



MIGRATION AND PARTICIPATION IN BERLIN

Questions and answers

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1. What is participation?

The term 'participation' (also co-determination) describes the inclusion of people and organisations in decision-making and opinion-forming processes. Firstly, participation requires an **opportunity** for co-determination: times, places, tools and an active call to become involved. Secondly, participation can only exist if people have the **wish** to contribute their interests, knowledge and skills. Successful participation, in which the persons concerned acquire agency, strengthens public trust in society, politics and institutions.

Formally speaking, participation comes in many different guises in society (including co-determination at school or at the workplace, elections, petitions, various forms of citizen participation in the borough, membership in an association, trade union or party). But there are also informal opportunities to participate (involvement in popular initiatives, social movements, public discourse, demonstrations or strikes). What it actually means to participate in social and political decision-making processes depends firstly on the persons seeking to participate and secondly on the available forms of participation. Both of these forms may change as society evolves.



2. Why is participation important?

The manner in which we seek to influence the world around us, whether those closest to us or in a wider sense, is largely decided by whether and how we can shape and co-determine what happens. This issue is particularly important in a city like Berlin, in which many of the residents have neither German nor EU citizenship. They are therefore not eligible to vote in elections.

Participation makes a vital contribution to successful cohesion within an open society. It enables the public disclosure of problems and a joint search for solutions. The only way to represent personal interests is through participation. Where participation is missing, people are excluded and feel unaccepted or perceive political and social decisions as external processes that do not affect them. Participation is not just a process – it is a human right.



3. Where do the people living in Berlin come from?

There are around 3.8 million people living in Berlin. Around 770,000 of them do not have a German passport; one third come from member states of the European Union (EU) and about one third from other European countries. The remaining residents hail from Asia, Africa and the Americas. And although 540,000 people have a German pass, they themselves or at least one parent were born abroad. These persons have a 'migrant background' (the official designation, although we use the term 'migrant history'). They came to Berlin at different times and for different reasons.

But there are also persons who do not have a migrant background and yet still experience exclusion, for instance Black Germans, German Sinti and Roma or German Jews. All these people experience exclusion and discrimination due to racist and other prejudices – one third of the people in Berlin.

The Berlin-Brandenburg Statistical Information System provides a wide range of information on Berlin's population. The data is updated regularly.

→ <https://www.statistik-berlin-brandenburg.de>



4. Which religions do Berliners profess?

Berlin is highly diverse, also from a religious perspective: around 15% are members of a Protestant church, while 10% belong to the Roman Catholic Church. The state records membership of these two Christian faith groups. It is difficult to determine the number of believers in other religious communities. Up to 8% belong to Sunni or Shiite Muslim or Alevi groups, while 0.3% belong to various Jewish communities and another 2% to one of the many other religious faiths, for example Orthodox Christian, Buddhist, Hindu, Bahai and others. But this also means that a large majority of Berlin residents do not belong to any religious community.



5. What is the administrative structure in Berlin?

Berlin is a city and, at the same time, one of the 16 federal states that make up Germany. The Basic Law – the German constitution – and all German laws also apply in Berlin. All federal states must be republican and democratic and be constituted according to the principles of the rule of law and the welfare state. But Berlin also has its own constitution and laws. For example, Berlin has the sole authority to structure its education system, cultural life, urban planning, economic development, public safety and order, state administration and state budget. And it can also set rules for how persons with a migrant history participate.

All decisions must be consistent with the state constitution. Berlin has its own parliament – the ‘Abgeordnetenhaus’ or House of Representatives – and its own government, the Berlin Senate. The city is also divided into twelve boroughs: they are governed by the borough councils, a kind of local (municipal) parliament, and the ‘borough’ which is called the borough office. The mayors of the boroughs are in charge of the borough offices.



6. What is the House of Representatives?

Berlin’s parliament or House of Representatives is called the ‘Abgeordnetenhaus’. It is mainly entrusted with three tasks: it passes the laws for the State of Berlin, in particular the budget law, elects the Governing Mayor and oversees the government.

Laws and political decisions are usually debated and prepared in advance in one of the committees. They are organised to reflect the portfolios of the individual Senate administrations, including the Committee for Integration, Women and Equality, Diversity and Anti-discrimination, which deliberates on relevant issues for persons with a migrant history.

