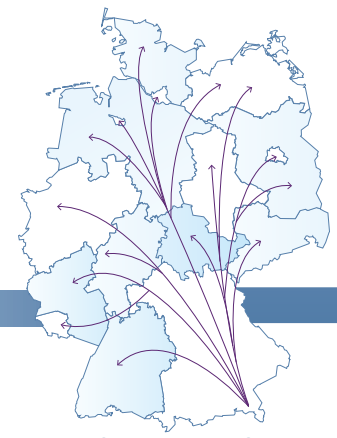
Federal Office for Migration and Refugees

EMN European Migration Network GERMANY

International protection and asylum



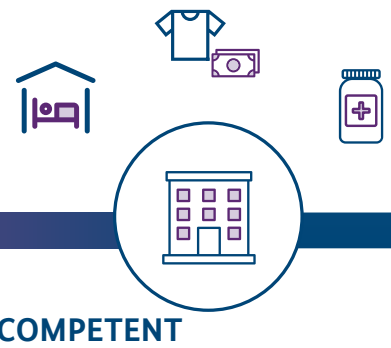
ARRIVAL AND REGISTRATION

At a state agency: Federal or Land police, branch offices of the Federal Office for Migration and Refugees, reception facilities, foreigners authorities and arrival centres of the Länder

Taking personal data of asylum seekers; data storage in the **Central Register of Foreign Nationals**; data synchronisation with the **Central Register of Foreign Nationals**, the **Federal Criminal Police Office** as well as Eurodac; issuing the proof of arrival

INITIAL DISTRIBUTION AND ACCOMMODATION

Distribution of asylum seekers according to the **Königstein Key** and admission to the reception centre of the respective competent Land



CONDUCTION OF THE DUBLIN PROCEDURE BY THE BAMF

Determination of the state responsible for conducting the asylum procedure

PERSONAL APPLICATION FOR ASYLUM AT THE BAMF

Information on rights, obligations and steps in the asylum procedure; clarification of identity; issuance of permission to remain pending the asylum decision

COMPETENT RECEPTION FACILITY

Accommodation, meals and provision of daily necessities

PERSONAL INTERVIEW AT THE BAMF

Determination of the reasons for protection, assignment of special representatives for interview procedures of vulnerable persons

Compulsory residence

Generally max. 18 months

Obligation to live in the competent reception facility. Exceptions: Minors and their guardians (max. 6 months); asylum seekers from safe countries of origin (until the decision on asylum application or departure).

Residence requirement

3 years

Depending on the Land, the free choice of residence for beneficiaries of protection is usually restricted for a period of 3 years.

Resettlement Section 23 subs. 4 of the Residence Act
Secure and permanent resettlement of beneficiaries of protection from (first) countries of refuge

Humanitarian admission procedure Section 23 subs. 2 and 3 of the Residence Act
Safe and initially temporary admission of beneficiaries of protection from crisis and (first) countries of refuge

Relocation procedure Art. 17 subs. 2 Dublin III
Regulation Admission of asylum seekers from highly burdened EU Member States to carry out the asylum procedure

Standard assessment
As a rule, the BAMF reviews the protection status after 3 years.

DECISION OF THE FEDERAL OFFICE

REJECTION

simple rejection	obviously unfounded
departure period of **30 days**	departure period of **1 week**

LEGAL REMEDY

voluntary departure
forced return
temporary suspension of removal or residence permit

action dismissed

action successful

FORMS OF PROTECTION

	National ban on removal	Subsidiary protection	Refugee protection	Right of asylum
	Section 60 subs. 5 & 7 of the Residence Act	Section 4 subs. 1 of the Asylum Act	Section 3 subs. 1 of the Asylum Act	Art. 16a para. 1 of the Basic Law
residence permit	min. 1 year	1 year +2	3 years	3 years
settlement permit possible	after 5 years	after 5 years	after 3 or 5 years	after 3 or 5 years
access to the labour market	✓*	✓	✓	✓
privileged family reunification	✗	✗	✓	✓

*permission from the foreigners authority required until 29.2.2020

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