

Infobus for Refugees



Ein Gemeinschaftsprojekt von

MFR

Münchner Flüchtlingsrat
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**AMNESTY
INTERNATIONAL**



ASYLUM INFORMATION

An inter-cultural guide
to the asylum
procedure for refugees
in the Munich reception
centre



**Ausländerbeirat
München**



Gefördert von der Europäischen Union
Europäischer Flüchtlingsfonds



UNO-Flüchtlingshilfe

Guide to the asylum procedure

Welcome to Germany!

This guide provides an introduction to the asylum procedure in Germany.

The guide is designed to fit into your bag or jacket pocket. That's why it is small and thin.

It will answer some but probably not all of your questions.

However, after reading it, you'll know where to get further information and to whom to address further questions.

Good luck!



Your Info-Bus-Team in Munich

Contact: infobus@amnesty-muenchen.de

Infobus c/o amnesty international, Volkartstr. 76, 80636 München

www.muenchner-fluechtlingsrat.de

Mobile: 0176/676 063 78, Fax c/o MFR 089/123 921 88

Consultation Hours:

Heidemannstr. 60 in front of House 45

Monday 4:00 – 6:00 pm

Wednesday 6:00 – 8:00 pm

Heidemannstr. 50 in front of House 18

Wednesday 4 – 5 pm *Just for Women!*

Wednesday 5– 6 pm *For Everybody!*

*For our consultation hours in Obersendling
(Baierbrunnerstraße 14) and in St.-Veitstraße
please contact us!*

Where do you get information?

You may direct questions about your asylum application to one of the following addresses in Munich and to a lawyer:
Rechtshilfe für Ausländer/innen, in EineWeltHaus, Schwanthalerstr. 80, 80336 München (near Theresienwiese/U4/5),
tel: 089/856375-21; individual counselling on Tuesdays, 6-8 pm (registration starts at 5.15 pm)
amnesty international/Bezirk München/Oberbayern, Volkartstr. 76, 80636 München
Tel: 089/165412, Fax: 089/165404, mail: infobus@amnesty-muenchen.de
Mon-Thurs 5-7 pm, Wednesdays 7-8 pm consultation hour for refugees

If you need information as a woman concerning your situation as a refugee in Germany, please contact:
IADWIGA (tel: 089/54497-233) or SOLWODI (tel: 089/27370600). If no-one is available to answer you personally,
please leave your name and telephone number on the mailbox. Someone will call you back.

For questions about an order to leave the country or deportation orders please contact:
Jesuitenflüchtlingsdienst JRS, Valleystraße 24, 81371 München, tel: 089/7299 7781, fax: 72013946 (Tue 3-6 pm,
Thu 9-12 am and by arrangement by telephone)

Even if you are in detention pending deportation, there is a social service you can speak to.

Even if you are arrested, you can get in touch with amnesty international or the Jesuit Refugee Service.
These contacts may still be able to help you to stay in Germany, even when you are being held for deportation

**Legal counselling is not available without payment in Germany,
but you can get information from the places listed here without having to pay.**

The most important acronyms in chronological order of your contacts

1. EAE Erstaufnahmeeinrichtung for asylum applicants (*Reception Centre*)

- 2.1 ZABH Zentrale Ausländerbehörde (Government of Upper Bavaria)
 (*Central Aliens Department*)
- 2.2 EASY Erstaufnahme Asyl (department of ZABH) (*First asylum registration office*)
- 2.3 ZRS Zentrale Rückführungsstelle (department of ZABH), (*Central Repatriation Unit*),
 despite the title, it is also responsible for residence issues in Germany

3. BAMF Bundesamt für Migration und Flüchtlinge
 (*Federal Office for the Recognition of Foreign Refugees*)

4. ABH Ausländerbehörde der Stadt München (= Kreisverwaltungsreferat KVR)
 (*Municipal Aliens Department in Munich*)

- 5.1 VG Verwaltungsgericht (for first appeal against refusal of asylum)
 (*Administrative Court of Justice*)
- 5.2 VGH Verwaltungsgerichtshof (for second appeal against refusal of asylum)
 (*Superior Administrative Court of Justice*)

- AsylbLG Asylbewerberleistungsgesetz (*social welfare law for asylum applicants*)

4

Golden rules for your life during the asylum procedure

Always carry the most recent version of your preliminary residence permit with you!

If there is a police check and you can't prove your identity, you may get into serious trouble (criminal complaint, fine, arrest).

