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**The right of immigrants and refugees to preserve their
cultural identity within Germany**

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Abstract

This thesis examines the right of immigrants and refugees to preserve their cultural right within Germany, their host country. More specifically, it focuses on the definitions and components of human rights generally, and cultural right, in particular, as well as the notion of culture and multicultural. Furthermore, specific ways of integration process are presented together with techniques that allow foreigners maintain their cultural features. Last but not least, three migrants take part in the questionnaire and share their own opinions about their cultural right, how this is maintained in Germany, and any difficulties they experienced in the new host country.

Key words: human rights, cultural right, legal framework, identity

Περίληψη

Αυτή η διπλωματική εργασία εξετάζει το δικαίωμα των μεταναστών και των προσφύγων να διατηρήσουν το πολιτιστικό τους δικαίωμα στη Γερμανία, τη χώρα υποδοχής τους. Πιο συγκεκριμένα, εστιάζει στους ορισμούς και τα στοιχεία των ανθρωπίνων δικαιωμάτων γενικά, και του πολιτιστικού δικαιώματος, ειδικότερα, καθώς και στην έννοια του πολιτισμού και της πολυπολιτισμικότητας. Επιπλέον, παρουσιάζονται συγκεκριμένοι τρόποι διαδικασίας ένταξης μαζί με τεχνικές που επιτρέπουν στους ξένους να διατηρήσουν τα πολιτισμικά τους χαρακτηριστικά. Τέλος, τρεις μετανάστες συμμετέχουν στο ερωτηματολόγιο και μοιράζονται τις δικές τους απόψεις σχετικά με το πολιτιστικό τους δικαίωμα, πώς αυτό διατηρείται στη Γερμανία και τυχόν δυσκολίες που αντιμετώπισαν στη νέα χώρα υποδοχής.

Λέξεις κλειδιά: ανθρώπινα δικαιώματα, πολιτιστικό δικαίωμα, νομικό πλαίσιο, ταυτότητα

1.Introduction

1.1 Human Rights

The concept of human rights is referring to the major rights of every single individual, just because they are human beings (OHCHR, n.d.). No state or country is able to impinge on these rights, and they apply to everyone independent of nationality, sex, origin, religion, language, or any other status (OHCHR, n.d.). Their spectrum is vast, from the fundamental right to live to the right of food, education, liberty, health, etc. (OHCHR, n.d.).

The UN General Assembly in 1948 approved the Universal Declaration of Human Rights (UDHR), which was the first legal document to establish and protect the major human rights universally (OHCHR, n.d.). UDHR consists of 30 articles and its role is to work as a foundation for international rights law, as well as to support the principles for current and future human rights conventions, treaties, or any other legal instrument (OHCHR, n.d.). This specific declaration has a great difference comparing it to the ones of the earlier years. It is not based on an endowed Creator, like it is happening in the American Declaration of Independence, nor it is considered to be natural and sacred, like in the French Declaration of the Rights of Man (Beitz,2003). In the Declaration of 1948, the dignity of human beings is ensured by recognizing particular values of human rights universally accepted (Beitz,2003).

According to Stewart (2018), human rights are divided in the following categories. There are the civil and political rights, or ‘first generation’, the economic, social and cultural rights, or ‘second generation’, and the group rights, or ‘third generation’ (Stewart,2018). The rights of the ‘first generation’ are dealing with the issues of personal freedom and liberty from governmental intervention (Stewart,2018). In other words, it is referring to physical integrity rights (e.g. protection of physical violence), to ‘due process’ rights (e.g. protection against arbitrary arrest), to ‘personal freedom’ rights (e.g. privacy), and to ‘political participation’ rights (e.g. voting) (Stewart,2018). The ‘second generation’ of human rights is dealing with the social conditions, which are significant for the well-being and prosperity (e.g. fair wage, fair working hours), the dignified way of living (e.g. access to health, water supply, education) (Stewart,2018). Regarding the ‘third generation’ rights, they are referring to the solidarity and global community rights (Stewart,2018). For instance, in this category belongs the protection of migrants, disabled, children, and other groups that are in need (Stewart,2018). In addition, in the ‘third generation’ the rights of peace, clean environment are protected (Stewart,2018). It is generally believed that the ‘first generation’ rights are constraints on the actions of government (freedoms), and the ‘second generation’ rights are the demands on government (entitlements) (Stewart,2018). Nowadays, the UN Human Rights Council, the Human Rights Committee under the ICCPR and the Committee on Economic, Social and Cultural Rights under the ICESCR are some examples of ‘treaty bodies’, which someone can address for phenomena of violation of human rights (Stewart,2018).

Furthermore, it would be significant to mention the 'Four Schools of Thought' as they have been presented by Dembour (2010). First of all, there is a group of people, who believe human rights are being offered to people by nature, and so are they called 'natural scholars' (Dembour,2010). On the other side, there are the upholders of the human rights, which people have acquired them after consensus (Dembour,2010). These scholars are called 'deliberative' (Dembour,2010). The third 'School of Thought' embraces the idea that human rights are the outcome of years of attempts and battle (Dembour,2010). This group is labeled as 'protest scholars' (Dembour,2010). Last but not least, there is the team a 'discourse scholars', who believe that people should exchange their opinions and ideas about human rights through conversations and then form them (Dembour,2010).

Although different philosophical, historical, and sociopolitical perspectives of the meaning of human rights have been displayed, it can be concluded that the main purpose of them is to ensure the dignity and welfare of every human being individually. This right remains inviolable regardless the political, cultural, religious, and social characteristics of each one.

1.2 Definition of Culture

Before deepening on the notion of cultural right, it would be helpful to analyze and interpret the meaning and the characteristics of culture. Although the term can be quite broad, efforts have been made to define it. For instance, Lord Brougham has mentioned, culture *"is knowing everything of something, and something of everything"* (derived from Buckham,1892). In other words, the quotation is describing a cultured human, who is an expert in a specific field, but also has an understanding of various subjects (Buckham, 1892). This is just one aspect of the possible meanings that the word culture can take.

Another aspect of the term is related to the human's identity as well as their participation in the society. One way to define it is to think culture as a common set of practices, artifacts and narratives (Cahoone, Lawrence,2005). Yet, here comes a serious problem. It is not obligatory for cultures to be under the same political or societal circumstances (Cahoone, Lawrence,2005). Plainly, there is no certain boundary. Even if cultural commonalities can be found within a specific society, this does not exclude any internal conflicts (Cahoone, Lawrence,2005). In order for all these different groups of individuals to co-exist with each other, people should act under some 'rules', which correspond to common sense, allow everyone express their differences without disturbing their fellow citizens, and retain their unique characteristics (Cahoone, Lawrence,2005). In addition, it is not feasible to obtain culture through teaching (Cahoone, Lawrence,2005). People have to immerse to the community, by learning the social language and habits, and this creates the one and only style of living, set of beliefs, which are features of someone's culture (Cahoone, Lawrence,2005). Moreover, Dollard (1939), connects culture with every day life. He claims that the way people build their communities, behave in them, encounter the problems form every culture.

All in all, the term of culture can be quite hard to define in a precise manner. Scientists agree that people, who share common culture, have characteristics that are

closely related to one another. However, this does not mean that all the people of this culture do not have differences. Although these differences exist, they share common 'roots', such as language, geographical area, daily habits, religion.

When people from different cultural backgrounds migrate or seek refuge in a new country or community, they bring with them their unique traditions, celebrations, rituals, and dressing codes. Refugees and migrants may celebrate traditional festivals from their home countries. For instance, Chinese migrants might celebrate the Chinese New Year, complete with dragon dances and traditional meals (Royal Museums Greenwich, n.d). Similarly, refugees from Syria might observe Eid al-Fitr, the festival that marks the end of Ramadan, with prayers and feasting (UNHCR, 2022). Different cultures have various rituals and ceremonies to mark important life events. For example, Indian immigrants might perform elaborate wedding ceremonies, including Mehndi (henna) ceremonies and multi-day celebrations (Gupta, 2018). Similarly, refugees from certain African countries might have unique initiation rituals or rites of passage (Ohaja & Anyim, 2021).

Clothing is an essential aspect of culture and can often indicate a person's identity and background. Refugees and migrants might continue to wear traditional attire as a way to preserve their cultural heritage. For instance, Somali refugees may wear traditional Somali dresses, such as the "dirac" for women and "macawiis" for men, for special occasions (UNESCO 2014).

Food is a vital part of culture, and refugees and migrants often bring their culinary traditions with them. They might cook traditional dishes and share them with their new community. For example, Vietnamese refugees may introduce popular dishes like pho, banh mi, and spring rolls to their new home (UN News, 2019).

Language is a fundamental element of culture, and refugees and migrants may continue to speak their native language within their community (Toppelberg & Collins, 2010). They might also teach their language to younger generations to preserve their linguistic heritage (Toppelberg & Collins, 2010). Various forms of art and crafts are significant in many cultures (Andemicael,n.d). Refugees and migrants might create and share traditional art forms like paintings, sculptures, embroidery, or pottery, showcasing the artistic richness of their homelands (Andemicael,n.d).

Each individual or group might contribute different cultural aspects to their new community, enriching the overall cultural landscape. Embracing and understanding these cultural differences can lead to a more inclusive and harmonious society.

1.3 Cultural Right

Cultural right is one among the other human rights who has been fortified and owns its place in the International Bill of Human Rights (Asbjørn,2001). In addition, it is mentioned and recognized in Article 27 of the Universal Declaration of Human Rights and Article 15 of the International Covenant on Economic, Social and Cultural Rights (Asbjørn,2001). Although it is widely spread, comparing with the other human rights, it has gained less popularity (Asbjørn,2001).

Cultural right is not far from the other rights, since once again its core characteristic is the freedom of expression and the right of individuals to live. Asbjørn (2001) chooses to give the following nuance, *'the accumulated material heritage of mankind, the process of artistic and scientific creation, and the activities and products of a social group that distinguish it from others'*. He is focusing on the phenomenon of minorities being marginalized due to their less popular culture, or feeling repulsed by the dominant culture of the country, but as the time goes on this seems to change and both of the sides to adjust in the new reality.

Van Dyke (1980) gives his own definition, while trying to make culture understandable. He mentions, cultural right means '*self-determination, autonomy, secession, language, religion, education, movement, property, and expression*'. So that all the differences among groups of people, who have common cultural characteristics, to be smoothed, states and people individually should act under respect to diversity (Van Dyke, 1980). In a nutshell, both of the sides have to be flexible for the common good.

