

Important informationen for people arriving in Berlin



Last updated on April 22th 2022



Who is this information for?

- **Ukrainian nationals** who arrived in Germany shortly before, on, or after 24.02.2022
- **Ukrainian nationals** who had already resided in Germany before 24.02.2022 with a residence permit
- **Third-country nationals** (i.e. non-Ukrainian nationals) with international protection status in Ukraine
- and for **certain family members** of these categories of persons

General legal information about staying in Germany



1. I fled from Ukraine to Germany. Is my stay in Germany legal?

- **Yes. All persons**, regardless of nationality, who were **legal residents of Ukraine before 24.02.2022 are permitted to stay in Germany at least until 31.08.2022**. You do not need a visa for entry. This also applies if you don't have a passport.
- To **stay in Germany past 31.08.2022** you need a **residence permit**. You should therefore take measures to obtain a residence permit well before 31.08.2022.
- Many persons who have fled Ukraine are eligible for a **residence permit for temporary protection** under **Section 24 of the Residence Act**. This is referred to as an "application for a residence permit pursuant to § 24 AufenthG" or "application for temporary protection".
Important: An application for temporary protection pursuant to § 24 AufenthG is **not an asylum application** but aims at another, faster procedure especially related to the situation in Ukraine since 24.02.2022!

2. Who receives temporary protection under Section 24 of the Residence Act?

- **Ukrainian nationals** who were either *residents of Ukraine before 24.02.2022* or who *entered the EU shortly before 24.02.2022*
- **Ukrainian nationals** already *residing in Germany with a residence permit*
- **Third-country nationals** (i.e. persons without Ukrainian citizenship) or **stateless persons** with *international protection status in Ukraine* (e.g. refugee protection) or equivalent national protection
- **Third-country nationals** who were *legally residing in Ukraine before 24.02.2022*, have a *valid permanent or temporary residence permit*, and can *prove that they cannot return safely and permanently to their country of origin or region of origin*
- **Certain family members** of these categories of persons

3. Who are considered „family members“?

- **Spouses**
- **Unmarried partners (including same-sex) in a permanent relationship**
- **Minor children** (17 years old and under) who are unmarried
- **Close relatives** (decided on a case-by-case basis) who *lived in the same family household before 24.02.2022* and were *wholly or mostly dependent on one of the persons* (financially or in fact—i.e. for healthcare, well-being, etc.)

4. In what circumstances can third-country nationals who have previously resided in Ukraine, but “can’t return safely and permanently to their country of origin or region of origin,” (cf. 02), receive temporary protection under Section 24 of the Residence Act?

- There is **no fixed definition** for this. As a third-country national (i.e. a person without Ukrainian nationality) you will receive a ***residence permit for temporary protection under Section 24 of the Residence Act if Germany is not allowed to deport you to your country of origin***. This is the case, for example, **if you are threatened because of your religion or political convictions, there is a concrete danger to your life or your freedom, you have a life-threatening illness, or if deportation is impossible for other reasons**
- “Country of origin” or “region of origin” refers to the **country you originally come from**, i.e. not Ukraine.
- If you do not meet these requirements, or are not sure, please seek **legal advice**. It might be possible for you to obtain another kind of residence permit (e.g. for study or employment) that will allow you to stay in Germany.

5. Who does not receive temporary protection under Section 24 of the Residence Act?

- **Persons without Ukrainian citizenship** who *cannot prove that they were legally residing in Ukraine before 24.02.2022*
- **Persons without Ukrainian citizenship** who *only stayed in Ukraine for a short period of time before 24.02.2022* (tourists, business travelers, visitors, and similar stays)
- **Third-country nationals** (i.e. non-Ukrainian nationals) who *can return safely and permanently to their country of origin or region of origin*
- Persons who are **stateless** and *did not have refugee protection in Ukraine before travelling to Germany*
- **Important:** If you belong to one of these categories of persons, you should seek legal advice.

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Arrival in Berlin, accommodation, registration, relocation within Germany

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1. Can I stay privately with family or acquaintances?

- **Yes.** If you have organised private accommodation, you are permitted to stay there. You are **not obligated to live in state-provided accommodation.**
- Some **volunteer networks** provide private housing for refugees from Ukraine. At accommodation-ukraine.de you can register for private accommodation. The [Tubman Network](#) provides accommodation in Berlin, especially for Black and of color refugees. Housing offered through voluntary networks is often *more suitable as temporary accommodation, not as permanent accommodation.*
- **Important:** As soon as you apply for temporary protection under Section 24 of the Residence Act, **you must prove permanent accommodation in Berlin.** *Otherwise, you will be relocated within Germany and cannot stay in Berlin.*

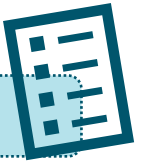
2. What do I do if I currently have no accommodation?

