



SPECIAL RIGHTS IN THE ASYLUM PROCEDURE

*Information for those seeking
protection with special needs*



Flüchtlingsrat
Sachsen-Anhalt e.V.



Europa fördert
Asyl Migration Integration



PRO ASYL
DER EINZELFALL ZÄHLT.

 **UNO-Flüchtlingshilfe**



PREFACE: FIRST STEPS

Special rights in the asylum procedure

Information for those seeking protection with special needs

- ▶ What are special needs and guarantees in the asylum procedure and who has them?
- ▶ What are your rights and entitlements in the asylum procedure if you require special support?
- ▶ Who can advise you and where can you get support?

In this brochure, you will find useful tips and information on your rights and options in the asylum procedure. They are meant to help you if you need advice and support.

Please bear in mind that this brochure is only meant to serve as a starting point. Therefore, it's important that you seek advice personally and/or ask for advice from a lawyer. In this brochure, you will also find tips on where you can find support in Saxony-Anhalt.

If you have **applied for asylum** in Germany or have just arrived and would like to apply for asylum, you may have the right to receive special support under certain circumstances. If you have applied for asylum in Germany or have just arrived and would like to apply for asylum, you may have the right to receive special support under certain circumstances. European law states that the unique situation of people that are seen as particularly »vulnerable« must also be taken into account in a particular manner. For example, in the case of families with small children, persons with severe health problems or people that have suffered torture or violence. If you have special needs, you are also entitled to receive appropriate support and special guarantees in the asylum procedure.

First steps: Look for **advice** and support! In the asylum procedure, you always have the right to receive independent advice. You require advisers who have knowledge about the asylum procedure in Germany and/or a **lawyer**. Sometimes, you may need a **doctor** or psychologist. Friends can also support you. Form a team! Everywhere, there are people who can help you.

If you haven't already contacted a local **advisory agency** or supporters on site, you should contact the independent **asylum procedure advisory agency** in Saxony-Anhalt or Flüchtlingsrat Sachsen-Anhalt e.V. (Refugee's Council Saxony-Anhalt) as soon as possible so that they can refer you.

Asylverfahrensberatung (Asylum procedure advisory agency) in Halberstadt

Central point of point of contact
(Zentrale Anlaufstelle - ZAST) for
asylum seekers

📍 Friedrich-List-Str. 1a | 38820
Halberstadt

✉️ zast@caritas-halberstadt.de

☎️ +49 (0)3941 597728

Asylverfahrensberatung (Asylum procedure advisory agency) in Magdeburg

on the premises of the Landeserstauf-
nahmestelle (state reception centre)

📍 Breitscheidstr. 53 | 39114 Magdeburg

👤 Folker Lemme

☎️ +49 (0)39327 939902

📠 +49 (0)160 97994077

✉️ folker.lemme@caritas-stendal.de

Asylverfahrensberatung (Asylum procedure advisory agency) in Bernburg

👤 Iyad Aboud

☎️ +49 (0)160 96649450

✉️ iyad.aboud@caritas-magdeburg-stadt.de

Flüchtlingsrat Sachsen-Anhalt e.V. (Refugee's Council Saxony-Anhalt)

📍 Schellingstr. 3-4 | 39104 Magdeburg

✉️ info@fluechtlingsrat-lsa.de

☎️ +49 (0)391 50549613

or

📍 Kurallee 15 | 06114 Halle (Saale)

☎️ +49 (0)345 44502521

If you would like to make use of a consulting service, but a translation/interpretation is not available, contact the »SiSA« (Sprachmittlung in Sachsen-Anhalt – language mediation in Saxony-Anhalt) project. The language mediation hotline helps you in case of communication difficulties. If you register in advance, somebody can accompany you to appointments. You can reach SiSA by phone at ☎️ +49 (0)345 21389399.

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1 SPECIAL NEEDS AND GUARANTEES IN THE ASYLUM PROCEDURE

1.1 Groups of people

All people seeking protection in Germany bring with them their own story and many experiences. Particularly in the **asylum procedure** some refugees have special rights or require support in their unique situation. When you **apply for asylum**, it must therefore be determined and reviewed whether you require special support and which special needs you may have.

According to Art. 29 of the EU Asylum Procedure Directive (Dir. 2013/32/EU)

Persons that are regarded as particularly »vulnerable« and thus should receive special support include children and teenagers, people with disabilities, elderly people, pregnant women, single parents with underage children, victims of human trafficking, physically or mentally ill persons and persons who suffered torture or violence. The list is not exhaustive. Other groups such as women travelling alone or people with »other« sexual orientation (LGBTIQ) can also be included.