Clammer (2019) has worked on the meaning of culture and cultural right in the today's world. First of all, she points out the connection of cultural right with the multiculturalism. Clammer (2019) believes that if every human comprehends the notion of multiculturalism, then it would be easier to have a clear view of the existing cultural diversity and social ethics in a community. This would lead to a better understanding of cultural right itself. In addition, she highlights the arising role of cultural policy, which includes generally the human rights, and particularly the cultural right, its future and the justice in the society. The researcher does not omit the fact that if humanity does not fully understand the interaction of multicultural societies with the cultural right, then disputes will take place more and more often. Peace in societies is highly connected to the coexistence of people with different religion, perception, language, social background.

But how can the 'cultural awareness' be strengthened? Local and universal values, narratives, and arts strengthen in a great extent the awareness of cultural diversity and the rights that occur from it (Clammer,2019). The next question that arises is which are the techniques that can be used to help the reinforcement of cultural right. The most powerful mean of reinforcement is through the education, which can promote a big percentage of diversity of its local community and highlight the role of equality among the diversity (Clammer,2019). Moreover, Asbjørn (2001), agrees that the participation in cultural life's habits and customs helps minorities to be heard and respected as they deserve it. In addition, the individuals' and groups' activism actions, which pursue the spreading of justice and fairness can assist the common goal of 'multicultural trained' population (Clammer,2019).

Even if there is not a one and only definition accepted and used by every researcher, it can be concluded that all of them agree that cultural right is an equal right as any other that exists in the Bill of Rights. Furthermore, its meaning is so wide, since it can cover several aspects of human's life, such as language, social background, religion, etc. The common irrevocable part for the mankind is that its members should not only respect and give room to the free expression of diversity, but also promote and reinforce this diversity by using every available mean.

Human rights created as a response to structural injustice experiences, they place those basic individual and social freedoms under special legal protection, which should be granted to every human being equally, because without them a decent life is not possible (Bielefeldt, 2004). The idea of human dignity, whose origins in the history of ideas can be traced back to the Bible and other religious or philosophical sources of humanity, finds in human rights - and this is new - its political and legal recognition (Bielefeldt, 2004). The "inviolability" of the human dignity of every human being, which the Basic Law professes to respect and protect, is manifested in the postulate of "inviolable and inalienable human rights as the basis of every human community of peace and justice in the world" (Bielefeldt, 2004). The fact that the rights of cultural minorities are being discussed and demanded within the framework of human rights is a relatively new development (Bielefeldt, 2004). This applies at least if one understands minority rights as a specific recognition and positive promotion (which goes beyond the general prohibition of discrimination, which is

also important for minorities) (Bielefeldt, 2004). Minority rights of this kind in the narrower sense are about school lessons in minority languages, rights to use electronic media, the use of minority languages in state institutions, municipal or regional autonomy rights and other state support measures (Bielefeldt, 2004). This should give minorities the chance to express their to assert cultural independence against the assimilation pressure of their environment (Bielefeldt, 2004). Positive minority rights in this sense can be found neither in the "classic" human rights documents of the 18th century (e.g. the "Virginia Bill of Rights" of 1776 or the "Declaration of the Rights of Man and the Citizen" of the French Revolution of 1789) nor in the Universal Declaration of Human Rights of the United Nations of 1948 (Bielefeldt, 2004). A gradual change has only become apparent in the last few decades. The "International Covenant on Civil and Political Rights" of 1966 (which together with the "International Covenant on Economic, Social and Cultural Rights" of 1966 which casts the postulates contained in the Universal Declaration of Human Rights into binding international treaty law) a carefully worded minority article (Bielefeldt, 2004).

When immigrants and refugees come to Germany, they bring with them their unique cultural identities, traditions, and practices. However, the process of assimilation and integration into the host society can sometimes put pressure on them to abandon or dilute their cultural heritage. In this context, the discussion and demand for the rights of cultural minorities within the framework of human rights become relevant. The recognition and positive promotion of minority rights, which go beyond the general prohibition of discrimination, are essential for preserving cultural identity. These positive minority rights could include measures such as school lessons in minority languages, the right to use electronic media in their native languages, the use of minority languages in state institutions, municipal or regional autonomy rights, and state support for cultural preservation (Zimmermann, 2009). In the specific context of immigrants and refugees in Germany, ensuring the right to preserve their cultural identity aligns with the principles of human rights and human dignity. By recognizing and safeguarding their cultural rights, Germany can foster a more inclusive and respectful society, where diversity is celebrated and where immigrants and refugees can fully participate in the social, economic, and cultural life of the country without compromising their identity and heritage (Zimmermann, 2009).

Minority rights are differentiated in more detail in the (although not legally binding) "Declaration on the Rights of Persons Belonging to National or Ethnic (Bielefeldt, 2004). Religious and Linguistic Minorities" passed by the General Assembly in 1992 deal specifically with the rights of linguistic or national minorities (Bielefeldt, 2004). These are the 1992 "European Charter for Regional or Minority Languages" and the 1995 "Council of Europe Framework Convention for the Protection of National Minorities"; both instruments have meanwhile entered into legal force.¹⁰ Minority rights were also the subject of intense debate, particularly within the framework of the CSCE (renamed OSCE in 1994) (Bielefeldt, 2004). Although not directly legally binding, the "Conference on the Human Dimension of the CSCE" formulated standards at a meeting in Copenhagen (June 1990) that have become groundbreaking for the legal formulation of minority rights in the Council of Europe (Bielefeldt, 2004). Even if minority rights have unmistakably experienced a political and legal reevaluation in recent years, there is still controversy as to whether and how such rights can be integrated into the structure of human rights (Bielefeldt, 2004).

The advocates refer to the specific experiences of injustice and threats by minorities, which to ignore would be a violation of the right to justice in human rights (Bielefeldt, 2004). They therefore advocate updating human rights in the direction of positive

minority protection (Bielefeldt, 2004). The skeptics, on the other hand, maintain that the protection of minorities on the one hand and human rights on the other hand differ significantly from one another historically and systematically (Bielefeldt, 2004). In contrast to human rights, which were fought for as a manifestation of a political will for freedom in the democratic revolutions of the modern age, the protection of minorities is a matter of paternalistic protective measures in favor of particular groups, as they have been used since the Peace of Westphalia of 1648, first for religious minorities and since the Peace of Vienna Congress of 1815 were increasingly negotiated in favor of national minorities (Bielefeldt, 2004). It is significant in this context that France, as the 'mother country' of the democratic revolution, decided to extend the applicability of Article 27 of the International Covenant on Civil and Political Rights to today in the negative¹⁶ and has also not acceded to the Council of Europe's framework agreement for the protection of national minorities - apparently out of concern that the emancipatory achievements of human rights and democracy could be undermined by paternalistic group protection (Bielefeldt, 2004). The skeptics also point to the failure of the League of Nations' rules for the protection of minorities, in contrast to which the United Nations have opted for a new beginning with human rights oriented towards individual rights and universalism (Bielefeldt, 2004). The advocates of positive minority rights, on the other hand, emphasize the chances of a further development of human rights in the direction of community security of freedom, through which individual legal protection could be meaningfully supplemented (Bielefeldt, 2004). In a fundamental reflection, the following explanations want to determine the possibilities of whether and under what conditions specific rights of cultural minorities can be meaningfully integrated into human rights and understood as their further development (Bielefeldt, 2004).

The assumption that immigrant and refugee rights, particularly their right to preserve their cultural identity, are in opposition to universal human rights is a widespread perspective (Bielefeldt, 2004). This view can be found among both opponents and supporters of specific immigrant and refugee rights. For instance, some critics, like Alain Finkielkraut, fear that recognizing cultural minority rights could undermine the normative universalism of human rights and democracy. They argue that advocating for the "right to difference" as claimed by multiculturalists and postmodernists is nothing more than a repetition of reactionary criticisms against human rights from the past. Finkielkraut and others advocate for a concept of human rights universalism in which the concerns of cultural minorities are deliberately not addressed. They see the conscious blindness to differences and the ignoring of the specific needs of cultural minorities as a necessary implication of the general equality of rights advocated in the name of human rights and democracy.

On the other hand, there is a counter-position that argues human rights universalism might ignore or even erode the historically grown specificity of cultures. This perspective has a long tradition and can be traced back to historical figures like Edmund Burke, who criticized the abstract principles of the French Revolution, as well as other critics like Hegel, who spoke about the "abstraction of liberalism," and cultural anthropologists like Claude Lévi-Strauss, who highlighted the neglect of factual differences between peoples in human rights declarations.

To bridge this divide, it is essential to recognize that protecting the cultural identity of immigrants and refugees within a host country like Germany does not necessarily undermine the universal principles of human rights. Instead, it can be viewed as an extension of these principles to ensure that all individuals have the right to maintain their cultural heritage and identity. By acknowledging and respecting the cultural

diversity of refugees and migrants, Germany can foster an inclusive society that upholds the principles of human rights while embracing and celebrating the richness that cultural diversity brings to the nation.

In response to historical experiences of injustice, such as oppression and discrimination, the individual human rights guarantees substantiate the general idea of freedom and equality (Bielefeldt, 2004). This applies not only to the “classic” civil liberties (from freedom of conscience and freedom of belief to fundamental judicial rights to democratic electoral rights), but also to economic and social rights (from freedom of union association to the welfare state guarantee of minimum humane financial conditions existence), which are also intended to create structures of equal freedom and participation within the working society (Bielefeldt, 2004). At the latest when minority rights are formulated in legal terms, the question arises as to who exactly should be the bearer of these rights: the individual or the group (Bielefeldt, 2004). Should minority rights be developed as individual rights – i.e. as the rights of individual members of cultural groups – or should minority groups be recognized as independent collective legal subjects (Bielefeldt, 2004)? This question has been controversial for a long time. On the one hand, it is evident that minority rights can only be realized in social groups in which not only individuals but also generations are connected (Bielefeldt, 2004). The promotion of minority languages, for example, can obviously only be effective if there are a sufficient number of people who have adopted this language from the older generation, who want to cultivate it and pass it on, and if there is also a sufficiently close social connection between them so that these people form an intergenerational group (Bielefeldt, 2004). On the other hand, it is precisely the group aspect of minority rights that has fueled fears that authoritarian collectivism could be boosted and individual liberties endangered (Bielefeldt, 2004).

