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MASTERARBEIT / MASTER'S THESIS

Titel der Masterarbeit / Title of the Master's Thesis

**“Forced migration from Venezuela to Germany since 2016: the
German asylum system, the perception of the Venezuelan
applicant/refugee and their agency”**

verfasst von / submitted by

Pedro Felipe Novoa Leal

angestrebter akademischer Grad / in partial fulfilment of the requirements for the degree of

Master (MA)

Wien, 2023 / Vienna 2023

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Betreut von / Supervisor:

Dipl.-Geogr. Dr. Simon Bunchuay-Peth



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Abstract

The following master's thesis is set in the context of the Venezuelan forced migration to Germany since 2016. Inspired by the contribution of Hein de Haas's aspirations-capabilities framework, which highlights the importance of the relationship between structures and agency during migration processes, this paper focuses on the agency of Venezuelan asylum seekers within the given German structures of the asylum system. In order to do so I applied a mixed approach, combining aspects of different methodologies and presenting quantitative and qualitative data. The quantitative data was provided by different German state offices and the qualitative data was collected through semi-structured interviews with Venezuelan asylum seekers. After presenting the theoretical and methodological framework of the thesis, I explain the German asylum system, including the legal procedure of applying for asylum and the given rights and obligations involved throughout the process and depending on the outcome. To visualize the Venezuelan exodus to Germany, the paper proceeds to present quantitative data about the Venezuelan forced migration to Germany between 2016 and 2022 to identified different trends. The central part of the paper applies narrative analysis to the semi-structured interviews and explores the agency of six Venezuelan participants in relation to the structures of the German asylum system in which they navigate and their perspective on that system. The objective of the thesis is to answer the following research question: What perspective do Venezuelan asylum seekers have on the German asylum system and how does their agency manifest in relation to this system?

Abstract (Deutsch)

Die vorliegende Masterarbeit bewegt sich im Kontext der venezolanischen erzwungenen Migration nach Deutschland seit 2016. Inspiriert durch den Beitrag des *Aspirations-Capabilities*-Ansatzes von Hein de Haas, der die Bedeutung der Beziehung zwischen Strukturen und Handlungsfähigkeit während Migrationsprozessen hervorhebt, konzentriert sich diese Arbeit auf die Handlungsfähigkeit venezolanischer Asylsuchender innerhalb der gegebenen deutschen Strukturen des Asylsystems. Um dies zu erreichen, wird hier ein Mixed-Methods-Ansatz angewendet, der Aspekte verschiedener Methodologien kombiniert und quantitative und qualitative Daten präsentiert. Die quantitativen Daten wurden von verschiedenen deutschen Behörden bereitgestellt, während die qualitativen Daten durch halbstrukturierte Interviews mit venezolanischen Asylsuchenden gesammelt wurden. Nach der Vorstellung des theoretischen und methodischen Rahmens der Arbeit wird das deutsche Asylsystem erklärt, einschließlich des rechtlichen Verfahrens zur Beantragung von Asyl und der gegebenen Rechte und Pflichten, die während des Prozesses anfallen und je nach Ausgang variieren. Um den venezolanischen Exodus nach Deutschland zu veranschaulichen, stellt die Arbeit anschließend quantitative Daten über die venezolanische erzwungene Migration nach Deutschland zwischen 2016 und 2022 dar, um verschiedene Tendenzen zu identifizieren. Der zentrale Teil der Arbeit wendet eine narrative Analyse auf die halbstrukturierten Interviews an und erforscht die Handlungsfähigkeit von sechs venezolanischen Teilnehmerinnen in Bezug auf die Strukturen des deutschen Asylsystems, in denen sie sich bewegen, sowie ihre Perspektive auf dieses System. Das Ziel der Arbeit besteht darin, folgende Forschungsfrage zu beantworten: Welche Perspektive haben venezolanische Asylsuchende auf das deutsche Asylsystem und wie manifestiert sich ihre Handlungsfähigkeit in Bezug auf dieses System?

This work is dedicated to the Venezuelan participants. Their stories and courage made it possible.

¡Ustedes son unas berracas!

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Glossary¹

AnkER-Einrichtung – AnkER-facility: These types of refugee camps aim to bring together all offices, institutions, and services of the state relevant during the asylum procedure in one location, under the pretext of streamlining the process by reducing distances.

Ankunftsnaachweis – Arrival certificate: Upon arrival, after expressing the desire to apply for asylum, the asylum seeker receives this document, which allows them to stay in Germany and grants them certain benefits such as accommodation and medical assistance until they receive the *Aufenthaltsgestattung*.

Asylum system: I refer to the asylum system when referring to the whole. This means that it includes both the asylum procedure and the rights and obligations that create the structures within which the asylum seeker operates in relation to different areas such as health, education, work, housing, and others.

Asylum procedure: Here I refer to the bureaucratic process related only to the application procedure itself that the Venezuelan asylum seeker follows and the different possible decisions. I consider this procedure to be over once the asylum seeker has received a residence permit from the Foreigners' Office.

Aufenthaltsgestattung – Temporary residence permit: This temporary permit provides certain rights and obligations to all those in the asylum procedure and is renewable until there is a undisputable decision by the BAMF.

AufenthG (*Aufenthaltsgesetz*) – German residence law: This law regulates the entry, exit and residence of non-EU foreigners in Germany. Not to be confuse with the AsylG.

Ausländerbehörde – Foreigners' Office: These are municipal agencies that oversee enforcing the BAMF's decision regarding the asylum procedure and the residence law (*Aufenthaltsgesetz* – AufenthG), thus in charge of non-EU foreigners in Germany.

AsylG (*Asylgesetz*) – German asylum law: This law regulates the German asylum system, including the procedure. Not to be confuse with the AufenthG.

AsylbLG (*Asylbewerberleistungsgesetz*) - Asylum Seekers' Benefits Act: Asylum seekers receive benefits during the procedure according to this Act.

¹ This glossary was based on the knowledge I gathered during the research and the information I considered important for the understanding of the master thesis. To obtain further information look at the specific references for each term that can be found in the paper.

AZR (*Ausländerzentralregister*) - **Central Register of Foreigners**: This is a German database of the personal information of all foreigners living in Germany.

BA (*Bundesagentur für Arbeit*) - **Federal Employment Agency**: It is responsible for job placement, employment promotion, unemployment insurance and financial compensation benefits, such as unemployment benefits.

BAMF (*Bundesamt für Migration und Flüchtlinge*) - **Federal Office for Migration and Refugees**: The federal agency that conducts the asylum procedure, including making the asylum decision.

CEAS - **Common European Asylum System**: European Union legislation that regularizes its asylum policy by creating common standards for all member countries.

Colectivos: Are armed paramilitary groups in Venezuela that act with impunity throughout the country while engaging in drug trafficking, extortion, kidnapping, extrajudicial killings, and murder. Many of them act based on their support for the government of Nicolas Maduro against those that oppose him. Nonetheless, many of this groups commit criminal acts against the population indiscriminately regardless of political affiliation.

DAF (*Deutsch als Fremdsprache*): Specialized German courses to learn German as a foreign language.

DAZ (*Deutsch als Zweitsprache*): Specialized German courses to learn German as a second language.

Deportation ban (*Abschiebungsverbot*): This is the lowest form of protection in Germany. There are two reasons why an asylum seeker may receive this type of protection if the others do not apply. It is granted if the deportation would expose the applicant to a violation of any of the rights stipulated in the ECHR in the country of origin or if it poses a significant threat to their life, physical integrity, or freedom in the destination country. Typically, this form of protection is applied when the country of origin presents a precarious situation in terms of humanitarian conditions comparable to inhuman or degrading treatment and/or in cases where a person faces a significant health risk in their country of origin if they are potentially life-threatening or due to a severe illness. See page 44-45.

DESTATIS (*Statistische Bundesamt*) – **Federal Statistical Office**: The federal office in charge of collecting, storing and partly analyzing statistics in Germany.

DIE LINKE: It is a left-wing party with seats in the German parliament.

Dublin III Regulation: It establishes the criteria for determining which member state of the European Union is responsible for examining and carrying out the asylum process of asylum seekers.

Duldung: If a person who receives a negative BAMF decision cannot leave the country or be deported, this type of status can be given by the Foreigners' Office. This status means that the person is tolerated in Germany until departure is possible. There are different forms of *Duldungs*, including the so-called *Duldung-light* (see pages 45-46).

EASY (*Erstverteilung von Asylbegehrenden*): It is the quota system used to determine the percentage of asylum seekers that each federal state in Germany should accommodate. This is combined with a system of responsibility by country of origin. This system defines which regional offices of the BAMF are responsible for asylum seekers based on their country of origin. Often, this results in specific federal states being responsible for all asylum seekers from a particular country. However, whether this is the case depends on the number of asylum seekers from a specific country of origin and the percentages each federal state must accept.

Entitlement to asylum (*Asylberechtigung*): This is a national form of protection unique to Germany. Although the benefits do not differ from those of refugee protection, this form of protection is considered by the German asylum system to be the highest one. It is more difficult to obtain than the refugee protection (*Flüchtlingsschutz*). See page 42.

ECHR – European Convention of Human Rights

EUAA – European Union Agency for Asylum: It is the European Union agency in charge of implementing the CEAS and supporting member states. It also generates statistical information.

EURODAC - European Dactyloscopy: It is a fingerprint database of the European Union of asylum seekers and illegal border crossers.

GENESIS-Online: Online database of DESTATIS.

First-time application: Refers to the first application made by an asylum seeker. It is possible to do a second or a subsequent application.

GG (*Grundgesetz*) – German constitution

Jobcenter: The *Jobcenter* is part of the Federal Employment Agency and covers the same functions but specifically in the case of SGB II, which is the section of the SGB that regulates basic income for job seekers. Asylum seekers with a positive response from the BAMF who are unemployed and receiving benefits do so through the *Jobcenter*.

Mitwirkungspflicht: It is the first of four obligations that asylum seekers have. It is the duty to cooperate during the asylum procedure.

Refugee protection (*Flüchtlingsschutz*): This is the highest international form of protection and is based on the Geneva Convention. In terms of rights and obligations, it is on a par with the entitlement to asylum (*Asylberechtigung*). See pages 40-43.

Residenzpflicht: It is the third obligation of four obligations that asylum seekers have. It is the obligation to remain within the designated area of the initial reception facility. As long as the second obligation is in effect, the third one is as well.

Second application (*Zweitenantrag*): Refers to cases where a person, who sought asylum in a third safe country and received a negative decision, applies for asylum in Germany. As in the case of a subsequent application, the person must demonstrate new reasons or a change in the situation, and in addition to that, Germany must be responsible for processing it based on the Dublin procedure.

Social Welfare Office (*Sozialamt*): Is the office responsible for the execution of social assistance in Germany. It is not a federal agency.

SGB I-XII (*Sozialgesetzbuch*): These are the books in which the German social law is codified.

Subsequent application (*Folgeantrag*): When a person, after receiving a negative decision in Germany, submit a new asylum application. However, because the person has already presented certain reasons for seeking refuge that were not sufficient, before the subsequent application is accepted, the person must demonstrate that there are new reasons for seeking refuge or that the situation has changed to such an extent that the previously stated reasons must be reassessed.

Subsidiary protection (*Subsidiären Schutz*): It is considered the third highest form of protection in Germany and it is also an international form of protection. See pages 43-44.

Wohnpflicht: It is the second obligation of four obligations that asylum seekers have. It is the duty to reside in the initial reception facility. This obligation can last up to 18 months

or in exceptional cases up to 24 months. However, in the case of families with children, this obligation can last a maximum of six months.

Wohnsitzauflage: It is the fourth obligation of four obligations that asylum seekers have. The fourth obligation comes into effect upon the termination of the obligation to reside in a reception facility. After the end of the second obligation, the asylum seekers are distributed within the federal state. They have the obligation to maintain the specific place of residence given to them if they receive social benefits.

1951 Geneva Refugee Convention: Defines who is to be considered a refugee.

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1. Introduction

The socio-political and economic conditions in Venezuela have been in a state of decline for the past two decades under the governments of Hugo Chávez (1999-2013) and Nicolás Maduro (2013-). However, in recent years, the situation has considerably worsened due to a multitude of factors, such as the decline in oil prices, mismanagement, corruption, and political instability (BBC News, 2021). These factors have mainly contributed to hyperinflation, massive shortages of essential goods and services (including medicine and food), and political and societal generalize violence, resulting in a dire humanitarian crisis (Human Rights Watch, 2023). This distressing situation translates into a massive exodus of Venezuelans, particularly since 2014, with the current estimate reaching over 7 million people, which makes it the second largest international displacement crisis globally (UNHCR “Venezuela situation,” 2023).

Most of the Venezuelan forced migration has been towards Latin American countries, followed by the United States. However, there has been a significant increase in the number of Venezuelan asylum seekers in the European Union since 2016 (EUAA, 2022). While Spain has received the highest number of Venezuelan migrants and asylum applications,² likely due to cultural and linguistic proximity, the number of Venezuelan applicants in Germany has also grown considerably (BAMF, 2023 “Asylgeschäftsstatistik (01-06/2023”).

Germany, as member of the European Union, has condemned the Venezuelan government under Nicolas Maduro, even going as far as delegitimizing it and recognizing an interim government of the Venezuelan opposition (Geuther, 2019). The country is also among the countries that have imposed various sanctions against Venezuela (Dobson, 2021). Germany has also provided financial aid to support humanitarian efforts aimed at assisting refugees in neighboring Latin American countries (AA “Venezuela: Hilfe, die ankommt,” 2018).³ Despite Germany's apparent awareness of the disastrous humanitarian conditions in the Latin American country and the measures taken against the Maduro government, the responses to Venezuelan asylum seekers in Germany do not reflect the same degree of solidarity and understanding.

While Spain, for instance, granted protection during the first nine months of 2019 to 99,6 percent of all 28.429 asylum application by Venezuelans, in the same period Germany only gave a positive response to 39 percent of the applications (Ton, 2019: 417). The German acceptance rate is markedly low. This is coupled with an impressively low response rate.

² Only in 2019 more than 40.000 Venezuelan asked for asylum in Spain (BAMF “Das Bundesamt in Zahlen 2019,” 2020: 36).

³ The Venezuelan refugee crisis remains, however, “one of the most underfunded crises in the world today” (Arseniuk, 2021).

Continuing only with the example of 2019, Germany received a total of 726 new asylum applications from Venezuelan nationals, out of which only 278 received a response before the end of the year (BAMF “Asylgeschäftsstatistik (01-12/19),” 2020: 4). It is also worth looking at the answers given in these 278 cases to exemplify the variety. 142 were granted a negative answer, many of whom still reside in Germany under a *Duldung*,⁴ in 15 cases the process was terminated without response,⁵ and the remaining 91 responses were positive, granting different forms of protection (ibid.). This variety of responses in 2019 alone exemplifies some trends from 2016 to the present, but most importantly, it slightly shows the complexity of the German asylum system.

Each of the answers or the fact of being in the procedure without receiving an answer yet, affects the life of the migrants in different ways. Asylum seekers and/or asylees are granted access to social benefits and rights, which vary greatly based on whether they are in the procedure or the type of response received. The level of obligations and limitations imposed upon them also varies considerably. Consequently, the quality of life and maneuverability can be very different depending on where they are within the bureaucratic structures given by the German asylum system, ultimately affecting their potential for integration and sustainability of livelihoods in Germany.

According to Hein de Haas’s aspirations-capabilities framework, migration needs to be understood as an intrinsic part of an ever-constant reciprocal and asymmetric broader social change, which is composed by structures and agency (2021: 12-14). Of these two key factors, he argues correctly that agency is by far the most disregarded one (2021: 8). In agreement with de Haas, this paper is inspired by an understanding that migrants, including those who are forcibly displaced, possess some degree of agency. Therefore, I am interested in the relation between agency and structures in the case of Venezuelan asylum seekers in the German asylum system, specifically on their possibilities of agency and their perspective on these structures. Hence, the concrete question of this master thesis is: What perspective do Venezuelan asylum seekers have on the German asylum system and how does their agency manifest in relation to this system?

In order to partially answer this question, I have conducted quantitative research regarding the Venezuelan forced migration to Germany and qualitative interviews with Venezuelan asylum

⁴ The German *Duldung* is a temporary suspension of deportation that can change at almost any time (look at page 24 or the Glossary)

⁵ For example, because the applicant has withdrawn the application or because the Dublin Convention makes another State responsible for the application (BPB 2023).

seekers in Germany. To accommodate the unlimited range of possible responses while asking about perspectives, the study required an open approach. To this end, I have conducted extended semi-structured interviews with six participants. My methodology employed aspects of both narrative analysis, to greater extent, and grounded theory, to a lesser extent, which, in conjunction with de Haas's contribution, constitute my interpretative tradition. It should be noted, however, that this paper does not purport to be an all-encompassing representation of the perspective of Venezuelan forced migrants in Germany. Such an endeavor would imply extensive research, including the conduction of a considerable number of interviews, which is beyond the scope of the thesis and my research capabilities. Nonetheless, this work shows the anonymized perspective of a select few individuals on the German asylum system, their integration experiences, and their own agency within the given structures. It offers new perspectives and raises additional questions, underscoring the need for comprehensive research.

To achieve the goal of presenting the in-depth exploration of the perspective of the selected few Venezuelan asylum seekers, I will first provide a detailed explanation of the theoretical and methodological framework of this work, in order to establish its interpretative tradition. Regarding the theoretical framework, I will explain Hein de Haas's aspirations-capabilities framework. It is crucial, since it attempts to explain the complicated asymmetric relations between structures and agency, stating the importance to acknowledge the agency of migrants. Although, my research is inspired by this theoretical understanding, it does not aim to prove it or disregard it.

Regarding the methodological framework, I will explain the choice to combine grounded theory and narrative analysis, detailing the aspects of both methodologies adopted in this work. This is crucial to understand my decisions regarding operationalization, conduction, and analysis of the quantitative and qualitative data.

Following an important aspect of narrative analysis, I will continue by positioning myself. Acknowledging the importance of reflexivity, I will present my personal and academic background and the motivations to write about this subject. This is essential to expose my subjectivity while conducting research and interviews. By doing so, I aim to provide transparency regarding my personal biases and how they influence my work. To conclude the theoretical and methodological framework I will explain, based on the previous points, my thought and planning process, the decisions I made during the research and their practical implementation in the operationalization, conduction and analysis of the interviews.

Subsequently, I will present an overview of the German asylum system, including the German asylum procedure step by step, the possible outcomes and the rights, obligations, benefits, and limitations involved throughout the procedure and depending on those outcomes. This information is crucial to understand the systemic processes in which Venezuelan asylum seekers move and their experiences within it. Understanding what being in the procedure and the different possible outcomes entail allows to understand the limitations and possibilities that the structures give and how this is reflected in the asylum seekers' agency.

I will continue by presenting quantitative data provided by different German federal offices about the Venezuelan exodus to Germany since 2016, including the various decisions that have been given during this period. Analyzing these data allows me to establish trends in the behavior of the bureaucratic structures in which Venezuelan asylum seekers move. This will provide a basis for understanding the extent of the Venezuelan forced migration to Germany.

Thereafter, I will present the analysis of the interviews, which is certainly the main part of this master thesis. This analysis includes the emerging topics of interest, singularities, differences, and similarities regarding agency in relation to structures from the perspective of the participants and the relation to the quantitative data presented before. The analysis concentrates on the one hand on the asylum procedure step by step, and on the other hand on certain areas of interest, such as housing, work, health, and education during the asylum procedure and after having received a positive answer. Although, as mentioned above, this analysis focuses on the agency of the participants in relation to the structures in which they move, it is not limited to that alone. It also includes participants' perspectives on their reasons for migrating, on the problems of the asylum system, and their expectations for the future.

Finally, the conclusion alludes to the analysis, highlights the points that I consider most important and emphasizes open questions. It remarks the need to conduct a generalized study of this forced migration to generate a representative account of Venezuelan asylum seekers, not only regarding their perspective and agency, but also about other emerging topics. I also argue that interviews with NGO's staff, German authorities and other stakeholders should be conducted in order to achieve comprehensive research of the relation between agency and structures, not only from the perspective of Venezuelan asylum seekers, but also other important actors.

2. Theoretical and methodological framework

The theoretical and methodological framework is crucial to understand the interpretative branch of the work. On the one hand, Hein de Haas's exposition presents my understanding of the relationship between structures and agency in migration issues. Although I have mentioned before that I am partly applying grounded theory, it would be wrong to think that I as a researcher do not have pre-established conceptions. In this specific case de Haas's contribution is crucial, as it is the basic understanding from which this work starts. On the other hand, the methodological part is presented, which is the combination of aspects of narrative analysis, certainly being dominant, and, to a lesser extent, grounded theory. The explanation of this methodology is important to specify the aspects adopted from these two currents and those that have been left aside. This methodology is very important for the thought process, operationalization, conduction, and analysis of the interviews. However, before I concentrate on the explanation of the operationalization and conduction of the interviews, I will first reflect on my positionality in relation to the subject and the research process. This is crucial, since it is part of the aspects adopted from narrative analysis and it plays an important role in the operationalization, conduction, and analysis of the interviews, as well as in the analysis of the quantitative data.

2.1. Hein de Haas's aspirations-capabilities framework

In "A theory of migration: the aspirations-capabilities framework" Hein de Haas problematizes that migration theory does not cover the number of empirical studies and the many new and/or complex aspects and forms of migration, and suffers from many limitations partly self-imposed (2021: 2-8). De Haas considers that the major problem is the lack of attention to the agency of migrants (2021: 8). Because of this, de Haas engages with a possible way to solve the paradigmatic problems that plague migration theory in order to make it more adaptable and flexible to different levels of analysis, contexts, social groups, temporalities, and thematic perspectives (2021: 9-12).

De Haas considers that migration needs to be understood as intrinsic part of an ever-constant reciprocal and asymmetric broader social change and not as response to a problem, a problem itself or a solution to a problem (2021: 12-14). Therefore, he argues, the question should not be 'why people move' but rather, "how patterns and experiences of migration are shaped by broader processes of social change" (2021: 14). In order to answer this question, he considers that structures, understood "as patterns of social relations, beliefs and behaviors" that sustain inequalities and social hierarchies, and agency, understood "as the limited - but real - ability of

human beings [...] to make independent choices [...] to alter the structures that shape and constrain people's opportunities and freedoms" (2021: 14) are key aspects that cannot be ignored. Of these two key factors, migration agency is by far the most disregarded one, according to him (2021: 8). Therefore, he argues, that when analyzing agency many aspects should be considered, such as people's access to social, economic, cultural, and bodily resources that facilitate migration and people's subjective perspective of what constitutes 'a good life' and aspirations towards it, among others (2021: 15).

These points are even more relevant considering de Haas's critique of the dichotomy between the study of forced and voluntary migration. He correctly argues that all migrants face constraints and, while forced migrants are in a much more complex situation, their agency cannot be ignored (2021: 16). Only in very few cases is there no agency at all (Ibid.). Therefore, he argues that it is more appropriate "to apply a continuum running from low to high constraints under which migration occurs [...] to much more complex realities in which all people deal with structural constraints, although to highly varying degrees" (Ibid.).

The creation of such continuum, according to de Haas, requires a conceptualization of all forms of migration as a function of aspirations and (cap)abilities to migrate "within given sets of perceived geographical opportunity structures" (2021: 17). In this sense, aspirations and capabilities are conceptually different but empirically not independent, so the author, meaning for example that increasing capabilities can also increase aspirations (2021: 18). It is crucial to understand that aspirations have an instrumental dimension, concentrated on the functional part of migration as means to achieve another end, and an intrinsic one, referring to the value individuals give to migration in and of itself (Ibid.). Not having access to mobility freedom may for example increase the aspirations to get it. This generates a complex dynamic relation between (cap)abilities and aspirations.

De Haas then applies to migration Amartya Sen's (1999) conceptualization of human freedom as instrumental and intrinsic. According to de Haas, the instrumental dimension of migration is its functional end (2021: 21). The intrinsic dimension of migration, so the author, is the freedom of mobility and the wellbeing it entails, regardless of whether it is use or not (2021: 20). Therefore, he conceptualizes the capability to move as a fundamental human freedom, understood as "people's capability (freedom) to choose where to live" (2021: 22). He stresses that this includes not only the choice to migrate but also the choice to stay (Ibid.). Therefore, applying Sen's approach, he argues that people need access to social, cultural, and economic resources to have migratory agency (Ibid.). However, "if people have no realistic option to

remain” they are also being deprived of their human mobility freedom (Ibid.) Following this argument, de Haas understands refugees in a first step as individuals with low aspirations, due to the impossibility of deciding to stay, but with capabilities that allow them voluntary or involuntary mobility (Ibid.)

In a second step de Haas adopts Berlin's idea of negative and positive liberties and consider the presence of both as crucial to allow agency (2021: 24). De Haas explains the former as the absence of external restraints and the latter as “the ability to take control of one’s life and to realize one’s fundamental purposes” (Ibid.). Applying this, de Haas shows how macro-structural processes of social transformation structurally determine positive and negative liberties, which shape aspirations and capabilities, and this in turn affect mobility freedoms and therefore migration (2021: 23-26). This does not mean that structures are only to be understood as a constrain, but rather as patterns with positive and negative effects that shape human mobility by influencing aspirations and capabilities (2021: 26).

De Haas’s contribution to the conceptualization of (forced) migration as a combination of structures and individual agency is paramount for this work, given its emphasis on the agency of asylum seekers and their viewpoint pertaining to structures they encounter. The individuals' perception of their own aspirations (instrumental or intrinsic), their (cap)abilities, and of the positive and negative liberties that impact them, also play a crucial role in shaping their agency. However, de Haas's framework is very holistic, as he also acknowledges throughout his contribution, giving less attention to certain aspects. For example, the relationship between needs and aspirations, the latter being strongly influenced by the former, not only in the sense of the importance given to certain needs by the migrants, but also of their perception of being able to fulfill them locally or not, is rather ignored (Carling & Collins, 2018). It also downplays the constraints imposed by social temporal understandings about well-being, which in turn influences the aspirations of migrants (Wang & Collins, 2020). While the framework provided by de Haas serves as the theoretical inspiration for this study, I consider it to be a mistake to actively seek for confirmation when examining perspectives. For this reason, for example, I do not use de Haas's terminology in my analysis. This would not only make its reading more complex and less accessible to any type of reader, but the aim of this paper is not to apply or confirm his contribution. However, as mentioned above, it would be unreflective of me to deny that his theoretical work inspired this research.

Therefore, notwithstanding that I assume that forced Venezuelan migrants in Germany have agency in relation to the structures they encounter, the methodology applied during the

interviews does not actively seek to establish or confirm specific forms of agency. It allows the participant to speak freely about their migration process, that is, to express their perspective without my interest strongly influencing it. It is then my task during the interviews and the analysis to determine whether the participant expressed forms of agency, which ones, whether there was an explicit connection between those forms of agency and specific structures of the German asylum system or if such connection can be inferred. Therefore, the next subchapter regarding methodology explains the choice to combine certain aspects of both grounded theory and, to a greater extent, narrative analysis in order to explore the perspectives while minimizing the impact of my own subjectivity.

2.2. Methodological framework: Narrative analysis and grounded theory

As mentioned above, this work applies a mixed methodology based on grounded theory, to a lesser extent, and narrative analysis, combining the constructivist branch of both (Lal et al., 2012: 8). A combination of methods belonging to these methodologies is possible thanks to their similarity in the interest in human (inter)action based on the interpretation of meaning as key factor in the construction of individual reality (ibid.: 6). The fusion of both approaches is particularly advantageous when seeking to examine the individual viewpoint of asylum seekers regarding the structures they are confronted with. It enables the exploration of the participants' perspectives on their migration process, potentially including different forms of agency within it, through their narratives, while also limiting my influence in the creation of those stories or transparently acknowledging it as an act of coproduction of knowledge.

It is important to mention that this work, contrary to the objective of grounded theory, does not pretend to systematically generate a theory based on the empirically collected data (Glaser and Strauss, 1967). However, in congruence with grounded theory, this work approaches the phenomenon of interest without too specific and limited objectives, but with presumptions and interests of the researcher that are prone to change during and after the collection of data. Therefore, this paper adopts from grounded theory the idea that the researcher's hypotheses are temporary and changeable based on a repetitive cyclical process of knowledge construction (Strübing, 2008: 44-48). This is equally important regarding the analysis of quantitative statistics on Venezuelan migration to Germany. Such analysis was carried out after conducting the interviews, in order to avoid during the interviews seeking to confirm obvious trends exposed by the data. Before conducting the interviews, a superficial observation of the quantitative data was carried out in order to have a general understanding of the magnitude of the migration.

Regarding the sampling, although the selection of participants is in part congruent with the theoretical sampling of grounded theory (Lal et al., 2012: 10), in the sense that it is limited to relevant concepts such as Venezuelan asylum seekers/refugees in Germany, this selection, in line with narrative analysis, is not intended to reach theoretical data saturation (i.e., interviews are conducted until apparently no new knowledge relevant to the phenomenon studied is obtained) because the objective is not to generate a comprehensive theory. The selection of participants for the interviews is arbitrary following the snowball principle (Nikolopoulou, 2022). Data collection is based on semi-structured interviews, a method used by both methodologies. The importance of narrative analysis comes to the fore during these interviews, since it is not only a matter of actively listening to the interviewee but also of motivating them to structure a story about their migration process and agency (Riessman, 2008).

