

# The Adjustment, Consequences and Challenges of German Refugee Policy

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## ABSTRACT

This paper analyzes the transformation process of German refugee policy, which can be roughly divided into smooth stage, welcome stage and tightening stage, showing the adjustment of the German government and society towards the refugee issue. Although the German government had adopted a variety of strategies to effectively deal with the refugee crisis, the influx of refugees still brought various impacts on Germany. The article further summarizes the impact of the refugee policy from the political, economic and cultural aspects, and summarizes its causes. These discussions and analyses may have inspirations for other countries in dealing with refugee crisis and border security governance issues.

**Keywords:** German, Refugee Crisis, Refugee Policy

## 1. GERMAN REFUGEE CRISIS

### 1.1. Beginning and worsening of the crisis

In 2010, the Arab Spring broke out in Tunisia and swept across the Arab world. Civil war and terrorism have seriously undermined the security and stability of the Middle East. The conflict in Syria between the government of Bashar al-Assad and various other forces, which started in the spring of 2011, continues to cause displacement within the country and across the region. By the end of 2014, an estimated 7.6 million people were internally displaced and 3.7 million Syrians had fled the country since the conflict began [1]. Especially since 2015, millions of refugees had gone through the Balkans or the Mediterranean Sea to seek asylum in Europe, triggering the European refugee crisis. Italy and Greece are the first echelon hit by the refugee wave because of their limited national strength. Facing the largest refugee wave in Europe since World War II, Italy and Greece are unable to cope alone. Subsequently, in order to continue Germany's leadership in the European Union (EU), the German government vigorously promoted the distribution of refugees among EU members. However, the German proposal was not accepted by other member states, i.e., the refugee crisis

was further exacerbated due to the EU's loose border controls.

### 1.2. Evolution of German attitudes towards refugees

As a matter of fact, the degree of openness of the German government to refugees is highly related to the degree of acceptance of refugees in German society. It is worth noting that in this refugee crisis, Germany's attitude towards refugees has gone through three stages, which can be roughly divided into smooth stage, welcome stage and tightening stage. In these three stages, the German government used different policies to clearly show the changing process of the government and society's attitude towards the refugee problem.

#### 1.2.1. Smooth phase

The stationary phase refers to a period from the beginning of the refugee's acceptance in Germany to August 2015. Until August 2015, the German Government had been receiving refugees in accordance with established procedures and sizes, as required by documents, e.g., the Dublin Convention Schengen Agreement. As a result of the continuing turmoil in North Africa and the Middle East, a large number of refugees had sought asylum in Europe through the

Mediterranean or Turkey. As a consequence, Italy and Greece bear the brunt of the burden of protecting refugees. At this stage, the main reason for Germany to accept refugees was to relieve the pressure of Greece, Italy and other southern European countries. According to the International Organization for Migration [2], more than 200,000 people moved illegally from southern Europe to whole Europe in the first half of 2015.

At that time, refugees had not yet poured into Germany. On average, Germany receives more than 30,000 asylum applications a month and was growing slowly. Germany did not plan too much to deal with the crisis at the moment, and tried to pin its hopes on the EU.

### *1.2.2. Welcome phase*

In August 2015, the German Federal Office for Migration and Refugees stated that Syrian refugees entering Germany would no longer have to comply with the Dublin Convention. As a result, the number of refugees applying for admission to Germany has increased. On this occasion, Germany's attitude towards refugees has entered a "welcome stage". From September 2015 to August 2016, Germany received an average of about 65000 asylum applications per month, twice than the previous number [3].