Elections to the House of Representatives are held every five years based on universal, equal, free, secret and direct suffrage. Only German citizens are eligible to vote. They must be at least 18 years old and have lived in Berlin for no less than three months. There are at least 130 members of parliament. 78 are elected directly as constituency candidates and the rest according to a state or borough list. Most candidates are nominated by parties.



7. Which parliamentary groups are there in the House of Representatives?

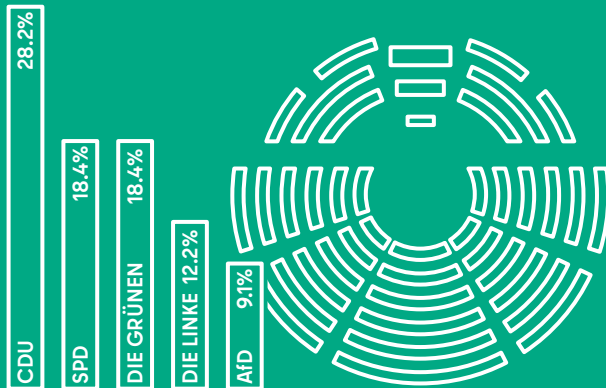
The last elections were held in Berlin in February 2023. Since then, the people of Berlin have been represented by 159 members of parliament.

The following parties are in government:

- Christlich Demokratische Union Deutschlands (CDU): 28.2% (52 MPs)
- Sozialdemokratische Partei Deutschlands (SPD): 18.4% (34 MPs)

The following parties make up the opposition:

- Bündnis 90/Die Grünen: 18.4% (34 MPs)
- DIE LINKE: 12.2% (22 MPs)
- Alternative für Deutschland (AfD): 9.1% (17 MPs)



8. What are the tasks of the parliamentary groups and their spokespersons?

Members of parliament can establish parliamentary groups to allocate tasks. Even as members of a parliamentary group, MPs are not subject to orders or instructions; they have a free mandate. The parliamentary groups will often appoint spokespersons for individual area of policy based on their own priorities. These may include participation, engagement, refugees/asylum and anti-discrimination. Spokespersons are also appointed for many other topics that are relevant to persons with a migrant history, for instance education, housing, work, disability, gender equality and senior citizens. The websites of the parliamentary groups provide an overview:

CDU: → https://www.cdu-fraktion.berlin.de/Abgeordnete-A-Z_p_70.html

SPD: → <https://www.spdfraktion-berlin.de/abgeordnete>

Bündnis 90/Die Grünen: → <https://gruene-fraktion.berlin/abgeordnete>

DIE LINKE: → <https://www.linksfraktion.berlin/abgeordnete/alle-abgeordneten>

AfD: → <https://afd-fraktion.berlin/unsere-abgeordneten/>



9. What is the Berlin Senate?

The Senate is the government in the state of Berlin. It consists of the Governing Mayor and up to ten Senators. In 2023, the House of Representatives elected Kai Wegner as Governing Mayor. In this position, he appointed ten Senators, one responsible for each of the Senate Departments. Their role is equivalent to the 'ministries' in other federal states. For more information about the individual portfolios and their purviews, visit the websites of the individual Senate Departments:

→ <https://service.berlin.de/senatsverwaltungen>.



10. Which Senate Department is responsible for persons with a migrant history?

There is a Senate Department for Labour, Social Affairs, Equality, Integration, Diversity and Anti-discrimination. The current Senator is Cansel Kiziltepe. Each Senate Department also has state secretaries who run the offices in the individual parts of the administration. Max Landero is tasked with this remit for integration, anti-discrimination and diversity. However, the Berlin Participation Act (→ <https://www.berlin.de/lb/intmig/themen/partizipation-in-der-migrations-gesellschaft>) stipulates that the entire State of Berlin must “consider the interests of persons with a migrant history in discharging its duties.” This means that **all** Senate Departments are responsible. The Participation Act of 2021 sets the framework for nurturing participation among persons with a migrant history.



11. How are the boroughs organised?

The twelve boroughs of Berlin represent the lower administrative level. They have two administrative bodies: the Borough Parliament (BVV) and the Borough Office. The 55 representatives of the BVV are elected every five years at the same time as the members of the Berlin House of Representatives. Germans and EU nationals are eligible to vote in the elections if they are at least 16 years old and have maintained their habitual place of residence in the borough for three months. The BVV representatives elect the Borough Office.

