3.2). More potential solutions need to be sought in the further development of the AnKER concept.

Installation of a fixed contact person at the BAMF branch office for the State Administrative Office (“AnKER liaison officer”).

In keeping with the AnKER principle of close networking between actors and further optimisation of procedures, a permanent contact person available at the BAMF as an “AnKER liaison officer”, in particular with regard to removals, would be a welcome addition on an operational level.

3.4 Measures due to the COVID-19 Pandemic

As outlined in the preamble, the COVID-19 pandemic has had a huge impact on the processes at AnKER Lebach, especially towards the end of the AnKER pilot period. Nevertheless, the Ministry of the Interior, Building and Sport and the State Administrative Office took a range of early preventive measures for the best possible protection of asylum seekers at the reception facility of the federal state, employees and the surrounding population in Lebach.

At the beginning of March, for example, Minister Bouillon ordered that all new arrivals be tested. Medical presence and protective equipment were also increased at the facility and tests were performed daily. Individuals who have been tested are accommodated separately until the test results are available. The practice of testing new arrivals at the reception facility has now been included in the federal state government’s testing strategy.

Separation and quarantine measures were developed. Residents were moved around so that suitable buildings with separate accommodation units and individual bathrooms were available for this purpose. An annexe was also rented on a temporary basis.

All the necessary measures are being taken in permanent and close consultation and cooperation with the responsible bodies and other actors (the health authorities, the Ministry for Social Affairs, Health, Women and Families, the Saarland’s Association of Statutory Health Insurance Physicians, Médecins Sans Frontières, local charitable organisations) and exchange on a federal/state level. One result of this is the situational adjustment of the disinfection and hygiene concept. Residents were also extensively informed with signs and leaflets in various languages.

Special protective measures were also implemented in contact with the authorities, such as closure of the

immigration authorities (available by phone or e-mail, re-opening from 1 July 2020). There were also corresponding guidelines at the reception facility of the federal state, food bank and main disbursement office (social distancing rules with checks carried out by security staff, grids, etc.) Security staff on duty were made aware and numbers were increased depending on the situation.

The nursery and after-school club in the facility as well as extra-curricular, afternoon homework supervision were ultimately closed to minimise contact. Group activities within the support projects were also suspended, although some individual services have continued via telephone or virtual counselling, where possible. It has been possible to resume some of the suspended measures in small groups.

The above measures have prevented an outbreak at the AnkER facility and a facility quarantine.

As of 31 July 2020, there have only been 8 COVID-19 infections at the Lebach reception facility of the federal state. In each case, however, it was possible to trace the infections as having occurred outside of the facility. All those infected persons have now recovered and there were no serious complications.

Otherwise, a moderate procedure to distribute refugees was agreed jointly by the county assembly and the Saarland's urban and rural municipality assembly within the context of the heavy burden placed on the municipalities elsewhere in coping with the COVID-19 crisis. Specifically, the decision was made to forego distributing refugees to the municipalities except for those vulnerable persons who had already been allocated (primarily the elderly and individuals with pre-existing health conditions).

The latter group was transferred to the annexe or municipalities, respectively, as it was assumed that they were at greater risk. Regular allocation has now been resumed. Before transfer to the municipalities, all individuals to be transferred are tested by doctors for the COVID-19 virus and are only allocated if the results are negativ.

3.5 Annex: Administrative Agreement



Bundesministerium
des Innern, für Bau
und Heimat

Vereinbarung

zwischen

Bundesrepublik Deutschland

vertreten durch

den Bundesminister des Innern, für Bau und Heimat

und

dem Saarland

vertreten durch

den Minister für Inneres, Bauen und Sport des Saarlandes

Präambel

Menschen, die in Deutschland Schutz suchen, brauchen Verfahren, die schnell, umfassend, einzelfallgerecht und rechtssicher Klarheit über ihre Bleibeberechtigung schaffen. Hierzu sollen im Rahmen eines Pilotprojektes in einer zentralen Aufnahme-, Entscheidungs- und Rückführungseinrichtung (AnkER) im Saarland (Landesaufnahmestelle Lebach) Kompetenzen gebündelt werden, um das gesamte Asylverfahren der neu ankommenden Personen schnell, umfassend, einzelfallgerecht und rechtssicher bearbeiten zu können. Dies gilt sowohl für die Entscheidung über die Asylanträge und die Einleitung erster integrationsvorbereitender Maßnahmen für Personen mit positiver Bleibeperspektive als auch für die freiwillige Rückkehr bzw. konsequente Rückführung von nicht bleibeberechtigten Personen.

§ 1

Ziel und Gegenstand

(1) Gegenstand der Verwaltungsvereinbarung ist der Aufbau und Betrieb einer AnKER-Einrichtung im Saarland (Landesaufnahmestelle Lebach) zur Optimierung der bestehenden Strukturen und Abläufe. Hierzu arbeiten Bund und Land eng zusammen und unterstützen sich gegenseitig.

(2) Eine Höchstkapazität der AnKER-Einrichtung von bis zu 1.500 Plätzen soll im Rahmen eines Zugangs von bis zu 220.000 Zuwanderern bundesweit pro Jahr nicht überschritten werden.

(3) Der Bund und das Saarland verfolgen gemeinsam das klare Ziel, die Asylverfahren effizient zu gestalten und zu beschleunigen, um

- für Personen, die in einem anderem Mitgliedstaat in EURODAC registriert wurden und im Inland aufgegriffen werden oder ein Asylgesuch stellen, die Zuständigkeitsprüfung nach Dublin in einem beschleunigten Verfahren abzuschließen,
- sicherzustellen, dass Flüchtlinge mit guter Bleibeperspektive so rasch wie möglich Integrationsmaßnahmen beginnen und aus der AnKER-Einrichtung heraus verteilt werden und
- für abgelehnte Asylbewerber und für die Asylbewerber, für die ein anderer Mitgliedstaat der Europäischen Union oder ein Staat, mit dem die Europäische Union ein Assoziationsabkommen (CH, FL, IS, NO) geschlossen hat, zuständig ist, so rasch wie möglich die Rückkehr/Überstellung durchzusetzen.

(4) Die Landesaufnahmestelle in Lebach ist eine offene Einrichtung und hat sich bewährt. Daher werden auch künftig die Bewegungsfreiheit der Bewohner und die Offenheit der Einrichtung nach außen nicht durch Zäune eingeschränkt. Aus Sicherheitsgründen sowie zur Pilotierung verbesserter Verfahrensabläufe zwischen der Landesaufnahmestelle und dem BAMF wird sukzessive ein Chip-System zur Sicherung der Wohnungseingangstüren installiert. Der Bund finanziert diese Maßnahme bis zu einer Höhe von 200.000 Euro.

§ 2

Maßnahmen des Landes

(1) Die in der Landesaufnahmestelle Lebach bestehenden Strukturen umfassen im Wesentlichen bereits die im Koalitionsvertrag des Bundes geforderten Inhalte einer AnKER-Einrichtung. Das Saarland betreibt bereits zentral eine Erstaufnahmeeinrichtung sowie eine zentrale Ausländerbehörde. Gemeinsam mit dem BAMF wurde ein Ankunftscenter installiert. Das Saarland stellt dem Bund für das Betreiben der Außenstelle des BAMF Gebäude innerhalb der Landesaufnahmestelle zur Verfügung. Auf dem Gelände der Landesaufnahmestelle hat das Saarland einen Polizeiposten eingerichtet. Es stellt dort auch Räume für eine Außenstelle des örtlichen Meldeamtes sowie für Ansprechpartner der Agentur für Arbeit zur Verfügung.

(2) Eingangsuntersuchungen finden regelmäßig auf dem Gelände der Landesaufnahmestelle statt. Im Interesse der öffentlichen Sicherheit erfolgen diese künftig auch für Personen, die nicht im Saarland verbleiben, sondern nach einer EASY-Verteilentscheidung in andere Länder weitergeleitet werden. Der Bund wird sich in diesen Fällen finanziell beteiligen.

(3) Das Verwaltungsgericht befindet sich für die Bewohner der AnKER-Einrichtung in ausreichender Nähe der Landesaufnahmestelle.

(4) Eine Unterbringung von unbegleiteten minderjährigen Ausländern in der AnKER-Einrichtung erfolgt nicht. Die Feststellung der Minderjährigkeit erfolgt durch die in der Nähe der Landesaufnahmestelle eingerichtete Vorclearingstelle „Schaumberger Hof“ in der Zuständigkeit des Saarlandes. Dort werden unbegleitete minderjährige Ausländer außerhalb der AnKER-Einrichtung vorläufig in Obhut genommen. In der Folge werden die unbegleiteten minderjährigen Ausländer außerhalb der AnKER-Einrichtung nach den landes- und bundesrechtlichen Vorschriften verteilt.

(5) Unmittelbar angrenzend an die Landesaufnahmestelle befindet sich ein/e vom Saarland geförderte/r Kindergarten/KiTA mit einem Aufnahmekontingent für Kinder aus der Landesaufnahmestelle von 50 v.H. der Plätze.

(6) Für alle Kinder, auch die der Landesaufnahmestelle, besteht im Saarland Schulpflicht. Diese kann unmittelbar in Lebach wahrgenommen werden.

(7) Das Saarland gewährleistet eine geschlechter- und jugendgerechte Unterbringung.

(8) Die Bewohner der Landesaufnahmestelle werden durch Wohlfahrtsverbände betreut. Um den Tagesablauf für die Bewohner innerhalb der Landesaufnahmestelle besser zu gestalten und soziale Spannungen zu vermeiden bzw. zu verringern, werden unterstützende und tagesstrukturierende Maßnahmen durchgeführt. Die in der Anlage zu dieser Vereinbarung aufgelisteten Maßnahmen werden gemeinsam durch den Bund, das Saarland und die betreffenden Wohlfahrtsverbände konzipiert und je nach den rechtlichen Möglichkeiten, auch unter Ausschöpfung von EU-Fördermitteln, von Bund und Saarland finanziert. Die Anlage kann nach Bedarf im gegenseitigen Einvernehmen inhaltlich angepasst werden.

(9) Innerhalb der Landesaufnahmestelle erfolgen Leistungen nach dem Asylbewerberleistungsgesetz (AsylbLG), soweit rechtlich und tatsächlich möglich konsequent nach dem Sachleistungsprinzip.

(10) Personen ohne Bleibeperspektive werden grundsätzlich nicht in die Kommunen verteilt, es sei denn, eine Verteilung ist im Ausnahmefall geboten. § 5 dieser Vereinbarung bleibt unberührt.

(11) Das Saarland verfügt über ein integriertes Rückkehrmanagement. Zur Vermeidung einer zwangsweisen Rückführung berät die Rückkehrberatungsstelle des Landes die Betroffenen frühzeitig und stetig über die Möglichkeiten einer freiwilligen Ausreise. Der Bund unterstützt das Saarland hierbei.

(12) Es liegt ein einrichtungsbezogenes Schutzkonzept, das den Mindeststandards zum Schutz von geflüchteten Menschen in Flüchtlingsunterkünften entspricht, vor. Es besteht eine Gewaltschutzkoordinierung, die das Schutzkonzept kontinuierlich weiterentwickelt und gemeinsam mit der Einrichtungsleitung umsetzt.

§ 3

Maßnahmen des Bundes

(1) Der Bund führt eine Identitätsprüfung mittels integrierten Identitätsmanagements (IDM-S) durch. Das daran anschließende Asylverfahren soll schnell, umfassend, einzelfallgerecht und rechtssicher bearbeitet werden. Durch fortlaufende Verfahrensoptimierungen soll das Asylverfahren weiter beschleunigt werden.

(2) Das BAMF bearbeitet die Asylverfahren innerhalb der Landesaufnahmestelle prioritär. Die Parteien sind sich einig, dass für alle in der AnKER-Einrichtung untergebrachten Personen zügige Asylverfahren durchgeführt werden.

- Hierfür wird durch das BAMF sichergestellt, dass ausreichend Personal vorgehalten wird. Im Rahmen der Pilotierung von AnKER verstärkt das Bundesamt die Außenstelle Lebach zum 01.09.2018 mit 4 Mitarbeitern und bis zum Jahreswechsel 2018 / 2019 mit weiteren 8 Mitarbeitern. Diese Mitarbeiter verbleiben unter der Voraussetzung gleichbleibender Zugänge für den gesamten Zeitraum der AnKER-Pilotierung am Standort Lebach.
- Das BAMF führt im Rahmen des Dublin-Verfahrens die Verfahrensschritte „Übernahmeersuchen und Bescheiderstellung“ sowie die zentrale Überstellungskoordination im Rahmen seiner Zuständigkeit (Dublin Zentren oder Gruppe DU) durch.
- Neben der Durchführung der Asylverfahren führt das BAMF im Rahmen der Pilotierung auch eine unabhängige staatliche Asylverfahrensberatung in der AnKER-Einrichtung ein. Diese soll u.a. Informationen und allgemeine Beratung zum Dublin- und Asylverfahren, Alternativen zum Asylverfahren, zu Rechtenschutzmöglichkeiten sowie Verweise auf andere Beratungsangebote umfassen.
- Zudem konzipiert und finanziert das BAMF Maßnahmen der (kulturellen) Erstorientierung in der AnKER-Einrichtung. Im AnKER-Zentrum werden zwei

Orientierungsmaßnahmen (Basiskurs und Aufbaukurs) angeboten. Der Basiskurs vermittelt das wichtigste Orientierungswissen für den Alltag, das Verhalten im AnKER-Zentrum, grundlegende Werte und wichtige Informationen über Kultur und Eigenheiten in Deutschland. Er umfasst 15 Unterrichtseinheiten und wird durch sog. Kulturmittler in der jeweiligen Herkunftssprache angeboten. Im Aufbaukurs werden in sechs Modulen á 50 Unterrichtseinheiten landeskundliches Wissen und Deutschkenntnisse vermittelt, die die Teilnehmenden für ihren Alltag benötigen.

(3) Die Regionaldirektion Rheinland-Pfalz-Saarland der Bundesagentur für Arbeit (BA) und ihre nachgelagerten Organisationseinheiten werden im Rahmen des geltenden Rechts bei Asylbewerbern mit guter Bleibeperspektive bedarfsorientiert so früh wie möglich insbesondere

- orientierende Informationen zum deutschen Ausbildungs- und Arbeitsmarkt anbieten,
- erste Berufskompetenzfeststellungen vornehmen und
- Informationen zu weiteren Unterstützungsangeboten geben (wie z. B. Beratungs- und Anerkennungsstellen),

um den Einstieg in den deutschen Ausbildungs- und Arbeitsmarkt zu einem möglichst frühen Zeitpunkt zu erleichtern. Damit wird ein positiver Beitrag zur erfolgreichen Integration von Geflüchteten in die Gesellschaft geleistet.

(4) Zur Steigerung der Effizienz und zur Beschleunigung der Abläufe wird der Bund künftig die Passersatzpapierbeschaffung übernehmen. Das Land leistet hierzu weiterhin Unterstützung.

(5) Der Bund unterstützt das Saarland bei der Durchführung der Rückführung, insbesondere durch Chartermaßnahmen sowie Begleitung durch die Bundespolizei.

(6) Der Bund räumt dem Land die Nutzung seines Dolmetscherdienstes während der laufenden Asylverfahren ein. Die Beauftragung erfolgt durch das Saarland. Darüber hinaus prüfen der Bund und das Saarland die weitergehende Nutzung des Dolmetscherdienstes im Rahmen der Pilotphase.

§ 4

Aufenthaltsdauer in den AnKER-Einrichtungen

Soweit noch keine bundesgesetzlichen Anpassungen der zulässigen Höchstverweildauern in den AnKER-Einrichtungen durch den Bund erfolgt sind, gelten die im Asylgesetz in § 47 I, I a und I b AsylG normierten bzw. in Landesrecht umgesetzten Höchstverweildauern. Bei Überschreiten der Höchstverweildauern erfolgt eine Umverteilung aus der AnKER-Einrichtung entsprechend den gesetzlichen Regelungen.

§ 5

Freiwillige Rückkehr und Rückführung

(1) In den Fällen geringer Bleibeperspektive wird die Rückkehrberatung in der AnKER-Einrichtung mit dem Ziel verstärkt, Perspektiven für die freiwillige Rückkehr aufzuzeigen. Hierzu gehören auch Maßnahmen der Reintegration im Heimatland. Bei Bedarf unterstützt der Bund das Saarland bei der Angebotsgestaltung der Rückkehrberatung. Die Erweiterung der Angebote der Rückkehrinformation wird geprüft. Zudem soll gemeinsam mit dem BMZ auf die Durchführung von Maßnahmen hingewirkt werden, die die Reintegration in das Heimatland fördern.

(2) In den Fällen, in denen abgelehnte Asylbewerber die freiwillige Rückkehr ins Zielland ablehnen, erfolgt die Rückführung unmittelbar aus der AnKER-Einrichtung mit Vollziehbarkeit der Asylentscheidung. Der Bund und das Saarland intensivieren zu diesem Zweck ihre Zusammenarbeit in der AnKER-Einrichtung. Dabei soll insbesondere eine Optimierung im Bereich der Identitätsfeststellung und -klärung, der Beschaffung erforderlicher Reisedokumente sowie der Durchführung von zwangsweisen Rückführungen erzielt werden. Der Bund und das Saarland prüfen zu diesem Zweck gemeinsam alle Verfahrensschritte. Im Einvernehmen mit dem Saarland übernimmt der Bund die Durchführung der Dublin-Fälle einschließlich der Überstellungen aus der AnKER-Einrichtung. Hierzu wird ein Ablaufplan erstellt.

(3) Vor der ersten Zwischenevaluation können Bund und Land weitere, noch im Planungsstadium befindliche Bausteine testen, um so noch weitere Verfahrensverbesserungen zu erreichen.

§ 6

Evaluierungsphase

(1) Etwaige Anpassungsbedarfe, auch eventuell gesetzgeberischer Handlungsbedarf, werden vom Bund und dem Saarland fortlaufend ermittelt. Soweit ohne Rechtsänderung möglich, werden die ermittelten Optimierungsmaßnahmen im Benehmen zwischen Bund und Saarland unmittelbar umgesetzt. Hierzu finden regelmäßige Austauschgespräche/Telefonschaltkonferenzen zwischen dem Saarland dem Bundesamt für Migration und Flüchtlinge, der Regionaldirektion und der Zentrale der Bundesagentur für Arbeit sowie den zuständigen Ministerien statt.

(2) Der Bund und das Saarland evaluieren die praktische Umsetzung der AnkER-Prozesse gemeinsam. Eine Zwischenevaluierung erfolgt im März 2019. Eine abschließende Evaluierung ist nach 18 Monaten vorgesehen. Über die Ausgestaltung der Evaluierung der AnkER-Einrichtung entscheidet das Saarland unter Beteiligung der betroffenen Institutionen und im Benehmen mit dem Bund.

§ 7

Ansprechpartner / Schlussbestimmungen

(1) Die Vertragsparteien benennen jeweils einen zuständigen Ansprechpartner nebst Vertreter für die schnelle Bearbeitung auftretender Abstimmungsbedarfe. Hierzu wird ein E-Mail-Verteiler festgelegt.

(2) Beide Parteien sind sich darüber einig, dass eine Anpassung dieser Vereinbarung im Fall wesentlicher Änderungen, insbesondere im Zugangsgeschehen, kurzfristig bei beiderseitigem Einvernehmen erfolgen kann. Beide Parteien vereinbaren eine enge und vertrauensvolle Zusammenarbeit.

§ 9
Finanzierung

Soweit zur Finanzierung der vorgenannten Maßnahmen Drittmittel zur Verfügung stehen, werden diese vorrangig in Anspruch genommen.

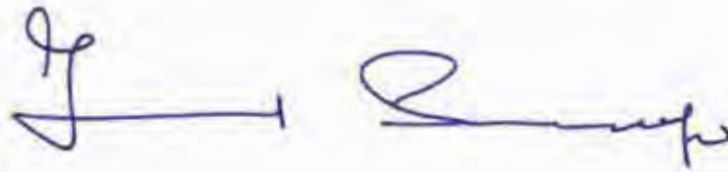
§ 10
Inkrafttreten

Die Verwaltungsvereinbarung tritt am Tag nach der Unterzeichnung in Kraft.

Saarbrücken / Berlin, den 28.09.2018

Für die Bundesrepublik Deutschland

Der Bundesminister des Innern, für Bau und Heimat

A handwritten signature in blue ink, consisting of a stylized 'H' followed by a horizontal line and a cursive 'Seehofer'.

Horst Seehofer

Für das Saarland

Der Minister für Inneres, Bauen und Sport

A handwritten signature in blue ink, appearing to read 'Klaus Bouillon' in a cursive script.

Klaus Bouillon

Anlage		Stand: 28.09.18
Vorschläge der Verbände zu möglichen Projekten im künftigen Anker-Zentrum in Lebach.		geschätzte Kosten
Verband Caritas Lebach	Projekttitels: L. Durch den Bund zu finanzierende Maßnahmen Kurzbeschreibung: Ergänzung der bestehenden Angebote zur Betreuung für Kinder und Jugendliche, insbesondere für Jugendliche ohne Ausbildungsstelle bis zur Rückkehr. Tagesstruktur über Schule hinaus schaffen, Erhaltung und Hilfe bei Problemen mit der Situation durch Sportangebote zusammen mit den Vereinen (z.B. Schwimmklub, Fußballklub). Ein ergänzendes Angebot für Personen mit Behinderungen wird durch das Land finanziert.	50.000,00 €
Caritas Lebach	Aufwändereiche Betreuung / Reintegration und Entlastung	111.000,00 €
Dakonie Saar	Arbeitsgehilfen / Reintegration	108.000,00 €
Dakonie Saar	Ergänzungskurs Grundlagen EDV / Reintegration	3.200,00 €
Dakonie Saar	Frauen- und Kreativität / Reintegration und Entlastung	6.600,00 €
Dakonie Saar/DRK Landesverband Saarland (Gedächtnis wird nachgereicht)	Berufshilfsstelle (Geweiltschütz)	100.000,00 €
Caritas Lebach	Kinder- und Jugendbetreuung / Integration	25.000,00 €
DRK Landesverband Saarland	Nach- / Treff für Kinder und Jugendliche	94.100,00 €
DRK Landesverband Saarland	Malkurse für Kinder und Jugendliche	
DRK Landesverband Saarland	Malkurse für Frauen	
DRK Landesverband Saarland	Entspannungsoptionen	
Dakonie Saar und Caritas Lebach	Erstorientungskurse	118.100,00 €
Dakonie Saar und Caritas Lebach	Erweiterte Sprachförderung	455.830,00 €
Dakonie Saar	Alphabetisierung - Vorschlag SL	175.000,00 €
Dakonie Saar		84.000,00 €

II. Durch das Land zu finanzierende Maßnahmen

Ergänzendes Angebot zu o. Sportangeboten zur Betreuung für Kinder und Jugendliche mit guter Ausbildungsstelle.

Tagesstruktur über Schule hinaus schaffen, Sportangebote zusammen mit den Vereinen (z.B. Schwimmklub, Fußballklub). Auch zusammen mit Vereinen vor Ort.

Ausbreiten mit verschiedenen Instrumenten, Kommunikation fördern

Erlebnisse auf der Flucht verarbeiten, Konzentration verbessern

Entlastung von Frauen insbesondere bei Traumabehandlung

Gruppenangebot für das Anwenden von Entspannungstechniken, (neuro)psychologisch, Ziel: Erhaltung des sozialen Friedens und Hilfe in Stresssituationen

Summe Land 118.100,00 €

Summe Bund und Land 455.830,00 €

II. Weitere Maßnahmen/Vorschläge

Ergänzung der Erstorientungskurse durch Vermittlung von beruflichen und praktischen Kenntnissen, insbesondere in ergänzenden Angebot (Thesen-Kurse)

Vermittlung von landesweitem Wissen und einfachen Deutschkenntnissen, ergänzendes Angebot zu den EDK

Wahlkürse (z. Themen, die Personen betreffen, wie z.B. Regeln des Zusammenlebens, medizinische Versorgung, ... Auch eine (Teil-) Finanzierung des ergänzenden Angebotes durch das Land kommt in Frage

Ergänzendes Kursangebot zu Sprachkursen und EDK, um erste Erfahrungen der Schriftsprache zu ermöglichen. Besonders auch in Frauen gemein. Auch eine (Teil-) Finanzierung des ergänzenden Angebotes durch das Land kommt in Frage

4 Mecklenburg-Western Pomerania



4.1 Current Situation in Mecklenburg-Western Pomerania

4.1.1 Starting Point

It should be noted that, in many ways, the basic conceptual idea described in the coalition agreement of 12 March 2018 between the CDU/CSU and the SPD of facilities for arrival, decision and return (known as “AnkER facilities”) had already been in place for some time at the reception facility in the federal state of Mecklenburg-Western Pomerania in a functional regard (acceleration of the asylum procedure) and a structural regard (synergies from the concentration of various actors involved in the asylum procedure). The following will therefore be a summary of which basic operative structures it was possible to build upon.

The Mecklenburg-Western Pomerania reception facility of the federal state was built at the sites Nostorf-Horst and Stern Buchholz (currently as a branch office) and is operated by the organisation Malteser Werke gGmbH.

- The Nostorf-Horst site is located on a property in the south-west of Mecklenburg-Western Pomerania, right on the federal state borders to Schleswig-Holstein and Lower Saxony, at Nostorfer Straße 1, D-19258 Nostorf-Horst.
- The Stern Buchholz branch office is to the south-west of the federal state capital, Schwerin, at Stern Buchholz 16, D-19061 Schwerin-Stern Buchholz.

While the Nostorf-Horst site property belongs to the federal state, there is a tenancy agreement in place for use of the property in Stern Buchholz until 31 December 2029.

The Federal Office for Migration and Refugees (BAMF) is represented at both sites with a branch office as defined by Section 5 subs. 3 of the Asylum Act. The Federal Employment Office is also available there during office hours to provide counselling where needed. The presence of employees of the State Office for Internal Administration at both sites ensure personnel coverage for operative priority tasks in terms of the immigration authorities and social work. There are 45 official posts available at the reception facility for the execution of official State Office for Internal Administration priority tasks, with both sites performing the tasks to a similar extent. From September 2018 until the end of August 2020, voluntary return counselling was reinforced at the sites by non-state providers with what is known as “perspective counselling”.

4.1.2 Administrative Agreement of 9 April 2019 between the Mecklenburg-Western Pomerania Ministry of the Interior and Europe and the Federal Ministry of the Interior, Building and Community on More Effectively Arranging the Asylum Procedure

The Federal Government and the federal state of Mecklenburg-Western Pomerania prepared an administrative agreement after a discussion between State Secretaries Dr. Teichmann and Lenz on 14 November 2018. The project group working together on this was made up of representatives from the Federal Ministry of the Interior, Building and Community, the Ministry of the Interior, the State Office for Internal Administration and the BAMF.

The administrative agreement was signed by Ministers Seehofer and Caffier on 9 April 2019..

4.1.3 Arrangement and Implementation of the Administrative Agreement

The instruments, or tools, of integrated identity management (IDM-S) were implemented in the arrival/ registration path from 9 April 2019 with piloting a facility equivalent to AnKER facilities. In view of the moderate number of arrivals, there were hardly any noticeable problems in the coordination of necessary interpreting services. In the course of establishing identity with the help of IDM-S, the BAMF used contracted language mediators on site or, if necessary, made use of the pool of video interpreters. The BAMF now offers state asylum procedure counselling upstream of the formal asylum procedure, implemented at each site by two BAMF employees. This cooperation also extends to the development of supplementary initial orientation services together with the operator of the reception sites.

Another important innovation is the support from the Federal Police office in Bad Bramstedt in transferring Dublin cases from the facility. A process plan for a joint course of business was agreed in close consultation between the Federal Police and the police of the federal state, the State Office for Internal Administration's return management department and the specialist department of the Ministry of the Interior and Europe of Mecklenburg-Western Pomerania, which has already been implemented since 1 July 2019.

The plan is also to enlist the support of the Federal Government in procuring documents in lieu of passports for selected countries of origin within the framework of an administrative agreement. As of 1 September 2020, the BAMF will also assume responsibility for voluntary return counselling.

Contrary to the original, prototype concept of the Federal Ministry of the Interior, Building and Community on AnKER facilities, the youth welfare office and the judicial authorities are not to be found directly on site. In the former case, there is a functioning procedure in place between the State Office for Internal Administration and the local youth welfare office of the rural district of Ludwigslust-Parchim and the youth welfare office of the federal state capital Schwerin. The actually unaccompanied minor foreign nationals are taken into provisional custody outside of the reception facility and distributed in accordance with state and federal provisions. No direct link between the judicial authorities and the site is being pursued. Individuals residing in Stern Buchholz have the option of seeking out the nearby administrative court in Schwerin. Notwithstanding this, legal protection is ensured at all times thanks to appropriate legal representation for individuals accommodated at the reception facility and (legal) advice from non-state organisations.

4.1.4 Occupancy Overview

After the administrative agreement on accommodating up to 200 asylum seekers from the Free and Hanseatic City of Hamburg came to an end, the reception facility of the federal state of Mecklenburg-Western Pomerania had an accommodation capacity of 1,600 places as of 31 March 2020.