More information and a more specific description of the groups of people who are regarded as particularly »vulnerable« can be found in this brochure. If one or several descriptions match your personal situation, you can receive care and support according to your needs. Therefore, it is important that you tell your adviser about your special situation. Let them know that you need support!

1.2 Guarantees in the asylum procedure

The kind of special guarantees you have in the asylum procedure must always be determined on a case by case basis. One thing is certain: for you to be able to completely make your case for your **asylum application** you must receive **support and advice** in your special situation.

This could mean giving you sufficient time to prepare if you need more time and can explain the reasons why. However, this also means that you have to talk about your special situation, your experiences and problems so that they can be taken into account.

According to Art. 22 of the EU Asylum Procedure Directive (Dir. 2013/32/EU)

Asylum procedure and Dublin regulation

You fled to Germany from your home country. You can make use of an important right here: The right to seek asylum. For this purpose, you must file an application for asylum at the **Bundesamt für Migration und Flüchtlinge** (Federal Office for Migration and Refugees), or »**BAMF**« (German abbreviation). Protection is only granted under certain circumstances. The BAMF evaluates whether the application for asylum fulfils these circumstances.

Here, you will find an informative video about the asylum procedure in many languages: www.asylindeutschland.de

You had to have your fingerprints stored in another country during transit or applied for asylum in another EU country, but did not remain there. Then, you could be in the so-called **Dublin regulation** and your **application for asylum** might therefore be rejected as »impermissible«. Then, it is very important that you contact a specialised **advisory agency** such as the **asylum procedure advisory agency** and search for a lawyer who is familiar with German asylum law.

After filing an **application for asylum** at the **BAMF**, you will receive a letter with the date of your **personal hearing** evaluating the reasons for your flight. During the hearing, a BAMF employee will carefully listen to your story. Subsequently, your details will be reviewed and a decision will be made on whether you will be granted protection in Germany. Therefore, this hearing is very important for you. The **asylum procedure advisory agency**, an **advisory agency** or support workers can prepare you for the hearing and can even accompany you to the hearing. Much can depend on you telling us the reasons for fleeing your country accurately and in their entirety. Therefore, take enough time during the hearing and prepare for the hearing. During the hearing, you may talk in the language you feel most comfortable in. Usually, that is your native language. All explanations and questions must be translated for you in a way that is easy to understand. You can tell BAMF or write to them before the hearing and let them know if you want to be heard by a male or female person and if the interpreter should be male or female. During the conversation, minutes are taken, which are back-translated for you at the end. Please check whether everything in the minutes is complete and accurate. The hearing and the minutes are the basis for the decision regarding your application for asylum.



In certain cases, there will be **special representatives** for the **hearing**. These representatives are there for unaccompanied minors, people persecuted due to their gender, victims of torture, traumatised people and victims of human trafficking. They have received special training for the hearing and are to make sure that you always have the opportunity for a fair asylum procedure. This means that you also have the right to be heard by a person that is familiar with your problems. For example, if the explanation of your reasons for fleeing concern gender-related persecution, you have the right to be heard by a woman if you are a woman.

1.3 Consultation

If you are looking for independent **advice** or a **lawyer** in Germany, you should always have the opportunity to make contact. This also means that during decisive stages of the procedure before the **hearing** or after a negative outcome, you can find support. In Saxony-Anhalt, there is an independent **asylum procedure advisory agency** in the **reception centres in Halberstadt, Magdeburg and Bernburg**. The agency will help you prepare for the hearing at the **BAMF** and also afterwards. It will explain the course of the procedure to you and also the subsequent process. It will also help you in dealing with the **Dublin procedure**, if you have questions on family reunion or it helps you with being referred to a lawyer and advisory services for special needs.

If you already live in a location in Saxony-Anhalt other than Halberstadt, there are usually social **advisory agencies** for asylum seekers. Ask in the accommodation in which you live who offers advice for refugees in your city or county. They might be able to help you directly or help you with being referred to the right advisory services. The independent **asylum procedure advisory agency** is located in the cities of Magdeburg and Bernburg. The contact details are listed at the beginning of this brochure under the heading »First steps«.