The Borough Office – so the Borough Mayor and the five city councillors – are in charge of the administration. Opportunities for participation vary in the individual boroughs, depending on how the population is composed and the number of representatives for each political party. The borough representatives and the city councillors all have consultation hours that you may attend to present your concerns.



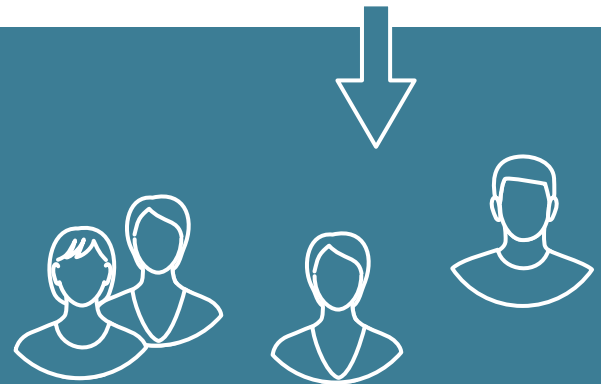
12. How can citizen delegates participate in the BVV?

BVV sessions are usually public and often streamed live on the internet as well. Technical policies are dealt with by the committees. 'Citizen delegates' also sit on the committees.

They are nominated for specific committees by the individual parliamentary groups within the BVV and then elected by the BVV. They have the right to speak, file motions and vote in the BVV. Even persons who are neither German nor EU nationals are eligible to become citizen delegates.

To access the web presence of the individual BVVs, visit:

→ <https://www.berlin.de/politische-bildung/politikportal/politik-in-berlin/hauptverwaltung-und-bezirksverwaltung/bezirksverordnetenversammlungen>.



13. Which other forms of participation are available in the boroughs?

Democracy is shaped every day by members of parliaments at borough, state and national level, but also through engagement in civil society. The federal programme Live Democracy! is an example of how the state encourages innovative projects and long-term commitment on all three tiers of government, but especially and specifically at grass-roots level. It is a mainstay for fostering democracy in the following areas: promoting democracy, shaping diversity, preventing extremism.

This federal programme also supports local partnerships that develop and implement concepts to encourage democracy and diversity. They provide an opportunity for political and administrative decision-makers to join with civil society activists from initiatives and associations to develop joint strategies that match the specific situation at grassroots level.

These low-threshold projects can often address local circumstances and problematic scenarios, for example the fight against neo-Nazism and different forms of racism, but also efforts to encourage participation and empowerment among children and young people.

For more information about the Berlin partnerships for democracy, visit: → <https://www.demokratie-vielfalt-respekt.de/jugendbeteiligung/partnerschaften-fuer-demokratie/>.

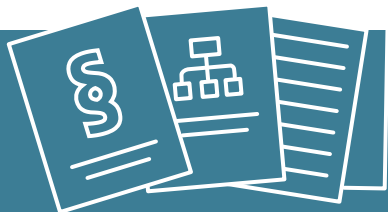
You can also assist the participation commissioners at borough level to develop other frameworks for specific involvement in local life.



14. What is the legal basis for participation?

Participation opportunities in Berlin have been enshrined in the Act for the Promotion of Participation in a Migration Society of the State of Berlin (PartMigG) since December 2010. The current version was passed in the Berlin House of Representatives in 2021. The law aims to establish 'integration' as a universal task and to promote equal participation among persons with a migrant history in all areas of life. On this basis, the State of Berlin is required to duly consider the concerns of persons with a migrant history in all areas, promote a society that welcomes migrants in its area of responsibility and strengthen relevant competences in the administration and in companies owned by the State of Berlin. This also includes promoting the employment of persons with a migrant history in public service as well as safeguarding and expanding participatory instruments at state and borough level. To access the legal text and information about the Participation Act, visit:

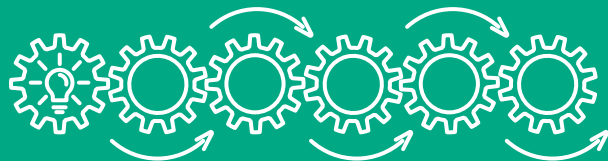
→ <https://www.berlin.de/lb/intmig/themen/partizipation-in-der-migrationsgesellschaft>.



