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**Migration pressure by refugees:  
The south-east Bavarian border areas  
at the end of Balkan Route in 2015–2016**

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## MIGRATION PRESSURE BY REFUGEES: THE SOUTH-EAST BAVARIAN BORDER AREAS AT THE END OF THE BALKAN ROUTE IN 2015–2016

### Contents

- 1 Introduction
- 2 Spatially relevant state activities: German asylum and refugee policy since 2015
  - 2.1 Overview
  - 2.2 Focus: Border regions
  - 2.3 Research questions and approach
- 3 The refugee wave of 2015/2016 in the Federal Republic of Germany and Bavaria
  - 3.1 Facts and figures
  - 3.2 Mechanisms of distribution and accommodation
  - 3.3 Integration
  - 3.4 Departure/return, deportation
- 4 The south-east Bavarian border areas at the end of the Balkan route
  - 4.1 A complex, exceptional situation
  - 4.2 Challenges in detail
  - 4.3 The spatial impacts
  - 4.4 Bottom-up regional management initiatives – promising approaches for the integration of refugees with prospects of permanent residence?
- 5 Conclusions
- References

### Abstract

In 2015/2016 the Federal Republic of Germany and Bavaria were greatly challenged by the refugee wave from the Middle East, Afghanistan and various African states, and its management. The south-east Bavarian border areas were particularly affected due to their location at the end of the Balkan route. This article first provides an overview of the essential elements of German and Bavarian asylum and refugee policy. It then analyses the special challenges facing the south-east Bavarian border areas before addressing the spatial effects of the refugee wave in these regions. As the task of integration becomes increasingly important, a special opportunity for action-oriented bottom-up regional initiatives can be identified.

### Keywords

Refugee wave – asylum and refugee policy in Germany and Bavaria – south-east Bavarian border regions – regional management – bottom-up regional development

## 1 Introduction

The migration of refugees is not fundamentally new for the Federal Republic of Germany. The first wave of refugees to the Federal Republic of Germany was immediately after the Second World War when 12.4 million refugees and expellees came to Germany, especially from eastern Europe including former German territories, of which 1.9 million arrived in Bavaria (cf. *BayStMI* [Bavarian State Ministry of the Interior] 1950). The second and third waves of refugees arrived in the Federal Republic of Germany in the wake of the failed uprising in Hungary in 1956 and after the end of the Prague Spring in 1968. The fourth wave was triggered by the war in Yugoslavia. Between 1991 and 1999 about 1.4 million refugees arrived, mainly from Croatia, Bosnia-Herzegovina and Kosovo (cf. Grimmer 2015). The bulk of the migration was between 1994 and 1996 when between 300,000 and 350,000 refugees arrived in Germany each year. 1998 was the first time for years that net migration from these countries was negative, due to both the start of migrant returns and a decline in immigration figures. At the end of 2001 there were only just under 20,000 refugees from Bosnia-Herzegovina in Germany. The fifth wave of refugee migration occurred in 2015/2016. Between mid-2015 and the end of 2016 about 1.2-1.4 million refugees came to Germany, primarily from the war zones of the Middle East (in particular Syria and Iraq) but also from Afghanistan, Iran and various African countries like Somalia and Eritrea (cf. *BAMF* [Federal Office for Migration and Refugees] 2016; *BMI* [Federal Ministry of the Interior] 2017).

With the exception of the wave of refugees and expellees that occurred immediately after the Second World War, the border areas in south-east Bavaria were particularly impacted by these migrations. The refugee movements triggered by the armed conflicts or uprisings followed a route that used the south-east Bavarian border areas to cross into Germany. This meant that functional structures for their arrival had to be set up and the distribution of refugees throughout the entire German territory had to be organised under intense time pressure, in addition to the structures that had to be provided for refugees who remained in southeastern Bavaria.

In the south-east Bavarian border areas a great deal of experience in dealing with refugees had been gathered over decades, yet this experience was of limited use in the refugee wave of 2015/2016. This was mainly due to the numbers and sudden increase in refugees, but also due to their heterogeneity. There were great differences in terms of place of origin and reason for migration, family status, age, education, language and health, but also in the traumatic episodes experienced in the place of origin or during flight.

Even these few remarks show that the refugee wave of 2015/2016 was extremely complex and was thus much more difficult to deal with than earlier refugee waves, both for the Federal Republic of Germany and in particular for the south-east Bavarian border areas. It is also scarcely possible to build upon earlier experiences when estimating the spatial impacts. The focus is thus on the particular challenges for the south-east Bavarian border areas, the regional economic effects and possible (decentralised) steering instruments for managing the refugee wave. These issues are considered in more detail in the following.

## 2 Spatially relevant state activities: German asylum and refugee policy since 2015

### 2.1 Overview

After the Second World War, the spatial impact of state activities and in particular the spatial analysis of refugee flows had a high priority within the discipline of political geography (cf. e.g. Boesler 1974; Boesler 1983). Noteworthy here is the research carried out on the first refugee wave after the Second World War, when the displaced persons who came to Germany and Bavaria were often better educated than the locals and frequently possessed entrepreneurial abilities and considerable skills in the trades. The decentralised distribution of the refugees and displaced persons throughout the country, skilfully directed by the spatial planning authorities (cf. Terhalle 1991), was a decisive factor aiding the economic upswing of Germany and especially the Free State of Bavaria (cf. Maier/Tullio 1996; Frankenberger/Maier 2011).

The role of federal state spatial planning was much less significant in the 1990s when Germany was coping with the refugee migration caused by the Yugoslavian conflict. This refugee wave brought people to us who were looking for temporary protection from the mass displacement, ethnic cleansing and genocide occurring in their country. For many of the refugees it was clear that they would return to their country after the end of the war. The measures undertaken to distribute, accommodate, (temporarily) integrate and return the refugees were in Bavaria primarily coordinated by the State Ministry of the Interior (*Staatsministerium des Innern*) and the State Ministry for Labour and Social Welfare (*Staatsministerium für Arbeit und Soziales*), at times with the involvement of other ministries. Federal state spatial planning was hardly involved at all.

While the migration from ex-Yugoslavia was primarily triggered by violent conflicts over controversial border positions and the struggle for independence of several ethnic groups and peoples, the reasons behind the migration of the people who arrived in Germany in 2015/2016 were much more heterogeneous (cf. Brücker/Fendel/Kunert et al. 2016). Involuntary migration triggered by ethnic, political and religious conflicts and wars over borders, various struggles for independence and the violent persecution and displacement of ethnic and/or religious minorities is especially relevant for people from the war zones of Syria and Iraq, and from Somalia, Eritrea, Iran and in part for those from Afghanistan. Moreover, it is undisputed that for some of the migrants economic reasons were of considerable importance, meaning the desire for a better, more economically and socially secure life. In addition, many asylum seekers do not carry valid identity papers. This means that the asylum requests of the people who come to us require elaborate, case-by-case legal assessments involving lengthy processes; the prospects and likelihood of permanent residence thus varies greatly from case to case. Furthermore, education and qualifications, including language abilities, vary greatly, as do the willingness and ability to integrate into a Western society with a highly developed, internationally networked economy. Irrespective of the above, and in contrast to the situation in the 1990s, the European states are divided on questions of asylum and security policy. This results in an

increasing number of questionable unilateral approaches to the recognition of refugees, the management of refugee flows, the protection of the external borders of the EU, and the closing of national borders within the EU.