Germany's open refugee policy was caused by many factors. First, Germany carried out historical reflection after World War II, humanitarian values deeply influenced the German political action. Second, the historical guilt of World War II also prompted German society to improve its historical image by helping refugees. Third, Germany had a precedent for a successful solution to the refugee problem. After the end of the Cold war, refugees from Eastern Europe poured into Germany when Germany provided good asylum to the refugees. Therefore, the Germans had confidence in coping with the refugee tide. Fourth, in this refugee crisis, Italy, Greece took the leader in assuming the responsibility of asylum refugees. Whereas, it is difficult to provide a large number of inevitable protection for a long time due to their limited strength, which requires Germany to assume responsibility. Fifth, the German government hopes to strengthen Germany's international impact and status by leading EU countries to tackle with the crisis. Sixth, Germany accepts refugees to alleviate the shortage of domestic labor. Combined with the above domestic and international, historical and practical factors, the German government formulated and implemented an open refugee policy.

At this time, the United Nations senior refugee official Guterres called on European countries to expand the formal channels to receive refugees[4]. Britain, Austria and other countries have responded. Meanwhile,

the European Commission has tried to push for a "package" bill to make the entire EU more effective in responding to the refugee crisis [5]. However, there is no consensus among EU member states on refugee distribution policies at this critical moment. This lay danger for the challenges that Germany and even the European Union later faced.

### *1.2.3. Tightening phase*

From September 2016 to December 2016, the German government implemented a new refugee policy to deal with a series of social problems caused by the influx of refugees, tightening the entry of refugees into Germany. This corresponds to the tightening stage of German refugee policy attributed to several events: the strong increase of refugees, several fatal attacks of Islamist terrorism [6]. In September 2015, the liberalization of refugee policies in European countries led to an explosive growth in the number of refugees in the European region and plenty of social problems. One of the iconic events was the "violent terror in Paris" case on November 3, 2015, perpetrated by ISIS terrorists who mingled with Syrian refugees. After the incident, most European countries began to tighten their refugee policies, restricting the entry of refugees and treating the EU's refugee distribution program more negatively.

In this phase, Germany has strengthened the implementation of refugee repatriation. In addition, Germany has actively promoted the signing of refugee agreements between the European Union and Turkey at the international level. This aims at reducing the number of illegal immigrants entering Europe through Turkey and combating the smuggling of illegal immigrants. With the closure of the two major smuggling corridors in the Mediterranean as well as the Balkans and the gradual effect of restrictive policies previously pursued by Germany, the number of refugees entering Germany has been decreasing. With the tightening of German refugee policy, the number of asylum applications received every month has also declined significantly, and the refugee problem in Germany has shown a gradual trend of evolution.

## **2. RESPONSE STRATEGIES**

In this protracted refugee crisis, EU member States must do something. In order to effectively deal with the refugee crisis, the German government has adopted a variety of strategies, e.g., the strategy of cooperation with the EU members, strengthening own control strategy.

### *2.1. Refugee Quota Scheme*

In the face of the largest wave of refugees since World War II, the EU Migration Agenda (hereinafter referred to as the Agenda) was officially released on

May 13, 2015, under the auspices of the European Commission. The agenda was set out to "bring together the different actions that the EU should take now and in the coming years to create a coherent and comprehensive programme to address the challenges posed by migration and to protect the common interests of the EU and those of its member States" [7]. The ten points plan to promote cooperation among member states in the resettlement of refugees is proposed in this agenda, the most interesting of which is the refugee quota plan. Thereinto, Germany is the main sponsor of the plan.

### *2.1.1. Content of the Refugee Quota Scheme*

On September 9, 2015, European Commission President Jacques Juncker unveiled an official version of the EU refugee quota programme. Under Juncker's proposal, EU member states would share 120,000 refugees in Hungary, Italy and Greece. The European Commission requires EU member states to transfer a quota of 120,000 refugees in Italy, Greece and Hungary over the next two years. Twenty-two EU member States are required to participate in refugee resettlement. Three countries, Italy, Greece and Hungary, were beneficiaries, which no longer had the task of relocating refugees. In addition, Britain, Ireland and Denmark have signed an exception agreement with the EU on this issue, which have informed in advance that the EU will not participate in the quota plan. The European Commission has further refined the procedures for resettlement, following the explicit provision of quotas for countries to receive refugees. The EU requested receiving countries to report to the European Commission every three months on the progress of refugee resettlement. Besides, Italy, Greece and Hungary need to identify the country to each refugee who has completed registration needs to travel based on the information provided by the receiving country. Subsequently, they should send the refugee to the target country after completion of verification by the EU and the receiving country.

