

Guide to the acceptance procedure for Jewish immigrants

Dear Applicants,

Would you like to be accepted as a Jewish immigrant in the Federal Republic of Germany? This guide will provide you with information on all the rules to be followed in the acceptance procedure. You will find important information below on the fundamentals and on the stages of the acceptance procedure, as well as on the application forms which you will need to complete.

You can contact our colleagues at the diplomatic missions of the Federal Republic of Germany at any time should you have any further questions. They will provide you with information and advice on your application procedure.

A General information and backgrounds

Jewish immigrants have been coming to Germany from the successor states of the former Soviet Union since the nineteen eighties. Since 1991, acceptance has been regulated by a procedure for which the German Federal *Länder* were responsible in the past.

The Federal *Länder* realised that a comprehensive reform of this procedure was needed when the Immigration Act (*Einwanderungsgesetz*) came into effect as per 1 January 2005. They agreed on the basic elements of this new arrangement at the meeting of the conference of Ministers of the Interior which was held on 23/24 June 2005, and through the resolution of 18 November 2005 that was adopted through the circulation procedure. It was established amongst other things that the Federal Office for Migration and Refugees was to carry out the procedure in future.

The further preparation, guidance and examination of the new procedure were assigned to an advisory council. This council, which is chaired by the Federal Ministry of the Interior, includes representatives of the Federal Foreign Office, of the Federal Office for Migration and Refugees, of the German Federal *Länder*, of the Central Council of the Jews in Germany and of the Union of Progressive Jews.

The Federal Office was assigned the job of implementing the new acceptance procedure by the Federal Ministry of the Interior on 24 May 2007 in accordance with section 23 subsection (2) and section 75 No. 8 of the Residence Act (*Aufenthaltsgesetz*). An order for the implementation of the acceptance procedure for Jewish immigrants regulates its implementation in detail.

B The acceptance procedure for Jewish immigrants

I. Preconditions for acceptance

Acceptance as a Jewish immigrant in the Federal Republic of Germany is contingent on satisfying specific preconditions. As a rule, the Federal Office can only approve your application if:

1. you are a national of a successor state of the former Soviet Union, with the exception of the Baltic States, or have lived there as a stateless person since at least 1 January 2005, (Jewish citizens of the Baltic states Estonia, Lithuania and Latvia ceased being eligible for acceptance in the regular procedure when these countries acceded to the European Union on 1 May 2004.)
2. you have Jewish nationality, have at least one Jewish parent or grandparent, and do not follow any other religion than Judaism
3. you have German-language skills that satisfy at least level A1 of the Common European Framework of Reference for Languages (CEFR)
4. you can permanently support yourself in the Federal Republic of Germany and
5. you do not follow any other religion than Judaism, as well as
6. proof is provided that you will be accepted in a Jewish community in Germany.

Information regarding individual preconditions for acceptance:

No. 3 - Knowledge of German

According to the new procedural arrangement, your acceptance in the Federal Republic of Germany is conditional on your having German-language skills. You will already need to have simple knowledge of German before leaving your country. In order to prove this simple knowledge, you need at least an A1-level language certificate under the CEFR.

Exception: The requirement is initially waived at the time of the application if it is impossible to acquire or certify a knowledge of German in the foreseeable future as a result of particular regional circumstances which have been confirmed by the Federal Foreign Office, and any acceptance that is approved is conditional on the language skills being proven within twelve months of your entering Germany.

If you have trained as a German teacher or interpreter, you may alternatively also present your degree certificate from a state-recognised University of a successor state of the former Soviet Union. If you are studying at a German University, the enrolment certificate will also be accepted as proof of language knowledge.

The Member States of the European Union have agreed on the CEFR, which was developed by the Council of Europe, as a standard to ensure that comparable criteria for foreign language acquisition are applied across Europe. It sets language levels permitting an objective assessment to be made of an individual's level of language knowledge. Level A1 corresponds to very simple knowledge, whilst C2 requires skills at almost native speaker level. There are other levels in between (A2, B1, B2 and C1).