- **Target occupancy:** Individuals whose whereabouts are unknown for less than six weeks and have therefore not yet been removed from the Central Register of Foreigners are recorded. The place is deemed occupied in this period.
- **Current occupancy:** Individuals who are actually present are recorded.

Taking into account the rooms available, regularly sub-divided family structures and in reference to protection from violence or the respective security situation, occupancy of 75% is usually considered to be full occupancy at the facility. In the wake of the provisions on infection control and hygiene resulting from the COVID-19 pandemic, which make a rectification

Table 4-1: Overview of capacity and utilisation (as of: 31 March 2020)

Site	Current occupancy	Target occupancy	Remaining capacity	Reserve capacity	Total capacity	Occupancy rate in %	
						Current	Target
Nostorf-Horst	200	284	216	-	500	40	56.8
Stern Buchholz	554	595	505	-	1,100	50.4	54.1
Total Mecklenburg-Western Pomerania	754	879	721	-	1,600	47.1	54.9

Table 4-2: Occupancy by main and safe countries of origin (as of: 31 March 2020)

Eight main countries of origin	Nostorf-Horst	Stern Buchholz	Total
Ukraine	37	30	67
Syria	1	43	44
Afghanistan	8	105	113
Iran	32	16	48
Russian Federation	35	37	72
Somalia	1	28	29
Iraq	-	67	67
Armenia	-	4	4
Other countries of origin	86	224	310
All 35 countries of origin processed in Mecklenburg-Western Pomerania	200	554	754
of which eight safe countries of origin	Nostorf-Horst	Stern Buchholz	Total
Albania	4	35	39
Bosnia-Herzegovina	-	3	3
Ghana	4	13	17
Kosovo	4	8	12
North Macedonia	1	11	12
Montenegro	-	-	-
Senegal	-	2	2
Serbia	2	6	8
Safe countries of origin in total	15	78	93

of the accommodation situation necessary, it can be assumed that full capacity is reached at 50% to 60% occupancy.

The disaggregated residence times can be found in **Annex 1**.

4.2 Accommodation

4.2.1 Admission Procedure

New arrivals who were not given a medical examination or registered before reception are first accommodated in an upstream accommodation unit outside of the respective facility premises. The idea of upstream accommodation was established at Nostorf-Horst before the peak of the refugee crisis in 2015 and has proved successful. One upstream accommodation unit is still being used for Stern Buchholz for now, until the planned building has been completed.

The reception facility has a total of seven “personalisation infrastructure components” for the registration of asylum applicants. Four of these are allotted to Stern Buchholz and three are located at Nostorf-Horst.

4.2.2 General

Women and men travelling alone are generally accommodated in sex-segregated accommodation. In contrast, family units are accommodated together as far as possible. Nationalities, religions and age structures are also taken into account if capacities at the accommodation facilities allow it.

44 employees of the operator supervise the Nostorf-Horst site. In Stern Buchholz, there are 90 supervisors (each on 24/7 duty).

4.2.3 Accommodation of Vulnerable Groups

There is a multi-layer, informal procedure to identify vulnerable persons at both sites of the federal state of Mecklenburg-Western Pomerania’s reception facility. Official employees in reception areas, doctors performing initial examinations, supervisors from the support association and employees of the immigration authorities, social services and voluntary return counselling are all obliged to pick up on any observations or assessments which may point to vulnerability and initially forward them to the facility’s support association. The same applies to BAMF employees, who may obtain additional information during asylum procedure interviews.

A decision is then made to accommodate the vulnerable person as quickly as possible in the “refuge” at the Stern Buchholz site, where special organisational and structural measures (such as restricted access rules) ensure that specific needs are met. Regular case conferences are held in special cases, or following incidents (by organisations such as Malteser, property security services, the State Office for Internal Administration), which may give rise to additional measures. In particular, these include swift allocation to the municipalities with special protected areas such as women’s refuges or specialised LGBTIQ accommodation.

In each case, accommodation outside of the reception facility is aspired where a high level of care is needed as, although the sites have accessible and sick rooms available, no care staff are employed. The “refuge” has 17 accessible rooms (each with two to six beds) as well as two sick rooms. There is a nominal occupancy capacity of 88 beds. Taking into account specific needs, a maximum occupancy of 45 to 50 individuals is to be expected, in fact..

No unaccompanied minor refugees are accommodated; they are taken into provisional custody and have their age assessed by the responsible municipal youth welfare offices outside of the facility in accordance with the provisions of the Eighth Book of the Social Code.

4.2.4 Violence Protection

Contracted facility operators must compile and provide a violence protection concept for the reception sites in accordance with the conditions set out in the call for tenders. The aim of the protection concepts specific to each site is to ensure protection of and help for children, young people and women from physical, sexual or psychological violence during their stay at the refugee accommodation. The corresponding protection concept was preceded by risk assessments at the respective sites and is also in line with the conceptual direction of the “Minimum Standards for the Protection of Children, Adolescents and Women in Refugee Accommodation Centres” published by the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth and UNICEF in 2016. The protection concept is implemented and updated by a protection from violence coordinator installed by the Malteser organisation.

Aspects such as personnel and personnel management, internal structures and external cooperation,

dealing with violent and dangerous situations/risk management, humane and supportive parameters and monitoring and implementation of the protection concept are included in particular. In addition to women, children and young people, the target audience of this concept includes the following groups of people defined as especially vulnerable according to the EU's refugee reception directive (2013/33/EU, cf. Chapter 4.4, Section 12):

- (Unaccompanied) minors,
- Disabled people,
- Elderly people and pregnant women,
- Single parents with minor children,
- Victims of human trafficking,
- Persons with serious illnesses, persons with mental disorders and persons who have been subjected to torture, rape or other serious forms of psychological, physical or sexual violence,
- Furthermore religious minorities and LGBTIQ persons.

The following measures and others are being taken at the sites to implement the concept of protection from violence:

- A "refuge" has been set up for the above groups of people,
- The use of different accommodation buildings for certain countries of origin,
- Regular training measures (de-escalation training, preventing sexual violence, awareness of LGBTI issues and more),
- Introduction of a coordinator for protection against violence (a protection against violence coordinator is provided by the Malteser organisation),
- Compilation of plans of procedure and emergency plans if there is a suspicion of violence or attacks,
- Introduction of complaint management for residents,
- Provision of information material on the counselling and support networks for the region,
- Documentation and monitoring.

The project "Monitoring to protect refugees in shared accommodation" is also being conducted at the Stern Buchholz until the end of 2020. It is taking place within the scope of the federal initiative to protect refugees in refugee centres as an initiative of the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth and UNICEF and aims to strengthen the monitoring system at the reception facility. The specific idea here is for improved protection data to be generated, analysed and visualised.

There is another cooperation project being conducted by the Malteser organisation and the "International Psychosocial Organisation" (Ipso gGmbH) with regard to psychosocial care, which will run from November 2018 until the end of August 2021. It involves people with a migration background qualifying as "psychosocial counsellors" in a native-language, low-threshold counselling function according to the counselling approach developed by Ipso. The aim is to close the gaps in the preventive psychosocial care of people with a migration background and supplement the services of the Malteser organisation. The skills, expertise and experiences of migrant individuals form the core of this "peer-to-peer" approach to needs-based help at accommodation facilities.

4.2.5 Education Programmes for School-Age Children

Compulsory schooling in Mecklenburg-Western Pomerania is bound to usual residence in accordance with the federal state provisions in Section 41 subs. 1 (1) of the Education Act of Mecklenburg-Western Pomerania.

As the obligation to reside at a reception facility does not constitute a usual residence, school-age children at the federal state facilities of Mecklenburg-Western Pomerania are not subject to compulsory schooling as defined by the above guidelines. Nevertheless, over the past two years the operator has developed a school-like project in the form of an "intercultural learning workshop" with volunteer teachers. The structure, form and content of the project are coordinated with the federal state and have proved a success. This project has been defined as a standard contractual task since 2019 and is supervised and funded by the Education Ministry of Mecklenburg-Western Pomerania. Learning aids and lesson materials are provided as payment in kind. The "inter-cultural learning workshop" project is available to school-age children from the beginning of their residence at the reception facility onwards and reaches a high percentage of the children. Parents who do not allow their children to take part, or do so irregularly, are spoken to promptly to determine the reasons or to explain the purpose of the activities to them. There are no consequences in the event of refusal, however.

As of 31 March 2020, there were a total of 194 minors at the reception facility (136 at Stern Buchholz;

58 in Nostorf-Horst). 99 of these children are of school age (67 at Stern Buchholz; 32 at Nostorf-Horst).

An example of lesson activities can be found in **Annex 2**.

4.2.6 Measures to Structure the Day and Initial Orientation

The essential tasks of the reception facility operation include daily social supervision of asylum applicants. This also comprises the development and provision of needs-oriented counselling and support activities in the form of measures to structure the day and low-threshold initial orientation matters. The 2016 operator agreement stipulates that the Malteser organisation assume responsibility for the support services necessary for cohabitation in shared accommodation as a contractually-defined standard task. The following core areas are assumed by the Malteser organisation:

- General help with orientation (e.g. in everyday problems, questions on daily routine at the reception facility),
- Informing refugees of official counselling services,
- Conveying information on life in the Federal Republic of Germany, legislation, parliament, administrative structures, the role of the security forces, the norms and values of civil society, etc.,
- Conveying basic knowledge of the German language (help with understanding) in the form of regular events where the extent and content must be described and offered on a recurring basis,
- Regular special activities for women,
- Provision and execution of special recreational measures in the form of sporting competitions, games, participation in the contractor's charitable activities and similar,
- Daily operation of a general meeting place ("World Café") with international press, board games and, where applicable, television all provided.

A number of the above activities are planned on a monthly basis. The planning provides for regular, recurring and separate events.

See **Annex 3** for an example of a monthly event plan.

4.2.7 Healthcare

The initial examination in accordance with Section 62 of the Asylum Act in conjunction with Section 36 subs. 1 no. 4 of the Infection Control Act is carried out by doctors and nurses from the provider of the clinics working for the reception facility. They also carry out follow-up and subsequent treatment, primary out-patient care and referrals to specialists. The medical facilities at the reception sites are operated by clinics near the sites on the basis of service agreements. The federal state itself does not employ any medical staff at the reception facility. Transport for out-patient treatment and medical (pre-)examinations outside of the facility is organised using transfer taxis.

As for essential medical care/support at the Nostorf-Horst site, the KMG Klinik Boizenburg offers out-patient clinics twice a week on the clinic's premises. Three clinic employees coordinate clinic requirements on site and ensure that the clinics and treatment times which are granted are used at the reception facility. They also take care of medical care where acute treatment is needed and communicate the required treatment with specialists, even beyond federal state borders. Essential out-patient care at Stern Buchholz is provided by a doctor and nurses on site.

4.3 Return/Removal

4.3.1 Voluntary Return - Perspective Counselling

To intensify voluntary return counselling, there are contractual agreements in place with non-state contractors regarding the provision of counselling until the end of August 2020. The organisation "Caritasverband für das Erzbistum Hamburg e.V." has assumed this role at the Stern Buchholz site and the organisation "Diakonisches Werk Mecklenburg-Vorpommern e.V." at the Nostorf-Horst site. Rooms within the facility are provided for counselling and a multi-level procedure for both newly-housed asylum applicants and foreign nationals in accordance with Section 15 a of the Residence Act. The counselling activities focus in particular on information and counselling on federal and federal state return programmes, as well as those of the International Organization for Migration

(IOM). These include the Reintegration and Emigration Programme for Asylum Seekers in Germany (REAG), the Government Assisted Repatriation Programme (GARP) and “Starthilfe Plus”. The counselling services also assume responsibility for preparatory and organisational measures in the context of voluntary return in the case of those willing to return voluntarily. This includes planning the departure or procuring the necessary travel documents in addition to applying for return grants. Two counsellors from the organisations Diakonie and Caritas are available at each site, and each site has an office with one employee, but there is no additional federal state programme.

The following information on perspective counselling is available for the period 1 January 2019 until 31 March 2020:

Total number of counselling sessions carried out:	2,020
Total number of individuals advised:	2,354
Voluntary departures:	182

Based on the administrative agreement with the Federal Government, the BAMF agreed to assume responsibility for counselling from 1 September 2020. The extent of these services as well as the human resources correspond entirely to the above statements.

4.3.2 Removal

There is currently a significant number of refugees at the reception facility who have not been granted protection status. They are primarily individuals from safe countries of origin and Dublin cases, who altogether make up a share of approximately 70% of individuals housed at the facility. In this context, a substantial share of operative work is allotted to return management at the site, organised centrally for the reception facility by Department 53 (Central immigration authorities/Central return management) of the State Office for Internal Administration.

The administrative agreement concluded with the Federal Government has provided additional value, particularly in the area of removals under the Dublin procedure. Support from the Federal Police office in Bad Bramstedt has evidently alleviated the strain on return management (State Office for Inter-

nal Administration) and above all the police force of the federal state. The involvement in Dublin transfers offered by the Federal Government in the administrative agreement is formally arranged by the Federal Police via a framework directive and, on the part of the federal state, by way of an administrative provision describing the procedure between the police of the federal state (the first police task force unit of the federal state of Mecklenburg-Western Pomerania - LBPA MV) and the State Office for Internal Administration.

There is a simplified general breakdown of the procedure in **Annex 4**.

The first internal evaluation of the procedures coordinated with the Federal Police and the police of the federal state in the execution of Dublin transfers in November 2019 reveals a positive picture with constructive cooperation on an operative level and by and large smooth collaboration within the agreed business processes. This added value has not yet translated into an increased rate of transfers, however. The primary reasons for this can be found in the tables on the following page.

Table 4-3: Description of measures terminating residency from 1 April 2019 till 31 March 2020

Total planned	of which Dublin	Successful		Failed		Success rate	
		Total	of which Dublin	Total	of which Dublin	Total	of which Dublin
567	450	137	99	430	351	24.16%	17.46%

Table 4-4: Main reasons for failure of measures terminating residency

2019	Number	Main reasons for failure of measures				
		Defiance	Legal remedy	Disappeared	Church asylum	Miscellaneous*
April	17	4	1	11	-	1
May	67	9	1	30	1	26
June	38	9	-	23	1	5
July	30	11	-	12	-	7
August	28	7	-	7	-	14
September	46	23	-	11	-	12
October	54	20	-	19	-	15
November	58	24	-	17	-	17
December	18	6	-	8	1	3
Total	356	113	2	138	3	100
Rate		31.7%	0.56%	38.8%	0.84%	28.1%
2020	Number	Main reasons for failure of measures				
		Defiance	Legal remedy	Disappeared	Church asylum	Miscellaneous*
January	31	14	-	8	5	4
February	28	1	-	12	-	15
March	15	-	-	3	1	11
Total	74	15	0	23	6	30
Rate		20.3%	-	31.1%	8.1%	40.5%
Total period	430	128	2	161	9	130
Rate		29.77%	0.46%	37.44%	2.10%	30.23%

* Examples of other reasons are listed:

- Presentation of medical grounds,
- Family unit incomplete,
- Flight cancellations,
- Delayed arrival at airport or
- Restrictive handling by EU Member States of transfer regulations,
- The COVID-19 pandemic.

4.4 Current Challenges

4.4.1 Focal Points of Conflict

Due to the actual circumstances, lawmakers' expectations that asylum applicants who are entitled to remain can be swiftly housed in subsequent accommodation in the municipalities after a positive decision and that individuals obliged to leave the country can be consistently removed from the facilities to their countries of origin, or to the EU Member States responsible for their procedure according to the Dublin III Regulation, cannot always be met. Failings in enforcement resulting from various factors (e.g. a lack of expulsion opportunities to countries of origin, no documents in lieu of passports being issued, insufficient detention capacity) and long, contentious administrative proceedings result in longer stays at the facility.

The asylum applicants are also obliged, in accordance with the statutory provisions in Section 47 subs. 1 of the Asylum Act, to remain at the reception facility until the BAMF decision regarding their asylum application and, in the event of a negative decision, until they leave the country or the threat or order of departure is enforced, however for a maximum of 18 months. Families with minor children are subject to this obligation for a maximum of six months, irrespective of whether or not they are involved in Dublin III Regulation procedures or from safe countries of origin. With no minor relatives in their care, the latter group is subject to the residential obligation until they leave the country or measures terminating residency are enforced as per Section 47 subs. 1 of the Asylum Act.

Taking asylum applicants from safe countries of origin as an example, it is not least the time they spend in residence due to the legal requirements that leads to them permanently or temporarily escaping official enforcement by absconding.

Long periods of time staying at the facility and the occasional hopelessness that prevails (often due to lengthy asylum procedures or not being moved on to the municipal level) also encourage aggressive behaviour in some sub-sets of residents and individuals, as well as rapidly escalating conflicts even in minor, day-to-day matters. This phenomenon makes it increasingly difficult for employees at the facility to perform their tasks in all functional areas and places a strain on relationships between residents.

A suitable means of dealing with this would be to create a housing situation with individual rooms to which residents can retreat along with spaces for common use. This type of rectification will be taken into account in future site development when multi-purpose buildings at the facility are being furnished. Essential, functional spaces will be removed from accommodation areas so that situations liable to create conflict can be reduced in the living areas.

4.4.2 Impact of the COVID-19 Pandemic on Reception Facility Operations

With the onset of the pandemic in late February and early March 2020, and before the first confirmed case among asylum applicants, a catalogue of measures was developed pro-actively between supervisory control and the State Office for Internal Administration, outlining fundamental organisational and procedural operations. It has been developed further and adjusted to the prevailing conditions as the COVID-19 situation has stabilised.

The following systematic overview is designed to show which operative, priority measures have been taken to stay abreast of the hygiene and infection control requirements within the reception sites (see Table 4-5 on the following page).

In view of the developing infection numbers over the past five months (see Tables 4-6), the above measures appear to be a reliable method of effectively countering infections when measured against the total number of individuals accommodated. It can also be said that the established processes largely implement the Robert Koch Institute's "Recommendations for health authorities in preventing and managing COVID-19 in reception facilities and shared accommodation for persons seeking protection as defined by Sections 44, 53 of the Asylum Act" of 8 July 2020 or, at the very least, are in line with them.

Table 4-6: Infection figures in the time from 12 March 2020 to 31 August 2020:

Site	Number of positive tests
Nostorf-Horst	13
Stern Buchholz	41
Total	54

Table 4-5: Operative, priority measures

Reception	<ul style="list-style-type: none"> • All new arrivals are tested for the infection in principle, regardless of symptoms. The same applies to individuals who have been absent for several days. Individuals already accommodated at the facility are checked for COVID-19 in accordance with advice from the Robert Koch Institute where applicable, regardless of whether or not they have symptoms. • People with whom they have had contact and whose infection status is unknown are isolated in their own living unit in separate areas within the facility. A contract arranging the isolated accommodation of contact persons in sections of the AWO-SANO rehabilitation clinic building was agreed and came into effect on 27 April 2020. From 1 July 2020, the agreement was fleshed out to include asylum applicants spending quarantine in an external building complex belonging to the rehabilitation clinic in Zarfow (37 places). As the provision of functional accommodation for isolation has proved to be necessary in the long term, a suitable building near the reception facility is being rented on an ongoing basis and furnished as a subsequent solution. • According to Section 1 of the SARS-CoV-2 Quarantine Ordinance of Mecklenburg-Western-Pomerania, quarantining within the home is also necessary for individuals arriving from areas identified by the Robert Koch Institute as high-risk. • Individuals who have tested positive are accommodated in backup accommodation located outside of the facility, in Parchim (with a capacity of 100 places).
Accommodation and care	<ul style="list-style-type: none"> • The capacity of shared rooms has been reduced significantly to ensure compliance with minimum social distancing rules. The only exceptions are (nuclear) families and living communities exempt from the applicable social distancing rules. • Rooms for group activities were initially closed. • Canteen times were adapted to prevent groups of people from congregating at the food stations. A large tent was also provided as a second dining room. Food was brought to the rooms of various vulnerable persons. • There are disinfectant dispensers in all of the facility's hallways and in areas where food is provided. All rooms are equipped with cleaning materials as standard.
Information management	<ul style="list-style-type: none"> • Written hygiene recommendations and infection control information are available to asylum applicants in various languages and have also been additionally announced. A mobile phone application was also provided by the facility operator, containing advice on preventing infection in the respective native languages along with asylum-related information. Information on preventing infection is also provided via posters, pictograms and personal dialogue with the facility's support staff. • The State Office for Internal Administration, the facility operator and the health authorities responsible for the respective site coordinate very closely, especially when it comes to releasing people from quarantine.
Other measures	<ul style="list-style-type: none"> • There is protective equipment available for all employees, administered by the facility operator. • Although there is no statutory obligation to wear masks at the facility, residents have produced protective masks for personal use. • Especially vulnerable people who tested negative were allocated to the municipal level, whenever possible. Generally, only those with a negative test result are transferred to the rural municipalities and urban municipalities.

A stable picture also emerges when it comes to contact persons. Apart from isolated increases, the number of contact persons isolating within their own living space is currently at a relatively constant level in the mid to low single-digit region.

For an evaluation of future accommodation needs, it can be concluded that the requirements made of the reception facility as a result of the COVID-19 pandemic, such as disentangling the housing situation and providing buildings with options for isolation, should be considered the new standard even beyond the pandemic situation.

Annex 1: Residence Periods

This shows the residence times of individuals who have been staying at the reception facility for <6 weeks; <6 months; >6 months; >8 months; >12 months on the cut-off date of 31 March 2020.

Annex Table 4-1: Residence up to six weeks

Country of origin	SB	NH	Country of origin	SB	NH	Country of origin	SB	NH
Albania	-	4	Sierra Leone	1	-	Vietnam	-	1
Macedonia	1	1	Somalia	3	-	Iraq	4	-
Russian Federation	-	11	Togo	-	1	Iran	-	2
Turkey	1	4	Tunisia	1	-	Lebanon	1	-
Ukraine	3	6	Chile	-	1	Palestinian territories	3	-
Serbia	4	1	Honduras	-	4	Tajikistan	3	-
Nigeria	1	1	Mexico	-	2	Syria	6	-
Ghana	-	1	Afghanistan	7	-	Thailand	-	1
Mauritania	-	4	Azerbaijan	-	1			
Gesamt:							39	46
							85	

Annex Table 4-2: Residence up to six months

Country of origin	SB	NH	Country of origin	SB	NH	Country of origin	SB	NH
Albania	23	-	Ghana	5	1	Afghanistan	52	7
Bosnia-Herzegovina	3	-	Mauritania	3	13	Azerbaijan	-	-
Macedonia	6	-	Morocco	1	-	Georgia	28	1
Moldova	-	2	Senegal	2	-	Vietnam	-	1
Kosovo	3	1	Sierra Leone	2	-	Iraq	24	-
Russian Federation	36	-	Somalia	13	-	Iran	3	21
Turkey	24	-	Togo	-	-	Lebanon	-	-
Ukraine	24	29	Tunisia	3	-	Palestinian territories	-	-
Serbia	2	1	Egypt	1	3	Tajikistan	20	-
Algeria	1	-	Chile	-	1	Syria	27	-
Eritrea	2	-	Honduras	-	10	Thailand	-	6
Benin	1	2	Mexico	-	1	Unclear	1	1
Nigeria	2	2	Armenia	2	-			
Gesamt							314	103
							417	

Annex Table 4-3: Residence longer than six months

Country of origin	SB	NH	Country of origin	SB	NH	Country of origin	SB	NH
Albania	12	-	Ghana	3	1	Afghanistan	26	-
Macedonia	4	-	Mauritania	1	1	Georgia	2	-
Kosovo	-	7	Morocco	1	-	Iraq	18	-
Russian Federation	-	6	Sierra Leone	1	-	Iran	6	3
Turkey	6	-	Somalia	4	-	Tajikistan	3	-
Ukraine	2	2	Togo	1	-	Syria	4	-
Eritrea	1	-	Tunisia	2	-	Unclear	-	-
Benin	1	-	Egypt	-	-	Gesamt	102	20
Nigeria	3	-	Armenia	1	-			
							122	

Annex Table 4-4: Residence longer than eight months

Country of origin	SB	NH	Country of origin	SB	NH	Country of origin	SB	NH
Kosovo	-	-	Mauritania	3	-	Afghanistan	12	-
Russian Federation	-	-	Morocco	-	-	Iraq	15	-
Turkey	2	-	Sierra Leone	3	1	Iran	3	2
Ukraine	-	-	Somalia	5	-	Tajikistan	1	-
Eritrea	-	-	Togo	-	1	Syria	2	1
Benin	1	1	Tunisia	2	-	Unclear	3	-
Nigeria	-	1	Egypt	-	-	Gesamt:	53	7
Ghana	1	-	Armenia	-	-			
							60	

Annex Table 4-5: Residence longer than 12 months

Country of origin	SB	NH	Country of origin	SB	NH	Country of origin	SB	NH
Kosovo	1	-	Mauritania	4	-	Afghanistan	8	1
Russian Federation	1	7	Morocco	1	-	Iraq	6	-
Ukraine	1	-	Sierra Leone	2	2	Iran	4	6
Eritrea	2	-	Somalia	3	1	Tajikistan	2	-
Benin	1	2	Tunisia	1	-	Syria	1	-
Nigeria	1	3	Egypt	1	-	Unclear	1	1
Ghana	4	1	Armenia	1	-	Gesamt:	46	24
							70	

According to this, the average length of stay at the Mecklenburg-Western Pomerania reception facility is 4.75 months.