2. International Legal Framework

2.1 Legal Framework

As it has been already mentioned in the part of introduction, International Human Rights apply to every human being, without any exception of nationality, residence, sex, origin, religion, etc. (UNICEF,2019). The United Nations have approved the Universal Declaration of Human Rights in 1948, but there is no legal binding (UNICEF,2019). On the other hand, later treaties or agreements, such as the Convention on the Rights of the Child have a legal binding for the countries that ratified them (UNICEF,2019). These treaties create a framework of principles and rights that all the governors of every country should follow them, in order to ensure the justice and the peace of their state (UNICEF,2019). The core treaties of human rights are nine and are the following: 1) The International Covenant on Civil and Political Rights, 2) The International Covenant on Economic, Social and Cultural Rights, 3) The Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, 4) The Convention on the Rights of the Child, 5) The International Convention on the Elimination of All Forms of Racial Discrimination, 6) The Convention on the Elimination of All Forms of Discrimination against Women, 7) The Convention on the Rights of Persons with Disabilities, 8) The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, 9) The International Convention for the Protection of All Persons from Enforced Disappearance (UNICEF,2019).

As it is obvious, they cover a wide range of possible civil, political, economic, social, and cultural dysfunctions of a state. The goal of every country that has ratified at least

one of the above mentioned treaties is not only to respect, but also to promote the human rights (UNICEF,2019).

At this point, it would be beneficial to present the way the International Law protects the human rights. At first, when a country decides to participate to international treaties, it has to take on the responsibility to support the human rights under the international law (UN, n.d.). So, how do the states literally support the human rights? They have to stay away from any kind of interference or limitation of pleasure of human rights (UN, n.d.). Moreover, in order to make the application of the basic human rights more feasible, states should take precautionary measures so that they can avoid their encroachment (UN, n.d.). Domestic measures and legislation are obligatory for the governors of the countries, who have ratified the international human rights treaties, in order to cope with the duties and responsibilities of these treaties (UN, n.d.). In case the governors or the rules do not succeed in encountering any violations, then regional and international level are the ones to restore the order and justice (UN, n.d.). In this way, the International Human Rights Standards are considered to be put into action, applied and universally recognized (UN, n.d.).

2.2 The Cultural Right in the Legal Framework

In the previous module has been mentioned that among the nine core treaties is The International Covenant on Economic, Social and Cultural Rights, too. It would be crucial to expand a little bit more on the place that cultural rights own in the field of law. The General Assembly, 1950, announced that the social, economic and cultural rights depend on and are connected with the pleasure that the civic and political freedoms offer (resolution 421 (V), sect. E, derived from United Nations,2012). In other words, no cultural life can be considered without the right of access into education, work, or political participation (United Nations,2012). Among the economic, social and cultural rights, the Assembly took the decision to recognize the equality among the two sexes, forth in the Charter (United Nations,2012).

One year later, 1951, and after taking into consideration the suggestions and proposals of governments and specialized agencies, the Commission outlined 14 articles about the economic, social and cultural rights (United Nations,2012). At the time period, the General Assembly make a requestion to the Commission "*to draft two Covenants on Human Rights, . . . one to contain civil and political rights and the other to contain economic, social and cultural rights*" (resolution 543 (VI), para. 1, derived from United Nations,2012). Articles 22-27, set the cultural right as a prerequisite for a human being to be considered as part of society, whose dignity, personal development, participation to cultural life in their community without fear are protected (United Nations,2012). Based on Article 4, there might be a constraint but only at the extent that this is comping with the nature of rights and with the exclusive goal of the common welfare promotion in a society that democracy is dominant (United Nations,2012).

Cultural rights, such as the right to participate in and participate in cultural life, can be explicitly normed as such, or they can be inherent in other human rights as partial aspects (Sachstand, 2019). If, for example, the cultural life of a community is exercised jointly with other people, which is usually the case, then the human rights of freedom of assembly and association play an essential role in the exercise of cultural rights (Sachstand, 2019). If one's own religion is also perceived as an expression of cultural identity, then the freedom to practice one's religion undisturbed, individually or collectively, can also be seen as an expression of the exercise of cultural rights (Sachstand, 2019). Insofar as cultural practices are linked to verbal expressions,

communicative human rights, in particular freedom of expression, are also to be seen in a cultural dimension. When it comes to works created in the exercise of cultural rights, intellectual property rights are also an essential legal guarantee of cultural activity and identity (Sachstand, 2019). Insofar as questions of family and inheritance law, especially in traditional tribal societies, are understood as an expression of cultural identity, these rights are not regarded as international cultural rights in the narrower sense in the context of the present situation and are therefore not included in the consideration (Sachstand, 2019). In view of the abundance of legal matters relevant to the question, the present state of affairs must therefore restrict it to a few specific rights, but wants the described legal context in which these specific provisions stand as background to be kept in mind at all times (Sachstand, 2019). Like all human rights, cultural human rights also apply in principle to all people, their legal validity is not limited to social factors (Sachstand, 2019).

At the universal level, the essential cultural human rights are set out in the International Covenant on Economic, Social and Cultural Rights (ICESCR, retrieved from Sachstand, 2019). The ICESCR currently has 117 contracting states, in four other signatory states ratification is pending, 23 states have not yet declared themselves (Sachstand, 2019). This means that more than 86 percent of the states are bound by international treaty law to the ICESCR (Sachstand, 2019). Among the regional systems for the protection of international human rights, that of the Council of Europe stands out due to its legal obligation, individual possibilities for complaint and a high level degree of effectiveness (Sachstand, 2019). This applies in principle to all of the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR) and its additional protocols included, i.e. also for cultural rights (Sachstand, 2019). Art. 2 of the Additional Protocol to the ECHR guarantees the right to education. According to the said article, "when carrying out the tasks assumed by it in the field of education and teaching, the state must respect the right of parents to ensure education and teaching in accordance with their own religious and philosophical convictions" (Sachstand, 2019). The Council of Europe Framework Convention on the Value of Cultural Heritage for Society contains, among other provisions, individual cultural rights (Sachstand, 2019). For example, Article 4 of the Framework Convention stipulates that every human being, alone or as a member of a community, has the right to benefit from cultural heritage and to contribute to its enrichment (Sachstand, 2019). In return, everyone is obliged to respect the cultural heritage of others as well as their own and the common cultural heritage of Europe, whether alone or as a member of a community (Sachstand, 2019). Finally, the aforementioned article of the Framework Convention makes it clear that the exercise of the right to cultural heritage can only be subject to those restrictions which are necessary in a democratic society to protect the public interest and the rights and freedoms of third parties (Sachstand, 2019). In addition, the contracting states undertake to undertake numerous individual measures that serve to promote cultural life and cultural exchange (Sachstand, 2019).

Cultural rights play a central role in the protection of minorities within the framework of the Council of Europe and are included in the Framework Convention for the Protection of National Minorities (Sachstand, 2019). Article 4(2) of the Convention obliges the Contracting Parties "to take appropriate measures, if necessary, to promote, in all areas of [...] cultural life, full and effective equality between persons belonging to a national minority and persons belonging to the majority" (Sachstand, 2019). According to Article 5 of the Convention, the contracting parties are obliged to "promote conditions which enable persons belonging to national minorities to maintain and develop their culture and to recognize the essential elements of their identity, namely their religion, their language, their traditions and their cultural

heritage (Sachstand, 2019). Art. 6 of the Convention, the Contracting Parties shall “promote a spirit of tolerance and of intercultural dialogue and take effective measures to promote mutual respect and understanding and cooperation between all people living on their territory, regardless of their ethnic, cultural, linguistic or religious identity, in particular in the fields of education, culture and the media (Sachstand, 2019). The contracting parties undertake to take appropriate measures to protect people persons who, because of their ethnic, cultural, linguistic or religious identity, may be subjected to discriminatory, hostile or violent acts, or the threat of such acts” (Sachstand, 2019). Pursuant to Article 9(4) of the Convention, the Contracting Parties shall take measures “to protect persons belonging to national minorities from the Facilitating access to the media and promoting tolerance and enabling cultural pluralism” (Sachstand, 2019). Art. 12 of the Convention obliges – where necessary – to take measures in the field of education and research in order to promote knowledge of minority and majority cultures (Sachstand, 2019). Article 15 of the Convention aims to ensure that members of national minorities can participate effectively in cultural life (Sachstand, 2019). Article 17 of the Convention serves to protect the cultural heritage of national minorities across borders (Sachstand, 2019). The European Charter for Regional or Minority Languages also contains essential provisions for the exercise of cultural rights (Sachstand, 2019). According to Article 7 Paragraph 1 lit. Art. 12 of the charter also contains far-reaching requirements: According to this, the contracting parties undertake to adequately consider, support, encourage and facilitate the regional or minority languages “in relation to cultural institutions and activities – in particular libraries, video stores, cultural centres, museums, archives, academies, theaters and cinemas as well as literary works and film productions, popular forms of cultural expression, festivals and the cultural industries, including but not limited to the use of new technologies (Sachstand, 2019).

For instance, In some areas, local authorities might not adequately provide education in minority languages, leading to difficulties for children and adults to preserve and develop their linguistic and cultural identity (MacKenzie, n.d). Lack of access to education in their native language can hinder integration and perpetuate a sense of exclusion (MacKenzie, n.d). The cultural heritage of national minorities, including traditional practices and historical sites, can be threatened by neglect or disregard from local authorities or the majority population (Blake, 2000). For example, sacred sites and monuments may not be given the necessary protection, leading to their deterioration and loss of cultural significance (Blake, 2000).

Minority cultures might not be adequately represented in mainstream media and cultural institutions, limiting their visibility and opportunities for participation. This lack of representation can perpetuate stereotypes and contribute to the marginalization of minority cultures (Scholars Strategy Network, 2019). Minorities, including immigrants and refugees, can face discrimination and hostility based on their ethnic, cultural, linguistic, or religious identity (Scholars Strategy Network, 2019). They may experience derogatory comments, harassment, or even violent acts due to their cultural practices or appearances, such as women wearing veils (Scholars Strategy Network, 2019).

Barriers to access to cultural institutions, such as museums, theaters, or cinemas, can impact minority communities' ability to engage with and participate in cultural life. Lack of accessibility can lead to feelings of exclusion and alienation (European Agenda for Culture, 2014). In multi-ethnic neighborhoods, disputes may arise due to cultural practices that are seen as disruptive by some residents (European Agenda for Culture, 2014). For example, the smells from cooking national dishes might cause

tensions among locals and migrants, leading to misunderstandings and conflicts (European Agenda for Culture, 2014).