While the contribution of grounded theory is limited to the systematic coding of the collected data and the idea that my hypotheses can change during the research process, the major contribution comes from the narrative analysis, as it provides the methods of analysis of the coded data. At this point it is also crucial to mention that the choice of narrative analysis is also related to the fact that it includes hermeneutic aspects, but offers more flexibility. Its focus is not only on written texts, but on storytelling and the meaning generated from such narratives. It certainly includes hermeneutic elements such as consideration of context and the assumptions and interpretations that participants bring to their stories, but it also allows analysis of how such stories convey messages specific to the themes and structures that form them.

The analysis of the data collected is based on a combination of aspects of both methodologies. The generated story is viewed, at first, in congruence with the narrative analysis, as a unit of analysis (Lal et al., 2012: 11). However, no attempt is made to recognize pre-existing theories in these stories. On the contrary, and in congruence with grounded theory, the analysis aims to recognize similarities and relationships between the interviews through a comparative analytical approach, but also differences. This means that I analyze the interviews based on categories of emerging interest via coding (Roulston, 2013: 305), using the meaning created during the narrative and the value positions of the participants (Creswell and Creswell, 2018). Therefore, different aspects of narrative analysis are crucial to guarantee transparency during the analytical process; positioning, self-reflexibility and the relational issued between researcher and participants during the whole process (Lal et al., 2012: 9). Therefore, the following subchapter is dedicated to my positioning.

2.3. Author's positionality

In line with narrative analysis, it is essential to address the subject of my positionality as researcher. This is of utmost importance because “the positionality that researchers bring to their work, and the personal experiences through which positionality is shaped, may influence what researchers may bring to research encounters, their choice of processes, and their interpretation of outcomes” (Foote & Bartell, 2011: 46). In the specific case of this study, which involves extensive qualitative interviews with individuals regarding their perspectives on the German asylum system and their agency, this becomes even more crucial. As a researcher, I engage in a coproduction of knowledge with the participants. Hence, it is evident that I am, as Hanin Bukamal correctly argues, “an active, not passive, agent in acquiring knowledge of the processes, histories, events, language and biographies of the research context” (2022: 328). Therefore, my positionality, meaning my individual view and the position I adopt in relation to the research subject, shaped by personal values and beliefs that are formed by aspects like nationality, gender, skin-color, political and social views, personal life-history, and experiences (Holmes, 2020: 1-2), requires explicit clarification, both for myself and the reader.

However, this task does not entail writing a mindless autobiography. Instead, it involves an act of self-reflectivity to establish significant identifications of oneself – rather than only one's scholarly ideas – in relation to the research at hand (Massound, 2022). This is by no means, as many wrongly think, an attempt to achieve objectivity. Regardless of how reflexive the researcher is, he or she will never be able to objectively describe something as it is (Holmes, 2020: 4). Therefore, the objective of positionality through reflexivity is to show my subjectivities and offer transparency to the reader. To do so, I will locate myself in relation to the subject, the context, the participants, and the research process, (ibid.: 3-4).

The subject of Venezuelan migration is not one that I stumbled upon by chance while reading articles or literature, but is strongly related to my life-history. I am of Colombian nationality and grew up in Colombia. The proximity to Venezuela as neighboring country means that the social, political, and economic situation of Venezuela has been part of my life for as long as I can remember. In fact, like many Colombians, I have distant family members who migrated many years ago to Venezuela due to internal circumstances in Colombia. They established their lives and families there, prospered, and had children who are now my second-degree uncles and aunts. They have also been forced to leave Venezuela, with the first members leaving in the late 90s and the last ones between 2011 and 2015. Consequently, migration to and from Venezuela has always been a topic present in my life. However, it does not mean that I was always

interested in it. That interest developed later, in Germany. During my studies in Germany, I worked as a communal interpreter in Saxony, especially in Leipzig, for the association *RRA Leipzig* and their project *Sprint*. It was this work that brought me in direct contact with Venezuelan asylum seekers. Accompanying them to appointments at various government offices, medical facilities, schools, NGOs, among others, my interest in the topic of the asylum system and the Venezuelan asylum seekers grew significantly. While under very different circumstances, my own migration experience to Germany, the social, cultural, and linguistic closeness with these individuals, and my familial connection with Venezuelan migrants all contributed to my strong empathy and sympathy towards Venezuelan asylum seekers in the German asylum system. This context is certainly what leads me to the subject of this research.

As a result of this context, my relationship with the participants is stronger than it may initially appear. The fact that we all come from Latin America, neighboring countries, share the same language, understand our cultures, and are migrants in the same country certainly bind us together. Additionally, my family ties with Venezuelans, who have also been forced to migrate, further deepen our connection. However, what truly strengthens my connection to the participants and the subject is the fact that I worked as an interpreter for many Venezuelan asylum seekers, even for some of the participants. Even if I did not know some of the participants before the research, my experience as a communal interpreter allows me to understand much about the system they navigate in and the challenges they face. Combined with the aforementioned points, this certainly brings me closer to them and enables the participants to place more trust in me.

However, it is also important to recognize certain differences and distances between the participants and myself, as well as certain proximities I have with Germany and German culture. I grew up as part of the Colombian upper-middle class, and consequently, in a region marked by significant inequalities, with access to many privileges. Although I grew up in Colombia, it was within a European community, especially German-speaking, due to my mother's work ties with Germany. As a result, I attended a European school in Bogotá and have been speaking German since a very young age. My cultural upbringing was a blend of Colombian and German-speaking cultures. This allowed me to easily and comfortably migrate to Germany to study, where I had been a few times before and had already strong connections. Consequently, my academic socialization is German. Therefore, I have been living in Germany long before most Venezuelan asylum seekers, which has giving me a better understanding of German culture and bureaucracy. Furthermore, although Hispanic, I am a white male, and this together with my perfect German allows me to blend in without standing as a foreigner. All these factors made

my migration experience and my life in Germany very different and certainly much easier than that of the Venezuelan asylum seekers. This privileged position also affords me a very close affinity with Germany.

This context and the relation to the subject, the participants and Germany certainly influence my research process. My choice to incorporate de Haas's contribution is linked to my previous work experience as communal interpreter within the structures in which asylum seekers navigate, where I observed that, although limited, they do possess agency. This job also gave me connections in different NGOs and governmental offices and privileged access to possible participants. Additionally, my pre-existing knowledge of the asylum system and relationships with Venezuelan asylum seekers meant that I already had many assumptions before commencing the research. For this reason, I decided to adopt certain aspects of grounded theory, as explained before, in order to attempt to distance myself of my assumptions while approaching the subject. Apart from the advantages that a large narrative provides for analyzing perspectives, as explained above, there is also a more pragmatic academic factor. During my bachelor's in history and my first master's in conference interpretation, I applied content analysis and narrative analysis on several papers and in both theses. Therefore, I feel comfortable with this approach. The choice to combine a qualitative and a quantitative approach is also not without context. Due to my close connection to the subject, I am inclined towards a qualitative approach to provide detailed insights into the perspectives of the participants, as I sympathize with their migration process and strongly believe that it should be shared to motivate further research on the topic. However, I also consider it essential to showcase the dimension of this forced migration. Although still small in Germany in comparison to other groups, this migration is of colossal proportions worldwide. Despite this and its increasing presence within Germany, it has not received the attention a migration from this proportions normally deserves. This clearly indicates that this thesis has a clear agenda – to bring attention to the issue.

Therefore, on one hand, I must be aware of my positionality and reflect on it to attempt to limit my subjectivity, while understanding that I do not attempt to be objective. Hence, the objective of reflexivity is to offer transparency regarding my choices and the outcomes. Consequently, on the other hand, the reader should consider my positionality while reading this thesis. I am not a passive neutral agent in the research. I certainly sympathize with Venezuelan asylum seekers and, at the same time, have strong connections to Germany. For this reason, this work has a clear agenda, which is to bring attention to the topic and motivate much needed further

research on Venezuelan forced migrants in relation to the German asylum system in which they navigate.

Having explained my positionality, the theoretical background and the methodological framework, the next subchapter will address my thought process, the operationalization and conduction of the interviews.

2.4. Thought process, operationalization, and conduction of the interviews

The process of conducting interviews and planning their analysis is a demanding and lengthy procedure, and the way it is implemented directly impacts the results. For this reason, an explanation of the thought process, the operationalization and the conduction of the interviews is indispensable. The explanation and description of the process provide clarity, transparency, and enable a better understanding of the analysis. Additionally, it can contribute to the planning and conduction of other research based on semi-structured interviews. This subchapter is divided in two different sections. I will first explain my thought process for taking certain general decisions and then I will present the operationalization, including the practical implementation and conduction, of that thought process.

2.4.1. Thought process

While conducting research to carry out the interviews, I realized that methodology and operationalization are always very well explained, but there is often little detail about the researcher's thought process that leads them to choose interviews as method of data collection and the specific approach they apply. However, the thought process is crucial, as it directly influences the decision-making that later materializes in the methodology and operationalization. Additionally, it is strongly influenced by the researcher's positionality. Therefore, understanding it as an act of self-reflexivity, I consider it important to include my thought process in making certain decisions. Moreover, including this process can be beneficial for transparency and for other students seeking to conduct similar research.

The first step during the thought process was to determine how to obtain the data needed to answer the research question (McGrath et al., 2019: 1002). In the case of Venezuelan forced migration to Germany, there were no literature or existing data that provided information about the agency of Venezuelan asylum seekers in Germany or their perspective on the asylum system. Therefore, it was necessary to create such data. Nonetheless, to do so, it is necessary to identify and have access to the sources required to create it. The source to create the necessary data are the Venezuelan asylum seekers themselves. Fortunately, as I have explained before,

due to my work as a communal interpreter, I had sufficient contacts with various governmental and non-governmental institutions, as well as with Venezuelan asylum seekers, which allowed me to access the sources that would enable me to create this data.

The next question was what type of data was necessary to address the research question. My positionality plays a crucial role here. Since I have preconceived assumptions due to my experience, I decided to distance myself from them by adopting and applying the aspects mentioned above. Therefore, using a quantitative method to create data, such as a questionnaire, would involve asking preestablish questions that could potentially be strongly influenced by my assumptions and would not allow for a true expression of individual perspectives. In order to achieve the distancing, I needed the participants to show me their perspectives freely, without being strongly influence by my assumptions. This is where narrative plays an important role. Creating a narrative, a story, would allow the participant to speak freely and express their perspective with less influence from my assumptions. Hence, the data I needed was a narrative about the participant's migration story.

Therefore, I needed a method that would allow the participant to engage into the creation of a story and allow me to generate data based on that narrative. A qualitative interview was well suited to achieve this goal (McGrath et al., 2019: 1002). It would free me from the limitations of a questionnaire, meaning specific questions formulated on the bases of my assumptions and the limited capacity given to the participant to express freely. However, it was important to determine what type of interview was best suited. A structured interview would allow me to control the interview's development but would limit the participant's capacity to create a story freely (Gill et al., 2008: 291). On the other hand, an unstructured interview would give the participant more freedom, but the total lack of control over direction and development might not guarantee the creation of useful data (ibid.). For this reason, I decided to use semi-structured interviews. This type of interview enables the participant to speak freely and generate a story about their migration process while still allowing me to guide the interview in general terms and actively engage to gather the data about agency and structures without imposing own assumptions as strongly as with questionnaires or structured interviews (ibid.). Hence, semi-structured interviews were the suited way for combining narrative analysis and grounded theory, my interpretative tradition.

Having it clear that the source would be Venezuelan asylum seekers, to whom I had access, and the method to obtain the data would be through the creation of narratives via semi-structured interviews, I had to define the way to analyze the collected data. Also, in this case my

positionality plays an important role. Having a narrative, the obvious choice according to my experience was to apply narrative analysis.

Certainly, the process is not as linear as presented here and involves extensive research that helps to discard and explore options, gradually narrowing it down into a coherent path to follow. As a result, this structured thought process would serve me as a general guideline and allow me to focus on making more specific decisions regarding sampling, protocol creation, the form to apply narrative analysis, among others – operationalize the thought process.

2.4.2. Operationalization and implementation

Operationalization refers to the practical implementation of the thought process to enable the conduction and analysis of the interviews. As is also the case with the thought process, operationalization does not occur in a linear fashion. In many instances, it may even overlap with the thought process or lead to its modification. However, for the sake of clarity, it is presented here in a linear way, following the thread of the thought process presented above.

Sampling

Having identified the Venezuelan asylum seekers as the source, it was necessary to recruit them as participants. As mentioned before, the sampling would follow the snowball principle without aiming at data saturation (Nikolopoulou, 2022). Due to data protection and confidentiality concerns, I never kept any form of contact information for Venezuelan asylum seekers during my years as communal interpreter. Nonetheless, contacting them through state institutions was problematic. Aside from the potential lack of cooperation from state offices, contacting them through such channels could potentially put them in an uncomfortable position, intimidate them to participate, and undermine my claim about data anonymization.

For this reason, I decided to approach them through NGOs working in the field of migration, for which I had provided interpretation services on multiple occasions. This approach had several advantages. Firstly, NGOs familiar with me would probably be more inclined to support and vouch for me. Secondly, this voluntary response sampling would avoid putting individuals in an awkward position by allowing them to ignore the request if they chose to do so (McCombes, 2019). Furthermore, contacting them through NGOs added credibility to the assertion of data anonymity by distancing the research from the state. Lastly, there was a possibility that many of the Venezuelan asylum seekers for whom I had interpreted and who knew me personally might still be in contact with these NGOs. The likelihood of them being more open to participate, given their previous acquaintance with me, was higher.

I operationalize this line of thought and contacted various NGOs, such as Caritas, DaMigra, *Sächsischer Flüchtlingsrat*, *Diakonie Deutschland*, DRK, among others,⁶ explaining my research and asking them to forward a document to potential participants. The document written in Spanish, English, and German, aimed to recruit participants by introducing myself and the way to contact me, explaining my connection to the topic, the nature of the research, and the data protection measures. It is important to mention that the document did not disclose the specific objective of the interviews to avoid influencing the stories the participants would share.

Eleven potential participants contacted me. Interestingly, all of them were women. I informed all the potential participants that I would be making several trips to Germany, and the idea was to meet before the interviews to build trust. Out of the eleven potential participants, one did not maintain contact, and two decided not to further participate. For those who chose to continue, those who already knew me did not consider it necessary to meet before the interviews. However, for those I did not know, apart from one, we met individually at locations of their choice approximately three weeks before the interviews. During this meeting we discussed formalities related to the interview, including the protection and anonymization of the data, I introduced myself, and we engaged in casual conversation about various topics to get to know each other better. This was crucial in building trust, which certainly positively contributed to the participants opening-up and creating a narrative during the interviews (McGrath et al., 2019: 1003). While eight participants would have been ideal in my opinion, the number of six participants was determined by external circumstances. Unfortunately, two of the participants had to cancel shortly before the interviews due to health and personal reasons. It was not possible to reschedule the interviews. Therefore, this study includes six female participants.

Semi-structured interviews

In parallel, and even before the recruitment of participants, the process of operationalizing the interviews also takes place. The semi-structured interviews must be prepared in technical, legal, and content-related aspects. In order to do so, it is also important to know in advance how the interviews will be transcribed, storage and analyzed. However, these aspects will be addressed later.

Regarding legal matters, although the University of Vienna, in the case of anonymized interviews, only requires providing participants with a document informing them about the use and protection of data (Universität Wien, “Instructions for students”), for the sake of

⁶ To protect the participants, I have decided not to disclose the names of local NGOs.

accountability and trust, I decided to include a consent form in English and Spanish that both the participant and I had to sign before the interview. The participants kept a signed copy. This way the participants felt more secure knowing that they could hold me accountable for any personal data leaks.

Regarding the content of the interviews, a highly demanding aspect of this type of interview is that due to its relatively free development, it is crucial to have extensive knowledge about the broad spectrum of topics that may arise in order to understand and support the creation of the narrative, engage in the conversation, and/or guide it if necessary. The interview is not a monologue, the researcher must engage and encourage the participant to create that narrative (McGrath et al., 2019: 1004). This means that anticipating potential topics is essential for the preparation of the interview. Although my personal life-history gave me a considerable amount of cultural, political, and societal knowledge, thorough preparation was required concerning the situation in Venezuela, the Venezuelan exodus worldwide, the EU and German asylum system, the region in which they are located, and the rights and limitations faced by Venezuelan asylum seekers in different areas such as education, employment, housing, freedom of movement, health, and others. The accumulation of this knowledge enabled me to create a structure for the interview that would allow the participants to create a narrative about their migration process, while also permitting me to assist them in structuring the story, if necessary, and to identify instances of agency. After testing its effectiveness with my Venezuelan relatives (McGrath et al., 2019: 1003), the structure translated into a protocol that served as guide during the interview. However, the protocol was meant as guideline and did not need to be followed step-by-step (ibid.: 1004-1005).

The protocol I created for the interviews is based on Anne Galletta's work (2013: 45-72). The protocol was in Spanish and was divided in four segments. The first segment, named 'Creating a Story,' aimed to develop the narrative. Therefore, this segment was the longest. For this segment the protocol contained prompts in form of open-ended questions to encourage the participant to engage in the creation of the narrative. For instance, the first question was "Tell me a bit about your life in Venezuela before making the decision to migrate?" and later, "How was your arrival in Germany?" None of the questions included in this segment specifically asked about the German asylum system. It was up to the participants to mention it. Whether or not it was necessary to ask certain open-ended questions or add questions depended on the interview's progression. To avoid monotony and make the participant feel less intimidated by the extensive speaking they were engaging in, it was crucial for me to actively include affirmative prompts to show interest and that I was eager to hear their story. My objective as

researcher during this segment was to identify meaningful junctures related to the asylum system and agency, which I noted down to explore further in the other segments.

The second segment, called ‘Asylum system,’ aimed to explore in more detail the participant’s experience during the asylum procedure and after receiving a response (if applicable), by asking for further explanation or clarification. To achieve this, more specific questions prompts were used based on the narrative created during the first segment. For example, some of the questions in this segment in the protocol were “You mentioned the arrival, how did you request asylum?” or “During the asylum procedure, how was your life regarding [area of interest, such as education]?” Often the questions in this segment were not necessary as the answer had already been mentioned during the first segment. It also happened often that the two segments merged, which certainly shows how difficult it was for me not to try to get the information I was looking for during the first segment. The object of this segment was to explore the narrative concerning the asylum system and continue identifying meaningful junctions regarding agency.

The third segment, called ‘Agency,’ aimed to explore the meaningful junctures that had been identify during the previous segments. To achieve this, I used prompts to encourage the creation of meaning around possible instances of individual agency. In other words, reflective questions were asked about specific situations (events) of agency that had been marked as important junctures. These questions could be “You mentioned that..., why do you think you did it?” or “What were your expectations when making that decision?” The objective of this segment was to encourage the participant to engage in a co-creation of meaning with me regarding their agency, and this generated the data I was most interested in.

The fourth and final segment of the protocol, called ‘Clarifications and Closure,’ aimed to clarify any doubts on my part, such as contradictions in the narrative, through prompts like “What do you mean when you mention that...?” It also involved expressing gratitude to the participant, asserting the importance of the contribution, and asking if they wanted to add anything else. A typical prompt in this regard was “Thank you so much for sharing your story, it has been incredible and has helped me a lot. Is there anything else you feel you should add or you think is important to mention?” This segment was crucial for avoiding misunderstandings, in order to ensure a clear narrative.

The protocol clearly indicated that the interviews were going to be lengthily. The creation of the narrative in the first segment, the deepening of the narrative in relation to the asylum system in the second, the exploration of instances of agency in the third, and the clarification in the fourth, all suggested that the interviews would be quite extensive. Therefore, I offered the

participants to split the interview into multiple days if necessary. Although most of them considered it a good idea, it ultimately only happened in one case. The rest of the interviews, although very extensive, were conducted on a single date for each participant in a quiet place of their choice. The interviews were conducted in Spanish and the passages presented here were translated by me into English.

Regarding the technical aspects, knowing that the interviews would be of considerable length, it was essential to determine in advance the method of recording them and ensuring that the recording device provided good quality and had sufficient battery life. I decided not to film the interviews because it would create large file sizes, would complicate participant recruitment, and I did not consider it to considerably add a surplus to the analysis. Instead, I chose to record only the audio. Based on cost-effectiveness considerations, after testing and confirming the quality of the audio and sufficient battery life, I decided to use the audio recorded of my iPhone SE second generation. Additionally, it was crucial to determine whether large audio files could be uploaded and stored from an iPhone to a computer without any issues or if they needed to be compressed or divided into smaller files. This information was crucial not only for storage, but also regarding the programs I planned to use for transcription and analysis. To determine this, I conducted extensive testing. It was also important to determine a way to take notes so that I could quickly find the meaningful junctures noted in previous segments. In my case, my skills in consecutive interpretation and the ability to take notes quickly and in an organized manner proved to be very helpful. Nonetheless, this required some practice, which I carried out while testing the protocol.

Transcription, analysis, and anonymization

Due to the effort and time cost involved in transcribing hours and hours of interviews, I decided to use an automatic transcription program. The advantage of such a program is that it transcribes the interview automatically, saving me the time cost of manually doing it myself, and is not a human who transcribes it, which would be problematic regarding data protection. I chose the AI software *Trint* because it can transcribe in Spanish with a decent accuracy.⁷ While I had to pay for the machine-powered service, it was cheaper than paying a professional transcriber, which, as mentioned before, was not an option due to data protection and anonymity reasons. My approach was to upload the interview's audio files to *Trint*, edit the transcription, download them again, and immediately delete them from *Trint*. Afterward, I uploaded these files to MAXQDA, the software I chose for the analysis. The reason why I decided to use this software

⁷ I include here the link: <https://trint.com/?tid=646f676ebfa62a0007971392>

is, on the one hand, that I have worked with it before. It certainly streamlines and facilitates text analysis, making it a valuable tool for conducting narrative analysis. On the other hand, a cost-effective access could be obtained through the University of Vienna, making it a practical and affordable solution (Universität Wien, “MAXQDA”).

Regarding the analysis approach, I decided to combine a conceptual analysis (Babbi, 2020:334-335) and an event-centered narrative analysis, as presented by Molly (2013). This type of analysis concentrates on the narrative created by an individual regarding a specific event. Therefore, I applied a systematic top-down non-random stratified cluster sampling process to clean the data through standardization by coding, including manifest and latent meaning (Babbi, 2020). This process involved four analytical stages. First, I read the transcriptions and identified instances of agency, creating a cluster in MAXQDA. After that, in a second stage, I identified in which part of the asylum system the instance of agency occurs, specifically in which step of the asylum procedure.⁸ Having identified this, in a further stage, I looked at the specific area in which the instance of agency occurs, for example, in relation to health, education, or employment.⁹ In a fourth stage, having established the step and the area in which agency occurs, I analyzed the reason behind it and the form in which it takes place. This could be described as an abductive process (Fletcher, 2017) of data standardization.

This analytical standardization of the data allowed me to conduct the event-centered narrative analysis. The combination of step, area and reason creates the event that leads to the form of agency. In an additional stage, I tried to analyze the perspective of the participant on her agency, if possible. Only after analyzing each interview individually in this manner, I conduct a conceptual analytical comparison of the events identified in the different interviews to establish similarities and differences, in accordance with narrative analysis (Riessman, 2008). The results of the analysis will be presented with a high level of data anonymization.

At this point, it is worth emphasizing that I have chosen, in order to protect the participants' data, not to allow explicit recognition of individual narratives. In other words, the analysis is structured in such a way that specific narrative developments of an individual cannot be identified or tracked, as this would facilitate the recognition of individual participants. For this reason, I do not specify which interview a particular quote comes from, and I only speak in general terms of a “participant.” Similarly, when presenting passages from various participants, the numbering of these does not imply that ‘participant A,’ for example, is also ‘participant 1’

⁸ The steps of the asylum procedure are explained in the chapter 3.1.

⁹ These areas are explained in the chapter 3.2.

and/or ‘participant I’ later. This method of anonymizing the interviews is highly effective, as it adds to the fact that I do not mention specific dates, cities, airports, names of refugee camps or workplaces, gender of the children, number of family members, and family composition. These aspects were only mentioned if necessary and always under the premise of not compromising the participants' identities in any way. While this high degree of anonymization limits my ability to fully exploit the potential of the interviews, my primary commitment will always be to protect the participants' data. For this reason, only the supervisor of this work received the interview transcripts, and he also committed to deleting them. The anonymized analysis will be presented in chapter five after explaining the German asylum system and the quantitative scale of the Venezuelan forced migration to Germany.

3. The German asylum system¹⁰

In order to understand the structures in which the Venezuelan asylum seekers move, it is important to understand the German asylum system. However, as part of the European Union, it is important to understand that the German asylum system not only follows the 1951 Geneva Refugee Convention, but also the guidelines of the Common European Asylum System (CEAS). I will not discuss the components of the CEAS in detail, but it is important to mention them briefly, as they obviously play a role in the German asylum system.

The CEAS contains three directives, two regulations and an agency to facilitate its implementation at the European level. The Reception Conditions (Directive 2013/33/EU of 26 June 2013), the Asylum Procedures (Directive 2013/32/EU of 26 June 2013) and the Qualification directives (Directive 2011/95/EU of 13 December 2011) aim to ensure common standards for the reception conditions provided to asylum seekers across the EU, to create a coherent common system for the procedures and to establish clear criteria for defining who receives what type of protection and what that protection entails (European Commission, “Common European Asylum System”). The Dublin III Regulation (Regulation (EU) No 604/2013 of 26 June 2013) establishes the criteria for determining which country is responsible for examining and carrying out the asylum process (European Commission, “Common European Asylum System”). This process is supported by the EURODAC Regulation, which is the EU’s fingerprint database of all asylum applicants and persons apprehended in an irregular border crossing (“EURODAC: European System for the Comparison of Fingerprints of Asylum Applicants.” EUR-Lex). The last element of the CEAS is the European Union Agency for Asylum (EUAA), which aims to improve the cooperation within the EU and the

¹⁰ The glossary is specially useful during this chapter.

functioning and implementation of the CEAS (European Commission, “Common European Asylum System”).¹¹ The EUAA also carries statistical information at the European level.

The German asylum system certainly includes the different elements of the CEAS and the 1951 Geneva Convention. It is also a complex system of different laws.¹² To better explain the German asylum system, I have decided to divide it into two parts. On the one side is the ‘asylum procedure.’ Here I refer to the bureaucratic process related only to the application procedure itself that the Venezuelan asylum seeker follows to receive an answer and the different possible answers.¹³ This procedure is divided into specific steps that will serve as a guide for the rest of the paper. On the other side is what I refer to as ‘rights and obligations.’ Within this broad concept are, as the name indicates, the rights, benefits, obligations, and limitations in different areas such as education, work, health, housing, and mobility that asylum seekers have during the asylum procedure and afterwards depending on the response. These rights and obligations create conditions that determine their everyday life. The German asylum system is legally based on different laws. It is important to mention that those laws are frequently subject to modifications. Therefore, it is crucial to always bear in mind that they are highly susceptible to change. Having clarified this, it is relevant to mention that this chapter was written between May and July of 2023.

3.1. The asylum procedure

When I refer to the German asylum procedure, I am referring to the administrative procedure by which the asylum seeker is granted or not granted some kind of protection in Germany and the possible consequences of the different decisions. This encompasses all bureaucratic steps from arrival in Germany to the asylum decision by the Federal Office for Migration and Refugees (*Bundesamt für Migration und Flüchtlinge* - BAMF) and its enforcement by the Foreigners’ Office¹⁴ (*Ausländerbehörde*). These steps are all those between one and nine in Figure 1. The asylum procedure is legally stipulated in the German asylum law, *Asylgesetz* (AsylG). However, the possible different protection statuses given by the BAMF and the residence permit given by the Foreigners’ Office depending on the BAMF’s decision, as well

¹¹ While I present the CEAS in a detached manner here, many aspects of the CEAS are the subject of heated debate and discussion that I do not include here.

¹² When referring to German laws and/or institutions I will use the German abbreviations. For a quick overview see the glossary.

¹³ This is an important remark, since Ukrainians follow a different process.

¹⁴ I have decided to use ‘Foreigners’ Office’ as the translation for ‘*Ausländerbehörde*.’ However, it is important to mention that translations can vary significantly. Since these offices are at the municipal level, the English translation found on the websites of the offices of different municipalities or cities can vary greatly. In other words, there is no standardize translation at the state level, let alone at the national level.

as the procedures in case of a negative response, are not all covered by the AsylG, but also by other laws like the residence law (*Aufenthaltsgesetz* – AufenthG). First, I will proceed now to explain the asylum procedure step by step and then, secondly, go on to explain the possible responses with their legal consequences in detail.

3.1.1. The procedure step by step

The asylum procedure is a long complex bureaucratic course of action. For ease of understanding I have simplified the procedure in Figure 1, mainly based on the BAMF's document "*Ablauf des deutschen Asylverfahrens*" (2023), and I will proceed now to explain the steps one to nine.

1. Arrival:

The entry to Germany by individuals intending to seek asylum typically occurs by land or air. While the arrival in Germany itself is not necessarily part of the asylum procedure, the mode of entry and the timing of the asylum request can indeed be relevant in the procedure (BAMF, 2023 "*Ablauf des deutschen Asylverfahrens*": 9).