15. What are the duties of the Senate Commissioner for Integration and Migration?

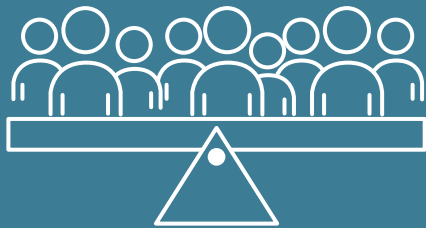
Since 1981, Berlin has maintained an office tasked with the cross-cutting issue of ensuring participation among persons with a migrant history: the Berlin Senate Commissioner for Integration and Migration. Katarina Niewiedzial currently holds this office. She acts as the ombudsman for persons with a migrant history and helps them to exercise their rights. Moreover, the Commissioner is responsible for developing concepts, strategies and measures that promote equal participation among persons with a migrant history and for eradicating structural disadvantages (Participation Act, Section 15).

For more information about the tasks, programmes, counselling services and the latest news, visit the Commissioner's website at: → <https://www.berlin.de/lb/intmig>.



16. What is the role of the State Advisory Council for Participation?

The State Advisory Council for Participation (formerly: for Integration and Migration Affairs) was established in 2004. It supports and advises the Berlin Senate on all questions of migration and participation policy. Delegates representing persons with a migrant history sit on this council to develop proposals and concepts for Senate projects, programmes and measures that are designed to enable equal participation among persons with a migrant history and to eliminate structural disadvantages. For more information about the tasks, election and workings of the advisory council as enshrined in the Participation Act (Section 17), visit: → <https://www.berlin.de/lb/intmig/themen/partizipationsbeirat/>.



17. What are the duties of the Advisory Council for Roma* and Sinti* Affairs?

Berlin will be the first federal state to establish an advisory council for Roma* and Sinti* affairs. Six elected representatives will then advise the Berlin Senate on all issues concerning the participation and equal rights of immigrant Roma* and the German minority of Sinti* and Roma*. Section 18 of the Participation Act reads: “In order to perform its tasks, the Advisory Council shall be involved at an early stage in projects, measures, strategies, concepts and programmes that pertain to the interests of the Roma ethnic minority.”



18. How is participation organised at borough level?

The Participation Act stipulates that all boroughs must establish the position of participation commissioners (Section 16). Their remits are the same as those for the Senate commissioners. Commissioners at borough level are also assigned to the offices of the Borough Advisory Councils for Participation, which have been established in each borough (Section 19). They advise and support the Borough Offices in all matters concerning equal participation for persons with a migrant history.



19. Is discrimination prohibited?

The Berlin State Anti-discrimination Act (→ <https://www.berlin.de/sen/lads/recht/ladg>) prohibits discrimination against Berliners by the state. In doing so, it expands the national ban on discrimination enshrined in the General Equal Treatment Act (→ <https://www.gesetze-im-internet.de/agg>), which prohibits discrimination in the private sphere. The Berlin law reads: “No person may be discriminated against in public law on the grounds of gender, ethnic origin, racist and anti-Semitic attribution, religion and belief, disability, chronic illness, age, language, sexual and gender identity or social status.” (Section 2 of the State Anti-discrimination Act). This obliges all administrative units of the State of Berlin, but also enterprises owned by the State of Berlin, to cooperate in the actual establishment and implementation of equal opportunities and in the prevention and elimination of all forms of discrimination, and to promote a culture of appreciative diversity.



20. What can I do if I experience discrimination?

Sadly, discrimination remains a daily experience in various areas of society and the state, whether in schools, on the housing market, in gyms, at the workplace, in dealings with authorities or in local public transport. People who experience one or several forms of discrimination on a daily basis in particular often become resigned and withdraw from society. It is therefore reasonable to state that combating discrimination is a vital requirement for ensuring political participation.

The State Office for Equal Treatment – against Discrimination (State Anti-Discrimination Agency → www.berlin.de/sen/lads) has a wealth of material addressing various forms of discrimination. It can also refer people seeking advice to the ombudsman's office and to counselling centres.

Each borough has a dedicated 'registration office' where discrimination can be reported. The registration offices compile the reports and publish a chronology online. Once each year, they evaluate the cases of discrimination so that measures to combat discrimination and exclusion can be developed together with politicians, administrative bodies and political activist initiatives. To find the registration office responsible for your borough, visit:

→ <https://www.berliner-register.de/register>.