Make sure that letters from the authorities are delivered to your current address!

During the first weeks and months of your asylum procedure, you will be accommodated in a reception centre **EAE**. Post from the authorities (e.g. appointments for hearings, notices) will be delivered to you c/o the reception centre. Check the notices on the notice board there **daily** and collect documents immediately. If you don't, you might read important decisions too late and thus risk missing deadlines for a response. No excuses will be accepted: this will be considered a failure on your part.

If you move to another place in Munich or elsewhere during your asylum procedure, you must inform the **BAMF** yourself about your new address. You will be given your new address by the office of the Aliens Department in Boschetsriederstraße 41, but the **BAMF** will not know your new address until it receives the information from you.

At your new address, there will be different rules about the delivery of your post. Make sure that you know these rules!

Before submitting documents to the authorities, take a copy and keep it filed with your personal documents.

Health and Status

Your first health check by the Health Office (Gesundheitsamt) is legally required and takes place within 3 days of your registration in Germany. Security staff will accompany you. This health check is primarily to identify treatable infectious diseases, not about your overall physical or psychological state of health. After the check and an X-ray of your lungs, a blood sample will be taken, for contagious disease analysis. You will have to give a stool sample which will be checked for bacteria and parasites. If you are pregnant, you will not be X-rayed. Instead, you will have to give a skin sample or do a sputum test and an additional blood sample will be taken. These standard checks are intended primarily to ensure that you receive any necessary medical treatment quickly. They are also intended to minimise the risk that infections spread in the sometimes crowded reception centre environment.

If you suffer from any health problems that are not checked, take the initiative and say so.

Approach the social services and the doctor at the Baierbrunnerstraße.

WHAT TO DO IN CASE OF ILLNESS?

You will only get a letter with the results of the health check if there is evidence of illness. The document can be translated for you by the social services or the Infobus. If the health authority finds a contagious medical condition, they will need to inform the public authorities about it. In this case the Asylum Department will only receive the information, that you are to go to the health services or to a doctor for another health check. The Asylum Department will not be informed about any diagnosis. If a condition requires special medical attention, the doctors at the Health Office will invite you back and discuss the next steps with the help of an interpreter. After that, you can choose to talk to an information centre or, for cultural or language reasons, to seek advice from another doctor.

The general practitioner in the reception centre is a medical doctor, who has a contract with the Asylum Department. But he also has his own practice like any other doctor. You can get medication from him as well as being referred to specialists. In Germany, you first need to go to a general practitioner in order to be referred to a specialist or hospital.

(You can find more information about social rights on page 22.)

6

Rights and Duties under Asylum Procedure Law

YOUR RIGHTS

- During the asylum procedure (and during appeal), it is not permitted to order or force you to contact your home country (consulate/embassy) to obtain a replacement passport. If you do this, your application for asylum will lapse because you have put yourself under the protection of your home country.
- At the asylum hearing, you have the right to be provided with an interpreter for your own language, or a second language which you understand well. You may bring your own interpreter at your own expense.
- Female applicants may insist that they be given a female interpreter and that they be heard by a female interviewer.
- The **BAMF** also has interviewers with special tasks, who are trained for the questioning of refugees with a special need for protection.
- You are allowed to take a person you trust with you to your hearing if you inform the **BAMF** beforehand.
- If you are alone in Germany and younger than 16 years of age, you don't have legal maturity for asylum purposes and thus need to have a legal guardian for the asylum procedure. The guardian will be formally appointed by a guardianship court. It may be that your age and the fact that you are here without parents must first be established by the guardianship court. Until your 18th birthday, the age of maturity in Germany, you need a guardian for all other matters.
- You have the right to receive copies of the originals and documents that you submitted to the authorities. Keep all documents well sorted and safely for as long as possible.

Who does what in the asylum procedure?

Police (P, in Munich „Ettstraße“ oder „PI 29)

- ① Implement what the **BAMF** and the **(Z)ABH** have decided.
- ① Are **not** the security service of the reception centre
- ① Are responsible to protect from violence or danger: can be reached on the emergency number 110.