2. Asylum request:

A person who arrives in Germany must notify their intention to seek asylum to state institutions either upon entry or shortly after their arrival, which officially starts the asylum procedure. This opens three possibilities. If the intention to seek asylum is notified immediately upon entry this can be done, depending on the mode of arrival, directly at the airport or at the border (ibid.). The other option is to make the notification after entering the country, which can be done at various state institutions, facilities, or services, such as the Foreigners' Office, a refugee camp, or a police station, among others (ibid.). Should a person declare their intention to seek asylum upon entering at the airport, the so-called airport procedure (*Flughafenverfahren*). This is a quick procedure, in which Steps 3 to 6 are carried out in a maximum of two days (ibid.: 49).

3. Registration in the AZR:

In accordance with the EUODAC, after requesting asylum, the personal data of the applicant is collected and fingerprints are taken if the individuals are over six years old (ibid.: 10). These data are stored in the Central Register of Foreigners, AZR (*Ausländerzentralregister*) (ibid.: 10-11). The data are used to determine whether the person is applying for asylum for the first or second time or has multiple applications in the EU, helping to define which country is responsible for the asylum procedure. At the same time, a criminal background check is

conducted (ibid.: 10). Once registered, the asylum seeker receives an arrival certificate (*Ankunftsnaheis*), which allows them to stay in Germany and grants them certain benefits such as accommodation and medical assistance (ibid.: 11).

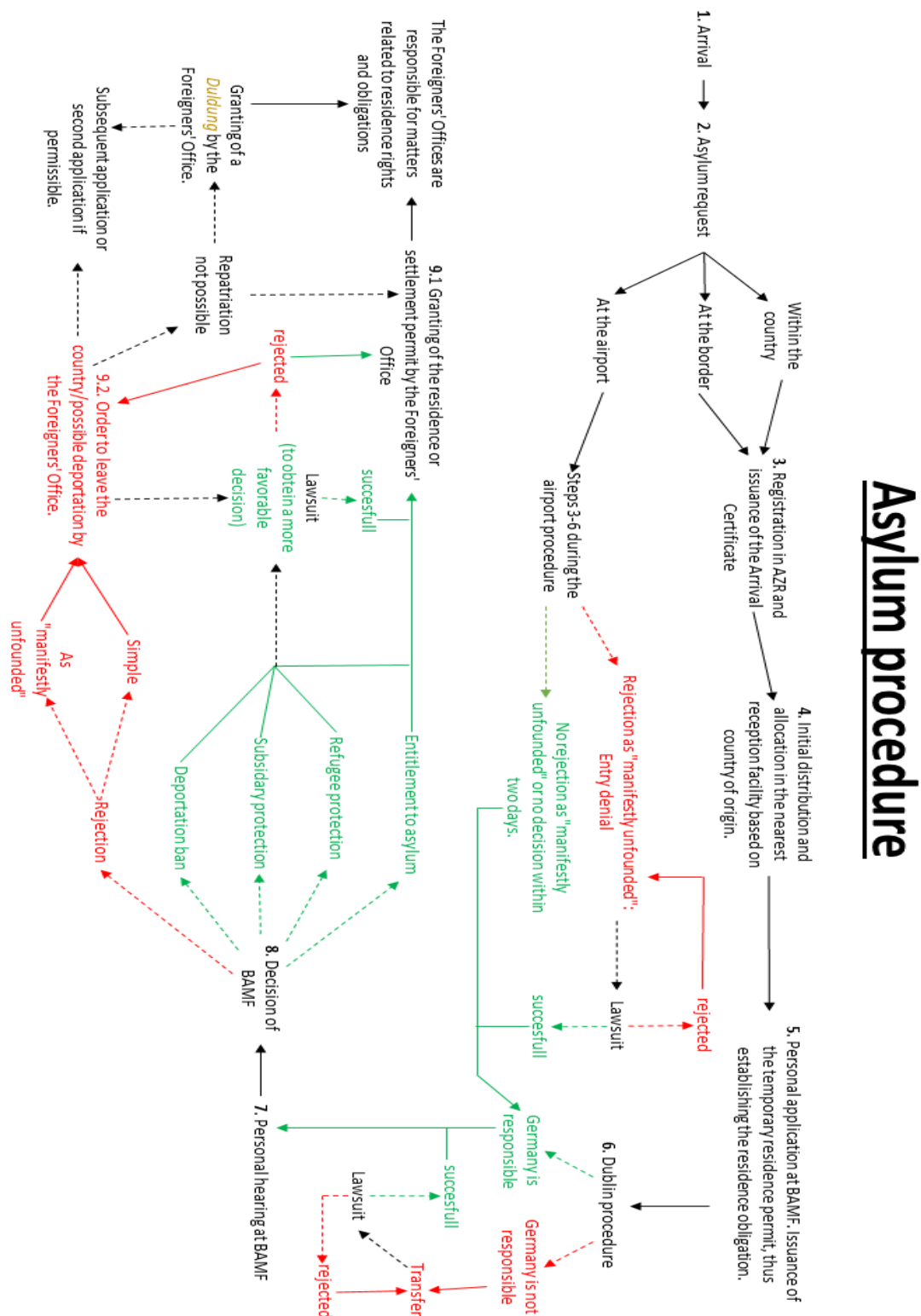


Figure 1. Asylum procedure. Original representation based on “Ablauf des deutschen Asylverfahrens” (BAMF, 2023) as data source.

4. Initial distribution and allocation:

After registration, the asylum seeker is allocated and placed in the nearest initial reception facility (refugee camp) based on the quota system EASY (*Erstverteilung von Asylbegehrenden*) (ibid.: 12-13). The EASY quota system applies the so-called *Königsteiner Schlüssel*, which determines the financial contribution that each federal state should make to the country, to also determine the percentage of asylum seekers that each federal state should accommodate (BAMF, 2022, “Erstverteilung der Asylsuchenden”). This is combined with a system of responsibility by country of origin. This system defines which offices of the BAMF are responsible for asylum seekers based on their country of origin (ibid.). Often, this results in specific federal state being responsible for all asylum seekers from a particular country. However, whether this is the case depends on the number of asylum seekers from a specific country of origin and the percentages each federal state must accept (ibid.). It is important to mention that during the timeframe considered in this work, Saxony has been the sole responsible federal state for all Venezuelan asylum seekers in Germany (Ton, 2019: 418).

5. Personal application at BAMF and issuance of the temporary residence permit:

After being accommodated, asylum seekers are invited to their first appointment at BAMF (BAMF, 2023 “Ablauf des deutschen Asylverfahrens”: 14). This meeting takes place at a BAMF office, the reception facility, or a so-called AnKER-facility (*AnKER-Einrichtung*) (ibid.).¹⁵ This appointment is conducted in person, and exceptions are rarely made (ibid.). With the assistance of an interpreter, the person officially applies for asylum before the BAMF and is informed about their rights and obligations during the asylum procedure (ibid.), which will be explain later. This information is also given in writing in their native language (ibid.). If possible, the applicant should provide proof of their identity, for example through a passport (ibid.). Apart from this, the appointment also aims to collect the necessary information to be able to carry out the Dublin procedure (ibid.: 17). During this first meeting at BAMF the asylum seeker receives a maximum six-month temporary residence permit (*Aufenthaltsgestattung*), with the possibility of extension, for the duration of the procedure (ibid.: 15; section 63 AsylG), and the residence obligation as well (BAMF, 2023 “Ablauf des deutschen Asylverfahrens”: 15), which will be explain later.

6. Dublin procedure:

¹⁵ These types of facilities aim to bring together all offices, institutions, and services of the state relevant during the asylum procedure in one location, under the pretext of streamlining the process by reducing distances. It is controversial.

Following the provision of the Dublin III regulation and based on the information provided in the first appointment at the BAMF (Step 5.), the Dublin procedure is carried out to determine which European Union member state, Norway, Iceland Liechtenstein, or Switzerland is responsible for processing the asylum request (ibid.: 16). If this examination leads to the result that another country is considered responsible for processing the asylum application, the applicant is transferred to that country (ibid.: 17). However, the applicant can appeal this decision before the transfer takes place (ibid.: 16-17).

7. Personal hearing at BAMF:

If the Dublin procedure determines that Germany is responsible for processing the asylum application, or if the appeal is successful, the asylum seeker is invited in person to a second appointment at the BAMF to conduct a personal hearing. During this hearing, with the support of an interpreter, the asylum seeker has the opportunity to present in detail and comprehensively their case, provide, if possible, additional information and evidence, explain the reasons for seeking asylum, and assess what circumstances they would face if they returned to their country of origin (ibid.: 19). This hearing is private and is conducted before a decision-maker (*EntscheiderIn*) who, in theory, possesses extensive knowledge about the political situation in the applicant's country of origin (ibid.: 18-19). Apart from the asylum seeker, the decision-maker, and the interpreter, a lawyer, a representative from the United Nations Refugee Agency (UNHCR) and/or a trusted person for support (if that person is identifiable and not themselves involved in an asylum procedure) may also be present (ibid.: 18). At the end of the hearing, they are provided with a protocol of the appointment in their language, allowing them to make corrections and/or additions if they deemed necessary. With their signature, they confirm the veracity of the final version of the protocol (ibid.: 19).

8. Decision of BAMF:

Based on an examination of the personal hearing and the collected documents and evidence, the BAMF decides grounded in the AsylG, the AufenthG and the German constitution (*Grundgesetz – GG*), whether a form of protection is granted and which one (ibid.: 21-28). This decision is communicated in writing to the asylum seeker and to the corresponding Foreigners' Office, along with the supporting arguments (ibid.: 21). Out of the five possible decisions, four can be appealed (except for refugee protection) (ibid.:29). Unless appealed, the decision of the BAMF marks the end of the asylum procedure, because the ninth step is the application of the decision by the Foreigners' Office (ibid.: 31). The decisions and their consequences will be explained in the next subchapter.

9. The Foreigners' Office enforces the BAMF's decision

Once the BAMF's decision is final, it is the responsibility of the Foreigners' Office to execute it (ibid.). In the case of a positive decision, the Foreigners' Office grants the right of residence or settlement (ibid.). In the case of a negative decision, it request the asylum seeker to leave the country or, if deemed necessary and possible, carries out the deportation of the individual (ibid.). If the person's departure from the country is not possible, the Foreigners' Office may grant a right to stay or a *Duldung* (ibid.).

In Germany there is the possibility of making a subsequent application (*Folgeantrag*) or a second application (*Zweitenantrag*) (ibid.: 28). A subsequent application is when a person, after receiving a negative decision in Germany, submit a new asylum application (Section 71 AsylG). However, because the person has already presented certain reasons for seeking refuge that were not sufficient, before the subsequent application is accepted, the person must demonstrate that there are new reasons for seeking refuge or that the situation has changed to such an extent that the previously stated reasons must be reassessed (BAMF, 2023 "Ablauf des deutschen Asylverfahrens": 28). The second application refers to cases where a person, who sought asylum in a third safe country and received a negative decision, applies for asylum in Germany. As in the case of a subsequent application, the person must demonstrate new reasons or a change in the situation, and in addition to that, Germany must be responsible for processing it based on the Dublin procedure (Informationsverbund Asyl & Migration, 2023: "Folge- und Zweitantrag"). If these criteria are met, the acceptance and initiation of a subsequent application or a second application restarts the asylum procedure from the beginning.

3.1.2. The different decisions and their consequences

The five possible decisions that the BAMF can make are complex to understand, both regarding the considerations that lead to them and the consequences regarding staying permit and family reunification for the asylum seeker. I will now explain the required conditions for obtaining each of the forms of protection that exist in Germany and the legal consequences associated with the different decisions in relation to family reunification and the residence permit. While the entitlement to asylum (*Asylberechtigung*) could be considered the highest form of protection, it is easier to explain the refugee protection first and then append to it the other forms of protection.

Refugee protection

The protection of refugees at the international, European, and German levels is determined by the 1951 Geneva Refugee Convention. This international legal agreement establishes who should be legally recognized as a ‘refugee’ and the rights associated with this status. This means that the refugee protection is an international form of protection. The convention of 1951 defined refugee as:

a person who owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it. (UNHCR, 1951)

Initially this definition applied only to European refugees before 1951. However, the 1967 protocol removed the temporal and geographical scope of the definition (UNHCR, 1967). As mentioned above, the convention established also certain rights and protections that should be granted to refugees, including the right to work, education, social welfare and the important non-refoulement principle (refugees should not be returned to a country where they would face prosecution).

The requirements of the 1951 Geneva Convention are enshrined in the EU Qualification Directive and in Germany in the section 3 of the AsylG. For instance, to obtain the refugee protection there must be a well-founded fear of persecution. To establish this, both the perspective of the asylum seeker and the circumstances in the country of origin must be considered.

It is also necessary to demonstrate the existence of acts of persecution. These acts are primarily serious violations of human rights or cumulations (the accumulation of numerous measures that significantly affect the individual in a comparable level to a serious violation of human rights), as exposed in section 3a (1) no. 2 AsylG. This opens a list of many possible actions and measures that are considered, either in themselves or based on the cumulation-principle, as acts of persecution (Section 3a (2) of the AsylG). However, the examination of the individual’s case does not limit itself to the listed actions (Informationsverbund Asyl & Migration, 2023: “Flüchtlingsschutz”).

The persecution may come from the State, actors connected with the State or non-governmental actors, provided that, in the case of the latter, neither the State nor international organizations

are able to protect the person. Therefore, it must be established that an internal protection was not possible. If flight to another part of the country of origin was possible, where protection could be obtained and a full life could be lived, then the applicant will be denied, even if all other requirements are met (Section 3 of the AsylG).

Apart from that, the persecution must be due to one of the grounds listed in the Geneva Convention (race, religion, nationality, membership of a particular social group or political opinion). How these broad concepts are to be understood and interpreted is given in the AsylG (Section 3b (1) no. 1-5).

A person cannot be granted this protection form if he or she has committed a crime against humanity, a serious non-political crime outside Germany or acted contrary to the principles of the United Nations in terrorist acts. If the person is considered a risk to the security of Germany or the population because he or she has committed a crime punishable by more than three years' imprisonment, or in certain cases depending on the crime one year's imprisonment, refugee protection may also be denied (Informationsverbund Asyl & Migration, 2023: "Flüchtlingsschutz").

To recapitulate, a person who can prove to be a victim of persecution for the reasons listed in the 1951 Geneva Convention, either through serious violations of human rights or the cumulation of measures amounting to such seriousness, whether by governmental or non-governmental actors, and is unable to flee internally and for all these reasons is in fear of persecution if returned to his or her country of origin, is entitled to refugee protection, provided he or she has not committed crimes that would prevent him or her from obtaining it.

It is important to mention that the definition does not cover the full range of reasons for displacement, since new complex causes escape its legal framework (Koser, 2016: 55). It fails to account for the growing number of people forced to flee their homes because of poverty, inequality (Bett, 2013: 5), climate change, natural disasters, other non-persecutory factors (Betts & Collier, 2017: 11), generalized violence (Fiddian-Qasbiyeh et al., 2019: 34), and sometimes persecution by private parties (Markard, 2015: 26), among others. In such cases, another form of protection may apply.

The refugee protection entails a residence permit for three years (Section 25 (1-2) AufenthG). This permit can be renewed. After three or five years, depending on the fulfillment of certain requirements, the refugee can obtain the settlement permit. An important point is that the

refugee is entitled to family asylum (*Familienasyl*) and has privileged access to family reunification (*Familiennachzug*) (BAMF, 2023 “Ablauf des deutschen Asylverfahrens”: 23).

Family asylum means that if an asylum seeker receives refugee protection, upon application his or her family members in Germany will also be granted asylum. Family members are spouses, registered partners, unmarried minor children, the custodial parents/adult person of an unmarried minor, and unmarried minor siblings of a minor (BAMF, 2019: “Familienasyl und Familiennachzug”)

As the name says, family reunification aims to bring family members of a person that received refugee protection to Germany in order to reunify the family. In this case only spouses and children are family members. A privileged access to family reunification means that there is a priority to reunify the family of the person in question (BAMF, 2019: “Familienasyl und Familiennachzug”)

Entitlement to asylum

The so-called entitlement to asylum (*Asylberechtigung*) is not an international protection, but is unique to Germany and is legally founded in the German constitution (*Grundgesetz*) in the article 16a GG. Although the benefits do not differ from those of refugee protection, this form of protection is considered by the German asylum system to be the highest one. The conditions for receiving it are similar to those mentioned above for refugee protection, but even more strict, making it more complex to obtain. While the reasons for persecution are the same as those listed in the 1951 Geneva Convention, the persecution must be carried out by the State (BAMF, 2023 “Ablauf des deutschen Asylverfahrens”: 22). Therefore, the asylum seeker should be a victim of political persecution (*ibid.*). The other marked difference is that the escape cannot have occurred through a safe third country (Art. 16a (2) GG). Since all countries bordering Germany are considered safe countries according to the law (Section 26a (2) AsylG; Annex 1 of the AsylG), this means that, for instance, any entry by land of an asylum seeker would immediately deprive them of the possibility of obtaining the entitlement of asylum.

An asylum seeker granted entitlement to asylum enjoys the same points mentioned above for refugee protection: a renewable residence permit for three years (Section 25 (1-2) AufenthG), the possibility of obtaining a settlement permit after three or five years, family asylum and privileged access to family reunification (BAMF, 2023 “Ablauf des deutschen Asylverfahrens”: 22).

Subsidiary protection

The subsidiary protection is considered the third highest form of protection. Like the refugee protection and unlike the entitlement to asylum, it is an international form of protection. The requirements for obtaining subsidiary protection are similar to those for obtaining refugee protection, but with some important differences that make it easier to obtain. This means that if the BAMF, in its examination of the individual case, determines that the person does not meet the requirements for the entitlement to asylum and for the refugee protection, the next form of protection evaluated is the subsidiary protection.

The key and only difference with the next higher form of protection is that the requirement of persecution for one of the reasons listed in the Geneva Convention is not necessary (Oubensalh, 2019). However, the asylum seeker must demonstrate that they are at risk of suffering serious harm in their country of origin (Section 4 (1) of the AsylG). Serious harm, according to the AsylG, includes the imposition or execution of the death penalty, torture, inhuman or degrading treatment or punishment, or a serious individual threat to the life or integrity of a civilian as a result of indiscriminate violence in the context of an international or internal armed conflict (Section 4 (1) no. 1-3). This makes the subsidiary protection a complementation of the international protection scheme by covering some of the causes overlooked by the Geneva Convention (Oubensalh, 2019).

The subsidiary protection entails a one-year resident permit (Section 25 (2) AufenthG). The resident permit can be extended for two years more. A settlement permit is possible after five years, including the asylum procedure time, if other conditions are fulfilled (like securing one's own livelihood or possessing a good German level). The person is also entitled to family asylum. However, subsidiary protection has limited access to family reunification (a contingent of thousand people per month). This limited access exists only since 2018, before that date the subsidiary protection did not entail any access to family reunification (BAMF 2023 "Ablauf des deutschen Asylverfahrens": 26-27).

Deportation ban

If none of the three forms of protection explained above apply, Germany also has the deportation ban based on reasons related to the country of origin. This is the lowest form of protection. It is not regulated in the AsylG but in the residence law (AufenthG). There are two reasons why an asylum seeker may receive this type of protection if the others do not apply.

The deportation ban is granted if the deportation would expose the applicant to a violation of any of the rights stipulated in the European Convention of Human Rights (ECHR) in the country

of origin (Section 60(5) of the AufenthG). This type of protection is often subject to much debate, as the violation of some of the rights stipulated in the ECHR can also be a justification for subsidiary protection. Typically, this form of protection is applied when the country of origin presents a precarious situation in terms of humanitarian conditions comparable to inhuman or degrading treatment (Eichler, 2019: 68-70).

The second reason, partially overlapping with the previously mentioned points, prohibits the deportation of an asylum seeker if it poses a significant threat to their life, physical integrity, or freedom in the destination country (Section 60 (7) of the AufenthG). It is often applied in cases where a person faces a significant health risk in their country of origin if they are potentially life-threatening or due to a severe illness. Such risks must be confirmed by a qualified medical professional (Eichler, 2019: 72-75).

The resident permit obtained through the deportation ban is at least for a year (Section 25 (3) AufenthG). It can be renewed multiple times. The conditions for obtaining a settlement permit are the same as for the subsidiary protection. The deportation ban does not entail family asylum or any access to family reunification (BAMF 2023 “Ablauf des deutschen Asylverfahrens”: 25).

Rejection / *Duldung*

If the applicant does not receive any form of protection, it means that their asylum application has been rejected. The applicant can appeal this decision in a court. If the decision is upheld, the Foreigners’ Office will request the applicant to leave the country, and if deemed necessary, carry out his or her deportation (as explained in Step 9.). However, if the applicant’s departure or deportation is not possible (for example, due to health reasons), the Foreigners’ Office may issue a *Duldung* (toleration). *Duldung* is a temporary very limited renewable permit to stay given to the person until their departure from the country becomes feasible (NETZWERK Unternehmen integrieren Flüchtlinge, 2021). In other words, their stay in Germany is tolerated until they can leave. *Duldung* is not a form of protection, nor is it a decision made by the BAMF. Therefore, legally speaking, it is not considered part of the asylum system. However, its application has significantly increased (ibid.), making it relevant, which is why it is presented here as part of the system.

The *Duldung* is given according to the time that the Foreigners’ Office considers that it will take to carry out the deportation. If the deportation date is not foreseeable, it is usually granted for three to six months with the possibility of being renewed multiple times (ibid.). There are

different forms of *Duldung*: Claim to toleration (*Anspruchsduldung*), discretionary toleration (*Ermessensduldung*), toleration for persons with unclear identity (also call ‘*Duldung-light*’), educational toleration (*Ausbildungsduldung*), and employment toleration (*Beschäftigungsduldung*) (ibid.). The claim to toleration is given in cases where the deportation is impossible for factual or legal reasons, for example due to missing travel documents, family ties, medical reasons, etc (60a (2) AufenthG). The discretionary toleration is given “if urgent humanitarian or personal reasons or substantial public interests require his or her temporary continued presence in the federal territory” (60a (2) AufenthG). The so-called *Duldung-light* is given if there are obstacles to deportation for which the person is responsible, especially regarding the clarification of identity (60b AufenthG). The other two types are issued when the person is undergoing vocational training (60c AufenthG) or because of employment (60d AufenthG). The different forms of *Duldung*s have different implications regarding the rights and obligations. As mentioned before, *Duldung* is not a form of protection and therefore it does not entail family asylum or any access to family reunification.

3.2. Rights and obligations

The rights and obligations of an asylum seeker are crucial to understand the agency framework in which they move. Such rights and obligations change considerably depending upon the asylum seeker being still in the asylum procedure (Steps 2-8) or on the decision given by the BAMF. I will now first explain the rights and obligations of the asylum seeker during the asylum procedure and then continue with the conditions depending on the decision of the BAMF.

3.2.1. During the asylum procedure

As explained before, after Step 5 the asylum seeker receives a temporary residence permit (*Aufenthaltsgestattung*). This permit is issued for 6 months and constantly renewed for the duration of the asylum procedure (BAMF, 2023 “Ablauf des deutschen Asylverfahrens”: 17). The permit ends after the final unappealable decision of the BAMF, the deportation, if after 2 weeks of the issuance of the arrival certificate (Step 3) no personal application has been made (Step 5), or if the asylum seeker decides to withdraw the application (Informationsverbund Asyl & Migration 2023, “Aufenthaltsgestattung”) The issuance of the temporary residence permit entails certain rights and obligations. The Social Welfare Office (*Sozialamt*), the Federal Employment Agency (BA - *Bundesagentur für Arbeit*) and the Foreigners’ Office are responsible to provide and control those rights and obligations.

Obligations

There are four main obligations that the asylum seeker must follow: the duty to cooperate (*Mitwirkungspflicht*), the duty to reside in an assigned accommodation (*Wohnpflicht*), the duty to stay within a designated area (*Residenzpflicht*), and the obligation to maintain a specific place of residence (*Wohnsitzauflage*) (Dieckmann, “Rechte und Pflichten von Asylsuchende”).

The first obligation, as the name suggests, is the duty to cooperate during the asylum procedure (Section 15 AsylG). This includes, for example, attending appointments at the BAMF and other state institutions. It also entails cooperating by providing the necessary documents to the best of their ability, allowing measures to facilitate their identification, informing the authorities of changes in address, and being available and reachable for the authorities (Dieckmann, “Rechte und Pflichten von Asylsuchende”). However, it is important to note that such cooperation does not imply the obligation to approach the authorities of their country of origin (such as embassies and consulates) to obtain or renew certain documents (like the passport), as doing so may result in persecution by those authorities (Informationsverbund Asyl & Migration 2023, “Pflichten von Schutzsuchenden während des Asylverfahrens”).

The second obligation (*Wohnpflicht*) is the duty to reside in the initial reception facility. This obligation can last up to 18 months. In case of non-compliance with the first obligation, the duration can even be extended (Section 47 AsylG). In specific cases where the application is rejected as inadmissible or manifestly unfounded, this obligation can be extended up to 24 months (Informationsverbund Asyl & Migration 2023, “Pflichten von Schutzsuchenden während des Asylverfahrens”). However, in the case of families with children, this obligation can last a maximum of six months (Section 47 AsylG).

The third obligation (*Residenzpflicht*) is closely related to the second one. As long as the second obligation is in effect, the asylum seeker has the duty to remain within the designated area (city or county) where the initial reception facility is located (56 AsylG). Any departure of the designated area requires permission of the authorities (Dieckmann, “Rechte und Pflichten von Asylsuchende”). The third obligation ends when the second one ends. Nonetheless, this obligation can be reinstated, regardless of whether the person is no longer residing in an initial reception facility, as a form of punishment or in case of imminent deportation (Informationsverbund Asyl & Migration 2023, “Pflichten von Schutzsuchenden während des Asylverfahrens”).

The fourth obligation comes into effect upon the termination of the obligation to reside in a reception facility (Dieckmann, “Rechte und Pflichten von Asylsuchende”). After the end of the second obligation, the asylum seekers are distributed within the federal state. They have the obligation to maintain the specific place of residence given to them if they receive social benefits (*Wohnsitzauflage*) (Section 60 AsylG). There is a possibility to request a change of residence to the Foreigners’ Office, but the success depends heavily on the arguments presented (Informationsverbund Asyl & Migration 2023, “Pflichten von Schutzsuchenden während des Asylverfahrens”). It is important to note that this obligation only pertains to the place of residence. The asylum seeker is free to temporarily move without having to seek permission from the authorities (Section 60 (1) AsylG). However, the requirements of the first obligation, including being available, are still in place, which is why they are still asked to report their travels, for example.

Rights and limitations

In addition to these obligations, asylum seekers also have certain rights and limitations in various areas. The areas mentioned here are education, work, and healthcare. The areas of housing and freedom of movement have been already covered in the obligations. Asylum seekers receive benefits according to the Asylum Seekers’ Benefits Act (AsylbLG – *Asylbewerberleistungsgesetz*). After 18 months they receive benefits according to the German Social Security Code (SGB) (Informationsverbund Asyl & Migration, 2023 “Rechte von Schutzsuchenden während des Asylverfahrens”). Benefits are divided into in-kind benefits and cash benefits according to the AsylbLG. While residing in a reception facility they receive primarily in-kind benefits, meaning for example food, clothes if necessary, housing, among others (Section 3 (2) AsylbLG). Only after that they receive cash benefits for self-sufficiency (Section 3 (3) AsylbLG).

When it comes to access to education, it is important to note that in the case of asylum seekers certain aspects are regulated at the national level, while others at the state level. Indeed, while the right to school education is regulated at the national level, the obligation to attend school is regulated at the state level. In Saxony for example, in the case of minors, compulsory school attendance applies for all children regardless of the residence status after the termination of the second obligation (Stadt Leipzig, “Schule Und Bildung Für Flüchtlinge”). From this point on it is only a question of finding a school nearby with available places and possibly with a specialized course in German as a foreign language (*Deutsch als Fremdsprache/DAF*) or as a second language (*Deutsch als Zweitsprache/DAZ*).

In the case of adults, vocational training in a company is only possible after the duty to reside in the initial reception facility has ended (Section 61 AsylG), with a permit of the Foreigners' Office (and possibly, depending on the vocational training, from the Federal Employment Agency), because it is considered work. School-based vocational training, on the other hand, does not require permission, because it is not considered work. However, the specific requirements and conditions of the school must be fulfilled. Adult asylum seekers may also be eligible for various forms of educational and/or financial support from the state for vocational training (Voigt, 2023). University studies are possible without the need for permission if the academic requirements for admission to the university are met. However, this in most cases implies a validation of foreign school and academic qualifications and a good command of the language (Informationsverbund Asyl & Migration, 2022 "Studium"). This makes the so-called integration courses (only for adults) increasingly important. These courses consist of two significant parts. On one hand, there is a cultural and legal orientation course that provides an understanding of how German society functions. On the other hand, there are German language courses. Individuals within the asylum procedure can participate in these courses (with the state covering the costs) if there are available slots according (Section 44(4) AufenthG). However, this is only possible if permanent residence is expected (applicable to asylum seekers from Afghanistan, Eritrea, Somalia, and Syria) (Informationsverbund Asyl & Migration, 2023 "Sprach- und Integrationskurse"). For all others, participation is only possible if they entered before August 1, 2019, and have a certain "proximity to the labor market." So, everything remains very general and open to interpretation in this case (ibid.).