Reactions from local societies to these situations can vary. Some individuals and groups may be open-minded, embracing cultural diversity, and actively working towards inclusion and understanding. They may advocate for the protection of cultural rights and support initiatives that promote intercultural dialogue and cooperation. However, there can also be negative reactions from parts of the local population. Fear of cultural change, misunderstandings, or prejudices can lead to hostility and resistance towards cultural practices of minority communities. In extreme cases, this can result in discriminatory behavior, hate speech, or even violence against individuals from different cultural backgrounds.

Addressing these issues requires a multi-faceted approach. Local authorities and institutions need to actively implement the provisions outlined in the Framework Convention for the Protection of National Minorities and the European Charter for Regional or Minority Languages. This includes supporting education in minority languages, ensuring cultural heritage preservation, promoting diversity in the media, and fostering intercultural dialogue. Additionally, fostering awareness and understanding among the local population is crucial. Educational programs, cultural exchanges, and community initiatives can contribute to creating a more inclusive and tolerant society where cultural diversity is embraced and celebrated, rather than viewed as a threat. Public campaigns against discrimination and xenophobia can also play a role in changing attitudes and behaviors. Ultimately, the full realization of cultural rights is essential for creating a society where everyone can participate and flourish regardless of their cultural background.

3. Cultural Preservation in Germany

3.1 Germany's policy about migration

Germany is a country that consists of an always increasing number of migrants. Rietig and Müller, (2016), mention that in 2015 the country had over 1.000.000 migrants and asylum seekers, while the 15% of the 80.000.000 population, is people been born in another country. For many decades in the past, Germany had the rumor of being unwilling to welcome migrants, something that has been proven wrong, since from the beginning of 2000 the country has been opened to a great number of new populations (Rietig & Müller,2016).

Based on the statistics, retrieved by AIDA (2023), during the last year (2022), Germany has welcomed asylum seekers from Syria, Afghanistan, Turkey, Iraq, Georgia, Iran, North Macedonia, Moldova, Somalia, and a number from undefined countries. In detail, the percentages of protection rates are the following: Refugee rate (including constitutional asylum): 17.9%, Subsidiary protection rate: 25.2%, 'Removal ban': 13.1%, rejection: 21.6%, Formal decisions: 22.3% (AIDA,2023).

The consequences of Russia's illegal attack on Ukraine on February 24, 2022 continue to pose major challenges for the federal, state and local governments (Bundeskanzlers, 2023). In addition to questions of energy policy, this also applies to questions of dealing with refugees and displaced persons (Bundeskanzlers, 2023).. This situation was subsequently exacerbated by other flight events. The Federal Chancellor and the heads of government of the federal states made appointments in April and November 2022 to react to the situation (Bundeskanzlers, 2023).. In

particular, they passed resolutions on the full registration and fair distribution of refugees, on rapid integration into school and work, and on financial support from the federal government for states and municipalities in the area of refugee migration (Bundeskanzlers, 2023).. With regard to the financial support of the federal states and municipalities by the federal government, they have also agreed to talk about further developments at Easter 2023 (Bundeskanzlers, 2023). Neither the agreements nor the subsequent resolutions concerned questions of rule-based and orderly migration (Bundeskanzlers, 2023). In the last year, the number of refugees from other countries in Germany has increased significantly (Bundeskanzlers, 2023). In the first few months of this year, too, the number of arrivals from third countries is high (Bundeskanzlers, 2023). In 2022, the number of people seeking protection from countries other than Ukraine increased by around 50 percent compared to 2019 (the last year before the corona pandemic) (Bundeskanzlers, 2023). The people currently seeking refuge are not only from Ukraine, but increasingly from other third countries (Bundeskanzlers, 2023). In the first four months of 2023, first-time asylum applications increased by 78.4 percent compared to the same period last year (Bundeskanzlers, 2023).

The country, in order to help migrants integrate into the new society, appointed a commissioner in 1978 with the consent of all the parties of Germany (European Cite of Integration, n.d). The process of integration had two major plans. The first one was the National Integration Plan of 2007, which was dealing with the topics of work, education, cultural integration (European Cite of Integration, n.d). The second one was the National Action Plan on Integration of 2012, which was dealing with the measurable outcomes of the integration policy (European Cite of Integration, n.d).

As in every country, government has to encounter the following issues, when it comes to migration. First of all, there is the ‘labor migration’, for which Germany empowered the Skilled Immigration Act,2020, to attract skillful people, and specialists establish themselves into the country (BMI, n.d.). Secondly, the country should handle effectively and always under the rules of universal human rights’ protection, the asylum seekers. BAME is responsible for the interviews with the asylum seekers, and sometimes for a further investigation, in order to conclude if the person can be given or not asylum (BMI, n.d.). Those that take this right are being given residence permit, which includes benefits, as allowances, social help, language training program (BMI, n.d.). Those who fail taking the asylum they are obliged to exit the country (BMI, n.d.). For the newly arrived to be smoothly integrated into the new society, Germany has the law of toleration, 2020, with which people leave under the state’s protective layer by training programs and partial employment chances to be able to cover their basic expenses (BMI, n.d.). From 2012, the country has, also, admitted the resettlement program, which assists refugees, who are living for a long period in Germany, and they are not about to return to their previous countries, get integrated into the society, by training and social help (BMI, n.d.). On the other hand, the illegal migration is an issue, dominant for many European countries. Germany, in order to encounter the illegal entries has empowered its borders with more control, and allowed the federal police collaborate with migration policy groups to eliminate this phenomenon (BMI, n.d.).

Since facts are changing and countries try to adopt into the new reality, they need sometimes to make law alterations. Germany did so in 2023 and presented the new key points. At first, it abolished the language requirements for the family reunification issue (Butchley, 2023). Furthermore, it presented the 18-month residence scheme for people under 27-year-olds, who have been living in Germany for at least three years (Butchley, 2023). The program is eligible, too, for people, who have the right to live

in the country after six or four years and they have underaged children (Butchley, 2023). Last but not least, there is an extension regarding the Skilled Immigration Act that aims to attract more and more skillful individuals to come and stay in Germany (Butchley, 2023).

3.2 Germany as multicultural society

First of all, it would be crucial to give a brief definition of multiculturalism, and then analyze the way this reflects to the society of Germany. Eagan (2023), presents multiculturalism as the co-existence of different cultures, ethnicities, races, under the same society, and it has a direct impact in politics, and education. Clayton (2020), offers another prospect of the term. He is mentioning that multiculturalism is referring to the different and unequal relationship between power and population, regarding the racial, ethnic, religious, geographical deviation from the “norms”. Ivison (2015), is referring to multiculturalism as a certain condition of the society or the world, which consists of various ethnic and cultural groups, who are connected to each other through politics. In addition, he highlights that a state, which is considered to be multicultural, recognizes and offers and promotes equal human rights without any distinctions.

Germany is one of the countries that fulfills the above mentioned requirements of multiculturalism, because it hosts a variety of cultures, and social backgrounds. Even from 1955, Germany accepted great flows of immigrants, mainly from Mediterranean countries, to work as ‘gastarbeiter’ (= guest workers) for a limited time (1-2 years), in order to boost the country’s production (Wasmer,2013). The decades of ’80-’90s, asylum seekers, refugees, and immigrants overcame the 1.5 million, which was the highest number of arrivals that Germany had to deal with (Wasmer,2013). Later on, the situation has become more stable , while during 2000’s the country started receiving again bigger numbers of Eastern European migrants, such as Turkey, Yugoslavia, Italy, Poland (Wasmer,2013).These people stayed in the country for many years, created their families and this led to the today’s cultural mosaic of the country. It is interesting to mention that because of the high number of Muslim migrants, Islam has been integrated and became essential for the diversity of the area (Wasmer,2013). According to the surveys, mention in Wasmer’s (2013) paper, there were two groups of people. The one that accepted the cultural diversity and the integration of foreigners, and the second one, which was against the newly arrived and had great difficulties living under the same circumstances and with equal human rights. There are always informal public discourses about the topic of the German multiculturalism, and the process of foreigners’ integration into the country, without, however, leading to one catholic political and social effective outcome for this group of people (Wasmer,2013).

Koopmans, Veit, and Yemane (2019), highlight the phenomenon of discrimination against the ethnicity, religion, race of minorities, too. In their research, they found out that people were biased enough against Muslims, but not that much against Buddhists or Hindus. Another group, victim of discrimination was black people of Germany, while Asian asylum seekers seemed to did not have faced many racist behaviors. The scientists noticed that Germans were more cautious when they had to deal with groups of people that did not share common values. Some of these values were connected to the geographical distance of the country of origin, the common skin-color, the religion, and the educational gap.

3.3 System of Integration

As it was mentioned in the previous module, the decades after the Second World War, Germany welcomed a great number of foreign populations in country. Many years later, in 2006, the 'Integration Summit' was convened by active representatives of the immigrant groups with a specific goal, to smooth the integration process of minorities, in every aspect of their lives, such as political, social, educational, professional (On Integrating Immigrants in Germany, 2006). More specifically, the country recognized its important mission to inform the migrants about their human rights, the rules, the culture, the political system of Germany, and migrants from their end had to respect their new 'homeland' and make efforts to be assimilated into the new communities (On Integrating Immigrants in Germany, 2006).

Regarding the asylum seekers, once they ask for asylum, they have the right to live with all the benefits, mainly financial of the country (Hoffmeyer-Zlotnik, Stiller, 2023). However, in practice, this happens only when they are officially recognized as asylum seekers, in other words, when they receive their arrival certificate (Hoffmeyer-Zlotnik, Stiller, 2023). In the opposite case, of not being officially recognized, they do not have access to the country's benefits, and they are allowed to receive a 'tolerate stay' (Hoffmeyer-Zlotnik, Stiller, 2023).

Furthermore, the housing issue is another matter that society has to take care of. First of all, asylum seekers can be hosted in arrival centers. Even though the arrival centers have not been legally authorized, in reality, they work as a part of the initial reception centers (Hoffmeyer-Zlotnik, Stiller, 2023). Secondly, Germany has the Collective accommodation centers, which are recruited by those whose their stay in reception centers has expired (Hoffmeyer-Zlotnik, Stiller, 2023). Last but not least, the decentralized accommodation is another option of stay for asylum seekers (Hoffmeyer-Zlotnik, Stiller, 2023). Although, based on the Section 53 of the Asylum Act, asylum seekers should live in collective accommodation, this does not happen in every state (Hoffmeyer-Zlotnik, Stiller, 2023). In general, there is no a common protocol for the reception centers' function, but Federal States have legislated some State Reception Acts, which give guidelines and rules, e.g. general sanitation (Hoffmeyer-Zlotnik, Stiller, 2023). Opinions of the same asylum seekers and NGOs vary, though. Complaints about overcrowding, and violation of the above mentioned regulations are common among peoples' living period, which should not overcome the 18 months, based on the last reform of 2019 (Hoffmeyer-Zlotnik, Stiller, 2023).