Only specially-approved teaching facilities may issue CEFR language certificates. In order to obtain this certificate, you will need first of all to pass the appropriate language test at one of these facilities.

If you do not already have simple German skills at level A1, you can attend the appropriate language courses at facilities such as the German Goethe-Institut or the Deutsche Gesellschaft für technische Zusammenarbeit (GTZ) GmbH. The Deutsche Welle radio station also offers radio programmes for learning German.

The Goethe-Institut is furthermore entitled to issue CEFR language certificates.

If your knowledge of German is better than CEFR level A1, please also prove this. Only knowledge of German from A2 upwards will be taken into account when drawing up your integration prognosis.

No. 4 – The integration prognosis

A further precondition for acceptance is that you are able to support yourself in the Federal Republic of Germany. This means that you can engage in gainful employment as soon as possible after your arrival and do not permanently depend on state social benefits. The Federal Office will draw up an “integration prognosis” in order to be able to determine this.

This integration prognosis will be drawn up on the basis of the information which you yourself have provided (as part of your application). The criteria include your knowledge of German, your schooling and vocational qualifications, your age and your work experience.

If you would like to enter the Federal Republic of Germany with family members, the Federal Office will draw up an integration prognosis which takes your family environment into account. This integration prognosis will then determine whether your entire family is able to permanently support itself in the Federal Republic of Germany. This will also take family members into account who are already living in Germany.

No. 6 - The possibility of being accepted in a Jewish community

The acceptance procedure for Jewish immigrants from the former Soviet Union is particularly intended to strengthen Jewish life in the Federal Republic of Germany. One precondition for acceptance is therefore that you prove that you can be accepted into a Jewish community in Germany. In terms of the Jewish religion, you must therefore be able to be accepted into a Jewish community in Germany subsequent to your arrival.

You do not have to do anything about this yourself. The Federal Office will request an appropriate expert statement from the German Central Jewish Welfare Federation (ZWST), which will involve the Union of Progressive Jews (UPJ) in its examination of whether you can be accepted into a Jewish community. A recommendation for acceptance will usually be issued by the Jewish organisations if you have a Jewish mother, father or grandmother. If the recommendation of the ZWST/UPJ is negative, the Federal Office will not be able to issue an acceptance approval.

II. Reasons for exclusion

The order for the implementation of the acceptance procedure for Jewish immigrants provides for reasons to be stated in cases in which acceptance is ruled out in the Federal Republic of Germany as a matter of principle:

- a) You may not have previously settled in another state such as Israel or the USA, and you may not already be living in Germany permanently.
- b) The following individuals may also not be accepted:
 - anyone having held a position in the former Soviet Union regarded as significant for Communist rule
(Significant positions for maintaining Communist rule include those of full-time functionaries of the CPSU, senior administrative staff, professional officers of the armed forces, at least from the rank of Lieutenant-Colonel upwards, or members of the secret service of the former Soviet Union.)
 - anyone having been punished for crimes regarded in Germany as intentional criminal offences. This does not include politically-motivated convictions handed down by Soviet courts
 - anyone having links with criminal organisations or terrorist associations, either now or in the past
 - anyone posing a danger to the free, democratic fundamental order or security of the Federal Republic of Germany or actively pursuing political goals involving violence or publicly inciting to or threatening violence (section 54 No. 5 a of the Residence Act).

III. Family members

Your family members may also be accepted. A distinction is made between family members who are eligible in their own right and those who are not:

1. **Family members who are eligible in their own right are all family members who themselves hold Jewish nationality or who have at least one Jewish parent or grandparent and can prove this through suitable civil status certificates.**
If family members who are eligible in their own right would like to depart with you, they have to lodge an application of their own. This also applies to minor children without any age restriction.
2. **Family members who are not eligible in their own right are all family members who are unable to prove their Jewish nationality or that they have at least one Jewish parent or grandparent.**
If family members who are not eligible in their own right would like to depart with you, you need to include them in your application.