Annex 2: Example “Intercultural Learning Workshop” Timetable

Malteser Betreuung Nostorf-Horst Nostorfer Str. 1 D-19258 Nostorf-Horst			Timetable				Version: 07/2019			
Monday			Tuesday		Wednesday		Thursday		Friday	
Age group	6 - 9	10 - 17	6 - 9	10 - 17	6 - 9	10 - 17	6 - 9	10 - 17	6 - 9	10 - 17
Time										
09:00 am - 12:00 noon	German	DIY Crafts Sewing	Maths	Cooking Sport	Maths	Music	General know- ledge	Art	German	DIY Crafts Sewing
Midday										
1:00 pm - 3:00 pm	DIY Crafts Sewing	German	Sport Cooking	Maths	Music	Maths	Art	General know- ledge	DIY Crafts Sewing	German

Supervision*:

Mr V


Mr X

Ms Y

Ms Z

* Shown as an example

Annex 3: Extract from Supervised Activities

Malteser Betreuung Nostorf-Horst Nostorfer Str. 1, 19258 Nostorf-Horst	Betreuungsschwerpunkt August 2019	 Malteser <i>...weil Nähe zählt.</i>
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Wiederkehrende Betreuung

Thema	Datum /Zeit	Verantwortliche Mitarbeiter
Weltcafé <u>für Erwachsene</u>	täglich 19 – 22 Uhr	Hausbetreuer Haus 2, Asylbewerber
Frauencafé <u>für Frauen</u>	Montag bis Freitag 09:00 – 12:00 Uhr 14:00 – 16:00 Uhr	
Spielzimmer <u>für Kinder von 3 bis 6 Jahren</u>	Dienstag und Donnerstag 9 – 12 Uhr Montag, Mittwoch, Freitag 9 – 12 Uhr Montag bis Freitag 13 – 15 Uhr	
Projekt „Wertvoller Raum“ <u>für Erwachsene</u>	01.08.2019, 16:00 – 17:30 Uhr 08.08.2019, 16:00 – 17:30 Uhr 12.08.2019, 16:00 – 17:30 Uhr 21.08.2019, 16:00 – 17:30 Uhr 24.08.2019, 16:00 – 17:30 Uhr	
First Steps – Jobscreening <u>für Erwachsene</u>	Nach Absprache	
Erstorientierungs-Kurs (Deutschkurs) <u>für Erwachsene</u>	Montag bis Donnerstag 13:00 – 16:00 Uhr	
Deutsch von Anfang an <u>für Kinder und Erwachsene ab 12 Jahren</u>	Montag bis Freitag 08:30 – 15:30 Uhr	

Malteser Betreuung Nostorf-Horst Nostorfer Str. 1, 19258 Nostorf-Horst	Betreuungsschwerpunkt August 2019	 Malteser <i>...weil Nähe zählt.</i>
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Globus – Unterricht <u>für Kinder von 6 bis 17 Jahren</u>	Montag bis Freitag 09:00 – 12:00 Uhr 13:00 – 15:00 Uhr Montag bis Freitag 09:00 – 12:00 Uhr 13:00 – 15:00 Uhr Dienstag 09:00 – 11:00 Uhr 13:00 – 15:00 Uhr	Mathe, Deutsch, Sachkunde 6-9 Jahre Mathe, Deutsch, Sachkunde 10-17 Jahre Werken, Basteln, Nähen, Kochen, Musik, Kunst 10 – 17 Jahre 6 – 9 Jahre Kochen und Sport im Wechsel 10-17 Jahre
Fahrradwerkstatt	Montag, Mittwoch, Donnerstag 09:00 – 11:00 Uhr	
Fußballtraining mit FC St. Pauli e.V.	Dienstag 11:00 – 12:00 Uhr	Schulkinder 10 – 17 Jahre



Wechselnde Betreuung – Erwachsene

Woche 1

01.08.2019	13:30 bis 15:30 Uhr	Kinder basteln Armbänder
02.08.2019	13:30 bis 15:30 Uhr	Frauentreff - Nähkurs

Woche 2

05.08.2019	13:30 bis 15:30 Uhr	Frauengymnastik
06.08.2019	13:30 bis 15:30 Uhr	Krugstemmen
07.08.2019	Taschengeldauszahlung	
08.08.2019	13:30 bis 15:30 Uhr	Kuchenbacken mit Frauen
09.08.2019	13:30 bis 15:30 Uhr	Infoveranstaltung „Wie halte ich die Umwelt sauber“ und anschließend Müll sammeln an der Elbe (Grillplätze)

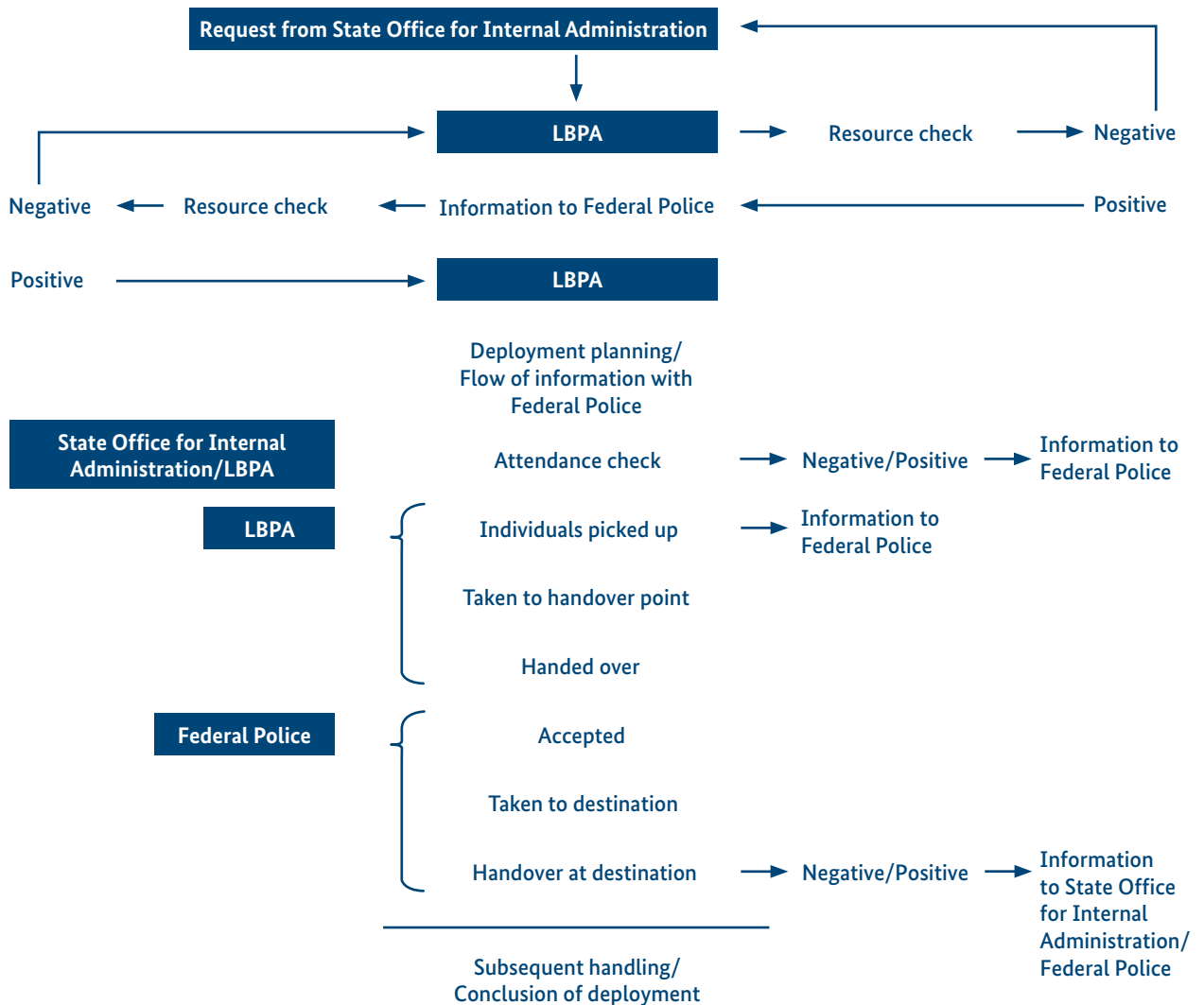
Woche 3

12.08.2019	13:30 bis 15:30 Uhr	Yoga
13.08.2019	13:30 bis 15:30 Uhr	Frauentreff – Spiele
14.08.2019	13:30 bis 15:30 Uhr	Schach outdoor
15.08.2019	13:30 bis 15:30 Uhr	Tischtennis outdoor
16.08.2019	13:30 bis 15:30 Uhr	Fahrradparcour mit Verkehrserziehung für Erwachsene

Woche 4

19.08.2019	13:30 bis 15:30 Uhr	Frauensport
20.08.2019	13:30 bis 15:30 Uhr	Infoveranstaltung „Wie halte ich die Umwelt sauber“ und anschließend Müll sammeln an der Elbe (Grillplätze)
21.08.2019	13:30 bis 15:30 Uhr	Volleyball
22.08.2019	13:30 bis 15:30 Uhr	Blumengestecke fertigen
23.08.2019	13:30 bis 15:30 Uhr	Frauentreff - Gesellschaftsspiele

Annex 4: Schematic Presentation of Dublin Transfer Processes



4.5 Annex: Administrative Agreement



**Vereinbarung
zur effektiveren Gestaltung der Asylverfahren
zwischen
der Bundesrepublik Deutschland
vertreten durch den Bundesminister des Innern, für Bau
und Heimat
und
dem Land Mecklenburg-Vorpommern
vertreten durch den Minister für Inneres und Europa des
Landes Mecklenburg-Vorpommern**

Präambel

Menschen, die in Deutschland Schutz suchen, brauchen Verfahren, die schnell, umfassend, einzelfallgerecht und rechtssicher Klarheit über ihre Bleibeberechtigung schaffen. Hierzu sollen im Rahmen eines gemeinsamen Pilotprojektes in der Erstaufnahmeeinrichtung des Landes Mecklenburg-Vorpommern (als funktionsgleiche Einrichtung) Kompetenzen gebündelt werden, indem alle maßgeblichen Akteure vor Ort (Bundesamt für Migration und Flüchtlinge (BAMF), Ausländerbehörden (ABH), Bundesagentur für Arbeit (BA), Jugendämter, Gerichte sowie Bundes- und Landespolizei) eng zusammenwirken, um das gesamte Asylverfahren der neu ankommenden Personen schnell, umfassend, einzelfallgerecht und rechtssicher bearbeiten zu können. Dies gilt sowohl für die Entscheidung über die Asylanträge und die Einleitung erster integrationsvorbereitender Maßnahmen für Personen mit guter Bleibeperspektive sowie die kommunale Verteilung, als auch für die freiwillige Rückkehr bzw. konsequente Rückführung von nicht bleibeberechtigten Personen.

§ 1

Ziel und Gegenstand

(1) Der Bund und das Land Mecklenburg-Vorpommern verfolgen im Wege intensiver Zusammenarbeit gemeinsam das klare Ziel, die Asylverfahren effizient zu gestalten und zu beschleunigen.

(2) Gegenstand dieser Verwaltungsvereinbarung ist die Optimierung der bestehenden Strukturen und Abläufe in Bezug auf die Erstaufnahmeeinrichtung des Landes Mecklenburg-Vorpommern. Hierzu arbeiten Bund und Land im Rahmen ihrer jeweiligen Zuständigkeit eng zusammen und unterstützen sich gegenseitig, um

- für Personen, die in einem anderen Mitgliedstaat in EURODAC registriert wurden und im Inland aufgegriffen werden oder ein Asylgesuch stellen, die Zuständigkeitsprüfung nach Dublin in einem beschleunigten Verfahren abzuschließen;
- sicherzustellen, dass Personen mit guter Bleibeperspektive so rasch wie möglich integrationsvorbereitende Maßnahmen beginnen und aus der funktionsgleichen Einrichtung heraus verteilt werden und
- für abgelehnte Asylbewerber und für die Asylbewerber, für die ein anderer Mitgliedstaat der Europäischen Union oder ein Staat, mit dem die Europäische Union ein Assoziationsabkommen (CH, FL, IS, NO) geschlossen hat, zuständig ist, so schnell wie möglich die Rückkehr/Überstellung durchzusetzen.

(3) Der Bund und das Land Mecklenburg-Vorpommern schaffen im Rahmen ihrer jeweiligen Zuständigkeiten die Voraussetzungen für den mit dieser Vereinbarung optimierten Betrieb der Erstaufnahmeeinrichtung in Nostorf-Horst mit der Außenstelle in Stern-Buchholz ab 01.04.2019. Eine Höchstkapazität der Erstaufnahmeeinrichtung von bis zu 1.500 Plätzen sollte im Rahmen eines Zugangs von bis zu 220.000 Zuwanderern bundesweit pro Jahr nicht überschritten werden. Es handelt sich bei den Standorten in Nostorf-Horst sowie der Außenstelle Stern Buchholz um eine offene Einrichtung mit Zugangskontrolle (Wachdienst 24 Stunden, 7 Tage/Woche). Der Zugang ehrenamtlicher Initiativen und die Vernetzung mit örtlichen Strukturen werden wie bisher gewährleistet.

§ 2

Grundsätze der Unterbringung in der Erstaufnahmeeinrichtung als funktionsgleiche Einrichtung

(1) In der Erstaufnahmeeinrichtung des Landes Mecklenburg-Vorpommern werden zunächst grundsätzlich unabhängig von ihrer Bleibeperspektive alle Personen untergebracht, für die das Land Mecklenburg-Vorpommern gemäß § 45 AsylG eine Aufnahmeverpflichtung trifft. Eine geschlechter- und altersgerechte Unterbringung sowie eine bedarfsgerechte Unterbringung für vulnerable Gruppen wird vom Land Mecklenburg-Vorpommern sichergestellt. Hierzu erfolgt zunächst eine Identifizierung der besonders schutzbedürftigen Personengruppen.

(2) Eine Unterbringung von unbegleiteten minderjährigen Ausländern in der Erstaufnahmeeinrichtung erfolgt nicht. Das Primat der Kinder- und Jugendhilfe bleibt erhalten. Die Feststellung der Minderjährigkeit erfolgt nach den Vorschriften des SGB VIII durch das Jugendamt des Landkreises Ludwigslust-Parchim sowie das Jugendamt der Landeshauptstadt Schwerin im Rahmen ihrer jeweiligen örtlichen Zuständigkeiten. Dort werden unbegleitete minderjährige Ausländer außerhalb der Einrichtung vorläufig in Obhut genommen. In der Folge werden die tatsächlich unbegleiteten minderjährigen Ausländer außerhalb der Erstaufnahmeeinrichtung nach den landes- und bundesrechtlichen Vorschriften verteilt.

(3) Es liegt ein einrichtungsbezogenes Schutzkonzept vor, das den Mindeststandards zum Schutz von geflüchteten Menschen in Flüchtlingsunterkünften entspricht. Das Land Mecklenburg-Vorpommern stellt eine Gewaltschutzkoordinierung sicher, die das Schutzkonzept kontinuierlich weiterentwickelt und gemeinsam mit dem Betreiber umsetzt.

(4) Um eine ausgewogene Unterbringungssituation gewährleisten zu können, werden Personen mit EURODAC Treffern nach Mitgliedstaaten, im Übrigen nach guter oder geringer Bleibeperspektive in Gruppen zusammengefasst und gleichmäßig unter Beachtung von § 1 Abs.3 Satz 2 dieser Vereinbarung verteilt. Damit die Höchstkapazität der Einrichtung nicht überschritten wird, sind bei der Gruppe mit dem Kriterium „geringe Bleibeperspektive“ im Hinblick auf die Auslastung der Einrichtung die Erfolgchancen der Rückführbarkeit einzubeziehen.

(5) Die Details der Steuerung der Verteilung an den Standorten Nostorf-Horst und Stern Buchholz stimmt das Land Mecklenburg-Vorpommern mit den beteiligten Stellen ab. Im Falle einer wesentlichen Änderung des Zugangsgeschehens oder anderen unvorhergesehenen Entwicklungen erfolgt eine möglichst kurzfristige Anpassung der Herkunftslandverteilung zwischen dem Land Mecklenburg-Vorpommern und dem BAMF.

(6) Personen ohne Bleibeperspektive werden grundsätzlich nicht in die Kommunen verteilt, es sei denn, eine Verteilung ist im Ausnahmefall geboten. § 6 dieser Vereinbarung bleibt unberührt.

§ 3

Maßnahmen des Landes

(1) Das Land Mecklenburg-Vorpommern unterhält die Erstaufnahmeeinrichtung in Nostorf-Horst mit der Außenstelle in Stern Buchholz.

(2) Von Seiten des Landes werden folgende Dienststellen in der Erstaufnahmeeinrichtung betrieben:

- Unterkunftsverwaltung. Diese gewährleistet an den einzelnen Standorten eine geschlechter- und altersgerechte Unterbringung und Betreuung; dies gilt auch für die spezifischen Bedürfnisse anderer vulnerabler Gruppen
- Zentrale Ausländerbehörde (mit Rückkehrberatung)
- Das Land Mecklenburg-Vorpommern verfügt über ein Rückkehrmanagement. Zur Vermeidung einer zwangsweisen Rückführung werden die Betroffenen frühzeitig und stetig über die Möglichkeiten einer freiwilligen Ausreise beraten.

Zudem wird seitens des Landes Mecklenburg-Vorpommern

- der Einsatz von Flüchtlings- und Integrationsberatern wie bisher gefördert,
- bedarfsgerecht der Einsatz von geeigneten Sicherheitsdiensten veranlasst,
- die medizinische Versorgung zusätzlich zur freien Arztwahl bedarfsgerecht über medizinische Sprechstunden vor Ort garantiert. Einganguntersuchungen finden regelmäßig auf dem Gelände der Erstaufnahmeeinrichtung bzw. in einer medizinischen Einrichtung in unmittelbarer Nähe statt. Im Interesse der öffentlichen Sicherheit wird das gemeinsame Ziel weiter verfolgt bundeseinheitlich diese künftig auch für Personen, die nicht im Land Mecklenburg-Vorpommern verbleiben, sondern nach einer EASY Verteilentscheidung in andere Länder weitergeleitet werden, durchzuführen.
- perspektivisch die Einrichtung einer Rechtsantragsstelle der Verwaltungsgerichtsbarkeit an den Standorten der Erstaufnahme geprüft, sofern hierdurch die Beschleunigung der Asylverfahren zu erwarten ist. Bereits jetzt befindet sich das Verwaltungsgericht Schwerin am Ort der Außenstelle der EAE Stern Buchholz (Stadtgebiet Schwerin). Für die am Standort Stern Buchholz aufhältigen Personen wird eine Fahrkarte für den ÖPNV zur Verfügung gestellt (Sachleistung).

(3) Für alle in der Erstaufnahmeeinrichtung untergebrachten Kinder bestehen Bildungsangebote in Form einer regelmäßig stattfindenden Lernwerkstatt. Im Übrigen gilt § 41 Schulgesetz MV.

(4) Die Personen in der Erstaufnahmeeinrichtung werden durch den vertraglich mit dem Land Mecklenburg-Vorpommern gebundenen Betreiber der Einrichtung betreut. Um den Tagesablauf für die Bewohner innerhalb der Einrichtung besser zu gestalten und soziale Spannungen zu vermeiden bzw. zu verringern, werden unterstützende und tagesstrukturierende Maßnahmen durchgeführt.

(5) Innerhalb der Erstaufnahmeeinrichtung erfolgen Leistungen nach dem Asylbewerberleistungsgesetz (AsylbLG), soweit rechtlich und tatsächlich möglich nach dem Sachleistungsprinzip.

§ 4

Maßnahmen des Bundes

(1) Das BAMF führt eine Identitätsprüfung mittels integrierten Identitätsmanagements (IDM-S) durch. Zwischen Bund und Land Mecklenburg-Vorpommern besteht Einvernehmen, das sich daran anschließende Asylverfahren schnell, umfassend, einzelfallgerecht und rechtssicher zu bearbeiten. Durch fortlaufende Verfahrensoptimierungen soll das Asylverfahren weiter beschleunigt werden.

(2) Das BAMF stellt für die zügige Bearbeitung der Asylverfahren innerhalb der Erstaufnahmeeinrichtung im Rahmen der hierfür zur Verfügung stehenden Ressourcen sicher, dass sich für die Aufgabenerledigung genügend Personal vor Ort im Einsatz befindet:

- Im Rahmen der vereinbarten Pilotierung werden die hierfür notwendigen Mitarbeiterinnen und Mitarbeiter vor Ort eingesetzt. Diese Mitarbeiter verbleiben unter der Voraussetzung gleichbleibender Zugänge für den gesamten Zeitraum der Pilotierung an den Standorten der Erstaufnahmeeinrichtung Nostorf-Horst bzw. Stern Buchholz und
- das BAMF führt im Rahmen des Dublin-Verfahrens die Verfahrensschritte „Übernahmeersuchen und Bescheiderstellung“ sowie die zentrale Überstellungscoordination im Rahmen seiner Zuständigkeit (Gruppe 32) durch.
- Neben der Durchführung der Asylverfahren führt das BAMF im Rahmen der Pilotierung auch eine unabhängige staatliche Asylverfahrensberatung in der Erstaufnahmeeinrichtung ein. Diese erfolgt in zwei Stufen und besteht aus einer allgemeinen Information über das Asylverfahren einschließlich eines Verweises auf bestehende Angebote der Rückkehrberatung in Gruppengesprächen für alle Asylsuchenden vor Antragstellung und, darauf aufbauend, einer freiwilligen, individuellen Asylverfahrensberatung in Einzelgesprächen für alle Asylsuchenden/Asylantragsteller ab dem Zeitpunkt „vor Antragstellung“ bis „Abschluss des Behördenverfahrens“. Die vor Ort bestehende Beratungsstruktur wird im Rahmen einer engen Kooperation zwischen BAMF und den Wohlfahrtsverbänden einbezogen werden. Beratungsstandards werden ausgetauscht und gemeinsam weiterentwickelt.
- Zudem konzipiert und finanziert das BAMF Maßnahmen der Erstororientierung in der Erstaufnahmeeinrichtung. Dort werden zwei Orientierungsmaßnahmen (Wegweiser- und Erstorientierungskurs) angeboten. Der Wegweiserkurs vermittelt das wichtigste Orientierungswissen für den Alltag, für das Verhalten in der Erstaufnahmeeinrichtung sowie grundlegende Werte und wichtige Informationen über Kultur und Eigenheiten in Deutschland. Er umfasst 15 Unterrichtseinheiten und wird durch sog. Kulturmittler in der jeweiligen Herkunftssprache unterrichtet. Im Erstorientierungskurs, der sich nicht an Asylbewerber aus sicheren Herkunftsländern richtet, werden in sechs Modulen á 50 Unterrichtseinheiten (insgesamt 300 UE) landeskundliches Wissen und Deutschkenntnisse vermittelt, die die Teilnehmenden für ihren Alltag benötigen. Eine

systematische sprachliche Progression ist im Erstorientierungskurs nicht vorgesehen.

(3) Die Regionaldirektion Nord der Bundesagentur für Arbeit (BA) und ihre nachgelagerten Organisationseinheiten werden im Rahmen des geltenden Rechts bei Asylbewerbern mit guter Bleibeperspektive bedarfsorientiert so früh wie möglich insbesondere

- orientierende Informationen zum deutschen Ausbildungs- und Arbeitsmarkt anbieten,
- erste Berufskompetenzfeststellungen vornehmen und
- Informationen zu weiteren Unterstützungsangeboten geben (wie z. B. Beratungs- und Anerkennungsstellen), um den Einstieg in den deutschen Ausbildungs- und Arbeitsmarkt zu einem möglichst frühen Zeitpunkt zu erleichtern. Damit wird ein positiver Beitrag zur erfolgreichen Integration von Geflüchteten in die Gesellschaft geleistet.

(4) Zur Steigerung der Effizienz und zur Beschleunigung der Abläufe unterstützt der Bund das Land Mecklenburg-Vorpommern bei der Passersatzpapierbeschaffung im Hinblick auf die Herkunftsländer Iran, Irak, Ghana und Libanon im Wege der Amtshilfe.

(5) Der Bund und das Land Mecklenburg-Vorpommern unterstützen sich im Rahmen ihrer jeweiligen Zuständigkeit bei der Durchführung der Rückführung gegenseitig, insbesondere durch Chartermaßnahmen sowie Begleitung durch die Bundespolizei. § 6 Abs. 2 Satz 5 bleibt unberührt.

§ 5

Aufenthaltsdauer in der Erstaufnahmeeinrichtung

Soweit noch keine bundesgesetzlichen Anpassungen der zulässigen Höchstverweildauern in den Erstaufnahmeeinrichtung durch den Bund erfolgt sind, gelten die im Asylgesetz in § 47 Abs.1, 1a und 1b AsylG normierten Höchstverweildauern. Bei Überschreiten der Höchstverweildauern erfolgt eine Umverteilung aus der Erstaufnahmeeinrichtung entsprechend den gesetzlichen Regelungen.

§ 6

Freiwillige Rückkehr und Rückführung

(1) In den Fällen geringer Bleibeperspektive wird die Rückkehrberatung in der Erstaufnahmeeinrichtung mit dem Ziel verstärkt, Perspektiven für die freiwillige Rückkehr aufzuzeigen. Hierzu gehören auch Maßnahmen der Reintegration im Heimatland. Die Erweiterung der Angebote der Rückkehrinformation wird geprüft. Zudem soll gemeinsam mit dem BMZ auf die Durchführung von Maßnahmen hingewirkt werden, die die Reintegration in das Heimatland fördern.

(2) In den Fällen, in denen abgelehnte Asylbewerber die freiwillige Rückkehr ins Ziel-land ablehnen, erfolgt die Rückführung unmittelbar aus der Erstaufnahmeeinrichtung ab Vollziehbarkeit der Asylentscheidung. Der Bund und das Land Mecklenburg-Vorpommern intensivieren zu diesem Zweck ihre Zusammenarbeit in Bezug auf die Erstaufnahmeeinrichtung. Dabei soll insbesondere eine Optimierung im Bereich der Identitätsfeststellung und -klärung, der Beschaffung erforderlicher Reisedokumente sowie der Durchführung von zwangsweisen Rückführungen erzielt werden. Der Bund und das Land Mecklenburg-Vorpommern prüfen im Rahmen ihrer jeweiligen Zuständigkeiten zu diesem Zweck gemeinsam alle Verfahrensschritte. In enger Abstimmung mit dem Land Mecklenburg-Vorpommern übernimmt der Bund die Rückführungen der Dublin-Fälle aus der Erstaufnahmeeinrichtung. Hierzu wird eine Prozessbeschreibung erstellt.

(3) Vor der ersten Zwischenevaluation können Bund und Land weitere, noch im Planungsstadium befindliche Bausteine testen, um so weitere Verfahrensverbesserungen zu erreichen.

§ 7

Evaluierungsphase

(1) Etwaige Anpassungsbedarfe, auch eventuell gesetzgeberischer Handlungsbedarf, werden vom Bund und dem Land Mecklenburg-Vorpommern fortlaufend ermittelt. Soweit ohne Rechtsänderung möglich, werden die ermittelten Optimierungsmaßnahmen im Benehmen zwischen Bund und Land unmittelbar umgesetzt. Hierzu finden regelmäßige Austauschgespräche/Telefonschaltkonferenzen zwischen dem Land Mecklenburg-Vorpommern dem Bundesamt für Migration und Flüchtlinge, der Regionaldirektion Nord und der Zentrale der Bundesagentur für Arbeit sowie den zuständigen Ministerien statt.

(2) Der Bund und das Land Mecklenburg-Vorpommern evaluieren die praktische Umsetzung der vereinbarten Prozesse gemeinsam, ggf. unter Beteiligung der vor Ort tätigen Vertragspartner des Landes. Eine Zwischenevaluierung erfolgt im Juli 2019. Eine abschließende Evaluierung ist nach 18 Monaten vorgesehen. Über die Ausgestaltung der Evaluierung der Erstaufnahmeeinrichtung entscheidet das Land Mecklenburg-Vorpommern unter Einbeziehung der beteiligten Stellen und im Benehmen mit dem Bund.

§ 8

Ansprechpartner / Schlussbestimmungen

(1) Beide Seiten benennen jeweils einen zuständigen Ansprechpartner nebst Vertreter für die schnelle Bearbeitung auftretender Abstimmungsbedarfe. Hierzu wird ein E-Mail-Verteiler festgelegt. Beide Seiten informieren sich gegenseitig schriftlich unverzüglich über Änderungen dieser Ansprechpersonen oder ihrer Kontaktdaten.

(2) Beide Seiten sind sich darüber einig, dass eine Anpassung dieser Vereinbarung im Fall wesentlicher Änderungen, insbesondere im Zugangsgeschehen, kurzfristig bei beiderseitigem Einvernehmen erfolgen kann. Beide Seiten vereinbaren eine enge und vertrauensvolle Zusammenarbeit.

§ 9

Finanzierung

Soweit zur Finanzierung der vorgenannten Maßnahmen Drittmittel zur Verfügung stehen, werden diese vorrangig in Anspruch genommen. Die Behörden von Bund und Ländern tragen die ihnen nach dieser Vereinbarung obliegenden Verpflichtungen selbst.

§ 10

Anwendungszeitpunkt

Die Verwaltungsvereinbarung wird ab dem Tag ihrer Unterzeichnung angewendet.

Berlin, den 9. April 2019



Horst Seehofer

Für die Bundesrepublik Deutschland
Der Bundesminister des Innern, für Bau und Heimat



Lorenz Caffier

Für das Land Mecklenburg-Vorpommern
Der Minister für Inneres und Europa

5

Schleswig-Holstein



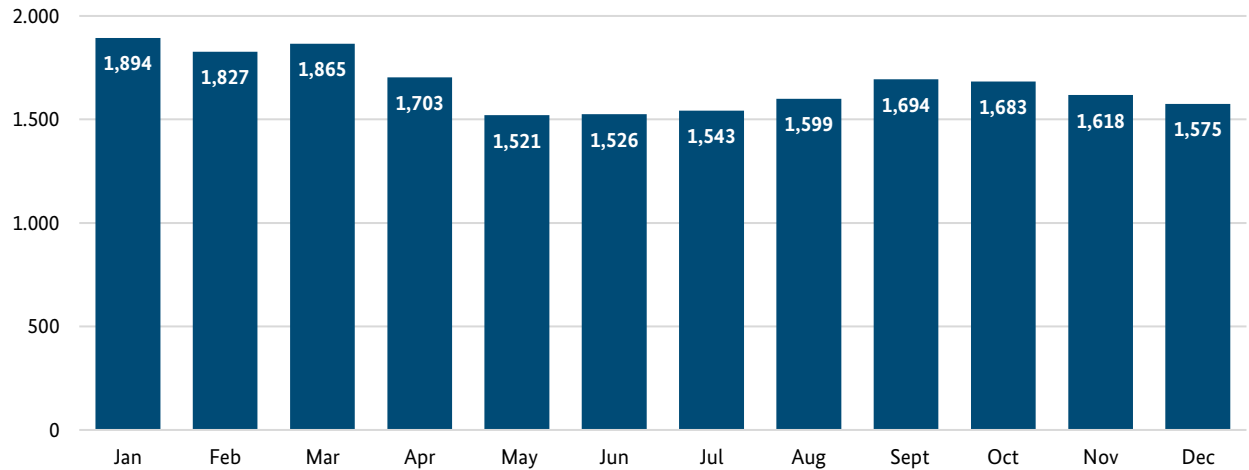
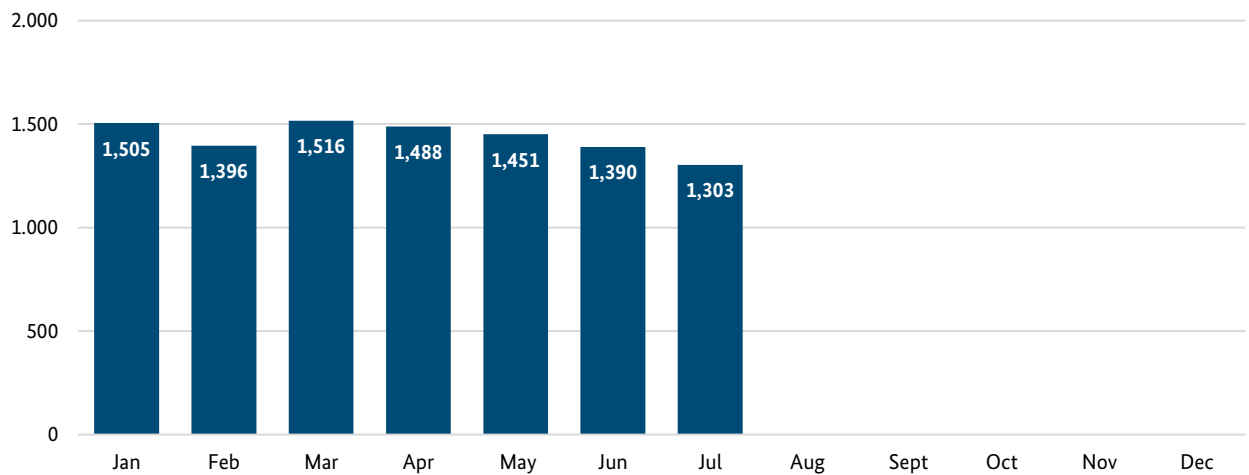
5.1 Neumünster Centre of Excellence and Branch Offices

The Ministry of the Interior, Rural Areas, Integration and Equality (MILIG) and the Federal Ministry of the Interior, Building and Community (BMI) have agreed to continue operating the former arrival centre in Neumünster in the form of a centre of excellence for arrival, distribution and return. The facility of the federal state in Boostedt which used to be part of the Neumünster arrival centre and the facility of the federal state in Rendsburg are branch offices of the Neumünster centre of excellence.