- If you haven't been able to find (permanent) private accommodation, you should contact the **arrival center at the former Tegel Airport.** The address is [Saatwinkler Damm, 13405 Berlin](#). There you will first get a sleeping place, hygiene items, and meals. In addition, you will be **registered** as a refugee from Ukraine.
- At Berlin Hauptbahnhof (Central Train Station) you can visit the '**Welcome Hall Berlin**', a large tent on Washingtonplatz (directly in front of the station) where you can rest briefly and be supplied with food etc. **Important:** You may be **relocated directly from there within Germany.**

3. What does "registration" in the arrival center mean/involve? Do I have to register? What happens after that?

- When you arrive at the arrival center, you will be **registered** as "schuttsuchend" (seeking protection) from Ukraine. If possible, *you should present your passport or residence permit from Ukraine.* Registration is *not* an application for temporary protection under Section 24 of the Residence Act: It is a step *toward* formal application, and important for distribution of people seeking protection within Germany.
- Therefore, **you do not have to register if you already have permanent, private accommodation.** You must prove that you have permanent, private accommodation when you apply for temporary protection, either by notifying the residents' registration office, showing a sublease agreement, or asking your hosts to complete and submit [this form](#).
- **If you register, you will not be able to stay in Berlin** but *will be relocated elsewhere* in Germany. Relocation can also take place before registration in the arrival center at Berlin Hauptbahnhof.





1. What support do I receive upon approval of my application for temporary protection under Section 24 of the Residence Act?

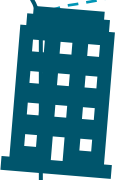
- By applying for temporary protection under Section 24 of the Residence Act, you are requesting to receive a **residence permit allowing you to stay for two years in Germany**. Eligibility depends upon meeting the criteria set out at the beginning of page 1. With it, you can **work in Germany**.
- **Important:** An application for temporary protection under Section 24 of the Residence Act is **not an asylum application**. An application for asylum is a different procedure suitable for specific situations. Please **do not** apply for asylum without obtaining professional advice! The asylum procedure takes considerably longer, is more burdensome, and presents a higher risk of rejection. A request for temporary protection under Section 24 of the Residence Act is simpler, quicker, and lower-risk, and leads to a faster work permit.
- Even if you receive temporary protection under Section 24 of the Residence Act, you can obtain different a residence permit at any time provided you meet its criteria (e.g. [Skills Immigration Act](#)).

2. Am I required to apply for temporary protection under Section 24 of the Residence Act?

- **As of now, no.** If you were a legal resident of Ukraine on 24.02.2022, you can stay *visa-free* in Germany *until 31.08.2022*. This applies regardless of your nationality and previous residence status in Ukraine (e.g. includes third-country nationals who were, for example, studying in Ukraine)
- The same applies if you are a Ukrainian citizen and were not residing in Ukraine on 24.02.2022 but focus your life activities primarily in Germany or were already legally residing in Germany on 24.02.2022.
- **Important:** Before 31.08.2022, however, either the application for temporary protection under Section 24 of the Residence Act or for another residence permit (e.g. studies) should be submitted in order to continue living in Germany after 31.08.2022.

3. Where can I apply for a residence permit for temporary protection under Section 24 of the Residence Act?

- The application for a residence permit under Section 24 of the Residence Act must be submitted to the **Foreigners Authority (Ausländerbehörde) of the place of residence**.
- In **Berlin**, the State Office for Immigration (Landesamt für Einwanderung – LEA) is responsible. The prerequisites: permanent accommodation in Berlin (registration certificate from the Bürgeramt, plus a permanent rental contract or [confirmation that you will be granted accommodation for six months](#)) or an allocation/redistribution by the State Office for Refugees (Landesamt für Flüchtlinge – LAF) to Berlin.



4. What is the procedure for applying for a residence permit for temporary protection under Section 24 of the Residence Act?

- You will first submit an [online application](#) to LEA with your personal data. The online application is available in German, English, Ukrainian, and Russian. Immediately after submitting the application you will receive a PDF document as confirmation (so called "Fiktionsbescheinigung"). This certifies your authorised stay in Germany and your right to work. You should save and print this document.
- You will then receive an appointment by email for a personal preliminary interview with the LEA. This might take some time. For the interview you must appear in person and bring all the necessary documents. As a rule, the residence permit for temporary protection under Section 24 of the Residence Act is issued immediately on the date of your appointment.





5. Do I need a valid passport for the application?

- **Yes**, the application must be accompanied by a valid document proving your identity. This can be a passport, passport replacement (including non-biometric), Ukrainian or other national identity card, or a certificate of identity clearance issued by the Ukrainian embassy.
- You must *bring this identifying document to your personal interview*. If your passport has expired, you should contact the embassy of your country of origin prior to the appointment with the LEA to extend it.
- If you cannot present a valid passport to the LEA at the appointment, you will be issued a **travel document for foreigners**. For this, **fees** are between EUR 14 and EUR 100, depending on your age.

6. What other documents do I need for the application?

- All necessary documents are listed [on the LEA website](#).
- In addition, the email confirmation of your appointment will also list which documents to bring.

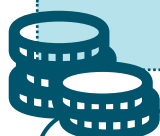
7. Does it cost something to apply?

- **No**, there are no fees for the application for a temporary protection permit under Section 24 of the Residence Act.



