Humanitarian Admission Programmes: how networks enable mobility in contexts of protracted displacement

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Recent research explored how refugees make use of their networks to escape from protracted displacement. Germany's Humanitarian Admission Programmes have been able to provide legal 'complementary' pathways for Syrian refugees who had transnational ties. The effectiveness and reach of these schemes, however, are constrained by various factors.

Humanitarian Admission Programmes (HAPs) can play an important role as 'complementary pathways' for refugees out of protracted displacement, as shown in initiatives by the German government and its federal states during the Syrian war. Such initiatives are particularly effective if they build on refugees' social networks.[1] Within the framework of the HAPs set up by German federal states, displaced people could rely on long-established transnational connections. For example, those who had previously migrated to Germany were able to help other family members to take advantage of private and community sponsorship schemes in order to come to Germany. However, there are limits to the potential of these network-based schemes to be fruitful 'complementary pathways' out of protracted displacement, the most obvious limit being their sole focus on Syrians and the neglect of other nationals.[2]

Private sponsorship

At the end of 2010, 30,000 Syrian nationals were living in Germany. By the end of 2020 there were more than 818,000 Syrians in the country. After the outbreak of conflict in Syria, many German residents were looking to bring family members still in Syria to safety. Initially, a substantial number of Syrians came to Germany via different legal pathways, as students and tourists, on work visas and through family reunification, and many (though not all) also applied for asylum after their arrival.[3] As both political persecution and the violent conflict in Syria worsened, it became clear that the existing legal pathways could only be used by a small minority of those who had a personal affiliation with Germany and who needed protection. The humanitarian situation in Syria's refugee-hosting neighbours also worsened, meaning that hundreds of thousands of Syrian refugees needed longer-term prospects that were often not available in countries of first reception. The number of Syrian refugees who were resettled to third countries remained critically low and the number of those who irregularly crossed the external borders of the European Union steadily increased. In response to this, there was a call for new legal frameworks that would allow onward mobility for Syrian refugees at risk of protracted displacement.

In this critical period, the German government set up a Humanitarian Admission Programme through which 19,000 Syrian nationals could enter Germany via a safe and legal route between 2013 and 2015. In addition, several German federal states created their own programmes through which almost 24,000 Syrian nationals arrived in Germany between 2013 and 2017.[4] The HAPs set up by the German government and its federal states had a distinct selection criterion: they built on Syrian refugees' own networks, allowing mobility to Germany based on existing ties to the country, either through close family relationships or through proven prior stays in the country.

However, this route was still not open to all who had transnational kin relations or previous migration experience. Only close family members of German residents (parents, children and siblings, but not uncles, aunts and cousins) could be registered for these

admission programmes. After registration, Syrians migrants in Germany had to sign a 'declaration of commitment' to guarantee to cover travel costs and provide adequate accommodation and costs of living (with the exception of health insurance which was covered by the state). These commitments released the German state of its responsibility to cover all the costs. Once declarations were signed and a visa (providing two-year temporary residence) was issued by the German embassy in the respective country of first reception, the Syrian refugees could then travel to Germany by plane. While the whole process took only few weeks in some cases, others waited for up to two years due to the overly bureaucratic process or because they lacked documents. Signing the declaration of commitment was challenging for those who were themselves in a precarious economic situation and could not provide the necessary financial guarantees. Many then turned to local solidarity networks such as church groups or refugee activists and asked if they could provide the guarantees and bear the travel, resettlement and initial living costs for their relatives. Some Syrians managed to bring in several relatives but subsequently felt both financially and psychologically overburdened as their family members were so dependent on them.

Moving on through transnational networks

The cases of Abdulrahem and Suli point to the central importance both of transnational family networks and of local networks of solidarity and support in order to facilitate humanitarian admission and avoid life-threatening irregular journeys to Europe.