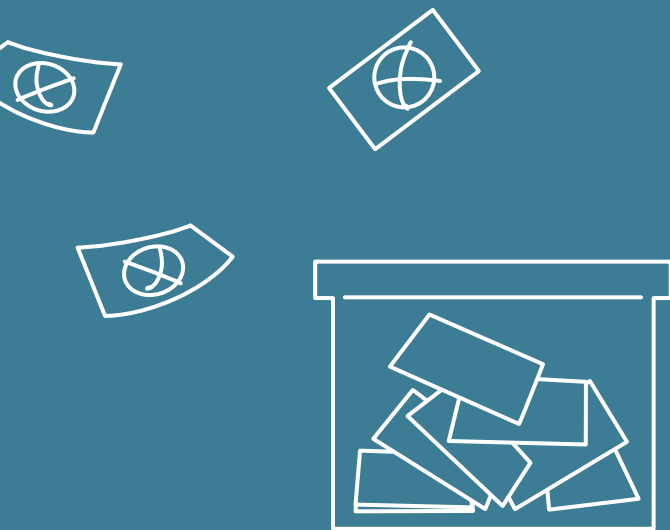
21. Do I have participatory rights at my workplace?

A works council is the usual instrument to enable co-determination at the workplace. It is tasked with representing the interests of employees in dealings with employers. For instance, the works council has a say in how workplaces are designed and how professional and family life are reconciled. Works councils enter into collective bargaining agreements, monitor compliance with their terms and ensure that no-one at the company experiences discrimination. Companies are prohibited from influencing or preventing the activities of the works council. At companies without a works council, a first election may be held at any time if at least five persons over 18 have been working there for more than six months – and provided that three of them stand as candidates. The legal basis is enshrined in the Works Constitution Act: → <https://www.gesetze-im-internet.de/betrvg>. Trades unions can also advise you on the establishment of a works council and provide support in the process.



22. Are persons with a migrant history eligible to vote?

German and EU nationals are eligible to vote in BVV and EU parliamentary elections (from the age of 16). Only Germans aged 18 and over are eligible to vote in state and national elections in Germany and Berlin. Persons who do not possess German or EU citizenship are excluded from the elections.



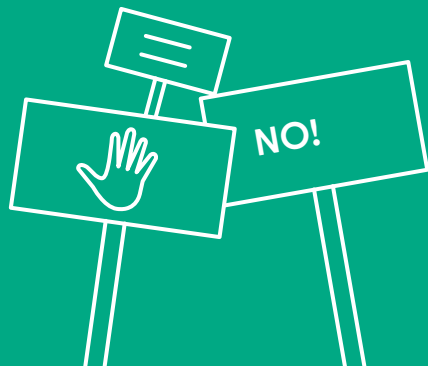
23. Are persons with a migrant history eligible to participate in direct democracy?

The rules for the right to vote also apply to most of the opportunities to participate in 'direct democracy'. Instruments such as non-binding referenda, plebiscites and citizens' decisions add to other procedures within representative democracy. They are also linked to a person's nationality.

However, **all** Berliners aged 16 and over can use what is called a 'people's initiative' to compel the House of Representatives to address a particular issue or proposal. To do so, they must collect 20,000 signatures – also from persons who are not German nationals. Furthermore, there are a number of possibilities to exert direct influence on the House of Representatives through binding 'referenda'. The first step in this procedure is to file a 'petition for the initiation of a non-binding referendum'. If this motion passes (only votes cast by the electorate, so German nationals, count in this case), a 'referendum' is held. The House of Representatives must address the issue if sufficient numbers of signatures are collected. A binding referendum is held as the final step if the House of Representatives rejects the petition.



There is a similar procedure installed at borough level. If a petition (1st step) for the initiation of a 'citizen's decision' is successful, a 'non-binding popular referendum' is held (2nd step), followed by a 'citizen's decision'. EU nationals are also eligible to sign petitions and cast votes at borough level.



24. Can I become involved in a political party, even without German citizenship?

Political parties exert considerable influence on political decisions at borough level, in the State of Berlin and in federal politics. A person's nationality is irrelevant to their involvement in a party. Often they are able to contribute without any formal membership, discuss political issues and meet decision-makers. Most parties have convened working groups on migration or anti-discrimination, on the issue of refugees, to combat racism and advocate diversity. Only eligible persons – so German and EU nationals – may vote in the party assemblies that nominate candidates for elections.