Government of Upper Bavaria (ROB – Central Aliens Department (ZABH), in Munich “Boschetsriederstraße”)

- ① Is responsible for the initial reception of asylum applicants (department **EASY**)
- ① Handles questions about your residence and rights of residence in Germany until you are recognised as a (political) refugee.
- ① Provides a place of residence after the reception centre and continues to be responsible for you there (department **ZRS/EASY**)
- ① May order the police to arrest you if you are obliged to leave Germany

Federal Office for the Recognition of Foreign Refugees (BAMF, in Munich „Boschetsriederstraße“)

- ① Hears your reasons for seeking asylum (hearing, interview), inquires further into what you have already said about your escape route/ journey and about your identity. It is a public administration office, not a court.
- ① Decides on your application for asylum and informs the **(Z)ABH** about its decision.
- ① Clarifies whether you must return to your European country of entry
- ① Also responsible for offering integration courses (e.g. German language courses)

Aliens Department of the City or District (ABH = KVR, in Munich: „Poccistraße“)

- ① Issues identity papers if you continue to be accommodated in Munich and/or have been recognised as a refugee
- ① May order the police to arrest you if you have to leave Germany

Administrative Court (VG, in Munich: „Bayerstraße“)

- ① Receives your appeal against a refusal of asylum
- ① A second appeal, before **the Superior Administrative Court of Justice (VGH)**, must be made through a lawyer

8

Rights and Duties under Asylum Procedure Law

YOUR DUTIES TO CO-OPERATE

You are legally obliged to assist the authorities by answering questions about yourself or your family members, i.e. you must contribute to clarifying these questions. Even a lawyer is not able to release you from this duty.

The duties concern above all

- The clarification of your identity: you should submit certificates from your home country, preferably ones which include your photo. Make sure that you keep a copy or request a copy of a document which has already been submitted. Make a note of the name of the official or the room number so that you can later specify where you submitted your documents (sometimes there are misunderstandings between the officials)
- Information and (if applicable) documents about your journey : visas or certificates showing border crossings may also be used as proof of identity; documents that include dates (e.g. airline boarding pass) may help you establish your route and your reasons for seeking asylum. For the authorities, documents concerning your journey are very important, above all because of the Dublin-Decree (see page 12).
- Duty to register: make sure that you inform the authorities about any change of address, changes in your right of residence, changes in family status etc. Better report too much than too little. Otherwise, you risk not receiving important notices from the authorities, missing deadlines, or not being able to take advantage of entitlements.

You are required to take any actions required to establish your identity and verify your journey. If you co-operate fully in the establishment of your identity, this fact may be taken into account in a positive way by the authorities (e.g. when assigning accommodation).

Model for informing the BAMF and VG about your new address

An das BAMF
 Bundesamt für Migration und Flüchtlinge
 Boshetsriederstraße 41
 81379 München

60 Cent

Mitteilung meiner Adressänderung – AZ:
 Sehr geehrte Damen und Herren,

hiermit teile ich Ihnen mit, dass ich ab sofort unter folgender Adresse erreichbar bin:

NAME Vorname

Straße:

PLZ/Ort:

Mit freundlichen Grüßen

 Datum / Unterschrift

(Change of address – AZ no:

Dear Madam, dear Sir, This is to inform you that with immediate effect my new address is:

FAMILY NAME First Name, Street-No., Postal Code/Town

Sincerely, date/signature“)

If you have made an appeal against the BAMF's rejection of your asylum request, you must also inform the VG of your address change:

An das Verwaltungsgericht München
 Bayerstraße 30
 80335 München

Application for asylum (§§ 13-22a Asylum Procedure Law)

Where do you apply for asylum?

At a police station, at an Aliens Department office (**ABH**) or directly at the Bundesamt für Migration und Flüchtlinge (**BAMF**). The **BAMF** later decides whether asylum is granted or not..

When do you apply for asylum?

As quickly as possible, preferably as soon as you arrive in Germany, and before you are picked up by the police. Say that you want to apply for asylum or **write** down what you want and hand it over.

What happens, when you apply for asylum at the police station or other office?

Once you have stated or written down what you want, you have applied for asylum. If necessary, ask for an interpreter. That is your right. You get a paper (**Aufnahmeschein**) from the police or other officials. This is a first provisional document (later you get a new document, the **Aufenthaltsgestattung**). Check immediately that your name is spelt correctly and that your date of birth is correct. Tell the officials if anything is not correct.

If your passport, any documents, money or other belongings are taken from you, insist on receiving copies and an exact receipt and keep these safely.

Information you must give on your own initiative

If you have any relatives in Germany or if you have lost members of your family during your flight, tell the officials this. Mothers, fathers and children under the age of majority have the right to stay together (right to family unity). They are allowed to live together and to go through the asylum procedure together.