Regarding employment, asylum seekers are prohibited from working while the second obligation (*Wohnpflicht*) is in effect (Section 61 AsylG). However, there are exceptions to this rule, such as when the asylum procedure is not completely closed after nine months, when the Federal Employment Agency (BA - *Bundesagentur für Arbeit*) approves a specific job, or when such permission is not required for the desired job, among others (Section 61 AsylG). Once the second obligation is terminated, a work permit from the Foreigners' Office is required, and in certain cases also from the employment agency depending on the job (Section 4a AufenthG).

Regarding access to the health care system, for the first 18 months or until the end of the asylum procedure the asylum seeker only has access to treatment of acute illnesses and pain conditions (see Section 4 AsylbLG). The Social Welfare Office (*Sozialamt*) is responsible to provide and control the access to the health care system. Additional services are only allowed if completely necessary (for example in cases where an expert opinion is necessary for the BAMF to take a decision). In some federal states the asylum seeker gets a health card, in others it is still common

to apply for treatment vouchers. After 18 months, those entitled to benefits have access to regular health services (Informationsverbund Asyl & Migration, 2023 “Rechte von Schutzsuchenden während des Asylverfahrens”).

3.2.2. After the decision of the BAMF

Once the decision has been taken by the BAMF, the legal status given to the individual entail obligations and rights that change slightly depending on the decision taken. I will first present the forms of protection, as these contain almost the same obligations and rights. I will then continue to explain the differences with the *Duldung*.

The four forms of protection

After the asylum seeker is granted a form of protection the Social Welfare Office (*Sozialamt*) and the Federal Employment Agency (*Bundesagentur für Arbeit*) cease to be responsible for the person. Instead, for as long as the person receives social benefits, the *Jobcenter* is responsible in the case of adults for all education and work-related issues, as is the case for any unemployed German national. Therefore, as far as social benefits are concerned (SGB I-XII), recipients of any form of protection are essentially equal to Germans (Informationsverbund Asyl & Migration, 2023 “Anerkannte Schutzberechtigte”). The same applies in the case of the healthcare system. The person is affiliated to a public insurance company, which puts them at the level of any citizen.

As far as obligations are concerned, recipients of a form of protection must comply with the fourth obligation (*Wohnsitzauflage*) for three years (Section 12a AufenthG). However, there are several exceptions that allow this obligation to be suspended, for example if a person no longer receives social benefits because he or she has taken up an employment subject to social insurance contributions (Section 12a (5) AufenthG). If such work, for example, is located outside the federal state, that would be a cause for termination of the fourth obligation. Recipients of a form of protection do not have to comply with any other obligations, which means that they can also move freely. However, a trip to the country of origin may be cause for removal of the form of protection.

Regarding the education of the children, families are entitled to childcare for children older than 1 year (24. SGB VIII), as any other German national. Entitlement to how many hours depends on the individual situation of the parents and can change depending the federal state. In the case of school education, as explained before, there is a right to school education at the national level and an obligation to attend school at the state (federal) level. In the case of adults,

they are entitled to participate in integration courses according to section 44 (1) of the AufenthG. It is also mandatory to do so if the German language skills are insufficient or "special integration needs" are necessary (Section 44a AufenthG). If the person has the desired language level, no work permit from the Foreigners' Office is required for school-based or in-company vocational training. The person is also entitled to various training subsidies (Karstens et al., 2020). As in the case of the asylum seekers during the procedure, university studies are possible without the need for permission if the academic requirements for admission to the university are met.

Regarding work, persons granted a form of protection have an unrestricted access to the labor market, whether employed or self-employed (provided the requirements, which also apply to Germans, are met) (Section 4a AufenthG). As for the access to the healthcare system, the affiliation to a public insurance company put them on the same access level as any German national.

It is important to mention, that recipients of refugee protection and entitlement to asylum do not have to obtain a passport from their embassy. They receive travel documents for refugees from Germany. If they obtain a passport at their embassy, this may lead to a revocation procedure. Leaving aside the temporal scope of the residence permit and the access to family reunification, this is the main difference with the other two forms of protection. Recipients of subsidiary protection and deportation ban do not receive an international travel document for refugees. They are supposed to cooperate in obtaining a passport. However, this is not decisive for the issuance of a residence permit. If this is unreasonable, they receive a replacement passport.

Duldung

As explained above, *Duldung* is not a form of protection, but a maximum six-month renewable permit to stay given to a rejected asylum seeker until their departure or deportation from Germany becomes feasible. Consequently, people with a *Duldung* do not receive the same rights as people with a form of protection. Their obligations and rights remain very similar to those of an asylum seeker during the procedure. The Social Welfare Office and the Federal Employment Agency remain responsible to provide and control those rights and obligations. Persons with a *Duldung* receive benefits according to the AsylbLG. After 18 months they may receive benefits according to the SGB, if they are not responsible for actively influencing their failure to leave the country (also, if they do not have a *Duldung*-light).

If a person with a *Duldung* receives social benefits (Section 61 (1d) AufenthG) they must comply with the obligation to maintain a specific place of residence (*Wohnsitzauflage*). If they can sustainably secure their own subsistence, this obligation can be lifted on application. Nonetheless, according to section 50 (4) of the AufenthG, the Foreigners' Office should always be informed before a change of residence.

As far as freedom of movement is concerned, a spatial restriction can be attached in certain cases (Section 61 para. 1c AufenthG). Apart from that, according to section 50 (4) of the AufenthG, the Foreigners' Office should always be informed if the person will leave the district of the office for more than three days.

Regarding the education of the children, families are entitled to childcare for children older than 1 year (24. SGB VIII). If the children do not have documents, they can be admitted, but they are not entitled to childcare (Informationsverbund Asyl & Migration, 2023 "Schule"). As mentioned before, regardless of status children have the right to attend school and school education is compulsory. In some federal states it is explicitly stated that persons with a *Duldung* also have this right.

In the case of adults, they can participate in integration courses if there are free places available. Their possibilities increase or decrease depending on the form of the *Duldung* (Section 60a (2) AufenthG). People with a *Duldung*-light are the most restricted in their rights. Consequently, not surprisingly, they also have no options to attend language courses (Section 60b AufenthG). Vocational training is possible after six months residing in the initial reception facility or after three months if the person no longer lives in the initial reception facility (NETZWERK Unternehmen integrieren Flüchtlinge, 2021). Vocational training in a company requires a permit of the Foreigners' Office and possibly, depending on the vocational training, from the Federal Employment Agency as well (Section 60a AufenthG). School-based vocational training does not require a permission. If the person is prohibited from working, as in the case of *Duldung*-light, vocational training is also prohibited (60a (6) AufenthG). All forms of *Duldung*, except *Duldung*-light, have the possibility of access to various forms of educational and/or financial support from the state in the context of vocational trainings or integration in employment, including specialized vocational language courses (NETZWERK Unternehmen integrieren Flüchtlinge, 2021). Same as for the asylum seekers during the procedure, university studies are possible without the need for permission if the academic requirements for admission to the university are met.

Regarding work, a permit may be granted after six months. If the person no longer lives in the initial reception facility such a work permit may be granted after three months. A work permit can only be issued if there is no work prohibition (60a (6) AufenthG), as is the case for persons with a *Duldung*-light. Taking on a job is only possible with the permission of the Foreigners' Office and within the first 48 months also with the permission of the Federal Employment Agency, which checks the employment conditions (Informationsverbund Asyl & Migration, 2022 "Geduldete").

Regarding health, the same conditions apply as for asylum seekers during the procedure. They only have access to treatment of acute illnesses and pain conditions (Section 4 AsylbLG). Additional services are only allowed if completely necessary. After 18 months, those entitled to benefits have also access to regular health services.

Finally, it is important to mention that they are obliged to obtain a passport and thus to visit the embassy. If they do not do this and the deportation cannot be carried out because of this, they get a toleration for persons with unclear identity (*Duldung*-light).

4. The Venezuelan migration to Germany in numbers

After explaining the German asylum system, including the procedure and its different possible outcomes, as well as the obligations and rights that asylum seekers have during the procedure and after receiving a decision, this chapter aims to quantitatively present the magnitude of the Venezuelan forced migration to Germany since 2016. In order to do so, I will present the asylum statistics (*Asylgeschäftsstatistik*) of the BAMF for each year between 2016 up to June of 2023. These statistics do not include numbers related to *Duldungs*, as it is not a status decided by the BAMF, or temporary residence permits (*Aufenthaltsgestattung*). In this case I will use the reports from 2018 to 2022 given to the German parliament by the German government (*Bundesregierung*) at the request of the parliamentary fraction *DIE LINKE*¹⁶ and the tables 12521-0008 and 12531-0008 from the GENESIS-Online database from the Federal Statistical Office (*Statistische Bundesamt* – DESTATIS)

4.1. Considerations regarding the statistics

Before presenting the statistics for each year, there are certain issues that need to be considered. Firstly, the BAMF does not have complete asylum statistics publicly available for the year 2016.

¹⁶ These reports, which are a response from the federal government, can be found as printed matter (*Drucksache*) of the German parliament. The reports in question in descending order from 2022 to 2018 are: *Drucksache* 20/5870, *Drucksache* 20/1048, *Drucksache* 19/28234, *Drucksache* 19/19333, *Drucksache* 19/8258.

Unfortunately, only an executive summary is available, which does not provide specific statistics for all countries of origin but only specifies the first ten countries of origin for asylum seekers. The rest are presented as a homogeneous group, making it difficult to access specific numbers concerning Venezuelan asylum seekers. Unfortunately, my request to the BAMF library to send me the complete 2016 asylum statistics was not satisfactorily resolved. While I could have included information of the GENESIS-Online database to compensate the lack of statistical information concerning 2016 by the BAMF, I have decided not to do so. Firstly, because the numbers for 2017 are still relatively small and it is reasonable to assume that those for 2016 are even smaller.¹⁷ Hence, excluding the statistics concerning 2016 does not significantly impact the analysis or recognition of trends. Secondly, and certainly the main reason to exclude 2016, are the concerns regarding the databases, which will be explained below. In addition to this, when comparing the statistics from the BAMF and from the GENESIS-Online database for the years 2017 to 2022 concerning asylum applications, decisions, and pending appeal cases, I found marked differences in certain areas. Therefore, when creating tables and diagrams and analyzing the statistics, I decided not to include the year 2016 in order to maintain the same data sources for the same kind of information constantly throughout the thesis. Although I could have reduced the time frame of the thesis to 2017 to the present, the increase in Venezuelan asylum applications in Europe began in 2016, as mentioned in the introduction. Showing the lack of publicly available statistical information by the BAMF regarding Venezuela as country of origin for the year 2016 is also a research finding.

The second point to consider while analyzing the statistics of the BAMF is the number of Venezuelan nationals fleeing who hold a second nationality. This is best exemplified in the case of Colombia, the country receiving the largest influx of people fleeing from Venezuela (CDP, 2023). By mid-2017 for example, around 40 percent of all individuals crossing the border into Colombia held dual nationality, and around 30 percent were Colombian citizens residing in Venezuela (Mugno, 2017). This means that only 30 percent had solely Venezuelan nationality. It is important to mention this because possessing multiple nationalities implies having multiple countries of origin. In the case of Colombo-Venezuelans and Colombians residing in Venezuela who are forced to flee, their country of origin is (also) Colombia, even if they have no real ties to Colombia. The fact that another country is also considered to be the country of origin can, as Jon Bauer's US-focused article on "Multiple Nationalities and Refugees" shows, have negative implication in the asylum procedure (2014). Due to this being exemplified very well with

¹⁷ The numbers of the GENESIS-Online database confirm this.

Colombia, cases of asylum seekers whose country of origin is Colombia, according to BAMF, will also be presented here. The increase in applications from asylum seekers marked as Colombians by BAMF parallels that of Venezuelan citizens, suggesting a correlation probably due to many of them being Venezuelans with dual citizenship or Colombians residing in Venezuela.

The third point to consider is that the statistics from the BAMF must be interpreted with caution. On the one hand, the BAMF provides the number of first and subsequent applications in a calendar year, and on the other hand, it provides the decisions to each of these types of applications that were made during that same period. This means that the number of applications is not necessarily equal to the number of decisions made in that year, and they may not correspond to each other. There are asylum applications whose decisions are made the following year(s), or decisions that pertain to asylum applications from the previous year(s). Moreover, it is impossible to determine the specific time frame within which the BAMF processed the decisions. Therefore, it is important to note that only statistics related to first-time applications provide a concrete number regarding the quantity of new asylum applications per year. Another issue in interpreting the statistics provided by the BAMF lies in the numbers related to pending appeal processes in the courts. It is unclear whether these numbers reflect the total of pending appeal cases accumulated over the years at the end of the year in question, or if they refer to new pending cases that arise that given year. When examining the statistics, it seems more plausible that the first option is true, but the second option cannot be completely ruled out.

The statistics provided at the request of *DIE LINKE* must also be observed with caution. As mentioned earlier, obtaining information about rejected asylum seekers with a *Duldung* is indeed difficult. Fortunately, the *DIE LINKE* parliamentary group recognizes the lack of accessibility to information about, among others, the residence status of rejected asylum seekers currently living in Germany, and therefore requests a document every year since 2008, addressing specific questions regarding migratory issues for which information is often hard to find. However, also in this case there are clear limitations. The report presented each year is structured according to the questions posed by *DIE LINKE*. Each year, the question 18 pertains to individuals with a *Duldung*. The question asks for the total number of persons with a *Duldung*, age information, years of residence in Germany, type of *Duldung*, etc. The information requested by *DIE LINKE* is very detailed. However, the question only wants specific information from the 15 most important countries of origin. All others are grouped in general. This makes it completely impossible to obtain specific information about Venezuela

and Colombia as countries of origin since they are not included in the selected group. For that reason, this report serves more to present certain general data relevant to the analysis when compared to other specific data related to Venezuela used here.

However, in response to my request for specific information regarding these two countries of origin, the Federal Statistical Office (DESTATIS) explained to me how to use the GENESIS-Online database. This database contains statistical information about foreigners on various topics at national, regional, and municipal level. To obtain statistical information about Venezuelans in Germany it is necessary to select the topic 1 “territory, population, labor market, elections.” Within it, one can find the subtopic 12 “population,” and within that, there is the category 125 “naturalizations, foreigners.” Under this category are the subcategories 12521 “statistics on foreigners” and 12531 “statistics on asylum seekers.” Within these two, there are tables with variables that can be manipulated to filter specific information. To complement the information from the BAMF statistics, I have chosen two tables with national-level data. Both tables include the following variables: ‘cut-off date,’ ‘gender,’ and ‘nationality.’ The difference between the two tables lies on the fourth variable. Table 12521-0008 includes the variable ‘residence permit category,’ while table 12531-0008 has the variable ‘protection status.’ The first table is used here to establish the number of individuals with a *Duldung* at the end of the year, while the second one provides the number of people with a temporary residence permit (*Aufenthaltsgestattung*) at the end of the year, meaning those still in the asylum procedure.

The GENESIS-Online database is an excellent tool, but it also has limitations. A minor limitation is that from 2016 onwards, all figures related to foreigners in Germany based on the AZR have been rounded to the nearest multiple of five. It is also important to mention that, unlike the BAMF, the Federal Statistical Office has not yet information available for 2023. Another problem is related to the inflexibility of the tables. The variables in the different tables are pre-set and additional variables cannot be added. For example, none of the tables contain the variables ‘nationality,’ ‘average length of stay,’ and ‘residence permit category’ together. Therefore, it is impossible to establish the average duration of stay for a Venezuelan with a *Duldung*. A further problem is the use of a cut-off date. The December 31st cut-off date only shows the number of people with a *Duldung*/temporary residence permit at the end of the year, providing insights into year-to-year changes (similarly to the situation with the pending appeal cases of the statistics of the BAMF), but not capturing the number of new *Duldungs*, for instance, given each year. This does not enable us to determine how many people received a *Duldung* for the first time, how many renewed it, how many people with a *Duldung* left the country and how many received another legal status. This is the type of detail information

contained in the report requested by *DIE LINKE*, which unfortunately, as mentioned, does not contain specific data regarding Venezuela. To obtain this kind of detail information regarding Venezuelan asylum seekers, extensive research, and analysis of several tables of DESTATIS, the statistics of the BAMF and additional sources would be required, which goes beyond the scope of my current research capabilities.

Finally, it is important to mention that to obtain the results presented here using the tables of GENESIS-Online, it is necessary to use the filters in the tables. One must filter the countries and select Venezuela and Colombia, filter the variable ‘residence permit category’/’ protection status’ and choose ‘*Duldung*’/’*Aufenthaltsgestattung*’ (12521-0008/12531-0008), and filter the years to 2016-2022.

4.2. The statistics year by year

Year	Country of origin	First applications	Decisions on first applications							Pending appeal cases for first applications
			Total	Entitlement to Asylum	Refugee protection	Subsidiary protection	Deportation ban	Rejection	Termination without answer	
2017	Venezuela	203	214	8	45	3	25	127	6	73
	Colombia	61	69	1	1	-	1	52	14	53
2018	Venezuela	404	294	18	48	4	23	189	12	189
	Colombia	133	127	-	-	-	3	116	8	60
2019	Venezuela	726	276	45	22	13	40	142	14	639
	Colombia	451	243	1	1	1	1	235	4	270
2020	Venezuela	553	1.134	78	36	13	360	633	14	65
	Colombia	350	520	-	-	-	-	509	11	106
2021	Venezuela	390	276	17	11	5	86	130	27	178
	Colombia	323	233	-	1	-	-	211	21	195
2022	Venezuela	1.822	1.078	16	36	24	232	745	25	920
	Colombia	1.379	1.006	2	3	1	3	983	14	563
2023 (1-6)	Venezuela	1.875	865	14	14	15	119	676	27	1.939
	Colombia	1.487	414	-	-	-	-	391	23	1.628
Total	Venezuela	5.973	4.137	196	212	77	885	2.642	125	-
	Colombia	4.184	2.612	4	6	2	8	2.497	95	-
Total	Both	10.157	6.749	200	218	79	893	5.139	220	-

Figure 2. Summary of BAMF’s statistics from 2017 to June 2023. Own representation based on “Asylgeschäftsstatistik (01-12/17)” (BAMF 2018: 4), “Asylgeschäftsstatistik (01-12/18)” (BAMF 2019: 4), “Asylgeschäftsstatistik (01-12/19)” (BAMF 2020: 4), “Asylgeschäftsstatistik (01-12/20)” (BAMF 2021: 4), “Asylgeschäftsstatistik (01-12/21)” (BAMF 2022: 4), “Asylgeschäftsstatistik (01-12/22)” (BAMF 2023: 4), and “Asylgeschäftsstatistik (01-06/23)” (BAMF 2023: 4) as data source.

In 2017, BAMF reported 206 asylum applications from asylum seekers whose country of origin is Venezuela. Out of these, all except three were initial applications. During the same period,

BAMF issued decisions on 218 asylum applications, of which four were subsequent applications (BAMF, 2018 “Asylgeschäftsstatistik (01-12/17)”: 4).

This already highlights the challenges in interpreting the numbers provided by the BAMF mentioned above. In this case there are more decision than applications, and despite there being only three subsequent applications that year, there are four decisions for this type of application. This suggest that the decisions partly pertain to applications from previous years. Unfortunately, as mentioned before, it is not possible to determine how many decisions relate to previous years’ applications and how many to 2017. The timeframe it took BAMF to make these decisions is also unknown.

To simplify the understanding of these numbers, I will focus only on first-time applications, as it is portraited in figure 2. Thus, in 2017, there were 203 first-time applications and 214 decisions on first applications (Figure 2). When looking at the decision in more detail, we see that only 37.8 percent of the decision were positive, while 59.3 percent were negative, and 2.9 percent of the cases were terminated without an answer (Figure 2). The latter is the result of asylum seekers withdrawing the application or because the Dublin procedure concluded that another EU member state is responsible for processing the application. Out of the 81 positive responses, eight granted the entitlement to asylum, 45 granted refugee protection, three subsidiary protection and 25 granted a deportation ban (Figure 2). At the end of the year there were 73 pending appeal cases (Figure 2) and around 50 individuals had a *Duldung* (GENESIS-Online, “12521-0008”). If we look at the applications from individuals with Colombia as their country of origin, in 2017 there were 61 first-time applications and 69 responses (Figure 2). Out of the responses, only three were positive. Not surpassingly, at the end of the year there were 53 pending appeals (Figure 2). According to DESTATIS around 45 individuals with Colombia as country of origin had a *Duldung* at the end of 2017 (GENESIS-Online, “12521-0008”). In the case of both countries, we see that at the end of the year there were more people with a temporary residence permit than in the previous year (GENESIS-Online, “12531-0008”).

In 2018, there was a significant increase in the number of first-time applications from individuals with Venezuela as their country of origin, with a total of 404 applications (Figure 2). While the increase in the number of people with a temporary residence permit at the end of the year is therefore not surprising, it is surprising that this number, 460 individuals (Figure 5), is higher than the number of total first-time applications for that year (Figure 2). However, the percentage of positive responses to first-time applications decreased compared to the previous year, with only 31.6 percent of the 296 responses by the BAMF being positive, while the

percentage of negative responses increased to 64.3 percent (Figure 2). Not surprisingly, we see a 23 percent increase of individuals with a *Duldung* at end of the year (Figure 7). Regarding the 93 positive responses, the same trend of the previous year can be observed (Figure 2). The most frequently granted form of protection was refugee protection, followed distantly by the deportation ban. Entitlement to asylum and subsidiary protection were granted in very few cases (Figure 2). In the case of Colombia, we see a similar increase of double the number of first-time applications in relation to 2017 (Figure 2) and a considerable increase in the number of individuals with a temporary residence permit at the end of the year (Figure 5). This begins to mark the trend of a correlation between the two countries (Figure 3). While it is difficult to know whether these asylum seekers are fleeing the situation in Venezuela or are Colombians fleeing situations in Colombia, the similar numerical fluctuation in the numbers of asylum applications from both countries suggests that a connection is plausible (Figure 3). However, this also shows that having Colombian nationality has a negative effect on the asylum procedure. As in the previous year, the share of positive responses is extremely low, barely reaching 2,3 percent (Figure 4). Additionally, in this case an increase in the number of individuals holding a *Duldung* can also be overserved, nearly doubling its size (Figure 7). In the case of both countries, we also see a similar increase in pending cases (Figure 8). Both, the increase of *Duldungs* and pending cases is not surprisingly, considering the number of negative responses in 2017 and 2018.

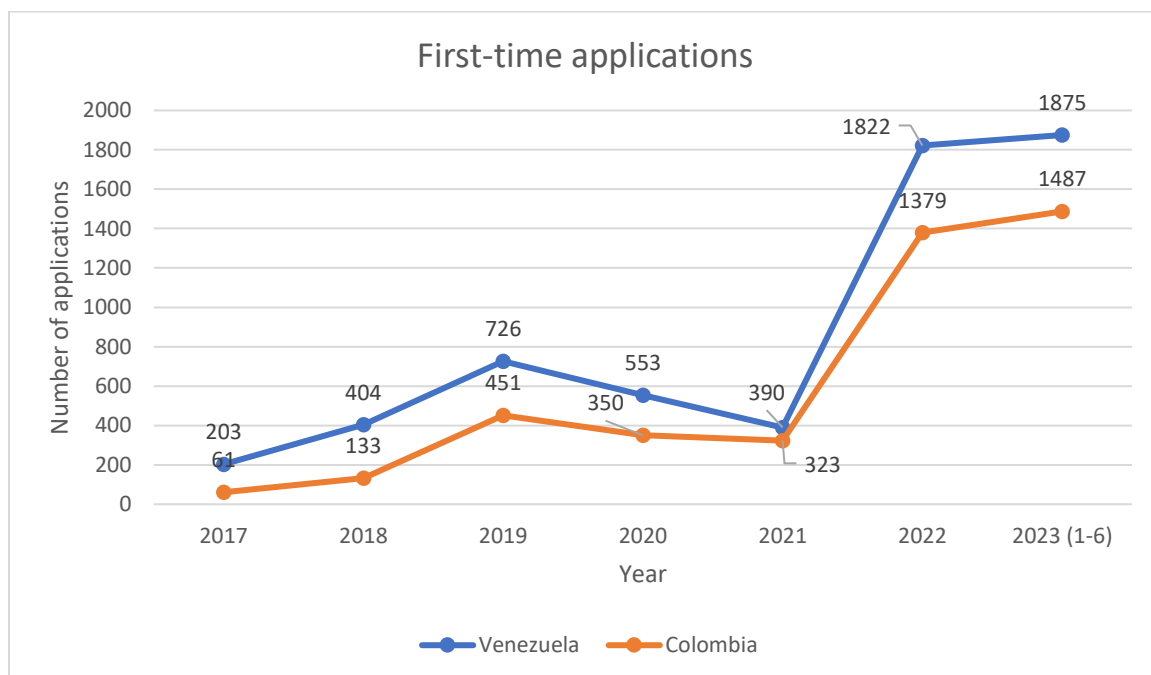


Figure 3. First-time applications 2017 - June 2023. Own representation based on “Asylgeschäftsstatistik (01-12/17)” (BAMF 2018: 4), “Asylgeschäftsstatistik (01-12/18)” (BAMF 2019:

4), “Asylgeschäftsstatistik (01-12/119)” (BAMF 2020: 4), “Asylgeschäftsstatistik (01-12/20)” (BAMF 2021: 4), “Asylgeschäftsstatistik (01-12/21)” (BAMF 2022: 4), “Asylgeschäftsstatistik (01-12/22)” (BAMF 2023: 4), and “Asylgeschäftsstatistik (01-06/23)” (BAMF 2023: 4) as data source.

In 2019, the number of first-time applications from these two countries continues to correlate, increasing by 44.4 percent in the case of Venezuela and an impressive 70.5 percent in the case of Colombia (Figure 3). This squares perfectly with the increase of people with a temporary residence permit at the end of the year, increasing by 51 percent in the case of Venezuela and 70 percent in the case of Colombia (Figure 5). In the case of Venezuela there is an increase in positive responses. Of the 276 responses, 43.5 percent were positive and 51.5 percent negative, percentages that would remain relatively stable in 2020 and 2021 (Figure 4). There is also a change in the forms of protection of these positive responses. The first place is taken by the entitlement to asylum, followed closely by the deportation ban, which was already in second place the previous year (Figure 2). The number of refugee protection decreased considerably compared to 2018 and while subsidiary protection increased, the number remained low (Figure 2). In the case of Colombia, the negative trend continued, of the 243 responses, 235 were negative and only 4 were positive (Figure 4). The increase in pending cases (Figure 2) and in *Duldungs* (Figure 7) was also maintained for both countries of origin in 2019. In the case of Venezuela, the *Duldungs* more than doubled from 65 in 2018 to 135 in 2019 (Figure 7).

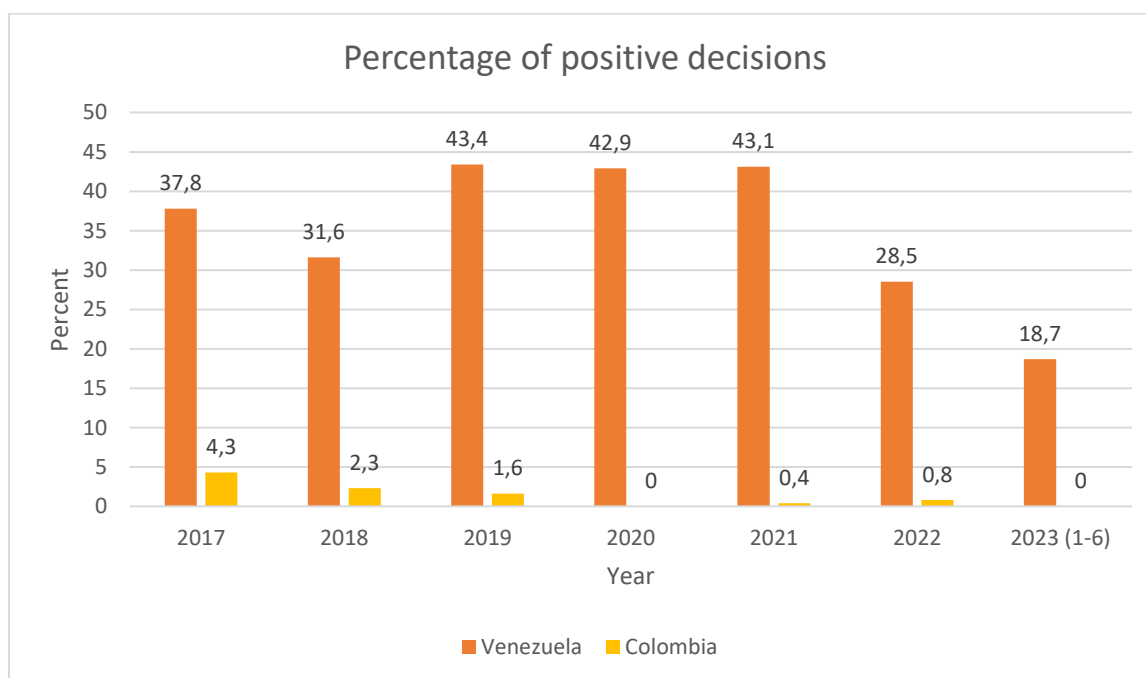


Figure 4. Percentage of positive decisions 2017 - June 2023. Own representation based on “Asylgeschäftsstatistik (01-12/17)” (BAMF 2018: 4), “Asylgeschäftsstatistik (01-12/18)” (BAMF 2019:

4), “Asylgeschäftsstatistik (01-12/19)” (BAMF 2020: 4), “Asylgeschäftsstatistik (01-12/20)” (BAMF 2021: 4), “Asylgeschäftsstatistik (01-12/21)” (BAMF 2022: 4), “Asylgeschäftsstatistik (01-12/22)” (BAMF 2023: 4), and “Asylgeschäftsstatistik (01-06/23)” (BAMF 2023: 4) as data source.