It is only possible to include spouses and minor, unmarried children here who live in the same household as you. Furthermore, if you wish to include a spouse, you need to have been married for

at least three years when the acceptance application is lodged. Family members who are not eligible in their own right may only be accepted and enter the country together with the main applicant.

All family members who wish to depart must themselves prove that they have knowledge of German at at least level A1 (CEFR). The Federal Office is only able to waive this requirement with children who have not yet reached the age of 14 if the child enters the country before reaching this age. Family members wishing to depart are also included in the integration prognosis.

It has been possible since 22 April 2020 for adult children with serious disabilities who live in the joint household or in a sheltered facility for persons with disabilities to be included in an application if they permanently rely on assistance as a result of the disability and depart as part of the family. No integration prognosis need be drawn up (see. No. VI.).

IV. Subsequent inclusion

There are certain circumstances under which family members may also be subsequently included in an existing application. You must **inform** the competent agency (diplomatic mission or the Federal Office) of the changes **without undue delay**.

The Federal Office is able to issue acceptance approval before expiry of the validity period in respect of children who had not yet been born at the time when the main applicant's application was lodged, or of minor unmarried children of a spouse who was married subsequently whom it was not possible to include in the main applicant's application, as long as the acceptance approval has not yet been used to enter the country. The preconditions applicable to the order must be met when the notice is issued (e.g. language skills). The family must enter the country together.

V. Victims of National Socialist persecution

The acceptance procedure for Jewish immigrants from the former Soviet Union came into being as part of the awareness of the historical responsibility of the Federal Republic of Germany. Special rules therefore apply to victims of National Socialist persecution:

Victims of National Socialist persecution do not have to have an integration prognosis or prove German-language skills.

In the case of persons who were born in the territory of origin before 1 January 1945, it will be refutably assumed that they are victims of National Socialist persecution. It is possible to provide or add information and proof on a voluntary basis. People who were born outside the territory of origin before 1 January 1945 can invoke this regulation if they can present credible evidence that they were persecuted, and their applications are eligible. Family members may not rely on this arrangement for acceptance.

The Advisory Council on Jewish Immigration has agreed on this group of individuals, in accordance with section 1 of the Federal Compensation Act (*Bundesentschädigungsgesetz*) and Article 2 on "Funds" of the Jewish Claims Conference.

VI. Adult children with disabilities

Adult children with serious disabilities may be accepted together with the person eligible for acceptance if they live with them in a family community or in a facility for persons with disabilities and permanently rely on assistance. No integration prognosis need be drawn up.

VII. Reunification of Jewish parents or Jewish spouses

No integration prognosis need be drawn up for Jewish parents or Jewish spouses **aged over 60** of Jewish immigrants who provenly live in Germany.

A condition is applied for Jewish spouses joining their families that the marriage provenly existed at the time when the partner who is already living in Germany entered the country.

VIII. Hardship cases

The acceptance procedure also provides for special arrangements in hardship cases. These make it dispensable to examine German language skills, and can be claimed primarily for reasons of family reunification.

A hardship case is presumed to exist if rejection of the acceptance approval because of a lack of knowledge of German would entail an inappropriate hardship which does not appear to be compatible with the purpose of the acceptance arrangement and in the light of circumstances ruling out acquiring a knowledge of German, or making this particularly difficult.

Should you wish to claim a hardship case, you will need to enclose reasoning and substantiate your statement by providing appropriate documentation. The Federal Office will then examine whether or not your submission can be recognised as a hardship case.

C Details regarding the stages of the procedure

Now that we have informed you of the legal preconditions, of the preconditions for acceptance, of the reasons for exclusion and of hardship cases, we would like to provide you with more details on the actual stages of your acceptance procedure:

I. Lodging the application

Once you have read this guide, you will be able to start completing your application.