If you are ill or have any health problems, tell the officials this. Usually nobody will ask you for this information.

Application for asylum (§§ 13-22a Asylum Procedure Law)

11

The police or the Aliens Department ask you the first questions.

This is not yet the asylum hearing, these are just the first steps.

All questions that you answer now will be asked again in the real hearing. Your answers will be checked.

The real asylum hearing or interview takes place at the **BAMF**. You will get a letter with an invitation and information in your native language.

What will you be asked at the Aliens Department or police station?

“Who are you?

Which country do you come from?

How did you get here?“

These are the first questions you are asked.

You have to hand over all documents that prove who you are, proofs of identity (passport, driving licence etc.) or you must provide them later. You have the right to receive a copy. Even better, make yourself a copy beforehand.

You will be asked about your country of origin, why you left (reasons for your flight) and how (route) you came to Germany. If you came to Germany overland, the authorities expect that, if you were really persecuted for political reasons, you would have applied for asylum already in the first European country that you entered. You can only be granted asylum as a **political refugee**, if you reached Germany directly by air or by sea.

But your chance of being **granted recognition as a refugee for humanitarian reasons** remains, even if you arrived by land.

Asylum in Germany as a European country



The German asylum procedure is not only regulated by German laws, but also by European rules contained in the so-called Dublin decree.

Let's go back to the asylum application: you have been to the police or other authority and have applied for asylum. Now you are registered as an asylum applicant. The police or authority passes your application to the BAMF.

Can you stay in Germany now?

Your application arrives at the BAMF. Now the BAMF looks for you in a European data base, the EURODAC. Perhaps you have already been in another European country, have asked for asylum there and have been rejected? Or you travelled on a visa for another European country or entered such a country illegally? In such a case, another European country rather than Germany may be responsible for your asylum procedure. If you entered another European country before coming to Germany and are registered there you will be sent back. Within three months, the BAMF will contact that European country. If they don't refuse to take you back within two months of being contacted, you will have to leave Germany and go back there – this can happen even after you have been in Germany for many months.

But you should know: If there are members of your direct family in Germany, the German authorities may be responsible for your asylum procedure because of the right to family unity. You can also apply to remain in Germany on humanitarian grounds even if you are already registered in another country. This applies, for example, to family reasons, or in cases of serious illness. Make such an application immediately, right at the beginning of the procedure.

The authorities will notify you very late about the decision of the other European country. This means that you will only be told that you will be returned to the other country just before you have to leave Germany. Ask in advance in Germany for addresses of information centres in the European country where you were originally registered.

Asylum in Germany, a country with 16 Bundesländer

Let's assume you stay in Germany. (§§ 44–46 Asylum Procedure Law AsylVerfG)

You are not registered in any other European country and you stay in Germany.

The **BAMF** informs you in which of the 16 **Bundesländer** – maybe in your homeland they are called regions, districts or states – you will go through the asylum procedure. It may be that only one Bundesland deals with refugees from your country of origin. You will thus be transferred to this Bundesland. During the asylum procedure you usually have to live there. First you have to stay in a **reception centre EAE** for at least 6 weeks and usually at most for 3 months. After that you will be given communal accommodation. Usually you will stay there until your asylum procedure is completed. During that time you are not allowed to leave the Bundesland for which the local Aliens Department office **ABH** is responsible. To leave this region, you need a permit from the **ABH**. You are allowed to decide on your place of residence only after you have been granted refugee status (Art. 16 a GG or § 60 (1) AufenthG) or if it is decided that there are obstacles precluding deportation and you have some form of residence permit (§25 (3) AufenthG).

What about your family?

If you have arrived with your family or have direct members of family in Germany (father, mother, legal guardian, underage children) you can insist that the **(Z)ABH** allows you to live together with your family. You have a right to this. The same applies if you have direct family members within Europe. You have the right to live in the same country as they do. BUT in Europe, uncles, aunts and cousins don't count as direct members of your family. However, if you or a relative are seriously ill, this may be considered a reason that you should be allowed to live close to relatives, even remoter ones, or for you to live with your parents even if you are over the age of majority.



The interview/hearing at BAMF

How does a hearing at the BAMF proceed?

(You'll find the details in the information brochure 'Informationsverbund Asyl', that you can get for example at the Infobus).

You will receive a written invitation with your hearing date and time from the BAMF. Arrive at the BAMF (in Munich in Boschetsriederstraße 41) at least 15 minutes before the time in the invitation and register with the security service. You will then be shown to the waiting room and later to the office of the interviewer.