Figure 1 gives a general overview of the links between state control of the refugee flows and potential spatial issues, and schematically depicts the process from initial flight to residence in the Federal Republic of Germany to a potential return, departure or deportation.

The lower part of the figure shows the refugees who arrived with the mass refugee wave in autumn 2015 but were not registered; they thus remained illegally in the Federal Republic of Germany or attempted to proceed on their own to the north or west of Europe. They are not further considered in the following discussion. From the perspective of the state this group represents a security problem.

For refugees who enter the Federal Republic of Germany legally via the south-east Bavarian border areas, their stay begins with the recording of their identity, a police identity check and a health check. After organising their distribution within the German territory and (initial) accommodation, an application for asylum is made at the Federal Office for Migration and Refugees (*Bundesamt für Migration und Flüchtlinge, BAMF*). Even before notice is given of the decision by the Federal Office for Migration and Refugees, according to section 61(2) sentence 1 of the Asylum Act (*Asylgesetz, AsylG*)<sup>1</sup> it may under certain conditions be possible to grant a work permit, including for vocational training. This is at the discretion of the responsible federal state's immigration authority. The process of integrating the refugees into society, the labour market and education system can thus begin long before the decision by the Federal Office for Migration and Refugees.

After a positive decision by the Federal Office for Migration and Refugees, in some cases after judicial review, the immigration authority responsible then grants a residency permit which permits the holder to pursue any gainful occupation. If a condition of fixed abode has been imposed, the refugee can move freely throughout German territory after it has been annulled. This does not prevent a voluntary return to the refugee's country of origin.

After a negative decision by the Federal Office for Migration and Refugees, in some cases after judicial review, an asylum seeker is obliged to leave the country. The termination of residence is then a fundamental priority. Nonetheless the immigration authority can permit continued residence in the Federal Republic of Germany. This can be based on application of the '3+2 regulation' (granting of exceptional leave to remain for vocational training for the remainder of a training course and entitlement to a residency permit for two more years of employment). Thereafter the immigration authority is to decide about departure or even deportation. As even after a negative decision by the Federal Office for Migration and Refugees the refugee can remain in Germany for many years, it therefore seems that integration and training measures

<sup>1</sup> The Asylum Act as notified on 2 September 2008 (*BGBI* [Federal Law Gazette] I page 1798), last amended by Article 2 of the Act of 20 July 2017 (*BGBI* I page 2780).

are advisable, if only to improve reintegration opportunities in the country of origin in the event the refugee returns there.

Figure 1 also gives examples of potential spatially relevant issues that emerge in the course of flight, residence in the Federal Republic of Germany, departure, return and deportation. Several of these issues are discussed by Postlep/Ritzinger/Spellerberg (2016), while research on other issues has recently been concluded or is still in progress. From the Bavarian perspective particularly noteworthy is the Masters thesis by Meindl (2017) at Bayreuth University, examining notions of integration in the Bavarian-Czech border regions; similarly important is Kordel/Weidinger/Pohle's (2016) study of decisions by recognised refugees about their place of residence in the rural area of Lower Bavaria.

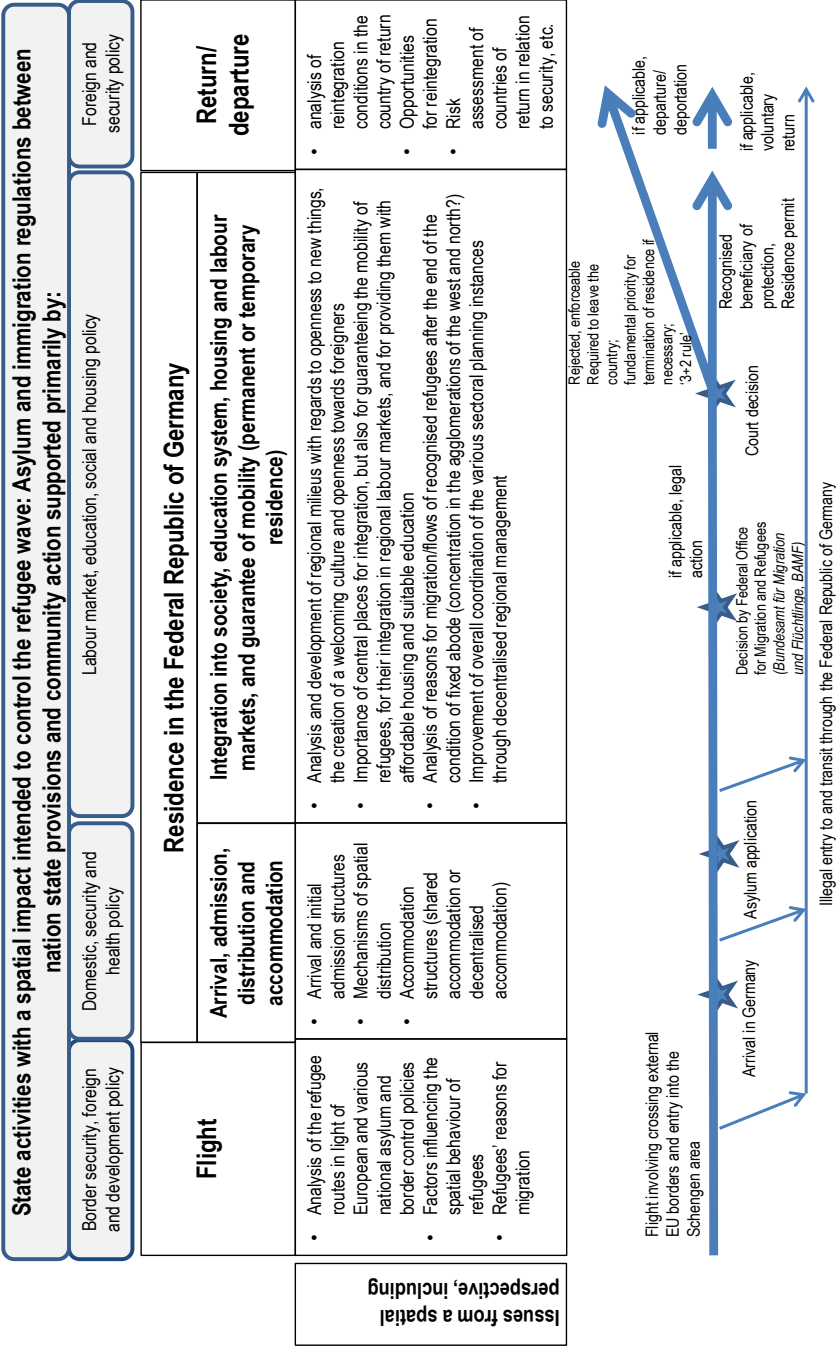


Fig. 1: Refugee migration with particular consideration of the German asylum application process – phases and issues from a spatial perspective

## 2.2 Focus: Border regions

Border regions along refugee routes are particularly affected by refugee migration, as it is here that different national regulatory systems of asylum and refugee policy, and also domestic and security policy, meet. They are subject to particular stresses connected to the admission, registration and distribution of refugees. In addition, there are the primarily humanitarian tasks related to caring for ‘stranded’ refugees whose continued journey is impossible or delayed. If the state authorities allocate refugees to an area then integration measures become necessary. In individual states the border regions also have to administer tasks related to the departure, return or deportation of refugees. The affected border regions have minimal discretionary powers, especially in relation to the processing of admissions, initial registrations, distribution and accommodation, but also departures, returns and deportations. Refugee policy, asylum policy, and security policy belong to the sovereign jurisdiction of the state such that the relevant, usually restrictive, stipulations are passed by the central governments. Difficult situations arise for the affected border regions, for instance, when the policies and regulatory systems differ between the states on the two sides of the border, as seen on the Balkan route during the 2015/2016 refugee wave. This can lead to the (temporary) unilateral (partial) closing of national borders. Difficult situations may also arise from central government making decisions to divert the refugee flow that must be implemented very quickly. Problems emerge on the external borders of the EU, for example, if border controls do not function properly or are undermined, or if controls are introduced that contravene existing treaties (e.g. the Schengen agreement). Even merely the half-hearted implementation of joint treaties (e.g. the Dublin Agreement) and/or their unilateral termination or (temporary) suspension are sufficient to create a tense situation for border areas.