You can obtain the application forms:

- in person from the German diplomatic mission in your country
- by post on request, or
- by downloading them from the homepage of the Federal Office for Migration and Refugees <https://www.bamf.de/DE/Themen/MigrationAufenthalt/JuedischeZuwanderer/juedischezuwanderer-node.html>, where you can also find more information on the procedure.

Applications may only be submitted at German diplomatic missions in your country.

General information on completing the application forms:

You have to complete the application forms in German or have them translated prior to submission.

If you are eligible for acceptance, you will need to complete the application form entitled “*Antrag auf Erteilung einer Aufnahmezusage/Selbstauskunft*” (“Application to grant acceptance approval/personal information”). If you would like to leave the country with family members, all family members who themselves also have Jewish nationality or who have at least one Jewish parent or grandparent must lodge separate applications, that is they also have to complete the above form. This furthermore applies to minor children without any age restriction.

Family members who themselves do not have Jewish nationality or do not have at least one Jewish parent or grandparent only need to complete the form entitled “*Selbstauskunft Familienangehörige*” (“Personal information on family members”), and will be included in your application.

Please consult the information on completion when filling in the applications which the Federal Office has enclosed with each application form. The information on completion will also explain individual questions for you and help you to answer them.

Documents:

You will need to prove much of the information that you provide in the forms by providing the appropriate documentation. The Federal Office needs the originals of your documents in order to decide on your acceptance, as well as a copy with a German translation. These can only be accepted if they are carried out by state-recognised translation offices. Translations that have been done privately will not be accepted.

Certificates documenting Jewish nationality or ethnicity must have been issued prior to 1 January 1990. This also applies if you wish to prove your Jewish origins through your parents’ or grandparents’ documents.

The Federal Office has drawn up a list intended to help you to compile all the necessary documents. You will find the list **annexed** to the application form entitled “*Antrag auf Erteilung einer Aufnahmezusage/Selbstauskunft*” (“Application to grant acceptance approval/personal information”).

Submitting your application:

Once you have completed all the application forms in German and compiled all the necessary documents, please arrange a submission appointment for your application with the staff at the German diplomatic mission. Bring the originals of all the necessary documents and a copy with a German translation with you to this appointment.

The staff at the German diplomatic mission will inspect the documents you submit concerning the application and assess the authenticity of the documents that you have submitted. It may therefore be

necessary to retain documents (e.g. birth certificate, domestic passport) for a time. You will receive a written confirmation of this, and the staff member will contact you when you can collect your documents once they have been examined. If any documents are missing, a fresh appointment will be arranged with you where you can bring along the missing documents.¹ As a rule there will also be an advisory session on your application procedure.

If your application documents are complete and have been examined, you will receive a confirmation of receipt, and the German diplomatic mission will forward your application to the Federal Office for Migration and Refugees in Nuremberg.

II. Processing of your application at the Federal Office for Migration and Refugees

Your application will be registered as soon as it is received by the Federal Office, and it will be given a file reference.

The Federal Office will examine the above preconditions for acceptance and draw up your integration prognosis. After that, the “distribution decision” will be taken. The Federal Office takes this decision according to the “Königstein key”, which defines the acceptance quotas for the Federal *Länder*. The Federal Office will naturally try to take your wishes into account when deciding on the location. However, you are not entitled to be distributed according to your wishes. Considerations include the acceptance capacities of the individual Federal *Länder* and of the Jewish communities.

If all the preconditions for acceptance are met, an acceptance notice is issued. If this is not the case, the Federal Office will draw up a rejection notice.

III. Delivery of the acceptance decision and entry into the country

The acceptance decision will be delivered to you via the diplomatic mission. To this end, the Federal Office will send a duplicate of the original notice and a copy to the competent diplomatic mission. A staff member of the diplomatic mission will hand the original to you in person in the Embassy, and you will have to sign for it. You will be informed separately of the appointment date and the details for the presentation.