Important: If you are not able to keep to the date (because you are ill, for example) you must inform the BAMF at once and send a medical certificate. If you don't do so, it might be disadvantageous for your asylum procedure, because it will be considered that you deliberately neglected your duty to co-operate.

First, you will be asked if you understand the interpreter and can make yourself understood. Then the interviewer will want to know if you are physically fit enough for the hearing. Then he/she will ask whether you have understood everything about the interview procedure. If there are problems or you still have questions, say so at once: for example, if you don't understand the interpreter, if you didn't understand anything else, if you prefer to tell your story to a woman or to a man (because otherwise you won't be able to explain all the important factors), if you take any medicines (perhaps the medicine reduces your ability to concentrate). Don't feel intimidated even if the interviewer reacts in a stressed manner. It's your hearing and your right.

It is preferable to tell the BAMF your wishes (for example, for a female or male interviewer) immediately you receive the invitation for the hearing. The BAMF will then be able to plan a suitable interviewer and interpreter in advance.

Everything that you say during the interview is written down and recorded in minutes. Everything the interviewer dictates for the minutes will be translated into your own language. If there is something that is incorrect or seems a problem to you, say so immediately and have this fact added to the minutes.

What is the interview about?

What does the BAMF interviewer want to know?

The interviewer must be convinced that everything you say is true before he or she makes a decision on your case. That's why all your statements are examined very carefully. If, like many other asylum seekers, you can't provide objective evidence, the interviewer must rely on you and your words and be able to believe you personally. The interviewer must give reasons for his decision and must justify the decision to his or her superior. During the interview, make sure that you recount **everything** that affects your need for protection as a refugee.

Important for the interview: the interpreter is there to make sure that you can make yourself understood. But you should be speaking to the interviewer, not the interpreter. Not to look into someone's eyes during a conversation is impolite in German culture, and may give an impression of arrogance and insincerity. When greeting someone, you also look into each other's eyes. Even if it is not common practice in your culture, in Germany, men and women also make eye contact during conversation.

In Germany we speak very directly and openly about everything. If you talk around a subject, you are taken for someone who is not sure and may be trying to hide something. You could lose your credibility.

Remember that everything you told the authorities originally and at the **BAMF** hearing will be checked again by the **VG** if you appeal against a rejection of your asylum application. The judge at the **VG** can ask for information in your country of origin, for example, via the German embassy. If you present completely new evidence or completely new reasons for your application at the **VG** appeal, you have to give good reasons why you did not present these at the **BAMF** hearing.

The minutes of the hearing will be sent to you in German some days or weeks after the hearing. Get these translated as soon as possible. You can send written corrections to the BAMF and ask for these to be considered . The Infobus for Refugees or other advice offices can help you with translation.

The asylum interview at a glance

What is the asylum interview about?

The interview is the decisive moment in your asylum procedure, your **one and only** chance to describe your flight and above all the reasons for your flight. What you say in the interview will provide the basis for everything which follows. You will be allowed to add things you did not say later, but there is no guarantee that these will be taken into consideration.

If there were any misunderstandings or contradictions in earlier question sessions with the authorities, the interview is the moment to clarify these.

The questions asked by the BAMF are structured as follows:

①

24 questions about your family, your origin and your route

These questions are mainly about your identity, your family and how you came here.

The questions are short. Answer them directly. In case of contradictions or lack of clarity, questions will usually be asked again.

②

The last but one question: reasons for your flight

This is the most important question of all. It's about your personal reasons for leaving your country.

Describe in your own words and as clearly and convincingly as possible the reasons and events that made you leave your country. Your description is the basis for the BAMF's decision on whether or not you will be granted refugee status (Art.16 a GG or § 60 (1) AufenthG)

