

Handbook Germany Artikel: Asylum procedure

How can I apply for asylum?

The asylum procedure determines whether a person should be granted asylum in Germany. The asylum procedure is regulated by the [German Asylum Act](#). The process consists of several steps: asylum application, Dublin examination ("Dublin-Prüfung"), hearing and decision-making. Officially, therefore, the asylum procedure begins when the individual applies for asylum. But before you can formally apply for asylum ("Asylantrag"), you must first register as an asylum seeker ("Asylgesuch").

Requesting Asylum and Registration

Every person who flees to Germany must contact and inform the German authorities, i.e. border patrol authorities, the police, the Immigration Office, an arrival centre ("Ankunftszentrum") or an initial reception centre ("Erstaufnahmeeinrichtung"). You can read more about registration in our chapter "[Registering as an asylum seeker](#)".

Asylum application

After registration, the asylum procedure can begin, and the first step in the asylum procedure is submitting the asylum application. You can apply for asylum at the Federal Office for Migration and Refugees (BAMF). You will be provided with an appointment either during [registration](#) or later per post.

An interpreter will also attend this appointment. You will be asked about your country of origin, your city, your family, your school or profession, your religion and the route you took to reach Germany. If you have any documents from your home country, you can show them to the interviewer. In principle, the BAMF will keep these documents until the end of your asylum procedure. At this stage, you do not need to explain the reasons for your flight - you will be asked about it later at the hearing. You will be photographed, and your fingerprints will be recorded while applying for asylum. The BAMF employee will also inform you about your rights and obligations during the asylum procedure. If there is something you do not understand, you can ask.

You are entitled to ask for a male or female interviewer for the hearing, but you need to communicate your preference when applying for asylum. You can also let them know what language your interpreter must speak during the hearing and whether you prefer them to be male or female.

After this process, you will be issued a so-called "Aufenthaltsgestattung", which is, in fact, a temporary residence permit. This document looks almost like the proof of arrival ("Ankunftsnachweis") which you have been issued after registration. This temporary residence permit shows all the relevant authorities that you may stay in Germany as your asylum application is ongoing. You need to always carry your "Aufenthaltsgestattung" with you since, at this stage, it is regarded as your ID card.

Please note: If you are in a hospital or prison or are still a minor and alone in Germany, you can also apply for asylum in writing. Social workers in your accommodation and counselling centres provide advice. You can find a counselling centre on the [Pro Asyl](#) website.

Even if you plan to submit your asylum application personally, it often makes sense to seek help from a counselling centre in advance. You can find a counselling centre on the [website of Pro Asyl](#).

Dublin examination

Before the BAMF invites you to the hearing and inquires about your history and reasons of fleeing, they will check whether your asylum procedure can take place in Germany or you should apply (or have already applied) for asylum in another European country. If you, e.g. have been fingerprinted or recognised as an individual entitled to asylum in another European country, Germany may send you back there, but only if the respective country agrees. This arrangement is called the Dublin III regulation. You can learn more about it in our chapter "[Dublin Procedure](#)".

The hearing

After it is verified that Germany is indeed the European country responsible for your asylum case, you will be sent an invitation for your hearing session. The hearing is the most crucial part of your asylum procedure. You often have to wait several months, sometimes even more than a year, for the invitation. Consequently, it is important to attend the appointment. If you are ill on the day of the appointment or cannot attend for another important reason, it is necessary to inform the BAMF immediately in writing and attach the relevant proof. This could be, for example, a medical certificate.

At the hearing, a BAMF staff member and an interpreter will be present. You can ask your lawyer or a friend to come along if you do not want to go alone. However, the person who accompanies you must not be an asylum seeker himself, and you must register the person in advance if you plan to take someone with you. The hearing takes place in a BAMF office.

The BAMF staff member (i.e. the interviewer) will ask you about your life in your homeland and the reason you've fled and the route you took to Germany. Above all, your reasons for fleeing your country are of extreme significance here. The more details you recount, the easier it is for the BAMF to discern your story. The

employee writes down your account in a protocol, which will function as the basis of BAMF's decision-making in your case.

You are entitled to some specific rights during the hearing, the most important ones of which are:

- If your previously stated preference for a male/female interviewer or interpreter has been ignored on the hearing day, you can request that the interviewer be exchanged. But it may be necessary to postpone the interview to another date.
- If you do not understand the interpreter or feel that he/she does not quite comprehend what you say, you can ask for a new interpreter. But you may have to postpone the appointment to another day.
- At the end of the session, the interpreter will propose to orally translate all you have stated (and the BAMF employee has written down in the minutes) for you. It is to your own advantage to accept this offer and listen carefully. If there are any mistakes or something is missing, you can inform them immediately. You only need to sign the protocol if everything is correct.
- If you have evidence proving your persecution in your home country, you can prepare and submit copies of it at the hearing. The evidence can include, e.g. photos, documents, newspaper articles or medical certificates.
- You have the right to take as much time as you need and to tell your entire story in as much detail as necessary, even if the staff become impatient and tries to rush you.
- A few days or weeks after the hearing, you or your lawyer will receive the transcript per post. After careful reading, you can immediately report any errors to the BAMF in writing. Counselling centres or your lawyer can provide support.

