

LEARN GERMAN

Until the decision of your asylum process is made you have no right to a special language course or integration course (which includes a language-course). In case of vacant places in local courses you can attend these nonetheless. If your application is granted you are entitled to the participation in an integration course and you may even be obligated to take part. Get information about local courses and your possibility to participate. The consulting centres will inform you about affordable alternatives.

SOCIAL WELFARE BENEFITS

Throughout the duration of the asylum process you will receive benefits following the Asylum Seekers' Benefit Act (AsylbLG). As long as you are accommodated in a reception centre, you receive accommodation, clothing and food as well as health-care and toiletries. Apart from this, the social assistance office pays out an amount of money in cash which you can use freely (e.g. to purchase transportation tickets or telephone-cards) or the amount is distributed in form of coupons or non-cash-benefits.

The amount of these benefits is based on your age, family status (in Germany) and (after distribution to the municipalities) the form of accommodation.

If you are living in a shared accommodation you will only receive money for benefits which you don't receive at the accommodation. If you are living alone or with your family in your own apartment, you will receive all the benefits in cash (except for the energy-costs). Additionally you can file for further support, for example basic inventory or first equipment for new-born children.

- › If you are only granted parts of these benefits for any reason, please consult a lawyer or a migration consulting centre.

EMPLOYMENT

As long as you are staying in an initial reception centre you are not permitted to work or to start an apprenticeship or internship. After having been allocated to a municipality in Saxony-Anhalt and having stayed for 3 months, you are allowed to practice an employment (no self-employment). An "employment permit" will be issued to you by the Foreigner's Authority as soon as you can submit a confirmation of your work place by your employer and if the Federal Employment Agency (BA) agrees.

The Agency verifies that you are being employed within legal boundaries (wages and working conditions). At the same time it may be questioned, whether another candidate from Germany, the European Union or a migrant with a valid residence title outside of the asylum procedure is available for the job (so called "priority review"). This priority review is inapplicable at the latest after 15 months of stay-duration.

A permit to start an apprenticeship and preparative internships has to be issued by the Foreigner's Authority without exception. Information about support offers is available at the Employment Agency. Information concerning the acceptance conditions to start a course of studies you will find at the University or college of higher education (Fachhochschule).

People from so called "Safe States of Origin" ("sicheres Herkunftsland") are permanently excluded from the German employment and education market, if the application for asylum was filed after August 1st of 2015 and was then denied.

- › To start a job and to find a suitable post, the recognition of certificates (e.g. about a college or university education) from other countries is important. Make sure you visit the correspondent Information Centre to ascertain your qualifications at an early point in time.

KINDERGARTEN AND SCHOOL

Your child has the right to a place in a Kindergarten. You can submit an application concerning the payment of the costs. You will have to find a place for your child on your own. Ask at the correspondent social welfare office (Sozialamt) and at the consulting offices.

All children that live in Germany have to attend school (compulsory education). In Saxony-Anhalt, for children of asylum seekers this applies from the moment of their allocation to a municipality. Children start school in the year in which they turn 6 years old before June 30th. Older children and adolescents are assigned to a class and school-form according to their age and stage of development. There are special Language- and Facilitation-classes. Additional to the social welfare office you need to contact the state office of education. Ask your refugee manager about the contact or inquire at the social welfare office or the consulting offices.

If your children visit a school or a day-care centre you can request additional money at the social welfare office, for example to buy school materials, school trips or grants for food supply, following the Asylum Seekers' Benefit Act (AsylbLG).

RESIDENCE RESTRICTION/ "MANDATORY RESIDENCE"

For the duration of your stay at the initial reception centre (up to 6 months) you are only allowed to move within certain boundaries (for example: If you stay in Halberstadt you are restricted to the district "Harz"). Offences against this restriction are sanctioned in Germany.

Inquire with your refugee manager or a consulting office for asylum seekers. The Foreigner's Authority issues permissions to leave the district in special cases.

If you are allocated to a certain district (unless it is the initial reception centre!), you are permitted to move freely within that district.

Apart from this, if three months have passed since the date of issue of your BÜMA or your proof of arrival, you can move freely within the German boundaries. You are obligated, though, to take your permanent residence in the assigned district.

People from the States that are declared "Safe States of Origin" (Serbia, Macedonia, Bosnia-Herzegovina, Albania, Kosovo, Montenegro, Ghana and Senegal) have to stay in the initial reception centres until the decision about their application for asylum is made. The restriction of movement is not repealed from the corresponding district.

MEDICAL CARE

To the beginning of your stay, the initial reception centre is responsible for your medical care. Ask the consulting personnel at the centre how to get access to medical care and – if you need to – about how to contact a doctor. After consultation you will also receive prescription free medication.

If your residence is outside of the reception centre in the municipality, you have to contact the social welfare office prior to any doctoral appointment (also if it concerns your kids). You will then receive a sickness certificate which you will have to submit at the medical practice.

- › A professional medical diagnosis can only be proposed by a doctor.
- › You do not have to make additional payments for medicine.

The extent of provided medical care for asylum seekers in Germany is limited to suddenly occurring pain and diseases. A complete treatment of chronic illnesses is not intended. In special cases, the social welfare office can grant exceptions. Talk to the employees at the office. Prevention Treatments that are recommended by German public health insurances have to be granted – including all vaccinations for children. Pregnant women and women in childbed have the right to full medical and nursing care through doctors and midwives. An application for first equipment for new-born children can be submitted to the social welfare office even before the birth. You will receive furniture for children and a stroller, additionally to the basic benefits that follow the asylum seekers' Benefit Act (§6 AsylbLG).