The refugee quota policy is a systematic work, and member countries need to cooperation in identification, transfer route formulation and a series of measures in addition to receiving refugees according to the quota. At the same time, the EU's transnational institutions ought to do a good job of coordination between countries. Only when all parties work together can the refugee quota policy be guaranteed to achieve the desired results.

### *2.1.2. Germany's attitude towards refugee quota schemes*

When the refugee quota program was announced on September 9, German Chancellor Angela Merkel said it was an important step since an open system to provide asylum for refugees is required. The main reason for

Germany's support for refugee quota policy is that the EU refugee quota policy has a high similarity with the refugee resettlement plan implemented in Germany. The EU does draw on Germany's experience in formulating refugee quota policies, which makes it easy to understand why the German government is particularly supportive of the EU refugee quota policy [8].

### *2.1.3. Results of the refugee quota scheme*

The refugee quota programme is a complete package. It not only divides the mandates of member States, but also clarifies the role that EU transnational institutions should play in the implementation of the programme. However, the content of the system is complex, the actors involved are numerous, the interests of all parties are difficult to coordinate, i.e., the scheme is in a difficult position to implement. When the programme expired in 2017, only Malta, with the least quota, had completed its task of receiving refugees on time while none of the other countries had met the EU target for refugee reception.

## **2.2. German Border Control**

Germany is located in the center of Europe, with a long border and the largest land neighbor among EU countries. In response to the refugee crisis, the German Government relied on its own border security authorities to control the refugees. Nevertheless, as the German government initially underestimated the speed and scale of refugee flows to Germany, it results in the lack of foresight on the follow-up impact of loose asylum policies. Besides, Germany overestimated its own ability to solve refugee problems, and underestimated the uncooperative attitude of many EU members. Under the double pressure of the change of strong public opinion base and the unfavorable international situation, the German government abandoned the policy of friendly welcome to refugees and changed to "increasingly tight" refugee policy.

### *2.2.1. Border control agencies*

At the German federal level, different tasks in the field of border security are shared by various departments. The Office of the German Chancellor has an Office of the Federal Commissioner for Immigration, Refugees and Integration, which is directly accountable to the German Chancellor. The Federal Ministry of Foreign Affairs, German embassies and consulates abroad are responsible for visa applications for pre-entry security. At the level of border security policy, the Ministry of the Interior plays a major role as Germany is a federal State. Besides, the internal affairs departments of each state also have an impact on border security policies in their respective states. For the level of border security governance, the federal police attached to the

Ministry of the Interior plays a leading role, and the Federal Customs Administration and the state police also assume certain border security governance responsibilities under certain circumstances. The federal police transfer certain border inspection authority to the federal customs, mainly based on simplifying the border inspection procedure and speeding up the cross-border traffic transit itinerary. Hence, it achieves the purpose of facilitating cross-border traffic.

### *2.2.2. Border control policies in the face of refugee crises*

In the face of the growing refugee crisis, the general trend of German border control policy is gradually from loose to tight. In mid-September 2015, the German Government resumed its temporary border control with Austria in accordance with the relevant provisions of the Schengen Border Act and continued to extend the period. On 4 July 2018, the Minister of the Interior of Germany launched the General Migration Plan: Measures for Order, Control and Restriction of Immigration, which focuses on strengthening the expulsion of illegal immigrants, proposing to prohibit the entry of refugees without identity documents or who had previously been denied asylum in Germany and urging the Federal Länder to step up implementation of the establishment of asylum and repatriation centres. In August 2018, Germany, under an agreement with Spain and Greece, began a border return process in which third-country nationals who had been refused entry would be transferred back to EU member states they had previously sought protection.