According to Art. 25 of the EU Asylum Procedure Directive (Dir. 2013/32/EU)

Separate consultation and care (gBB) according to §1 of Saxony-Anhalt's Admission Act (AufnG)

1.4 Benefits and medical care

As soon and as long you are in the asylum procedure, you receive benefits to pay for costs of living and medical care in accordance with the so-called asylum seeker benefits law (German abbreviation: AsylbLG). According to this law, special services may be granted to you at an early stage if those services contribute to preserving your health in your unique situation or if they are important to meet your special needs or those of your children. You must apply for such services and your application will be reviewed. You always have the right to receive medical care if you suffer from physical or mental illnesses. After the period in the **reception centre**, you will have to go to the social welfare office (Sozialamt) before each doctor's visit and explain that you would like to see a doctor. Here, you will receive a so-called Krankenschein (sick note), which you must present to the doctor before the treatment. If you do not receive a sick note from the social welfare office, you must pay for treatment yourself. Please seek advice at an advisory agency in order to check if you are genuinely not entitled to have the treatment paid.

In Saxony-Anhalt, the guidelines of the government recommend providing adequate accommodation with special needs and giving them information on specific advisory and support offerings. This applies to people that are seen as particularly »vulnerable« according to the EU Reception of Applicants Directive. However, this also includes people identifying as lesbian, gay, bisexual, transsexual, transgender and intersexual and women travelling alone.

According to the Admission Act (AufnG) - Guidelines for the accommodation and social care of foreigners with temporary residence permit; circular decree of Saxony-Anhalt's Ministry of the Interior from January 15th 2013, no. 1.1 and no. 2.4

1.5 Accommodation

If you arrive in Saxony-Anhalt and are accommodated there, you will normally spend an initial period in a **reception centre**. You will subsequently be assigned to the counties and independent cities. In this context, you have the right to be **accommodated** in accordance with your special needs. That means, for example, that women travelling alone or with children are accommodated in an area with other women or that people with a physical disability are accommodated at a place with accessible entrance.

According to Art 14 of the EU Reception of Applicants Directive (Dir. 2013/33/EU)



2 GROUPS OF PEOPLE SEEKING PROTECTION WITH SPECIAL NEEDS IN THE ASYLUM PROCEDURES

2.1 Minors



Are you not yet 18 years old and came to Germany with your family? Then, you as a minor are entitled to appropriate support and care.

Your parents have or your mother/father has probably **applied for asylum** for you as a family. If you yourself have (child-specific) reasons for fleeing (e.g. forced marriage, child trafficking, forced labour, sexual exploitation, domestic violence, child soldier conscription, female genital mutilation), this should be mentioned in the **hearing** during the asylum procedure. Ask your parents - or if you don't want to ask them - an **advisory agency** for help. Then, you can be heard personally regarding your reasons for fleeing.

You must have a lot of other questions, for example, if you are able to attend school or if you as a family can stay in Germany.

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Your special rights:

- › Consideration of your child-specific reasons for fleeing in the asylum procedure;
- › Families with underage children may not be accommodated in **reception centres** longer than 6 months;
- › Living together with your family in safe accommodation;
- › Protection against violence, bad treatment or exploitation;
- › Support by child and youth welfare services;
- › Access to education;
- › Peace, leisure and play;
- › and much more.

According to § 47
par. 1 AsylG

You can contact those agencies if you have questions or problems or find out who is there for you at your place of residence:

Contact point in Saxony-Anhalt:

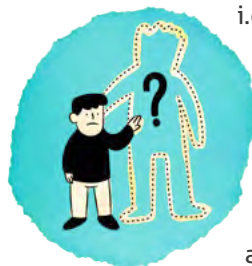
Jugendmigrationsdienste (Youth migration services):

🔗 www.jugendmigrationsdienste.de/meinen-jmd-vor-ort-finden/
(there, search for your federal state and city)

Further information and counselling:

- › BumF e. V.: Brochure »neu anfangen!« (»start anew!«). Young refugees who came to Germany together with their families will find important information in this brochure regarding the initial period in Germany: 🔗 www.b-umf.de/material/neu-anfangen/
- › JOG – Jugendliche ohne Grenzen (Youth without borders):
🔗 www.jogspace.net/
- › Child and youth protection services in Saxony-Anhalt:
🔗 ms.sachsen-anhalt.de/themen/familie/kinder-und-jugendliche/kinder-und-jugendschutz/

2.2 Unaccompanied minors



Are you not yet 18 years old and came to Germany alone, i.e. without your parents or other persons entitled to custody? Then you as an unaccompanied minor are entitled to appropriate support and care.

Therefore, it is important that you state your true age as early as possible and also inform the authorities that you came without your parents. Contact the **youth welfare office** in the county you are in now. Employees there will talk to you and will »take charge of you«. This means you will be accommodated in a facility for children and young people. You will be assigned a guardian who will make important decisions in your interest. For example: Whether you **apply for asylum** or file another application for a prospect of staying Germany, where you will live or which school you will attend.