In terms of activities related to refugee integration the border areas do not differ fundamentally from other sub-regions. It is generally the case that there is more scope for the local communities and administrations to shape such activities than with tasks related to the admission or departure/deportation, registration, distribution and (initial) accommodation of refugees; there are also more opportunities for civic engagement. However, the borders between EU countries are largely closed even for recognised refugees or those entitled to asylum if such individuals should, for instance, enquire about employment on the other side of the border.

## 2.3 Research questions and approach

The rest of this article firstly considers the refugee wave of 2015/2016, analysing the most important facts and providing an overview of the relevant federal and state legislation. Second, the article focuses on the south-east Bavarian border area and analyses the specific challenges and spatial effects pertaining there.



This is based on the following research questions:

- 1 Were the south-east Bavarian border areas involved in the decision to divert the refugee flow in September 2015 and how were they prepared for the arrival of the refugees?
- 2 What were the short, medium and long-term effects of the asylum and refugee policy on the regional economy of the border areas? Were there winners and losers among the economic actors in the border regions?
- 3 What are the barriers to crossing the south-east Bavarian border areas for refugees and those entitled to asylum?
- 4 Are there specific hindrances that obstruct the integration of recognised refugees and those entitled to asylum in the border area? What contribution can regional management initiatives make towards integration in the border area?

The following analyses particularly draw on participatory observation and statistical analysis.

As head of the Department of the Economy, Transport and State Development (*Wirtschaft, Verkehr und Landesentwicklung*) in the Regional Government of Lower Bavaria, the author was directly involved in implementing the decisions of the federation and the Free State of Bavaria regarding the management of the refugee flow of 2015/2016 in the border area of Lower Bavaria. He was particularly concerned with issues related to labour market integration and the involvement of regional management initiatives. The regional management initiatives run by the districts, urban districts or commercial organisations were encouraged to address the integration of refugees and those entitled to asylum. This was because experience in the border area from autumn 2015 had shown that successful integration and the creation of an open climate towards foreign nationals were tasks for regional development. Leaving such tasks to the central decision-making structures of the state hindered progress due to the insufficient coordination of the various departments and actors and the often inept or even indifferent approach to civic engagement.

Notwithstanding the above, much of the information and positions described are based on (largely internal) correspondence within the administration of the Free State of Bavaria or between the Federal Government and the state of Bavaria, and are not suitable for publication.

### 3 The refugee wave of 2015/2016 in the Federal Republic of Germany and Bavaria

#### 3.1 Facts and figures

After the borders were opened in August 2015, initially for Syrian refugees but then for all refugees on the route across the Mediterranean and through the Balkans, the flow of refugees increased considerably, peaking in November 2015. Not least due to the weather, the influx of refugees decreased month on month until March 2016. As early as September 2015 Hungary decided to close its borders to refugees, and from the beginning of March 2016 Slovenia, Croatia, Serbia and Macedonia gradually followed suit. At the EU negotiations on 9 March 2016, the Federal Republic of Germany no longer opposed Austria's longstanding views concerning the need to close its borders. This led to a continued strong decline in the flow of refugees, which has since settled at between 15,000 and 18,000 a month. While there were about 890,000 asylum seekers in 2015, this figure fell to 321,371 in 2016 (cf. Fig. 2).

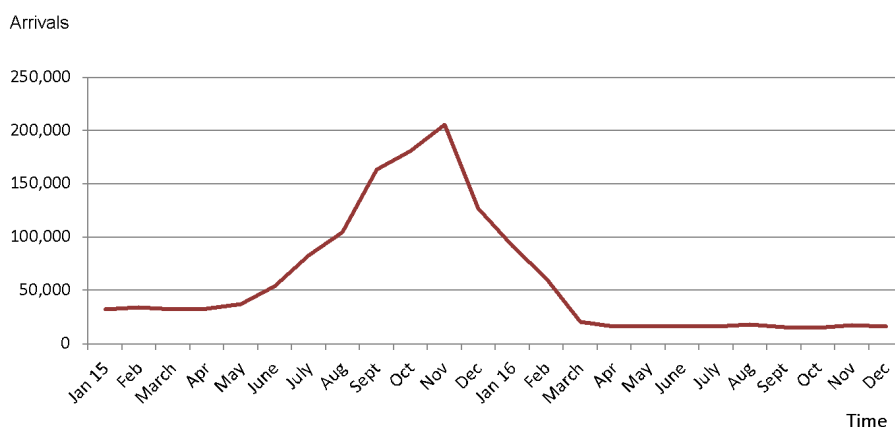


Fig. 2: Arrivals of refugees in the Federal Republic of Germany 2015/2016 according to EASY<sup>2,3</sup> / Source: data from the Federal Ministry of the Interior 2015/2016, the authors

Like the other federal states, Bavaria is obliged to accommodate the number of refugees stipulated by the distribution formula known as the *Königsteiner Schlüssel* (cf. Section 3.2) (contingent: almost 15.6%). As of the end of February 2016, 156,000 asylum applicants had been recognised, rejected or were still being processed in

2 On EASY cf. [https://www.bamf.de/DE/Service/ServiceCenter/Glossar/\\_functions/glossar.html?nn=282918&cms\\_lv2=282946](https://www.bamf.de/DE/Service/ServiceCenter/Glossar/_functions/glossar.html?nn=282918&cms_lv2=282946) (26 May 2021).

3 Note: In January 2016 the Federal Ministry of the Interior stated that the application figures were 1,091,894 in 2015 and 321,371 in 2016; the monthly figures provided here aggregate to these annual figures. However, the statistics for 2015 are particularly error-prone due to a large number of double entries. On 30 September 2016 the Federal Ministry of the Interior reduced the figures for 2015 to 890,000; there are, however, no monthly values that correspond to this corrected annual value.

facilities in Bavaria (including those living in emergency accommodation, the number of which varies greatly; figures from the city and district of Passau or from the district of Wunsiedel are lacking) (Schöffel/Kirschner 2016).

Although the Federal Office for Migration and Refugees and the Federal Employment Agency (*Bundesagentur für Arbeit, BfA*) are continually working to improve the regional data base (cf. e.g. *BfA* 2017), it remains difficult to obtain reliable estimates of the numbers of asylum seekers in Bavaria and its sub-regions who are resident, recognised, rejected or still being processed. In 2016,

- > 173,846 applications were rejected in Germany (*BMI* 2017), some of which were deported or left the country voluntarily, in some cases with funding from federal programmes.
- > Statistics from the Federal Office for Migration and Refugees (cf. *BAMF* 2017) for asylum decisions in 2016 record 87,965 other resolutions of cases (e.g. through application of the Dublin procedure or the termination of the process owing to the withdrawal of asylum applications). Despite
- > the condition of fixed abode which has been valid since 1 December 2016, a proportion of refugees has migrated in the direction of western or northern Germany or abroad, only a small proportion of which have remigrated to Bavaria. For these reasons, it can therefore be assumed that

the number of refugees resident in Bavaria has fallen considerably since mid-2017.