In 2020 we see a decrease in first-time applications for both Venezuela and Colombia (Figure 3), most likely caused by the Covid-19 pandemic and the resulting border closures. However, in the case of Colombia, unlike Venezuela, this does not translate into fewer people at the end of the year with a temporary residence permit (Figure 5). The percentage of positive responses for applicants whose country of origin is marked as Venezuela by the BAMF remained at a similar level to the previous year (Figure 4). In the case of applicants with Colombia as country of origin, the negative trend in terms of rejections reached extremes, with not a single positive decision in all of 2020 (Figure 4). The high number of negative responses throughout the years appears to continue to have a direct effect on the increase in *Duldungs* for both countries. 2020 showed an increase of 51.8 percent in the case of Venezuela and 60.5 percent in the case of Colombia (Figure 7). In the case of positive responses for Venezuela, 2020 begins to show a trend that continues to this day. The first three forms of protection begin to be granted less frequently in comparison to the deportation ban. The latter form of protection becomes by far the most common BAMF decision within the positive responses. From 2020 to the present day this response is given each year in about 73 percent of all positive decisions (Figure 6). At the end of 2020, there was a decrease in the number of pending appeal cases compared to the previous year and for the first time, there were more pending cases from asylum seekers with Colombia as their country of origin, which may correlate with the high rate of negative decisions mentioned earlier (Figure 2).

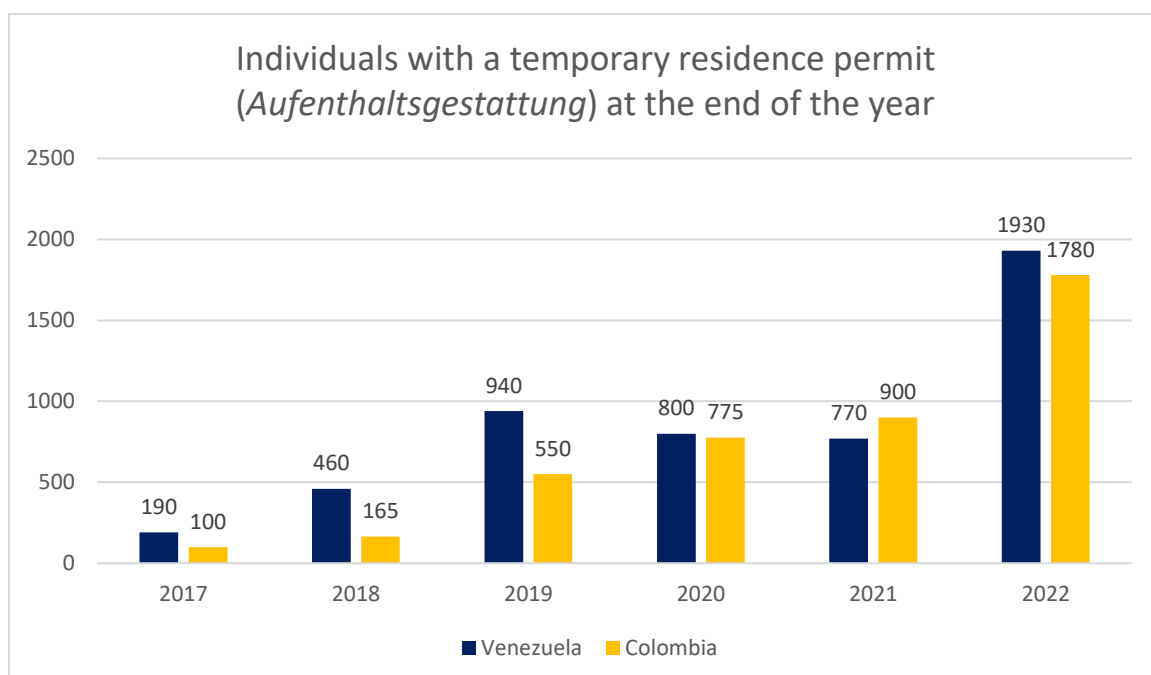


Figure 5. Temporary resident permits at the end of the year. Own representation based on table “12531-0008” (GENESIS-Online 2023) as data source.

In 2021, the second year of the pandemic, most of the trends observed in 2020 are confirmed. The number of applications decreases for both countries to a similar extent (Figure 3). However, as in the previous year, while this translates in the case of Venezuela into fewer people with a temporary residence permit at the end of the year, in the case of Colombia the increase is maintained and even surpasses Venezuela for the first time (Figure 5). The level of positive responses remains stable for both countries: around 43 percent for Venezuela, while for Colombia, there is a slight increase with only one positive decision throughout the year (Figure 4). Regarding the positive responses for asylum seekers from Venezuela, the trend observed in 2020 also continues. The deportation ban remains the most frequently granted positive decision, while the other three form of protection are close to each other and maintained at low levels (Figure 6). At the end of the year the number of pending cases had increased, with Colombia still having slightly more of these (Figure 2). By the end of the year, although not as marked as in previous years, there continued to be an increase in the number of people with a *Duldung* in the case of both countries (Figure 7). The termination of the asylum procedure without answer, meaning before Step 8 (see Figure 1), remains at low levels, as it is the case throughout the whole period in question (Figure 2).

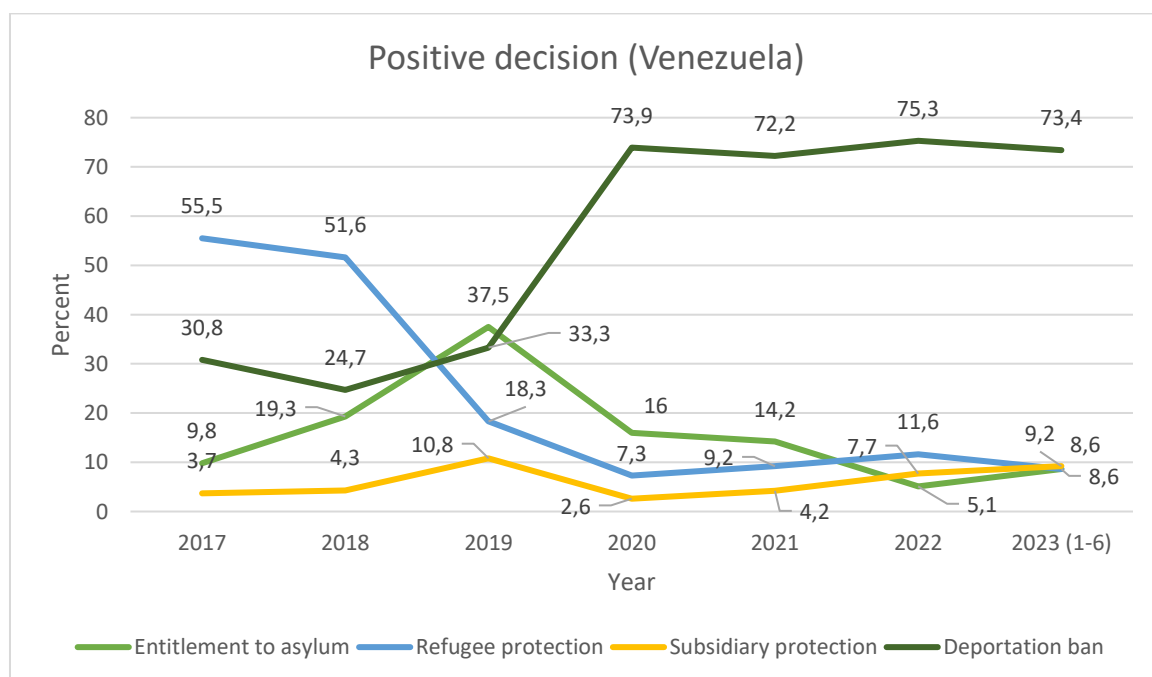


Figure 6. Type of positive decision. Own representation based on “Asylgeschäftsstatistik (01-12/17)” (BAMF 2018: 4), “Asylgeschäftsstatistik (01-12/18)” (BAMF 2019: 4), “Asylgeschäftsstatistik (01-12/19)” (BAMF 2020: 4), “Asylgeschäftsstatistik (01-12/20)” (BAMF 2021: 4),

“Asylgeschäftsstatistik (01-12/21)” (BAMF 2022: 4), “Asylgeschäftsstatistik (01-12/22)” (BAMF 2023: 4), and “Asylgeschäftsstatistik (01-06/23)” (BAMF 2023: 4) as data source.

With the easing of border controls and the relaxation of pandemic-related restrictions, 2022 witnessed an exponential growth in the number of first-time asylum applications from both countries, maintaining the clear correlation (Figure 3). There were 1,822 applications from individuals with Venezuela as their country of origin, compared to the 1,379 applications from Colombia (Figure 2). Not surprisingly, we also see an exponential increase in the number of individuals with a temporary residence permit at the end of the year for both countries (Figure 5). In the case of Venezuela, while the trend within the positive decisions remained similar (Figure 6), the rate of positive responses by the BAMF significantly decreased to 28,5 percent (Figure 4), with 745 rejections out of the 1,078 decisions made that year (Figure 2). In the case of Colombia as country of origin, the extremely low rate of positive decisions remained below one percent (Figure 4). These high rates of negative decisions for both countries are likely correlated with the significant increase in pending cases (Figure 2 and Figure 8) and the significant increase of individuals with a *Duldung* at the end of the year, both countries reaching about 465 *Duldungs* each at the end of the year (Figure 7).

As of June 2023, the trends observed in 2022 seem to be confirmed and strengthened. By mid-year, the number of first applications already exceeds the total for the previous year in the case of both countries of origin, with 1,875 from Venezuela and 1,487 from Colombia (Figure 2). The decrease in positive decisions is also evident. In the case of asylum seekers with Venezuela as their country of origin, the rate of positive decisions stands at 18,7 percent so far this year, almost ten percentage points lower than the previous year (Figure 4). In the case of Colombia as country of origin, there has not been a single positive decision reported as of mid-year (Figure 2). The trend for positive decisions for applicants from Venezuela remains consistent: the deportation ban accounts for 73,4 percent, while the other three forms of protection each move around 8,8 percent (Figure 6).

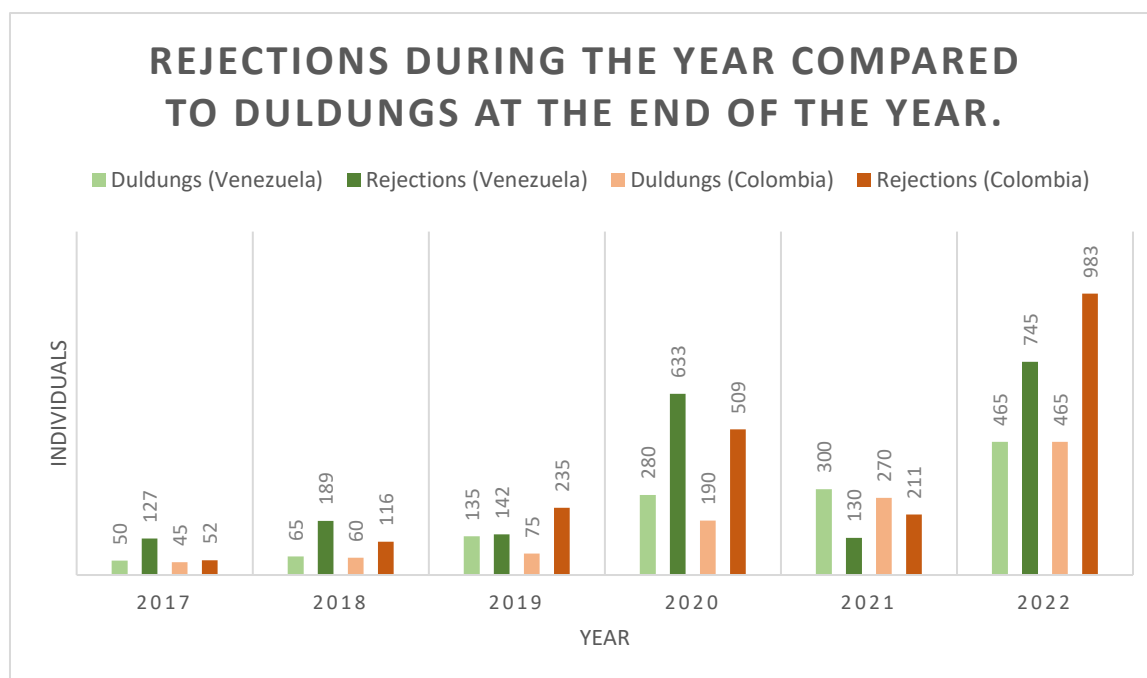


Figure 7. Rejections vs *Duldungs*. Own representation based on “Asylgeschäftsstatistik (01-12/17)” (BAMF 2018: 4), “Asylgeschäftsstatistik (01-12/18)” (BAMF 2019: 4), “Asylgeschäftsstatistik (01-12/19)” (BAMF 2020: 4), “Asylgeschäftsstatistik (01-12/20)” (BAMF 2021: 4), “Asylgeschäftsstatistik (01-12/21)” (BAMF 2022: 4), “Asylgeschäftsstatistik (01-12/22)” (BAMF 2023: 4), “Asylgeschäftsstatistik (01-06/23)” (BAMF 2023: 4) and table “12531-0008” (GENESIS-Online 2023) as data source.

Regarding pending appeal cases for first-time applications, by the end of June 2023, there are more pending cases than the total number of first applications for 2023 up to that month for both countries. This seems to confirm a correlation between pending cases and high rates of negative decisions. Indeed, while this correlation is not as clear as others, a trend can be observed (Figure 8). While observing Figure 8 it is important to note, that the correlational increase in negative decisions and pending cases is interrupted in 2020. The number of pending cases decreases despite the continuing increase in negative decisions. In 2021 the number of negative decisions decreases, which is expected considering the decrease in the number of applications in 2020 and 2021, and it aligns again with the number of pending cases. From this point onward these variables seem to increase together again. This interruption in 2020 is likely related to reasons associated with the coronavirus pandemic. It is also important to mention that the apparent decrease in negative decisions in 2023 should not be taken too literally. It is related to the fact, that until June 2023, the number of decisions made is lower than the total of the previous year, while the high number of pending cases is related not only to the current year's decisions but also to those from the previous year. Therefore, considering the percentual

increase of negative decisions as of June 2023, it is expected that at the end of the year the curve of these variables will align and increase in a correlated manner.

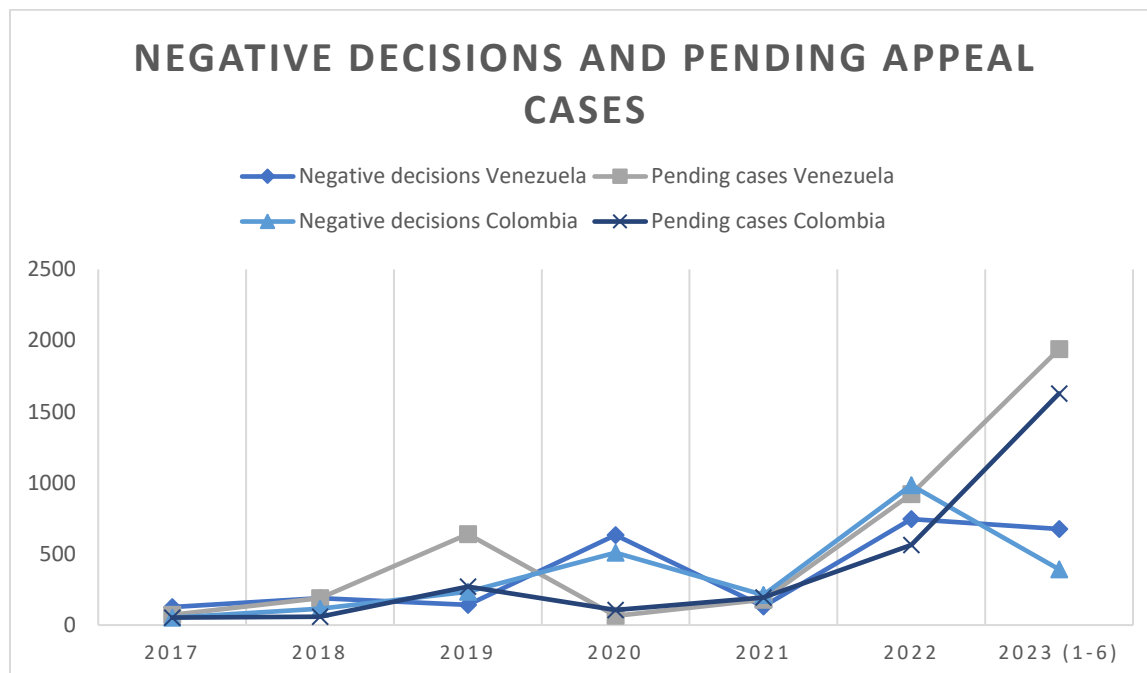


Figure 8. Negative decisions in relation to pending appeal cases. Own representation based on “Asylgeschäftsstatistik (01-12/17)” (BAMF 2018: 4), “Asylgeschäftsstatistik (01-12/18)” (BAMF 2019: 4), “Asylgeschäftsstatistik (01-12/19)” (BAMF 2020: 4), “Asylgeschäftsstatistik (01-12/20)” (BAMF 2021: 4), “Asylgeschäftsstatistik (01-12/21)” (BAMF 2022: 4), “Asylgeschäftsstatistik (01-12/22)” (BAMF 2023: 4), “Asylgeschäftsstatistik (01-06/23)” (BAMF 2023: 4)

4.3. Statistical trends between 2016 and June 2023

When observing the asylum statistics of the BAMF regarding Venezuela and the information provided by DESTATIS, different trends can be established. First, despite the pandemic, there is an undeniable increase in the number of Venezuelan asylum seekers in Germany. The exponential increase in 2022 and the first half of 2023 confirms this. From 2017 to June 2023, there were 5,973 first-time asylum applications from individuals with Venezuela as their country of origin, 3,697 of those occurring in the last one year and a half (Figure 2).

Second, during the same five and a half years the BAMF issued decision in 4,137 cases and only 37 percent of those granted a protection form (Figure 2). This is a notable trend, as none of the years in question had a positive decision rate over 50 percent (Figure 4). In fact, as mentioned earlier, the rate of positive decisions has significantly decreased in the past one and a half years.

Third, this negative rate seems to have an impact on the number of appeals filed with the courts, as the number of pending cases at the end of the year increases over the years (Figure 2 and 8). This is not a surprise, since the practice of disputing the decisions of the BAMF in court is a genuine possibility of obtaining the denied protection for many asylum seekers from many countries, as 37 percent of all the negative decisions are overturned in court (Morlok, 2023).

Fourth, the high number of negative responses over the years appears to also be related to the steady increase in the number of individuals with a *Duldung* year after year (Figure 7). This seems to be in line with a general trend in Germany regarding the increase of individuals with a *Duldung* at the end of the year. From 2018 to 2022 there was a 27,5 percent increase, from 180,124 to 248,145 individuals holding a *Duldung* (Drucksache 19/8258: 36, Drucksache 19/19333: 28, Drucksache 19/28234: 31, Drucksache 20/1048: 27, Drucksache 20/5870: 35). This increase can be explained by the fact that individuals that receive a *Duldung* maintain this status for several years without leaving Germany. For example, according to the 2022 report submitted by the German government at the request of *DIE LINKE*, of the 248,145 individuals with a *Duldung* at the end of 2022, 182,187 had been living in Germany for more than three years and of those 61 percent for five years or more (Drucksache 20/5870: 35). Seeing the high rate of rejections by the BAMF and the steady increase of Venezuelans with a *Duldung* year after year (Figure 7), it is possible to assume that a considerable part of these denied asylum seekers are living in Germany with a *Duldung* for several years.

Fifth, it is evident that among the positive decisions, the most common form of protection granted is the deportation ban (Figure 6). This may be related to the BAMF recognizing the supply crisis in Venezuela as a reason why deportation is not viable. However, if that is the case, the rate of positive responses should be higher. This argument is supported by the increase in the number of people with a *Duldung*, as mentioned above. As Dirk Morlok of Pro Asyl correctly argues, the prolonged duration of stay with a *Duldung* in a significant number of cases clearly indicates that there are valid reasons why these individuals cannot and should not be deported (2023).

Sixth, the numbers of first-time asylum applications and the number of individuals with a residence permit at the end of each year reflect each other's movements (Figure 8). Whereas, the number of individuals with a residence permit is always higher. Except for 2020, this also applies to the relation with the BAMF decisions. Even in 2020, where the number of BAMF decisions increased significantly, the number of individuals with a residence permit at the end of the year remained higher than the total number of first-time asylum applications of that year

(Figure 8). This clearly shows that the BAMF's decision processing time, although influenced by many factors, sometimes external to the entity itself, fails to keep pace with the gradual increase and accumulation of first-time asylum applications from Venezuelan nationals. This is also the case for Colombia as country of origin.

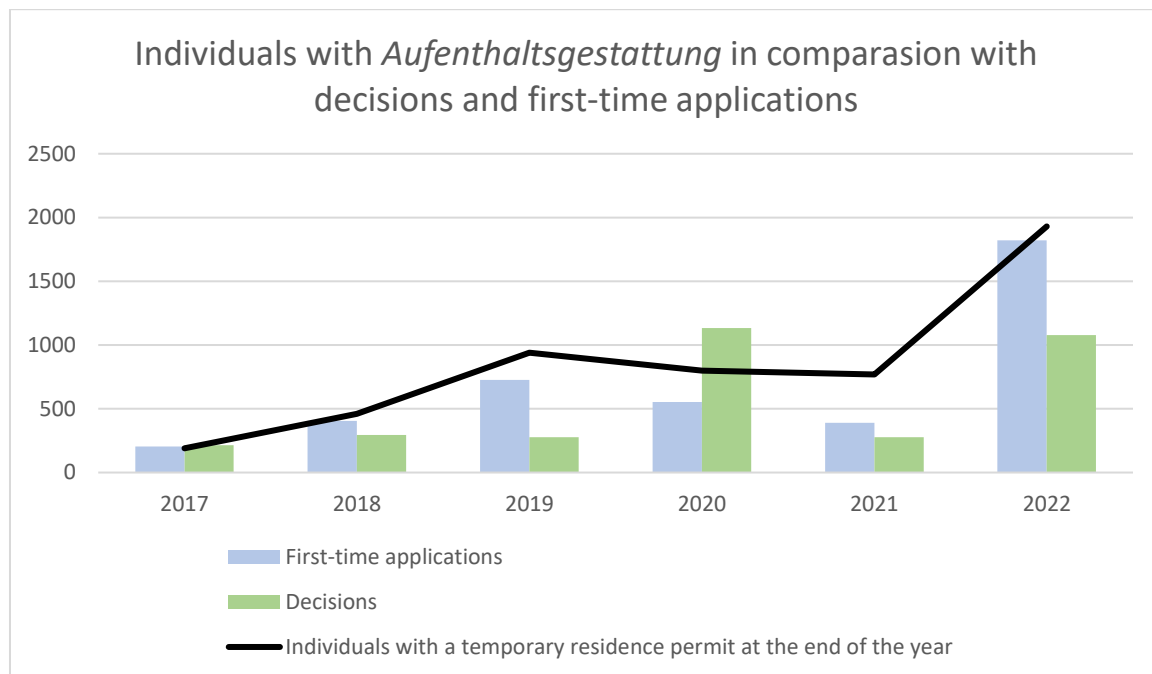


Figure 8. *Aufenthaltsgestattung* in comparison with decisions and first-time applications. Own representation based on “Asylgeschäftsstatistik (01-12/17)” (BAMF 2018: 4), “Asylgeschäftsstatistik (01-12/18)” (BAMF 2019: 4), “Asylgeschäftsstatistik (01-12/19)” (BAMF 2020: 4), “Asylgeschäftsstatistik (01-12/20)” (BAMF 2021: 4), “Asylgeschäftsstatistik (01-12/21)” (BAMF 2022: 4), “Asylgeschäftsstatistik (01-12/22)” (BAMF 2023: 4), “Asylgeschäftsstatistik (01-06/23)” (BAMF 2023: 4) and table “12521-0008” (GENESIS-Online 2023) as data source.

Seventh, there is an undeniable correlation regarding first-time applications between asylum seekers with Colombia as country of origin and Venezuela as country of origin (Figure 3). The numbers increase and decrease in a mirrored manner. This supports the assumption that many of the asylum seekers with Colombia as country of origin are Venezuelan citizens with dual nationality or Colombians residing in Venezuela. If this assumption is correct, this means that having Colombian nationality immensely affects their chances of obtaining the needed protection, as the positive decision rates in these cases are almost nil. These low positive response rates in the cases of Venezuela and Colombia as country of origin also shows a clear correlation in the number of *Duldungs*, increasing at similar rates year after year (Figure 7).

The trends from the qualitative data are reflected and to some extent explained in and through the analysis of the interviews. However, due to the limited number of interviews, the

explanations arising from their analysis should be understood as possibilities for understanding the statistical data and not as a definitive explanation. Their validation would necessitate a study with a larger number of interviews.

5. The Venezuelan asylum seeker and agency

The presentation of the analysis of the interviews is divided into both the steps of Figure 1 regarding the asylum procedure, as well as into areas of interest such as health, housing, mobility, racism, education, and work. This means that the analysis includes both the procedure and certain areas of the asylum system related to rights and obligations. During the analysis of these areas of interest, I will make specific references to whether the person had a temporary residence permit (*Aufenthaltsgestattung*) or had already received a decision, implying that they had already a residence permit issued by the Foreigners' Office. This means the same division as was done in subchapter 3.2. between 'during the asylum procedure' and 'after the decision of the BAMF.' However, it is worth clarifying that even though I am presenting it this way while analyzing the areas, the issuance of a residence permit by the Foreigners' Office after a positive decision from the BAMF is not immediate. It is also important to clarify, that I have decided to also add to the analysis certain aspects prior to the arrival in Germany. For example, the analysis regarding the reasons to leave Venezuela, the preparation to migrate, and the migration process until arriving in Germany.

Before commencing the analysis, I would like to emphasize once again the data anonymization process, which was elucidated at the conclusion of subchapter 2.4.2. The ensuing analysis is structured to prevent the tracing or identification of specific narratives, thereby safeguarding participant anonymity. Consequently, references are made in a generalized manner using the term "participant." Furthermore, it refrains from including dates, ages, or the names of refugee camps. The number of individuals within the participant's family unit, its composition and/or the gender of the children are mentioned only, when necessary, with the paramount objective of avoiding any inadvertent identification. The same principle extends to geographical locations such as cities, regions, and/or airports. This robust level of anonymization undoubtedly imposes limitations on the depth of analysis; however, due to my utmost priority being the protection of participants, an overly cautious approach is deemed preferable.

5.1.Reasons to leave Venezuela

The reasons for leaving Venezuela play a significant role in the asylum procedure in Germany. When analyzing the reasons mentioned by the participants, a few stand out prominently: The

inflation, the lack of access to basic supplies, the precarious healthcare system, and the political situation and discrimination towards anyone who does not actively support the government. Regarding the inflation, the precarious situation can be observed very clearly in the case of this participant, who is narrating the change she experienced with the arrival of Nicolas Maduro to the presidency.

Participant: *“And well, Maduro arrived and the economy changed drastically. The change was drastic... [stops to think].¹⁸ Um, and the salary wasn’t enough, what used to last me for a fortnight was no longer enough to buy the same things, and you can buy less and less food each time.”*

Researcher: *“Mhm”*

Participant: *“From being able to afford a car, a house, pay off loans, buy whatever you want, and support the children from my own salary, I ended up practically earning just enough to buy a carton of eggs and a piece of cheese. I mean, there came a point where my salary, for a fortnight, was only enough to buy those two things. That’s where the inflation got to.”*

Researcher: *“It sounds terrible, stressful.”*

Participant: *“It was! All that situation, obviously also the insecurity that worsened significantly, plus the economic situation, made me take the decision for my family and especially for my children, who were extremely young, and essential items like milk for small children were not available. Scarcity in supermarkets and pharmacies, even diapers were scarce! The children needed diapers, I couldn’t figure out how to get them, I couldn’t find diapers in any store.”*

The mention of the children is a very important aspect. All participants clearly stated or showed that the decision to migrate comes mainly when inflation starts to directly affect the children. One participant, who has a child requiring specialized therapies and medical treatment, also clearly shows how inflation affected directly the access to education and healthcare she could provide for her children.