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Your special rights:

- › Consideration of your child-specific reasons for fleeing in the asylum procedure;
- › Hearing regarding your reasons for fleeing led by a specifically-trained person (**special representative** for unaccompanied minors);
- › Usually protection against deportation until the 18th birthday;
- › Legal representation by a **guardian**;
- › Support by child and youth welfare services;
- › Living together with other young people or in a foster family;
- › Protection against violence, bad treatment or exploitation;
- › Access to education;
- › Peace, leisure and play;
- › and much more.

In accordance with § 58 par. 1a AufenthG

Contact points in Saxony-Anhalt:

Jugendmigrationsdienste (Youth migration services):

🔗 www.fluechtlingsrat-lsa.de/adressen-und-beratungsstellen/kontakte-landesweit/

or: 🔗 www.jugendmigrationsdienste.de/meinen-jmd-vor-ort-finden/ (there, search for your federal state and city)

Further information and counselling:

- › Bundesfachverband für unbegleitete minderjährige Flüchtlinge e.V. (Association For Unaccompanied Refugee Minors):
🔗 www.b-umf.de/
- › »Willkommen in Deutschland – ein Wegbegleiter für unbegleitete Minderjährige« (»Welcome to Germany – a guide for unaccompanied minors«): 🔗 www.b-umf.de/p/willkommen-in-deutschland/
- › The welcome brochure is also available for smartphones and tablets: 🔗 www.kommgutun.info/de/
- › Jugendliche ohne Grenzen (JOG) (Youth without Borders), on facebook: 🔗 facebook.com/jogspace/



2.3 People with disabilities



Do you have a disability that restricts your daily living and your ability to participate in social activities? You are classified as having a disability if the physical capabilities, the mental capabilities or the mental state of the person concerned deviate by at least 6 months from the typical age. Your hearing and sight can also be impaired. As a person with a disability, you are entitled to receive appropriate support.

Please address your concerns to the **asylum seekers counselling service/social counsellor** near you. It will help you get in contact with a doctor for your first visit. It is important that you have your disabilities certified and that you present those certificates to the **BAMF** (Federal Office for Migration and Refugees).

According to Article 1 of the UN Convention on the Rights of Persons with disabilities

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Your special rights:

- ▶ Consideration of your disability in the asylum procedure;
- ▶ Consideration of your disability in the hearing regarding the asylum procedure;
- ▶ Support in the asylum procedure to ensure that you can present all reasons for the asylum application;
- ▶ Accommodation and care that meets your needs,
 - ▶ i.e. for people who have a walking disability this means, for example accessibility of sanitary facilities in the accommodation or a good connection to necessary infrastructure such as medical facilities, shopping facilities, local public transport and other things;
- ▶ *Remedies and auxiliary devices (e.g. wheelchairs, prostheses, glasses, hearing aids);*
- ▶ *Granting of a disability-related additional benefits on a case by case basis;*
- ▶ Support for disability-related applications;
- ▶ Special support for dealing with daily living activities;
- ▶ and much more.

According to § 6 par. 1 AsylbLG

Contact points in Saxony-Anhalt:

The »Ergänzende unabhängige Teilhabeberatung« (»supplementary independent participation consultation«, German abbreviation: EUTB) supports and advises people with disabilities, people at risk of becoming disabled but also their relatives for free all over Germany on questions regarding rehabilitation and social participation. There are several points of contact in Saxony-Anhalt. They are in principle also open to refugees. You should ask by phone whether your local organisation has experience in advising refugees with disabilities. Costs for interpreting are usually not covered (see: SiSA's offer for language mediation in the preface of this brochure).

🔗 teilhabeberatung.de/artikel/ergaenzende-unabhaengige-teilhabeberatung-eutb (there, select federal state and location).

Further information for counsellors

Barbara Weiser: Leitfaden zur Beratung von Menschen mit einer Behinderung im Kontext von Migration und Flucht (Guide for people with disabilities in the context of migration and refugees, published: 2017): 🔗 tinyurl.com/caritas-leitfaden

2.4 Elderly people

Are you an elderly person (over 60) and finding it difficult to adapt to your new surroundings? Are you suffering from age-related diseases or disabilities which are limiting your everyday life? If you live alone or if your family is too overwhelmed to care for you, there is the option to receive additional support in your daily life. You have the right to appropriate support and treatment.