Another aspect of their integration process is the right to work. The law for this part of integration is quite complicated. The Skilled Workers' Immigration Act was re-amended in 2019 and took action in 2020 (Hoffmeyer-Zlotnik, Stiller, 2023). Before this period, the asylum seekers had no working right as far as they were living in reception centers, and since they were out of them they might had the opportunity to work, in case they have stayed in their federal territory for three months (Hoffmeyer-Zlotnik, Stiller, 2023). It is also crucial to mention that every time an asylum seeker wants to change job, they have to apply for a new working permission (Hoffmeyer-Zlotnik, Stiller, 2023). Recent statistics of the Employment Agency and the Institute for Employment Research show that this group of people has been highly influenced by the already work limitations, and more recently by Covid-19, which increase the unemployment percentages (Hoffmeyer-Zlotnik, Stiller, 2023).

One of the issues refugees and migrants may face is discrimination in the job market based on their cultural or religious practices. For instance, someone wearing traditional clothing or religious symbols might experience prejudice or bias during job

interviews or in the workplace. Similarly, individuals with big beards for religious reasons may encounter discrimination due to stereotypes or misconceptions about their appearance. These discriminatory practices can have significant consequences on the employment opportunities of refugees and migrants. They may be rejected from job opportunities solely because of their cultural expressions, which can lead to frustration, feelings of exclusion, and further difficulties in integrating into society. To address these issues and ensure the effective integration of refugees and migrants into the workforce, several actions can be taken.

Implementing and enforcing strong anti-discrimination laws and policies is essential to combat workplace discrimination based on cultural or religious appearance (Yang & Liu, 2021). Employers should be made aware of their legal obligations to provide equal opportunities to all applicants and employees (Yang & Liu, 2021). Offering diversity and inclusion training for employers and HR personnel can help raise awareness about cultural differences and foster an inclusive work environment (Yang & Liu, 2021). Conducting public awareness campaigns can help challenge stereotypes and prejudices that contribute to discrimination against refugees and migrants (Yang & Liu, 2021). Establishing networking and mentorship programs can provide refugees and migrants with valuable support and guidance in navigating the job market and overcoming potential barriers (Yang & Liu, 2021). Providing language and skills training programs can enhance the employability of refugees and migrants and help them contribute more effectively to the workforce (Yang & Liu, 2021). Collaborating with NGOs and community organizations can help create targeted support systems for refugees and migrants, ensuring their specific needs are addressed (Yang & Liu, 2021).

By taking these actions and fostering an inclusive and welcoming work environment, Germany can promote the integration of refugees and migrants into the workforce, ensuring that their cultural and religious identities are respected, and they have equal access to job opportunities. This, in turn, can lead to a more diverse, dynamic, and prosperous society.

Moreover, the field of education could not be skipped, when integration system is analyzed. Whatever the status of the child, every kid is obliged to attend school in Germany, which in many Federal States is mandatory until the age of 16 years old (Hoffmeyer-Zlotnik, Stiller, 2023). Consequently, this prohibits to a newly-arrived teenager to access the country's educational system. In addition, the absence of customized training courses, such as language and literacy course, as well as well-trained educational staff, addressed to the specific needs of the newly arrived, make the integration process a bit harder (Hoffmeyer-Zlotnik, Stiller, 2023). Especially, when it comes to the education in the reception centers, students have to encounter the problem of the limited digital infrastructure, which nowadays is integral part of education, too (Hoffmeyer-Zlotnik, Stiller, 2023). From the side of the Federal Ministry for Education and Research, it has recognized its significant deficiencies in this field, and together with the Foundation Reading aims at distributing useful teaching material in the appropriate integration classes (Hoffmeyer-Zlotnik, Stiller, 2023). NGOs did not omit to highlight that the age limit of 16-years-old excluded many children from education, since many of them have not even completed the schooling of their home countries, and this establishes them incapable of obtaining a degree (Hoffmeyer-Zlotnik, Stiller, 2023). Regarding the adult asylum seekers, who have the potential to stay long in the country, or have arrived before 1 August 2019 and they are working, these have the right to attend immersion language courses, which obtain, also, preparation for the cultural and social life of the country (Hoffmeyer-Zlotnik, Stiller, 2023).

Children and young people who have immigrated to Germany bring with them a variety of values from their countries of origin (ISB,2020). These can be congruent or partially congruent with the values valid in Germany, they can contradict the prevailing ones in Germany or they can play no role in their new environment (ISB,2020). With regard to the education of values, the pupils of the German classes in the subject cultural education and education of values are given the opportunity to deal with the answers to questions of meaning that they have brought with them and with the various newly experienced answers, in order to find their own way in political, religious, cultural and social contexts, to find reflected values (ISB,2020). Supporting children and young people in acquiring the skills to reflect on values is an important task in the subject of cultural and values education (ISB,2020). In addition, the students in the German classes deal holistically with the culture and cultural achievements of their new environment, but also include subjects of cultural education from their countries of origin, e.g. from the fields of music, art and literature (ISB,2020). When singing, dancing or drawing and when visiting theater performances, museums or festivals give them the opportunity to experience art and culture and to shape it themselves to become active (ISB,2020). In this way, they develop an awareness of artistic creativity and their own artistic potential (ISB,2020). Cultural education serves as a holistic education that also opens up non-verbal opportunities for self-expression (ISB,2020). It leads to a way of life in which both individuality, e.g. values and identity, and social participation come into play (ISB,2020).

Through music, children and young immigrants can preserve their cultural identity and heritage. They can learn and perform traditional songs and music from their countries of origin, keeping alive the musical traditions of their communities (Kenny, 2018). Music is a rich source of diversity, and by engaging in music from different cultures, children and young immigrants can foster intercultural dialogue (Kenny, 2018). They can learn about the music of their classmates and friends, promoting mutual understanding and appreciation for each other's cultural backgrounds (Kenny, 2018). Participating in music activities, such as singing, dancing, or playing instruments, can boost children's and young immigrants' self-confidence and self-esteem. Success and recognition in music-related endeavors can enhance their sense of belonging and inclusion in their new environment (Kenny, 2018). Music can also aid in language acquisition and development. Learning songs in the local language can improve language skills, making it easier for children and young immigrants to communicate and integrate into the educational and social spheres (Kenny, 2018). Engaging in music allows children and young immigrants to actively participate in the cultural life of their new community. They can take part in school choirs, bands, or music clubs, creating a sense of belonging and shared experiences with their peers. Music stimulates artistic creativity and imagination (Kenny, 2018). Children and young immigrants can experiment with different musical styles and instruments, discovering and developing their own artistic potential (Kenny, 2018). Music has the power to heal and promote well-being. For children and young immigrants who might have experienced trauma or displacement, music can provide a means of emotional expression and healing (Kenny, 2018). Incorporating music into cultural and values education for immigrant children and young people in Germany can enrich their educational experience and support their integration journey. By embracing music as a means of cultural expression and appreciation, they can develop a deeper understanding of their cultural roots while also embracing the cultural diversity of their new environment. Moreover, music can be a vehicle for promoting empathy, tolerance, and respect for one another's differences, fostering a more inclusive and harmonious society.

Especially in German classes, students from different cultures and religions come together (ISB,2020). In order to enable peaceful coexistence, they acquire knowledge about the cultures and religions of their classmates in their own class and in the entire school family as part of intercultural education (ISB,2020). By comparing their own attitudes and attitudes with those of others, they develop interest and openness, mutual respect and tolerance towards other people with their culture-specific ideas and behavior, e.g. with regard to lifestyle, language and religion. Intercultural competence shows itself in the fact that people and cultures learn from each other and thus enrich each other (ISB,2020). The political systems of the countries from which the students in the German classes come differ significantly from that of the Federal Republic of Germany (ISB,2020). A prerequisite for the immigrated pupils to be able to respect and appreciate the value of freedom and basic rights is knowledge of the free-democratic basic order and knowledge of the federal, constitutional and welfare state structure of the Federal Republic of Germany (ISB,2020). In terms of political education, the children and young people try out participation and democratic action in the classroom and in everyday school life, for example in simple voting processes, in the election of the class representative or in the class council (ISB,2020). In addition to the four school-type and interdisciplinary education and training goals named in the KMS of 25.06.2018 - values education, cultural education, intercultural education and political education - language education plays a central role in German classes (ISB,2020). Newly immigrated pupils in German classes usually have little or no knowledge of German. Mastery of the German language is a prerequisite for academic success and communicative participation in a community (ISB,2020). Therefore, language education and language support in the German class is considered an essential task of teaching in all subjects. In order to be able to deal with different values and to be able to think about them, it is necessary, especially in the subject of cultural education and value education, to support the children and young people through language-sensitive teaching in the development of concepts and to give them guided opportunities for language action (ISB,2020). The curriculum overviews in the appendix to this publication show where points of contact for the school-type and interdisciplinary education and training goals of value education, cultural, intercultural, political and language education can be found in the curriculum PLUS for the individual subjects (ISB,2020). Specific competence expectations and content related to the above-mentioned interdisciplinary education and training goals are located in the subject curricula (ISB,2020).

The special requirements of the students in German classes must be taken into account when planning and conducting lessons in the subject of cultural education and value education (ISB,2020). It is obvious that newly immigrated pupils who are assigned to German classes have little or no knowledge of German (ISB,2020). In the course of attending the German class, they progress at different speeds in the language acquisition process (ISB,2020). This can e.g. be based on previous language and language learning experiences. Some of them have already systematically learned one or more foreign languages, some have uncontrolled knowledge of the language of one of their countries of residence. Some students grew up bilingual or multilingual (ISB,2020). In general, the students in the German class differ greatly in terms of their previous school experiences in their country of origin (ISB,2020). They range from not attending school to school breaks lasting several years to regular, extremely successful attendance at a secondary school (ISB,2020). Accordingly, some children and young people have to be literate for the first time and introduced to school learning (ISB,2020). Some students have learned to read and write in a non-Latin writing system and now have to learn the Latin alphabet as an additional writing

system in the German class. Others, on the other hand, already have well-founded learning experiences and goal-oriented learning strategies (ISB,2020). However, there are also major differences with regard to school experiences in Germany. The point in time at which the pupils start or are transferred to the German classes – even during the school year – and the duration of the visits, which e.g. caused by a change of residence, location or school, dropping out of school, onward or return travel (ISB,2020).