“So I couldn’t afford to pay for school or daycare for my children anymore, and on top of that, I needed something specialized. Moreover, the specialists had left! There were

¹⁸ The use of square brackets: When the words inside the square brackets are not in italics, it means that I am adding a clarification in relation to what has been said. When the content inside the square brackets is in italics, it means that for anonymization reasons I changed the content without modifying or adding meaning.

only a few places left for therapy, and the remaining ones were extremely expensive. Each therapy session... I couldn't afford it, [...] even that we couldn't afford anymore. Not even after the father went to Chile to work and send us money. So I could see that my child's health was only going to worsen! I was not going to allow that." (Participant)

The account of another participant clearly demonstrates how inflation and the lack of medicaments, combined with political discrimination, limits access to healthcare. In her narrative of how many of her family members died from different health issues, she vividly illustrates the lack of healthcare access due to not openly supporting a political party, even though she expressed before that she considers herself apolitical rather than an opponent of the regime.

"[...] in Venezuela there's something people don't talk about, there's discrimination in the sense that if you're not a member of a political party, then they won't attend to you, and you don't have access to... [deep breath]. In the company where I worked, they used to provide food packages, for example, but since I didn't attend the government's marches and such, I didn't receive them. So, when you haven't a way to buy food or medicaments and you earn five dollars a week, that's a problem. Then you go to the hospital, and since you are not related to anyone, neither military or political, the hospital won't attend to you. [...]. They send you from one hospital to another, and that's how almost 70 percent of my family died in a year, shuttled between hospitals, without medicaments." (Participant)

Later in the narrative, after describing the precarious economic situation they are facing and how her daughter narrowly escapes death, she adds:

"At that moment, I said to my husband, 'If we stay here and this happens again, what do we do? If we stay, we all die here.' [...] Because even if it is not a terminal illness, without access to medications and hospitals, any illness could kill us easily." (Participant)

The lack of access to healthcare, especially for children, was indeed the most frequently mentioned reason by most of the participants for deciding to leave Venezuela. However, the political component, as exposed in the previous excerpts, cannot be ignored. One of the participants, with a family member openly critical of the government, describes their living situation in Venezuela before migrating.

Participant: *“She left first [the family member critical of the government]. She had to leave Venezuela! It was urgent for her to leave. She told us she was leaving and one week later she was gone. [...]. I remember there were some cars parked in front of the house. Sometimes they would ask directly for her. When she was already gone.”*

Researcher: *“Do you know who does people were?”*

Participant: *“They never answered when we asked them, but judging by the situation, they were ‘Colectivos.’”*

Researcher: *“Mmm I see.”*

[...]

Researcher: *“Did you maintain communication with her?”*

Participant: *“No. We tried as little as possible to talk on the phone, write, or give any information because we didn’t know if our phones were being tapped.”*

The mention of the *Colectivos* is important, as some participants explicitly referred to them in relation to political prosecution. Furthermore, the complexity of these groups possesses a challenge for the BAMF, as will be seen later. *Colectivos* are armed paramilitary groups in Venezuela that act with impunity throughout the country while engaging in drug trafficking, extortion, kidnapping, extrajudicial killings, and murder. Many of them act based on their support for the government of Nicolas Maduro against those that oppose him (Castellanos, 2019). Nonetheless, many of this groups commit criminal acts against the population indiscriminately regardless of political affiliation (Asylmagazin 12/22 “Venezuela”, 2022). Another participant, openly part of the opposition, describes the persecution by these groups. Her account also shows the difficulty to recognize the *Colectivos*.

“I witnessed many of my colleagues falling into the hands of what they call, what would be common criminal, but disguised, or vice versa, rather ‘Colectivos’ disguised as common criminal or common criminal disguised as ‘Colectivos.’ The fact is that, since the official armed forced would not [do it themselves], they would send these guys, this ‘Colectivos,’ who were obviously people accustomed to delinquency, and they were the once who attacked the [...] movement to control us through fear.” (Participant)

The passages clearly show the persecution that people who oppose the government are subjected to. However, as seen earlier, even if someone is not actively opposing it, merely not openly supporting it is enough to face discrimination. While political persecution was mention

by all participants, inflation and lack of supplies, but especially the lack of access to healthcare, are the primary reasons for seeking asylum. The main motivation was the well-being of the children. Most participants expressed that they could have endure the situation in Venezuela a little longer if their children were not involved.

5.2. The preparations and the migration

Once the decision to leave Venezuela was made, the reasons for the participants to go to Germany varied significantly. Some heard through acquaintances that Germany offers protection to Venezuelans and that the social and asylum system is not as overwhelmed as in the neighboring countries or even Spain. Several participants had a family member who had already obtained some form of protection in Germany before they decided to migrate. Another reason frequently mentioned was that they knew Germany offered specific medical treatments that they or their children urgently needed. Although to varying degrees, related also to the preparation time before leaving Venezuela, all participants informed themselves to some extent before making the decision to migrate to Germany, showcasing their agency in seeking information to take decisions. Three passages, each from different participants, illustrates the varying levels of preparation.

Participant A: *“We had to leave very quickly, without knowing anything, only that relatives were here seeking asylum. We rushed, it was stressful, we had to leave immediately! That is why we came without anything, there was no time. The only document we had was our passports.”*

Participant B: *“Yes, as I told you, I entered the process completely blind. I knew Germany offered the treatment I needed, and that’s why I came. [...]. It was after arriving here that I read about having to present a case and provide evidence to support it. That’s when I thought ‘wow, lucky me!’ Of course, I brought all this documents because I consider them important, not because I knew I would need them [she shows me the three full folders of documents next to her].”*

The third excerpt is a conversation between the participant and I.

Participant C: *“In May, I had decided to leave, and in June, I said, ‘Well, Germany is an option,’ and I started to inquire about the process, the reasons for granting asylum, and to study the law to see if I really had a chance according to the law.”*

Researcher: *“Where were you getting this information from? Where were you reading all this information you are mentioning?”*

Participant C: *“Well, I downloaded information from various websites. There are some websites where you can write and get things from UNHCR, informative brochures and such.”*

Researcher: *“Yes.”*

Participant C: *“At first, I couldn't find the laws in Germany, but then I started looking at the websites of BAMF directly in German, and I translated them.”*

Researcher: *“How did you come across the BAMF website? Was it by chance, or did someone recommend it to you?”*

Participant C: *“No, it was by chance. Nobody told me about that website. I was reviewing and entering words that came to my mind, and one day I came across the BAMF website, and I checked it out.”*

Researcher: *“Okay, I understand. Was the BAMF website in Spanish?”*

Participant C: *“No, it was in German, and I translated it using the three dots from Google Translate [we laugh]. It doesn't translate very well. You have to guess half of the things because they don't make sense, but well, it worked.”*

[...]

Researcher: *“Did the BAMF website help?”*

Participant: *“Not much, but I knew I had to bring proves, and I did. I had everything. I brought everything with me. Yes. I had several months of planning. I considered everything, and I left nothing important behind. We had medical documents, videos, photographs, everything.”*

These three excerpts are a perfect example of the different levels of agency when preparing to seek asylum. The level of agency is strongly influenced by the available time and the reasons to migrate. While all of them certainly needed to leave Venezuela, some had more urgent health or political issues, which prevented them from focusing on actively seeking information regarding asylum in Germany.

However, there are some aspects that all participants shared. For example, they all mentioned the difficulty of leaving Venezuela, as they faced many obstacles imposed by the authorities. They also all had in common that they barely managed to obtain the resources for the journey. They had to sell everything and, in some cases, borrow money. While the majority arrived

directly in Germany by plane after making connections, some did not have the resources for that and only managed to reach Europe by plane, then continued their journey to Germany by bus.

5.3. Arrival and asylum request (Steps 1 and 2)

The arrival in Germany shows significant differences among the participants. The information they possess strongly influences how they arrive and when they apply to asylum, but also whether they have relatives in the country or not. All these factors are reflected in their agency. Here it is worth examining the following excerpts.

Researcher: *“You mentioned that you looked for a connection outside of the European Union, why?”*

Participant: *“I thought that where you entered the European Union was where they process your asylum request – now I know it is not true - and there were no direct flights to Germany.”*

Researcher: *“I see. You also mentioned that you arrived at [city] airport and requested asylum directly there, why did you do it there?”*

Participant: *“I didn’t know anyone and had nowhere else to go.”*

Researcher: *“Did you know that you could do it [requesting asylum] from within the country?”*

Participant: *“Yes, my sister did it that way. [...] In fact, someone had told me that the airport [of that specific city] was the most difficult one in Germany to apply for asylum, that they treated you poorly, but the fastest ticket I could find was to that city. So, I decided to try my luck there. Besides that, I did not want to wonder around with the kids.”*

In the case of this participant, we can observe several instances of agency based on her knowledge. She made a connection through a country outside the European Union based on misinformation and decided to seek asylum in the airport, fully aware that she could do it later within the country, because she considered it to be the best decision in her case. Both decisions were made consciously based on the information she had.

Other participants, who had relatives in Germany, consciously decided to enter the country and request asylum after arrival. They waited one or two weeks after their arrival to apply for

asylum, actively using that time to gather information about the asylum system, including speaking with other Venezuelans who had already gone through the procedure or were still in it. In their case, it became evident later on that their agency helped them to be better prepared for what awaited them in the asylum system. It is also important to note, that the Venezuelan community in Germany as the main source of information is a common aspect among all the participants, because the limited access to information is a recurring problem mentioned by all of them.

As the previous interview passage showed, the lack of information or obtaining erroneous information also actively influences the agency of asylum seekers. This is further exemplified in the case of another participant. She narrates that before leaving her country, she joined Facebook groups of Venezuelans in Germany. Through these groups, she learned that Venezuelan asylum seekers were in a specific refugee camp in Saxony. Consequently, she planned her journey to reach this camp. However, once in the city where the camp was located, she did not know how to find it. Therefore, she started asking pedestrians on the street with the help of a translation app. After receiving directions, she manages to reach the street where the camp was located but struggles to find the exact building. Feeling desperate, she writes in the Facebook group seeking help and the community advises her to seek assistance from any police officer. Skeptical due to the bad treatment she was used to from the police in Venezuela, she initially hesitates but eventually decides to approach the police after several hours. An officer assists her and takes her to the refugee camp.

This story shows several things. On the one hand, it shows that the perceptions created in Venezuela influence their actions, as was the case with her initial distrust of the police. On the other hand, it shows the importance of the Venezuelan community in the case of Venezuelan applicants in obtaining information. Their actions are based on the information they have. However, it also shows the additional difficulties that erroneous or incomplete information can generate. In her case, the information she had led her to believe that she had to seek asylum directly in that specific refugee camp. This information is not wrong, but it is incomplete. She could have applied for asylum at the airport or anywhere in Germany, for example at a police station, among other options. The information she had forced her to make a much greater effort than necessary. When I confronted her later about this issue this was her reaction:

Researcher: “*So just to clarify, the reason you waited to be in [that refugee camp] to apply for asylum is because, based on your information, you believed that you had to apply for asylum specifically in [that refugee camp]?*”

Participant: *“In that one. That’s correct. Well, until now, I think that’s how it is, right?”*

Researcher: *[I shake my head in disapproval]*

Participant: *“No?! [laughs loudly] Oh my God! I’ve been here [for years], and I’m still ignorant about this, see!”*

As can be clearly seen, the participant remains convinced of the information obtained in the Facebook group. Her reaction at the end also shows her frustration about access to information, an aspect she mentioned multiple times during her narrative.

5.4. Housing: the refugee camps/accommodation

There are certain aspects that need to be mentioned at the beginning of the analysis concerning housing. First, except for those who requested asylum at the airport, in the case of all participants who requested asylum within Germany, the registration in the AZR (Step 3) does not happen immediately after the asylum request (Step 2). The participant who waited the longest between Step 2 and Step 3 waited over three weeks. This is significant because according to the information provided by the BAMF, which is the basis for Figure 1, the asylum seeker is supposed to be taken to the nearest refugee camp (depending on the EASY system) after registration, which is portrayed to have happened right after the asylum request. However, the interviews revealed that asylum seekers are accommodated in an initial facility immediately after Step 2, without this implying their immediate registration.

Second, the interviews showed that asylum seekers are constantly moved within the region during the asylum procedure. If one relies on Figure 1, it may seem as if after Step 3, they remain in the initial reception facility until the end of the second obligation (*Wohnpflicht*). However, the interviews clearly indicate that this is not the case. All participants were accommodated in a reception facility after Step 2. The majority were transferred to another facility after Step 3. After Step 5, all of them were transferred to another camp, and later, after Step 7, they were transferred again to another facility. After receiving a decision (Step 8), the participants who were granted a form of protection also moved again. It is important to take this into consideration, as asylum seekers lived in different facilities and had varied experiences in each of them. Several participants even resided in the same refugee camps in different years, which allows for a specific analysis and comparison of certain facilities. However, I have chosen not to do so in order to protect the participant’s anonymity. Many of them explicitly requested me not to include the names of the refugee camps. For this reason, I will only refer to the facilities in general.

The experience in the initial facilities were similar for all participants. The majority mentioned that there was a social worker who spoke Spanish when they arrived. They all narrated that they underwent a medical check-up, and if they arrival was during the pandemic, a Covid-19 test was included. All participants were provided with a private room for their family, while the bathrooms and showers were shared. This certainly proved to be a strong culture shock for all interviewees. The following passage illustrates this very well:

“Sharing the bathrooms, but especially the showers, was weird for me. Latinos are not accustomed to that, I think. What make it uncomfortable, I think... umm... was that we had to share them with mostly Africans and Arabs. It was the first time experiencing something like this [laughs]. The things you see! Like Africans washing their feet in the sinks... that’s a very strange culture, I think. [...]. And the Arabs would pee in the showers, which smelled horrible then! Many people didn’t shower every day, especially the Arabs and Africans. I had to quickly shower with the kids, trying to do it before anyone else arrived, because one day I showered in the afternoon and an African women showered next to me, completely naked, and I felt uncomfortable. So, I started to shower at night or very early in the morning when nobody was there, and as it was getting colder, even less people were showering. At that time the water heater was off, but fine, is how it is” (Participant)

All of them mentioned showers as a challenge. The vast majority also showed instances of agency as in this passage, bathing at times when the showers were emptier despite the lack of hot water. In one case there was even mention of conflicts between Venezuelans and other inhabitants of the facilities to keep the showers clean. Certainly, the contact with people from the Middle East and Africa represents a strong culture shock in the case of all the participants. However, the way of referring to it is very different in each case. While some expressed this cultural shock in different instances throughout the interview in a more tolerant way, others certainly expressed it in stronger terms that I consider racist.

All participants also mentioned, that they were asked in the initial facility about their native language and country of origin, along with other personal details, when they arrived. However, the registration in the AZR with fingerprints took place days or weeks after their arrival. They all expressed that this presented a problem, as they only start receiving a small amount of money for personal use after the registration. That amount never exceeded 75 euros per week for all family members. The average size of the interviewed families is three members. The way they invested the money was also similar for all participants. Most of them used part of the money

to buy food, as they considered the food in the refugee camps unhealthy for the children or unappetizing. Another recurrent way of using the money was to do activities with the children or to buy them something to distract them, because not all facilities had many offers for the children. Some did have more options, such as a daycare center and even language classes for the children. This use of money is certainly a form of agency worth mentioning, because they attempt to use the money to improve the situation of the kids. During the interviews, it is evident that the well-being of the children is the primary motivation for the agency of the asylum seekers during the procedure, as was also the case for the reasons of migrating.

Regarding the constant transfers, participants reacted in very different ways. Some actively sought through the Venezuelan community and the social workers in the facilities to find out where they would be transferred to, normally unsuccessfully. Others, on the contrary, did not see opportunities for agency, and therefore did not actively seek information. As one participant put it: "It's not worth it. You can't change it anyway. They treat us like sheep, they move us from here to there and you can't do anything about it and you don't know anything" (Participant). However, another participant shows an interesting instance of agency in getting herself transferred to another refugee camp. This is worth looking at in more detail, because it shows agency within the asylum system in an aspect where most of the participants felt helpless.

The participant, who has a child with a very serious medical condition, describes how the child's health deteriorates significantly in the facilities. Due to this reason, with help from the social workers at the refugee camp she sends letters to the BAMF requesting a transfer to a camp with more space and options for the children's recreation. She states, "I had never seen him so bad in Venezuela, it was after we arrived at that [refugee] camp that he had a very strong downturn" (Participant). However, she believes that she needs the support of a doctor to argue before the BAMF that a transfer is necessary. Hence, she also sends letters to the Social Welfare Office requesting appointments with specialists. The Social Welfare Office arranges medical appointments with specialists, who request the BAMF to transfer the family to a more spacious facility. This process was long and tedious, but she manages to be transferred. Unfortunately, the BAMF transferred the family to a refugee camp with worse conditions, according to the participant:

Participant: *"When I saw the room, even smaller than the one we had before, with a broken bed and far from any place, I got depressed. I cried for the first two days."*

Researcher: *"How did you overcome that situation?"*

Participant: *“Well, later a thought that if I had managed to do it once, I could do it again [get transferred]. I had hope to send a letter, for the to understand the situation, and transfer me somewhere else, but it never happened. While I had hope, I remained calm.”*

Researcher: *“How long did you try to send letters?”*

Participant: *“About two months, with help of the social worker and the doctors. One or two letters every week.”*

Researcher: *“And after those two months, when you realize that is not going to happen, what did you do?”*

Participant: *“Adapt. I gave up the letters. What you have to do is to adapt. Accept the situation and think “at some point we will leave here.” Maintain hope. That’s what I thought, that at some point I’ll get out of there... And well, six months later we did.”*

The story of this Participant highlights the agency she demonstrated in advocating for her child’s well-being by successfully attempting to seek a transfer to a better facility. Although the outcome of her agency was negative, despite setbacks she continued to exercise agency as she could, first actively trying to be transferred again, and later, trying to adapt and maintain hope. However, this example also sheds light on the flaws in the asylum system, particularly the lack of understanding of individual circumstances by the authorities. A recurring negative aspect that became evident during the interviews.

A further example of this is the story of another participant who, due to her work during her unusually prolonged asylum procedure, had to commute for three hours each day. For a prolonged period, she unsuccessfully requested several times to be allowed to move closer to her workplace. Hence, she decided to move without telling the authorities, with the assistance from German friends and the Venezuelan community to overcome certain bureaucratic issues, improving her life afterwards. In this case we observe how certain inflexible limitations the system imposes over the asylum seekers force them to exercise agency to overcome them in order to improve their situation, even if it means breaking the rules. In the participants own words:

“The moving thing, my housing issue, was insane. I still don’t get it. My procedure has been ongoing for [a considerable amount of time] without a definitive answer. In that time, I learned German, did internships, and started working. I am trying to integrate, damn it, be independent from the state. All I asked was to live closer to my job so I don’t have to commute three fucking hours every day! Is not that hard, I pay for the room

myself. But no, they just didn't want to help me. I don't understand them. They need workers, and I want to work! I was just asking them to make my life a little easier. It's absurd! I did it anyway.” (Participant)

While not all participants had to resort to actions that put them in complicated legal situations, all showed instances of agency to improve their housing situation. Prior to obtaining a decision such instances of agency were less frequent and more limited in their effectiveness. However, in the case of those who received a positive decision (Step 8), all showed agency in seeking better housing once they began receiving more in-cash benefits from the *Jobcenter*. For example, one recounted how, with the help of the translator, she learned to search for apartment ads on the Internet and made appointments to visit them. She single-handedly visited 4 apartments alone, taking the *Jobcenter* documents with her and communicating with an application that helped her translate. However, she did not receive a positive response because “it seems that the landlords don't want the *Jobcenter* people. I don't know if it's because they are from the *Jobcenter* or because they are foreigners. Other Venezuelans told me that it was because Arabs had a bad reputation and that's why they didn't want foreigners” (Participant). After her failed attempts, the social worker of the camp where she was living put her in contact with an NGO that helped refugees find apartments. With their help she found her current housing.

Her narrative shows on the one hand her agency, but also the importance of the social workers in the refugee camps supporting asylum seekers in many different aspects, as should be evident by now. The image of the social workers was very varied. Depending on the camp, the participants portrayed them positively or very negatively. All expressed confusion about the task of social workers, which again shows the lack of information. In the words of one, “we don't really understand what their functions are, sometimes they help you a lot with certain things and sometimes you feel that they actively ignore you. As in everything, there are some good ones and some very bad ones” (Participant).

The mention of “the Arabs” set a trend during the interviews. All participants who expressed negative stereotypes about this group of people responded to my question about the source by saying either that they had witnessed it or that other Venezuelans had told them about it. This second point became recurrent, showing friction between Venezuelans and people from the Middle East and Africa and the feeding of negative stereotypes within the Venezuelan community. Finally, the point concerning NGOs is important to highlight. Many participants actively searched NGOs and obtained from NGOs the information and support in various areas

that they did not find within the asylum system. On the one hand, this demonstrates the agency of the participants seeking to improve their situation, and on the other hand, it underscores the importance of these organizations.

The last important point to highlight is that almost all participants mentioned that there was extensive drug trafficking in the refugee camps. Some also mentioned the presence of child prostitution. One participant even reported that the social workers warned her not to leave her child alone, as "single men sometimes tried to approach children inappropriately. [...]. I witnessed it too" (Participant). This situation led to various forms of precaution. Some participants mentioned that they always bathed with their children to avoid leaving them alone, others stated that either they or their spouses or friends would stand guard outside the bathroom while the other bathed the children, and another attempted to complain to social workers, the police, and the BAMF without success. On one hand, this shows agency in protecting the children, but on the other hand, it highlights a real danger that is not being effectively addressed in the refugee camps. It is important to note that these issues persist over a span of seven years, as reported by participants who passed through these camps at different times.

5.5. Visits to state offices and the decision (Steps 3, 5, 7, 8 and 9)

In this subchapter, it is important to mention the airport procedure first (*Flughafenverfahren*). This procedure, as mentioned in chapter 3.1.1., expedites the asylum procedure by conducting the registration in the AZR (Step 3), the first appointment with the BAMF (Step 5), and the Dublin procedure (Step 6) within a very short period of time. Since this procedure takes place right upon arrival, the participants who applied for asylum at the airport showed in their narratives to be overwhelmed and did not exhibit instances of agency during this procedure. These participants mentioned having to wait for many hours at the airport and then being approximately two days in a refugee camp near the airport. The transportation from that refugee camp to the initial reception facility in Saxony was marked as overwhelming, surprising, and hectic. The following passage is exemplary and shows the agency of one of the participants during this transportation mentioned above.

Participant: *"Without warning, they wake you up at five in the morning. They knock on your door [she knocks on the table] and tell you to gather your things. Because they send you off with suitcases and everything you have, and you don't even know why. Then they make you wait. Then a guy came and told me 'Here are the tickets for you to on the train with the children.' I had two suitcases, a stroller, my little children, and I had never ridden a train before. So, I told them 'I'm alone, I can't leave like this, and*

besides, I don't know the trains here.' I told them I wouldn't move. They said the problem was that... [sadly I interrupted her]."

Researcher: *"And what did they say? Did they send you alone? I mean, did you achieve your goal of not being send alone with your suitcases, the stroller, and the kids on the train?"*

Participant: *"Yes, I told them I couldn't because of this and that, I explained and I refused to take the tickets. Then [he told me] 'tomorrow I can send you in a taxi, I think someone else is going to [that city] too, so I can send you with him. But you have to wait until tomorrow for the taxi.' So, I waited, I obviously waited. The next day was the same drill, you know, waking up early and so on. But this time we knew where we were going and I had already packed. [...]. The cab dropped us off at the camp's gate."*

This transfer without prior notice was mentioned by all the participants who went through the airport procedure. Moreover, in the numerous transfers throughout the procedure that all the participants mentioned, this *modus operandi*, or a similar one, was brought up several times. Interesting is the participant's way of exercising agency by refusing to do something to achieve her goal. This approach was mentioned a couple of times during the interviews. Regarding the narratives of the participants who went through the airport procedure, it is surprising that once in Saxony, they attended two appointments at the BAMF. In theory, as explained, the airport procedure includes the first appointment, which is why this information was unexpected.

Nonetheless, the experiences of all the participants regarding the registration and the two appointments at the BAMF were similar in terms of the procedure but very different in terms of the participants' perception. For instance, regarding the process of registration in the AZR (Step 3), all participants (excluding those who went through the airport procedure) mentioned that they were taken very early in the morning in a bus with other asylum seekers to a police station, once again without prior notice or information about where they were being taken. Upon arrival, all of them had their cell phones taken away and had to wait in a waiting room for several hours to be called in. They were all given a bag with food during the waiting time. Once they were invited to enter the office, the process of registering their data and fingerprints was very quick, followed by a medical check-up. An interpreter accompanied them. All participants were asked if they had cash with them in Germany; the participant with the most had 58 Euros, while with the last had 5 Euros. None of them had money in an account. They were all given document explaining their obligation and rights in Spanish. After all the applicants were registered, they received their cellphones back and the bus returned them to the refugee camp.

Indeed, while the registration procedure was the same for all, the experience and perception during this process varied significantly among the participants. While one participant said that “the officials were always very friendly,” another participant narrates a very different treatment.

“The waiting time was so long that my son peed himself. I tried for a long time, I said with my bad English ‘Bath,’ and ‘bitte, bitte’ [please, please]. ‘Nein! [No] You can’t leave the waiting area.’ Only after my son peed himself and I reported it, they allowed me to go to the bathroom with him to change him. I was extremely upset: it is a kid! [...] And top of that, they put colored wristbands on us, each of us had different ones. I remember, the kids had red, mine was green, and other asylum seekers of different nationalities had purple wristbands. I asked why and they just stared at me, no response at all. I said ‘Grün [green], the color, warum? [why] Why this color?’ I looked it up on the translator when I got my phone back at the end and said ‘Farbe? [color] Warum Farbe?’ And they just kept staring at me, no answer whatsoever.” (Participant)

The participant’s narration not only shows a rough and almost inhumane treatment from the authorities, but also highlights communication difficulties and agency trying to overcome them. The participant’s English and German are extremely limited, nevertheless, she actively tries to communicate the needs of her son and obtain information to better understand the procedure. Unfortunately, this is an example where the participant’s agency does not yield results.

The medical check-up also showed different experiences. Most participants reported that it was respectful and gentle, and they were asked to undress and remain in their underwear. One participant showed agency by refusing to have her children undressed, because she did not trust the police officer. These participants reported that during the examination, there was a female doctor and a female police officer present. However, two participants mentioned feeling uncomfortable during the medical check-up, with one even narrating being forced to undress completely in front of male police officers and that “they touched me all over” (Participant), despite expressing discomfort about it. While this may not be an instance of agency, or rather failed agency, it is certainly concerning and show how the uneven balance of power can be exploited against asylum seekers.

Regarding the first appointment with the BAMF (Step 5), the procedure was very similar. The appointment took place in most cases two to four weeks after the registration in the AZR (Step 3). They arrived very early in the morning with the bus, this time with prior notice and knowledge about the destination. The waiting time was long, and they were given again a plastic bag with food. One of the participants described the BAMF as “the place where the workers are

always in a bad mood and treat you as if you were an inmate” (Participant). On the contrary, another said she always felt respected and helped, despite the intimidating situation. The appointment itself was short (with an interpreter), as the questions were very specific. The specificity of the questions and the expected answers seems to have been a cultural shock for some participants, as exemplified by the following excerpt:

Participant: *“But then they asked me ‘how do you arrive?’ I explained the journey in detail. They said ‘No.’ [...] That’s when I understood that when the police [referring to the BAMF worker] asks you something specific, they are asking for a single piece of information, not like we are used to, where you give the complete story with all the juicy details..”*

Researcher: *“[I bush, exhale and chuckle softly, then say...] You are lucky today because I want to hear the whole story.”*

Participant: *“Ah, yes! You’ll regret that [laughs heartily]. So they asked me specific, individual questions. He [BAMF worker] would say ‘let me repeat, is a simple clear question, what I’m asking you is how you arrived?’ So I learned, ‘by plane.’ ‘To where?’ ‘To Berlin.’ ‘How did you get to [city in Saxony]?’ ‘With the bus.’ [...]. At the end he was like ‘perfect, that’s what we wanted to know.’ Done. [...]. It took me a while, but I learned they wanted short, concrete answers.*

However, the point where all participants complained regarding the first appointment was that after it, they were told to return to the refugee camp on their own. They were accustomed to being and brought back in a bus, so they thought they would be transported back. No one had warned them, and not all of them were given direction on how to return, showing once again the lack of information provided to them. Only in one participant’s case did the BAMF provide a ticket for public transport; in all other cases, they were told they had to buy it themselves. Not being forewarned, some of them did not have money with them. Here we can observe different forms of agency.

Participant 1: *“Well, it was a shock, nobody had said anything to us and the suddenly it was like ‘leave and go back however you can.’ [...]. Some single moms were there with their children crying because they didn’t have money and did not know how to go back. Luckily, I had a little. There, we came together (the Venezuelans) and we pooled our money so that everyone could return with us together.”*

Participant 2: *“I was the only Venezuelan there, nobody spoke Spanish, I think. I went out of the building, thinking I would be taken back with the bus, but there was no bus there. I turned around and tried to enter the building again, but the security guard didn't let me. He told me to leave and showed me where the station was. I tried to explain to him that I didn't have money, but it seemed like he didn't care. He kicked me out with my children. So, I decided to walk, imagine, in my condition! [she had a serious medical condition at the time]. After walking for a while with the children, an elderly German lady saw me and tried to ask me something, but I had no idea, I didn't understand. I just kept saying [the name of the refugee camp]. She took pity on me, accompanied me to a bus stop, paid for the tickets, and stayed with me on the bus until we reached the camp. I never saw her again. [...]. When I arrived at the camp, I was furious and complained.*

Once again, we see the importance of the Venezuelan community, this time creating collective agency. On the other hand, in the example of participant B, the agency does not come from the participant herself, but from an ordinary German citizen. This is not the first time I have mentioned this type of solidarity. In fact, such solidarity from ordinary citizens towards asylum seekers was mentioned in various instances by different participants.