A regular capacity of 1,500 places has been agreed for the facilities, but this can be increased in the event of a growing number of arrivals to a minimum of 1,900 individuals (700 in Neumünster, 700 in Boostedt, 500 in Rendsburg and, since June 2020, a further 600 places in Bad Segeberg). Capacities vary slightly according to occupancy structure, furnishing state and depending on renovation/building measures. At the moment, there is accommodation available for 650 people in Neumünster, 600 in Rendsburg, 500 (+200) in Boostedt and 600 in Bad Segeberg. These capacities

can be expanded. The specifications in the agreement between the BMI and MILIG are therefore not only being fulfilled, but clearly exceeded.

Schleswig-Holstein is implementing the request from the Federal Government to build centres for arrival, decision, municipal allocation or return (AnKER) based on the coalition agreement between the CDU, CSU and SPD. The 2019 occupancy figures for the Neumünster centre of excellence and its branch offices can be found in the following table. Beyond the asylum seeker group, the data relates to all groups of people accommodated within the jurisdiction of the State Office for Immigration and Refugees (LaZuF). A subsequent breakdown of the individual groups is not possible. Occupancy was much higher at the beginning of 2019 than at the end of the year. The occupancy figures emphasise that the potential to expand to 1,900 places is actually necessary.

Figure 5-1: Occupancy development over the year 2019**Figure 5-2: Occupancy development over the year 2020**

The monthly arrival numbers were relatively stable in 2019 and varied between approximately 500 and 800.

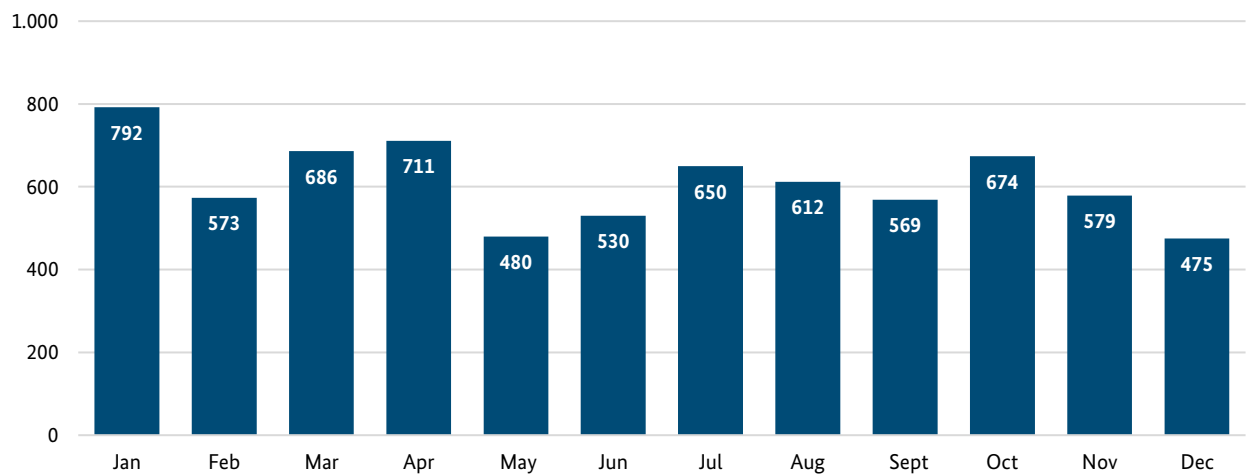
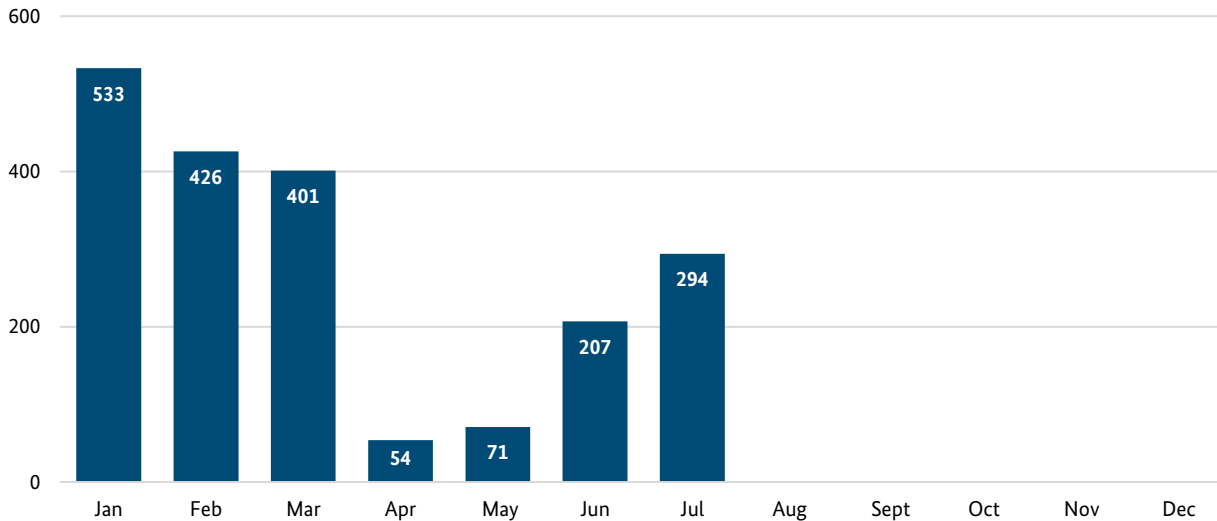
Figure 5-3: Arrival development over the year 2019

Figure 5-4: Arrival development over the year 2020

5.2 State of Implementation of AnkER and Functionally Equivalent Facilities from a Federal State Perspective; Current Situation

Various institutions and service providers work at the Neumünster centre of excellence and in the branch offices. In addition to the State Office for Immigration and Refugees (LaZuF), the Federal Office for Migration and Refugees (BAMF), the police of the federal state and the public-law institution Building Management Schleswig-Holstein (GMSH), the following actors work on site or the following additional services are offered there:

- Support association
- Medical service
- Security duty
- School
- Psychiatric clinic
- Caterers
- Adult Education Centre

Coordination meetings are held on an almost daily basis.

5.2.1 Arrival and Registration Path (IDM-S tools)

The LaZuF and BAMF jointly developed an arrival and registration path which commenced operations in October 2019, meaning that there is a fixed schedule for all asylum seekers during the early stage of their stay:

Day 1: Arrival at Guardhouse

Day 2: Registration with LaZuF and immediately afterwards an appointment at the BAMF office with IDM-S (integrated identity management = analysis of mobile data carriers, voice biometrics and name transcription) and physical-technical analysis of documents, where applicable.

Day 3: Initial examination part 1, without X-ray

Day 4: Initial examination part 2, with X-ray

Day 5: Asylum procedure counselling from the BAMF

Day 6: Asylum application (file created)

Day 4 may not apply as X-ray performed on day 3.

After initial technical difficulties, a better system of identifying asylum seekers and therefore a quicker asylum procedure was achieved. Both BAMF offices with the tools are in the direct vicinity of the EASY registration process.

Asylum seekers are sent there by the LaZuF after the EASY registration is completed. The facility and arrival and registration path operations still mean a slight increase in personnel costs for the LaZuF at present, as colleagues who are responsible for EASY distribution are now also giving out appointments for asylum procedure counselling sessions and must ensure that individuals report to the BAMF office with the IDM-S tools. However, as this procedure is better capable of clarifying individuals' identity, the subsequent workload of LaZuF employees procuring documents in lieu of passports is reduced.

Those obliged to reside at the facility must do so for two more days due to the arrival and registration path procedure, as the asylum application can only be filed at a later date. This delay is offset, however, as use of the arrival and registration path shortens the asylum procedure, but the technical conditions for using IDM-S tools continue to be limited in the federal network.

5.2.2 Asylum Procedure Counselling

Schleswig-Holstein welcomes the fact that the BAMF is providing asylum procedure counselling as defined by Section 12 a of the Asylum Act. It means that dual structures can be avoided. The BAMF's voluntary asylum procedure counselling, given as part of a pilot project since the beginning of the fourth quarter of 2019, is generally a two-stage process. The first stage involves group counselling sessions. Information on the asylum procedure process is provided, with particular regard to especially vulnerable groups. The significance and process of the personal interview are the focus ("big interview"). This counselling service is very well received. The second stage takes place upon request and involves another counselling session with information on the asylum procedure process. Take-up of this counselling has been scarce. Both counselling services include neither social counselling nor legal advice.

The group counselling session explicitly points out at the first stage that there are further, specifically individual, counselling services which all residents may use.

The assessment of the additional BAMF counselling service is positive.

5.2.3 Adoption of Dublin Transfers by the Federal Government

Since October 2019, there have been comprehensive coordination meetings held between the Federal Ministry of the Interior, Building and Community (BMI), the Schleswig-Holstein Ministry of the Interior, Rural Areas, Integration and Equality (MILIG), the Schleswig-Holstein State Office for Immigration and Refugees (LaZuF), the Schleswig-Holstein police, the Federal Police headquarters and the Federal Police office in Bad Bramstedt.

The support details were specified in a joint schedule.

It has been agreed with the Federal Police office in Bad Bramstedt that individuals who are to be transferred in accordance with the Dublin III Regulation will be collected at the facility of the federal state in Boostedt and taken to the border crossing which has been specified. It has also been agreed that, for the first three months, the Federal Police will take over one measure per day on workdays from Monday to Thursday starting from 6 January 2020. One measure may involve an individual person, a couple or a family. The transfer arrangements are in line with the BAMF's information sheet covering the arrangements.

The experiences of the first months have shown that individual measures have not been a success. Although nearly all applications for enforcement assistance from the LaZuF were accepted by the Federal Police in Bad Bramstedt, the majority of the individual measures failed for various reasons. This is not the case with the group transfer situation. Close cooperation between the LaZuF and the Federal Police led to great success in February 2020 as well as March 2020. This share corresponds to approximately one third of measures terminating residency taken with the assistance of the Federal Police station in Bad Bramstedt.

There have already been discussions between the LaZuF and the Federal Police regarding efficiency increases. At the same time, measures are being discussed and specific observations are being made for the future.

5.2.4 Cooperation in Procuring Documents in Lieu of Passports

Documents in lieu of passports for some countries of origin have been procured centrally since 27 November 2019 with the BAMF and Federal Police. The Federal Government implemented the corresponding infrastructure at the BAMF in early 2020.

The BAMF and Federal Police coordination unit processes the following countries of origin: Benin, Burkina Faso, the Central African Republic, China, Côte d'Ivoire, Egypt, Eritrea, Ethiopia, Gambia, Ghana, Guinea, Guinea-Bissau, India, Iraq, Jordan, Kenya, Lebanon, Liberia, Libya, Mali, Mauritania, Niger, Nigeria, Pakistan, Senegal, Sierra Leone, Somalia, Sudan, Tajikistan, Togo and Vietnam.

The cooperation between the LaZuF and the coordination unit has proved positive so far. There are always responses to requests from LaZuF employees and information is issued as quickly as possible. However, due to the way in which the coordination unit is organised and the channels for incoming requests for official assistance, it takes some time before they are received by the responsible caseworker at the coordination unit.

Some of the necessary group appointments, which are scheduled by the coordination unit, only take place at large intervals of up to six months. Depending on when the request for official assistance is received, the short-term planning involved may cause problems for the organisation of embassy trips in competition with the execution of measures terminating residency.

5.2.5 Cooperation with the Federal Employment Agency (BA) Regarding Information and Counselling on Entering the German Vocational Training and Employment Market

Increased efforts are being made, particularly at the accommodation facility in Rendsburg, to implement counselling services for entry into the German vocational training and employment market based on the expertise of Department Head 42.

The LaZuF began to identify possibilities for cooperation with the Federal Employment Agency (Head of the Employment Market Division, Regional

Purchasing Centre - North; REZ Nord/Federal Employment Agency) and build up further contacts in early December 2019.

The knowledge and established procedures obtained from this cooperation should soon serve to advance implementation at other LaZuF sites as well.

The "Placing and supporting refugees in training and qualification for the logistics sector" project information event began at the Rendsburg facility of the federal state on 15 January 2020. The project involves the mobile integration team (MiT) from the organisation DRK Betreuungsdienste Region Kiel gGmbH placing and supporting refugees in training and qualification measures across Schleswig-Holstein in close cooperation with the logistics business association Unternehmensverband Logistik (ULV). It will be funded by the Ministry of Economic Affairs, Transport, Employment, Technology and Tourism until 31 August 2021. The information events were held at intervals of 14 days at the federal state accommodation facility in Rendsburg with individuals about to be allocated to the municipalities.

The event covered the following areas:

- Information on the employment and vocational training market in Germany (Why is vocational training better than unskilled labour?)
- A presentation of vocational training and employment in the warehousing sector
- Profiling of residents (Which professional qualifications or experiences have already been attained?)
- In the case of positive prospects of remaining and working, an internship of one to two weeks can be completed with an employer after consultation with the responsible immigration authorities. If the internship is a success, the employer can agree to provide vocational training.
- Information on further types of support, such as counselling services and certification bodies, is available from the immigration authorities, Federal Employment Agency, Jobcenter, organisations including *IQ-Netzwerk*, *Migrations- und Jugendmigrationsdienst*, *Alle an Bord*, *Mehr Land in Sicht*, language course providers; measures: assistance during vocational training, vocational German language support B1, professional vocational German language support B2 etc.).

The Federal Employment Agency in Neumünster has been in contact with residents at the federal state accommodation facility in Neumünster since February

2020. They can find information on jobs, employment and vocational training opportunities. Individuals appear directly at the Federal Employment Agency in Neumünster for the scheduled appointments.

An agreement was reached with the Federal Employment Agency on the provision of Federal Employment Agency posters so that residents at the federal state accommodation facility in Rendsburg can be informed directly by the Federal Employment Agency of jobs, employment and vocational training opportunities. The Federal Employment Agency has also offered to hold a one-off information event for employees of the LaZuF to raise awareness of the differences between the Federal Employment Agency and the Jobcenter.

Since June 2019, the charitable organisation UTS e. V. has held a weekly event for residents of the federal state accommodation facility in Rendsburg on the subject of “Working, the authorities and values in Germany”. This cooperation was consolidated in January 2020 and optimised along with the project “Placing and supporting refugees in training and qualification for the logistics sector”.

All information events from 16 March 2020 onwards were cancelled due to the COVID-19 pandemic. UTS e. V. should be resuming a weekly information event at the federal state accommodation facility in Rendsburg from 1 September 2020. The target group is individuals who have been signed up for allocation to the municipalities. They should be prepared for the following areas: access to the employment market and work permits, clarifying identity, criminal offences, remuneration, fair work etc., language acquisition, a brief outline of visas and perspectives, responsibility for providing counselling in the rural municipalities (employment, certification, language, social affairs, Federal Employment Agency and Jobcenter).

The “Placing and supporting refugees in training and qualification for the logistics sector” project information event can resume at the federal state accommodation facility in Rendsburg in October 2020 at the earliest.

The knowledge and established procedures obtained from this cooperation should soon serve to advance implementation at other LaZuF sites as well. The current plan is to install the UTS e. V. information events at other facilities of the federal state in the near future.

The knowledge that access to qualifying language courses is proving difficult for asylum seekers with

and without prospects of remaining who are moving to the districts and urban municipalities is relevant to the LaZuF. For language courses, asylum seekers are asked for records such as school-leaving certificates, vocational training and employment references. If they are available, they must be submitted so that the right language course can be utilised. A lot of time is lost if it is necessary to compile this information. One solution could be to compile the information at the LaZuF and make it available to the municipalities to which the individuals are assigned. The time resources required are limited at the LaZuF, however. The German language is the key to the (qualified) employment market.

5.3 Accommodation; Sex- and Age-Specific Accommodation and Accommodation for Vulnerable Groups

There are protected women-only areas on all properties. They are permanently guarded by employed security guards and men are not admitted. Especially vulnerable women are housed there with their children (male children until the age of 12). Due to high capacity utilisation in these areas at all reception facilities of the federal state, another building in Boostedt has been approved as a protected women’s area and is now being used as such.

One accommodation building in Bad Segeberg with an area exclusively for women, an area for small families with a maximum of four people and an accessible area for up to three living units is being used. The individual storeys are separated and only their respective residents are admitted. The building has a protective fence and is guarded permanently so that unrestricted (outdoor) leisure activities and entry control can be ensured at the same time.

One container field with large containers has been set up for larger families and there is also a privacy fence. The premises are permanently guarded and subject to entry checks. For leisure activities, there are ample spaces, a tearoom and TV rooms available.

The reception facility in Neumünster has various buildings which are almost fully accessible. Individuals

who are restricted in their mobility and depend on wheelchairs are housed here. There are a total of eight rooms with four beds each in two buildings. Isolation rooms and isolation containers likewise virtually free of obstacles are also available and used if isolation becomes necessary due to the risk of infection. Individuals with other physical and/or psychological disabilities are housed with their families in normal buildings just like those without a disability, as far as possible. Individuals who cannot be accommodated are housed externally in a care facility. In addition to the ones in Boostedt, isolation rooms are also available in Boostedt, Rendsburg and Bad Segeberg.

There are children's playrooms at all sites, where children are supervised by several members of staff from 7.30am until 1.00pm. Attendance numbers vary depending on occupancy at the accommodation facilities. As a basic principle, no children are turned away.

School-age children from the age of six to 15 receive regular schooling and attend the school on their respective accommodation premises. There are three classes in Neumünster (29 pupils/23 pupils/21 pupils). The current total is approximately 70 school-children taught in two shifts (one in the morning and one in the afternoon) by a total of five teachers. There are currently 54 children spread over seven classes in Boostedt; four of these classes are receiving primary level schooling and three are lower secondary level. Each of the classes contain five to ten children. There are 13 full-time and part-time teachers; six of these are supply teachers. A total of approximately 75 children are receiving a school education in Rendsburg, with each class containing approximately 16 to 18 children. There are five permanent teachers working at the federal state accommodation facility in Rendsburg and one teacher providing differentiated instruction only two to three days a week. There is a ratio of 10 to 15 pupils per teacher. School in Bad Segeberg will begin from the 2020 autumn holidays. The local education authority is currently creating the necessary conditions for operating a school. Young people aged 16 to 21 also have the option of attending vocational school in Neumünster, Bad Segeberg and Boostedt. The education authorities of the respective districts or urban municipalities are responsible for schooling.

In August 2019, UNHCR and UNICEF representatives visited the facility of the federal state in Boostedt on a fact-finding mission as part of a nationwide study of the children's schooling. They assessed the work of the school at the facility of the federal state in Boostedt,

with its network of State Office and support associations, as being of extraordinarily high quality.

5.3.1 Measures to Structure the Day

5.3.1.1 Refugee Integration Measures

The LaZuF renewed and extended the contract for the refugee integration measure employment market programme in the late summer of 2019. There are now 20 places available, which are also being used extensively. People are working as translators, domestic workers, in the clothing store, the kitchen and laundry, among other roles. The places are popular as they give people tasks to perform and structure to their day.

5.3.1.2 Measures to Prepare for Reintegration

Reintegration measures are being implemented and should also be expanded in cooperation with the support associations and, where applicable, external project sponsors such as the GIZ and Social Impact GmbH. The GIZ offers them for 13 countries of origin, including Afghanistan, Albania and Iraq, in cooperation with various project sponsors. The measures should help people to build up professional perspectives and earn a living after they return to their respective countries of origin. The LaZuF has also filed an AMIF application for the funding of measures to prepare for reintegration. The project involves measures to prepare for a return and qualifications for starting up a business and seeking work in countries of origin. In a project partnership with Social Impact, the LaZuF is also planning to prepare people from Armenia and Russia for self-employment or the employment market in their countries of origin. Participants should be prepared for their return to work via group workshops and individual training.

5.3.1.3 German Courses

The Adult Education Centre offers German courses at all accommodation facilities, initial orientation courses and roadmap courses. The project executing agency for both projects is the State Association of the "Volkshochschulen".

Initial orientation courses have been offered by the Adult Education Centres and other course providers across the federal state since mid-2017. At the beginning of 2020, the project WISH – Willkommen in Schleswig-Holstein was carried over to the initial orientation courses at the accommodation facilities.

The roadmap courses began at the same time on the properties. The roadmap course project is fully financed by BAMF/BMI funds. All relevant aspects of the initial orientation course project are funded by the Federal Government.

5.3.1.4 Other Services

The support associations offer residents at all accommodation facilities various activities to structure their day. There is a sewing workshop, a wood workshop and an art studio in which residents can paint pictures or make sculptures with or without supervision.

5.3.2 Medical Consultation

The medical service at the centre of excellence offers asylum seekers eight consulting hours per workday and advises the LaZuF on health matters. The medical service is also responsible for hygiene at the accommodation facilities. In 2019, there were 12 doctors and 16 healthcare professionals working at the centre of excellence. The following specialities were covered:

- General medicine
- Internal medicine
- Paediatrics
- Anaesthesia
- Surgery

In 2019, 39,233 examinations had been carried out on patients by 17 December. These included 193 emergencies outside of the practice and 47 visits to bedridden patients. In total, 7,320 patients were treated in this period.

There were 4,629 COVID-19 tests carried out at the LaZuF between March and August 2020.

5.3.2.1 Violence Protection Concepts/ Violence Prevention

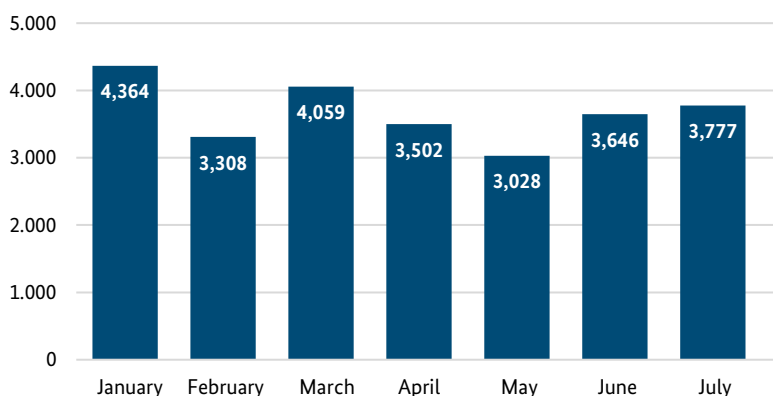
A facility-specific protective concept was drawn up in 2017 and various priority topics are evaluated and updated every year. The State Office set up an interdisciplinary working group for this in which various institutions participate, working with vulnerable individuals on a regular basis.

The results of the child protection standards project, conducted with the project sponsors Save the Children and PLAN International, will also be appearing in the protective concept soon. There are three working groups within the project which deal with operator contracts and service specifications (1), with action guidelines for cases of child endangerment (2) and with awareness-raising and informative measures for children and guardians (3). Employees of the State Office, the support association and other providers are active in the working groups, coordinating with the MILIG and the Ministry of Social Affairs, Health, Youth, Family and Senior Citizens of Schleswig-Holstein (MSGJFS). An initial draft of this year's evaluation of the protective concept should be completed by 31 October 2020.

5.3.3 The State Office for Immigration and Refugees and COVID-19

The COVID-19 pandemic has resulted in a number of changes to daily life at the accommodation facilities of the federal state. All four accommodation facilities of the federal state now have quarantine and isolation areas. The quarantine areas are kept for individuals who are infected and their relatives, or cohabitants. All of the positive cases so far have involved residents at the accommodation facility of the federal state in

Figure 5-5: Examinations per month in 2020



Neumünster. The isolation areas house three separate groups:

- People who are believed to have been in contact with those infected and their relatives. One notable case involved a resident who had already lived at the accommodation facility of the federal state in Neumünster for many months and come into contact with a lot of people at the accommodation facility due to her charitable commitments becoming infected and afterwards those with whom she had had contact being housed in an isolation building with their families for two weeks. Four cohorts have now been formed with several isolation containers. In the event of new infections, the necessary extension of the isolation would only affect the respective cohort and not all individuals who had been in contact.
- New arrivals seeking sanctuary in Schleswig-Holstein are immediately tested during the reception process and then isolated for two weeks. It is only after this that they are housed in the open area of a facility of the federal state.
- People being prepared for allocation to the districts and urban municipalities. The federal state of Schleswig-Holstein has addressed the arguments of some mayors and district administrators concerned about the additional risk of infection posed in their municipalities by the reception of refugees. People who are to be allocated to the districts and urban municipalities now isolate for 14 days and are ultimately tested. The State Office is thereby ensuring that these people are accepted into the municipalities free of infection.

The State Office for Immigration and Refugees has been in close contact with the health authorities since the beginning of the crisis. It has taken security precautions to minimise the risk of the virus spreading in and around the federal state accommodation facilities. The MILIG has taken extensive steps to reduce the risk of infection resulting from reception facility and accommodation facility operations. It is not only the residents at the federal state accommodation facilities and those working there who benefit from this, but not least the population as a whole.

Since 27 February 2020, all new arrivals seeking sanctuary have been tested for Sars-CoV-2. The medical service at all three facilities of the federal state also tests everyone already in residence for Sars-CoV-2 if they exhibit cold symptoms.

The forwarding of asylum seekers from Neumünster to reception facilities in other federal states as per the

nationwide system of initial asylum seeker distribution was suspended pending further notice. The EASY distribution system was largely stopped across the country from March, so no asylum seekers forwarded from elsewhere arrived in Schleswig-Holstein. Unnecessary traffic was therefore avoided. Nationwide forwarding is being carefully resumed for now.

Residents of accommodation facilities are being kept informed in their own languages of the developments and special codes of conduct. The State Office uses signs for this purpose at the state accommodation facilities of the federal state. The DRK and Johanniter organisations' house managers also talk to residents on a daily basis to raise awareness of the unique situation.

The State Office for Immigration and Refugees is ensuring that no visitors increase the risk of infection at the accommodation facilities of the federal state by restricting access.

Employees and residents are regularly kept up to date on the usual precautionary codes of conduct.

At the beginning of the pandemic, the LaZuF set up a special section on its website where it kept the public informed of all COVID-19-related preventive measures in a very transparent and up-to-date way.

5.4 Counselling and Support

5.4.1 Support for Asylum Applicants

Support for individuals obliged to reside on accommodation facility premises is provided by the support associations which work there. A house manager is present at each of the individual, inhabited buildings from Monday to Friday, from the morning until the evening. This house manager is the first point of contact for residents. At least one employee of the support organisation is also present on all properties at the weekend, in the evening and at night, that is 24 hours a day and seven days a week. In addition, social counselling and support, conflict management, child supervision (see above) and leisure activities are offered for children and adults. There are special activities available for women. There is counselling available beyond this on procedure, whereby residents are ad-

vised, parallel to the counselling given by the LaZuF, on the asylum procedure process as well as the associated rights and obligations of individuals, but also after the procedure has been concluded and they have returned to their countries of origin. The State Office provides support and corresponding counselling on asylum law and residence law. Residents receive ongoing information about

- their legal status during their entire stay at the facilities (even beyond the duration of the asylum procedure)
- their rights and options (e.g. the right to benefits according to the Asylum Seeker Benefits Act, travel permits, allocation to the districts in consideration of individual allocation requests and vulnerability, voluntary return)
- their obligations (e.g. geographical limitations, assigned areas of residence)
- the obligation to cooperate and the consequences of breaching this (the consequences of absconding, committing criminal offences, etc.).

There is also counselling and assistance with regard to further personal and official issues such as the appointment of a guardian, in the event of a death or issues relating to the youth welfare office or other bodies.

5.4.1.1 Counselling Services

Both the support association and the State Office's asylum law and residence law support service provide advice. The LaZuF is legally obliged to provide advice on residence law. This follows from provisions in the Residence Act and also Section 42 subs. 4 of the Asylum Act, among others. The aim of the advice on residence law is to educate those concerned about their legal status before, during and after the asylum procedure, particularly the differences between temporary residence permits, residence permits and exceptional leave to remain. They should also be informed of their rights and obligations in residence law proceedings. Assistance in official and personal issues should moreover be conveyed and the necessary legal instructions carried out and documented.

The support association acts as an independent, non-state counselling at the centre of excellence and provides counselling on social and personal issues, perspectives, including those in the countries of origin, and child supervision and leisure activities. The counselling is in line with the scope of services put out for tender by the LaZuF. Additional counselling

can also be agreed between the support association and the LaZuF as required. The counselling is provided by the support association individually and in accordance with the needs of each resident.

A counselling concept, including a detailed catalogue of counselling, is currently being drawn up. It should illustrate the service for all employees at the centre of excellence.

