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Dieses Projekt wird gefördert von:



HEALTH CARE

In case of illness you have the right to go to a doctor or a hospital. First go to the social welfare office to get a sickness certificate there. The social welfare office must give it to you and is not allowed to do a medical diagnosis. Give this to the doctor. Examinations recommended by the health insurances companies must be allowed, e.g. vaccination etc.

There is also medical assistance at the initial reception facility in Halberstadt. If you have health problems, you can ask the nurse for counselling, prescription-free medication and if necessary for medical help from a doctor.

..... **PLEASE NOTE:**
**You don't have to pay additional money e.g.
for medication.**
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Pregnant women and those who have recently given birth have the right to full medical and nursing aid by doctors and midwives. In addition, from week 13 of your pregnancy on you are entitled to additional money. As regulated in § 6 AsylbLG you can also apply for basic equipment such as a pram, a cot, clothes etc. The information centres will tell you about several other benefits.

THE RULING OF THE BAMF

With the ruling of BAMF the period with a temporary residence act ends. There are several decisions that the BAMF can make regarding your case.

- If it recognizes you as being entitled to asylum according to Art 16 a Basic law (GG), as being a refugee (§ 60 Abs. 1 residence act (AufenthG)) or if it recognizes obstacles precluding deportation (§ 60 Abs.2-7 AufenthG), you are allowed to stay in Germany (for the time being).
- Alternatively, your application can be rejected as unfounded or you might be deported to a safe third country.
- In both cases legal action is possible. If your application has been rejected please enlist the services of a lawyer immediately as only direct action can help in this case.

IMPORTANT NOTE

This flyer is supposed to give you an initial overview and should not replace individual personal advice. We do not guarantee completeness. The creation date of the flyer is October 2012. Please enlist the services of information centres or lawyers as soon as possible.

In the initial reception facility in Halberstadt the Caritas will provide advice. You will find the addresses of the official information centres (for personal advice) in Sachsen-Anhalt on the website of the integration commissioner of Sachsen-Anhalt www.sachsen-anhalt.de

You will also be provided with further information by the refugee council. The **Flüchtlingsrat Sachsen-Anhalt** (refugee council) advocates the recognition of the rights of refugees and the improvement of their situation.

Our organisation is independent from political parties and churches and we fund ourselves by membership fees, donations and project aid. We offer refugees information and connect you with information centres and lawyers.



**FIRST INFORMATION
FOR ASYLUMSEEKERS
THE ASYLUM PROCEDURE**

FLÜCHTLINGSRAT SACHSEN-ANHALT E.V.

THE PERSONAL INTERVIEW

(HEARING)

The asylum procedure begins with your application for asylum at the federal office for migration and refugees (BAMF). Next, you will be invited to a personal interview.

..... PLEASE NOTE:

This interview is the most important part in the asylum procedure. It is the basis for the decision as to whether asylum can be granted. Don't miss it and prepare well for it! Later there is hardly any possibility to correct what you said here.

- The federal office will ask you to give an account of your persecution. They will want to know the reasons and the story of your flight in detail.
- They will ask about former places of residence, the route of your journey, or whether you applied for asylum in other states.
- Refer only to your personal situation and your fear of political persecution. The federal office is usually not interested in the general situation of your home country.
- Try to answer all questions and make sure that you have understood the questions properly before you answer..

YOUR RIGHTS DURING THE INTERVIEW

- You have the right to get an interpreter.
- A record will be written of the interview. Afterwards you will be given a verbal translation. Mistakes must be corrected.
- You will get a copy of the record.
- If you have difficulties with telling terrible experiences, tell the interviewer. He must respect this. Go to a doctor after the interview. In case of trauma he will attest it. Hand the medical certificate to the federal office.

Express any special requests concerning the interview to the federal office. For example:

- the interview is not held in public but on application the participation of other people can be permitted.
- On application women can be interviewed by women.

THE TEMPORARY RESIDENCE PERMIT

(§ 55 AsylVfG)

While the asylum procedure is pending you have a residence status called a “temporary residence permit” - “Gestattung”. The length of the asylum procedure is variable and it can take several years.

WORK AND CAREER

During the first year of residence you are neither permitted to work, nor to do an apprenticeship or an internship.

After one year you have the right to work. However self-employed work is not permissible.

As soon as you have a specific job offer you must apply for a work permit.

The federal employment agency (“Bundesagentur für Arbeit”) must validate this application. The agency has to check whether there are Germans or EU-nationals available as applicants who have priority for the job. They must also check whether usual wages for the area are being offered.

In exceptional cases the job does not require approval, e.g. if family members work in a family business, in cases of hardship (eg Trauma) or if you have successfully finished an apprenticeship in Germany and have found a job which is suitable to your qualification.

..... PLEASE NOTE:

If the federal employment agency doesn't answer within two weeks its approval will be assumed. Otherwise the aliens authority will write a refusal letter (official notification - “Ablehnungsbescheid”). You can file an objection and take action against the decision in this letter.

RESIDENCE OBLIGATION - „RESIDENZPFLICHT“

During the first three months your residence is restricted to the initial reception facility (ZAsT) in Halberstadt. Therefore, you must stay in the district of Halberstadt.

After three months you will be moved to a community accommodation by the aliens authority (“Ausländerbehörde”) where you must live from now on. Now you are allowed to move freely within the federal state of Sachsen-Anhalt, e.g. you may visit another town.

Before leaving the federal state of Sachsen-Anhalt you must apply for a permit at the aliens authority. If you travel without this permit you will be fined.

LEARNING GERMAN

With a temporary residence permit you don't automatically have the right to attend a German class or an integration class. You must find a course and pay for it yourself. At the information centres you will get further information.

SCHOOL AND NURSERY

Children who live in Germany must go to school no matter which nationality or which residence status they have. In Sachsen-Anhalt children usually start school in the year which by the 30th July they have had their 6th birthday. Your children must go to school as soon as you have been moved to community accommodation.

Your child also has the right to go to a nursery. You can apply for financial support for the fees. Ask at the information centres („Beratungsstellen“). If your child goes to school or nursery you can also apply for additional money to buy materials for school or for school or kindergarden trips as an “additional benefit” according to the Asylum Seekers Benefit Act (AsylbLG)

..... PLEASE NOTE:

**Always file your application at the welfare office before buying articles, materials etc.
Otherwise the costs will not be refunded.**

SOCIAL BENEFITS

Please note: new

With a temporary residence permit you will receive what you need for your day to day life such as basic provision for food, accommodation, etc. as regulated in the Asylum Seekers' Benefit Act (“Asylbewerberleistungsgesetz - AsylbLG”).

As long as you live in the initial reception facility you will be given food and accommodation for free (non-cash benefit). In addition you will get pocket money.

After three months at the latest, in Sachsen-Anhalt you will receive money to take care of yourself. In addition your accommodation will be paid as well as basic equipment, e.g. furniture. Consequently a deduction for basic equipment is forbidden.

On the other hand deduction is allowed for costs such as energy, e.g. light or if cleaning agents are provided in the shared accommodation.

So far asylum seekers only received reduced social benefits according to the AsylbLG. Due to a judgement by Germany's high court, from August 1st 2012 you will be given considerably more money.

..... PLEASE NOTE:

If you have received money before this date you might be entitled to a back payment.

Please enlist the services of a lawyer and ask him or her to check whether actions against the social welfare office have been fully decided upon and whether objections or legal proceedings are in process.

Ask the lawyer to check whether further objections are still possible. You might be entitled to a lot of money!

The Flüchtlingsrat Sachsen-Anhalt will provide you with examples of objections.