In comparison to 2015 it was also possible to considerably increase the number of decisions made by the Federal Office for Migration and Refugees to 695,733 decisions in 2016 (cf. Fig. 3). The number of applications for asylum remain at a high level, at 745,545 applications in 2016. Almost two-thirds of the applicants were granted residency status. Around two-thirds of asylum seekers are male. As can be seen in Figure 4, the figures for applications for asylum suggest that around two-thirds come from Syria, Afghanistan and Iraq. About a third of the applicants is under 18, about 60% are between 18 and 45, and only 7% are over 45.

Despite the easing of the situation it should not be forgotten that the international state of affairs continues to be very volatile. In 2016 over 4,000 people lost their lives on the Mediterranean. Hundreds of thousands of refugees are in Turkey, North Africa, Greece, Italy, Austria and the countries along the Balkan route, and also on the Mediterranean routes, waiting to continue their journeys. And the police continue to apprehend between 100 and 300 refugees daily on the eastern border with Austria and the Czech Republic. The relevant international treaties, such as the agreement between the EU and Turkey, seem to operate at present but are politically controversial. Predictions concerning the subsequent immigration of family members are also highly speculative. Against this background a reliable forecast of refugee figures seems currently impossible.

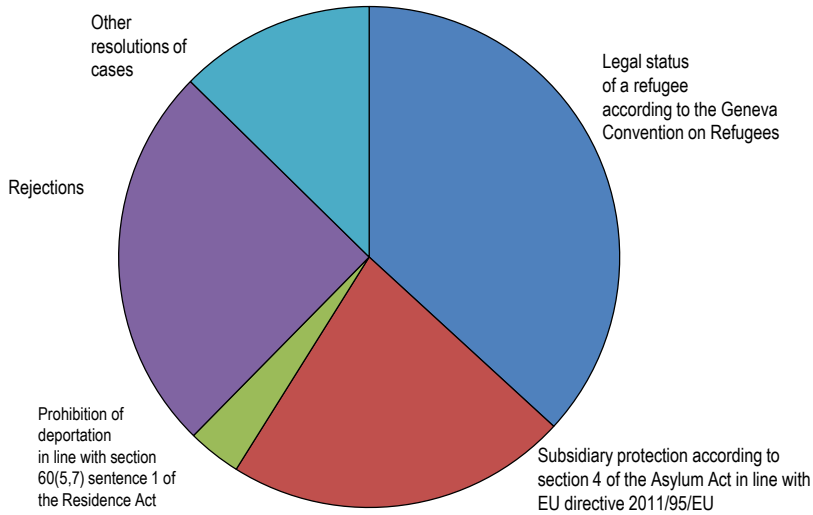


Fig. 3: Asylum decisions by the Federal Office for Migration and Refugees in 2016 (695,733) / Source: BMI (2017), the authors

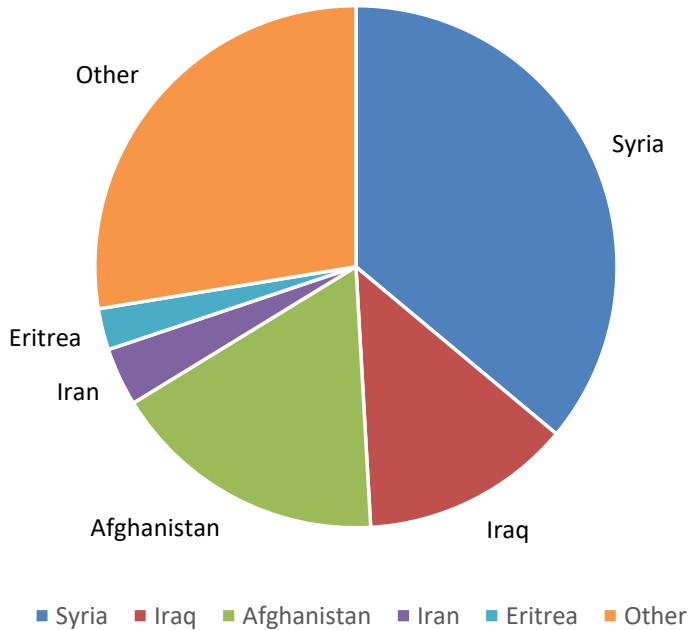


Fig. 4: Place of origin of refugees according to asylum applications in 2016 (745,545) / Source: BMI (2017), the authors

### 3.2 Mechanisms of distribution and accommodation

The procedure legislatively laid down for the distribution and accommodation of refugees provides that after refugees have made the journey, crossed the border and been subject to identity screening measures, they are registered in the EASY system. This is to occur right at the border. The high number of refugees in the second half of 2015 meant, however, that these measures could not be properly carried out immediately after they crossed the border. The distribution of refugees throughout the country was organised from the waiting areas in Erding and Feldkirchen or directly from locations along the Bavarian-Austrian border, with onwards transport by special trains or buses. When the trains or buses halted a number of refugees alighted, so that there were cases of illegal entry and uncontrolled further travel into other EU countries, particularly to Sweden, France (including for onward travel to the UK) or to the Benelux states.

The distribution of refugee families and single adults (not unaccompanied minors) among the federal states was based on the distribution formula known as the *Königsteiner Schlüssel* in line with section 45(1) of the Asylum Act.<sup>4</sup> The calculation of the *Königsteiner Schlüssel* in the previous year was based on taxation revenue weighted by a factor of two-thirds and the population of the federal states weighted by a factor of a third, and in practice was quickly accepted by the federal states. It was only at first that larger deviations from this formula were seen, which was often due to the lack of functional admission and distribution structures in the individual federal states.

The federal states usually organise the spatial distribution of refugees within their territories through specific ordinances; in Bavaria, for example, this occurs according to the Asylum Implementation Ordinance (*Asyldurchführungsverordnung, DVAsyl*).<sup>5</sup> The distribution among the government regions is stipulated in section 3(1) of the Asylum Implementation Ordinance; for further distribution among the districts and urban districts within the government regions, the contingents stipulated in section 3(2) of the Asylum Implementation Ordinance are binding.

In line with section 44 of the Asylum Implementation Ordinance and section 15a(4) of the Residence Act (*Aufenthaltsgesetz; AufenthG*), the Free State of Bavaria maintains its central reception centre in Zirndorf and other admission facilities in all the government regions (with the exception of Middle Franconia). Dedicated reception centres in line with section 5(5) and section 30a of the Asylum Implementation Ordinance were opened in Manching (near Ingolstadt) and Bamberg especially for refugees from safe countries of origin, particularly the Western Balkans.<sup>6</sup> The refugees allocated to Bavaria were placed in one of these reception centres. In

4 Cf. <http://www.bamf.de/DE/Fluechtlingschutz/AblaufAsylv/Erstverteilung/erstverteilung-node.html> (12 April 18).

5 Asylum Implementation Ordinance of the Free State of Bavaria from 16 August 2016 (GVBl. [Law and Ordinance Gazette] page 258, BayRS [Compilation of Bavarian Laws] 26-5-1-A/I).