5.5 Return

5.5.1 Voluntary Return Counselling

Voluntary return counselling means individual, comprehensive, qualified advice on all questions relating to return to and reintegration in the individual's home country. The counselling follows the guidelines for nationwide return counselling drawn up by the Working Group on Voluntary Return in 2015, the framework concept for promoting voluntary return and reintegration and the guidelines on voluntary return arising from the joint AMIF project between the LaZuF and the organisation Diakonisches Werk Schleswig-Holstein.

Voluntary return counselling is an integral part of the LaZuF's overall counselling concept. Qualified counselling is provided at all sites at an early stage, at the latest when a negative BAMF administrative decision is received. Individuals receiving the advice are given an explanation of their status under residence law and the benefits of voluntary return in the presence of an interpreter over the course of at least two counselling sessions. Potential obstacles to departure are discussed comprehensively and remedied if possible. Comprehensive information is provided on financial and other assistance in the event of voluntary departure. Advisees are handed comprehensive information material on the various return and reintegration projects in their native languages.

5.5.2 Federal State Programmes Promoting Voluntary Return

The funding guideline on travel assistance entered into force on 1 April 2019. Parallel to the guidelines entering into force, the IOM introduced its online application procedure for REAG/GARP and Start-up Cash

Plus, which has also accelerated the processing of applications. This led to wider use of this channel.

Total figures for the year 2019:

- 140 applications filed for travel assistance (including cases from before the funding guidelines). A total of 288 people benefited (individuals and families).
- Travel assistance totalling EUR 23,475.00 was paid out to outward-bound travellers in the jurisdiction of the LaZuF and also in official assistance cases for outward-bound travellers in the jurisdiction of the districts and urban municipalities.

The Federal Office and the LaZuF are striving to coordinate the planning of interpreting services better in the area of arrival and registration paths so that additional expenditure can be avoided where possible.

- It has not yet been possible to conclusively evaluate the effects of asylum procedure counselling on the counselling requirements of the LaZuF and the support organisation. The LaZuF is currently working on a holistic counselling concept which synchronises all counselling services. There will be an evaluation of this at a later date, after implementation. More coordination meetings are necessary to optimise cooperation.

5.6 Summary and Suggestions for Improvement

The following aspects of official cooperation have proved successful:

- Proximity to the BAMF
- Identification by the BAMF
- Asylum procedure counselling from the BAMF
- Cooperation with the Federal Police

The cooperation may be further optimised or expanded in the following areas:

- Previous steps taken to optimise the process should first take effect and then be analysed after an appropriate evaluation period.
- As the IDM-S tools only work after EASY registration, they cannot be used for name spellings during EASY registration. There is room for improvement here. One solution could be to establish a technical interface to the LaZuF's personalisation infrastructure component systems.
- Mobile phone analysis is also reaching its technical limits at the moment. Allowing a greater depth of focus on data analysis, to the extent legally permitted, would be welcome. We therefore ask the Federal Office to examine the extent to which the greatest possible symbiosis with data storage device analysis as permitted under Section 48 of the Residence Act can be facilitated.
- When operating the arrival and registration path, the LaZuF incurs additional costs planning interpreting services due to the way in which the BAMF wishes for languages to be divided into groups.

5.7 Annex: Administrative Agreement



Bundesministerium
des Innern, für Bau
und Heimat



Schleswig-Holstein
Ministerium für Inneres,
ländliche Räume
und Integration

Verwaltungsvereinbarung über Aufbau und Betrieb eines Kompetenzzentrums für Ankunft, Verteilung und Rückkehr

zwischen

der Bundesrepublik Deutschland

vertreten durch

das Ministerium des Innern, für Bau und Heimat

und

dem Land Schleswig-Holstein

vertreten durch

das Ministerium für Inneres, ländliche Räume und Integration

§ 1

Ziel und Gegenstand

(1) Der Bund und das Land Schleswig-Holstein verfolgen im Wege intensiver Zusammenarbeit das Ziel, die Asylverfahren sowie die sich daran anschließenden Maßnahmen effizient zu gestalten.

(2) Gegenstand dieser Verwaltungsvereinbarung ist der Aufbau und Betrieb eines Kompetenzzentrums für Ankunft, Verteilung und Rückkehr im Land Schleswig-Holstein. Zur Optimierung der bestehenden Strukturen und Abläufe arbeiten der

(3) Bund und das Land Schleswig-Holstein im Rahmen ihrer jeweiligen Zuständigkeit eng zusammen und unterstützen sich gegenseitig, um

- für Personen, die in einem anderen Mitgliedstaat in EURODAC registriert wurden und im Inland aufgegriffen werden oder ein Asylgesuch stellen, die Zuständigkeitsprüfung nach der Dublin III - Verordnung in einem beschleunigten Verfahren abzuschließen;
- sicherzustellen, dass Personen mit guter Bleibeperspektive so rasch wie möglich integrationsvorbereitende Maßnahmen beginnen und aus der Aufnahme-Einrichtung heraus verteilt werden und
- für abgelehnte Asylbewerber und für die Asylbewerber, für die ein anderer Mitgliedstaat der Europäischen Union oder ein Staat, mit dem die Europäische Union ein Assoziationsabkommen (CH, FL, IS, NO) geschlossen hat, zuständig ist, so schnell wie möglich die Rückkehr/Überstellung durchzusetzen.

(3) Das bisherige Ankunftscenter in Neumünster wird als Kompetenzzentrum für Ankunft, Verteilung und Rückkehr weiterbetrieben. Die bisher zum Ankunftscenter Neumünster zugehörige Landesunterkunft in Boostedt sowie die Landesunterkunft in Rendsburg werden seitens des Landes als Außenstellen des Kompetenzzentrums Neumünster betrieben. Zusammen haben die Einrichtungen eine Regelkapazität von 1.500 Plätzen, maximal können 1.900 Personen untergebracht werden (700 in Neumünster, 700 in Boostedt und 500 in Rendsburg). Es handelt sich um offene Einrichtungen. Die Voraussetzungen für den Betrieb des Landeskompetenzzentrums werden schnellstmöglich geschaffen.

§ 2

Grundsätze der Unterbringung

(1) Es werden zunächst grundsätzlich unabhängig von ihrer Bleibeperspektive alle Personen untergebracht, für die das Land Schleswig-Holstein gemäß § 45 AsylG eine Aufnahmeverpflichtung trifft. Eine geschlechter- und altersgerechte Unterbringung sowie eine bedarfsgerechte Unterbringung für vulnerable Gruppen wird vom Land Schleswig-Holstein sichergestellt. Hierzu erfolgt zunächst eine Identifizierung der besonders schutzbedürftigen Personengruppen.

(2) Eine Unterbringung von unbegleiteten minderjährigen Ausländern erfolgt im Kompetenzzentrum nicht. Das Primat der Kinder- und Jugendhilfe bleibt erhalten. Die Altersfeststellung erfolgt durch das jeweils zuständige Jugendamt gemäß dem in § 42f SGB VIII vorgesehenen Verfahren. Unbegleitete minderjährige Ausländer werden nach den landes- und bundesrechtlichen Vorschriften (§§ 42a ff SGB VIII, §§ 36a, 36b JuFöG) verteilt.

(3) Ein einrichtungsbezogenes Schutzkonzept garantiert Mindeststandards zum Schutz von geflüchteten Menschen in Flüchtlingsunterkünften. Das Schutzkonzept ist als Grundlagenpapier konzipiert, das vom Landesamt für Ausländerangelegenheiten in Zusammenarbeit mit den im Kompetenzzentrum tätigen Dienstleistern und Dienststellen umgesetzt wird. In jeder Liegenschaft ist die dortige Leitung für die konkrete Umsetzung des Schutzkonzeptes im Rahmen der örtlichen Gegebenheiten verantwortlich. Die Gesamtverantwortung einschließlich der grundlegenden Ausgestaltung der Zusammenarbeit mit internen und externen Partnern liegt bei der Leitung des Landesamtes für Ausländerangelegenheiten. Das Land Schleswig-Holstein stellt die Evaluation und eine kontinuierliche Weiterentwicklung des Schutzkonzeptes sicher.

(4) Personen mit EURODAC-Treffern werden nach Mitgliedstaaten, die übrigen Personen nach guter oder geringer Bleibeperspektive in Gruppen zusammengefasst. Um je nach Auslastung der Außenstellen Boostedt und Rendsburg eine ausgewogene Unterbringungssituation zu gewährleisten, werden die drei Gruppen grundsätzlich gleichmäßig auf die drei Standorte verteilt. Dabei ist darauf zu achten, dass Personen mit EURODAC-Treffern desselben Mitgliedstaats nicht auf unterschiedliche Standorte verteilt werden.

(5) Die Details der Steuerung der Verteilung auf die Einrichtungen stimmt das Land Schleswig-Holstein mit dem BAMF ab. Im Falle einer wesentlichen Änderung des Zugangsgeschehens oder anderen unvorhergesehenen Entwicklungen erfolgt eine möglichst kurzfristige Anpassung der Herkunftslandverteilung zwischen dem Land Schleswig-Holstein und dem BAMF sowie den weiteren beteiligten Stellen.

(6) Personen mit geringer Bleibeperspektive werden grundsätzlich nicht in die Kreise und kreisfreien Städte verteilt, es sei denn, eine Verteilung ist im Ausnahmefall geboten. § 5 dieser Vereinbarung bleibt unberührt.

§ 3

Maßnahmen des Landes

(1) Das Land Schleswig-Holstein betreibt das Kompetenzzentrum für Ankunft, Verteilung und Rückkehr in Neumünster mit den Außenstellen Boostedt und Rendsburg.

(2) Das Land Schleswig-Holstein stellt folgende Leistungen sicher:

- Unterkunftsverwaltung

Auf der Grundlage des Schutzkonzepts wird eine geschlechter- und altersgerechte Unterbringung und Betreuung gewährleistet und spezifischen Bedürfnissen anderer vulnerabler Gruppen Rechnung getragen.

- Rückkehrberatung

Das Land Schleswig-Holstein verfügt über ein integriertes Rückkehrmanagement. Zur Vermeidung einer zwangsweisen Rückführung werden die Betroffenen aufbauend auf der Asylverfahrensberatung, die auch Informationen zur Rückkehr umfasst, frühzeitig und stetig über die Möglichkeiten einer freiwilligen Ausreise sowie zu erwartender Konsequenzen, sollte einer Ausreisepflicht freiwillig nicht gefolgt werden, beraten.

- Hausbetreuung und Sozialberatung

Die in der Aufnahmeeinrichtung Untergebrachten werden wie bisher durch einen Dienstleister betreut, der neben der Hausbetreuung auch für eine Sozialberatung sowie eine auf die Kreisverteilung vorbereitende Beratung zuständig ist.

Um den Tagesablauf für die Untergebrachten innerhalb der Einrichtung besser zu gestalten und soziale Spannungen zu vermeiden bzw. zu verringern, werden unterstützende und tagesstrukturierende Maßnahmen im Sinne einer Vorbereitung auf ein selbstbestimmtes Leben in gemeinsamer Konzeption durch den Bund, das Land Schleswig-Holstein, die betreffenden Träger und andere Organisationen vor Ort entwickelt und vom Land und den entsprechenden Organisationen durchgeführt. Hierzu gehört auch ein niedrigschwelliges Angebot an Orientierung, denkbar zum Beispiel: Elternschulung, Fahrradwerkstatt für Kinder (und deren Eltern), qualifizierte Vorbereitung auf den Besuch eines Kindergartens.

- Unterstützung der vom Bund angebotenen Maßnahmen zur Erstorientierung

Das Land stellt mit organisatorischen Maßnahmen wie ausreichenden Kinderbetreuungszeiten die Teilnahme insbesondere auch von Frauen an den angebotenen Maßnahmen zur Erstorientierung (§ 4 Abs. 2 dieser Vereinbarung) sicher. Bei entsprechenden Lernerfolgen übernimmt das Land die Kosten für eine Abschlussprüfung. Das Land bezieht Wegweiser- und Erstorientierungskurse als Bestandteil der Förderketten in sein Übergangsmanagement ein.

- Sicherheitsdienste

Der bedarfsgerechte Einsatz von geeigneten Sicherheitsdiensten wird veranlasst.

- Medizinische Versorgung

Die medizinische Versorgung wird zusätzlich zur freien Arztwahl bedarfsgerecht über medizinische Sprechstunden vor Ort garantiert. Eingangsuntersuchungen finden regelmäßig auf dem Gelände des Kompetenzzentrums statt. Im Interesse der öffentlichen Sicherheit wird das gemeinsame Ziel weiter verfolgt, bundeseinheitlich diese künftig auch für Personen, die nicht im Land Schleswig-Holstein verbleiben, sondern nach einer EASY-Verteilentscheidung in andere Länder weitergeleitet werden, durchzuführen.

(3) Für alle in den Aufnahmeeinrichtungen untergebrachten Kinder besteht im Land Schleswig-Holstein Schulpflicht. Der Unterricht findet grundsätzlich in den Einrichtungen statt.

(4) Leistungen nach dem Asylbewerberleistungsgesetz (AsylbLG) werden, soweit rechtlich und tatsächlich möglich, nach dem Sachleistungsprinzip gewährt.

§ 4

Maßnahmen des Bundes

(1) Das BAMF stellt nach Durchführung der Identitätsprüfung mittels integrierten Identitätsmanagements (IDM-S) die schnelle, umfassende, einzelfallgerechte und rechtssichere Bearbeitung der Asylverfahren sicher. Durch fortlaufende Verfahrensoptimierungen soll das Asylverfahren weiter beschleunigt werden.

(2) Das BAMF stellt darüber hinaus folgende Leistungen sicher:

- Asylverfahrensberatung

Das BAMF führt eine unabhängige staatliche Asylverfahrensberatung ein. Diese erfolgt in einem zweistufigen Modell: Vor der Antragstellung erfolgt im Rahmen einer Gruppeninformation für alle Asylsuchenden eine allgemeine Beratung mit dem Ziel der Informationsvermittlung über Inhalt und Ablauf des Asylverfahrens sowie auch zu Alternativen zum Asylverfahren (einschl. eines Hinweises auf bestehende Angebote zur Rückkehrberatung).

Darauf aufbauend wird allen Asylsuchenden eine freiwillige, individuelle Asylverfahrensberatung in Einzelgesprächen angeboten. Dieses Angebot kann bereits vor der Antragstellung sowie während des gesamten Asylverfahrens bis zum Abschluss des Behördenverfahrens wahrgenommen werden. Die besonderen Bedarfe vulnerabler Fluchtgruppen werden im Rahmen der Beratung berücksichtigt. Die vor Ort bestehende Beratungsstruktur wird im Rahmen einer engen Kooperation zwischen BAMF und den Wohlfahrtsverbänden einbezogen. Beratungsstandards werden ausgetauscht und bundesweit einheitlich gemeinsam weiterentwickelt. Eine frühzeitige Erstinformation über die verschiedenen Rückkehrprogramme wird sichergestellt. Die Verfahrensberatung durch das BAMF findet, wenn möglich, räumlich getrennt von den anderen Verfahrensschritten statt.

- Maßnahmen der Erstorientierung

Das BAMF konzipiert und finanziert Maßnahmen der Erstorientierung. Es werden zwei Orientierungsmaßnahmen (Wegweiser- und Erstorientierungskurs) angeboten. Der Wegweiserkurs vermittelt das wichtigste Orientierungswissen für den Alltag, für das Verhalten in der Aufnahmeeinrichtung sowie grundlegende Werte und wichtige Informationen über Kultur und Eigenheiten in Deutschland. Er umfasst 15 Unterrichtseinheiten (UE) und wird durch sog. Kulturmittler in der jeweiligen Herkunftssprache unterrichtet. Im Erstorientierungskurs, der sich nicht an Asylbewerber aus sicheren Herkunftsländern richtet, werden in sechs Modulen à 50 UE (insgesamt 300 UE) landeskundliches Wissen und Deutschkenntnisse vermittelt, die die Teilnehmenden für ihren Alltag benötigen. Eine systematische sprachliche Progression ist im Erstorientierungskurs nicht vorgesehen.

- Dublin-Verfahren

Das BAMF führt im Rahmen des Dublin-Verfahrens die Verfahrensschritte „Übernahmeersuchen und Bescheiderstellung“ sowie die zentrale Überstellungscoordination im Rahmen seiner Zuständigkeit (Gruppe 32) durch.

(3) Das BAMF stellt im Rahmen der zur Verfügung stehenden Ressourcen sicher, dass zur Wahrnehmung der in den Absätzen 1 und 2 genannten Aufgaben genügend Personal eingesetzt wird. Das BAMF richtet die Zahl seiner in Neumünster und Boostedt tätigen Mitarbeiterinnen und Mitarbeiter an der Menge und dem Umfang der zu erledigenden Aufgaben aus.

(4) Passersatzpapierbeschaffung

Zur Steigerung der Effizienz und zur Beschleunigung der Abläufe unterstützt der Bund noch stärker das Land Schleswig-Holstein bei der Passersatzpapierbeschaffung im Wege der Amtshilfe.

(5) Durchführung der Rückführung

Der Bund unterstützt das Land Schleswig-Holstein bei der Durchführung der Rückführung, insbesondere durch die Organisation von Chartermaßnahmen sowie Begleitung durch die Bundespolizei.

(6) Die Regionaldirektion Nord der Bundesagentur für Arbeit (BA) und ihre nachgelagerten Organisationseinheiten werden im Rahmen des geltenden Rechts bei Asylbewerbern mit guter Bleibeperspektive bedarfsorientiert so früh wie möglich insbesondere

- orientierende Informationen zum deutschen Ausbildungs- und Arbeitsmarkt anbieten,
- erste Berufskompetenzfeststellungen vornehmen und
- Informationen zu weiteren Unterstützungsangeboten geben (wie z. B. Beratungs- und Anerkennungsstellen),

um den Einstieg in den deutschen Ausbildungs- und Arbeitsmarkt zu einem möglichst frühen Zeitpunkt zu erleichtern.

Die Gestaltung des Inhalts und des Umfangs des Dienstleistungsangebotes der BA erfolgen in dezentraler Verantwortung. Die konkreten Abläufe im Kompetenzzentrum werden lokal vor Ort abgestimmt.

Damit wird ein positiver Beitrag zur erfolgreichen Integration von Geflüchteten in die Gesellschaft geleistet.

(7) Die liegenschaftsbezogene Unterstützung der Länder und Kommunen im Rahmen der Asylbegehrenden- und Flüchtlingsunterbringung durch die Bundesanstalt für Immobilienaufgaben (BImA) wird nach Maßgabe des Haushaltsvermerks Nr. 3.6. zu Kapitel 6004 Titel 12101 des Bundeshaushaltsplans unter Berücksichtigung der rückläufigen Entwicklung des Zustroms von Asylbegehrenden und Flüchtlingen fortgesetzt. Die Einzelheiten der Umsetzung erfolgen durch Vereinbarungen zwischen der BImA und dem jeweiligen Bedarfsträger. Der Bund kann Raumkapazitäten des Landes für die vereinbarte Unterbringung von IDM-S-Tools sowie zur Urkundenprüfung und Asylverfahrensberatung bei der Registrierung mietzinsfrei nutzen.

§ 5

Aufenthaltsdauer in der Aufnahmeeinrichtung

Solange und soweit noch keine bundesgesetzlichen Anpassungen der zulässigen Aufenthaltsdauern in Erstaufnahmeeinrichtungen erfolgt sind, gelten die im Asylgesetz in § 47 Abs.1, 1a und 1b AsylG normierten Höchstverweildauern. Vor Überschreiten der Höchstverweildauern erfolgt den gesetzlichen Regelungen entsprechend eine Verteilung auf die Kreise und kreisfreien Städte.

§ 6

Freiwillige Rückkehr und Rückführung

(1) In den Fällen geringer Bleibeperspektive wird die Rückkehrberatung in der Aufnahmeeinrichtung mit dem Ziel verstärkt, Perspektiven für die freiwillige Rückkehr aufzuzeigen. Hierzu gehören auch Maßnahmen der Reintegration im Heimatland. Bei Bedarf unterstützt der Bund das Land Schleswig-Holstein bei der Angebotsgestaltung der Rückkehrberatung. Die Erweiterung der Angebote der Rückkehrinformation wird geprüft. Zudem soll gemeinsam mit dem BMZ auf die Durchführung von Maßnahmen hingewirkt werden, die die Reintegration in das Heimatland fördern.

(2) In den Fällen, in denen abgelehnte Asylbewerber die freiwillige Rückkehr ins Zielland ablehnen, erfolgt mit Vollziehbarkeit der Ausreisepflicht die Rückführung grundsätzlich unmittelbar aus dem Kompetenzzentrum. Der Bund und das Land Schleswig-Holstein intensivieren zu diesem Zweck ihre Zusammenarbeit, auch über die in den §§ 3 und 4 dieser Vereinbarung aufgeführten Maßnahmen hinaus. Dabei soll insbesondere eine Optimierung im Bereich der Identitätsfeststellung und -klärung, der Beschaffung erforderlicher Reisedokumente sowie der Durchführung von zwangsweisen Rückführungen erzielt werden. Der Bund und das Land Schleswig-Holstein prüfen im Rahmen ihrer jeweiligen Zuständigkeiten zu diesem Zweck gemeinsam alle Verfahrensschritte. In enger Abstimmung mit dem Land Schleswig-Holstein übernimmt der Bund die Rückführungen der Dublin-Fälle aus der Aufnahmeeinrichtung. Hierzu wird ein Ablaufplan erstellt.

§ 7

Evaluation und Zusammenarbeit

(1) Die in dieser Vereinbarung niedergelegten Ziele und Maßnahmen bilden keinen abschließenden Katalog. Der Bund und das Land Schleswig-Holstein entwickeln diese Vereinbarung dynamisch weiter: Etwaige Anpassungsbedarfe, auch eventuell gesetzgeberischer Handlungsbedarf, werden vom Bund und dem Land Schleswig-Holstein fortlaufend ermittelt. Soweit ohne Rechtsänderung möglich, werden die ermittelten Optimierungsmaßnahmen im Benehmen zwischen Bund und Land unmittelbar umgesetzt. Hierzu finden regelmäßige Austauschgespräche/ Telefonschaltkonferenzen zwischen den zuständigen Bundes- und Landesbehörden, insbesondere dem Bundesministerium des Innern, für Bau und Heimat, dem Ministerium für Inneres, ländliche Räume und Integration des Landes Schleswig-Holstein, dem Bundesamt für Migration und Flüchtlinge, der Bundespolizei, Zentrale der Bundesagentur für Arbeit, dem Landesamt für Ausländerangelegenheiten sowie der Regionaldirektion der Bundesagentur für Arbeit statt.

(2) Der Bund und das Land Schleswig-Holstein evaluieren die praktische Umsetzung der Prozesse gemeinsam, ggf. unter Beteiligung der vor Ort tätigen Wohlfahrtsverbände und Organisationen. Eine Zwischenevaluierung erfolgt nach 6 Monaten. Danach finden die Evaluierungen im Jahresrhythmus statt.

(3) Beide Seiten benennen jeweils einen zuständigen Ansprechpartner nebst Vertreter für die schnelle Bearbeitung auftretender Abstimmungsbedarfe. Hierzu wird ein E-Mail-Verteiler festgelegt. Beide Seiten informieren sich gegenseitig schriftlich unverzüglich über Änderungen dieser Ansprechpersonen oder ihrer Kontaktdaten.

(4) Beide Seiten sind sich darüber einig, dass eine Anpassung dieser Vereinbarung im Fall wesentlicher Änderungen, insbesondere im Zugangsgeschehen, kurzfristig bei beiderseitigem Einvernehmen erfolgen kann. Beide Seiten vereinbaren eine enge und vertrauensvolle Zusammenarbeit.

§ 8

Finanzierung

Soweit zur Finanzierung der vorgenannten Maßnahmen Drittmittel zur Verfügung stehen, werden diese vorrangig in Anspruch genommen. Die Behörden von Bund und Ländern tragen die Kosten der ihnen nach dieser Vereinbarung obliegenden Verpflichtungen selbst.

§ 9

Anwendungszeitpunkt

Die Verwaltungsvereinbarung wird ab dem Tag ihrer Unterzeichnung angewendet.

Kiel, den ...

Für die Bundesrepublik Deutschland

A handwritten signature in black ink, consisting of a stylized 'H' followed by a long horizontal line and a series of loops and flourishes.

Horst Seehofer

Bundesminister des Innern, für Bau und Heimat

Für das Land Schleswig-Holstein

A handwritten signature in black ink, written in a cursive style, starting with a large 'H' and ending with a long horizontal line.

Hans-Joachim Grote

Minister für Inneres, ländliche Räume und Integration

6

Brandenburg



6.1 State of Implementation of Functionally Equivalent Facilities in Brandenburg

The federal state of Brandenburg's functionally equivalent facility was established as a "centre of excellence for asylum of the federal state" effective from 12 July 2019 and has been in operation since then.

The functionally equivalent facility covers the arrival centre in Eisenhüttenstadt with branch offices in Doberlug-Kirchhain, Zossen-Wünsdorf and Frankfurt (Oder) - Markendorf, Oranienburg and Flughafen Schönefeld.

6.1.1 Current Situation

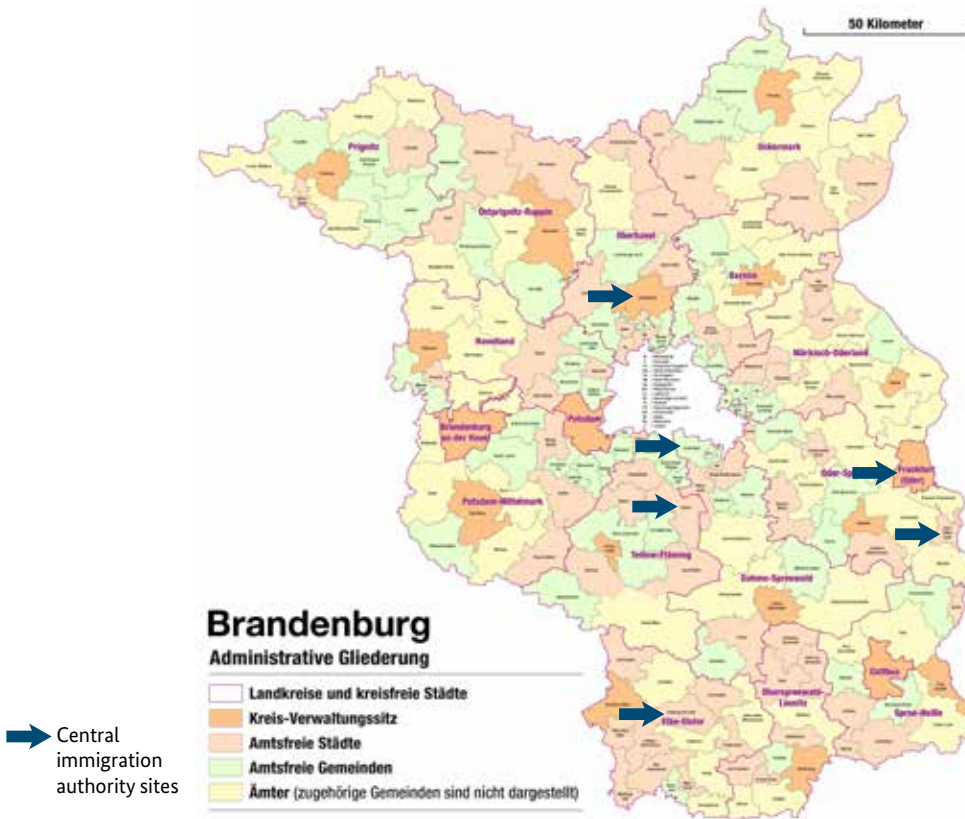
The Federal Office for Migration and Refugees (BAMF) and the central immigration authorities of the federal

state of Brandenburg work closely together at the Eisenhüttenstadt arrival centre. The central immigration authorities in Brandenburg are comprehensively responsible for all aspects of residence law and social law for all applicants arriving for the first time at the reception facility. This includes their accommodation and care as well as registration, distribution and expulsion. In Eisenhüttenstadt, the BAMF provides voluntary, independent state asylum procedure counselling in accordance with Section 12 a of the Asylum Act.

The security firm working in Eisenhüttenstadt and the German Red Cross (DRK), which ensures provision, house management, social counselling and social support as well as medical services at the site, are private, contracted service providers to the federal state.

In addition to the DRK, there are other organisations which largely work independently from the federal state in the area of pastoral care, but also provide asylum procedure counselling and advice on legal remedy. These are the Jesuit Refugee Service and Diakonie on the one hand and KommMit e. V. and the International Organization for Migration (IOM) providing counselling on voluntary departure on the other.

Figure 6-1: Sites of central immigration authorities associated with the functionally equivalent facility



Source: Dörrbecker, Maximilian (2019): Map of agencies, independent towns within larger administrations and municipalities in Brandenburg (as of January 2019), https://de.wikipedia.org/wiki/Datei:Karte_der_%C3%84mter_in_Brandenburg.png (14.12.2020), amendments made.

The health authorities of the rural district of Oder-Spree carry out the initial examinations and the TB test at the site in cooperation with the local hospital.

The out-patient clinic and the nursery are run by the DRK. The local school authorities maintain a primary school and a lower secondary school.