In addition to the fluctuation, the age range in German classes is also significantly larger than in the other classes. affects the interests and developmental tasks of the children and young people, but can also be stimulating for learning with and from one another (ISB,2020). The students in the German classes bring a variety of cultural and religious backgrounds with them and have different values acquired in their country of origin (ISB,2020). This is externally visible and tangible, e.g. in clothing, eating habits, language, body language as well as in specific behavior and statements, e.g. in relation to gender roles, hierarchy, time and space (ISB,2020). In their new living environment, they encounter values with which the ones they brought with them must be compared and harmonized (ISB,2020). Due to their life and migration history, students in the German classes may have had challenging and traumatizing experiences and have been exposed to corresponding stresses (e.g. flight, separation from family members, cultural foreignness, unfavorable living situation) (ISB,2020).

In order to enable or facilitate classroom discussions in German classes and to support a rapid and systematic build-up of language skills, the teacher must plan and carry out the lessons in cultural education and values education in a language-sensitive manner (ISB,2020). This means that the teacher first carries out an analysis of the learning status of the students, e.g. using a profile analysis or an estimation method and/or uses findings from the phase of prior knowledge activation (ISB,2020). It also determines which linguistic resources, types of texts and language actions are required for the respective teaching unit (ISB,2020). Terms are explicitly clarified in class, e.g. with the help of visual aids. In addition, forms of work that promote cooperation and interaction are planned and differentiated materials are used, for example reading and listening texts in easy language (ISB,2020). Taking into account the next level of development, the teacher offers rich linguistic input in class discussions, slightly above the level of language proficiency of the students (ISB,2020). She/He picks up on student statements by actively listening, incorrect statements sensitively corrected where this appears necessary, or linguistically reduced statements expanded. In the example exercises, the linguistic means or word memory are those for the teaching unit presented are essential, shown separately (ISB,2020). A distinction is made between everyday, technical and educational language as well as structures for the work phases and for the reflection phase (ISB,2020). Everyday language is used to cope with familiar speech situations, which are mainly about personal, concrete experiences (ISB,2020). Pupils tend to encounter technical and educational language in less familiar or unfamiliar speech situations in which more abstract content is discussed that often lies outside of their direct world of experience (ISB,2020). The assignment can vary depending on the context and the language and knowledge level of the learners (ISB,2020).

Discussing the restrictive access to healthcare for asylum seekers and the vaccination and checkup processes would be crucial to focus on a critical cultural element related to health, namely Female Genital Mutilation (FGM). FGM is a harmful cultural practice that involves the partial or total removal of female external genitalia for non-medical reasons. It is prevalent in certain cultural communities but is considered a violation of human rights and a form of gender-based violence. In Western cultures,

FGM is considered torture and is strictly prohibited. For many refugees and migrants coming from cultures where FGM is practiced, they may encounter a clash between their cultural traditions and the laws and norms of their host country like Germany (European Network, n.d.). Germany has taken a strong stance against FGM and has implemented legal measures to prevent and prosecute this harmful practice. In Germany, FGM is considered a criminal offense, and individuals found engaging in or facilitating the practice can face legal consequences. Health professionals are mandated to report any cases of FGM they encounter, and there are protection measures in place for at-risk individuals, particularly girls and young women (European Network, n.d.). Addressing the issue of FGM requires a delicate balance of respecting cultural differences while safeguarding human rights and individual safety. Healthcare providers, educators, and social workers play a crucial role in raising awareness about the harmful effects of FGM and providing culturally sensitive support to those affected (European Network, n.d.). Refugee and migrant women who have undergone FGM may need specialized medical and psychological support. Germany's healthcare system should be equipped to provide sensitive and trauma-informed care for survivors, acknowledging the physical and emotional implications of FGM (European Network, n.d.). Engaging with cultural communities where FGM is practiced is essential in combating the practice. Community leaders, religious figures, and local organizations can play an influential role in promoting the abandonment of FGM and fostering discussions about women's rights and health (European Network, n.d.). Empowering refugee and migrant women and girls to understand their rights and make informed decisions about their health and bodies is critical in preventing FGM. Educational programs and resources should be made available to raise awareness and empower individuals to speak out against the practice (European Network, n.d.).

By addressing the issue of FGM through legal prohibitions, culturally sensitive healthcare, and community engagement, Germany can protect the rights and well-being of refugee and migrant women and girls. Combating FGM requires a multi-faceted approach that respects cultural diversity while ensuring the safety and human rights of all individuals.

The reasonable question that arises from the integration process is in what way are these groups of people able not to lose their cultural identity. Volunteers play a very significant role for this purpose. They try to build trustworthy relationships among the refugees and migrants by organizing leisure time activities, language support, and games that provide friendships and respect to the unique features of every person (UNHCR, n.d.). In this way, people are able to see and accept the differences, present without fear and bias their background, and create real human relationships (UNHCR, n.d.).

Cultural diversity and integration in the media, as well as the contribution that the media make to the social integration of immigrants, have increasingly become research topics in recent years (Zambonini, G. & Simon, E., 3/2008). The media only have an indirect effect and cannot achieve the desired positive integration effects in a simple cause-effect relationship (Zambonini, G. & Simon, E., 3/2008). First of all, the representation of migrants in the media and the depiction of political and social discourse are important integrative functions that can contribute to reducing prejudice and social distance (Zambonini, G. & Simon, E., 3/2008). Again and again it was and is criticized that the media paint an incomplete picture of immigrants in Germany by depicting too little normality and too often in report problematic contexts (e.g. integration problems, crime, terrorism) and thus promote stereotypes (Zambonini, G. & Simon, E., 3/2008). A program analysis based on the example of WDR television

from 2004 determined, for example, that immigrants and the topic of integration can be found in numerous types of programs and genres as well as in a wide range of topic contexts (Zambonini, G. & Simon, E., 3/2008). The subject areas in which migration and migrants appear on WDR television are not limited to problem areas (Zambonini, G. & Simon, E., 3/2008). The presence of immigrants and the topic of integration is strongest in the daily regional programs that are particularly close to the everyday life of people in Germany (Zambonini, G. & Simon, E., 3/2008). It was repeatedly pointed out that entertaining and fictional programs offer a particularly high level of integrative potential (Zambonini, G. & Simon, E., 3/2008). For example, Christina Ortner, in her analysis of the "Tatort" series, states that the crime novels examine the subject of migration in a variety of ways and show examples of conflict-free coexistence (Zambonini, G. & Simon, E., 3/2008). Although stereotypical ideas can also be found here, the roles of the migrants mostly have positive characteristics (Zambonini, G. & Simon, E., 3/2008). In very different ways, examples of the increased presence of immigrants can be found in formats in public and private programs, in addition to the current programs, political magazines, reports and documentaries (Zambonini, G. & Simon, E., 3/2008). In addition to numerous other program activities, the ZDF dedicated itself to the topic of cultural diversity and integration in the theme week "Wohngemeinschaft Deutschland" in documentaries, reports, TV films and other program formats (Zambonini, G. & Simon, E., 3/2008). Although there are as yet no longitudinal studies that support these developments using empirical data, there are many indications that the presence of immigrants in the media has increased and that the negativism often lamented has weakened (Zambonini, G. & Simon, E., 3/2008). Future program analyzes in this area should analyze the range of programs as comprehensively as possible, including fictional and entertaining ones in particular consider genres (Zambonini, G. & Simon, E., 3/2008). Developments over a longer period of time and changes in the presence and representation of immigrants can only be documented using standardized and thus comparable survey instruments (Zambonini, G. & Simon, E., 3/2008).

The media can only fulfill their integrative function if they are used and can thus communicate information about different social and cultural groups (Zambonini, G. & Simon, E., 3/2008). In this respect, in addition to the representation of immigrants in the media, the potential accessibility of the target group through attractive content and relevant topics are the central prerequisites for the intended integration effects. In particular, television plays an important role because it is the medium with the widest reach among migrants (Zambonini, G. & Simon, E., 3/2008). Home and German language programs have different functions and are equally important for the formation of opinion and identity (Zambonini, G. & Simon, E., 3/2008). In addition to the search for information on current events in the home country, the emotional experience of certain programs on migrants' television (e.g. daily series) and use in the family context are important motives for turning to native-language media (Zambonini, G. & Simon, E., 3/2008). Especially with regard to the emotional experience of media use - and this applies to both entertainment and information programs - strong cultural differences between German and native language media are perceived (Zambonini, G. & Simon, E., 3/2008). Media research has shown that the main medium for immigrants is television. In the past few years, WDR has tried to focus on television programs without neglecting the radio (Zambonini, G. & Simon, E., 3/2008). In fact, the strategy of program and personnel development in this sector has continued to develop in the sense of trimedial convergence, including the Internet. In the meantime, integration at WDR has a broad basis: the adoption of the program guidelines at the beginning of 2006 created a binding framework for the integration strategy (Zambonini, G. & Simon, E., 3/2008). The main goal is to present and address the coexistence of people of different origins in all programs of the station as

a natural everyday reality (Zambonini, G. & Simon, E., 3/2008). This is mainly due to increased efforts to recruit moderators and editors with a foreign background for the WDR programs - especially for the programs that attract the masses (Zambonini, G. & Simon, E., 3/2008). In addition, people with a migration biography should not only appear in the program as migrants or experts on their own behalf (Zambonini, G. & Simon, E., 3/2008). Rather, it is important that they increasingly appear as natural actors and leaders, as experts and participants in discussions in talk shows and fiction formats - regardless of a foreigner-specific context (Zambonini, G. & Simon, E., 3/2008).