③

Last question: obstacles precluding a return

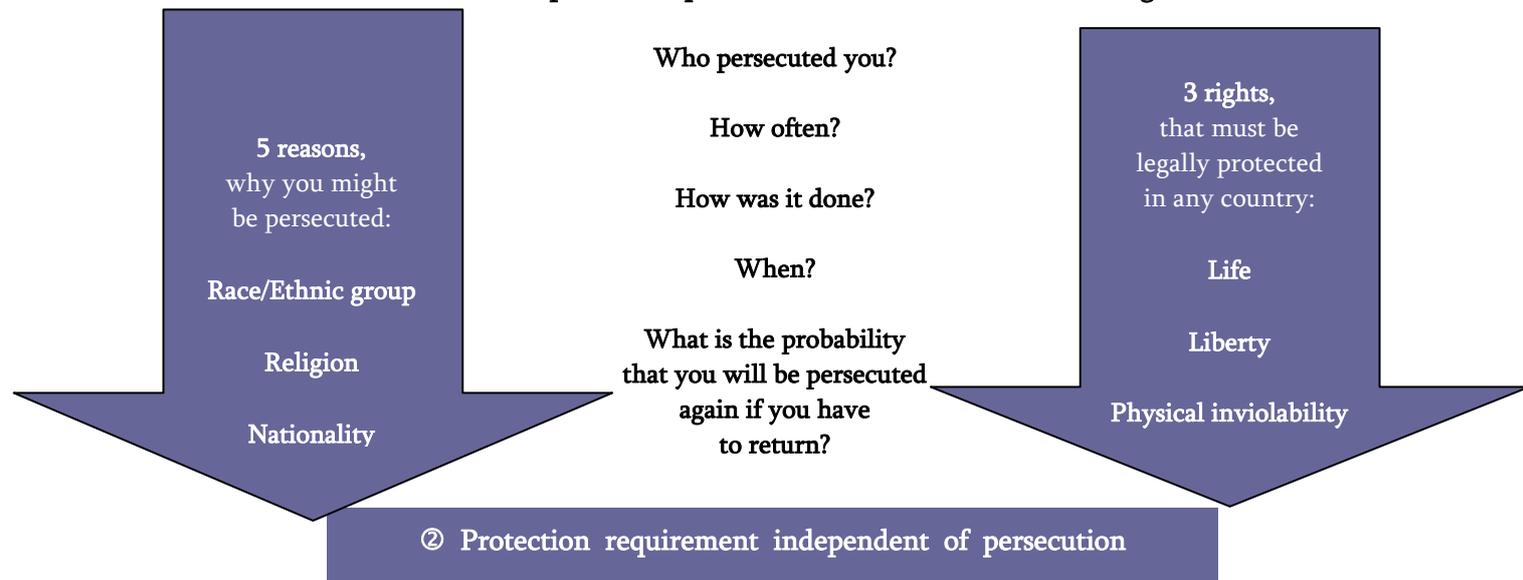
This question is about why you can't return to your country of origin.

Describe the reasons in your own words and explain how these apply to you personally.

The BAMF will base any possible suspension of an order of return on this information.
(§ 60 (2-7) AufenthG)

The criteria for the asylum decision

① Relationship between persecution and the reason for the flight



In your home country, is there any **protection from attacks** against your life, your liberty, your physical inviolability?

In your home country, is there any **alternative livelihood in another region than your region of origin?**

Would your **state of health** seriously deteriorate, if you returned to your country of origin ?

18

The first asylum application at a glance

A few days in

Asylum application

Days to weeks
in the

Interview at the BAMF

Delivery of the interview minutes in German, opportunity to ask in writing for corrections

As a rule,
1-3 months

BAMF asylum decision :

Look at exactly what the **BAMF** has said and the arguments it gives for recognising or the rejecting your asylum application. You may appeal against the **BAMF's** decision at the Administrative Court of Justice **VG**. The countdown to the deadline for your appeal begins the day after delivery of the decision notice from the **BAMF**.

Warning: Usually the notice will be delivered to you personally. In a reception centre, you have to check regularly with the post room or look at the noticeboard. In an accommodation centre, your post might be delivered to the manager of the centre. Here it's still up to you to make sure you always get your most recent post on time.

If your asylum application is rejected as 'obviously not founded', the period allowed for filing your appeal is 1 week = 7 days

If your asylum application is rejected as simply 'not founded', the period allowed for filing your appeal is 2 weeks = 14 days

You must provide a statement of reasons for your appeal within 4 weeks from delivery of the rejection notice.

For your appeal to the **VG**, you need to provide a detailed written explanation of why the rejection of your asylum request is, in your view, incorrect. Justify your view precisely and relate your justification as precisely as possible to the reasons the **BAMF** quoted in its notice of rejection. Legal advice and, of course, a lawyer will be very helpful now.

months
or
years

The appeal at the Administrative Court of Justice (VG)

BAMF :
Rejection of the asylum application
as

„offensichtlich
unbegründet“

VG

The **BAMF** rejects your asylum application completely and does not believe you at all.

You have to react quickly now.
You have **1 week** to appeal to the VG against the decision.