The Frankfurt (Oder) - Markendorf branch office contains the transfer centre which primarily accommodates asylum seekers who are likely to be allocated to the municipalities soon. The BAMF's branch office is also located here, and processes these cases from the moment at which a file is created until a decision is made. The BAMF's integration and process departments work in same BAMF branch office. The Federal Employment Agency carries out tests and holds counselling sessions here on a regular basis. The vocational training and further education centre Fürstenwalder Aus- und Weiterbildungszentrum (FAWZ) regularly holds initial orientation courses there on behalf of the BAMF. The central immigration authorities have also set up their own transfer counselling service for asylum seekers who are transferred to the municipalities.

The same partners for security and accommodation operations, including the nursery and out-patient clinic, as the ones working in Eisenhüttenstadt act as service providers to the central immigration authorities in Markendorf. Advice on legal remedy is provided by Caritas. The local school authorities maintain a language school.

Asylum seekers with poor prospects of remaining are transferred from Eisenhüttenstadt to either Doberlug-Kirchhain or Wünsdorf after their file has been created and they have been interviewed. It is there that the central immigration authorities serve the (predominantly negative) administrative asylum decisions on them and the expulsion is initiated and carried out after any potential urgent procedure has been concluded by the administrative courts with jurisdiction.

Asylum seekers who produce Eurodac hits go to Doberlug-Kirchhain, where they await the urgent court procedure and a transfer is prepared. The central immigration authorities initiate the transfer on the premises with their own enforcement personnel, with the help of the police of the federal state if required. Afterwards, the asylum seekers who are found on site

and picked up are handed over to the Federal Police, who take further expulsion measures on their own.

Asylum seekers who do not produce Eurodac hits and come from safe countries of origin or are very likely to have their asylum application refused as it is manifestly unfounded, but also subsequent applicants and asylum seekers who have withdrawn their asylum application, whose procedures have been suspended and not resumed or whose positive decision was revoked are accommodated in Zossen-Wünsdorf and deported to their home countries as soon as the legal and practical conditions, in particular paperwork, allow for it.

The BAMF does not work on site at either branch office. Security and accommodation operations, nursery and out-patient clinic partners are the same as those in Eisenhüttenstadt. The DRK is also responsible for advice on legal remedy. Primary and lower secondary schools are also run at both sites by the local school authorities.

The BAMF maintains a branch at the Flughafen Schönefeld site, which processes asylum seekers in what is known as the “airport procedure” as per Section 18 a of the Asylum Act. The central immigration authorities are responsible for accommodating and providing for those concerned.

The central immigration authorities operate a departure custody facility in a second wing of the accommodation building, which is also used sometimes by the Federal Police to accommodate refoulement cases. The security and accommodation operations partners are the same as those in Eisenhüttenstadt. Pastoral care is provided by the Jesuit Refugee Service. The section of the facility for persons who are enforceably obliged to leave the country enables the short-term accommodation of individuals obliged to leave the country by virtue of court-ordered custody before they are deported. This means that night-time pick-ups of individuals can be avoided and also that collective removals and pick-ups from several municipal facilities can be coordinated. Proximity to the airport ensures that there is the option of independent departure in accordance with Section 62 b subs. 2 of the Residence Act; counselling services are available on this subject.

The site is too small in the medium term to accommodate the number of asylum seekers expected when the major new Berlin airport opens.

A new central immigration authority branch office was opened at the Oranienburg site on 1 May 2020,

mainly serving as an office for employees tasked with expulsion. As the site is easy to reach, it is regularly used for embassy appointments to procure documents in lieu of passports.

Since no-one is accommodated here, the security firm which supervises all other central immigration authority sites is utilised as needed if there is any public traffic within the scope of embassy appointments or counselling being provided by the IOM on voluntary return.

Cooperation between all actors is running smoothly at all sites and is continuously optimised, particularly between the BAMF and central immigration authorities, with the aim of simplifying procedures and, where possible, accelerating them without losing sight of employee safety. Processes are closely meshed, particularly with regard to registration/identification procedures, appointments/summons and serving documents.

There are no legal application departments for the submission of legal remedy at any of the sites, but they can be reached via public transport. Compliance with objection deadlines is ensured as asylum seekers in receipt of a negative decision are systematically steered towards the central immigration authorities for independent advice on legal remedy, either on the day of service or the next day.

6.1.2 Facility Capacity (as of: 31 December 2019 or 30 June 2020)

Eisenhüttenstadt (795/1045)

Frankfurt (Oder) (280/280)

Doberlug-Kirchhain (1090/1090)

Wünsdorf (995/995)

Schönefeld, Flughafeneinrichtung (32/35)

Total: Nominal capacity: 3192/3445

of which allocable by February 2020 approx. 2400-2500

of which allocable from March 2020
(due to COVID-19 restrictions) 1800-2000

6.1.3 Actual Occupancy Figures and Average Occupancy Rate

Cut-off date	Occupancy	of which refuge occupancy
30/07/2019	1477	-
30/08/2019	1363	59
30/09/2019	1491	72
30/10/2019	1575	78
30/11/2019	1566	73
30/12/2019	1567	70
30/01/2020	1508	86
29/02/2020	1446	87
30/03/2020	1410	65
30/04/2020	1444	71
30/05/2020	1360	56
30/06/2020	1170	49
30/07/2020	1193	45
30/08/2020	1167	44

The average occupancy for the period from July 2019 until January 2020 was approximately 1500 residents. A heterogeneous picture emerges for 2020 due to COVID-19 pandemic events. Vulnerable individuals with special support needs were deliberately allocated to the municipalities from the end of February until mid-March; otherwise, allocation to the municipalities was suspended by the end of May 2020. This is why average occupancy was relatively stable from February to May, at approximately 1400 residents, even though arrivals decreased drastically from March. This decline is reflected in a delayed fashion from June 2020, when allocation to the municipalities was resumed. Since that time, the average number of residents has been just under 1200.

It was not possible to accommodate anyone in the shelter in July 2019 due to renovations. The nominal capacity is 230 places (Due to the pandemic, there are approximately 100 places available).

6.1.4 Average Duration of Stay

The average duration that reception facility residents stay is currently well below six months in Brandenburg. Residence duration at the reception facility is kept deliberately short and attempts are made, where possible, to implement either voluntary departure or forced termination of residence, or allocate individuals to municipal facilities, before six months have passed. This corresponds to the target of the Brandenburg federal state government to keep residence duration at reception facilities low, taking into account federal legal requirements.

However, the average calculation includes very different case groups which may range from short airport procedure stays of a few weeks to adults travelling alone who are obliged to leave the country staying long-term for more than 12 months as the procurement of their documents has been delayed.

It is the priority of the central immigration authorities to focus on the swift distribution of beneficiaries of protection and families. This prioritisation also applies to vulnerable persons and cases of family reunification. These groups should be distributed within an average of one to two months after the BAMF interview. As it is often especially challenging for municipal facilities to provide suitable places for large families in particular, it may take longer to allocate them than those travelling alone. Residence duration could be further shortened if municipal authorities made more accommodation places available for individuals with special requirements. Individuals whose asylum applications have been rejected as inadmissible or manifestly unfounded also stay for more than six months on the rare occasions that it is not possible to implement termination of residence beforehand.

Allocation to the municipalities is carried out in Brandenburg in accordance with the State Reception Act in what is known as the “free spaces procedure”, which obliges the central immigration authorities to first look for suitable places declared free by the municipal authorities and occupy them first. This procedure takes approximately one to two months, and sometimes even longer, particularly in the case of large families and individuals with special requirements. An attempt is made via the procedure to harmonise the requirements of the municipalities with those of asylum applicants and thereby optimise quality of place allocation.

Irrespective of the length of the distribution process, there are further factors which influence residence duration at the reception facility. In the case of families with school-age children, school readiness is taken into account because it often makes more sense, in the interests of the children, to have them schooled at the reception facility first so they can learn the German language and how to deal with school processes, in any rate to the extent that they can follow regular lessons at a normal school in the federal state without too many problems.

There may be more social reasons which delay allocation to the municipalities, such as drug addicts participating in rehabilitation programmes or ongoing therapeutic measures. In these cases, and comparable cases, there is a conflicting target between the aim of distributing individuals as swiftly as possible and efforts to obtain a place which is as suitable as possible, with the best possible conditions for integration. In the interests of individuals concerned, thoroughness takes priority here.

As the court proceedings against negative administrative asylum decisions take a relatively long time before Brandenburg's administrative courts, asylum applicants who have simply been rejected and have taken court action against the negative decision with a suspensive effect are allocated to the municipalities relatively quickly after taking court action because expulsion from the reception facility within 18 months is not usually possible. The federal state of Brandenburg has not exercised the delegated power under Section 47 subs. 1 b of the Asylum Act.

6.2 Accommodation

6.2.1 Sex- and Age-Specific Accommodation and Accommodation for Vulnerable Groups

There are separate buildings at the Eisenhüttenstadt, Wünsdorf and Doberlug-Kirchhain sites for the segregated accommodation of all men travelling alone on the one hand and women travelling alone and families on the other. In Frankfurt (Oder) - Markendorf, male and female residents are accommodated on different storeys. The respective storeys, or staircases, are guarded by a security firm.

Vulnerable persons requiring special care are primarily accommodated at the Eisenhüttenstadt site in a house adapted especially for the purpose, with approximately 220 places. Seriously ill asylum seekers are accommodated at the hospitals in Eisenhüttenstadt (with its adjacent psychiatric department) and Frankfurt (Oder) (primarily intensive care). There is also a separate building with approximately 70 places for vulnerable persons, in particular women travelling alone, at the Wünsdorf site.

The refugees make it possible for residents to be provided with food and their own counselling services so that it is not necessary for them to leave the refugees if they do not wish to do so.

The majority of refugees arriving in Eisenhüttenstadt go through the asylum procedure in the federal state of Brandenburg. Some of them are allocated to other federal states after the initial examination has been carried out, provided that they are able to travel. The central immigration authorities do not forward sick or otherwise limited individuals to other federal states except in cases of family reunification. Individuals are forwarded to other federal states as per the EASY system no later than on the third day after arrival in Eisenhüttenstadt.

All arrivals, including potentially vulnerable persons, reach the central immigration authorities which register them, then file their asylum application at the BAMF arrival centre and generally also go through the corresponding interview there.

Asylum seekers have the option during the registration process of pointing out their special requirements as defined by Art. 21 2013/33/EU, in writing and verbally. This is done in a questionnaire and, where necessary, with the help of language mediators. The employees involved with registration also record signs which may indicate vulnerability.

After registration, all individuals designated for reception in the federal state of Brandenburg who are under the age of 18 (children together with their families) and over the age of 65, all women and all other individuals who have either stated in the above questionnaire that they belong to a vulnerable group or have had this recognised by employees during registration or the subsequent initial medical examination have been marked for a further screening with employees from the central immigration authorities' psychosocial service. A check is then carried out for special require-

ments, which can be distinguished from one another as follows:

- Procedural requirements – These may arise when the asylum applicant belongs to a group for which the BAMF deploys specially-trained decision-makers (e.g. victims of torture, human trafficking, etc.). The BAMF is then notified accordingly via the psychosocial service. The DRK's social service is simultaneously informed if special assistance is required in creating a file or further procedural steps, for example.
- Accommodation-related requirements – Vulnerable persons in particular are offered accommodation in an extra-secure refuge, provided that these individuals are not a danger to themselves or others. There are accessible living units at many sites available for (physically) disabled asylum applicants.
- Social requirements – This refers to individuals who require more support at the reception facility due to their particular vulnerability, for example in the form of concentrated counselling and support services and one-off or regular conversations for stress relief. A check is also carried out to find suitable people (e.g. from a group of residents) to support those concerned in their day-to-day lives.
- Medical/psychological requirements – Individuals requiring additional psychological, medical or social education care are referred directly to the appropriate instances (psychosocial service, out-patient clinic). Appointments are made as swiftly as possible, or according to the level of urgency. In acute cases, the solution may be hospital admission. They are either transported in an ambulance or in vehicles from the central immigration authorities, or by security on their behalf.

If the psychosocial service employees tasked with conducting the reception interview do not ascertain any vulnerability, there is an internal transfer after the BAMF interview to central immigration authority branch offices, where residents await the conclusion of their asylum procedure.

Refuge accommodation is not provided in the event of minor issues being determined, but individuals receive further support at one of the external sites. The DRK's social service and local out-patient clinics coordinate closely on the matter. The most vital information on special requirements is also forwarded to the responsible social service authorities during allocation to the municipalities.

Medical care is ensured at all sites. Each has well-equipped out-patient clinics, general practitioners employed by the DRK or on a fee basis who practice at the sites on a daily basis, as well as temporary specialists such as psychiatrists, gynaecologists and paediatricians at the respective sites. If there are specific requirements not covered at the respective site, the facility doctor will refer individuals to the closest specialist practices, where further treatment takes place.

6.2.2 Early Childhood Care and, where Applicable, Further Educational Measures

Operators of the facility sites have committed to providing various support services, leisure activities and counselling services. The tender documents for operating the sites stipulated fundamental requirements in these different subject areas for future operators. The basic conditions were staff ratios for social and child supervision, as well as employee qualification requirements (such as foreign language skills) and minimum supervision times. This was in addition to detailed statements on the services to be covered in the various subject areas. The operators' obligation to provide monthly reports on counselling, support and leisure activities means that the central immigration authorities receive a firm overview of the situation at the individual sites, so any need for improvement can be identified quickly and problem areas can be dealt with.

There are various support and counselling services for children and young people at all sites. The comprehensive leisure activities offered for children and young people were an integral part of the specification of services in the tender process for operation of the reception facility, with offers having to include a minimum of five hours per day. Examples include singing rehearsals and performances, film evenings and craft activities. The group of volunteers acquired and maintained by the DRK take on great significance here. It is the local sports clubs in particular which work with our facilities. Football tournaments, for example, bring the children from the reception facility and the children from the surrounding area together and strengthen the sense of community.

Schooling is provided at all sites. The schools are operated by the respective local school authorities. The central immigration authorities provide most of

the equipment. The DRK helps with enrolment and advises parents in conflict situations.

Compulsory schooling is suspended for the period of three months after accommodation at a reception facility of the federal state for young people accommodated at reception facilities of the federal state within the scope of the reception process (cf. Section 2 subs. 1 of the Ordinance on Inclusion and Suspension of Compulsory Schooling; EinglS-churuV). Schooling at reception facilities is provided in the form of preparatory groups (cf. Section 5 subs. 5 of the Ordinance on Inclusion and Suspension of Compulsory Schooling). Along with intensive German language lessons, which are the focal point, the preparatory group lessons include subjects such as mathematics, music, art, general studies and economics/employment/technology. The basis for the lessons is formed by the applicable framework curriculum 1 - 10 in addition to the "Curriculum foundations for German as a second language". Three grade levels are taught at the sites Doberlug-Kirchhain, Eisenhüttenstadt and Wünsdorf: Primary school years 1 - 3; lower secondary years 4 - 6 and upper secondary years 7 - 10.

For older pupils from the age of 17 who are no longer subject to compulsory schooling, voluntary language lessons, qualification courses and a comprehensive sports programme are offered in cooperation with the DRK. Only language lessons are offered at the Frankfurt (Oder) site due to the generally very short residence duration.

All four sites have nurseries, which are operated by the DRK with trained nursery staff.

Adult education is also provided at all four sites, and is bolstered strongly by volunteer supervisors. It goes without saying that language lessons are the focal point here.

6.2.3 Measures to Structure the Day

All asylum seekers have the option of performing community work on a voluntary basis. This work ranges from site maintenance and kitchen assistance to youth and leisure activities and is paid. There is great demand for this work.

Operators of the accommodation facilities also offer various leisure activities for children, young people and adults. These activities are wide-ranging, in line

with the current public holidays in Germany and also geared towards facilitating residents' participation in society, among other things. Examples include a bicycle workshop and cycling training, Christmas parties, excursions and family cinema. Operators provide monthly reports to the central immigration authorities about activities at the individual sites.

The limited qualifications on offer until now are currently being expanded.

Integration preparation courses are only held at the Frankfurt (Oder) site because the applicants accommodated there have better prospects of remaining.

6.2.4 Healthcare Clinic Hours

Out-patient clinics with facility doctors are provided at all four sites. They are regularly at the Eisenhüttenstadt and Doberlug-Kirchhain and also have an on-call service. Their presence at Frankfurt (Oder) and Wünsdorf is limited to certain consulting hours. The out-patient clinics are staffed full-time during the week. Only trained staff are employed at the out-patient clinics.

Specialists sometimes come to the facilities on fixed consultation days (e.g. gynaecology, paediatric clinic) or are engaged via referral. Patients are taken to and picked up from specialist practices by a transport service when required. Language mediators are also provided when required.

6.2.5 Violence Protection Concepts/ Violence Prevention

On-site safety is primarily ensured by a private security firm. A regular police presence at the sites is not necessary. The pillars of the safety concept include regular patrols by security staff, CCTV of all perimeter fences and gateways, consistent reactions to breaches of the house rules, reporting of all criminal offences, internal transfers and priority expulsion of disruptive parties, but also seeking counselling on de-escalating conflicts, mediators in the respective groups, avoidance of gang formation and psychological support for those who need it. There is a partial ban on alcohol at all sites, i.e. on hard liquor. This flexible strategy has led to a significant decrease in conflicts and criminal offences at the sites. What is important in this context is that the counselling given to asylum seekers is

from the DRK, churches or other associations and not the authorities, so that the asylum seekers can turn to organisations within the sites which act independently from the authorities and firmly represent the interests of residents. This is an indispensable part of the preventive concept.

Protection of the family is an integral part of the protective concept at the entire facility. This covers deliberations on the elevated need for assistance that single parents have. There is a protection from violence commissioner for victims of violence at the reception facility who attends to every case. In most cases of violent confrontations, the parties involved in the conflict are separated via transfer to other sites. The individuals concerned are usually advised very clearly as potential threats to security on the possible consequences of their actions. In cases of domestic violence, women and children are accommodated in special refuges with entry controls, where residents are cared for individually and therefore do not have to go outside if they do not wish to do so. In particularly critical cases, the facility works with external women's refuges where persecuted women can be accommodated anonymously.

In cases of suspected or proven child endangerment, the responsible youth welfare offices are immediately informed and the children are taken into their custody, where there is also an officer who proactively pursues every reported or suspected case.

6.3 Counselling and Support

6.3.1 Support of Asylum Applicants

Applicants are firstly cared for in the accommodation area by house managers, who are responsible for accommodation and provision, but also cleaning. Then there are social workers who are responsible for various tasks, from nursery and maternal care to sporting activities. The third support group is made up of social counsellors, usually trained social education workers, who cover various special requirements ranging from asylum procedure counselling and family counselling to addiction counselling.

The support on offer is rounded off with a variety of private initiatives providing assistance intermittently

or regularly. This can range from homework help and voluntary adult language support to sporting activities. The DRK's volunteer coordinators maintain contact with volunteers and coordinate and are supported by the central immigration authorities.

6.3.2 Counselling Services (Excluding Voluntary Return Counselling)

As stated above, the organisations KommMit e. V. and Caritas also provide independent legal remedy advice at all sites in addition to the DRK counselling services outlined above. All applicants who receive a negative administrative asylum decision from the central immigration authorities are immediately directed to the independent legal remedy advice service, with most accepting the offer. The counselling is generally provided three to four times a week.

All sites, including Schönefeld, provide the option of asylum procedure counselling and pastoral counselling from the churches, especially the Jesuit Refugee Service and Protestant Diakonie.

New asylum applicant arrivals receive their first counselling sessions from the DRK during an initial orientation course. Instructions are given on matters including house rules and the rules of beneficial interactions, as well as an overview of the next steps in the asylum procedure. Like the initial examination, initial orientation is a compulsory event which all refugees must complete before they can file an asylum application with the BAMF and before the further reception process can be initiated. To ensure that everyone goes through this counselling process, all of them receive a docket referring to the BAMF's initial counselling as the next port of call before filing the application in accordance with Section 12 a of the Asylum Act.

The BAMF's asylum procedure counselling is provided in two steps: in group sessions before a file is created and later on, before the interview, in optional, individual counselling sessions also held by the BAMF. The BAMF caseworkers are former decision-makers who are specifically assigned to this task. The offer is generally well received, despite the recent pandemic-related restrictions. If asylum seekers do not wish to make use of the BAMF counselling, they have this confirmed by the BAMF and are not disadvantaged in any way as a result.

In addition to this, the DRK offers professionally qualified asylum procedure counselling which is available

at any time. The DRK provides specially-trained counsellors at all sites who are well-versed in all aspects of asylum and residence legislation, but also that of asylum seeker benefits, and can give asylum applicants independent counselling. There are also counselling services offered by the DRK on subjects such as addiction care, marriage and family/sexuality, children and school, etc. The counselling is funded by the federal state of Brandenburg.

A legal remedy advice also funded by the federal state is also offered by various providers, to ensure that asylum applicants who have received a negative decision do not miss any deadlines for submitting legal remedy.

6.4 Return

6.4.1 Voluntary Return Counselling

The central immigration authorities begin with brief voluntary return counselling as early as the reception stage if there is a Eurodac hit during registration. Asylum applicants are then made clearly aware that they can be helped to return to their country of origin. The next return counselling session is always given parallel to the negative administrative asylum decision from the BAMF being served by the central immigration authorities. The possibility of voluntary departure is also pointed out here. The third time that obligatory voluntary return counselling is given is in the run-up to an expulsion measure, particularly if cooperation is required in the procurement of documents in lieu of a passport.

There is also optional voluntary return counselling, accessible at any time, with fixed consultation hours and, if applicable, follow-up appointments which all asylum applicants can make use of. The team providing the detailed voluntary return counselling also handles REAG/GARP applications and the whole departure.

There is also optional voluntary return counselling from the DRK, provided with particular professionalism and great commitment at the Doberlug-Kirchhain site to explain to the Dublin transfer cases accommodated there the potential alternative of voluntary departure to countries of origin.

IOM counselling is given at irregular intervals at all sites. It is particularly important with this counselling that the applicants are processed swiftly and those

concerned are given the option of assisted departure in good time. Better coordination between the official counselling services and those of the IOM is required to achieve this. The appointments for assisted departure counselling must also take place in close chronological proximity so that the interest of those concerned in voluntary departure can be maintained.

In 2019, there were a total of 273 voluntary departures from the reception facility. Despite pandemic-related restrictions, 122 individuals had departed voluntarily by the end of August 2020 both with and without assistance. A direct relationship to the number of individual counselling sessions does not reveal anything of note, as successful individual counselling sessions are the conclusion of a multi-stage counselling process which is established early on.

6.4.2 Federal State Programmes Promoting Voluntary Return

The federal state has its own programme to encourage voluntary return which, since August 2020, has offered funding opportunities for cases which are not funded by the REAG/GARP, or only insufficiently so. The intended focus is on making the application-processing stage and the duration of departure preparations shorter to enable voluntary departures at short notice.

6.4.3 Removal

Since an ordinance amendment in September 2019, the central immigration authorities have been responsible for carrying out removals as the central body in Brandenburg. By transferring this assignment, the federal state is also complying with federal legislative body's demands under Section 71 subs. 1 (4) of the Residence Act. The personnel structure for this new task was completed at the central immigration authorities in August 2020. The central immigration authorities have established three regional teams to plan and coordinate removals in close physical proximity to the municipal immigration authorities. They are located at the Oranienburg, Eisenhüttenstadt and Doberlug-Kirchhain sites. The immigration authorities are obliged on official directive to examine in detail if there are any obstacles to removal or any rights to remain standing in the way of termination of residence before an individual is reported to the central immigration authorities for removal. When the notification is received, it is checked once again by the central

immigration authorities. This centralisation also makes it possible for the central immigration authorities to plan group removals or group embassy appointments in exact detail, as the notifications from the municipal immigration authorities give them an overview of the individuals in the federal state who are to be deported and of the countries of origin in focus. Cooperation with the police of the federal state is also going very well, and they are only called in for removals if necessary.

6.5 Managing the Centre of Excellence of the Federal State under Pandemic Conditions

The first specific measures to deal with the COVID-19 pandemic had already been implemented in Brandenburg in February 2020. The temperature of all new asylum applicant arrivals was systematically taken in a container set up at security specifically for this purpose and anyone with the applicable symptoms or a high temperature was accommodated and tested separately in container housing prepared especially for this purpose. At the same time, customised pandemic plans were compiled together with the health authorities responsible for the respective sites so that total site closures could be avoided, where possible. Parallel to this, group counselling and targeted individual counselling were geared strongly towards the subject of COVID-19, social distancing rules, the obligation to wear masks and generally increased awareness when dealing with others. Multi-lingual flyers and farther-reaching information material had already been distributed to residents in early March. At various sites, the DRK also contacted businesses in the areas surrounding the facility sites to inform them in detail of the precautionary measures being taken at the reception facilities so that applicants would not face discrimination. At the same time, residents who went shopping were repeatedly reminded to comply with the corresponding official regulations there.

These measures and many others in this regard resulted in there being only 16 COVID-19 cases at the reception facility in Brandenburg during the period under review; not a single infected individual caught the virus inside the facility, but either on their travels or at events outside of the facility. All cases

were immediately noted, isolated, tested and, after a positive result, quarantined. They stayed in quarantine for 14 days and were given medical care where required. Reception facility operations were therefore not compromised at any time. Identification and testing of people who had been in contact also went smoothly and did not result in a single positive test result. This may have been due to the varied hygiene measures taken early on, such as the staggering of dining, allowance disbursement and vaccination times, halving and rectifying seating in canteens and waiting rooms, increased disinfection of all surfaces several times every day (tables, handrails, door handles, etc.) and primarily the changes to room occupancy, whereby double rooms were only used by one individual and rooms with multiple beds by only two individuals.

Container housing with a capacity of approximately 250 places was moved to Eisenhüttenstadt and put into service at short notice to maintain arrival activity even under pandemic conditions. These containers make it possible to put all new arrivals and likewise all residents who have previously disappeared and been readmitted in initial quarantine for 48-60 hours, in time-staggered cohorts, to first test them and therefore obtain a properly reliable test result. Only after a negative test result is obtained are they gradually registered, undergoing an initial examination, initial orientation, asylum procedure counselling and ultimately having a file created with the BAMF. This management and separate accommodation combined with multiple stations where temperatures are taken, has made it possible to achieve the highest-possible level of safety for the employees of all agencies and service providers involved, but residents too. It has therefore been possible to prevent residents, employees and service providers from being infected at the reception facility effectively to this day. Wide-ranging testing before distribution to municipal facilities confirms this result.

Thanks to the relatively comfortable equipment and situation (primarily W-LAN, TV and smoking zones) and the quarantine areas not being too densely occupied, there have been no attempts by separated individuals (positive cases and suspected cases to the first degree) to escape from quarantine. The great majority of residents have accepted the measures and followed them.

6.6 Summary and Suggestions for Further Development

6.6.1 Which Aspects of Official Cooperation Have Proved Successful?

The close interaction between the processes of the BAMF and the central immigration authorities has proved successful, especially in the current crisis situation. It begins with the registration, carried out jointly. This combination of respective authorisations and close coordination between the two agencies guarantee a clearly optimised registration procedure result which, above all, is synchronised from the beginning. At the same time, there is a reduction in additional efforts expended on correcting names which have been spelled differently and diverging information on marital status, for example. Things work more quickly and better together. Further appointments for the initial examination, screening for vulnerable persons, asylum procedure counselling at the BAMF, schedulecreating a file and the interview are coordinated jointly and follow a mutually-specified schedule. Transfers to external sites should therefore only occur after an interview has been completed so that unnecessary transportation and waiting times can be avoided. The change from postal delivery receipt to acknowledgement of receipt when it comes to serving decisions to external sites has also proved a success. We assume that the number of successful applications for reviews of administrative court proceedings in Brandenburg has decreased as a result. The sum of all individual measures should have had a positive impact on the acceleration of the asylum procedure.

The division of labour with the Federal Police in the expulsion of Dublin transfer cases has also proved a general success. Moving all Dublin transfer cases to Doberlug-Kirchhain and transfers from Doberlug-Kirchhain has led to an improvement in the success rate. The expenditure of the enforcement authorities involved was kept within an acceptable limit as a result of this management.

6.6.2 How Can this Cooperation be Further Optimised or Expanded? Which other Actors Can Be Brought on Board?

Further improvements are possible in the following processes:

- Consistent use of the scope created by the Orderly Return Act, such as in decreasing or suspending benefits, the preparation of qualified negative decisions due to the asylum application being manifestly unfounded (see above), a more consistent approach to measures restricting residence and the enforcement of conditions and obligations to cooperate are challenges which the centre of excellence of the federal state must face and tackle gradually.
- There is potential for improvement when dealing with irrelevant subsequent applications, that is subsequent applications with no new submissions and without a departure in the meantime. The centre of excellence of the federal state and the BAMF have already initiated the optimisation of coordination processes for both agencies. The aim is to have the decision and the notification as per Section 71 subs. 5 of the Asylum Act on hand within two working days.
- There is further room for optimisation in the synchronisation of distribution decisions made by the central immigration authorities in accordance with Sections 47-49 of the Asylum Act and the BAMF's summons planning. Municipal distribution of applicants should be postponed by the central immigration authorities for as long as it takes for the interviews in the asylum procedure to have been carried out, at least. For this purpose, the central immigration authorities must know whether there has been an interview or not and actually consider these circumstances in their decision on distribution. On the other hand, the BAMF must consider when planning summons that the central immigration authorities are obliged to discharge families from the reception facility within six months. The understanding that summoning applicants once they have been allocated to the municipalities is much more difficult, almost always causing significant delays to the asylum procedure, has not yet conclusively caught on at either agency. The costs also rise for the Federal Government and the federal state. Travel-related infection risks must also be considered in the current situation. Schedul-

ing interview appointments without regard to the journey of asylum applicants who are summoned, previously a common occurrence, is then a problem. This also causes avoidable additional costs and leads, in many cases, to procedural delays. Efforts are being made to improve this situation, however.