6 Currently the initial reception centres are being developed into transit centres specialising in individual countries of origin.

autumn 2015, the reception centres, many of which had been quickly opened in response to the high numbers of refugees, reached their capacity limits so that for some of them additional containers and/or annexes had to be opened. Section 9 of the Asylum Implementation Ordinance stipulates that after temporary accommodation in the reception centres of the government regions further distribution could occur, either in response to an individual application or on grounds of public interest (known as the Bavarian equalisation [*Bayernausgleich*]). Afterwards the refugees were taken to their subsequent accommodation – whether in shared accommodation or in decentralised facilities – where they could live for up to six months so as to be constantly available for the first steps of the asylum application process. This also applied to asylum seekers from ‘safe countries’ until a decision by the Federal Office for Migration and Refugees. The governments constructed and ran shared and partially shared accommodation facilities of various sizes. In line with section 5(2) sentence 1 of the Asylum Implementation Ordinance the district administrations also opened decentralised accommodation; in addition they were obliged to support the establishment of shared accommodation in line with section 5(3) of the ordinance. Municipalities in each district were similarly obliged to support the establishment of decentralised accommodation.

After recognition of refugee status the refugees basically received the same rights and were subject to the same obligations as German citizens. Despite the freedom of movement appending to recognised asylum seekers in the Federal Republic of Germany, since the middle of last year they have under certain circumstances been subject to a condition of fixed abode (on the residence obligation cf. Dehne/Knieling 2016). This applies retrospectively for all applications granted since 1 January 2016. The details of the regulations are based on section 12a of the Residence Act. However, the condition of fixed abode has only been implemented so far by a few federal states, including Bavaria. This condition is intended to prevent disproportionate numbers of refugees from moving to the large cities, especially those in the west and north of Germany, and to hinder the emergence of ghettos.

Distribution and accommodation are undertaken in a complicated, multi-stage process, which – as demonstrated – is geared less to integration needs and much more to the financial capacity of the territorial authorities, their ability to absorb refugees and other public interests. According to research by the Bavarian broadcasting company (*Bayerischer Rundfunk*) (cf. Schöffel/Kirschner 2016), at the time of research (i.e. at the end of February 2016) the distribution and accommodation mechanisms had resulted in about 50% of asylum seekers (recognised, rejected or still being processed) having their place of residence in districts and towns in rural areas, and almost 20% of these lived in regions with a particular need for action. The other half of the refugees had their place of residence in districts and towns or cities in densely populated areas, of which two-thirds lived in the districts, towns and cities of the large agglomerations of Munich, Nuremberg/Fürth/Erlangen and Augsburg.

### 3.3 Integration

Even in the early phases of the migration process in 2015/2016, many state and municipal authorities realised that the refugee wave was not just a temporary phenomenon. Many of the people who have migrated to the Federal Republic of Germany in the last two years seem likely to remain here for a longer period of time. This brings the question of integration to the fore.

The integration of the recognised and resident refugees into life in the Federal Republic of Germany is a significant challenge for the whole of society. Ultimately this concerns making the guiding principle of the peaceful coexistence of people in our country in an open, free and democratic society a reality.

The rural areas bear just as much responsibility for this as the agglomerations (cf. Braun/Simons 2015; Geis/Orth 2016; Mehl/Meschter/Neumeier et al. 2017; Schmidt 2017). In the interest of balanced spatial development it is unacceptable that regional societies should be divided over the question of integration. Border areas, like the one at the heart of this discussion in south-east Bavaria, also cannot evade the issue.

For the integration marathon to be successful much will be demanded of all sides – not only of the refugees themselves but also of Germans. On the one hand, the refugees' commitment and motivation to pursue integration must be maintained. On the other hand, local commitment is necessary, the courage and readiness to embrace change, a common will for neighbourly coexistence, a culture of open-mindedness, openness and attentiveness, and also a willingness to change and the resources to create living and working conditions that promote integration and, not least, the ability to deal with setbacks (resilience). Alongside patience and perseverance, much flexibility will be required.

In order to improve the chances of refugees participating in social life in Germany, a major effort on many fronts is required. The integration of refugees must be planned in the medium and long-term. The involvement of the state and the municipalities is particularly called for. Better integration results can be achieved if not only the commercial sector and the administrators of the labour market but also the churches and charities are involved in appropriate ways. Civic engagement can also have a very positive impact.

Particular attention should be given to the following fields of action:

*The creation of social surroundings that are open to foreigners.* This involves opening up regional milieus, strengthening the internationality of regional and local societies, dismantling prejudice against foreigners and using the open-minded climate to further develop regional identity. In this context (political) actors and 'caretakers' are important – people who own the topic of integration. But so too are civic engagement and functioning networks between citizens, the commercial sector and the administration.

*Improving the residential situation:* The housing market, particularly the supply of serviceable, affordable residential accommodation, is a problem throughout the whole of Bavaria. This is particularly true of the (prosperous) higher-order centres. Not only the municipalities and private economy but also the federation and federal states are called upon to provide the housing market with appropriate incentives. Due to the many question marks surrounding the migratory behaviour of the refugees and the subsequent immigration of family members, forecasts of future housing demand are often uncertain and risky. It is necessary to provide potential investors with more planning certainty. Other approaches include the active management of vacant property and considerable persuasive efforts on the part of spatial development policy to designate more land for housing in the course of urban land-use planning. Better intermunicipal alignment can also help in certain cases. In the meanwhile there are many and diverse state and municipal initiatives intended to improve the housing situation. Bavaria has launched the Housing Pact Bavaria (*Wohnungspakt Bayern*) development programme with € 2.6 billion of funding;<sup>7</sup> 28,000 new state-financed or subsidised rental dwellings are to be built by 2019. On the municipal level many initiatives have also been started. For instance, the federal state capital of Munich launched a medium-term housing investment programme as early as March 2016, which is intended to provide an additional 3,000 dwellings.<sup>8</sup>

*Guaranteeing language learning and education:* Language and education are preconditions for successful integration. The education of foreign national children, young people and adults places new demands on kindergartens, schools and educational facilities. Special language lessons must be provided throughout the country (German as a second language, not only to level A2) and kindergartens and schools must be prepared for the numerous refugee children and unaccompanied minors. Here it is particularly important to expand the transition classes at the primary and middle schools and professional training at the vocational colleges. Similar adaptations at grammar schools and secondary schools have scarcely been initiated. Adult education for refugees and, in particular, the targeting of adult women must be improved here. The training and further education of the many voluntary helpers must also be attended to. Against this background it is clear that it is not sufficient to reduce the discussion to consideration of the uptake and capacity of the educational infrastructure.