Apply for suspension of your deportation order at the same time (§ 80 (5) VwGO). This is to ensure that you will not be deported while your asylum procedure is pending.

By making an appeal, you claim asylum recognition, or at least protection against deportation.

BAMF:
rejection of political asylum
and of refugee status,
but recognition of obstacles
to a return

„unbegründet“

VG

This word also means that the **BAMF** rejects your asylum application.

You have **2 weeks** to make an appeal to the VG and to claim **protection as a refugee** (§ 60 1 AufenthG), or at least to request a **stay of execution of your return or deportation** (§ 60 2-7 AufenthG).

This is to make sure that you will not be sent back to your home country.

Within a period of **2 weeks** you may appeal to the VG against the rejection of your asylum application; in doing so you ask for **protection as a refugee** according to § 60 (1).

If you have been politically persecuted and if you entered Germany via a German airport or directly by ship, you may add a claim for recognition as a political refugee.

BAMF: rejection of
political asylum,
but recognition

VG

Within a period of **2 weeks** you may appeal to the VG against the rejection of your asylum request; in doing so you ask for **recognition as a political refugee** according to Art. 16 a GG.

Your appeal will only be successful if you have been politically persecuted and if you entered Germany via a German airport or directly by ship.

The first appeal to the VG may be made without a lawyer.
For the second instance (VGH), a lawyer is obligatory.

What happens after the interview?

The minutes/written version of your interview will be sent to you by post in German. If you have a lawyer, the **BAMF** will send them directly to your lawyer. Sometimes this happens very quickly, but it can sometimes take several weeks. Now, you have a possibility to add something to the minutes or to make corrections if you find any mistakes. You should do this as quickly as possible, for example, with the help of the people at the Infobus.

The **ZABH** will probably ask you to provide them with documents that prove your identity. If you haven't brought any such documents with you, you should try to get them. Really try hard to get them. The authorities expect this and will take your level of co-operation into account, even years later, when considering your status. You are not allowed to go to your embassy any time before the asylum procedure is completed. If you do so, your asylum procedure will be terminated, as you will have been seeking help from your home country voluntarily.

After you hand in your proof of identity (passport or anything similar), their authenticity will usually be checked (this is done by the police, in this case, by the State Office of Criminal Investigation, or the **BAMF**). Sometimes your details will be checked in co-operation with the German Ministry of Foreign Affairs or the Foreign Office will commission the German embassy in your home country to investigate. The **BAMF** will only decide upon your application for asylum, once they have all the results of these enquiries.

If the **ZABH** and the **BAMF** do not have any further urgent questions to ask you, the documents are sent to the **ZRS** of the Government of Upper Bavaria. This authority will allocate you a new location. If you are seriously ill and receiving medical treatment in the place you are living, or have relatives nearby and are co-operating well, the authorities will take your wishes about location into account as far as possible. You will get a so-called "Transfer-Note" at the latest one day before you move. Try to get information about advice centres in your new location.

And inform the **BAMF** of your new address as quickly as possible (see page 9). The Aliens Department does not pass on this information automatically.

After your move, the **ZRS** in Munich may still be responsible for you. It is also possible however, that the Aliens Department at your new place of residence will take over this responsibility.

Life during the asylum procedure

WHAT TO LIVE ON?

You will get social benefits from the German state. You should know the following:

You have asked for asylum and the procedure is in progress. During this time you get benefits in kind (clothes, groceries) and a cash amount of EUR 134 per month (AsylbLG). Of course, you are entitled to primary health care so you can go to a general practitioner and get treatment.

For asylum applicants, the law only provides limited medical care: treatment for urgent (not chronic) illnesses and pain, and medical care in case of pregnancy and giving birth. Any further treatment or help with any other sickness is usually only granted after a report by the Health Department. Social Services together with the “Sozialbürgerhaus“ can help you to organise this.

SETTLING IN

Social and legal questions: there are a lot of people and organisations who are can help you to get settled in Germany and to take part in everyday life here. Ask your questions here:

Social services and migration information centres (Caritas, AWO, Innere Mission, Bavarian Red Cross BRK..)

- ① These are your first points of contact for all questions on social benefits and initial information on migration: if you want to learn German or progress professionally, if you want to know when and how you become eligible to work etc.
- ① If necessary, they can mediate between you and the authorities (ABH, BAMF) on any of the topics mentioned above.

The Sozialbürgerhaus near you

- ① Deals with your social benefits according to your individual needs and your eligibility.

