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Applying for a residence permit for victims of a criminal offense under Sections 232 to 233a StGB

Heruntergeladen am 03.07.2025

<https://fimportal.de/xzufi-services/121312515/L100002>

Modul	Sachverhalt
Leistungsschlüssel	99010022001013, 99010022001013
Leistungsbezeichnung I	Applying for a residence permit for victims of a criminal offense under Sections 232 to 233a StGB
Leistungsbezeichnung II	Applying for a residence permit for victims of a criminal offense under Sections 232 to 233a StGB
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Nordrhein-Westfalen
Freigabestatus Katalog	fachlich freigegeben (gold)
Freigabestatus Bibliothek	fachlich freigegeben (silber)
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Aufenthaltstitel (010)
Verrichtungskennung	Erteilung (001)

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SDG-Informationsbereich	Anforderungen in Bezug auf Aufenthaltskarten für Unionsbürger und ihre Familienmitglieder, einschließlich Familienmitglieder, die keine Unionsbürger sind
Lagen Portalverbund	Einwanderung (1080100)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	29.10.2020
Fachlich freigegeben durch	Saxon State Ministry of the Interior
Handlungsgrundlage	<p>§ Section 4a AufenthG</p> <p>§ Section 5 (1) no. 3 AufenthG</p> <p>§ Section 25 (4a) sentence 1 AufenthG</p> <p>§ Section 29 (3) AufenthG</p> <p>§ Section 44 AufenthG</p> <p>§ Section 44a AufenthG</p> <p>§ Section 54 (1) no. 2, no. 4 AufenthG</p> <p>§ Section 53 AufenthV</p> <p>https://www.gesetze-im-internet.de/aufenthg_2004/</p> <p>https://www.gesetze-im-internet.de/aufenthv/</p>
Teaser	Issuance of a residence permit to testify as a witness in testify as a witness in criminal proceedings for human trafficking
Volltext	<p>You are a victim of one of the criminal offenses of human trafficking for the purpose of sexual exploitation (Section 232 StGB), human trafficking for the purpose of labor exploitation (Section 233 StGB) or the promotion of human trafficking (Section 233a StGB).</p> <p>The public prosecutor's office or the criminal court considers your temporary presence to be appropriate for the conduct of the criminal proceedings. This is the</p>

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case if your presence can help to clarify the facts of the crime.

You may no longer maintain any contact with the persons accused in the criminal proceedings of having committed the human trafficking offense.

You must declare your willingness to testify as a witness in the criminal proceedings for human trafficking. It is not sufficient to invoke a right to testify or a right to refuse to provide information.

You will not be granted a residence permit if it is foreseeable that your stay will be permanent.

Your stay must not impair or jeopardize the interests of the Federal Republic of Germany for any other reason.

You are generally entitled to a residence permit.

You are still entitled to benefits in accordance with SGB II (Basic income support for jobseekers) or basic income support in old age or in the event of reduced earning capacity, child benefit.

Family reunification for your spouse and minor child (so-called nuclear family) is only possible for reasons of international law or humanitarian reasons or to safeguard the political interests of the Federal Republic of Germany. The family members themselves must meet the requirements for admission from abroad for reasons of international law or humanitarian reasons,

Gainful employment is not permitted. This can only be permitted by the immigration authorities.

You can only be admitted to an integration course if there are places available.

Erforderliche Unterlagen

- Application form
- current biometric photo

Voraussetzungen

- Victim of a criminal offense according to §§ 232, 233 or 233a StGB

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- only temporary stay
- temporary presence in the federal territory has been deemed appropriate by the public prosecutor's office or the criminal court for criminal proceedings relating to this offense
- Breaking off all contact with persons accused of having committed the offense
- Declaration of willingness to testify as a witness in the criminal proceedings for the offense
- No impairment or endangerment of the interests of the Federal Republic of Germany
- No deportation order
- No interest in deportation according to § 54 para. 1 no. 2 or 4 AufenthG

Kosten

Fee for issuing the residence permit: 100 euros

For minors: 50 euros

Exemption from fees if you receive social benefits

Verfahrensablauf

As a rule, you must apply for a residence permit in person. (The foreigners authority or the prosecuting authority will inform you about the possibility of a residence permit)

Arrange an appointment for an interview with your local foreigners authority. You can also find out about the application process and which documents you need to submit and in what form on the website of the relevant immigration authority.

Your fingerprints will be taken during your appointment.

If your application is approved, the foreigners authority will commission the Federal Printing Office to produce the electronic residence permit. The residence permit is in the form of a check card with additional electronic functions.

For information on the duration of the procedure until the residence permit is issued, please contact the relevant immigration authority.

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Bearbeitungsdauer	When applying for a residence permit, you will usually be informed of the duration of the procedure by the responsible immigration authority (approx. 6 to 8 weeks). Note: The residence permit is issued as an electronic residence permit.
Frist	The residence permit is issued for one year. In justified cases, a residence permit can also be issued for longer than one year.
weiterführende Informationen	
Hinweise	Legal residence is not required for a residence permit to be issued. You may also be required to leave the country.
Rechtsbehelf	
Kurztext	<ul style="list-style-type: none"> • Foreigner has become a victim of an offense under §§ 232, 233 or § 233a of the German Criminal Code (StGB) (human trafficking) • Presence in the federal territory must be deemed appropriate for the conduct of criminal proceedings • Residence permit for temporary stay • No connection to the accused • Willingness to testify as a witness • In principle, legal entitlement to the granting of a residence permit <p>Legal consequences of the granting of a residence permit:</p> <ul style="list-style-type: none"> • Entitlement to social benefits • Family reunification possible • Gainful employment only permitted with the permission of the immigration authority • No entitlement to integration course, admission to integration course only within the scope of available course places • Personal appearance required: yes <p>Responsible: Your local foreigners authority</p>
Ansprechpunkt	Locally responsible foreigners authority

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Zuständige Stelle	Locally responsible foreigners authority of your independent city or district
Formulare	<p>You will receive the following from your local foreigners authority</p> <p>Online procedure possible: no</p> <p>Personal appearance required: yes</p>
Ursprungsportal	Beantragen einer Aufenthaltserlaubnis für Opfer einer Straftat nach den §§ 232 bis 233a StGB, Applying for a residence permit for victims of a criminal offense under Sections 232 to 233a StGB