In 2007, many broadcasters took up the cause of integration (Zambonini, G. & Simon, E., 3/2008). The ZDF, for example, with an integration program week in autumn last year, with publicity measures such as the choice of the journalist Dunja Hayali for the "heute-journal" and through a cooperation with a Turkish television station tries to position itself clearly as an integration broadcaster (Zambonini, G. & Simon, E., 3/2008). It is also striking that since last year the number of events on the subject of media and integration has noticeably increased - from Berlin to Karlsruhe, from Nuremberg to Frankfurt, associations, foundations and media initiatives are active in this field to an unprecedented extent (Zambonini, G. & Simon, E., 3/2008). So the importance of the topic is recognized. However, there is a danger that the importance of the task is repeatedly emphasized without making any significant progress in the implementation (Zambonini, G. & Simon, E., 3/2008). It is important that the media providers develop structures, strategic goals and implementation tools in the area of integration (Zambonini, G. & Simon, E., 3/2008). An integration report, which is presented to the committees annually by the integration officer, has documented the company's progress and developments in systematically and sustainably recorded in this area (Zambonini, G. & Simon, E., 3/2008). Today, more than ever, it is a question of further deepening and concretizing the program-political discussion (Zambonini, G. & Simon, E., 3/2008). In this context it is very welcome that the CIVIS media foundation, in cooperation with WDR and Deutsche Welle, held a program conference on the subject of "Integration" at the Deutsche Welle will be held in Bonn (Zambonini, G. & Simon, E., 3/2008). There, on the basis of program examples, innovative approaches in the fictional and non-fictional area will be discussed (Zambonini, G. & Simon, E., 3/2008).

4. Questionnaire

4.1 Questions and Answers

In order to have a clear view of what is the situation regarding the acceptance of refugees/ migrants and the way they preserve the unique identities in real life, a questionnaire has been created and distributed. The target group were 3 adult migrants (1. 27-years-old, 2. 31-years-old, 3. 32-years-old), who live and work in Konstanz, Germany over the last years. The questionnaire was completed online and the distribution was done by the owner of a 'refugees' cafe' of the town. Below the questions and answers can be read.

Which is your homeland?

1. Turkey
2. Oman
3. India

How many years do you live in Germany?

1. 4-7 years
2. 8< years
3. 4-7 years

Do you think that refugees and migrants have the right to preserve their cultural identity in the host country?

1. Absolutely agree
2. Absolutely agree
3. Agree

Do you think that keeping your cultural identity make your host country 'richer'?

1. I do not know
2. I do not know
3. Agree

Should Germany provide resources and support to assist immigrants and refugees keep their cultural identity?

1. I do not know
2. Agree
3. Agree

Have you received any help from the government or NGOs since you arrived in Germany?

1. Yes
2. Yes
3. Yes

Do you believe that preserving your cultural identity could be a problem for your integration in the new country?

1. Disagree
2. Disagree
3. Completely Disagree

Should immigrants and refugees be required to assimilate completely in their new country?

1. Disagree
2. Disagree
3. Disagree

Do you think that the preservation of cultural identity can help immigrants and refugees feel more connected to their new community?

1. I do not know
2. Agree
3. I do not know

Should Germany respect the cultural practices and customs of immigrants and refugees, even if they are different from the majority culture?

1. Agree
2. Absolutely Agree
3. Absolutely Agree

Do you believe that immigrants and refugees should be allowed to express their cultural identity in public spaces, such as through clothing or religious practices?

1. Agree
2. Agree
3. Agree

Have you received any language training or education support since arriving in Germany?

1. Yes
2. Yes
3. Yes

Do you feel safe and secure in Germany?

1. Yes
2. Yes
3. Yes

Have you been able to maintain contact with family and friends in your home country?

1. Yes

2. Not at all
3. Yes, a lot

Have you been able to integrate into the local community in Germany?

1. Yes
2. Yes
3. Not much

Have you faced any discrimination or prejudice in Germany. If yes, can you mention an example??

1. Not much
2. Yes, work rejection
3. Yes, rejection to rent house

Do you feel that Germany is doing enough to support refugees and migrants?

1. Yes
2. Not much
3. Yes

Do you think that the right to preserve cultural identity is an important human right for immigrants and refugees?

1. Yes
2. Yes
3. Yes

4.2 Results and Conclusions

The questionnaire was developed based on the Likert scale, and helps draw conclusions about the way Germany welcomes the newly arrived, as well as if the country and the NGOs doing enough to support them and integrate into the new society smoothly. Before commenting on the results of the questionnaire, it would be effective to analyze the Likert scale that has been used. The Likert scale is an opinion or behavior rating scale (Arnold, McCroskey, Prichard, 1967). The evaluator has a list of propositions (affirmative or interrogative), the number of which usually varies from six to thirty (Arnold, McCroskey, Prichard, 1967). The statements are accompanied by closed-ended responses, which are usually given in the form of a scale from 3 to 7 points and indicate different degrees of agreement or satisfaction (Arnold, McCroskey, Prichard, 1967).

In the specific questionnaire, the adults, who live in Germany between 4-7 years in average, come all from different countries, and consequently backgrounds, but all of them fatherlands are Eastern countries, which may show some common perceptions. The three participants agreed unanimously that cultural identity preservation is an important human right, which offers all the benefits of pluralism in the host country, and this from its side has to take measures to protect and promote both the integration and the uniqueness of various foreign groups of people. Regarding the participants' satisfaction of governments' and NGOs' actions seems to have received adequate assistance, however this could be much better. In addition, they do not face their special background as a barrier in the new society, and this is why they are upholders of not forgetting their past, in order to assimilate completely in new community. This assumption is also connected to their belief that the freedom of cultural expression, e.g. with specific clothes, celebrations, should not be criticized by the locals, but encouraged and promoted to have a balanced social life. Concerning the language training that aims to 'create' well-educated new citizens for a better future in the new country, participants believe that the training could have been better, without taking aside the efforts of the state to offer valuable language teaching courses. Two of the three adults have also been able to keep contact with their people back in their home countries, while they mention in their new town feel quite secure. This does not mean, though, that they have never been victims of discrimination. As they mention, two of them were not able to join the work they wanted, and rent one of the houses available, due to their origins. The third one, does not mention any specific incident, however, seems to have encountered a kind of discrimination. This might happen, because the person who declared not such a victim of racism is a Turkish guy, and as it has been already mentioned in the previous chapters, the main flaws of the newly arrived were from Turkey. So, coming to a country with an already high existing number of Turkish people, make it a bit easier to feel 'at home'.

At this point, it would be interesting to present the results of Kämpfer (2014) regarding the satisfaction of migrants' life in Germany. According to her, the life satisfaction of migrants in Germany is quite high in absolute terms. In principle, all immigrant groups are relatively satisfied with their life in Germany and probably more satisfied than before they migrated, with migrants' life satisfaction falling again the longer they stay in Germany. However, the immigrant groups differ in their level of satisfaction, with only the western European and American migrants being significantly more satisfied with their lives than the western Germans, while the Turks, ex-Yugoslavs and southern Europeans are significantly more dissatisfied with their lives. The Eastern Europeans and the EAST-WEST migrants, on the other hand, are about as satisfied as the Western Germans. This pattern is confirmed in all

subpopulations broken down according to demographic characteristics as well as in all places of residence. In addition, this pattern is relatively stable both over the period from 1984 to 2008 and over the length of stay, with the differences tending to increase more recently and with increasing length of stay. Instead of the life satisfaction of migrants aligning with the life satisfaction of West Germans over time - just as the life satisfaction of East Germans aligns with the life satisfaction of West Germans - the differences that existed from the start are increasing. Both the migrant status and the origin of the people seem to structure their life satisfaction in Germany, at least in part. In addition, the presented results indicate that the length of stay in Germany also affects the life satisfaction of migrants. However, as already shown, neither migrant status nor origin are direct explanatory factors for life satisfaction. Instead, both characteristics only indirectly affect life satisfaction by influencing the direct explanatory factors of life satisfaction. The extent to which a different distribution of living conditions, personality traits, values and life goals and aspiration levels explain these differences in life satisfaction cannot be derived from the descriptive presentation of life satisfaction, but requires further analysis. However, from the descriptive presentation of life satisfaction and in particular from the development of life satisfaction with increasing length of stay, there are already first indications of the relevance of these possible explanatory factors for the differences in life satisfaction. At first, personality traits seem less suitable for explaining the differences in life satisfaction between to explain to the immigrant groups and the Germans. Personality traits only change marginally over the course of a person's life, while the life satisfaction of migrants changes significantly. The same applies to values and goals in life. Goals in life are less constant over time than personality traits and values. But there is initially no plausible reason why the fulfillment of life goals should decrease as the length of stay increases, as does life satisfaction. The objective living conditions, on the other hand, could be better suited to explain the differences in life satisfaction. It is possible that the lower life satisfaction of the Turkish, ex-Yugoslavian and southern European migrants can be traced back to their objective worse position – as mentioned at the beginning. Why then should the objectively worse-off Eastern European migrants in particular have a slightly higher level of life satisfaction than the West Germans? In addition, it is known from integration research that the objective living conditions tend to improve rather than worsen with increasing length of stay (cf. HANS 2010), so that a decrease in life satisfaction with increasing length of stay is implausible. The level of aspiration alone seems to be able to explain the development of life satisfaction with increasing length of stay, since - according to the argument - it increases with increasing length of stay, at least in the case of migrants from less affluent countries, and should therefore reduce migrants' life satisfaction.

In overall, Germany is considered to be sufficient enough in the way it integrates the foreigners, despite any deficits that for sure exist. The issue of integration is often connected, for example with equality of the sexes or in the understanding of democracy, problems with the German language, educational disadvantage and insufficient labor market integration. Linking these problems with migration and the often-sweeping raised demands for support for migrants have led to a stereotypical picture, that people with a migration background are problematic and in need of support. This is also because of the lack of integration ability of some people with a migration background. Thus, the consequences of social segregation and societal exclusion, which also affects Germans without a migration background in a similar situation, often is not considered. Not considered because this does not result in problems and possible solutions only among people with a migration background, but also in Germans.

Here are, also, some proposals for an effective integration process. The opening of sports clubs for participants of different origin and structure intercultural and partnership structures are equally important for the clubs with predominantly Germans as well as for clubs with mostly immigrant members (InterKultur, 2009). Organized sport promotes understanding between the cultures and thus makes a difference important contribution to integration (InterKultur, 2009). Projects that always take into account sustainable aspects be designed (InterKultur, 2009). The integration work includes both accompaniment and support of the clubs, but also open sports offers, tournaments, information events and much more (InterKultur, 2009). Sports is voluntary, has a strong and internationally recognized system of rules and builds on similarities on this basis by the local and foreign population alike (InterKultur, 2009). The active participation in sport is unconditional, i.e. largely regardless of social background, education and language skills. In addition, the sport offers consistently positive points of contact common cultural meaning for all those interested in sports, regardless of their respective origin (InterKultur, 2009). The use of the sports and play facilitates the dialogue between the different nationalities and promotes acceptance different cultures, their customs and lifestyles and strengthens social commitment (InterKultur, 2009).