If you have appointed an agent in Germany, the Federal Office will send the duplicate of the original notice to him or her directly by post.

If you receive a **positive** acceptance decision, you can apply **within one year** for a 90-day visa from the diplomatic mission. You should bring a copy of your acceptance notice and the **documents required in the guide on the visa procedure** in order to apply for the visa. Once the visa has been issued, it entitles you to enter the Federal Republic of Germany.

IV. The validity and expiry of the acceptance approval:

¹ Applications lodged at the Embassy in Kyiv will be directly passed on to the Federal Office for Migration and Refugees for the foreseeable future. The decision will however be contingent on all necessary application documents being presented.

The acceptance approval is valid for one year from its announcement, and expires if you do not apply for the visa within one year. The Federal Office can only extend the acceptance approval in exceptional cases if a relevant reason exists (such as a proven prolonged illness or a short overstepping of the period caused by completing military service or the like).

You can only **reapply once** if:

- your acceptance approval ran out before 31 December 2008, or
- your acceptance approval ran out between 1 January 2009 and 31 December 2015 because of relevant reasons (e.g. illness, caring for close relatives). A plausible case must be made for such reasons.
- your application has been turned down in the past as a consequence of your not having adequately proven your Jewish origins and if it becomes possible to prove that you have a Jewish grandparent
- the application was turned down prior to 22 April 2020 due to a negative integration prognosis, and it is currently not necessary to draw up such an integration prognosis in the case of:
 - Jewish parents and spouses joining their families who are aged over 60, or
 - adult children with serious disabilities who permanently rely on assistance and leave the country as part of the family.

The acceptance approval stipulates the Federal *Land* where you may enter Germany at the entry entitled “*Wohnsitznahme in XX*” (“Residence to be taken up in XX”). **You should contact the *Land* Reception Facility stipulated in the notice before leaving your home country so that you can be provided with accommodation.**

The acceptance approval only entitles you to be accepted once. If the residence title has lapsed or is revoked after you have entered the country, a re-application or renewed acceptance is ruled out.

Family members who are not eligible in their own right may only leave the county together with the person who is eligible for acceptance. The acceptance approval for the family members who are not eligible in their own right expires if the person who is eligible for acceptance dies or applies for divorce before departure, or if the marriage is dissolved.

D Your collaboration in the procedure

Your collaboration in the acceptance procedure is vital. Here are a few pieces of advice which you should take into account:

The postal address that you have stated will be used in all further correspondence. Please therefore state an address where you can be reached and which guarantees that post delivered there will reach you. **Please always inform the Federal Office for Migration and Refugees of any changes to your address and family situation (e.g. birth of a child, marriage, divorce, etc.) without delay via the competent diplomatic**

mission.

You may designate a party living in Germany to represent you in the procedure. Please state the address of the representative when filing the application.

Please always quote your file reference in any correspondence with the Federal Office.

Please complete all the forms legibly, using Latin script. Please also remember any annexes such as the “*Selbstauskunft Familienangehörige*” (“Personal information on family members”) and all the documents that are necessary for this.

Only the originals of documentation such as birth certificates, passports (domestic and travel passports), certificates and diplomas always with annexes (such as grade lists), etc., can be accepted. Please therefore bring along the originals of all necessary documents and a copy with a German translation to the submission appointment.

This will save you time and additional trips.

Please ensure that your information is complete and truthful. **If statements turn out to be incomplete or false, this may cause your application to be turned down, or any acceptance approval which has already been issued may be withdrawn or revoked.** This can also take place after you have entered Germany. Re-application or a renewed acceptance approval is ruled out in such cases.

Please contact the staff of the department for “Jewish immigration” at the German diplomatic missions should you have any further questions, or if you need assistance.