If an acute emergency arises, meaning the immediate need for medical attention, you can also be seen at a clinic. Any doctor is obliged to help you in this situation.



First Information for Asylum Seekers



Flüchtlingsrat
Sachsen-Anhalt e. V.

First Information for Asylum Seekers

This flyer gives a first overview about the asylum process in Germany. It addresses newly arrived asylum seekers in Saxony-Anhalt and depicts the most important legal basics.

The federal state Saxony-Anhalt is responsible for the first accommodation. This takes place in the initial reception centre. The central reception centre (ZASt) is located in Halberstadt, but there are also other initial reception centres in Saxony-Anhalt. The branch office of the Federal Office for Migration and Refugees (BAMF) is also located in Halberstadt. This is where the registration and processing of the application for asylum take place.

THE APPLICATION FOR ASYLUM

As soon as you have registered at a legal authority (police...) as asylum seeking, your stay is permitted at least until the asylum procedure is completed (legal stay). After the informal solicitation for asylum you need to formally apply for asylum in order to eventually gain the right of residence. This takes place in the branch office of the BAMF in Halberstadt at a separate appointment.

In the reception facility, the asylum seeker's personal data is recorded, fingerprints are taken, the applicant is photographed and you receive the proof of arrival. This is not a residence permit, but a temporary residence paper. In the past you may have received a certificate called BÜMA that confirms your report as asylum seeker. The BÜMA was the precursor of the proof of arrival. They both have a limited period of validity. They indicate that you have applied for asylum and to which initial reception centre you have to go to.

The BAMF will ask you about your journey to Germany and verify with the aid of your fingerprints if your asylum process will take place in Germany. If Germany is not officially responsible for your asylum application (but for example another state of the European Union), you will receive a written notification and the request to travel to the European country that is responsible for your application and process your application there.

- › In this case there is not much time to act. Quickly go to a consulting centre or contact a lawyer.

THE TEMPORARY PERMISSION TO STAY

With the application for asylum you receive a confirmation about your legal stay – the temporary permission to stay ("Aufenthaltsgestattung") – which replaces the proof of arrival. The period of validity depends on the duration of the asylum process and is individually different.

The asylum process can take any amount of time between a couple of days (fast process) and several months. This depends (among other things) on your home country.

All steps of the asylum procedure take place in the reception centre in Halberstadt: From the registration until the written notification about the result of your asylum ("Bescheid").

THE PERSONAL INTERVIEW

The next step is the personal interview with employees of the BAMF concerning the reasons for your flight. Possibly you will receive a separate appointment for which you will have to travel to Halberstadt.

- › An Employee of the BAMF will ask you in detail about the reasons of your flight and your flight route.
- › During this interview, repeated questions concerning your former places of residence, your travel route and former applications for asylum can and will be asked.
- › Concentrate on a detailed description of your personal situation and your flight from political prosecution.
- › Answer as many questions as you can in great detail. Make sure that you fully understand the questions. If you don't understand something – don't hesitate to ask.

IMPORTANT ADVICE concerning the interview:

The personal interview is the most important part of the asylum process. Attend this appointment at all costs and prepare yourself thoroughly! Afterwards there are only limited possibilities to correct or complement your statement.

Rights during the interview

- › You have the right to an interpreter. If you have concerns about the trustworthiness or any communication problems, you have the right to a different interpreter.
- › The interview is documented in a written protocol. The protocol has to be translated to you after the interview and corrected if necessary. Examine closely, if the protocol correctly and completely states your explanations before you sign the protocol at the end of the interview.
- › If it is difficult for you to talk about certain events, report this to the employee of the BAMF. This has to be considered. Severe health problems and psychological traumatisations have to be confirmed by a doctor. Submit these confirmations to the BAMF.

State special requests you might have concerning the interview to the BAMF.

- › The interview is not public. Other people can be granted access on your request.
- › Women can request to be interviewed by another woman.

THE DECISION OF THE BAMF

With the written decision issued by the BAMF ("Bescheid"), the temporary permission to stay ends. The BAMF has several possibilities for their decision:

- › Positive Decision: If the right to asylum after article 16a GG or the refugee status by the Refugee Convention, the subsidiary protection or a national prohibition of deportation applies, you are permitted (initially limited) to stay in Germany. As a proof for this you will be issued a residence title by the responsible local Foreigner's Authority.
- › Negative Decision: If none of the above-mentioned reasons apply, your application will be denied. You can legally object to the decision of the BAMF and request legal protection in front of a German court. In this case you should get legal advice from a lawyer as soon as possible. Please note that there is a very limited time-window after the decision in which you can request legal protection. Check your mail daily while you wait for the decision – you have to act quickly.

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IMPORTANT NOTE

This leaflet is supposed to give you a first overview and does not replace an individual consultation. We do not guarantee for completeness. The information is current as of July 2016. Please contact consulting centres and lawyers as soon as possible. Ask at the social welfare office or staff of your residence for the contact. The addresses of specialised consulting offices (asylum-process consultation – "Asylverfahrensberatung") are to be found at the website of the state commissioner for integration (www.integriert-in-sachsen-anhalt.de).

You can also get information at the refugee council. The refugee council of Saxony-Anhalt (Flüchtlingsrat Sachsen-Anhalt e.V.) is invested in supporting the acknowledgement of refugee-rights and the improvement of their living conditions. We are an organisation that is independent from political parties and the church and we are financed through membership fees, donations and project funds. We provide information for refugees and connect them to further consulting centres and lawyers.

CONTACT PERSONS:

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