*Supporting labour market integration* (cf. BAMF/EMN [National Contact Point of the European Migration Network] 2015; IAB [Institute for Employment Research] 2016; Worbs/Bund 2016): Companies in both densely populated areas and rural regions complain of a lack of skilled workers. Although the refugees often aim to obtain a job at ‘assistant level’, their qualifications are frequently not yet sufficient for such positions. Many refugees are not yet available for work on the labour market because they are involved in employment agency programmes to improve their language skills and/or professional qualifications. There is still a need for additional placements, apprenticeships and jobs. The provision of such employment opportunities requires close cooperation and solidarity between all labour market stakeholders supported

7 Cf. <http://www.stmi.bayern.de/buw/wohnen/wohnungspakt/index.php> (12 April 2018).

8 Resolution of the plenary assembly of the city council of the federal state capital of Munich on 16 March 2016.



by civic engagement and the work of local chambers and proactive business networks. Particular attention should additionally be directed towards the entrepreneurial abilities evinced by the refugees, especially in the trades. Potentials of this sort should be unlocked and activated. In the meanwhile there are numerous activities on the state-wise and sub-region levels. Thus in 2015 the Free State of Bavaria and the Bavarian Business Association (*Vereinigung der Bayerischen Wirtschaft*), the local professional associations and the regional office of the Federal Employment Agency concluded an 'Agreement for Integration through Work and Training'. In the first step up to the end of 2016, placements, training or jobs were provided for far more than the agreed 20,000 refugees. By the end of 2019 a total target of 60,000 successful labour market integrations should have been achieved in Bavaria. The agreement includes additional targeted measures for integration into training and work funded by a total of € 15.3 billion.

*Supporting local coexistence* (cf. SVR [Research Unit of the Expert Council of German Foundations on Integration and Migration] 2016):<sup>9</sup> Contacts with neighbours, involvement in associations, churches and in the fire brigade, joint celebrations, and getting to know the habits and customs help refugees to gain a foothold in Germany. However, opportunities for such encounters must be organised. Civic engagement is particularly important here. One problem, however, is that civic engagement has tended to decline in recent months. Maintaining the motivation so that volunteers continue to help with the integration of refugees is an important local task.

### 3.4 Departure/return, deportation

In contrast to the asylum application process, the federal states are responsible for decisions about the departure, return or deportation of refugees after a negative decision by the Federal Office for Migration and Refugees. Those responsible in Bavaria are the immigration authorities in the district administrations. They work in cooperation and alignment with the central immigration authorities of the governments and the transit centres, which are being established in every government region. A refugee who has received a negative decision from the Federal Office for Migration and Refugees may nevertheless be permitted to stay in Germany. Such decisions are often made when the refugee has already taken up an occupation, including vocational training. The Bavarian immigration authorities have a margin of discretion in these decisions, which is also exercised in practice.

The decentralised structure of immigration authorities in Bavaria has basically proved successful. Proper individual decisions about the continued stay of refugees who fundamentally have no residency entitlement can only be made in close discussion with the refugees themselves, the local employment agencies, professional associations and workplaces. The transfer of such decisions to the level of the federal authorities and the associated centralisation of decision-making structures, as it is currently being discussed in various contexts, is therefore viewed with scepticism.

<sup>9</sup> Cf. also issue 2.2017 of the journal *Informationen zur Raumentwicklung* on the topic of *Flüchtlinge – zwischen Ankommen und Zusammenleben* ('Refugees – between arrival and coexistence').

Independently of this, there are also cases where refugees with a positive decision from the Federal Office for Migration and Refugees and a residency permit want to leave Germany voluntarily.

The Bavarian border regions are not immediately involved in the departure, return or deportation of refugees. The federal state authorities located here have, like elsewhere, to make these decisions, but the departures themselves usually take place from international airports.

#### **4 The south-east Bavarian border areas at the end of the Balkan route**

Until the closure of the *Balkan route* (the route from Turkey through Greece, Macedonia, Serbia, Hungary or Croatia and Slovenia, and then Austria to Germany) in March 2016, the Free State of Bavaria was particularly affected by the refugee wave. By far the greatest majority of refugees reached German territory via the south-east Bavarian border (cf. Fig. 5).

The south-east Bavarian border areas particularly affected by the refugee wave comprise eight districts which are situated immediately on the border with Austria and the Czech Republic (in the Upper Bavarian districts of Rosenheim, Berchtesgaden Land, Traunstein and Altötting, and in the Lower Bavarian districts of Rottal-Inn, Passau, Freyung-Grafenau and Regen) and Rosenheim and Passau, two urban districts with a total of 1.2 million inhabitants<sup>10</sup> (by way of comparison: in 2015/2016 the same number of refugees crossed the border). Here the refugee routes from southern and south-eastern Europe cross the border into Germany. This primarily refers to the following refugee routes:

- > By train: The train lines for passengers and for freight from Italy via Innsbruck and the border crossing at Kufstein/Kiefersfelden to Rosenheim or from eastern Austria via Linz and Schärding to Passau.
- > By car, minibus, bus and HGV: From Italy along the Austrian A12 motorway from Innsbruck to Kufstein and then from Kiefersfelden on the A93 to the junction at Inntal near Rosenheim, along the Austrian A1 motorway from Vienna to Salzburg and then on the A8 towards Munich and western Germany, and from Vienna/Graz to Linz and from there on the Austrian A8 motorway to the border crossing at Suben/Passau and on the A3 to Regensburg and western Germany.

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10 Cf. <https://www.statistik.bayern.de/statistik/kreise/> (12 April 2018).



## 4.1 A complex, exceptional situation

On peak days in September, October and November 2015 up to 20,000 refugees reached the border. By December 2015 this figure had stabilised at around 2,000 to 4,000 a day due to the season. Initially the fixed admission system focused only on Rosenheim and Munich, but from the end of September 2015 it was replaced by flexible structures immediately at the border, involving border crossings in Lower Bavaria at Breitenberg, Wegscheid, Passau-Achleiten and Passau main station, Neuhaus am Inn, Ering am Inn and Simbach am Inn, and in Upper Bavaria at Freilassing, Rosenheim and Kiefersfelden. To ensure the satisfactory management of the border crossing, initial registration and accommodation of the refugees and their redistribution via special trains and busses during peak times, additional waiting rooms were temporarily established at the military bases in Erding and Feldkirchen near Straubing. In response to the numbers of refugees arriving, the federal police opened or closed the border crossing in consultation with other federal and state authorities. By November 2015 at the latest, the infrastructure necessary for this flexible process was in place. The commercial sector, utility and transport companies, charities and other helpers from church-based groups and civil society had also adapted to this approach.

The first moves towards the decision by the Federal Government to open the border between Austria and Bavaria for refugees came in August 2015. On 21 August 2015 the Federal Office for Migration and Refugees suspended the so-called Dublin Regulation for Syrians, a decisive move. Refugees were no longer to be returned to the place where they had first set foot on EU territory. Subsequently the situation on the refugee routes of the central and southern Mediterranean and on the Balkan route was partly beyond control. The decision by the Bavarian State Government to transfer the admission, initial registration and redistribution of refugees from Munich and Rosenheim to the immediate south-east Bavarian border areas was unexpected and found these areas unprepared (cf. research question 1). The decision to effect the relocation was made under great pressure, not least owing to the flood of visitors expected in Munich for the Oktoberfest. A taskforce was speedily set up on the federal state level in the Bavarian State Ministry of the Interior for Building and Transport, under the leadership of the police. The aim was to successfully tackle the organisation of the necessary tasks, particularly with regard to maintaining security, the initial registration and the redistribution of refugees to the rest of Germany. Cooperation with the authorities of other federal states and also with the relevant federal authorities like the Federal Office for Migration and Refugees, the federal police and armed forces, soon progressed constructively if not completely unproblematically. By November 2015 the crisis mode had been replaced by routine hustle and bustle.