25. Where can I become involved in political life, even without German citizenship?

Politics does not begin in the Borough Parliament or the House of Representatives. All persons are vested with citizens' rights and rights to information, which can be exercised even without German citizenship. They include freedom of expression, freedom of the press, freedom of assembly, freedom of association and freedom of information. These rights can be used to share ideas, recruit fellow campaigners, ask joint questions of MPs, borough councillors or citizens' delegates or to submit proposals. The same applies to the members of advisory councils, which also have consultation hours.

Many other forms of participation are open to everyone, for instance the right to demonstrate, put up banners in front of windows, participation in discussion events, post comments on social media, volunteer on parents' associations or in accommodation for refugees, become active in trades unions, in the house or apartment community, in neighbourhood management or in clubs and associations. Broadly speaking, there are many different opportunities available, and it is often best simply to become involved to learn what is possible. You are invited to experiment and create your own methods if you are unable to find a suitable form. After all, personal initiative is often the most effective tool!



DEMO!

26. What are citizens' consultation hours?

Citizens' consultation hours are good opportunities to make contact with politicians at federal, state and borough level and to make your own concerns an issue. They are open to all-comers. Politicians use these consultation hours to discuss matters with interested parties and to field suggestions and proposals. Citizens' consultation hours are organised by most members of the Bundestag, Berlin MPs and many borough councillors. Borough mayors and councillors provide this service as well.



27. Commissioners and advisory councils

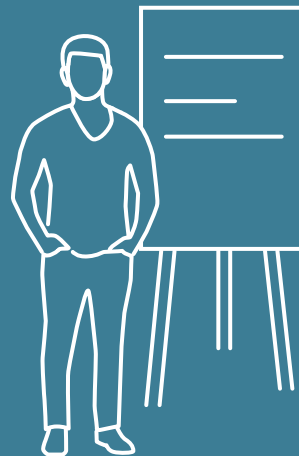
A large number of advisory councils have been established at state and borough level. Their job is to represent certain groups in dealings with the Senate, the House of Representatives and the Borough Office. As residents with a commitment to Berlin, the members of these advisory councils advise and support decision-makers. As a rule, they possess experience and expertise as members of associations and federations, e.g. on the topics of participation, migration, refugees/asylum, anti-discrimination or engagement, which they use to prepare statements or submit recommendations. Similar advisory councils, networks and working groups have also been convened for specific topics or individual population groups (e.g. Sinti* and Roma*, Muslims). A list of them can be found here, for example → <https://www.berlin.de/politische-bildung/politikportal/berlin-mitgestalten/parlamentarische-demokratie/bezirkliche-beiraete/artikel.1026995.php>.

Furthermore, the State of Berlin and its boroughs have commissioners who act as ombudsmen for certain groups (e.g. persons with a migrant history, asylum seekers, women, disabled persons) and commissions that address specific issues. You are invited to contact the participation commissioners if you are looking for information or advice, but also if you wish to address political concerns. They are listed here: → <https://service.berlin.de/landesbeauftragte-landeskommissionen>.



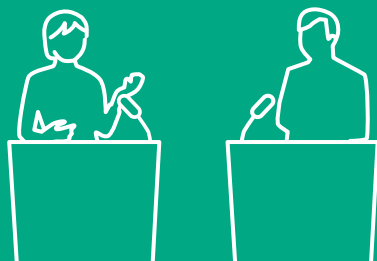
28. What is the role of party political foundations?

Party-political foundations offer workshops and seminars, but also discussion events and publications on civic education. Some foundations welcome volunteers who contribute to discussion and working groups. Many of the party-political foundations prioritise issues relating to migration and participation policy. You will find an overview of the party-political foundations and state-funded organisations that work on issues of civic education at municipal level on the website of the Berlin State Agency for Civic Education: → <https://www.berlin.de/politische-bildung/politikportal/traeger-politischer-bildung>.



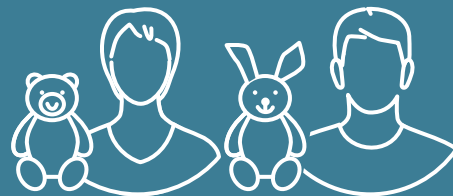
29. What is the role of societies and associations?