None of the participants mentioned the Dublin procedure (Step 6). This is not surprising, as the Dublin procedure is conducted based on the information collected during the first BAMF appointment (Step 5). Hence, the participants are not present during this step and do not have contact with it unless the Dublin procedure determines that another country is responsible for their application. This was not the case for any of my participants.

Regarding the second appointment at BAMF (Step 7), the procedure was the same as in the first one, with the exception that the appointment itself was extremely long, lasting three to eight hours, partly also because in the end they read the translated transcription of the appointment and are allowed to make modifications. This time all the participants were prepared to return on their own, despite not receiving information again. As one of them said “I wasn’t going to let them screw me over again; I had learned from last time” (Participant). Some had initially thought that the first appointment was the one where they would argue in favor of their asylum application, but by this second appointment, all of them knew in advance the importance of it because they had informed themselves before entering the asylum system or had been informed within the camps through the Venezuelan community. Hence, they prepared as best as they could. This time, participants were not allowed to bring their children, probably due to the long duration of the appointment and the sensitive nature of the topics to be discussed. However, the

agency of one participant would manage to avoid this prohibition and would end up affecting her during the hearing.

The participant, who has children with serious medical conditions, and had fled due to lack of access to healthcare, discrimination, and persecution, which even resulted in torture, had a strong aversion to leaving her children in the refugee camp. This aversion was not only due to negative experiences outside of Germany but also within the asylum system, including the fear of the aforementioned child prostitution. Consequently, “I drove them crazy until they allowed me to take the children with me” (Participant). However, once at the BAMF, she expected that the children would be placed in a separate room under a guardian. “To my surprise, they didn’t. I felt it was a way to punish me” (Participant). They force her to do the hearing with her little kids in the room. This prevented the participant from telling the story in its entirety due to many highly individual sensitive aspects of her case, especially everything related to physical violence. “I told the interpreter: ‘Dear, explain to him! Tell him I can’t talk about certain things with the kids here. Ask him to take them away.’ And she said that to him but he didn’t care” (Participant).

This example shows how individual conditions of the applicants lead them to exercise their agency and how, again, the system does not seem to have the flexibility to understand these individual conditions of the applicants on some occasions. While this was the only clear mention of negligent behavior by a BAMF worker during the interview, there were other negative comments from other participants. One participant mentioned, “You tell them the story, and then they ask you the same questions like 500,000 times, over and over again, as if trying to find mistakes, to trap you, as if we were liars” (Participant). However other participants expressed feeling comfortable and understood. One participant mentioned, “I was nervous at first, of course. The people were kind, they even placed tissues nearby and gave me time to cry when I did” (Participant). This shows that the experiences during the interviews were very different among the participants. What was not so different was, on the one hand, the preparation of the argumentation and, on the other hand, the perception they had about the interviewer's (decision maker) interests during the interview.

Regarding the preparation and argumentation throughout the interviews, most participants based their argumentation on two main points: the generalized violence and the lack of access to healthcare in Venezuela. However, the majority explicitly mentioned that they primarily emphasized the healthcare situation, even if they had sufficient arguments regarding political persecution, for example. When asked about the reason for this focus, most of them responded

that other Venezuelans had told them “‘You can tell them [BAMF] about the political stuff, but they don’t care’” (Participant). In the words of another participant, “they said that the BAMF doesn’t seem to be very interested in that [political situation and violence], or they just don’t understand it. They advised us to mainly talk about health-related issues. The BAMF is more willing to listen to that. You have like better chances” (Participant).

Hearing this certainly impressed me. The agency of the participants during the hearing is guided by information that is detrimental to them, coming from the same Venezuelan community in which they move and seek for information. This misguided agency is probably denying them access to highest forms of protection. However, the narration of the hearings also hinted that, while this information may be affecting them, it does not seem to be unfounded.

Participant: *“It was frustrating, like talking to a wall. I told him how on the street you see people in hoods get off and beat someone up and leave. Noone does anything about it. Collogues and friends of mine have been beaten up almost to death! [...] If you die nobody cares!”*

Researcher: *“What was frustrating about it?”*

Participant: *“He kept asking me who this hooded people were! I told him many times they were common criminals or the Colectivos [...].”*

Researcher: *“Yes”*

Participant: *“Well maybe is because you are Colombian, but this German just couldn’t understand. At the end he just didn’t, I think, and I just move on because I was tired [says in frustration].”*

She certainly was not the only one who expressed feeling misunderstood when trying to explain the widespread violence in Venezuela and how it affected her and everyone else. In fact, the legal debate in Germany about the so-called *Colectivos* in Venezuela is a perfect example of inflexibility by the asylum procedure and contradicts the claim that decision-makers at the BAMF are well-informed about the situation in the country of origin. In Saxony different offices of the BAMF gave different answers to asylum seekers who argued their forced migration based on persecution by *Colectivos*. The reasons for the negative answers were due to the impossibility to determine the connection between the *Colectivos* and the state and/or whether moving within the country would have been enough to flee the persecution of this groups. This has led to demands against these decisions. However, it is not enough to prove generalized violence by the *Colectivos* or their capability to persecute throughout the country,

it is also necessary to prove their connection to the state or at least the incapacity or unwillingness of the state to act. These obstacles led different courts to rule very differently on these demands (Ton, 2019: 418-420). Although many of the rulings seem to favor the applicants, the issue has not been clarified in such a way that a judicial instance is not necessary (Asylmagazin 12/22 “Venezuela”, 2022). Therefore, it is not surprising that the Venezuelan community in Germany believes and informs that the BAMF is not interested in arguments about persecution and the political situation in Venezuela.

Consequently, this may also be part of the reason why deportation ban is the most common decision among positive outcomes for Venezuelan asylum seekers, as shown in Chapter 4. Not only the inflexibility of the BAMF, or rather its lack of ability to understand certain situations in the country of origin, but also the agency of Venezuelan asylum seekers, influenced by the information from the Venezuelan community in Germany, as they focus on medical issues over political and violence related aspects when presenting their asylum case to the BAMF. In the case of my participants all who had some form of protection received deportation ban, supporting the trend. All of them were informed through a letter with the reasons for the decision, which was also translated into Spanish. From Step 2 to the issuance of a residence permit (Step 9), all participants with a positive decision waited a considerable amount of time, seven and a half months being the shortest time. Nonetheless, the waiting time between the BAMF decision (Step 8) and the issuance of the residence permit by the Foreigners’ Office (Step 9) was relatively short in all cases. None of the participants reported any problems with the Foreigners’ Office. While all participants expressed great gratitude towards Germany, several of them mentioned feeling that they deserved a higher form of protection. However, only one participant was considering appealing the decision.

The rest were still in procedure. Unfortunately for me as the researcher, none of the participants had a *Duldung*. It is understandable that due to the precariousness of this status, individuals might be more skeptical about participating. In my search for participants, the potential participants with a *Duldung* decided not to participate. Even so, several of the participants reported knowing Venezuelans living in Germany with a *Duldung*. In congruence with the quantitative data, some of the people with a *Duldung* mentioned by the participants had dual nationality, Colombian being the other in most cases.

5.6. Health

All participants expressed satisfaction with the German healthcare system during and after the procedure. It is worth noting however, that several of them did not consider the German

healthcare system to be particularly good compared to other Latin American healthcare systems or the healthcare system in Venezuela before the regime, but “compared to Venezuela nowadays, to not having anything and dying waiting for medicaments or treatment, it’s great, gives you security” (Participant). While asking about the shortcoming of the German healthcare system in their eyes, the majority mentioned on one hand that it is very slow, and on the other hand, that the access they have during the asylum procedure is very random. The following passage illustrates the first point:

Participant: *“We are still in the process. The BAMF has our case open because they told us that we didn't have medical reports from Germany, and they wanted the doctor to tell them what would happen if we don't have medical treatment. Because, in general, the person I spoke with, she listened to the whole story, and without me even telling her anything, she directed the case towards the health area. And at that point, she tells me that it's very important for Germany to know if we can really return to Venezuela or not, and for that, the doctor in Germany has to... Because she's not a doctor, she explained to me: 'I'm not a healthcare professional, and therefore, I don't know. So I want the doctor to tell me what the illness is, what the treatment is, and what happens if you don't have your treatment, because based on that, we're going to make a decision.'”*

[...]

Researcher: *“So, does that mean you've been waiting for the BAMF's decision since the appointment [Step 7] for five months?”*

Participant: *“We're not even waiting for the response yet, because we've been waiting for five months for medical consultations to be able to send the evidence to the BAMF!”*

Researcher: *“I see. Okay. How are those medical consultations going?”*

Participant: *“Badly. It's a torment. But they know about it. Because we have our family doctor, who is an excellent doctor, she's an internist, and internists know a bit of everything. But she has referred us to specialists because she also knows that the BAMF is expecting that, and she thinks we should go. But the specialists are quite overwhelmed. For example, I have an appointment with the gastroenterologist at the end of August; we requested it a month ago [Early May]. We have an appointment with the pulmonologist in November, [a long list of appointments demonstrating that they are many months after requesting them continues].”*

Researcher: *“I see. So, let's say the appointments have you in a tough situation, so to speak.”*

Participant: *“For now, yes. And there's always the concern about how many extensions they'll give us [regarding the Aufenthaltsgestattung], because we already have five, four. I mean, it's been many months. Social services told me not to worry about that, that they know the system and will give me all the time I need as long as I'm genuinely making the efforts.”*

This extensive excerpt illustrates what the criticism of the system being slow refers to. This criticism was mentioned both by individuals with a decision and those in the procedure. In this case, it becomes evident how this delay affects the efficiency of the asylum procedure (supporting one of the trends exposed by the quantitative data), especially considering that Venezuelan asylum seekers and the BAMF seem to focus on health issues, as emphasized before and seen here again. This passage also shows how the limitations of the healthcare system inhibits her agency on trying to expedite the procedure. On the other hand, the following passage exemplifies the criticism regarding the access to healthcare during the procedure being random.

Participant: *“In the refugee camp, we had a bad situation because my daughter got sick, and I also got sick, but they looked for a doctor for me, and no one attended to my daughter.”*

Researcher: *“Why, do you know?”*

Participant: *“I don't know. They said there was no appointment with the pediatrician and they didn't send her to the emergency room. She was feeling very sick for about three weeks. When they took me to the hospital, and I wasn't as sick as my daughter, it turned out I had a bacterial infection, and I suppose that if I had it, my daughter probably had it too. When I talked to the doctor in the camp, we were like, ‘Damn, she looks like she has scarlet fever, her skin is all rashy, high fever for eight days at 40 degrees Celsius that didn't go down with ibuprofen mixed with paracetamol.’”*

Researcher: *“And despite that, they didn't attend to her or took her to the hospital?”*

Participant: *“Despite that, they didn't... They attended to her in the refugee camp, but there's no pediatrician there. She overcame her infection on her own. But I was always left with that feeling of “how frustrating” [she vents], and my daughter wasn't the only one. There were other sick girls, in fact, a baby girl who got dehydrated and they took*

her out when the baby was almost at her limit. And the baby also had a throat infection that had spread to her ear, in other words... [I interrupt]"

Researcher: *"Who decided when you were taken to the hospital? I mean, who said you were going to go to the hospital?"*

Participant: *"We don't know because we talked to the social workers, but they are people who don't have that power of decision. I imagine they have to call someone, and only in extreme cases do they decide to take someone. But it was strange because in Venezuela, there's no money or anything, so they don't do tests, and here [in Germany] they took me to the hospital without me asking for it and did tests without me having to bother much. It was like luck. It's as if you're lucky because one week there's a doctor who cares, and the next week you're not so lucky."*

All the participants expressed this confusion regarding their access to the healthcare system during the asylum procedure. Several displayed agency by strongly insisting that their or their children be taken to the hospital or be allowed to access certain medical appointments, with mixed results. It is important to note that all participants who had already a protection status mentioned that this situation changed dramatically once they received their German public health insurance, which is not surprising considering it puts them on the same level as any other citizen, while their access to health during the procedure is limited to cases of acute pain or if necessary for the decision of the BAMF.

5.7. Education

In terms of children's education, the experiences were different. In general, in the case of children without any disabilities, it did not take long for them to start going to school after the Asylum application. However, in several cases this was related to the agency of the mothers, actively seeking for them to attend school, as can be seen in the next excerpt.

Participant *"I thought it would be faster, but it turned out that in October the schools had already started and everything was already organized. So, I started asking the schools, the closest ones, if they had any places for the girl. 'No, it is already full' [The response of the school]. But... [Sadly I interrupted her]."*

Researcher: *"Did you go to the schools to ask yourself?"*

Participant: *"Yes. This one on the corner and I went to [another one] too. They told me no, that's not the way it is, you have to fill out a form and that's before September, he*

was telling me [the school worker]. And I was like 'Oh my God.' I had to wait. Fortunately, they managed to get her in by January. Here, in [school name]. So, she was able to start more quickly. That is, that she was from October to January unoccupied, without school."

In other cases, it was not so easy to find schools for the children, especially if they have some kind of disability. In such cases the children lasted at least a year or more without going to school, despite the parents' agency in trying. The DAZ courses also proved to show differences regarding the access. While in cities it seems to be easier to find such courses in schools, in villages it is very complicated to find them. This can have serious consequences. One mother described how her daughter, despite attending school relatively quickly, was for many months very depressed because she had no friends because she had no DAZ classes and could not communicate. "Then with the DAZ, she began to integrate with the language and that, she began to have friends, to learn the language, she started that way" (Participant).

In a rather exceptional case, one participant's children have been unable to go to school for an unusually long time, years, for various bureaucratic reasons. The participant, however, feeling the need for her children not to be so bogged down in their school education, began to teach them at home, even though she had no background as a school teacher or anything of the sort. Not only did she teach them history, mathematics and more, but with the very limited German that she learned in her courses, she also started teaching them German as best as she could. All the declensions, adjectives and other grammatical rules were written on placards attached to the wall in the dining room of her home when I visited her. The dining room in general could be described as a classroom. This type of agency is impressive. Not only does the mother try to provide schooling from home, but she invests a considerable part of the little money she receives each month in private music lessons and other educational activities for her children. She rightly considers her children's education a necessity and tries with all possible means to succeed in her agency to provide them with the education that the German bureaucratic structures momentarily fail to give them.

While an extreme case, this example of agency also illustrates a common issue within the asylum system consistently mentioned by all participants: while the children could not attend school, they could not integrate as they wished. For single mothers this problem becomes even more drastic. These mothers could not attend German courses or volunteer, for example, as they had to stay home with their children. This prevented them from properly learning German for

months or even years, despite attempts to do so using apps or websites, delaying the individual development of the participants dramatically. As one participant commented:

“Since I arrived in Germany until [my child] could enroll in school, I was essentially on hold for about a year and a half, unable to attend any courses. In cases like mine, if I had a partner, we could have taken turns like many others do: ‘You stay with the children, and I’ll go to class.’ But I couldn’t leave them with anyone, so I was sidelined for a year and a half. That’s when I finally started my courses, once the kids started attending school. [...]. So yes, I started very late, because otherwise, I would have already completed the courses, I would already be working.” (Participant)

However, sometimes the lack of access to courses is not due to the children’s school situation but rather other issues within the system. All participants expressed that obtaining a spot for courses during the procedure (while having an *Aufenthaltsgestattung*) was complicated. However, it was particularly challenging for participants who were not located near large cities.

One of the participants, who only found out much later after arriving that she could attend state-funded language courses, describes how she did not attend a course for months, despite having a spot reserved at a language school she found herself, due to lack of response from the BAMF confirming or denying the feminization of the courses. During this time, she attended the official courses as an observer and started attending German classes organized by volunteers, which she found through the Venezuelan community. Similarly, she found volunteer work, which she attends “to do something and have contact with Germans” (Participant). Her story once again demonstrates the agency of an asylum seeker to address needs that the system, for various sometimes ambiguous reasons, fails to fulfill. In relation to the German language, this was consistent pattern during the interviews. All the participants showed agency in one way or another to learn German and/or access German courses as quick as possible, trying to overcome structural limitations with varying degrees of success.

It is important to mention that in most cases, access to language courses, disregarding other factors like the children’s school situation and the geographical location of the participant, was significantly facilitated once a positive decision was received, in line with that what was explained in the subsection 3.2.2.

5.8. Mobility and racism

Most of the participants reported that they had not traveled much since arriving in Germany. None of the participants traveled during the asylum procedure. Those who traveled after

receiving a positive decision made trips within Germany for relatively short periods of time. Some of the participants expressed that they know that they can move relatively freely, as long as they inform the *Jobcenter* and do not miss classes, in the case of those in language courses. However, other participants showed more confusion concerning their freedom of movement, not being sure whether they could travel or not and therefore preferring to avoid problems and stay in their place of residence. This shows that the end of certain obligations, such as the second and third obligation, and what the fourth obligation entails, is not being effectively communicated. A further example of the poor access to information and how it affects agency.

Leaving aside the aforementioned racism that seems to circulate in the Venezuelan community in relation to people from the Middle East and Africa, which is certainly reflected in the narrative language of some of the interviewees, some participants also expressed instances of racism against them.

Participant: *“I was once in a supermarket I had to ask a question in English and the person told me that this was Germany and that German was spoken here. ‘Ist Deutschland! Sprechen Deutsch!’ Then I felt very strange because I almost... [I thought] ‘aha and if I am a tourist, so you don't speak to me and you don't sell to me because I don't speak German.’ But I have been told that in Germany there is a kind of rejection towards English, that at least if you try and do it badly, they are going to like you better than if you arrive speaking English.*

Researcher: *And from there you try to speak German?*

Participant: *Yes, I try to speak German and it has actually worked much better for me than trying in English. It has even happened to me that I start in German and because I say it so badly and he doesn't understand me, we end up speaking in English without any problem.*

This shows agency on the part of the participant trying to adapt in a way that will prevent her from being mistreated again. Her agency however is influenced by the information she receives. Another participant showed a different type of agency. She described how she is discriminated against by a colleague at work, to the point that the colleague does not touch what she touches or speak directly to her. The participant talks to the boss and demands that the situation improve. When this did not happen, the participant resigned and changed jobs. at the other job during the interview, she told what she had experienced and explicitly mentioned that she did not want to experience racism again. Once she was assured that racism had no place in that company, she

accepted the job. This agency differs from the previous one in that it does not seek to adapt, considering such racism unacceptable, but actively seeks change.

During the interviews it became evident that participants with darker skin were those who reported more instances of discrimination. This was even confirmed by a lighter-skinned participant:

“It also happened to me that I always went to a hotel with a friend and in this hotel, we would go to talk and my friend would eat something. [...] And this one time we went and it occurred to me to invite a couple of friends who are dark-skinned, the three of them with their baby, and when we arrived at the place we were treated very differently. There was a lady and it was like ‘we are closed and we are not going to serve you. Go away!’ And I almost... We were... I felt like I was already a customer of the place and it was the first time... I was surprised, my friend felt very bad. It has also happened to us that with that same couple we have gone out and the little children - well the little boy is brown - and then the [other] parents don't let [their children] play with the child and they even take him [the dark-skinned child] away and we have seen it! Well, I haven't been a victim [of racism], but we have seen it.” (Participant)

There were many instances of racism during the narratives of the different participants, including some related to German authorities, and the agency was also very varied: some chose to confront, others to adapt and others to ignore it. In some cases, I got the impression that the participant herself did not realize that she had been a victim of racism, despite including it in her narrative. Probably a defense mechanism. At the same time, it was very interesting to see how the participants described being victims of racism and at the same time, in some cases, used racist expressions in relation to people coming from the Middle East and/or Africa.

5.9. Work and perspectives

Most of the participants were either still attending language courses or had not started yet. However, two of them had completed or were currently undergoing vocational training within a company. Both expressed gratitude towards the company for allowing them to work there despite not having formal qualifications. This is due to a problem mentioned by all participants. The translation and validation of qualifications is not only a slow process but also very complex. Many of them do not have their qualifications in Germany, or Germany does not recognize them due to considering the quality of education in Venezuela to be inferior to that of Germany,

so the participants, despite years of work experience by the asylum seekers in their respective fields.

However, there is also agency on the part of the participants in this regard. Most of them began to inquire about their job prospects in Germany long before receiving a positive response from the BAMF. The majority were advised by the Federal Employment Agency and later by the *Jobcenter*. Additionally, they sought support from NGOs that they found through the Venezuelan community. As a result, those who did not bring their academic credentials and work references with them tried, to the best of their abilities, to have them sent from Venezuela. Most of them also paid money to have these documents translated, unaware that the *Jobcenter* covers these costs. All participants, regardless of whether they were still in the asylum procedure or already had a form of protection, are clearly aware of what they want to do professionally and how to achieve it. Most of them presented me with a clear and realistic plan, including the required level of German, the recognition of their qualifications, vocational technical courses and/or studies they would need to undertake, possible internships, and the estimated time, in most cases years, it would take to achieve their goals. In cases where, in my opinion, the mentioned timeframes seemed unrealistic, I believe it is due to difficulties in accessing information. All participants demonstrated a strong desire to work.

Several of them even volunteered or worked during their time in the refugee camps. It is possible to work in the camps, for instance, in cleaning, childcare, in the clothing distribution, or the library, among others, and earn some additional money. The hours are few per week, and the money earned did not exceed 11 euros per week for any participant. Here again, the situation with the children was a limiting factor, especially for single mothers. While the children were not attending school, these mothers were essentially immobilized. Many expressed that their main motivation for working was not purely financial, although that was important, but rather mental, as can be seen in the following passage:

Participant: *“Yes, of course. My husband and I worked in the camp.”*

Researcher: *“In which camp? In [camp's name]?”*

Participant: *“Yes, because in [the first camp] we couldn't, because we didn't have the paper with the data [registration in the AZR]. And it seems that if you haven't given your fingerprints, you can't do it. Or at least that's what I understood.”*

Researcher: *“How...? Tell me a bit about everything. How do you get to work? Why do you want to work? What do you do?”*

Participant: *“Well, the first thing is that there's too much free time, and when you have too much free time, you tend to get depressed. I've been going through a very difficult [emotional situation]. And then in the camp, as I told you, what happened to me in [the first camp] is that I started isolating myself and I started feeling very sad and depressed. And when I arrived at [the other camp], I said, 'I can't let myself fall like this,' so I looked for something to do and found out that there are places in the camp where you can volunteer and sometimes even get paid a little. Well, I had nothing else to do, so I said, 'Okay, I'm going to work.' So I started looking at the available jobs, like picking up trash outside, being in the kitchen, in the laundry, and I found out that there was like a clothing store. And since I worked with clothing when I was younger, and in my family too, I thought, 'I like this,' and well, I applied and they accepted me. You had to sign up on a list and fight for a spot because everyone is, like, well, just doing nothing, and we all want to do something, and if they give us even 8 euros a week, that's great.”*

This passage illustrates the participant's agency in overcoming a difficult mental and emotional situation. A condition originated in Venezuela but exacerbated in refugee camps due to prolonged periods of inactivity. Emotional well-being and its deterioration due to inactivity were mentioned by all participants, not only for themselves but also for their children, as seen in previous passages as well. For this reason, it is important to mention as a positive aspect, albeit with much room for improvement, that asylum seekers can access volunteering or work opportunities during their stay in refugee camps. According to what the participants mentioned, this aspect is crucial, not so much for financial reasons, but for mental health.

All the participants mentioned that the desire to learn German quickly in order to continue progressing towards their career goals is motivated by the prospect of leading a normal life again and not being dependent on the state. Consequently, the lengthy process they go through has also generated a clear sense of frustration. At the end of each interview, I asked all participants if they would like to add anything to their narrative or make a comment. One participant mentioned the lack of transparency in the asylum system, emphasizing the difficulty of accessing information, a theme that is certainly recurrent in all narratives. However, all other participants made comments related to the lack of access to [work] opportunities more quickly. The following two final comments from different participants should exemplify this.

Participant I: *“Honestly, I believe that Germany is a very good country to emigrate to, although it needs to improve in some small aspects, like the issue of providing opportunities. Because if you need professionals, seriously, they should open up*

opportunities for people who are professionals to obtain different types of visas in a way that isn't so difficult or complex, and provide opportunities in that sense. But overall, I've found this country to be amazing."

Participant II: *"I would add that. That they should improve the system because they keep people doing nothing. Sitting in a classroom for hours and years, years pass by while people study the language. Then, to have their degrees recognized... They lack doctors, engineers, social workers, everything, even laborers or any kind of workers, because of the bureaucracy's delay. My God, they need to open their eyes to their own bureaucracy, it's screwing them up because they're screwing themselves up! Extremely slow. That's for sure. So people want to integrate, and they're like, 'No, wait, not now, wait for this or that.' And you're like, 'but I want to do this.' You can't because you need to have BI, it's like everything is just waiting. That's what keeps people stuck there. [...]. It's true that there are people who don't want to work, who don't adapt, who... But there are others who want to and they don't let us. [...]. So, they need to improve the system. It's them."*

These passages exemplify the participants' opinions. They all feel that the German bureaucracy hinders them in their attempts to integrate in the labor market, whether due to lack of access to language courses, lack of access to information, lack of support regarding their children, and other issues. The common critique is that the process is too slow, which prevents them from working as quickly as they would like. This appears to corroborate the assertion made by the quantitative data that the processing time of BAMF's procedures is unable to keep up with the volume of applications, thereby having a detrimental impact on the lives of the applicants. Nonetheless, when asked whether they regretted choosing Germany or if they would return to Venezuela if the situation there improved, all participants expressed deep gratitude towards Germany and no regrets about their decision.

"For us, we have felt that the process has been something good. We have felt that for the help we had in our country, Germany has helped us, and we have felt like, "Wow, they gave us food! Wow, they gave us a roof!" Because our country really had no benefits, not even when working many hours. [...]. So, it has been like reaching that level where you feel very grateful, to the point that you don't even know how to act in accordance with that gratitude, right?" (Participant)

The majority indicated also a desire to stay even if the situation in Venezuela were to improve, mainly due to not wanting to start over again and considering Germany to be the best option

for their children. Some mentioned, that if it were not for their children and the situation in their country of origin improved, they might consider returning.

6. Conclusion

Inspired by Hein de Haas's understanding of migration as a constant reciprocal and asymmetric process of social change in which structures and agency play fundamental roles, in this master thesis I focused on the relationship between Venezuelan asylum seekers in Germany and the structures in which they move, which I call the German asylum system. Specifically, the focus was on the agency of the Venezuelan asylum seeker and his or her perspective on the asylum system. In order to partially answer the question "what perspective do Venezuelan asylum seekers have on the German asylum system and how does their agency manifest in relation to this system?" I applied a mixed approach, combining aspects of different methodologies and presenting quantitative and qualitative data. While the quantitative data are important, the strength of the work lies in the qualitative data, which were collected through semi-structured interviews with different Venezuelan participants who are in the asylum procedure or have already received a response.

Regarding quantitative data, the research showed the intricacies associated with accessing data from 2016. Nevertheless, these data unequivocally demonstrate a significant increase in asylum applications from Venezuelan nationals since 2017, particularly reaching numerically substantial proportions over the last eighteen months. However, this trend has been met with a markedly low rate of positive decisions by the BAMF, which has further diminished in recent years. Notably, this unfavorable decision rate appears to have a direct impact on the volume of appeals and the increase of individuals from Venezuela holding a *Duldung*.

Upon analyzing the positive decisions, it becomes apparent that the most frequent one, particularly in the last three years, is the issuance of a deportation ban. This phenomenon raises questions regarding the underlying reasons for the prevalence of this form of protection. Another aspect conclusively highlighted by the quantitative data is that the processing time of BAMF's decision-making process fails to keep pace with the escalating volume of asylum applications from Venezuelan nationals. In the case of these last two points, the analysis of the interviews provides potential explanations.

Lastly, the quantitative data unequivocally demonstrated a correlation between Venezuela and Colombia as countries of origin. The statistical development of first-time applications, appeal cases and *Duldungs* are mirrored over the years. This supports the hypothesis that many asylum

seekers fleeing Venezuela may have dual citizenship or are Colombian nationals, who used to reside in Venezuela. At the same time, the incredibly low, or nearly nonexistent, rate of positive decisions for individuals with Colombia as country of origin probably indicates that asylum seekers with dual nationality or Colombians residing in Venezuela have very little chance of receiving protection in Germany.

While some of these statistical trends can partially be explained by the information provided in the interviews, it should be noted that due to the limited number of interviews, these explanations remain within the realm of possibility and cannot be presented as conclusive. Similarly, the interviews themselves yielded valuable insights, which, however, for the same reason, cannot be presented as conclusive. Nevertheless, their value is significant, as they provide a unique perspective from Venezuelan asylum seekers in Germany for the first time.