The federal and state authorities were supported locally by the municipal administrations, by groups of helpers linked to the churches and charities, and by committed citizens. The heads of the district authorities, the mayors of the urban districts of Passau and Rosenheim, and the other mayors acted as important local decision-makers; here many different strands of the process came together. The municipal authorities helped with the initial admissions of refugees and also organised the provision of suitable accommodation to enable the necessary administrative process-

es to function smoothly, including onwards transport. They also coordinated civic engagement. Groups of committed helpers supplied the refugees with their immediate needs, especially with food and clothing, and also provided valuable social support services. Furthermore, the municipal authorities were available as general points of contact for the refugees.

## 4.2 Challenges in detail

Managing the sheer volume of the refugees, who at times arrived every hour, was a particular challenge. As Germany had not reached a sufficient consensus on refugee policies with Austria and the other countries along the Balkan route, at first the Austrian authorities send contingents of refugees of varying sizes and compositions at varying times of the day and night across the border to southeastern Bavaria, without informing the Bavarian side of their arrival. However, this practice changed after a few weeks. Coordination across the borders improved significantly with time and was further advanced by the establishment of the German-Austrian police cooperation centre in Passau.

Another challenge was preventing illegal and uncontrolled border crossings. Border controls were introduced to restore order and security at the borders, in particular to prevent illegal crossing of the green border and the unlawful marooning of refugees, especially on the A3, A8 and A93 motorways. ‘Passengers’ would be dropped off at the edge of the road by vans, frequently run by bands of traffickers. This led to considerable problems in traffic safety and border protection. Border controls are to continue until further notice on the A93, A8 and A3 motorways on the border between Austria and Germany.

The distribution of unaccompanied minors was not initially in line with the regulations described in Section 3.2. After registration, unaccompanied minors were taken into the charge of youth welfare facilities. Until the change in the distribution mode on 1 November 2015 – after which unaccompanied minors were distributed throughout Germany in a similar way to adults – the youth welfare facilities in the border districts and towns had to accommodate all unaccompanied minors. This quickly led to capacity shortages at such facilities. The costs had to be borne by the affected government regions. The numbers of unaccompanied minors have also dropped rapidly and the introduction of the countrywide distribution mechanism has further eased the situation in the border area so that conditions in the youth welfare facilities have also returned to normal. The costs for unaccompanied minors are now borne by the Free State of Bavaria.

Finally, the creation of a welcoming culture and a spirit of open-mindedness towards foreign nationals in the south-east Bavarian border area has been a great challenge. The decisions on asylum and refugee policy made by the Federal Government in August and September 2015 were not unanimously supported by those in the south-east Bavarian border area. Austria’s harsh criticism of German refugee policy was also to be heard on this side of the border. Furthermore, many committed helpers discovered through experience that by no means all migrants wanted to get to know

the Western culture of Germany and its idiosyncrasies. Personal contacts also revealed that economic motives often played a significant role in this forced migration. There were consequently considerable fears that the mood of the population in relation to foreign nationals could reach a tipping point. These fears have not yet been realised – prejudice against refugees and migrants does not seem to be greater in the south-east Bavarian border area than elsewhere in Bavaria.

There were also numerous other problems which had to be solved ad hoc, such as the difficulty of registering refugees who usually had no valid identity papers and of organising the necessary health checks in the face of major language barriers. The separation and detention of terrorist suspects also caused problems in individual cases.

If other border areas should find themselves in a similarly complex and exceptional situation they could learn from the experiences of south-east Bavaria and would be well-advised to quickly build functional decision-making and communication structures between the relevant federal, state and municipal authorities. As far as possible this should be undertaken in advance through the preparation of organisational and implementation plans. Furthermore, in such exceptional situations border areas need leadership. This means that the political decision-makers, especially the heads of the districts, the mayors and the heads of the police and emergency services have a key role to play. In addition, there should be close cooperation and a clear definition of the nature of the engagement with groups of voluntary helpers and committed citizens to avoid work being duplicated. The work of voluntary helpers and civic engagement can be very beneficial and supportive in ensuring an open-minded climate towards foreign nationals, advising refugees on their dealings with the authorities, accompanying them on visits to companies and other places of employment, and satisfying their immediate needs on arrival. Independently of this, coordination and communication across the borders must proceed properly. Unilateral national initiatives can throw a spanner in the works and ultimately overwhelm border areas.

### **4.3 The spatial impacts**

A distinction can be made between the temporary, medium and long-term spatial effects on the south-east Bavarian border region.

In particular, the regional economic effects were temporary (cf. research question 2). State and municipal expenditures intended to cope with the refugee wave led to an exceptional boom in the south-east Bavarian border area, which then had a selective impact on individual sectors of the economy. The property sector was among the particular winners. Those providing property that was suitable for shared or decentralised accommodation could make good deals and, in some case, profited excessively from the predicament in which the state and municipalities found themselves in 2015/2016. In tourist regions older buildings that had once been used as hotels and guesthouses were reused as refugee accommodation. Those who profited also included those hiring out residential and office containers, tents and air-inflated structures, as well as catering companies from the region who were awarded contracts

to provide the refugees with food. On the other side of the equation were certain wellness hotels, especially those close to the aforementioned border crossings, which suffered from booking cancellations. In addition, the introduction of border controls and the associated waiting times at the border led to a decline in cross-border day trips. For instance, the number of day excursions to the spa triangle (Bad Füssing, Bad Griesbach, Bad Birnbach) declined by up to 40% in autumn 2015. The haulage sector also reported problems caused by the introduction of border controls. As many refugees arrived by train and a number of special trains were used for their onward transport, the regular timetable of the German railways could not be maintained. Trains were cancelled and delayed, in some cases for several hours, causing problems for many and above all for cross-border commuters. This was exacerbated by the fact that it was hardly possible to cross the border by car because refugees blocked the border crossings. In the course of November 2015 the situation at the border gradually returned to normal.

Turning to medium to long-term aspects, several of the decisions that were made under great pressure in 2015/2016 can be positively evaluated. Thus the joint police work undertaken between Bavaria and Austria should be further developed and the joint German-Austrian police cooperation centre in Passau should be secured as a permanent new police authority. Moreover, the planned establishment of a training centre for special police units in the town of Freyung has received a new momentum. When complete this development should provide at least 50 permanent jobs.

Positive note should also be taken of the new state and municipal development programme triggered by the refugee wave. This is intended to stimulate house building and improve the provision of affordable housing. In the medium term this will also benefit the south-east Bavarian border areas as the housing market is difficult here in places too.

It is hard to judge the demographic and labour market impacts of the refugees in the south-east Bavarian border regions. Whether and to what extent the aging of the population in the south-east Bavarian border area has been forestalled will depend primarily on whether the refugees allocated to the Bavarian-Austrian border region remain there. The same is true for the effects on the labour market, especially for the desired contribution that the refugees may make towards addressing the shortage of skilled workers in many sectors. Although there are no exact figures available it should be noted that many refugees do not wish to remain in the border region and have either already moved on or will do so in the future.

One reason for this could be that refugees and asylum seekers from non-EU countries who have been recognised in the Federal Republic of Germany have great difficulties in obtaining a residency and work permit for Austria; they first have to be taken into the care of the Austrian state. This means that refugees cannot take advantage of the free movement of people as EU citizens can (cf. research question 3). This creates a situation whereby, for instance, a company with branches on both sides of the border cannot employ recognised refugees in both locations even if they are qualified to do the work; the same is true for apprentices. This restriction on recognised refugees and asylum seekers crossing the border also applies to their place of residence. The



problem is only resolved when the recognised refugee takes German or Austrian citizenship, which is possible after many years of residence in one of the two countries.