- We do not consider further actors to be necessary. There is an appropriate degree of plurality, especially in the counselling given. There is no need to involve further bodies on the official side of things. The more the BAMF can make decisions on site, the better it is for the speed of the asylum procedure in Brandenburg. This refers to procedures as per Section 14 a of the Asylum Act and decisions in the national procedure after the Dublin transfer deadline has expired which could potentially be concluded more quickly on site. In general, the existence of only one office in charge of managing reception and subsequent asylum, residence and social law procedures at both a federal and federal state level has proved of value for the federal state of Brandenburg. This structure should be preserved in future.

6.7 Annex: Administrative Agreement



Bundesministerium
des Innern, für Bau
und Heimat



Gemeinsame Erklärung

des Bundesministeriums des Innern, für Bau und Heimat

und

des Ministeriums des Innern und für Kommunales des Landes Brandenburg

Menschen, die in Deutschland Schutz suchen, brauchen Verfahren, die schnell, umfassend, einzelfallgerecht und rechtssicher Klarheit über ihre Bleibeberechtigung schaffen. Hierzu sollen im Rahmen eines Pilotprojektes in der zentralen Aufnahme-, Entscheidungs- und Rückführungseinrichtung Eisenhüttenstadt am Standort der Zentralen Ausländerbehörde in Eisenhüttenstadt in einem Landeskompetenzzentrum für Asyl (Landeskompetenzzentrum) Kompetenzen gebündelt werden, indem alle maßgeblichen Akteure vor Ort (Bundesamt für Migration und Flüchtlinge - BAMF, Zentrale Ausländerbehörde, Bundesagentur für Arbeit, sowie Verwaltungsgerichtsbarkeit und Bundes- und Landespolizei) möglichst in räumlicher Nähe eng zusammenwirken, um das gesamte Asylverfahren der neu ankommenden Personen schnell, umfassend, einzelfallgerecht und rechtssicher bearbeiten zu können. Dies gilt sowohl für die Entscheidung über die Asylanträge, die Einleitung erster integrationsvorbereitender Maßnahmen für Personen mit guter Bleibeperspektive und die Vermittlung von Orientierungswissen sowie die kommunale Verteilung, als auch für die freiwillige Rückkehr bzw. konsequente Rückführung von nicht bleibeberechtigten Personen.

Nr.1

Ziel und Gegenstand

(1) Bund und Land verfolgen im Wege intensiver Zusammenarbeit gemeinsam das klare Ziel, die Asylverfahren effizient zu gestalten und zu beschleunigen.

(2) Gegenstand dieser Gemeinsamen Erklärung ist der Aufbau und Betrieb eines Landeskompetenzzentrums für das Land Brandenburg zur Optimierung der bestehenden aufenthalts- und asylrechtlichen Strukturen und Abläufe. Hierzu arbeiten Bund und Land im Rahmen ihrer jeweiligen Zuständigkeit eng zusammen und unterstützen sich gegenseitig, um

- für Personen, die in einem anderen Mitgliedstaat in EURODAC registriert wurden und im Inland aufgegriffen werden oder ein Asylgesuch stellen, die Zuständigkeitsprüfung nach der Dublin-Verordnung in einem beschleunigten Verfahren abzuschließen,
- sicherzustellen, dass Personen mit guter Bleibeperspektive so rasch wie möglich integrationsvorbereitende Maßnahmen beginnen und aus dem Landeskompetenzzentrum heraus verteilt werden,
- sicherzustellen, dass Asylbewerber zeitnah nach Einreise und Asylantragstellung Orientierung mit Alltags- und Handlungsrelevanz erhalten, insbesondere auch jene ohne eine gute Bleibeperspektive, und
- für abgelehnte Asylbewerber und für die Asylbewerber, für die ein anderer Mitgliedstaat der Europäischen Union oder ein Staat, mit dem die Europäische Union ein Assoziationsabkommen (CH, FL, IS, NO) geschlossen hat, zuständig ist, so schnell wie möglich die Rückkehr/Überstellung durchzusetzen.

(3) Die bisherige Erstaufnahmeeinrichtung in Eisenhüttenstadt wird mit der Bezeichnung „Landeskompetenzzentrum“ mit Außenstellen in Doberlug-Kirchhain, Zossen/Wünsdorf, Frankfurt (Oder) und Schönefeld (Flughafenverfahren und kurzzeitige Ausreisesammelstelle) betrieben. Es handelt sich mit Ausnahme der Außenstelle Schönefeld um eine offene Einrichtung, deren Standorte durch Objektschutz, teilweise Videoüberwachung, Umzäunung und Einlasskontrollen gesichert sind. Bei der Außenstelle Schönefeld handelt es sich um eine nicht offene

Einrichtung mit Gewahrsamscharakter. Der Bund und das Land Brandenburg schaffen die Voraussetzungen für den Betrieb der Einrichtung. Eine Höchstkapazität der Einrichtung von bis zu 1.000 belegbaren Plätzen pro Außenstelle wird vom Land Brandenburg gewährleistet.

Nr.2

Grundsätze der Unterbringung im Landeskompetenzzentrum

(1) Im Landeskompetenzzentrum Eisenhüttenstadt werden zunächst grundsätzlich unabhängig von ihrer Bleibeperspektive alle Personen untergebracht, für die das Land Brandenburg gemäß §45 AsylG eine Aufnahmeverpflichtung trifft. Eine geschlechter- und altersgerechte Unterbringung sowie eine bedarfsgerechte Unterbringung für vulnerable Gruppen wird vom Land Brandenburg sichergestellt.

(2) Bis zu einer zukünftigen gesetzlichen Ausgestaltung der Altersfeststellung durch das zuständige Jugendamt unter Beteiligung des BAMF im Landeskompetenzzentrum gilt: Eine Unterbringung von unbegleiteten minderjährigen Ausländern in der Einrichtung erfolgt nicht. Das Primat der Kinder- und Jugendhilfe bleibt erhalten. Die Feststellung der Minderjährigkeit erfolgt nach den Vorschriften des SGB VIII durch eine in der Nähe (Landkreis Oder-Spree) eingerichtete Clearingstelle, im Übrigen durch weitere über das Land Brandenburg verteilte Clearingstellen in der Zuständigkeit der für Jugend zuständigen obersten Landesbehörde des Landes Brandenburg. Dort werden unbegleitete minderjährige Ausländer außerhalb des Landeskompetenzzentrums vorläufig in Obhut genommen und außerhalb der Einrichtung nach den landes- und bundesrechtlichen Vorschriften verteilt.

(3) Es liegt ein einrichtungsbezogenes Schutzkonzept vor, das den Mindeststandards zum Schutz von geflüchteten Menschen in Flüchtlingsunterkünften entspricht. Das Land Brandenburg stellt eine Gewaltschutzkoordinierung sicher, die das Schutzkonzept kontinuierlich weiterentwickelt und gemeinsam mit der Einrichtungsleitung umsetzt.

(4) Um eine ausgewogene Unterbringungssituation gewährleisten zu können, werden im Land Brandenburg Personen mit EUODAC-Treffern nach Überstellungsdestinationen, im Übrigen nach guter oder geringer Bleibeperspektive in Gruppen zusammengefasst und gleichmäßig unter Beachtung von Nr.1 Abs. 3 Satz 2 dieser Vereinbarung verteilt. Damit die Höchstkapazität des Landeskompetenzzentrums und seiner Außenstellen nicht überschritten wird, sind bei der Gruppe mit dem Kriterium „geringe Bleibeperspektive“ im Hinblick auf die Auslastung der Einrichtung die Erfolgchancen der Rückführbarkeit einzubeziehen.

(5) Im Hinblick auf die Verteilung in die einzelnen Standorte wird ein enger Informationsaustausch sichergestellt. Dies gilt insbesondere im Falle einer wesentlichen Änderung des Zugangsgeschehens oder von anderen unvorhergesehenen Entwicklungen, die eine möglichst kurzfristige Anpassung der Verteilungskriterien zwischen dem Land Brandenburg und dem BAMF sowie ggf. weiteren beteiligten Stellen wie der Bundes- und Landespolizei erforderlich machen.

(6) Personen ohne Bleibeperspektive werden grundsätzlich nicht in die Kommunen verteilt, es sei denn, eine Verteilung ist gemäß §§ 47 bis 50 AsylG geboten. Nr. 5 dieser Vereinbarung bleibt unberührt.

Nr.3

Maßnahmen des Landes

(1) Das Land Brandenburg betreibt das Landeskompetenzzentrum in Eisenhüttenstadt einschließlich seiner Außenstellen.

(2) Das Land betreibt folgende Dienst- oder Außenstellen in der Einrichtung:

- Zentrale Ausländerbehörde: Diese gewährleistet an den einzelnen Standorten eine geschlechter- und altersgerechte Unterbringung und Betreuung; dies gilt auch für die spezifischen Bedürfnisse vulnerabler Gruppen.

- Die Zentrale Ausländerbehörde richtet an einem oder mehreren ihrer Standorte Einrichtungen gemäß § 61 Absatz 2 AufenthG ein, insbesondere, um die Rückführung in Herkunftsländer zu fördern.
- Das Land Brandenburg verfügt über ein integriertes Rückkehrmanagement. Die Rückkehrberatung wird durch die Zentrale Ausländerbehörde und die Internationale Organisation für Migration durchgeführt.
- Rechtsantragsstellen der Verwaltungsgerichte befinden sich in räumlicher Nähe des Landeskompetenzentrums und seiner Außenstellen.

Zudem wird das Land

- den Einsatz von Flüchtlings- und Integrationsberatern wie bisher fördern,
- bedarfsgerecht den Einsatz von geeigneten Sicherheitsdiensten veranlassen,
- die medizinische Versorgung zusätzlich zur freien Arztwahl bedarfsgerecht über medizinische Sprechstunden vor Ort garantieren. Einganguntersuchungen finden regelmäßig auf dem Gelände des Landeskompetenzentrums in Eisenhüttenstadt und im benachbarten Krankenhaus statt. Im Interesse der öffentlichen Sicherheit wird angestrebt, diese künftig auch bei Personen durchzuführen, die nicht im Land Brandenburg verbleiben, sondern nach einer EASY-Verteilentscheidung in andere Länder weitergeleitet werden.

(3) Für alle im Landeskompetenzzentrum untergebrachten Kinder besteht im Land Brandenburg Schulpflicht. Diese kann unmittelbar auf dem Gelände des Landeskompetenzentrums in Eisenhüttenstadt und seiner Außenstellen wahrgenommen werden.

(4) Die Bewohner des Landeskompetenzentrums werden durch die Wohnheimbetreiber betreut. Um den Tagesablauf für die Bewohner innerhalb der Einrichtung besser zu gestalten und soziale Spannungen zu vermeiden bzw. zu verringern, werden unterstützende und tagesstrukturierende Maßnahmen in gemeinsamer Konzeption durch das Land Brandenburg und die jeweiligen Wohnheimbetreiber und andere Organisationen vor Ort entwickelt und durchgeführt.

(5) Innerhalb der Einrichtung erfolgen Leistungen nach dem Asylbewerberleistungsgesetz (AsylbLG) sowie unter Berücksichtigung von Taschengeld weitgehend nach dem Sachleistungsprinzip. Weitere Optionen werden geprüft.

(6) Das Land Brandenburg stellt bei nachgewiesenem Bedarf und im Rahmen zur Verfügung stehender Kapazitäten ausreichend Räumlichkeiten zur Ermöglichung der bedarfsorientierten Durchführung der Orientierungsmaßnahmen des Bundes zur Verfügung.

Nr.4

Maßnahmen des Bundes

(1) Der Bund führt bei der Registrierung eine Identitätsprüfung mittels integrierten Identitätsmanagements (IDM-S) durch. Zwischen Bund und dem Land Brandenburg besteht Einvernehmen, das Asylverfahren schnell, umfassend, einzelfallgerecht und rechtssicher zu bearbeiten. Durch fortlaufende Verfahrensoptimierungen soll das Asylverfahren weiter beschleunigt werden.

(2) Das BAMF stellt für die zügige Bearbeitung der Asylverfahren innerhalb des Landeskompetenzzentrums im Rahmen der hierfür zur Verfügung stehenden Ressourcen sicher, dass sich für die Aufgabenerledigung genügend Personal vor Ort im Einsatz befindet:

- Das BAMF stellt im Rahmen der zur Verfügung stehenden Ressourcen sicher, dass zur Wahrnehmung der genannten Aufgaben genügend Personal eingesetzt wird. Das BAMF richtet die Zahl seiner in Eisenhüttenstadt und Frankfurt/Oder tätigen Mitarbeiterinnen und Mitarbeiter an der Menge und dem Umfang der zu erledigenden Aufgaben aus.
- Das BAMF führt im Rahmen des Dublin-Verfahrens die Verfahrensschritte „Übernahmeersuchen und Bescheiderstellung“ sowie die zentrale Überstellungscoordination im Rahmen seiner Zuständigkeit (Gruppe 32) durch

und benennt Ansprechpartner für landesspezifische Belange im Rahmen der Dublin-Rückführung.

- Neben der Durchführung der Asylverfahren bietet das BAMF im Rahmen der Pilotierung auch eine unabhängige Asylverfahrensberatung in der Einrichtung an. Diese erfolgt in zwei Stufen und besteht aus einer allgemeinen Beschreibung des Asylverfahrens (einschl. eines Hinweises auf bestehende Angebote zur Rückkehrberatung) in Gruppengesprächen für alle Asylsuchenden vor Antragstellung und, darauf aufbauend, einer freiwilligen, individuellen Asylverfahrensberatung in Einzelgesprächen für alle Asylsuchenden/Asylantragsteller ab dem Zeitpunkt „vor Antragstellung“ bis „Abschluss des Behördenverfahrens“. Die freiwillige, individuelle Asylverfahrensberatung kann auch durch Wohlfahrtsverbände durchgeführt werden. Diesen sollen dafür durch das BAMF vor Ort Räumlichkeiten im Rahmen freier Kapazitäten und Sachmittel zur Verfügung gestellt und der Zugang gewährleistet werden. In diesem Fall tauschen BAMF und Wohlfahrtsverbände im Rahmen einer engen Kooperation Beratungsstandards aus und entwickeln diese gemeinsam weiter. Das Land kann eine ergänzende unabhängige Verfahrensberatung anbieten.
- Zudem konzipiert und finanziert das BAMF Maßnahmen der Erstorientierung in der Einrichtung. Dort werden zwei Orientierungsmaßnahmen (Wegweiser- und Erstorientierungskurs) angeboten. Der Wegweiserkurs vermittelt das wichtigste Orientierungswissen für den Alltag, für das Verhalten in der Einrichtung sowie grundlegende Werte und wichtige Informationen über Kultur und Eigenheiten in Deutschland. Er umfasst 15 Unterrichtseinheiten und wird durch sog. Kulturmittler, die entsprechend geschult sind, in der jeweiligen Herkunftssprache unterrichtet. Im Erstorientierungskurs, der sich nicht an Asylbewerber aus sicheren Herkunftsländern richtet, wird in sechs Modulen à 50 Unterrichtseinheiten (insgesamt 300 UE) landeskundliches Wissen, verbunden mit einfachen Deutschkenntnissen vermittelt, wodurch die Teilnehmenden in ihren speziellen Lebenssituationen unterstützt werden. Eine systematische sprachliche Progression ist im Erstorientierungskurs nicht vorgesehen.

(3) Die Regionaldirektion Berlin-Brandenburg der Bundesagentur für Arbeit und ihre nachgelagerten Organisationseinheiten werden im Rahmen des geltenden Rechts bei Asylbewerbern mit guter Bleibeperspektive bedarfsorientiert so früh wie möglich insbesondere

- orientierende Informationen zum deutschen Ausbildungs- und Arbeitsmarkt anbieten,
- die Erhebung und Erfassung von Personendaten zu beruflichen Vorerfahrungen und Qualifikationen im Rahmen der Selbstauskunft vornehmen und
- Informationen zu weiteren Unterstützungsangeboten geben (wie z. B. Beratungs- und Anerkennungsstellen),

um den Einstieg in den deutschen Ausbildungs- und Arbeitsmarkt zu einem möglichst frühen Zeitpunkt zu erleichtern. Die Gestaltung des Inhalts und des Umfangs des Dienstleistungsangebotes der BA erfolgen in dezentraler Verantwortung. Die konkreten Abläufe im Landeskompetenzzentrum werden lokal vor Ort abgestimmt. Damit wird ein positiver Beitrag zur erfolgreichen Integration von Geflüchteten in die Gesellschaft geleistet.

(4) Zur Steigerung der Effizienz und zur Beschleunigung der Abläufe übernimmt der Bund ab 1. Juli 2019 sukzessive die Passersatzpapierbeschaffung für das Land Brandenburg in Amtshilfe. Die Details werden zwischen den zuständigen Behörden geklärt.

(5) Der Bund unterstützt das Land Brandenburg bei der Durchführung der Rückführung, insbesondere durch Chartermaßnahmen sowie Begleitung durch die Bundespolizei.

Nr.5

Aufenthaltsdauer in den Einrichtungen

Soweit noch keine bundesgesetzlichen Anpassungen der zulässigen Höchstverweildauern in den Einrichtungen durch den Bund erfolgt sind, gelten die im Asylgesetz in § 47 Abs.1, 1a und 1b AsylG normierten bzw. in Landesrecht umgesetzten Höchstverweildauern. Bei Überschreiten der Höchstverweildauern erfolgt

eine Umverteilung aus dem Landeskompetenzzentrum entsprechend den gesetzlichen Regelungen.

Nr.6

Freiwillige Rückkehr und Rückführung

(1) In den Fällen geringer Bleibeperspektive wird die Rückkehrberatung im Landeskompetenzzentrum mit dem Ziel verstärkt, Perspektiven für die freiwillige Rückkehr aufzuzeigen. Hierzu gehören auch Maßnahmen der Reintegration im Heimatland. Die Erweiterung der Angebote der Rückkehrinformation wird geprüft. Zudem soll gemeinsam mit dem Bundesministerium für wirtschaftliche Zusammenarbeit und Entwicklung auf die Durchführung von Maßnahmen hingewirkt werden, die die Reintegration in das Heimatland fördern.

(2) In den Fällen, in denen abgelehnte Asylbewerber die freiwillige Rückkehr ins Zielland ablehnen, erfolgt die Rückführung unmittelbar aus dem Landeskompetenzzentrum mit Vollziehbarkeit der Asylentscheidung. Der Bund und das Land Brandenburg intensivieren zu diesem Zweck ihre Zusammenarbeit in der Einrichtung. Dabei soll insbesondere eine Optimierung im Bereich der Identitätsfeststellung und -klärung, der Beschaffung erforderlicher Reisedokumente sowie der Durchführung von zwangsweisen Rückführungen erzielt werden. Der Bund und das Land Brandenburg prüfen im Rahmen ihrer jeweiligen Zuständigkeiten zu diesem Zweck gemeinsam alle Verfahrensschritte. In enger Abstimmung mit dem Land Brandenburg übernimmt der Bund die Rückführungen der Dublin-Fälle aus der Einrichtung. Hierzu wird ein Ablaufplan erstellt.

(3) Vor der ersten Zwischenevaluation können Bund und Land weitere, noch im Planungsstadium befindliche Bausteine testen, um so weitere Verfahrensverbesserungen zu erreichen.

Nr.7

Evaluierungsphase

(1) Etwaige Anpassungsbedarfe, auch eventuell gesetzgeberischer Handlungsbedarf, werden vom Bund und dem Land Brandenburg fortlaufend ermittelt. Soweit ohne Rechtsänderung möglich, werden die ermittelten Optimierungsmaßnahmen im Benehmen zwischen Bund und Land unmittelbar umgesetzt. Hierzu finden regelmäßige Austauschgespräche/ Telefonschaltkonferenzen zwischen dem Land Brandenburg, dem Bundesamt für Migration und Flüchtlinge, der Regionaldirektion und der Zentrale der Bundesagentur für Arbeit sowie den zuständigen Ministerien statt.

(2) Der Bund und das Land Brandenburg evaluieren die praktische Umsetzung der Prozesse im Landeskompentenzentrum gemeinsam, ggf. unter Beteiligung der vor Ort tätigen Wohlfahrtsverbände und Organisationen. Die Evaluation ist im Frühjahr 2020 vorgesehen. Über die Ausgestaltung der Evaluierung des Landeskompentenzentrums entscheidet das Land Brandenburg unter Einbeziehung der beteiligten Stellen und im Benehmen mit dem Bund.

Nr.8

Ansprechpartner / Schlussbestimmungen

(1) Beide Seiten benennen jeweils einen zuständigen Ansprechpartner nebst Vertreter für die schnelle Bearbeitung auftretender Abstimmungsbedarfe. Hierzu wird ein E-Mail-Verteiler festgelegt. Beide Seiten informieren sich gegenseitig schriftlich unverzüglich über Änderungen dieser Ansprechpersonen oder ihrer Kontaktdaten.

(2) Beide Seiten sind sich darüber einig, dass eine Anpassung dieser Gemeinsamen Erklärung im Fall wesentlicher Änderungen, insbesondere im Zugangsgeschehen, kurzfristig bei beiderseitigem Einvernehmen erfolgen kann. Beide Seiten vereinbaren eine enge und vertrauensvolle Zusammenarbeit.

Nr.9
Finanzierung

Soweit zur Finanzierung der vorgenannten Maßnahmen Drittmittel zur Verfügung stehen, werden diese vorrangig in Anspruch genommen. Die Behörden von Bund und Ländern tragen die Kosten für die ihnen nach dieser gemeinsamen Erklärung obliegenden Verpflichtungen selbst.

Nr.10
Anwendungszeitpunkt

Diese gemeinsame Erklärung wird ab dem Tag ihrer Unterzeichnung angewendet.

Schönefeld, den 12. Juli 2019

Für

das Bundesministerium des Innern, für Bau und Heimat

Two handwritten signatures in blue ink. The first is a stylized 'H.' and the second is a more complex signature with a long horizontal stroke.

Für

das Ministerium des Innern und für Kommunales des Landes Brandenburg

A handwritten signature in black ink, appearing to read 'Karl Lye'.

7

Free and Hanseatic City of Hamburg



7.1 Implementation of Joint Agreement between Hamburg's Department of the Interior and Sport (BIS) and the Federal Ministry of the Interior, Building and Community (BMI)¹

The joint agreement concluded by Hamburg's Department of the Interior and Sport and the Federal Ministry of the Interior, Building and Community is currently still at the implementation stage, which has also been delayed due to the COVID-19 pandemic and associated restrictions to and adjustments of procedures.

7.1.1 Registration with Identity Check Using Integrated Identity Management (IDM-S) Carried Out by the BAMF

Agreements between the BIS and the BAMF on the use of initial registration premises have been reached. The BAMF is currently organising the necessary technology to start operating IDM-S tools during the initial registration process.

7.1.2 BAMF Provision of Asylum Procedure Counselling Services

The BAMF is planning to provide group counselling sessions only for Hamburg, for now. Renovation measures will begin next week to create suitable premises for this purpose.

7.1.3 Support for Voluntary Return Promotion Via Group Information on Measures Regarding Voluntary Return and Reintegration in the Home Country

Contact has been made between the BIS return counsellors and BAMF representatives and exchange and shadowing possibilities have been planned. Prepara-

¹ Last revised May 2020

tions are currently underway at the BIS to specify appropriate facilities for information events. The BAMF is pressing ahead with preparations by conclusively clarifying the internal conditions there (compiling the risk analysis and involving committees). The BIS has already been holding its own return counselling sessions at the arrival centre for some time and continues to maintain them.

7.1.4 Transfer Support within the Scope of Dublin Transfers

An appropriate schedule was compiled between the Federal Police (Hannover police department) and the BIS, governing the individual support elements from 1 February 2020. The support measures have already begun. The first support requests were then filed for February and March and granted in all cases.

There were seven support requests in February (a total of 12 individuals) for measures from Hamburg airport. It was possible to execute one measure successfully and six measures failed; of the latter, three measures failed as the subject was not found.

There were eight support requests in March (23 individuals); the measures were to be from the Hamburg and Frankfurt am Main airports as well as the port of Rostock. Transfers via land from Kehl and Freilassing were also planned.

Four measures (six individuals) were enforced successfully; the other four measures failed or were not executable due to cancellations by the Federal Office for Migration and Refugees. This was primarily a result of the circumstances changing because of the COVID-19 pandemic.

It is not possible to plan further measures because of the current situation.

7.1.5 The Federal Government's Successive Takeover of Procurement of Documents in Lieu of Passports

Enhanced cooperation with the Federal Government (Federal Police and BAMF) has begun, and the federal coordination unit in particular has begun its work. There were organisational and technical issues in particular to be cleared up in the beginning, at a federal and federal state level.

Overall, the cooperation is described as good by Hamburg and the willingness of employees deployed within the coordination unit to make a difference is recognisable. There have not yet been any clear successes in clarifying identity, or the procurement of documents in lieu of passports, due to continuing vacancies in the coordination unit and the internal handover of case files (from the Federal Police to the BAMF), as well as the idiosyncrasies of the current situation.

7.2 Dealing with Sars-CoV-2 at the Hamburg Arrival Centre²

Measures were immediately taken at the central reception facility in Hamburg (arrival centre) in consultation with the responsible health authorities to curb the spread of the Sars-CoV-2 virus as soon as the clear increase in COVID-19 cases in Germany became apparent in late February and early March 2020.

These initial measures included accommodating vulnerable persons in decentralised reception facilities. All vulnerable persons and those over the age of 60 were promptly housed in a decentralised facility due to the increased risk of complications in the event of a COVID-19 infection. Where individuals arrived as a family unit, they too were transferred if the children were

- minors or adolescents (up to the age of 25) or
- if support or supervision was necessary or if they required support or supervision themselves.

Initial registration procedures were also restructured. Management of members of the public arriving for appointments and the associated procedures were promptly amended to protect asylum seekers arriving and employees and have since been subject to constant evaluation and adjustment. Protective equipment was acquired to protect employees, management of the public was adapted and reduced accordingly and social distancing and hygiene rules reinforced, with care taken to ensure compliance.

Another important step to avoid an outbreak was the blanket testing of all new arrivals. Before processing

² Last reviewed August 2020

and registration at the arrival centre, all new arrivals are tested for Sars-Cov-2 and housed separately in a detached hall in compartments until the result is available. Strict compliance with the separation is ensured, taking into account family units.

Thanks to positive cooperation with the lab, the average length of stay in the initial registration area was approximately 12 hours only. After a negative test result, the immigration authorities processed the applicants and allocated them using the EASY or ViLA procedure. This serves to protect employees and applicants and is vital for maintaining official operations at the arrival centre as an office which keeps operations running.

As allocation to other federal states was only possible with a negative result from the same day, it was vital to set up a weekend service. These measures make it possible to rectify accommodation in the compartments in the initial registration area, reduce the risk of the virus spreading to a minimum and result in less stress for all concerned.

7.2.1 Accommodation

All asylum seekers newly assigned to Hamburg initially entered quarantine for at least 14 days. This was essentially determined by the medical findings.

- Individuals with a negative Sars-CoV-2 result made their way to a separate quarantine facility. They are transported by employees of the arrival centre. They stay there for a minimum of 14 days.
- Individuals with a positive Sars-CoV-2 result (with no symptoms) are housed in isolation in a separate area of the quarantine facility. Initial registration is only carried out after two negative tests. Transportation is provided by an ambulance service.
- Individuals who test positive for Sars-CoV-2 (with symptoms) are promptly taken to hospital in an ambulance. They are only processed after a second negative result has been submitted.

After a quarantine of at least 14 days for asylum seekers assigned to Hamburg, they are accommodated in compartments at the central reception facility. In the event of a positive suspected case, an emergency plan was developed together with the responsible health authorities to reduce

the likelihood of the virus spreading to a minimum, thereby enabling the continuation of official operations.

7.2.2 Challenges

In addition to the fact that the scientific findings on Sars-Cov-2 were still at the research stage and there were barely any reliable guidelines available on how to deal with COVID-19, one of the greatest challenges was the difficulty in obtaining protective equipment (PPE). The swift reaction and personal commitment of the management on site meant that the initial protective equipment was available for employees at the Hamburg arrival centre (registration area) and it was possible to maintain official operations. This had a calming and motivating effect for employees at the arrival centre in addition to the continuity of official operations, especially at the initial stage when the effects of COVID-19 and its transmission channels were not yet known. This motivation then culminated in employees recommending the introduction of a weekend service to counteract “density” in the initial registration area of accommodation facilities and declaring their willingness to adjust their working hours accordingly. It was only possible to counter the challenges dealing with COVID-19 at the arrival centre with the individual commitment of employees.