Abdulraheem, a Syrian man in his forties, worked as an accountant at a private company. He had always been critical of the Syrian government and had been persecuted by the secret services, even before the war had started. In early 2014, he fled with his wife and two children to a city in Eastern Turkey. They lived in a small flat using their own savings, as they had no other income. The only potential way out of this protracted situation was through his sister, who had been living in Germany since 2005 and who suggested that they join her there. Abdulraheem's sister found out about North Rhine-Westphalia's HAP. As she could not provide the financial guarantees for all family members that she wanted to bring to safety, she asked a local group of volunteers for support. In the end, she and her husband signed the required 'declarations of commitment' for four people, while four volunteers from a church group – all Germans – signed four further guarantees. In total, eight people had the chance to travel to Germany in 2015 via a safe route. Other members of the extended family were not able to follow through the HAP and instead came to Germany via irregular pathways (via Turkey, Greece, the Western Balkans and Austria). Abdulraheem emphasised that while family support reaches across borders, ultimately living in one place was "very important […] We have to stick together".

Suli, a Syrian woman in her early twenties, grew up in Aleppo, where she graduated from university in 2012. Soon after, she had to flee with her parents and four siblings to their family's village of origin close to the Turkish border. When the civil war reached that region as well, Suli and her family crossed the border to Turkey in the summer of 2013, temporarily settling in a city in the south east. For Suli, the connections with her cousin Lya paved the way to a 'third-country solution' for her family. Lya's family had moved to Germany in the 1990s but frequently visited Syria during the summers. With Lya's help, Suli obtained a study visa and flew to Germany with a temporary residence permit. She lived with her cousin's family in a city in North Rhine-Westphalia but was still separated from her own parents and siblings. As she had just turned 18 and was therefore no longer a minor, however, the regular family reunification procedures did not provide options for her family to follow her to Germany. Her 17-year-old brother then embarked on a journey facilitated by smugglers via the eastern Mediterranean and western Balkan route, and joined an uncle in Switzerland. Her parents and younger siblings did not want to risk this dangerous route and remained in Turkey. In early 2014, Suli learned about the HAP in North Rhine-

Westphalia and registered her parents, only to learn that the available places – 5,000 at that time – had already been filled. In autumn 2014, a new phase of the programme was opened and Suli registered her parents and siblings again. Due to her temporary status and lack of funds, she could not sign the required declaration of commitment herself but after almost a year she found private sponsors from a local church community. A few weeks later her parents and younger siblings received their visas at the German embassy in Ankara and arrived in Germany by plane in September 2015.

Syrian teenager reunited with his family in Germany after three years apart.

Safe pathways for a few

Between 2013 and 2017, the number of resettlement places available in Germany was minimal – 3,000 individuals (of which only 44% were Syrians) were resettled in this period – and other legal pathways such as student and work visas and family reunification were not viable options for tens of thousands of Syrians. During the same period, around 44,000 Syrian nationals benefitted from the various HAPs set up by the German government and its federal states. In contrast to the insecure irregular journeys along the Eastern Mediterranean, which approximately 1.2 million people made between 2013 and 2017 in order to reach Europe, the German HAPs were indeed a humanitarian solution that provided a promising pathway out of protractedness. However, five key caveats remained:

Firstly, the HAPs were only temporary. After 2015, the German government did not prolong its programme despite the ongoing need. Instead, humanitarian admission continued under different conditions after the controversial 2016 EU–Turkey deal: resettlement procedures that focused on particularly vulnerable refugees were implemented and 10,000 Syrian nationals were flown from Turkey to Germany between 2017 and 2020. Existing family affiliations to Germany were not a selection criterion and German residents could not name relatives at risk of protracted displacement in Turkey to be included in these resettlements. As the political climate had changed, only six federal states continued their HAPs – and these offered only a limited number of places to German residents' family members.[5]

Secondly, the more recent HAPs[6] have always been limited to Syrian nationals. Other nationalities, such as Afghan, Iraqi, Somali and Eritrean refugees, who have also experienced protracted displacement, were never included in the design of HAPs that are sensitive to existing networks ties. This is despite the fact that many refugees from these countries also maintain strong transnational family relations to German residents or have other proven ties to the country.

