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Applying for a residence permit for refugees on international law, humanitarian or political grounds

Heruntergeladen am 03.07.2025

<https://fimportal.de/xzufi-services/113305440/L100027>

Modul	Sachverhalt
Leistungsschlüssel	99010022001008, 99010022001008
Leistungsbezeichnung I	Applying for a residence permit for refugees on international law, humanitarian or political grounds
Leistungsbezeichnung II	Applying for a residence permit for refugees
Typisierung	2/3b - Bund: Regelung, Land: Ausführungsvorschriften, Kommune: Vollzug
Quellredaktion	Mecklenburg-Vorpommern
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Aufenthaltstitel (010)
Verrichtungskennung	Erteilung (001)
SDG-Informationsbereich	Anforderungen in Bezug auf Aufenthaltskarten für

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	Unionsbürger und ihre Familienmitglieder, einschließlich Familienmitglieder, die keine Unionsbürger sind
Lagen Portalverbund	
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	29.10.2020
Fachlich freigegeben durch	Saxon State Ministry of the Interior Ministry of the Interior and Europe Mecklenburg-Western Pomerania
Handlungsgrundlage	<p>§ Section 25 (2) sentence 1 1st alt. Residence Act</p> <p>§ Section 3 (1) AsylG</p> <p>§ Section 12a AufenthG</p> <p>§ Section 9 AufenthG</p> <p>§ Section 26 AufenthG</p> <p>§ Section 48 AufenthV</p> <p>§ Section 52 (3) AufenthV</p> <p>§ Section 29 (2) AufenhtG</p> <p>§ Section 44 AufenthG</p> <p>§ Section 78 AufenthG</p> <p>§ Section 78a AufenthG</p> <p>https://www.gesetze-im-internet.de/aufenthg_2004/</p> <p>https://www.gesetze-im-internet.de/aufenthg_2004/</p>
Teaser	If you have been granted refugee protection by the Federal Office for Migration and Refugees, apply for a residence permit at the immigration authority responsible for you.
Volltext	If you have been granted refugee protection by the Federal Office for Migration and Refugees, apply for a residence permit at the immigration authority

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responsible for you.

You must be granted a residence permit (legal entitlement) if you have been recognized by the Federal Office for Migration and Refugees as a foreign refugee within the meaning of the Convention relating to the Status of Refugees of 28 July 1951 (so-called Convention refugee). However, you may not be granted a residence permit if you have been deported due to a particularly serious reason for deportation (e.g. conviction for an intentional criminal offense resulting in imprisonment or a juvenile sentence of at least two years).

Until the residence permit is issued, your stay is deemed to be permitted by law.

The residence permit entitles you to pursue gainful employment.

The residence permit is issued for three years and can be extended thereafter.

For three years, you are subject to a residence requirement for the federal state in which you have been assigned to carry out the asylum procedure. The residence regulation does not apply or can be lifted if you, your spouse, registered partner or a minor child take up employment subject to social security contributions for at least 15 hours per week and have a minimum income that exceeds the average monthly requirement according to the German Social Code (currently 723 euros), or take up vocational training or studies. The employment must also be sustainable. This is assumed if your employment is expected to last for more than three months.

You are entitled to social benefits (basic income support for jobseekers or basic income support in old age or in the event of reduced earning capacity), child benefit, parental benefit and educational support

Family reunification for your spouse or underage children is possible. The immigration authority may, at its discretion, grant a residence permit to the spouse

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or minor child of a recognized refugee who is joining them despite the fact that they are unable to secure their livelihood and there is insufficient living space. If the application for family reunification is submitted within three months of the residence permit being issued and it is not possible to establish the family partnership in a third country, there is a legal entitlement to the permit being issued.

You are entitled to attend an integration course. When issuing the residence permit, the immigration authority will also determine ex officio whether you are entitled to attend an integration course. If this is the case, it will issue you with a certificate of eligibility. At the same time, you will also receive a list of course providers in your area where you can register on presentation of your certificate of eligibility.