If you find it considerably harder than other people of your age to move around, have stronger and longer-lasting pain or your mental capacity/memory is more damaged, it may be possible that you are classified as a *person with a disability or seriously ill person*. In this case, you are entitled to rights and services as detailed in section 2.3 or 2.8.

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Your special rights:

- › Consideration of your disabilities and/or experiences of discrimination due to your age in the asylum seeker process;
- › Accommodation, where you are guaranteed support for your disabilities, for example living with family members, accommodation in apartments with good connection to necessary infrastructure such as medical care, shops, public transport and other things;
- › Additional social services, depending on your relevant health status and living situation;
- › Services independent from your family;
- › Help in everyday life through mobile services who will visit you at home help you shop, deliver warm food, provide household help or accompany you to the doctor;
- › and much more.

Contact points in Saxony-Anhalt:

There is no particular counselling centre in Saxony-Anhalt for older refugees. Please address your concerns to the social **counsellor** responsible for you in the building where you live. They will direct you to the relevant counselling service.



2.5 Pregnant women



Are you pregnant and wondering what specific support you can receive during your pregnancy, for the birth and after the birth? Perhaps you would like to speak to someone in confidence about your pregnancy? Perhaps you are unsure about which rights you or the father of the child will have after the birth in Germany? Pregnant women have the right to appropriate support and treatment.

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Your special rights:

- › Consideration of your pregnancy in the asylum seeker process and in the hearing;
- › Possibility to postpone the hearing of the application in the case of severe pregnancy-related conditions;
- › Secure and appropriate accommodation;
- › Support from a counselling centre for pregnant women on site;
- › Financial or material support, for example financial aid from the 4th month of pregnancy, maternity clothing, baby supplies (baby clothes, cot and pram between the 6th and the 8th month of pregnancy) and special »baby-proof furnishing«;
- › Advice and help from a midwife during the pregnancy and birth;
- › and much more.

According to § 4
par. 2 AsylbLG

Contact point in Saxony-Anhalt:

Pro Familia

You can find advice centres close to where you live at:

🔗 www.profamilia.de/angebote-vor-ort.html

or at:

Pro Familia Landesverband

☎ +49 (0)345 522 06 36

✉ lv.sachsen-anhalt@profamilia.de

Service: Information and (anonymous) counselling, provision of aids and financial support, information and counselling on abortion options (counselling for unwanted pregnancies), counselling on contraception methods

Further information and counselling:

Help hotline »Pregnant women in need«

☎ +49 (0)800 40 40 020

🔗 www.schwanger-und-viele-fragen.de

› Anonymous (you don't need to give your name),

› Open night and day,

› Free of charge,

› Available in 15 languages.

Pregnancy and birth:

Information and films in 6 languages:

🔗 www.drk-gesundheitsfilme.de



2.6 Single parents with underage children

Have you come with your underage children to Germany alone?

Were you separated from your partner while fleeing?

Or have you chosen to separate from your partner in Germany? As a single parent, you have the right to appropriate financial support.



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www.drk-suchdienst.de

File an application for »redistribution of benefits« at the local immigration office.

You can inform yourself on possibilities for family reunion under the Dublin III Regulation in the brochure from Diakonie Deutschland dated March 2018: www.tinyurl.com/diakonie-dublin-iii

Your special rights:

- › Consideration of your situation as a *single parent in the asylum process*;
- › Possibility of *international search* for family members
- › Family reunion within *Germany or Europe*, if living together is desired;
- › Secure accommodation in a communal living space with other families (in the case of single mothers: accommodation with other single mothers);
- › Provision of a play and leisure area for your children in the communal living space;
- › Counselling and services from the Child Services department, for example socio-pedagogical family aid/parenting help, coverage of childcare costs in emergencies such as hospitalisation;
- › Counselling on questions concerning parenting, separation, divorce;
- › and much more.

Contact points in Saxony-Anhalt:

There is no particular counselling centre in Saxony-Anhalt for refugee single parents. Please address your concerns to the social **counsellor** responsible for you in the building where you live. They will direct you to the relevant counselling service.

You can receive counselling on questions concerning parenting, separation, divorce and similar from a parenting and family counselling office near you: ms.sachsen-anhalt.de/themen/familie/familienratgeber/familien-mit-kleinkindern/recht-und-beratung/erziehungs-ehe-und-familienberatung/

Information on the women's shelter for refugees can be found under section 2.10

Women travelling alone

Are you an adult woman (over 18) who has come to Germany alone? It should be ensured that you can live in safety, meaning separately if possible with other women travelling alone, or with single women and their children. As there are only a few refugee shelters in Saxony-Anhalt exclusively for women, women travelling alone are typically placed in communal housing together with families.