Concerning the data collected during the interviews, the first important point is the fact that only women were interested in participating. This certainly merits further research in the future. The interviews suggested that the participants fled their country mainly due to the inflation and the related lack of access to basic supplies, the precarious healthcare system, and political persecution. Nevertheless, the main reason was the well-being of their children, which also proved to be the primary motivation throughout the interviews. The choice of Germany is related to the existence of acquaintances or family members in that country who have gone through the asylum system or by learning about necessary medical procedures offered by the German health care system. In terms of preparation to undertake the journey to Germany, participants showed different levels of agency in accessing information about the German asylum system prior to migrating, determined by time pressures and reasons for migrating. However, common in all cases was that participants spent all their financial resources, including borrowing money, in order to undertake the journey.

The participants' arrival in Germany shows the importance of access to information, an aspect that recurred throughout the interviews. Based on their prior knowledge, which varies strongly, partly as a result of their agency, the participants chose to apply for asylum at the airport or within the country, showing clear agency, often guided, however, by inaccurate or partial information.

Regarding housing, the interviews revealed that the participants were frequently transferred between refugee camps. Some participants displayed agency in attempting to influence these transfers, with varying degrees of success, while others felt powerless in this regard. The level of success in terms of searching for and changing housing significantly increases once a positive

decision is obtained. All participants demonstrated agency in attempting to improve their lives during their stay in the refugee camps. Particularly concerning the use of shared showers, most participants took steps to increase privacy in the shower facilities. Many of them also used the limited money they received to purchase food, as they considered the camp food to be of poor quality, and/or to engage their children with activities or toys. Participants also took measures to protect their children from recurring dangers in the refugee camps, such as drug trafficking and child harassment. Life in the refugee camps also proved to be a significant cultural shock for the participants. The close interaction with individuals from the Middle East and Africa was indeed challenging, often expressed in terms that I considered racist, fueled by stereotypes circulating within the Venezuelan community. However, it is worth noting that some participants clearly distanced themselves from such racist narratives.

At this point it is important to mention the key role of the Venezuelan community in Germany. All participants obtained much of their information through this community, either through social media or face-to-face encounters. In many cases their agency is influenced by this community. This has both positive and negative aspects. On the one hand, community support is crucial and the interviews revealed several instances of successful collective agency. It is also an important source of information regarding the asylum system, as the interviews made clear. On the other hand, it seems that the information coming from the Venezuelan community is not always accurate and, in some cases, ends up negatively influencing the agency of the participants. Another negative aspect is the stereotypes that are generated and fed within the community, often against people from the Middle East and Africa.

Regarding the procedure, the interviews showed that in many cases the system exhibited high degrees of inflexibility in relation to individual needs, an aspect ignored by de Haas, resulting in agency attempts with mixed results, and even leading to a participant taking agency by abandoning these structures and placing herself in a legally complex situation. The interviews also showed a clear problem regarding the access to information during the procedure. Many agency attempts to access information by the participants were often unsuccessful, which shows a lack of transparency on the part of the asylum system from the perspective of the asylum seekers, a common complaint among the participants. Although the procedure the participants went through was very similar, their perspectives on it were very different. Some had negative experiences and even received undignified treatments, while others felt comfortable and respected. It is very difficult to find an explanation for such contrasting experiences based on six interviews. This highlights the need for a more comprehensive study.

What was not very different among the participants, strongly linked to the challenging access to information and its acquisition through the Venezuelan community, was the rationale they used to justify their asylum requests. The interviews clearly demonstrated that the participants primarily focused on health-related issues as their main argument, despite having, in many cases, sufficient grounds related to political persecution that could grant them access to a better form of protection. This agency on the part of the participants was directly influenced by the information obtained through the Venezuelan community, which holds the perception that the BAMF does not understand the Venezuelan political situation and is not interested in such matters. The narrative of the participants about the second interview with the BAMF (Step 5) seems to confirm this perception, for example by showing that the BAMF does not comprehend the role of *Colectivos* and that it steers the interviews towards health-related topics. This can partially explain why the deportation ban is the most frequent positive decision, as both the BAMF's inability to understand certain situations in Venezuela and the agency of the participants influenced by the Venezuelan community contribute to this outcome.

Similarly, this also seems to have an impact on the efficiency of the procedure. As mentioned earlier, the quantitative data indicates a trend that the BAMF fails to keep up in relation to the number of first-time applications. This could be related to the fact that the agency of the participants and the BAMF's inability to understand certain political and social situations in Venezuela direct the proceedings towards health-related issues. The interviews hinted that the German healthcare system is quite slow, and this affects the medical examinations that the BAMF demands when following this line of argumentation. These structural limitations within which the German asylum system operates subsequently constrain the system itself, resulting in considerable elongation of procedural times. This could be a plausible explanation for what is revealed by the quantitative data relating to the decision-making time of the BAMF.

This directly impacts the participants, as the interviews clearly demonstrated that the lives of asylum seekers prior to receiving a decision are restricted in various areas. In terms of healthcare, for instance, most participants expressed not understanding their access to health services before Step 8 and characterized it as random. Nevertheless, within this domain, there were numerous instances of agency, particularly when attempting to secure necessary medical treatments for their children.

The education realm also highlighted the need for agency on the part of the participants. Most of them actively sought to maintain their children's education during the asylum procedure, whether by actively seeking schools or trying to assume homeschooling roles when there was

no access to conventional schooling. Children with disabilities encountered more difficulties securing school placements. The fact that children stayed at home all day due to the lack of access to formal education not only had psychological effects on some children but also directly impacted the participants in terms of their integration prospects, preventing them from attending language courses for months or even years. This affected especially single mothers. However, other factors also contributed to their non-attendance in language courses, such as their geographical location or whether they were still in the asylum procedure or had already received a decision. Nonetheless, most participants actively tried to supplement this using language-learning apps, attending language courses as listeners, engaging in volunteering, and more. This demonstrated a clear agency in overcoming the limitations of the structural constraints they faced.

Regarding mobility, the participants were not mobile during the procedure and their mobility was very low after receiving a positive response. This second point was partly influenced by the fact that they did not get clear information about their mobility possibilities after the end of obligations two and three, influencing their agency in this area.

A diverse range of strategies for agency emerged in response to instances of racism directed towards the participants. While some chose to directly address it, others opted to adapt to the situation, a few disregarded it, and some remained oblivious to it. An intriguing aspect of this phenomenon is the duality present, wherein the participants experienced racial discrimination themselves, yet some also expressed racism towards individuals from the Middle East and Africa.

Regarding employment, many participants attempted to work or engage in volunteering during the asylum procedure. Once again, single mothers with children at home all day were unable to do so. The majority also demonstrated agency by seeking information relatively early about their job prospects in Germany and trying to gather and translate the necessary documents to fulfill their employment prospects. However, a common criticism among the participants is that the German asylum system, due to various issues like children's education, access to German language courses, delays in the healthcare system, and more, is very slow. This perception leads them to feel that the system hampers their attempts to integrate quickly into the job market. This perspective once again supports what has been highlighted by the quantitative data.

The analysis of the interviews certainly provided insight into the lives of the participants and, consequently, into the lives of Venezuelan asylum seekers. This analysis offers possible explanations for certain trends shown by quantitative data, but at the same time, it underscores

the need for a more comprehensive study to provide more verifiable answers. Topics such as drug trafficking and child harassment in refugee camps, the cultural clash that occurs in these camps, the racist discourses circulating within the Venezuelan community, the racism the Venezuelan asylum seekers face, their mobility, the inflexibility of the BAMF regarding individual needs and its apparent lack of understanding of the political and social situation in Venezuela, the prevalence of the deportation ban as the most common decision for Venezuelan nationals, the correlation between statistics for Colombia and Venezuela, the lack of support for single mothers, and the difficulty in finding schools for children with disabilities, among others, require further investigation to be fully understood. My research has served to highlight the potential existence of these issues in relation to Venezuelan forced migration in Germany and underscores the need for a more comprehensive investigation, including other stakeholders, like NGOs, social workers, and official authorities, and with greater financial resources to thoroughly explore these topics and provide concrete explanations.

In regards to the question of my work about the agency of Venezuelan asylum seekers within the German asylum system and their perspective on this system, my research yielded satisfactory results. These results only speak for the interviewed participants, but indicate potential for conducting a more comprehensive study with a similar methodology. The interviews showcased the agency of the participants throughout their migratory process and within the German asylum system during the procedure and in different areas. Their agency aimed to positively influence their situation in terms of housing, health, employment, education, as well as access to information and their asylum procedure with the BAMF. This agency was often motivated by the structural limitations of the system and their own perception about their needs.

The forms of agency and the outcomes achieved varied widely. In some instances, participants achieved positive results, showcasing their ability to somewhat influence the structures they were navigating. In other cases, outcomes were negative, revealing the limits or inflexibility of the system. In certain cases, such agency was even counterproductive from the outset due to misinformation. This highlighted a crucial point: the way information influences the participants' agency, while this information is simultaneously sought through their agency. What is undeniable is that the participants demonstrated an ongoing interaction between agency and structures, motivated by their needs, constraints, capabilities and aspirations.

Most participants were not deeply reflective about their potential agency within the German asylum system, although all of them demonstrated practical agency, albeit limited. The

prevailing perspective among the participants in this regard is that the system does as it pleases with asylum seekers. This translates into a widespread frustration shared by all participants due to the sluggishness of the asylum system, with the intricate bureaucracy being identified as the major issue. Nonetheless, all participants displayed a sense of gratitude and did not express regret about their decision to seek asylum in Germany.

Legal components¹⁹

Aufenthaltsgesetz

Asylgesetz

DIRECTIVE 2013/33/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
of 26 June 2013

DIRECTIVE 2013/32/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
of 26 June 2013

DIRECTIVE 2011/95/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
of 13 December 2011

REGULATION (EU) No 604/2013 OF THE EUROPEAN PARLIAMENT AND OF THE
COUNCIL of 26 June 2013

Grundgesetz für die Bundesrepublik Deutschland

¹⁹ The legal documents are current as of 10.08.2023.

Bibliography

- Archer, M. S. (2010). *Conversations about reflexivity* (1. publ.). London: Routledge.
- Arsenuik, D. (2021). "Tipping Point for Venezuelan Refugee and Migrant Crisis." NRC.
<https://www.nrc.no/news/2021/june/tipping-point-for-venezuelan-refugee-and-migrant-crisis/>.
- Auswärtiges Amt (2018). "Venezuela: Hilfe, Die Ankommt." Auswärtiges Amt.
<https://www.auswaertiges-amt.de/de/service/laender/venezuela-node/humanitaere-hilfe-venezuela-nachbarstaaten/2171650>.
- Asylmagazin (2022). "Venezuela". Asylmagazin online 12/2022.
<https://asylmagazin.vonloeper.de/pages/archiv/ausgabe-12200a2022/laendermaterialien/venezuela.php>.
- Babbie, E. R. (2020). *The Practice of Social Research*, 15th Edition. Belmont, Calif: Wadsworth Cengage Learning.
- BAMF (2023). Asylgeschäftsstatistik (01-06/23). Accessed March 21, 2023.
https://www.bamf.de/SharedDocs/Anlagen/DE/Statistik/Asylgeschaeftsstatistik/hkl-antrags-entscheidungs-bestandsstatistikl-kumuliert-2023.pdf?__blob=publicationFile&v=11.
- BAMF (2023). Asylgeschäftsstatistik (01-12/22). Accessed March 21, 2023.
https://www.bamf.de/SharedDocs/Anlagen/DE/Statistik/Asylgeschaeftsstatistik/hkl-antrags-entscheidungs-bestandsstatistikl-kumuliert-2022.pdf?__blob=publicationFile&v=24.
- BAMF (2022). Asylgeschäftsstatistik (01-12/21). Accessed March 21, 2023.
https://www.bamf.de/SharedDocs/Anlagen/DE/Statistik/Asylgeschaeftsstatistik/hkl-antrags-entscheidungs-bestandsstatistikl-kumuliert-2021.pdf?__blob=publicationFile&v=26.
- BAMF (2021). Asylgeschäftsstatistik (01-12/20). Accessed March 21, 2023.
https://www.bamf.de/SharedDocs/Anlagen/DE/Statistik/Asylgeschaeftsstatistik/hkl-antrags-entscheidungs-bestandsstatistikl-kumuliert-2020.pdf?__blob=publicationFile&v=25.
- BAMF (2020). Asylgeschäftsstatistik (01-12/19). Accessed March 21, 2023.
https://www.bamf.de/SharedDocs/Anlagen/DE/Statistik/Asylgeschaeftsstatistik/hkl-antrags-entscheidungs-bestandsstatistikl-kumuliert-2019.pdf?__blob=publicationFile&v=24.

- antrags-entscheidungs-bestandsstatistikl-kumuliert-2019.pdf?__blob=publicationFile&v=15.
- BAMF (2019). Asylgeschäftsstatistik (01-12/18). Accessed March 21, 2023. https://www.bamf.de/SharedDocs/Anlagen/DE/Statistik/Asylgeschaeftsstatistik/hkl-antrags-entscheidungs-bestandsstatistikl-kumuliert-2018.pdf?__blob=publicationFile&v=7.
- BAMF (2018). Asylgeschäftsstatistik (01-12/17). Accessed March 21, 2023. https://www.bamf.de/SharedDocs/Anlagen/DE/Statistik/Asylgeschaeftsstatistik/hkl-antrags-entscheidungs-bestandsstatistikl-kumuliert-2017.pdf?__blob=publicationFile&v=7.
- BAMF (2023). Ablauf des deutschen Asylverfahrens: Ein Überblick über die einzelnen Verfahrensschritte und rechtlichen Grundlagen. 4. Edition. Nürnberg. https://www.bamf.de/SharedDocs/Anlagen/DE/AsylFluechtlingsschutz/Asylverfahren/das-deutsche-asylverfahren.pdf?__blob=publicationFile&v=29.
- BAMF (2020). Bundesamt in Zahlen 2019. Accessed March 27, 2023. https://www.bamf.de/SharedDocs/Anlagen/DE/Statistik/BundesamtinZahlen/bundesamt-in-zahlen-2019.pdf?__blob=publicationFile&v=6.
- BAMF (2022). "Erstverteilung der Asylsuchenden (EASY)." Accessed June 20, 2023. <https://www.bamf.de/DE/Themen/AsylFluechtlingsschutz/AblaufAsylverfahrens/Erstverteilung/erstverteilung-node.html>.
- BAMF (2019). "Familienasyl und Familiennachzug." BAMF, Accessed June 19, 2023. <https://www.bamf.de/DE/Themen/AsylFluechtlingsschutz/FamilienasylFamiliennachzug/familienasylfamiliennachzug-node.html>.
- Bauer, J. (2014). "Multiple Nationality and Refugees." *Faculty Articles and Papers*. 232. University of Connecticut School of Law https://opencommons.uconn.edu/law_papers/232.
- BBC News (2021). "Venezuela Crisis: How the Political Situation Escalated." BBC. Accessed March 25, 2023. <https://www.bbc.com/news/world-latin-america-36319877>.
- Betts, A. and P. Collier (2017). *Refuge: Rethinking Refugee Policy in a Changing World*. Oxford University Press.

- Betts, A. (2013). *Survival Migration: Failed Governance and the Crisis of Displacement*. Cornell University Press.
- BPB (2023). “Asylentscheidungen Und Klagen.” Bundeszentrale für politische Bildung. <https://www.bpb.de/themen/migration-integration/zahlen-zu-asyl/265711/asylentscheidungen-und-klagen/>.
- Bundesregierung (2023). Drucksache 20/5870. Deutscher Bundestag. <https://dserver.bundestag.de/btd/20/058/2005870.pdf>.
- Bundesregierung (2022). Drucksache 20/1048. Deutscher Bundestag. <https://dserver.bundestag.de/btd/20/010/2001048.pdf>.
- Bundesregierung (2021). Drucksache 19/28234. Deutscher Bundestag. <https://www.martinarenner.de/fileadmin/MartinaRenner/Anfragen/Beantwortet/2021/1928234.pdf>.
- Bundesregierung (2020). Drucksache 19/19333. Deutscher Bundestag. <https://dserver.bundestag.de/btd/19/193/1919333.pdf>.
- Bundesregierung (2019). Drucksache 19/8258. Deutscher Bundestag. <https://dserver.bundestag.de/btd/19/082/1908258.pdf>.
- Bukamal, H. (2022). “Deconstructing insider–outsider researcher positionality.” *British Journal of Special Education*, 49(3), 327–349.
- Carling, J., & Collins, F. (2018). Aspiration, desire and drivers of migration. *Journal of Ethnic and Migration Studies*, 44(6), 909–926.
- Castellanos, N. (2019). “Maduro Relies on ‘colectivos’ to Stand Firm in Venezuela.” *InSight Crime*. Accessed July 2, 2023. <https://insightcrime.org/news/brief/maduro-calls-colectivos-amid-conflict-rise-venezuela/>.
- CDP (2023). “Venezuelan Humanitarian and Refugee Crisis.” Center for Disaster Philanthropy. <https://disasterphilanthropy.org/disasters/venezuelan-refugee-crisis/#:~:text=With%20an%20exodus%20of%20more,Latin%20America%20and%20the%20Caribbean.>
- Creswell, J.W. & Creswell, J.D. (2018). *Research design: qualitative, quantitative, and mixed methods approaches*. 5th ed. Los Angeles: Sage.
- de Haas, H. (2021). A theory of migration: the aspirations-capabilities framework. *CMS* 9, 8.

- Dieckmann, J. (No date). "Rechte Und Pflichten von Asylsuchenden." vhs Ehrenamtsportal. Accessed June 10, 2023. <https://vhs-ehrenamtsportal.de/wissen/integration/asylrecht-und-behoerdendschungel/rechte-und-pflichten>.
- Dobson, P. (2021). "EU verhängt weitere Sanktionen gegen Venezuela." Translated by M. Andujo. *amerika21*. <https://amerika21.de/2021/02/248181/eu-weitere-sanktionen-gegen-venezuela>.
- Eichler, K. (2019). Leitfaden zum Flüchtlingsrecht - Die materiellrechtlichen Voraussetzungen für die Gewährung von Flüchtlings- oder anderweitigem Schutz. Deutsches Rotes Kreuz und Informationsverbund Asyl & Migration. https://www.asyl.net/fileadmin/user_upload/publikationen/Arbeitshilfen/2019-12_Leitfaden_Fluechtlingsrecht_3Aufl.pdf.
- "EURODAC: European System for the Comparison of Fingerprints of Asylum Applicants." EUR-Lex. Accessed June 28, 2023. <https://eur-lex.europa.eu/EN/legal-content/summary/eurodac-european-system-for-the-comparison-of-fingerprints-of-asylum-applicants.html>.
- European Commission. "Common European Asylum System." Migration and Home Affairs. Accessed June 28, 2023. https://home-affairs.ec.europa.eu/policies/migration-and-asylum/common-european-asylum-system_en.
- European Union Agency for Asylum. (2022). Asylum Report. Retrieved November 21, 2022. <https://euaa.europa.eu/asylum-knowledge/asylum-report>.
- Fiddian-Qasmiyeh, E., Loescher, G., Long, K., & Sigona, N. (2019). *Forced Migration and Global Politics*. John Wiley & Sons.
- Fletcher, A.J. (2017). "Applying critical realism in qualitative research: methodology meets method." In *International Journal of Social Research Methodology*, 20:2, 181-194.
- Foote, M.Q. & Bartell, T.G. (2011). "Pathways to Equity in Mathematics Education: How Life Experiences Impact Researcher Positionality." *Educational Studies in Mathematics*, vol. 78, pp. 45-68.
- Galletta, A. & Cross, W. E. (2013). *Mastering the Semi-Structured Interview and Beyond: From Research Design to Analysis and Publication*. NYU Press.

- GENESIS-Online. “12521-0008: Ausländer: Deutschland, Stichtag, Geschlecht, Aufenthaltstitel/Ausgewählte Aufenthaltstitel, Ländergruppierungen/Staatsangehörigkeit.” DESTATIS. Accessed June 16, 2023. <https://www-genesis.destatis.de/genesis//online?operation=table&code=12521-0008&bypass=true&levelindex=1&levelid=1690039009249#abreadcrumb>.
- GENESIS-Online. “12531-0008: Schutzsuchende: Deutschland, Stichtag, Geschlecht, Schutzstatus/Schutzstatuskategorie, Ländergruppierungen/Staatsangehörigkeit.” DESTATIS. Accessed June 16, 2023. <https://www-genesis.destatis.de/genesis//online?operation=table&code=12531-0008&bypass=true&levelindex=0&levelid=1690039287035#abreadcrumb>.
- Geuther, G. (2019). “Venezuela - Deutschland Erkennt Guaidó Als Interimspräsidenten An.” Deutschlandfunk. <https://www.deutschlandfunk.de/venezuela-deutschland-erkennt-guaido-als-100.html>.
- Gill, P., Stewart, K., Treasure, E. & Chadwick, B. (2008). Methods of data collection in qualitative research: interviews and focus groups. *Br Dent J* 204, 291–295.
- Glaser, B. G., & Strauss, A. L. (1967). The discovery of grounded theory: Strategies for qualitative research. Aldine
- Holmes, A. G. D. (2020). “Researcher Positionality - A Consideration of Its Influence and Place in Qualitative Research - A New Researcher Guide.” *Shanlax International Journal of Education*, vol. 8, no. 4, pp. 1-10.
- Human Rights Watch (2023). “World Report 2023: Rights Trends in Venezuela.” Human Rights Watch. Accessed March 20, 2023. <https://www.hrw.org/world-report/2023/country-chapters/venezuela>.
- Informationsverbund Asyl & Migration (2023). “Aufenthaltsgestattung.” Accessed June 10, 2023. <https://www.asyl.net/themen/aufenthaltsrecht/sonstiger-aufenthalt/aufenthaltsgestattung>.
- Informationsverbund Asyl & Migration (2023). “Flüchtlingsschutz” Accessed June 20, 2023. <https://www.asyl.net/themen/asylrecht/schutzformen/fluechtlingsschutz>.
- Informationsverbund Asyl & Migration (2023). “Folge- und Zweitantrag.” Accessed June 20, 2023. <https://www.asyl.net/themen/asylrecht/asylverfahren/folge-und->

zweitantrag#:~:text=Falls%20das%20Asylverfahren%20erfolglos%20in,(siehe%20%C2%A7%2071%20AsylG).

Informationsverbund Asyl & Migration (2022) “Geduldete.” Accessed June 14, 2023. <https://www.asyl.net/themen/bildung-und-arbeit/zugang-zu-arbeit/geduldete>.

Informationsverbund Asyl & Migration (2023). “Pflichten von Schutzsuchenden während des Asylverfahrens.” Accessed June 10, 2023. <https://www.asyl.net/themen/asylrecht/asylverfahren/pflichten-von-asylsuchenden>.

Informationsverbund Asyl & Migration (2023). “Rechte von Schutzsuchenden während des Asylverfahrens.” Accessed June 12, 2023. <https://www.asyl.net/themen/asylrecht/asylverfahren/rechte-von-asylsuchenden>.

Informationsverbund Asyl & Migration (2023) “Schule.” Accessed June 11, 2023. <https://www.asyl.net/themen/bildung-und-arbeit/zugang-zu-bildung/schule>.

Informationsverbund Asyl & Migration (2023) “Sprach- und Integrationskurse.” Accessed June 11, 2023. <https://www.asyl.net/themen/bildung-und-arbeit/zugang-zu-bildung/sprach-und-integrationskurse>.

Informationsverbund Asyl & Migration (2022). “Studium.” Accessed June 11, 2023. <https://www.asyl.net/themen/bildung-und-arbeit/zugang-zu-bildung/studium>.

Karstens, C., A. Schuster, and C. Voigt (2020). “Handreichung: Der Zugang Zur Berufsausbildung Und Zu Den Leistungen Der Ausbildungsförderung für Junge Flüchtlinge und Junge Neuzugewanderte.” Der Paritätische Gesamtverband. https://www.asyl.net/fileadmin/user_upload/publikationen/Arbeitshilfen/Paritaetische_Ausbildungsfoerderung_Aufl-3_2020.pdf.

Koser, K. (2016). *Global Migration: Old Assumptions, New Dynamics*. Third edition. Zed Books.

Lal, S., Suto, M. & Ungar, M. (2012). “Examining the Potential of Combining the Methods of Grounded Theory and Narrative Inquiry: A Comparative Analysis.” *The Qualitative Report* 17, no. 21, Article 41, 1-22. <https://nsuworks.nova.edu/tqr/vol17/iss21/1/>.

Massoud, M.F. (2022). “The price of positionality: assessing the benefits and burdens of self-identification in research methods.” *Journal of Law and Society*, 49(S1): 64–S86.

Markard, N. (2015). “Wer gilt als Flüchtling – und wer nicht?“. *Sozial Extra*, 4: 24-27.

- McCombes, S. (2019). "Sampling Methods: Types, Techniques & Examples." *Scribbr*, Access date December 20, 2022. <https://www.scribbr.com/methodology/sampling-methods/>.
- McGrath, C., Palmgren P.J. & Liljedahl, M. (2019). "Twelve tips for conducting qualitative research interviews." *Med Teacher* 41(9):1002-1006.
- Molly, A. (2013). *Doing Narrative Research*, 2. ed. Los Angeles, Calif.: Sage. 5.
- Morlok, D. (2023). "Fakten, Zahlen und Argumente." *PRO ASYL News*, April 5, 2023. <https://www.proasyl.de/thema/fakten-zahlen-argumente/>.
- Mugno, V. "Del Total de Venezolanos Que Entra a Colombia, 40% Tiene Doble Nacionalidad." *Diario La República*, 2017. <https://www.larepublica.co/globoeconomia/del-total-de-venezolanos-que-entra-a-colombia-40-tiene-doble-nacionalidad-2537642>.
- NETZWERK Unternehmen integrieren Flüchtlinge (2021). Kurzübersicht Duldungen: Wer darf arbeiten? Wer hat Zugang zu Fördermöglichkeiten und Sprachkursen. https://www.unternehmen-integrieren-fluechtlinge.de/wp-content/uploads/2022/01/211213_NUiF_Infoblatt_DULDUNGEN.pdf.
- Nikolopoulou, K. (2022). "What Is Snowball Sampling?: Definition & Examples." *Scribbr*, Access date 20 December, 2022. <https://www.scribbr.com/methodology/snowball-sampling/>.
- Oubensalh, Z. (2019). "Flüchtlingseigenschaft Und Subsidiärer Schutz – Zu Den Unterschieden von § 3 Und § 4 Asylg." *Anwalt.de*. Accessed 15 Mai, 2023. https://www.anwalt.de/rechtstipps/fluechtlingseigenschaft-und-subsidiaerer-schutz-zu-den-unterschieden-von-3-und-4-asylg_153945.html.
- Riessman, C. K. (2008). *Narrative methods for the human sciences*. Thousand Oaks, CA: Sage.
- Ton, M. (2019) "Aktuelle Entscheidungen Zum Schutzstatus Asylsuchender aus Venezuela." *Rechtsprechungsübersicht aus dem Asylmagazin* 12/2019, 417–420.
- Sen, A. (1999). *Development as Freedom*. Oxford University Press.
- Stadt Leipzig. "Schule Und Bildung Für Flüchtlinge." Stadt Leipzig. Accessed June 12, 2023. <https://www.leipzig.de/jugend-familie-und-soziales/auslaender-und-migranten/fluechtlinge-in-leipzig/schule-und-bildung#:~:text=Schulpflicht%20f%C3%BCr%20minderj%C3%A4hrige%20Gefl%C3%BChtete,Sachsen%20haben%20und%20zum%2030>.

- Strübing, J. (2008). *Grounded Theory. Zur sozialtheoretischen und epistemologischen Fundierung des Verfahrens der empirisch begründeten Theoriebildung*, 2nd ed. Wiesbaden.
- UNHCR. “Venezuela Situation.” United Nations High Commissioner for Refugees. Accessed March 26, 2023. <https://www.unhcr.org/venezuela-emergency.html#:~:text=With%20over%207%20million%20Venezuelan,displacement%20crises%20in%20the%20world.>
- UNHCR (1951). *1951 Convention Relating to the Status of Refugees*. Geneva, Switzerland: United Nations High Commissioner for Refugees.
- UNHCR (1967). *1967 Protocol Relating to the Status of Refugees*. Geneva, Switzerland: United Nations High Commissioner for Refugees.
- Universität Wien. Instructions for students conducting social science research: Implications of the GDPR for research practice. Accessed April 2, 2023. https://studienpraeses.univie.ac.at/fileadmin/user_upload/p_studienpraeses/Studienpraeses_Neu/Info-BI%C3%A4tter/Auswirkungen_fuer_die_Praxis_der_studentischen_sozialwissenschaftlichen_Forschung_EN.pdf.
- Universität Wien. “MAXQDA.” Accessed June 20, 2023. <https://zid.univie.ac.at/software-fuer-studierende/anleitungen/maxqda/>.
- Voigt, C (2023). Arbeitshilfe der GGUA-Flüchtlingshilfe - Projekt Q. GGUA-Flüchtlingshilfe e. V. https://www.einwanderer.net/fileadmin/downloads/tabellen_und_uebersichten/arbeitsfoerderung_und_arbeitserlaubnis.pdf.
- Wang, B., & Collins, F. (2020). Temporally distributed aspirations: New Chinese migrants to New Zealand and the figuring of migration futures. *Sociology*, 54(3), 573–590.