You must be granted a settlement permit if you

- have held a residence permit for five years,
- if the Federal Office for Migration and Refugees (BAMF) has not informed you that the requirements for revocation or withdrawal have been met,
- have sufficient knowledge of the German language (level A 2),
- can support yourself and your family (community of need) mainly (at least 51%) from your own income.
- Your stay does not jeopardize or impair the interests of the Federal Republic of Germany,
- are allowed to pursue gainful employment and have all the necessary permits,
- you have a basic knowledge of the legal and social order and living conditions in the Federal Republic of Germany,
- have sufficient living space for yourself and your family.

If you are able to support yourself and your family mainly (at least 75%) from your own income and have a command of the German language (equivalent to level C 1), you will be granted a settlement permit if you have been in possession of a residence permit for three years.

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Erforderliche Unterlagen	<ul style="list-style-type: none"> • Decision of the Federal Office for Migration and Refugees on recognition as a refugee under the Geneva Refugee Convention • Current biometric photo • Proof of identity, if available, e.g. passport, ID card, birth certificate, marriage certificate, certificate of citizenship
Voraussetzungen	<ul style="list-style-type: none"> • The prerequisite for the granting of a residence permit is the final determination of refugee status by the Federal Office for Migration and Refugees • The existence of an application for a residence permit • There must be no grounds for refusal.
Kosten	<p>As a recognized refugee, you are exempt from the fee for issuing a residence permit.</p> <p>If you are issued a travel document for refugees, the fee is 60 euros from the age of 24 and 38 euros up to the age of 24.</p>
Verfahrensablauf	<p>As a rule, you must apply for your residence permit in person.</p> <ul style="list-style-type: none"> • Arrange an appointment with your local immigration office. 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 office. • Your fingerprints will be taken during your appointment. <p>If your application is approved, the foreigners authority will commission the Bundesdruckerei to produce the electronic residence permit. The residence permit is in the form of a check card with additional electronic functions.</p> <p>For information on the duration of the procedure until the residence permit is issued, please contact the relevant immigration authority.</p>
Bearbeitungsdauer	<p>When applying for a residence permit, you will usually be informed of the duration of the procedure (approx. 6 to 8 weeks) by the responsible immigration authority.</p>

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	Note: The residence permit is issued as an electronic residence permit.
Frist	Validity of the residence permit 3 years, Important note: Apply for an extension or the granting of a settlement permit in good time before the expiry date.
weiterführende Informationen	https://www.bamf.de/DE/Themen/AsylFluechtlingsschutz/AblaufAsylverfahrens/Ausgang/Aufenthaltserlaubnis/aufenthaltserlaubnis-node.html https://www.bmi.bund.de/DE/themen/migration/aufenthaltsrecht/einreise-und-aufenthalt/einreise-und-aufenthalt-node.html https://www.bamf.de/DE/Themen/MigrationAufenthalt/ZuwandererDrittstaaten/Migrathek
Hinweise	
Rechtsbehelf	
Kurztext	<ul style="list-style-type: none"> • Granting of a residence title after refugee recognition at the competent foreigners authority - legal entitlement - but: • No entitlement to a residence title in the event of expulsion due to a particularly serious interest in expulsion • Fiction of permission - After the decision on refugee recognition has become final, residence is deemed to be permitted <p>Legal consequences of issuing a residence permit:</p> <ul style="list-style-type: none"> • Permission for gainful employment • Residence requirement for three years for the federal state in which you have been assigned to carry out the asylum procedure • Entitlement to social benefits • Family reunification possible (spouse, underage children) • Entitlement to an integration course • Settlement permit may be issued after five or three years if certain requirements are met • Personal appearance required: yes

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	Responsible: Your local foreigners authority
Ansprechpunkt	Locally responsible foreigners authority The foreigners authority responsible for the applicant's place of residence.
Zuständige Stelle	locally responsible immigration authority of your independent city or district The foreigners authority responsible for the applicant's place of residence.
Formulare	You will receive the following from your local foreigners authority Online procedure possible: no Personal appearance required: yes
Ursprungsportal	Applying for a residence permit for refugees on international law, humanitarian or political grounds, Aufenthaltserlaubnis aus völkerrechtlichen, humanitären oder politischen Gründen für Flüchtlinge beantragen