#### **4.4 Bottom-up regional management initiatives – promising approaches for the integration of refugees with prospects of permanent residence?**

The success of integration in south-east Bavarian border areas is not a foregone conclusion. There are a number of particular challenges that must be met. These include the fact that a refugee who is recognised in the Federal Republic of Germany is not entitled to freedom of movement into Austrian territory (and vice versa), the frequent Austrian criticisms of German asylum and refugee policy, and the aforementioned multiple burdens experienced by public administrations and civil society from the initial admission and distribution of refugees to the pursuit of integration tasks. This makes it even more important that recognised refugees and asylum seekers should be successfully integrated on both sides of the border (cf. research question 4, part 1).

Such an endeavour requires political actors who are wholly committed to the integration of refugees, who demonstrate this and in so doing set an example to others. Furthermore, ‘caretakers’ are needed who can drive forward and manage local implementation. Bottom-up regional development can make a significant contribution here (cf. Weber 2016). It is accustomed to dealing with various sectoral policies and their coordination. Bottom-up regional development also has much experience of intermunicipal cooperation and mediating between public bodies and civic engagement.

Against this background the present article calls for action-based bottom-up regional development, for instance in the form of regional initiatives, regional management or LEADER initiatives, tied into countrywide networks and supported by the IQ network (Integration through Qualification) and by the activities of local educational coordinators. Bottom-up regional management initiatives could and should be particularly worthwhile with the following:

- > Supporting a social environment that is open to foreign nationals and
- > Creating/securing living and working conditions that support integration for refugees with good prospects of permanent residence.

In the south-east Bavarian border areas three regional management initiatives for dealing with refugee issues have been adopted (cf. research question 4, part 2).

- > Regional management Passau (sponsor: Business Forum Passau [*Wirtschaftsforum Passau e.V.*]): Annual apprenticeship fairs for refugees; in addition the project Refugees–Asylum Seekers–Migrants [*Flüchtlinge-Asylbewerber-Migranten, FAM*]), which is intended to help integrate these people in the regional job and training market. In order to avoid creating duplicate structures for the compulsory classes for young refugees at the training colleges



in Passau and Vilshofen, the project focuses on older refugees between 21 and 40 who are not required to attend training college (50 participants per project year).

- > Regional management Regen (sponsor: ArberlandRegio GmbH): The Welcoming Culture in Action (*Gelebte Willkommenskultur*) project, which focuses on promoting a welcoming culture, cooperation with regional businesses, support in having qualifications officially recognised, training, support of voluntary structures and interfaces and a single local point of contact.
- > Salzburg – Berchtesgadener Land – Traunstein EuRegio: Across the border with Austria exchanges of experience between regional initiatives dealing with refugee-related issues have already begun, e.g. in the project ‘Stronger together! Participating in social space – participating in the Euregio’ (*‘wir ist mehrwert! teilhabe im sozialraum – teilhabe in der euregio’*) with the partners Lebenshilfe Salzburg gGmbH and Lebenshilfe Berchtesgadener Land, includes examples of best practice of inclusion and participation in the Euroregion with a focus on older people, migrants and refugees. The project runs from mid-2017 until mid-2018 and will be promoted in the context of the INTERREG V A-programme Bavaria/Austria.

To further motivate regional initiatives in the south-east Bavarian border areas to engage in integration projects for refugees, the exchange of experience with other regional initiatives should be intensified. Of the 48 active regional management initiatives found countrywide in July/August 2016 in the course of an internet search, half focused on this issue. These include numerous good project ideas such as:

- > Wunsiedel in the Fichtel mountains regional management (sponsor: Fichtel Mountains Development Agency): Organisation of several work placement tours for refugees.
- > Ansbach regional management (sponsor: Ansbach Regional Management GmbH): Comprehensive provision of information, intensive support for citizen engagement and cooperation with active voluntary integration officers.
- > Haßberge regional management (sponsor: Mainfranken Region GmbH): Safe Places for Refugee Children (*Sichere Orte für Flüchtlingskinder*) project.
- > Main-Spessart regional management (sponsor: the Main-Spessart district): Roundabout Main-Spessart (*Rundherum Main-Spessart*) project promoting a welcoming culture, comprehensive information provision including the Arrival (*Ankommen*) app, close cooperation with and support for voluntary asylum helpers.
- > Danube-Ries regional management (sponsor: the Danube-Ries district): Language Pilot (*Sprachlotse*) project, organising additional language lessons so children with migration backgrounds can be integrated more quickly.

There are also other, larger scale initiatives such as a regional marketing project for Mainfranken, the Lower Bavarian Forum and the metropolitan regions of Munich and Nuremberg, which have made the promotion of a welcoming culture their mission.

Interesting projects have also been conducted by other regional initiatives. For example, the Local Action Group for the regional development of Oberallgäu (*LAG Regionalentwicklung Oberallgäu e. V.*), which is a LEADER initiative, and the Caritas association conducted a joint project that was called ‘My municipality – Home for all?!’ (*Meine Gemeinde – Heimat für alle?!*) to enable all people in the region to participate equally in society (cf. Weizenegger/Ruf 2015). Initially, this project targeted people with disabilities but was later extended to include the integration of people with migration background as well as refugees and asylum seekers, etc. It comprises two measures: first, the development of social hubs to create networks of facilitators; second, the establishment of an inclusion indicator. This was an online platform that bundled offerings and examples of good practice.<sup>11</sup>

## 5 Conclusions

In summary, the following findings can be put forth:

- > The 2015/2016 refugee wave was unexpected by the south-east Bavarian border areas and found them unprepared. This was because the necessary decisions required sovereign state action. They were thus made externally by the government of the Federal Republic of Germany and the Bavarian State Government, and needed to be implemented quickly under pressure.
- > The impact of asylum and refugee policy on the border area is generally temporary and among the economic stakeholders there is considerable divergence between the winners and losers.
- > The advantages of the open cross-border residential and employment areas between Bavaria and Austria cannot be used by recognised refugees and asylum seekers because of differences between the national asylum and immigration regulations.
- > This makes it even more important that recognised refugees and asylum seekers are successfully integrated on both sides of the border. Bottom-up regional development initiatives that have emerged from exchanges of experience can make an important contribution here.

In addition, it should be noted that managing the refugee wave in the south-east Bavarian border areas now increasingly involves focal points for specific tasks rather than sovereign policy due to the increasing significance of tasks in relation to integration. When creating attractive living and working conditions for people with refugee backgrounds the sub-regional level is particularly crucial; ultimately it is this

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<sup>11</sup> Cf. [www.heimatfueralle.de](http://www.heimatfueralle.de) (12 April 2018).

level that determines the success of integration. Decentralised management and coordination and functioning intermunicipal cooperation is advantageous for integration. The coordination of voluntary work with the sectoral planning on different levels, the provision of housing and public transport, the needs-based adaptation of educational infrastructure, the training of refugees for jobs in Germany and the activation of the refugees' entrepreneurial potential – all of this can only be achieved with the significant participation of local organisations and civic engagement. A number of the action-based bottom-up regional policies in the south-east Bavarian border area, particularly in the economic area of Passau and in the district of Regen, have proved successful. This should encourage others. In the future regional management initiatives should continue to engage in refugee issues and should build networks across the country, but also across borders.

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