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Apply for a residence permit for refugees

Heruntergeladen am 14.06.2025

<https://fimportal.de/xzufi-services/121309894/L100002>

Modul	Sachverhalt
Leistungsschlüssel	99010022001008, 99010022001008
Leistungsbezeichnung I	Apply for a residence permit for refugees
Leistungsbezeichnung II	Apply for a residence permit for refugees
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)
SDG-Informationsbereich	Anforderungen in Bezug auf Aufenthaltskarten für Unionsbürger und ihre Familienmitglieder, einschließlich Familienmitglieder, die keine Unionsbürger sind

Modul	Sachverhalt
Lagen Portalverbund	Einwanderung (1080100)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	29.10.2020
Fachlich freigegeben durch	Saxon State Ministry of the Interior
Handlungsgrundlage	<p>§ 25 para. 2 sentence 1 1st alt. AufenthG</p> <p>§ 3 Abs. 1 AsylG</p> <p>§ 12a Residence Act</p> <p>§ 9 Residence Act</p> <p>§ 26 Residence Act</p> <p>§ 48 AufenthV</p> <p>§ 52 Abs. 3 AufenthV</p> <p>§ 29 Abs. 2 AufenhtG</p> <p>§ 44 AufenthG</p> <p>§ 78 AufenthG</p> <p>§ Section 78a AufenthG https://www.gesetze-im-internet.de/aufenthg_2004/</p>
Teaser	Issuance of a residence permit in the case of recognized refugee protection.
Volltext	<p>If you have been granted refugee protection by the Federal Office for Migration and Refugees, apply for a residence permit at the Foreigners' Registration Office responsible for you.</p> <p>You must be granted a residence permit (legal entitlement) if you have been incontestably recognized by the Federal Office for Migration and Refugees as a foreign refugee within the meaning of the Convention of 28 July 1951 relating to the Status of Refugees (so-called Convention Refugee). However, you may not</p>

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be granted a residence permit if you have been deported on the basis of a particularly serious reason for deportation (e.g. conviction for an intentional criminal offense to a custodial or juvenile sentence of at least two years).

Until the residence permit is issued, your stay is considered 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.

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

You are entitled to social benefits (basic benefits for job seekers or basic benefits for old age or reduced earning capacity), child benefits, parental benefits and education grants.

Family reunification for your spouse or minor children is possible. Within the scope of its discretion, the foreigners authority can grant a residence permit to the spouse or minor child of a recognized refugee who is joining him or her, despite the fact that he or she is unable to secure a livelihood and lacks sufficient 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 family cohabitation in a third country, there is a legal

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entitlement to the issuance.

They are entitled to participate in the integration course. When the residence permit is issued, the foreigners authority also determines ex officio whether there is an entitlement to participate in an integration course. If this is the case, they will issue you with a certificate of entitlement. At the same time, you will also receive a list of course providers in your area, where you can register by presenting your certificate of eligibility.

A settlement permit is to be issued to you if you have

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

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

Erforderliche Unterlagen

- Decision of the Federal Office for Migration and Refugees on the recognition as a refugee according to the Geneva Refugee Convention

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	<ul style="list-style-type: none"> • current biometric photo • Proof of identity, if available e.g. passport, ID card, birth certificate, marriage certificate, citizenship certificate
Voraussetzungen	<ul style="list-style-type: none"> • Prerequisite for the issuance of a residence permit is the final determination of refugee status by the Federal Office for Migration and Refugees. • Existence of an application for the issuance of 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 title in person.</p> <ul style="list-style-type: none"> • Arrange an appointment with your local aliens' registration office. You can also find information about the application process and which documents you need to submit in which form on the respective website of the Aliens' Registration Office. • During your appointment, your fingerprints will be taken. <p>If your application is approved, the Aliens' Registration Office 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 title is issued, please contact the relevant Aliens' Registration Office.</p>
Bearbeitungsdauer	<p>You will usually be informed of the duration of the procedure (about 6 to 8 weeks) when you apply for a residence title by the competent foreigners authority. Note: The residence permit is issued as an electronic</p>

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	residence title.
Frist	Validity of the residence permit 3 years, important note: Apply for the extension or the issuance of the settlement permit in due time before the expiry of the validity.
weiterführende Informationen	<p><https://www.bamf.de/DE/Themen/AsylFluechtlingsschutz/AblaufAsylverfahrens/Ausgang/Aufenthaltserlaubnis/aufenthaltserlaubnis-node.html></p> <p><https://www.bmi.bund.de/DE/themen/migration/aufenthaltsrecht/einreise-und-aufenthalt/einreise-und-aufenthalt-node.html></p> <p><https://www.bamf.de/DE/Themen/MigrationAufenthalt/ZuwandererDrittstaaten/Migrathek></p>
Hinweise	
Rechtsbehelf	
Kurztext	<ul style="list-style-type: none"> • Issuance of a residence title after refugee recognition at competent foreigners authority-legal claim- but: <ul style="list-style-type: none"> • No claim to a residence title in the case of expulsion due to a particularly serious interest in expulsion. • Permission fiction - After the validity of the decision on refugee recognition, residence is considered permitted. <p>Legal consequences of issuance of residence title:</p> <ul style="list-style-type: none"> • Permission for gainful employment • Residence requirement for three years for the federal state in which they have been assigned to carry out the asylum procedure • Entitlement to social benefits • Family reunification possible (spouse, minor children) • Entitlement to integration course <ul style="list-style-type: none"> • Issue of a settlement permit possible after five or three years after fulfilling certain requirements

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	<ul style="list-style-type: none"> • Personal appearance required: yes <p>Responsible: Your locally competent foreigners authority</p>
Ansprechpunkt	Locally responsible foreigners authority
Zuständige Stelle	locally responsible foreigners authority of your independent city or district
Formulare	<p>You will receive the following from your local immigration office</p> <p>Online procedure possible: no</p> <p>Personal appearance required: yes</p>
Ursprungsportal	Apply for a residence permit for refugees, Aufenthaltstitel für Flüchtlinge beantragen