## **3. CONSEQUENCES OF GERMANY REFUGEE POLICY**

The German refugee policy certainly has its own advantages: it has brought some labor force to Germany to a certain extent and inherited the German humanitarian tradition. However, the influx of refugees has brought various impacts on Germany, mainly in the economic, social, cultural, political and international relations.

### *3.1. Economic pressure*

Germany's domestic refugee policy has been relatively generous in terms of the resettlement of refugees and their integration into society, as well as in terms of welfare subsidies during the process. However, it has actually put Germany under great financial pressure.

The influx of refugees led to a sharp increase in the pressure on the German welfare system, which caused the German government and society to bear too much economic pressure. These factors have led to growing

discontent in Germany, especially in the refugee crisis, the development of the German right-wing party shook the ruling foundation of the Merkel government, forcing the Merkel government to implement a tightening policy.

### *3.2. Social security crisis*

The German refugee quota policy has led to a large influx of refugees into the German territory, and the German domestic policy of treating refugees is very superior, which has led to the rapid growth of German refugees. The entry of refugees into the German labor market has crowded out the employment space of the German population. It has actually created a phenomenon of relative shrinkage of social welfare, crowding out of original labor jobs, dissatisfaction of domestic workers, and frequent questioning of social security issues in Germany. Meanwhile, the crime rate has also increased rapidly, a typical case is the "New Year's Day invasion" in Cologne, Germany, on the eve of New Year's Day in 2016.

### *3.3. Cultural clash*

The overly open refugee policy leads Germany to suffer from social disruption caused by the difficulty of religious and cultural integration. The influx of refugees into Germany is mainly Islamic, while Germany is mostly Christian. Islam and Christianity have different doctrines and living habits, i.e., the conflicts are difficult to reconcile.

### *3.4. Political crisis*

The refugee crisis has led to the rise of right-wing forces in Germany, the intensification of political party disputes, and the rise of anti-refugee sentiment among the people.

### *3.5. International relations*

Since the outbreak of the refugee crisis, the security situation in Germany has been threatened by the increase in terrorist incidents and violent crimes committed by refugees.

Although Germany's policy is humanitarian in general, it has made other countries feel the pressure to a certain extent and called it "Moral Imperialism".

## **4. CHALLENGES TO GERMAN REFUGEE POLICY**

### *4.1. Mistrust in a Prisoner's Dilemma - The Absence of Institutions*

One of the dilemmas that Germany faces in refugee processing is the overestimation of the role of institutions, which is mistakenly thought to lead

countries out of the prisoner's dilemma and create a win-win situation together, but this is not the case.

The prisoner's dilemma is a representative example of a non-zero-sum game of game theory, reflecting that the best choice for an individual is not the best choice for a group. Or in a group, individuals make rational choices that often lead to collective irrationality [9]. The Prisoner's Dilemma is also applicable to the dilemma faced in interstate problem solving: each state wants to make the best choice for itself, and the best choice of an individual state in this case is bound to be contrary to the collective interest. The outcome will not be the same in a single and repeated prisoner's dilemma. In a repeated prisoner's dilemma, the game is played repeatedly, i.e., each player can "punish" the other player for not cooperating in the previous round. At this point, cooperation may emerge as an equilibrium outcome. Some liberals argue that institutions can provide such trust and that their role in international relations is undeniable but limited. During the German refugee crisis, the so-called "system" did not play an absolute "restraining" and "punitive" role while it was known that "betrayal" of the system would be punished. Even though it was known that there were penalties for "betraying" the system, some countries did not comply with them [10].

Germany's mistake was to overestimate the role of the system, believing that the system was absolutely binding and could make states abandon their uncooperative behavior. However, the way countries weigh their interests under the system can directly lead to a different situation.