According to the Admission Act (AufnG) – Guidelines for the accommodation and social care of foreigners with temporary residence permit; circular decree of Saxony-Anhalt's Ministry of the Interior from January 15th 2013, no. 2.4



2.7 Victims of human trafficking

Did you flee your country because you were the victim of exploitation? Or did you come to Europe or Germany as a victim of human trafficking? In this case, you have probably experienced one or more of the following: Your passport has been taken away, you are in debt, you have been locked up and monitored, you have been physically or sexually abused, forced into sex work or prostitution, you were made promises about your stay in Germany (e.g. a good job or a paid traineeship) which then were not kept.



According to EU Directive 2011/36/EU (Directive on human trafficking)

Human trafficking is defined as when a person is placed in a position of exploitation through force, threats or deception. Human trafficking can take different forms, such as sexual exploitation, slave work, exploitation through begging work and criminal activities or organ removal. Victims of human trafficking have a right to appropriate support.

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Your special rights:

- ▶ Consideration of your experiences of human trafficking in your home country in the asylum process;
- ▶ Hearing of the asylum application in the presence of a **special representative** for human trafficking victims, or later participation of such a representative;
- ▶ *A period of at least 3 months of stable residence and recovery time after a rejected asylum claim to consider testifying in criminal proceedings against the trafficker;*
- ▶ Secure accommodation and protection measures in cases of acute danger, if you have been a victim of human trafficking in Germany;
- ▶ If you are testifying in criminal proceedings against the perpetrator in Germany: *temporary guaranteed residency*
- ▶ Medical treatment and psychological help;
- ▶ and much more.

According to § 59 par. 7 of the Residence Act (AufenthG) (setting a period of departure of at least 3 months in the BAMF decision)

According to § 25 par. 4a S. 1 of the Residence Act (AufenthG)

Contact point in Saxony-Anhalt:

Psychosoziales Zentrum für Migrantinnen und Migranten in Sachsen-Anhalt (Psycho-social Centre for Migrants in Saxony-Anhalt)

📍 Charlottenstraße 7 | 06108 Halle (Saale)

☎ +49 (0)345 2125768

or

📍 Agnetenstraße 14 | 39106 Magdeburg

☎ +49 (0)391 79293380

✉ kontakt@psz-sachsen-anhalt.de

🌐 www.psz-sachsen-anhalt.de/

Further information and counselling:

KOK e. V.

Bundesweiter Koordinierungskreis gegen Menschenhandel e. V.
(National Coordination Centre against Human Trafficking)

📍 Kurfürstenstraße 33 | 10785 Berlin

☎ +49 (0)30/263 911 76

✉ info@kok-buero.de

🌐 www.kok-gegen-menschenhandel.de



2.8 People with serious physical and psychological diseases

Have you suffered from physical illnesses such as diabetes, cancers, illnesses of the joints, cardiac diseases or chronic pain, either since birth or later in life? Or do you suffer from disrupted sleep, nightmares, traumatic memories, phobias, compulsions or deep depression? Do you have the feeling that something has changed in you or that something is not right? You have the right to appropriate support and treatment.



Please address your concerns to the **asylum seekers counselling service**/social **counsellor** near you. They will help you get into contact with a medical professional. It is important to get your illness certified by a doctor and submit the medical certificate to the **Federal Office for Migration and Refugees (BAMF)**.

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Your special rights:

- › Consideration of your particular health situation in the asylum application;
- › Consideration of your serious disease in the hearing regarding the asylum procedure;
- › Appropriate accommodation with good transport connections to the necessary infrastructure such as medical treatment shops, public transport and other facilities;
- › Support in your daily life;
- › and much more.

Addiction is classified as the physical and/or psychological dependency on drugs which harm the body. Alcoholism is also a recognised disease. If you suffer from drug addiction or alcoholism, you must make this known in the asylum application. Information on drug addiction is available in 6 languages here:

www.caritas.de/hilfeundberatung/onlineberatung/suchtberatung/haeufiggestelltefragensucht/166900

Contact points in Saxony-Anhalt:

There is no particular counselling centre in Saxony-Anhalt for refugees with severe illnesses. Please address your concerns to the social **counsellor** responsible for you in the building where you live. They will direct you to the relevant counselling service.

You will also find contact addresses for people with mental illnesses under 2.9.