Inter cultural associations can also be of help with your integration. The Foreigners Councils of the cities or counties can help, as can One-World-Initiatives (in Munich, Schwanthalerstraße 80).

Life after the asylum decision

Legal and residence questions. Everything regarding your residence AFTER the decision is dealt with by:

The ABH, if you stay in Munich: „Poccistraße“:

- ① You have to go to the **ABH** to have your identity documents (eg. “blauer Pass“, toleration/Duldung) issued or renewed. This is where you will also go to get your work permit later.
- ① The **ABH** asks you to leave the country if the **BAMF** has definitively declined your application. This is also the case if the appeal to the Administrative Court **VG** is rejected and no further appeal is allowed.
- ① The **ABH** can ask the police to take you into custody if it is decided that you will be sent back (deported) to your home country, or to a secure third country. This action can also be taken by the **ZRS** in Munich.

WHERE TO STAY? Accommodation and Work for refugees:

Office for Accommodation and Migration (in Munich, Franziskanerstr. 6-8)

- ① You are accepted as a refugee. If you decide to stay in Munich, but need to move out of the reception centre **EAE**, the Office for Accommodation and Migration will help you to find a flat. Once you have been granted refugee status, however, you can choose you can choose to live anywhere in Germany you like. You then apply for your „blauen Pass“ at the Aliens Department in your new place of residence.
- ① There are numerous initiatives to promote integration – ask about these!

ARGE (in Munich „Franziskanerstraße 6-8)

- ① The **ARGE** is part of the Federal Employment Agency and helps you, once you have refugee status, if you want to learn German, to seek work or to get new professional qualifications.

Order to leave the country – new reasons for asylum?

Deadline is already past? You cannot make any further appeal? **Then check the following questions:**

Have there been any changes in the law that might change the assessment of your case for asylum?

Or has the situation in your home-country changed so as to affect your case for asylum?

If the **BAMF** did not originally believe your statements, can you now produce any additional documents that prove their truthfulness? It is important that it was not your fault that you did not provide these documents any earlier.

If any of the above apply to you, then you can make a follow-on asylum application at the **BAMF**.

You must do this within 3 months of being informed about the relevant changes, or getting the new documents.

Normally, no actions will be taken to arrange for your departure until the **BAMF** has taken a decision. It can be useful to inform the Aliens Department yourself about the follow-on application.

**In any of these cases, you should get information at the advice centre for refugees
or get advice and representation from a lawyer.**

(you can find some addresses on page 2.)

Deportation: what now?

If you are issued with a deportation order because your asylum procedure has been unsuccessful, and you think this is not correct you should get in touch with an advice centre or a lawyer immediately (please see addresses on page 2). There, you can discuss the correct legal procedures and then take any necessary actions.

Even if you are in custody pending deportation, you can get in touch with the refugee advice centres, for example, through the social services, and request a visit.

Further actions:

It is possible that the Aliens Department **ABH** is the right contact for you (inability to travel, family issues).

But it might also be that you need once again to contact the **BAMF** about any factors that play a role in the asylum procedure (for example, long-term illness).

If you have to leave or want to leave, you can get help from social services, an advice centre and one of the Returning-home Advice Centres (for example, at the Office for Accommodation and Migration in Munich).

They can help to prepare you as well as possible for your return and might even be able to get you financial help.

Infobus für Flüchtlinge, c/o amnesty international
Volkartstr. 76, 80636 München

Mobil: 0176/676 063 78

Tel: c/o Münchner Flüchtlingsrat, 089/123 900 96, Fax: 089/12392188

e-mail: infobus@amnesty-muenchen.de

Consultation Hours:

Heidemannstr. 60 in front of House 45

Monday 4:00 – 6:00 pm

Wednesday 6:00 – 8:00 pm

Heidemannstr. 50 in front of House 18

Wednesday 4 – 5 pm *Just for Women!* (SOLWODI)

Wednesday 5– 6 pm *For Everybody!*

For our consultation hours in Obersendling (Baierbrunnerstraße 14) and in St.-Veitstraße please contact us!
(03/2014)

www.muenchner-fluechtlingsrat.de

Wenn Sie unsere Arbeit unterstützen möchten, freuen wir uns über eine Spende auf das Konto des
Vereins zur Förderung der Flüchtlingsarbeit:
Kto 314 344, BLZ 701 500 00, Stadtparkasse München, Stichwort „Infobus“.