There are around 600,000 societies and associations in Germany that work in a variety of areas: sport, culture, politics, education or religion. As an association member, you are able to work towards your goals and put forward your interests together with like-minded people. The obstacles to participation, especially among those with a migrant history, are indisputable and must be dismantled. But this cannot work without the active and equitable involvement of persons who are marginalised in many areas. This is why the roughly 18,000 migrant organisations (MO) play a particularly important role. They evaluate experiences and pass on their knowledge. The organisations also contribute to the process of collective decision-making, an extremely important factor in view of structural marginalisation. MOs address problems and propose solutions in public discourse, maintain dialogue with politicians, the media and academics and formulate positions that are otherwise inadequately voiced or not heard at all. Many migrant organisations welcome new campaigners.



30. How can I, as a parent, become involved in child day-care facilities?

Parents have particular rights in the care and upbringing of their children. Accordingly, child day-care facilities and similar institutions are merely assigned upbringing rights. Unlike schools, child day-care facilities do not have an educational mandate and instead act 'on behalf of' parents - who therefore have a say in what happens. Section 22a of the 8th Book of the Social Code (SGB VIII) reads: "Legal guardians shall be involved in decisions and essential matters of upbringing, education and care." This gives you a say in the specific goals and measures for your child, and you are entitled to express your wishes to the educators. Moreover, you may also put forward your own ideas for educational concepts at the child day-care facilities, for instance by joining a parents' council. Occasionally there will be protracted 'negotiations', as different parents and guardians may have different ideas about music teaching, multilingualism and other issues. Parents in some institutions establish support associations to tap into new sources of funding for their kindergarten.



31. How can I, as a parent, become involved in school?

The right of parents and other guardians to have a say in what happens at school is enshrined in the Berlin Education Act (→ <https://www.berlin.de/sen/bildung/schule/rechtsvorschriften/>). You can participate in parents' evenings, but also accept the role of a parents' representative, in which you will contribute to reaching the educational goals at school and borough level and in the State of Berlin.

The school management involves parent representatives in decisions at schools, keeps them abreast of developments or involves them in conflict situations and potential solution mechanisms. For more information about the State Parents' Council, visit: → <https://leaberlin.de/aktuelles>.

32. How can I become involved as a student?

Students are also invited to become involved in everyday school routines and have a say in the educational and upbringing goals. In the classroom, at the level of the school, the district and the State of Berlin, student representatives advocate the interests of the students in dealings with the school and educational authorities.

The rights and duties of the student representatives are also defined in the Education Act (Sections 83–87). For more information about the work of the State Student Council, visit: → <https://lsaberlin.de>.



33. Which participatory opportunities are open to senior citizens?

Berlin was the first federal state to introduce a 'Act to strengthen the Rights of Senior Citizens to participate in Social Life'. Its aim is to encourage the participation of senior citizens in social, cultural and political life, but also to improve intergenerational relations. People should grow older in dignity and without discrimination. Aside from the State Council for Senior Citizens, there are also bodies at borough level and an advisory council at state level.

All senior citizens – so everyone aged 60 and above – who are living in the borough at the time the election is announced, including non-Germans, are eligible to vote in the borough council elections. The chairpersons of the borough councils meet in the State Council for Senior Citizens. They also form the State Advisory Council for Senior Citizens together with twelve representatives of senior citizen organisations and one organisation that protects the interests of senior citizens with a migrant history.

The rights and duties of these advisory councils are enshrined in the Berlin Senior Citizens' Participation Act:

→ <https://www.berlin.de/sen/soziales/service/berliner-sozial-recht/kategorie/rechtsvorschriften/berlseng-573405.php>.



34. Where can I access information about opportunities for participation?

The issue of how I can participate depends first of all on the issue at hand and the extent to which I **want** to become involved. Aside from the possibilities we have mentioned so far, there are many other opportunities to participate in the social education and opinion-forming process – from volunteering in associations to discussing with like-minded people or those with other opinions to attending information events. A good way to start is to become active and not to ignore problems or issues that interest or disturb you. There is no shortage of places to source information about who is already committed to a particular cause – or which initiatives there are on certain topics at borough level or for all of Berlin. The Berlin State Agency for Civic Education is an important institution in this area. (→ www.berlin.de/politische-bildung). It provides a good introduction to the topic of participation, also in the form of seminars and publications.



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