People migrate to another country to improve their living conditions (Heckmann, 2015). In order to achieve this goal, they must act there as quickly as possible and become able to work (Heckmann, 2015). This is made more difficult by the fact that in many cases migration is associated with a loss or devaluation of human capital (Heckmann, 2015). Competences have to be adapted and newly acquired. Functional competence requirements and knowledge bases that are necessary for participation in the social work and life process and of the changes of values, norms and attitudes of the person in the integration process have to be differentiated heuristically relate primarily to: the language of the country of immigration, basic social and cultural knowledge, knowledge of law and administration, knowledge of organizational and institutional structures, local knowledge (Heckmann, 2015).

The view that the acculturative processes end with the assimilation of the immigrants to the natives is considered outdated in contemporary psychological research on acculturation (cf. Suarez-Orozco 2001, derived from Makarova, n.d). In the modern conceptualization of acculturation, assimilation denotes an acculturation strategy that is related—among both immigrants and natives—to advocating the adoption of the majority culture and opposing the retention of the culture of origin (Makarova, n.d). On the other hand, integration as an acculturation strategy of an individual or a group allows both the adoption of the majority culture and the retention of the culture of origin to be advocated (Makarova, n.d). These terms are used differently in sociological approaches. Social integration means the incorporation of immigrants into the structures of the receiving society. However, such integration processes are linked to two dimensions of social reality, namely structure and culture (Makarova, n.d). According to Hoffmann-Nowotny (2000), the term social integration thus implies two interacting components: cultural assimilation and structural integration. When the two approaches are linked, it becomes clear that, in the view of psychological acculturation research, consensual or optimal consequences of the acculturative processes between natives and immigrants exist when the same acculturation strategy is favored by both acculturating groups (Makarova, n.d). In the sociological view of acculturation, cultural assimilation to the majority culture is desirable for successful integration (Makarova, n.d). The desire for cultural assimilation certainly corresponds to the expectations of the locals (Makarova, n.d).

However, the majority, since 48.0% of the native young people favor the assimilation strategy, contrasts with the preference of young migrants, who support the separation strategy at 50.2% (Makarova, n.d). Furthermore, the choice of acculturation strategies by native youth and migrant youth in general tends to indicate problematic or conflicting consequences of the acculturation of the two groups (Makarova, n.d). The indirect confirmation of such conflictual consequences lies in the finding that the discussion of cultural diversity among classmates is associated with demarcations (Makarova, n.d). According to sociological theories, such consequences can be mitigated by the structural integration of migrants (Makarova, n.d). This could be confirmed by the present study, since a high socio-economic status goes hand in hand with a stronger preference for adopting the majority culture and with the rejection of the separation or segregation strategy (Makarova, n.d). Since the school career is decisive for future social placement, the selection-related disadvantage of children with a migration background in the Swiss education system has particularly serious consequences, since this initiates the structural segregation of migrants, which in the long term leads to the formation of a "foreign-language underclass" (Hoffmann-Nowotny 2000) can lead (Makarova, n.d). The rejection of the separation or segregation strategy on the part of the migrants does not necessarily have to go hand in hand with the approval of assimilation, and the striving for cultural assimilation on the part of the immigrants cannot be the only requirement for successful integration into society (Makarova, n.d). Furthermore, the question arises as to how exactly the culture to which the immigrants are to assimilate should be defined and whether such a uniformly conceived culture even exists or is binding for all representatives of the native majority (Makarova, n.d). An example of the fact that culture does not exist for all members of the native majority are young people from bi-cultural marriages, who belong to the majority in the civil sense, but for whom the term culture is no different than interculture. can be comprehended (Makarova, n.d). In addition, the process of acculturative changes is linked to the process of social identification, in which the individual is to be understood as an active acting subject, for whom the process of acculturation is a process of negotiation and formation (Makarova, n.d). Such a process can also lead to the development of a multicultural identity (Makarova, n.d). Such a multicultural identity is characterized by a strong sense of belonging and a positive assessment of cultural belonging to both the majority ethnic group and a minority ethnicity and is associated with a strong integration into the majority ethnicity (Makarova, n.d). The individuals who develop such a cultural identity favor the strategy of integration and reject the strategy of assimilation (Makarova, n.d). Thus, as a place of acculturative change, the school faces the challenge of finding a balance between assimilation and difference in order to support the integration strategies of its clientele (Makarova, n.d). Institutional characteristics of cultural heterogeneity in the composition of classes and the anchoring of topics of cultural diversity in the curriculum appear to be central to balancing cultural diversity in the school environment (Makarova, n.d). According to the findings of this study, it is the classes with a very high proportion of foreign children (>70.0%) that represent an unfavorable social context for the integration strategy of individuals, since in such classes the desire to retain the culture of origin is strongest, as well as the assessment belonging to a minority ethnic group is most positive and belonging to a majority ethnic group is least positive (Makarova, n.d).

In addition, personal ties to a minority ethnic group are strongest in such classes. Furthermore, the results of the study prove that the anchoring of topics of cultural diversity in the curriculum can favor the preference of the integration strategy, since it has been shown that the frequent discussion of cultural diversity in the classroom is related to the preference of the integration strategy (Makarova, n.d). However, the diversity of the school is multifaceted and goes far beyond ethnic diversity. Therefore,

some questions arise for the contemporary school: Which dimensions of heterogeneity are constitutive for the school and in this respect do not endanger its institutional integrity? Which dimensions of diversity can lead to institutional change? And last but not least: How does the school react to a possible or necessary change?

(Makarova, n.d) These questions cannot be discussed in the present study. However, the results of the study point to the importance of such considerations and provide a basis for further research into acculturative changes in society.

The results of the questionnaire indicate that the adult migrants surveyed in Konstanz, Germany, value the right to preserve their cultural identity and believe that it enriches the host country. They acknowledge the importance of providing resources and support to assist immigrants and refugees in maintaining their cultural identity. Most participants have received some help from the government or NGOs since arriving in Germany, but they also recognize the need for better language training and education support. The participants generally feel safe and secure in Germany and have been able to maintain contact with family and friends in their home countries. They have also made efforts to integrate into the local community, with varying degrees of success. However, discrimination and prejudice still exist, with some participants facing work rejections and difficulties in finding housing due to their background.

Based on the findings, several recommendations can be made to enhance cultural rights for immigrants and refugees in Germany:

Improved Language Training and Education Support: Providing better language training and educational support for newcomers can help them integrate more effectively into German society and access better opportunities. **Anti-Discrimination Measures:** Implementing strong anti-discrimination measures in workplaces and housing sectors can prevent prejudice and ensure equal opportunities for everyone. **Community Engagement and Cultural Awareness:** Promoting community engagement and cultural awareness programs can help foster understanding and acceptance between the local population and immigrants and refugees. **Cultural Education in Schools:** Integrating cultural education into school curricula can help create a more inclusive and diverse learning environment, fostering mutual respect and appreciation for different cultures. **Support for Cultural Activities:** Providing support and resources for cultural activities and events can encourage immigrants and refugees to express their cultural identity and contribute to the cultural richness of the host country. **Legal Protection of Cultural Rights:** Strengthening legal protections for cultural rights and ensuring that cultural practices and customs are respected, as long as they do not violate human rights, is essential for a harmonious multicultural society. **Cultural Sensitivity in Healthcare:** Healthcare professionals should be trained to be culturally sensitive and provide trauma-informed care, especially for survivors of harmful cultural practices like Female Genital Mutilation (FGM). **Promote Multicultural Identity:** Encourage the development of multicultural identities that allow individuals to embrace both their cultural heritage and their integration into the majority culture. **Interdisciplinary Approaches:** Adopting interdisciplinary approaches to integration, involving education, healthcare, social services, and community organizations, can create a comprehensive and supportive environment for immigrants and refugees.

In conclusion, cultural rights are crucial for immigrants and refugees to maintain their unique identities and feel connected to their new communities. Germany should continue to improve its integration efforts, promote cultural awareness, and ensure that cultural rights are protected and respected for a harmonious and inclusive society.

By embracing cultural diversity, Germany can harness the potential of immigrants and refugees to contribute positively to the country's social, economic, and cultural fabric.

APPENDIX

4. Questionnaire

Which is your homeland?

1. Turkey
2. Oman
3. India

How many years do you live in Germany?

1. 4-7 years
2. 8< years
3. 4-7 years

Do you think that refugees and migrants have the right to preserve their cultural identity in the host country?

1. Absolutely agree
2. Absolutely agree
3. Agree

Do you think that keeping your cultural identity make your host country 'richer'?

1. I do not know
2. I do not know
3. Agree

Should Germany provide resources and support to assist immigrants and refugees keep their cultural identity?

1. I do not know
2. Agree
3. Agree

Have you received any help from the government or NGOs since you arrived in Germany?

1. Yes
2. Yes
3. Yes

Do you believe that preserving your cultural identity could be a problem for your integration in the new country?

1. Disagree
2. Disagree

3. Completely Disagree

Should immigrants and refugees be required to assimilate completely in their new country?

1. Disagree
2. Disagree
3. Disagree

Do you think that the preservation of cultural identity can help immigrants and refugees feel more connected to their new community?

1. I do not know
2. Agree
3. I do not know

Should Germany respect the cultural practices and customs of immigrants and refugees, even if they are different from the majority culture?

1. Agree
2. Absolutely Agree
3. Absolutely Agree

Do you believe that immigrants and refugees should be allowed to express their cultural identity in public spaces, such as through clothing or religious practices?

1. Agree
2. Agree
3. Agree

Have you received any language training or education support since arriving in Germany?

1. Yes
2. Yes
3. Yes

Do you feel safe and secure in Germany?

1. Yes
2. Yes
3. Yes

Have you been able to maintain contact with family and friends in your home country?

1. Yes
2. Not at all
3. Yes, a lot

Have you been able to integrate into the local community in Germany?

1. Yes

2. Yes
3. Not much

Have you faced any discrimination or prejudice in Germany. If yes, can you mention an example??

1. Not much
2. Yes, work rejection
3. Yes, rejection to rent house

Do you feel that Germany is doing enough to support refugees and migrants?

1. Yes
2. Not much
3. Yes

Do you think that the right to preserve cultural identity is an important human right for immigrants and refugees?

1. Yes
2. Yes
3. Yes

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