Thirdly, there is a socio-economic bias in the design of network-sensitive HAPs as they privilege refugees with strong transnational relations and those comparatively well-off family networks that have sufficient financial means to provide guarantees for their relatives. Less wealthy Syrians who were not supported by local solidarity groups either could not facilitate their family members' safe and legal journey via the HAP or did manage to but then faced economic ruin after their relatives' arrival in Germany due to their financial responsibility for their relatives.

Fourthly, in Germany, the duration of the 'declaration of commitment' was much debated, including the question of whether it is the responsibility of the private sponsors (mostly family members) or the State to pay for the costs of living in the first years after arrival. This issue was resolved with the introduction of the German 'integration law' in 2016,[7] but it also shows some of the difficulties that arise in private sponsorship schemes. Whenever States involve sponsors in refugee reception, and particularly if private or community sponsorship becomes obligatory for admission, there is the risk that States seek to circumvent their duty to provide protection to displaced persons by outsourcing risks and by privatising the costs of refugee admission and integration.

Fifthly, the HAPs were initiated and facilitated by different state bodies – the German federal government and 15 out of 16 federal states – and had quite different rules and timelines. This multiplicity of actors and programmes created overcomplicated administrative procedures and, more importantly, led to a confusing variety of beneficiaries' legal rights (such as access to state benefits, housing, work, education and permanent residency) and sponsors' obligations. A standardised, coordinated and more generous approach would have been required to scale up humanitarian admission to Germany, but was not politically viable at that time.[8]

The experience from the German HAPs during the early years of the Syrian war show that networks can enable refugees' mobility out of protracted displacement. Humanitarian admissions schemes that include elements of private and/or community sponsorship, and thus pay due attention to refugees' familial and personal networks, can thus fulfill their potential as viable 'complementary pathways' to protection. But their shortcomings need to be addressed.

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1. For a further discussion of the role of networks in facilitating refugees' movements to third countries see Wagner M and Katsiaficas C (2021) 'Networks and mobility: A case for complementary pathways', TRAFIG Policy Brief No 3 https://trafig.eu/output/policy-briefs/policy-brief-no-3.

2. This article draws on 58 qualitative interviews with Syrian, Afghan and Eritrean refugees, one focus group discussion with resettled refugees, plus 12 interviews with experts, conducted between August 2020 and March 2021 in Germany. Full results are presented in Christ S et al (2021) 'Figurations of Displacement in and beyond Germany. Empirical findings and reflections on mobility and translocal connections of refugees living in Germany', TRAFIG Working Paper No 10 https://trafig.eu/output/working-papers

3. The number of foreigners, including Syrian nationals, living in Germany is available from DESTATIS, Germany's statistical office (Code 12521) www-genesis.destatis.de/genesis/online. According to the government's annual 'migration report', the share of visas issued to Syrian nationals for study, work or family reasons decreased substantially between 2010 and 2014, while both the share and absolute number of visas issued for humanitarian reasons and the temporary residency permits issued for the duration of the asylum procedure increased from 50 to 75%. bit.ly/BAMF-migration-report

4. There is contrasting information on the number of people who actually arrived via HAPs in this timeframe. The figures here are based on information provided by the German Federal Agency for Migration and Asylum (BAMF) in 2017. bit.ly/BAMF-HAP-2017

5. For an up-to-date list of federal states that currently have HAPs and most recent arrival statistics, see https://resettlement.de/landesaufnahme/ and https://resettlement.de/aktuelle-aufnahmen/.

6. At the federal level, there were HAPs for refugees from Vietnam in the 1970s, for refugees from Bosnia in the 1990s, and for Iraqis in 2009/10.

7 See BAMF (2017/2018) 'Migration, Integration, Asylum: Political Developments in Germany 2017', Annual Policy Report by the German National Contact Point for the European Migration Network bit.ly/BAMF-policy-report-2017

8. For a more detailed discussion of the differences between the federal and the state-level HAPs as well as Germany's resettlement schemes, and the variations of legal rights and obligations of the beneficiaries, see Tometten C (2018) 'Resettlement, Humanitarian Admission, and Family Reunion. The Intricacies of Germany's Legal Entry Regimes for Syrian Refugees', *Refugee Survey Quarterly* 37 (2), S. 187–203. DOI: 10.1093/rsq/hdy002.