8. How long is the residence permit for temporary protection valid under Section 24 of the Residence Act?

- The residence permit is usually issued and **valid until 04.03.2024**. It **may be extended to a maximum of three years**.



Social benefits

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1. Do I have a right to social benefits?

- **Yes**. You are already entitled to social benefits **before applying for temporary protection under Section 24 of the Residence Act**. But your application for social benefits may also be seen as a request for protection at the LEA.
- The Social Welfare Office will usually require that you present a so-called "proof of arrival" ("Ankunftsbescheinigung"). This will be issued to you upon registration.

2. What is included in social benefits?

- This includes **cash benefits for general sustenance** that currently amount to EUR 367 per month for single persons over age 25, EUR 330 for couples living in their own/private accommodation, EUR 294 for adults under 25, EUR 294 for parents, EUR 326 for adolescents between 14 and 17 years old, EUR 283 for children between the ages of 6 and 13, and EUR 249 for children between 0 and 5 years old.
- In addition, the **costs of accommodation, heating, and e.g. passport procurement or language classes are also reimbursed**.
- Existing assets exceeding the amount of EUR 200, as well as any new income, must be used up before receiving social benefits.



3. Where must I apply for social benefits, and what do I have to present?

- First, you must [apply](#) with the [Social Welfare Office \(Sozialamt\)](#) of the residential district in **which you live**.
- Then you will have an in-person appointment where you will complete other documents. Please maintain copies.
- If you are housed privately, the template [Wohnungsgeber:innenbescheinigung](#) can be helpful.
- Rent and heating costs will only be reimbursed if you can submit a corresponding sub-rental agreement

4. How are benefits paid?

- On the application you can specify a bank account for transfers. A cash payment is also possible. Payment must be made immediately in case of need.



5. Can/must I send my children to a kindergarten/school?

- Children over six are required to attend school and should be registered at the [nearest school](#).
- Children under six are eligible for day care or placement in kindergarten. You may need to apply for a ["Kitaschein"](#) online.

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Medical care



1. Am I insured? To what extent do I have access to medical care?

- **No**, you are **not covered by health insurance** and therefore have limited access to medical care—including treatment for acute illnesses or pain.
- Further benefits are provided to persons with "special needs", namely unaccompanied minors (people age 17 or under) or persons who have suffered severe forms of psychological, physical, or sexual violence.
- However, the **Social Welfare Office registers with a statutory health insurance fund** through which you will receive an electronic health card (usually within 4 weeks)
- **Important:** The health insurance company needs a photo of you. It may be helpful to bring two passport-sized photos to your appointment at the social welfare office.

2. Do I have access to medical care before I receive my electronic health card?

- **Important:** You are entitled to **emergency treatment in a hospital**.
- The same applies to preventive vaccinations—e.g. against SARS-CoV-2 (Corona/Covid-19).
- In the meantime, you should ask the Social Welfare Office for written confirmation of your registration with the health insurance fund.
- The Association of Statutory Health Insurance Physicians offers a list of [500 doctors](#) who will treat people from Ukraine free of charge.





Working in Germany

1. Can I work in Germany if I have a residence permit for temporary protection under Section 24 of the Residence Act?

- **Yes. With temporary protection you may work in Germany.**
- This permission is included with the residence permit upon issuance, even if you do not have a specific job lined up yet.

2. When can I start working if I submit an application for temporary protection under Section 24 of the Residence Act?

- If you have submitted the [online application for residence in accordance with Section 24 of the Residence Act](#), you will first receive a document (PDF file) with the so-called “**Fiktionsbescheinigung**”. The “Fiktionsbescheinigung” is not the final residence permit, but a temporary substitute you can use while you wait for your final residence permit.
- The “Fiktionsbescheinigung” states that you are allowed to work. **Upon receipt you may start working.**
- If you are **looking for a job in Germany**, the [agency for work](#) in the city where you live will help you. Services are free of charge and there is usually help with translation on-site.
- If you want or need to **learn German**, you can apply to the [Federal Office for Migration and Refugees](#) for a so-called “integration course”.



3. Can I work in Germany if I have not yet submitted an application for temporary protection under Section 24 of the Residence Act and have no other residence permit?

- **No.** If you are *in Germany without a visa—or with a visitor’s visa*—and have not yet applied for a residence permit for temporary protection under Section 24 of the Residence Act, you may not work.
- You can only work if you have received the “Fiktionsbescheinigung” for temporary protection under Section 24 of the Residence Act or another suitable visa.



4. Can I continue training/education in Germany?

- **Yes.** You can take advantage of various further education offers (training, university studies, etc.) by following their application guidelines and processes.

For more and up-to-date information, please visit the following links:

- <https://www.asyl.net/schutzsuchende-ukraine>
- <https://www.berlin.de/ukraine/uk/>
- <https://en.rlc-berlin.org/>

This brochure was prepared by Refugee Law Clinic Berlin e.V. based on information up until March 31, 2022. The publisher is not responsible for the content of the brochure. The information contained here is not a substitute for professional and individual case-related legal advice. Please note that the current situation, its legal assessment and the related administrative practice may change continuously.