2.9 Victims of torture, rape, or other severe forms of physical, psychological or sexual assault



Have you been purposely subjected to strong physical or psychological pain in your home country or while fleeing it? For example, in order to extract a statement or confession from you? Or to intimidate or punish you? Was there another reason related to discrimination against you? Did you experience sexual violence or were you the victim of female genital mutilation? Victims of torture or other forms of violence have the right to appropriate support.

People who have experienced sexual violence in particular often are ashamed and find it difficult to talk about their experience. However, it is important that you talk about the torture/violence in the **hearing** of your asylum application or later with a counsellor or therapist. Only in this way can your experience (and the justified fear of again experiencing torture and/or violence in your home country) be taken into consideration in the asylum application.

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Your special rights:

- ▶ Consideration of torture and/or violence experienced in the asylum application: Having experienced or been threatened with torture, physical, psychological or sexual violence can be grounds for protected status in the asylum application.
- ▶ Hearing of the application by a **special representative** for torture and trauma victims;
- ▶ Appropriate accommodation;
- ▶ Appropriate medical and psychological treatment or care, for example in a psychosocial care centre for refugees and torture victims;
- ▶ and much more.

Contact points in Saxony-Anhalt:

Psychosoziales Zentrum für Migrantinnen und Migranten in Sachsen-Anhalt (Psycho-social Centre for Migrants in Saxony-Anhalt)

📍 Charlottenstraße 7 | 06108 Halle (Saale)

☎ +49 (0)345 2125768

or

📍 Agnetenstraße 14 | 39106 Magdeburg

☎ +49 (0)391 79293380

✉ kontakt@psz-sachsen-anhalt.de

🌐 www.psz-sachsen-anhalt.de/

Services are free of charge, travel and interpreter costs can be reimbursed.

Further information and counselling:

BAfF e. V. – Bundesweite Arbeitsgemeinschaft Psychosozialer Zentren für Flüchtlinge und Folteropfer e. V. (National Working Group of Psycho-social Centres for Refugees and Victims of Torture)

📍 Paulsenstraße 55-56 | 12163 Berlin

☎ +49 (0)30 31012463

✉ info@baff-zentren.org

🌐 www.baff-zentren.org/



2.10 Female domestic violence victims

Are you under threat or affected by forced marriage, domestic violence, honour crimes, female genital mutilation, forced prostitution or rape? You have the right to receive appropriate support.



Violence against women is illegal in Germany. Nobody is allowed to hit a woman or force her to do something against her will. Persecution on the basis of gender and lack of protection from violence and forced action from family can be grounds for protection status in the asylum application.

For this reason, it is important you specify in your application that you wish to be heard by a specially trained person before your application **hearing** takes place. You should explain your personal reasons for wanting this in the asylum application hearing. You have the right to attend the hearing without your husband. Please specify in the hearing that other persons – including members of your family – should not have access to your statements.

§

Your special rights:

- › Consideration of gender-specific grounds for persecution in the asylum application;
- › Choice between filing a separate asylum application on personal grounds or a family asylum application or together with your husband;
- › Option to request a female judge and a female interpreter before the asylum application hearing;
- › Secure accommodation for you and your children;
- › In the case of family violence: Women may live alone in Germany (with their children) and will receive financial support for themselves and their children independent of their husband;
- › and much more.



In accordance with the German Prevention of Violence Act, you also have the right to oblige the violent partner to move out, or to receive protection for you and your children in a **women's shelter**. Women's shelters are places where women can safely live for a period of time to escape domestic violence.

»Gewaltschutzgesetz« (»German Prevention of Violence Act«):
tinyurl.com/gewaltschutzgesetz

Contact points in Saxony-Anhalt:

Women's shelters in Saxony-Anhalt: integrationsbeauftragte.sachsen-anhalt.de/themen/sicherheit/frauenhaeuser-und-frauenfluechtlingshaus/

You can ask for the addresses of women's counselling centres and women's shelters in Saxony-Anhalt by calling the »Violence against women« hotline (☎ +49 (0)8000/116 016).

Women's shelter for refugees

In the women's shelter for refugees, women travelling alone and their children are accommodated if they are traumatised as a result of becoming victims of violence in their home country. Women and their children are also accommodated if they feel threatened in communal housing. The women's shelter for refugees is located in the city of Halle and has established close contact with interculturally competent advisory agencies and doctors that have specialised in the treatment of traumatised refugees.