Additional accommodation capacities also had to be provided immediately as vulnerable persons as well as “at-risk” individuals (older people or those with known pre-existing conditions) were to be housed in a decentralised location. Moreover, an additional facility in the form of a quarantine facility had to be activated and strict separation was mandatory until the test result was available. The necessary restructuring and adjustments to processes at the central reception facility included the introduction of different mealtimes to separate residents from different units. It was necessary to restrict visiting options heavily to protect residents. An “emergency plan” was developed for the possibility of a positive case of suspected COVID-19 in the central reception area with the aim of maintaining official operations. All actors represented on site (immigration authorities, medical care, operators, BAMF) worked closely together to establish procedures which protect all parties as comprehensively as possible.

So far, it has been possible to successfully prevent an outbreak. The measures and changes to procedures

outlined have proved a success so far and are always being improved through continuous evaluation and adjustments to the ever-changing situation.

7.3 Annex: Administrative Agreement



Gemeinsame Erklärung

zwischen

dem **Bundesministerium des Innern, für Bau und Heimat**

und

der **Behörde für Inneres und Sport der
Freien und Hansestadt Hamburg**

Menschen, die in Deutschland Schutz suchen, brauchen Verfahren, die schnell, umfassend, einzelfallgerecht und rechtssicher Klarheit über ihre Bleibeberechtigung schaffen. Hierzu sollen Kompetenzen gebündelt werden, indem alle maßgeblichen Akteure vor Ort (Bundesamt für Migration und Flüchtlinge - BAMF, Zentrale Ausländerbehörde, Bundesagentur für Arbeit sowie Verwaltungsgerichtsbarkeit und Bundes- und Landespolizei) möglichst in räumlicher Nähe eng zusammenwirken, um das gesamte Asylverfahren der neu ankommenden Personen schnell, umfassend, einzelfallgerecht und rechtssicher bearbeiten zu können. Dies gilt sowohl für die Entscheidung über die Asylanträge, die Einleitung erster integrationsvorbereitender Maßnahmen für Personen mit guter Bleibeperspektive und die Vermittlung von Orientierungswissen sowie die kommunale Verteilung, als auch für die freiwillige Rückkehr bzw. konsequente Rückführung von nicht bleibeberechtigten Personen.

Nr.1

Ziel und Gegenstand

(1) Bund und Land verfolgen im Wege intensiver Zusammenarbeit gemeinsam das klare Ziel, die Asylverfahren effizient zu gestalten und zu beschleunigen.

(2) Gegenstand dieser Gemeinsamen Erklärung ist die Weiterentwicklung der Zusammenarbeitsprozesse in dem in Hamburg bestehenden Ankunftszentrum einschließlich der zentralen Erstaufnahmeeinrichtung Rahlstedt sowie derzeit fünf dezentralen Erstaufnahmeeinrichtungen (Dependancen), zu dem Kompetenzzentrum Asyl, zur fortlaufenden Optimierung der bestehenden aufenthalts- und asylrechtlichen Strukturen und Abläufe. Hierzu arbeiten der Bund und die Freie und Hansestadt Hamburg im Rahmen ihrer jeweiligen Zuständigkeit eng zusammen und unterstützen sich gegenseitig, um

- für Personen, die in einem anderen Mitgliedstaat in EURODAC registriert wurden und im Inland aufgegriffen werden oder ein Asylgesuch stellen, die Zuständigkeitsprüfung nach der Dublin-Verordnung in einem beschleunigten Verfahren abzuschließen,
- sicherzustellen, dass Personen mit guter Bleibeperspektive so rasch wie möglich integrationsvorbereitende Maßnahmen beginnen,
- sicherzustellen, dass Asylbewerber zeitnah nach Einreise und Asylantragstellung Orientierung mit Alltags- und Handlungsrelevanz erhalten, insbesondere auch jene ohne eine gute Bleibeperspektive, und
- für abgelehnte Asylbewerber und für die Asylbewerber, für die ein anderer Mitgliedstaat der Europäischen Union oder ein Staat, mit dem die Europäische Union ein Assoziationsabkommen (CH, FL, IS, NO) geschlossen hat, zuständig ist, so schnell wie möglich die Rückkehr/Überstellung durchzusetzen.

(3) Die zentrale Erstaufnahmeeinrichtung in Hamburg-Rahlstedt (Ankunftszentrum) wird mit den derzeit 5 dezentralen Erstaufnahmeeinrichtungen (Dependancen) als Kompetenzzentrum Asyl betrieben. Es handelt sich um eine offene Einrichtung, deren Standorte durch Umzäunung und Einlasskontrollen gesichert sind. Der Bund und die Freie und Hansestadt Hamburg schaffen die Voraussetzungen für den Betrieb der Einrichtung. Eine Höchstkapazität der Einrichtung von bis zu 1.500 belegbaren Plätzen

wird von der Freien und Hansestadt Hamburg im Rahmen der bestehenden Konzeption vorgehalten.

Nr.2

Grundsätze der Unterbringung im Kompetenzzentrum Asyl

(1) Im Kompetenzzentrum werden grundsätzlich unabhängig von ihrer Bleibeperspektive zunächst alle Personen untergebracht, für die die Freie und Hansestadt Hamburg gemäß § 45 AsylG eine Aufnahmeverpflichtung trifft. Eine geschlechter- und altersgerechte Unterbringung sowie eine bedarfsgerechte Unterbringung für vulnerable Gruppen wird vom Land sichergestellt.

(2) Bis zu einer zukünftigen gesetzlichen Ausgestaltung der Altersfeststellung durch das zuständige Jugendamt unter Beteiligung des BAMF im Kompetenzzentrum gilt: Eine Unterbringung von unbegleiteten minderjährigen Ausländern in der Einrichtung erfolgt nicht. Das Primat der Kinder- und Jugendhilfe bleibt erhalten. Die Feststellung der Minderjährigkeit erfolgt nach den Vorschriften des SGB VIII durch eine in der Nähe (Kinder- und Jugendnothilfedienst) eingerichtete Clearingstelle in der Zuständigkeit der für Jugend zuständigen obersten Landesbehörde der Freien und Hansestadt Hamburg. Dort werden unbegleitete minderjährige Ausländer außerhalb des Kompetenzzentrums vorläufig in Obhut genommen und außerhalb der Einrichtung nach den landes- und bundesrechtlichen Vorschriften verteilt.

(3) Es liegt ein einrichtungsbezogenes Schutzkonzept vor, das den Mindeststandards zum Schutz von geflüchteten Menschen in Flüchtlingsunterkünften entspricht. Die Freie und Hansestadt Hamburg stellt eine Gewaltschutzkoordinierung sicher, die das Schutzkonzept kontinuierlich weiterentwickelt und gemeinsam mit der Einrichtungsleitung umsetzt.

(4) Um eine ausgewogene Unterbringungssituation gewährleisten zu können, werden Personen mit EURODAC-Treffern nach guter oder geringer Bleibeperspektive in Gruppen zusammengefasst und gleichmäßig unter Beachtung von Nr.1 Abs. 3 Satz 2 dieser Gemeinsamen Erklärung verlegt. Damit die Höchstkapazität des

Kompetenzzentrums (Ankunftszentrum und weitere Erstaufnahmeeinrichtungen) nicht überschritten wird, sind bei der Gruppe mit dem Kriterium „geringe Bleibeperspektive“ im Hinblick auf die Auslastung der Einrichtung die Erfolgchancen der Rückführbarkeit einzubeziehen.

(5) Eine Verlegung in spezielle Gemeinschaftsunterkünfte in räumlicher Nähe innerhalb des Stadtgebiets erfolgt unter Beachtung der gesetzlichen Vorgaben. Die Verlegung in die Einrichtungen orientiert sich an der Bleibeperspektive.

Nr.3

Maßnahmen des Landes

(1) Die Freie und Hansestadt Hamburg betreibt das Ankunftszentrum einschließlich der weiteren Erstaufnahmen (Kompetenzzentrum).

(2) Das Land betreibt folgende Dienst- oder Außenstellen in der Einrichtung:

- Zentrale Ausländerbehörde: Diese gewährleistet an den einzelnen Standorten eine geschlechter- und altersgerechte Unterbringung und Betreuung; dies gilt auch für die spezifischen Bedürfnisse vulnerabler Gruppen.
- Die Freie und Hansestadt Hamburg verfügt über ein integriertes Rückkehrmanagement. Die Rückkehrberatung wird durch die Zentrale Ausländerbehörde durchgeführt.
- Das Verwaltungsgericht befindet sich aufgrund der besonderen Situation des Stadtstaates in räumlicher Nähe des Ankunftszentrums (Kompetenzzentrums).

Zudem wird das Land

- den Einsatz von Flüchtlings- und Integrationsberatern fördern,
- bedarfsgerecht den Einsatz von geeigneten Sicherheitsdiensten veranlassen bei Kostentragung durch den jeweiligen Bedarfsträger,
- aufbauend auf der bestehenden medizinischen Versorgung bedarfsgerecht Sprechstunden vor Ort anbieten, sofern die Regelversorgung nicht ausreichend

ist. Einganguntersuchungen finden regelmäßig auf dem Gelände des Kompetenzzentrums statt.

(3) Für alle im Kompetenzzentrum untergebrachten Kinder besteht Schulpflicht. In Hamburg wird diese innerhalb der bestehenden Regelstrukturen realisiert.

(4) Die durch die Freie und Hansestadt Hamburg mit dem jeweiligen Betreiber der Einrichtung entwickelten und bereits etablierten unterstützenden und tagesstrukturierenden Maßnahmen werden bedarfsgerecht durchgeführt und weiterentwickelt.

(5) Innerhalb der Einrichtung erfolgen Leistungen nach dem Asylbewerberleistungsgesetz (AsylbLG) grundsätzlich nach dem Sachleistungsprinzip.

(6) Die Freie und Hansestadt Hamburg stellt bei nachgewiesenem Bedarf und im Rahmen zur Verfügung stehender Kapazitäten nach Absprache mit dem BAMF Räumlichkeiten zur Ermöglichung der bedarfsorientierten Durchführung der Orientierungsmaßnahmen des Bundes zur Verfügung.

Nr.4

Maßnahmen des Bundes

(1) Der Bund führt bei der Registrierung eine Identitätsprüfung mittels integrierten Identitätsmanagements (IDM-S) durch. Zwischen Bund und der Freien und Hansestadt Hamburg besteht Einvernehmen, das Asylverfahren schnell, umfassend, einzelfallgerecht und rechtssicher zu bearbeiten. Durch fortlaufende Verfahrensoptimierungen soll das Asylverfahren weiter beschleunigt werden.

(2) Das BAMF stellt für die zügige Bearbeitung der Asylverfahren innerhalb des Kompetenzzentrums sicher, dass sich für die Aufgabenerledigung genügend Personal vor Ort im Einsatz befindet:

- Das BAMF führt im Rahmen des Dublin-Verfahrens die Verfahrensschritte „Übernahmeersuchen und Bescheiderstellung“, die Prüfung von inlandsbezogenen Vollstreckungshindernissen und Abschiebungshindernissen, die Prüfung der Erforderlichkeit der medizinischen Begleitung bis zum Tag vor der Überstellung sowie die zentrale Überstellungscoordination im Rahmen seiner Zuständigkeit (Gruppe 32) durch und benennt Ansprechpartner für landesspezifische Belange im Rahmen der Dublin-Rückführung.
- Neben der Durchführung der Asylverfahren bietet das BAMF in der Regel werktäglich auch eine unabhängige Asylverfahrensberatung in der Einrichtung an. Diese erfolgt in zwei Stufen und besteht in Stufe 1 aus allgemeinen Informationen über das Asylverfahren (einschl. eines Hinweises auf bestehende Angebote zur Rückkehrberatung) in Gruppengesprächen für alle Asylsuchenden vor Antragstellung und, darauf aufbauend in Stufe 2, einer freiwilligen, individuellen Asylverfahrensberatung in Einzelgesprächen für alle Asylsuchenden/Asylantragsteller ab dem Zeitpunkt „vor Antragstellung“ bis „Abschluss des Behördenverfahrens“. Die freiwillige, individuelle Asylverfahrensberatung kann auch durch Wohlfahrtsverbände durchgeführt werden. Diesen sollen – bei Bedarf – durch das BAMF vor Ort Räumlichkeiten im Rahmen freier Kapazitäten und Sachmittel zur Verfügung gestellt und der Zugang gewährleistet werden. In diesem Fall können BAMF, Freie und Hansestadt Hamburg und Wohlfahrtsverbände im Rahmen einer engen Kooperation Beratungsstandards austauschen und diese gemeinsam weiter entwickeln.
- Zudem konzipiert und finanziert das BAMF Maßnahmen der Erstororientierung in der Einrichtung. Dort werden zwei Orientierungsmaßnahmen (Wegweiser- und Erstororientierungskurs) angeboten. Der Wegweiserkurs vermittelt das wichtigste Orientierungswissen für den Alltag sowie grundlegende Werte und wichtige Informationen über Kultur und Eigenheiten in Deutschland. Er umfasst 15 Unterrichtseinheiten und wird durch sog. Kulturmittler, die entsprechend geschult sind, in der jeweiligen Herkunftssprache unterrichtet. Im Erstororientierungskurs wird in sechs Modulen à 50 Unterrichtseinheiten (insgesamt 300 UE) landeskundliches Wissen vermittelt, wodurch die Teilnehmenden in ihren speziellen Lebenssituationen unterstützt werden. Eine systematische sprachliche Progression ist im Erstororientierungskurs nicht vorgesehen.

(3) Die Regionaldirektion Nord der Bundesagentur für Arbeit und ihre nachgelagerten Organisationseinheiten werden im Rahmen des geltenden Rechts bei Asylbewerbern mit guter Bleibeperspektive bereits vor Arbeitsmarktzugang und bei allen Asylbewerbern spätestens mit Arbeitsmarktzugang bedarfsorientiert so früh wie möglich insbesondere

- orientierende Informationen zum deutschen Ausbildungs- und Arbeitsmarkt anbieten,
- erste Berufskompetenzfeststellungen vornehmen und
- Informationen zu weiteren Unterstützungsangeboten geben (wie z. B. Beratungs- und Anerkennungsstellen),

um den Einstieg in den deutschen Ausbildungs- und Arbeitsmarkt zu einem möglichst frühen Zeitpunkt zu erleichtern. Die Gestaltung des Inhalts und des Umfangs des Dienstleistungsangebotes der BA erfolgen in dezentraler Verantwortung. Die konkreten Abläufe im Ankunftscenter werden lokal vor Ort abgestimmt. Damit wird ein positiver Beitrag zur erfolgreichen Integration von Geflüchteten in die Gesellschaft geleistet.

(4) Zur Steigerung der Effizienz und zur Beschleunigung der Abläufe erledigt der Bund entsprechend des Beschlusses der Arbeitsgruppe „Integriertes Rückkehrmanagement“ vom 17. August 2018 sowie vom 12./13. März 2019 sukzessive in Amtshilfe die Passersatzpapierbeschaffung. Die Unterstützung erfolgt zuerst für Angehörige solcher Herkunftsstaaten, bei denen die maßgeblichen Rahmenbedingungen für eine künftige zentrale Bearbeitung durch den Bund sprechen. Dazu zählen die bereits in dem AG IRM Beschluss vom 12./13. März 2019 genannten sowie weitere bereits jetzt in Amtshilfe durch den Bund bearbeitete Staaten. Weiterhin sollte es sich um Herkunftsländer handeln, die nur eine Vertretung in Deutschland unterhalten, die trotz Sachbeweisen keine Passersatzpapiere ausstellen oder bei denen die derzeitige Zusammenarbeit sonstigen erheblichen Optimierungsbedarf aufweist. Die Details werden zwischen den zuständigen Behörden geklärt. Hinsichtlich der Übernahme zusätzlicher Länder treten der Bund und die Freie und Hansestadt Hamburg in weitere Gespräche ein.

(5) Der Bund unterstützt die Freie und Hansestadt Hamburg bei der Durchführung der Rückführungen, insbesondere durch die Organisation und Durchführung von Chartermaßnahmen sowie die erforderliche Sicherheitsbegleitung durch die

Bundespolizei auf Chartermaßnahmen und Linienflügen in dem erforderlichen Umfang.

(6) Der Bund unterstützt die Freie und Hansestadt Hamburg im Rahmen der Förderung der freiwilligen Rückkehr durch Gruppeninformationen zu Maßnahmen der freiwilligen Rückkehr und Reintegration im Heimatland. Die Unterstützung wird zunächst auf sechs Monate pilotiert und kann mit Einverständnis beider Vertragspartner verlängert werden.

(7) Der Bund kann frei verfügbare Raumkapazitäten des Landes für die vereinbarte Unterbringung von IDM-S-Tools sowie zur Urkundenprüfung bei der Registrierung und Asylverfahrensberatung nutzen.

Nr.5

Freiwillige Rückkehr und Rückführung

(1) In den Fällen geringer Bleibeperspektive wird die Rückkehrberatung im Kompetenzzentrum mit dem Ziel verstärkt, Perspektiven für die freiwillige Rückkehr aufzuzeigen. Die Beratung zu und Durchführung/ Umsetzung von Maßnahmen zur Reintegration im Heimatland erfolgt durch den Bund. Die Erweiterung der Angebote der Rückkehrinformation wird geprüft. Zudem soll gemeinsam mit dem Bundesministerium für wirtschaftliche Zusammenarbeit und Entwicklung auf die Durchführung von Maßnahmen hingewirkt werden, die die Reintegration in das Heimatland fördern.

(2) In den Fällen, in denen abgelehnte Asylbewerber die freiwillige Rückkehr ins Zielland ablehnen, soll die Rückführung unmittelbar aus dem Kompetenzzentrum mit Vollziehbarkeit der Asylentscheidung erfolgen. Der Bund und die Freie und Hansestadt Hamburg intensivieren zu diesem Zweck ihre Zusammenarbeit im Kompetenzzentrum (vgl. auch Nr. 4 Abs. 4 und 5). Dabei soll insbesondere eine Intensivierung im Bereich der Identitätsfeststellung und -klärung, der Beschaffung erforderlicher Reisedokumente sowie der Durchführung von zwangsweisen Rückführungen erzielt werden. Der Bund und die Freie und Hansestadt Hamburg prüfen im Rahmen ihrer

jeweiligen Zuständigkeiten zu diesem Zweck gemeinsam alle Verfahrensschritte. In enger Abstimmung mit der Freien und Hansestadt Hamburg führt der Bund Transfers von zu Überstellenden nach der Dublin III Verordnung von einem zentralen Übergabepunkt von den zu Nr. 1 Abs. 2 der Erklärung angegebenen Standorten zum Flughafen / Seehafen / zur Übergabestelle an der Landgrenze durch. Hierzu wird ein Ablaufplan erstellt.

Nr.6

Evaluierungsphase

(1) Etwaige Anpassungsbedarfe, auch eventuell gesetzgeberischer Handlungsbedarf, werden vom Bund und der Freien und Hansestadt Hamburg fortlaufend ermittelt. Soweit ohne Rechtsänderung möglich, werden die ermittelten Optimierungsmaßnahmen im Benehmen zwischen Bund und Land unmittelbar umgesetzt. Hierzu finden regelmäßige Gespräche zwischen der Freien und Hansestadt Hamburg, dem Bundesamt für Migration und Flüchtlinge, der Bundespolizei, der Regionaldirektion Nord und der Zentrale der Bundesagentur für Arbeit sowie den zuständigen Ministerien statt.

Nr.7

Ansprechpartner / Schlussbestimmungen

(1) Beide Seiten benennen jeweils einen zuständigen Ansprechpartner nebst Vertreter für die schnelle Bearbeitung auftretender Abstimmungsbedarfe. Hierzu wird ein E-Mail-Verteiler festgelegt. Beide Seiten informieren sich gegenseitig schriftlich unverzüglich über Änderungen dieser Ansprechpersonen oder ihrer Kontaktdaten.

(2) Beide Seiten sind sich darüber einig, dass eine Anpassung dieser gemeinsamen Erklärung im Fall wesentlicher Änderungen, insbesondere im Zugangsgeschehen, kurzfristig bei beiderseitigem Einvernehmen erfolgen kann. Beide Seiten vereinbaren eine enge und vertrauensvolle Zusammenarbeit.

Nr.8
Finanzierung

Soweit zur Finanzierung der vorgenannten Maßnahmen Drittmittel zur Verfügung stehen, werden diese vorrangig in Anspruch genommen. Die Behörden von Bund und Ländern tragen die Kosten für die ihnen nach dieser gemeinsamen Erklärung obliegenden Verpflichtungen selbst.

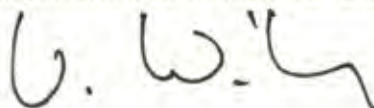
Nr.9
Anwendungszeitpunkt

Diese gemeinsame Erklärung wird ab dem Tag ihrer Unterzeichnung angewendet.

Berlin und Hamburg, den *7. Januar 2020*

Für

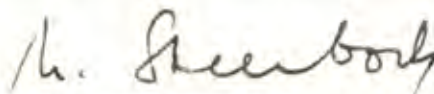
das Bundesministerium des Innern, für Bau und Heimat



Ulrich Weinbrenner

Für

die Behörde für Inneres und Sport der Freien und Hansestadt Hamburg



Dr. Maike Steenbock

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Annex to the Federal Report

Annex Table 1: Results of regression analysis on duration of first-time cross-border applications with residential obligation

Explanatory variable	Coefficient	(Standard error)
AnkER/functionally equivalent facility (Ref. other sites)	-1.6***	(0.70)
Country of origin (ref. Syria, Arab Republic of)		
Georgia	-36.6***	(1.58)
Moldova (Republic of)	-30.1***	(1.86)
Serbia	-40.0***	(2.22)
Morocco	-14.6***	(2.72)
Turkey	38.2***	(0.97)
Afghanistan	16.9***	(1.33)
Constant	75.4***	(0.74)
Number of observations	67,974	
R²	0.13	

Dependent variable: Procedure duration of first-time cross-border asylum applications with obligation to reside at a reception facility.

Further control variables: Age, marital status, religion.

Significance level: * p<0.1, ** p<0.05, *** p<0.01.

Annex Table 2: Results of regression analysis on duration of first-time cross-border applications with no residential obligation

Explanatory variable	Coefficient	(Standard error)
AnkER/functionally equivalent facility (Ref. other sites)	-21.7 ***	(1.394)
Country of origin (ref. Syria, Arab Republic of)		
Georgia	-33.0 ***	(7.30)
Moldova (Republic of)	-66.7 ***	(8.40)
Serbia	-68.4 ***	(8.40)
Morocco	-34.5 ***	(7.03)
Turkey	4.5	(3.65)
Afghanistan	12.4 ***	(2.80)
Constant	112.8 ***	(0.76)
Number of observations	26,645	
R²	0.04	

Dependent variable: Procedure duration of first-time cross-border asylum applications with no obligation to reside at a reception facility.

Further control variables: Age, marital status.

Significance level: * p<0.1, ** p<0.05, *** p<0.01.

Annex Table 3: Results of regression analysis on the duration of subsequent applications

Explanatory variable	Coefficient	(Standard error)
AnkER/functionally equivalent facility (Ref. other sites)	-8.59 ***	(1.470)
Country of origin (ref. Syria, Arab Republic of)		
Afghanistan	13.55 ***	(2.313)
Serbia	-23.93 ***	(2.502)
North Macedonia	-20.59 ***	(2.564)
Iraq	20.39 ***	(2.683)
Nigeria	25.77 ***	(3.137)
Constant	55.24 ***	(1.734)
Number of observations	18,499	
R²	0.08	

Dependent variable: Procedure duration for subsequent applications.

Further control variables: Age, marital status and religion.

Significance level: * p<0.1, ** p<0.05, *** p<0.01.

Annex Table 4: Results of regression analysis on Dublin transfers

Explanatory variable	Coefficient	(Standard error)
AnkER/functionally equivalent facility (Ref. other sites)	-0.05 ***	(0.010)
Member state (Ref. Italy)		
Poland	0.10 ***	(0.019)
Lithuania	-0.16 ***	(0.038)
Romania	-0.21 ***	(0.037)
France	0.18 ***	(0.013)
Constant	0.36 ***	(0.019)
Number of observations	13,355	
R²	0.07	

Dependent variable: Likelihood of Dublin transfer of individuals enforceably obliged to leave the country.

Further control variables: Age, marital status and country of origin.

Significance level: * p<0.1, ** p<0.05, *** p<0.01.

Annex Table 5: Results of regression analysis on the return behaviour of individuals enforceably obliged to leave the country from central AnkER/functionally equivalent facilities and shared accommodation

Explanatory variable	(Coefficient)	(Standard error)
Central AnkER/functionally equivalent facility (Ref. decentralised facility)	0.09 ***	(0.007)
Country of origin (Ref. Iraq)		
Albania	0.18 ***	(0.019)
Iran, Islamic Republic of	-0.02 *	(0.012)
Georgia	0.10 ***	(0.013)
Turkey	-0.03 **	(0.013)
Ukraine	0.21 ***	(0.015)
Moldova (Republic of)	0.18 ***	(0.014)
Constant	0.19 ***	(0.019)
Number of observations	10,671	
R²	0.16	

Dependent variable: Likelihood of voluntary departure (officially registered) of individuals enforceably obliged to leave the country whose procedures were filed and decided at one of the AnkER/functionally equivalent facilities with a residential obligation.

Further control variables: Age, sex, marital status.

Significance level: * p<0.1, ** p<0.05, *** p<0.01.

Annex Table 6: Results of regression analysis on removals

Explanatory variable	Coefficient	(Standard error)
AnkER/functionally equivalent facility (Ref. other sites)	-0.05 ***	(0.009)
Country of origin (Ref. Georgia)		
Moldova (Republic of)	-0.16 ***	(0.016)
Albania	0.08 ***	(0.016)
Serbia	-0.03 *	(0.017)
Morocco	-0.16 ***	(0.022)
Turkey	-0.30 ***	(0.022)
Afghanistan	-0.31 ***	(0.030)
Constant	0.48 ***	(0.014)
Number of observations	14,558	
R²	0.14	

Dependent variable: Likelihood of removal of individuals enforceably obliged to leave the country.

Further control variables: Age, sex, marital status.

Significance level: * p<0.1, ** p<0.05, *** p<0.01.

Annex 7: Regression Model Info Box

Regression Model Info Box

The likelihood of a successful removal is analysed using a linear regression model, or what is known as a linear probability model (for an introduction, see Best/Wolf 2010: 828; Wolf/ Best 2010) (Annex Table 6). The regression coefficients identified can be interpreted as conditional probabilities:

- Positive regression coefficients mean that conditional probability increases, or is higher in the group listed than in the comparison group (reference). Example: The value of 0.08 for “Country of origin Albania” means that the likelihood of a successful removal of Albanian nationals is 8% higher than that of Georgian nationals (reference).
- Negative regression coefficients mean that the conditional probability decreases, or is lower in the listed group than in the comparison group (reference).

Example: The value of -0.05 for “AnkER/functionally equivalent facility” means that the likelihood of a successful removal of individuals whose procedures were filed and decided at an AnkER/functionally equivalent facility is 5% lower than that of individuals whose procedures were filed and decided at one of the other sites (reference).

Asterisks in the tables also show which significance level is reached. The higher the level, or the more asterisks there are, the more it may be assumed that there is actually also a correlation in the overall population and it is not just a coincidence in the data available (for more on the term “significance”, see also: Kühnel/Krebs 2010: 174 et seq.).

The advantage of multivariate models in contrast with bivariate correlation analyses is that it is possible to take into account a variety of potential factors influencing the circumstances.

Publications of the Research Centre for Migration, Integration and Asylum (Selection)

Working Papers

- WP 89** Attracting and Protecting Seasonal Workers from Third Countries. Study by the German National Contact Point for the European Migration Network (EMN).
Author: Claudia Lechner (2020)
- WP 88** Attracting and Supporting International Start-Ups and Innovative Entrepreneurs in Germany. Study by the German National Contact Point for the European Migration Network (EMN).
Author: Janne Grote in cooperation with Ralf Sanger and Kareem Bayo (2020)
- WP 87** Persons in Germany with a migration background from various predominantly Muslim countries. Analyses on the basis of the 2018 microcensus.
Authors: Katrin Pfundel, Anja Stichs and Nadine Halle (2020)
- WP 86** The Role of Migration Authorities in Handling Third-country Nationals who Constitute a Threat to Public Security in Germany. Study by the German National Contact Point for the European Migration Network (EMN).
Author: Friederike Haberstroh (2020)
- WP 85** Attracting and retaining international students in Germany. Study by the German National Contact Point for the European Migration Network (EMN).
Authors: Paula Hoffmeyer-Zlotnik and Janne Grote (2019)

WP 84 Beneficiaries of protection travelling to their country of origin: Authorization, Policies and Revocation Procedures in Germany. Study by the German National Contact Point for the European Migration Network (EMN).
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Research Reports

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Authors: Tabea Rosch, Hanne Schneider, Johannes Weber and Susanne Worbs (2020)

FB 35 Foreign non-academic skilled workers on the German labour market. An appraisal before the Immigration Act for Skilled Workers enters into force.
Authors: Johannes Graf and Barbara He (2020)

FB 34 Assisted Voluntary Return from Germany: Motives and Reintegration. An Evaluation Study of the StarthilfePlus Federal Programme.
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