The hearing is of great significance, therefore, good preparation is advisable. Here is a [video about the hearing session](#), available in 14 languages. The next section, which entails the questions you will likely face during your hearing, is also worth reading.

Please note: It may be that you have to wait a long time for your hearing despite having an appointment, therefore it's advisable to have food and drinks with you.

What questions are asked during the hearing?

Good preparation is important. Below you can find numerous questions that you are likely to hear at your hearing. Please note that the interviewer may also ask you other additional questions.

Counselling centres and lawyers can help you prepare for the hearing. On [Pro Asyl's website](#), you can search for a counselling centre nearby. To search for a lawyer in your area, you can visit our [local search page](#)— enter the name of your city and search for lawyers providing legal advice on asylum and residence.

Here are the most commonly asked questions at hearings:

1. Do you speak any other dialects besides the given language(s)?
2. Do you (or did you) hold any more nationalities?
3. Do you belong to a particular tribe or ethnic group?
4. Can you present personal identification documents such as a passport, a passport substitute or an identity card?
5. Why are you not able to show any personal identification documents?
6. Do you have personal identification documents such as a passport, a passport substitute or identity cards in your home country?
7. Can you present any other document, e.g. diplomas, birth certificate, passport or driving licenses?
8. Do you have or have you had a residence permit/visa to enter the Federal Republic of Germany or any other country?
9. Please tell me your last official address in your home country.
10. Please specify the surname, (if applicable) maiden name, first name, date and place of birth of your spouse and date and place of the marriage.
11. What is your spouse's address (if he /she is no longer in the home country, please mention the last address and the current address)?
12. Do you have children (please also name all adult children including their surname, first name, date and place of birth)?
13. At what address are your children currently living (if your children are no longer in their home country, please provide the last and the current address)?
14. Please give me the names, family names and addresses of your parents.
15. Do you have any siblings, grandparents, uncles or aunts living outside your home country?
16. Do you support your relatives economically in your home country?
17. What are the personal details of your paternal grandfather?
18. Which school (s)/university(s) did you attend?
19. What profession have you learned? Who was your last employer before you come to Germany?
20. What job do you practice in Germany?
21. Have you done military service?
22. Did you participate in demonstrations or other events against the regime in your home country?
23. Have you been to the Federal Republic of Germany before?
24. Have you already applied for or been granted asylum (or recognised as a refugee) in another country?
25. Has any family member of yours in another country applied for or been granted refugee status with legal residence?
26. Do you object to your asylum application being examined in this country?
27. Please describe how and when you came to Germany. Indicate when and how you left your country of origin, which other countries you travelled through and how you entered Germany.
28. When have you entered the Federal Republic of Germany?
29. Have you entered the Federal Republic of Germany by a truck?
30. Have you ever applied for asylum in another country?
31. Were you possibly fingerprinted and photographed by authorities in another country?
32. Do you have relatives in Germany?
33. Were you politically active in your home country?

34. What was the main reason you (or your husband/wife) left your village or town?
35. Does your partner have siblings?
36. What was your husband's job? Where did you earn a living?
37. What did your departure cost?
38. Where did you obtain the money for your departure?
39. How did you come up with the idea, and why did you leave your home country?
40. Where does your family live in your home country?
41. What would you have expected in the worst case if you had stayed in your village or town?
42. Do you have anything essential to add to this protocol?

The Decision

A few months after your hearing, you will receive a letter from the BAMF notifying you of the decision the BAMF has made regarding your asylum application. Sometimes, it takes longer until you are notified of the decision.

The BAMF can opt for one of the following rulings:

1. You are recognised as a refugee or asylum seeker under the Geneva Refugee Convention, which means you will obtain a residence permit for three years. To learn more about your rights as an individual entitled to asylum or a recognised refugee, read our chapter "[Right of Residence in Germany](#)".
2. You are granted subsidiary protection, which means you will obtain a residence permit for one year. You can learn more about your rights as an individual entitled to subsidiary protection in our chapter "[Right of Residence in Germany](#)." You have the right to appeal BAMF's decision regarding the subsidiary protection. Immediate action is necessary. To do so, you can seek advice from a lawyer. If you want to search for a lawyer in your area, you can visit our [local search page](#)—enter the name of your city and search for lawyers providing legal advice on asylum and residence.
3. You obtain a residence permit due to a national ban on deportation, which means you will be granted a residence permit for one year or less. You can read more about this type of residence permit in our chapter "[Right of Residence in Germany](#)." You have the right to appeal BAMF's decision, but only immediately after you received the BAMF's decision. It is also advisable to seek advice from a lawyer. To search for a lawyer in your area, visit our [local search page](#).
4. Your asylum application is rejected; i.e. the BAMF sees no reason to grant you protection in Germany. To learn about your options in such a situation, visit our chapter "[Asylum application Rejected](#)".
5. Your asylum application is rejected as "Obviously unfounded", which means the BAMF believes that you did not tell the truth during your hearing, or that you came to Germany for economic reasons. To learn about your appeal options in such a situation, visit our chapter "[Asylum application Rejected](#)".

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