Frauenflüchtlingshaus (FFH) - Women's shelter for refugees

📍 Postfach 11 05 08 | 06019 Halle
☎ +49 (0)345 5238115
☎ +49 (0)152 5476476
✉ ffh@dibomedia.de

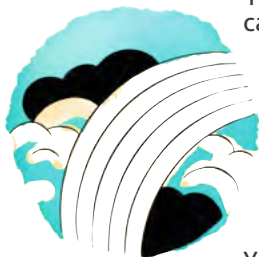
Further information and counselling:

Helpline »Gewalt gegen Frauen« (»Violence against women«)

☎ +49 (0)8000 116 016
🌐 www.hilfetelefon.de
› Anonymous (you don't need to give your name);
› Open night and day;
› Free of charge;
› In 17 languages.

2.11 LGBTTIQ

Are you lesbian, gay, bisexual, transgender, transsexual, intersex or queer? Are you under threat in your home country because of your sexual orientation or gender identity?



Do these threats involve violence, arrest, other forms of human rights violations, or even the death penalty? Were you persecuted in your home country for this reason or did you flee due to fear of persecution? You have the right to appropriate support and treatment.

You can speak openly about being LGBTTIQ in Germany. However, LGBTTIQ people often are worried about being outed publicly. In the asylum application process, it is nevertheless very important that you mention the discrimination and persecution you have faced due to your sexual orientation or gender identity. This is important for the application **hearing** as well as for determining where you can live safely.

§

Your special rights:

- › Consideration of persecution faced or danger of persecution in the asylum application;
- › Hearing by a **special representative** for gender-specific persecution;
- › Confidential treatment of your information;
- › *Secure accommodation outside community housing if possible;*
- › Protection from discrimination;
- › and much more.

According to § 1 par. 1 ThürGUSVO, Annex 1 (Minimum standards for the operation of collective housing)

In the state's reception centre in **Halberstadt**, two social workers are employed who are **specialised** in advising LGBTTIQ people. They can be recognised by the rainbow flags on their office doors and can be contacted anytime.

L S B T T I Q

In Germany, all people are protected from discrimination based on their race, ethnicity, gender, disability, religion, faith, world view, age or sexual orientation.

Discrimination means that somebody is treated worse than other people, for example due to their sexual identity or orientation.

This protection applies irrespective of the residency status.

Information for refugees on the protection against discrimination in Germany in 10 languages can be found at: tinyurl.com/diskriminierungsschutz

Contact points in Saxony-Anhalt:

LSVD Sachsen-Anhalt / Rainbow Connection

📍 Otto-von-Guericke-Str. 41 | 39104 Magdeburg

☎ +49 (0)391 5432569

✉ georg.matzel@lsvd.de

🌐 lsvd-lsa.de/rbc/

Service: Advice and support for self-help for queer people with and without migration background: Lesbians, gays, trans* and intersexual people and their family members can inform themselves about questions relating to coming out, homosexuality and trans* identity and sexual diversity.

Further information and counselling:

Queer Refugees Deutschland

☎ +49 (0)221 2596117

(German, Punjabi, English, Urdu, Hindi)

☎ +49 (0)221 92596120

(German, English, Arabic, Spanish)

🌐 www.queer-refugees.de

(Website in 9 languages with video on the asylum procedure and on accommodation and material with important information)



3 GENERAL GUIDELINES

- › Go to the preliminary reception centre of your local asylum application centre as early as possible (best before your hearing) and explain that you have particular rights and needs in the asylum application process.
- › Request that a special representative carries out your hearing at the Federal Office for Migration and Refugees (BAMF), if you are underage and unaccompanied, if you have been the victim of torture, if you have suffered trauma, experienced gender-specific persecution or have been a victim of human trafficking.
- › State your grounds for fleeing as clearly and comprehensibly as possible in your hearing, and what your special needs are.
- › After being assigned to another address in Saxony-Anhalt, contact your nearest competent counselling centre or a lawyer so that you can receive counsel and support during the asylum application process.
- › Make sure that your rights to medical and material provision, an appropriate living space and your special rights in the asylum application process are upheld at all times.
- › Seek support from a competent asylum application counselling centre or lawyer if your rights are violated.

Landesinfostelle Flucht und Asyl (Federal information centre flight and asylum)

Flüchtlingsrat Sachsen-Anhalt e. V.
(Refugee's Council Saxony-Anhalt)

📍 Schellingstr. 3-4 | 39104 Magdeburg

☎ +49 (0)391 50549613

📠 +49 (0)391 50549615

✉ info@fluechtlingsrat-lsa.de

🌐 www.fluechtlingsrat-lsa.de

📘 facebook.com/fluechtlingsrat.lsa

🐦 twitter.com/FlueRa_ST

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A digital version of the brochure is available at:
www.fluechtlingsrat-lsa.de/pub/besondere-rechte-im-asylverfahren

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