#### ***4.2. Realism and Liberalism - Disagreement over Cooperation***

Another dilemma is the long-standing conflict between realism and liberalism on cooperation. This is evident in the policy of refugee quotas, where Germany advocates cooperation among countries that can afford it, while other countries prefer to play it safe. For example, the "first-tier countries" fear the impact of the refugee influx and draw refugees to Western Europe instead of doing their part in the treaties.

Germany, as an important country in the 18th century Enlightenment, has a deep tradition of humanist and liberal ideas. This ideological tradition has followed Germany, even in this refugee influx. The German public was in favor of helping as much as possible at the beginning of the refugee crisis, and the German government was trying to promote cooperation among European countries on the refugee issue. In the meantime, the attitude of some other countries was intriguing. Specifically, the attitude of Britain, which is regarded as another major power, could be called cold. Besides, others, even more so, directly accused

Germany of such a refugee policy as a manifestation of moral imperialism. In fact, this is not an accidental example, but an inevitable encounter between realism and liberalism on the issue of cooperation. Although realism believes that cooperation is possible, its emphasis is ultimately on the "competition" caused by the confrontation of interests between countries, i.e., relative interests and monitoring mechanisms may lead to the breakdown of cooperation. Liberalism, on the other hand, attaches more importance to international cooperation where absolute interests are still dominant. Thereby, the chances of cooperation are much higher under this perspective.

It is obvious that Germany pursues absolute interests in the refugee problem: if each country takes up the quota within its own capacity, the refugee problem can be solved more fairly. Nevertheless, most other countries adopt a realistic perspective and pursue relative interests: if they do not participate in hosting refugees, they will pay less, i.e., they are relatively benefited compared with other countries that have paid. This is one of the reasons why the refugee problem eventually got out of hand that Germany overestimated the enthusiasm of other countries for cooperation.

#### ***4.3. Too idealistic towards the refugee crisis***

Another mistake of Germany's refugee policy is its misjudgment of the situation. Germany was overly optimistic about the impact this refugee influx would bring in the early stage. Germany has a long history of accepting refugees, but no time has brought such a big impact. On this occasion, Germany's estimation was wrong, both the government and the public, which results in the significant public backlash afterwards.

### **5. CONCLUSION**

In summary, this paper describes the transformation process of Germany's attitude starting from the origin of the refugee crisis. Specifically, we introduce the methods adopted by Germany at home and abroad as well as the results of its implementation. Besides, the reasons for the policy adjustment and the refugee issues in Germany are comprehensively analyzed.

The current refugee crisis, characterized by its long duration, large number of people and wide scope, has brought great challenges to Europe. As Germany showed a positive attitude in the process of coping with this crisis, it attracted plenty of refugees to Germany, which eventually led to a series of social problems. In the meantime, the German government has tried to adjust its border policy to control the number of refugees. Additionally, Germany has tried to solve the problem through broad cooperation within the EU, strongly supporting the refugee quota plan. However, due to the different interests and demands of various EU

member states, the refugee quota plan has not achieved the expected results. It is also a serious blow to the process of European integration. In the end, the German government had to tighten its refugee policy again.

The refugee crisis is very serious and has brought a big impact on Germany's economically, culturally and religiously as well as politically. Economically, the excessive financial resources for refugee relief have caused a certain burden. German citizens may face difficulties in employment after the German job market accepts refugees. As for culturally and religiously, there are difficulties in adapting to the German culture and the foreign culture, e.g., irreconcilable conflicts between the Islamic culture and the Christian culture. Politically, Germany's extreme right-wing forces are trying to make a comeback. In general, Germany has been affected from all sides.

The reason can be ascribed to three aspects. The first is the absence of institutions due to the general situation of mistrust under the prisoner's dilemma. In addition, the different perceptions of cooperation among countries also makes cooperation difficult. Finally, the German public and government were too idealistic about the refugee problem at the beginning, i.e., it seems a bit overwhelming and psychologically unstable in the face of real shocks. These results offer a guideline for other countries to deal with refugee crisis and border security management.

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