

Fact sheet for people who have fled Ukraine and are seeking temporary protection in the Federal Republic of Germany

The fact sheet is intended for those persons who are covered by the Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC and having the effect of introducing temporary protection (OJ L 71 of 4 March 2022, p. 1) and who are residing in the Federal Republic of Germany.

Rights and obligations related to temporary protection

You have received or applied for temporary protection in the Federal Republic of Germany because of Russia's attack on Ukraine. This fact sheet provides information on the main rights and obligations under residence law related to temporary protection. The fact sheet does not include information on all general topics important for new immigrants to Germany. General information is available online in several languages, including Ukrainian, at <https://www.germany4ukraine.de/hilfeportal-en> and <https://handbookgermany.de/en.html>.

Your right of residence

You may reside in Germany until 31 August 2022 without a German residence permit even if you have not yet applied for or received temporary protection from a foreigners authority in Germany. However, if you have not yet done so, you should contact your local foreigners authority soon to find out about applying for and receiving a residence permit for the purpose of temporary protection before 31 August 2022. You can find your local foreigners authority here: <https://bamf-navi.bamf.de/en/>. Many foreigners authorities have a website with information on important topics, where you can make appointments and find out which documents you will need to take with you to your appointment.

At the foreigners authority, after you present your identity documents, register your personal information and apply for temporary protection, you will receive a temporary document confirming your right of residence in Germany. The foreigners authority will then prepare a card, in a standard European Union format, confirming your right of residence. Or you may receive your residence permit in the form of a sticker in your passport.

The temporary document you receive initially and the permanent card or passport sticker you will receive later both serve as proof of your right of residence in Germany. These documents also show how long your temporary protection will last.

If you fulfil the conditions for a residence permit for other reasons, you may apply for a residence permit on that basis, either when you first arrive in Germany or later on. Your local foreigners authority can explain these conditions.

Many foreigners authorities will let you apply for a residence permit online at <https://www.germany4ukraine.de/hilfeportal-en>, which is also available in Ukrainian. It will also find the foreigners authority responsible for you. After applying for a residence permit online, you will receive a summary showing the information you entered and explaining the next steps in the process. Next, your application will be forwarded to the foreigners authority responsible for you, which will then contact you. On the website, you will also find information about other residence law issues. If you are not able to submit an online application to your foreigners authority using www.Germany4Ukraine, please ask your foreigners authority whether it offers its own online application process.

Passport and travel document

If you do not have a valid passport, under certain conditions you may be able to get a travel document for foreigners. Please contact your local foreigners authority for more information.

Work

As soon as you have received a document which includes the words

“Erwerbstätigkeit erlaubt”

you are allowed to work in Germany. You are not allowed to work until you have received such a document. Please find out what your employment-related obligations are under tax and social insurance law. You can also find information on the website of the Federal Employment Agency (<https://www.arbeitsagentur.de/en/welcome>)

Please note that German law (for example, on the minimum wage, social insurance law, tax law) applies if you work in Germany. It also applies if you work online for a foreign employer. Employers whose workers live in Germany for more than a very short time must obey German law and be registered in Germany, even if their headquarters are in another country.

If you have a document with the words “Erwerbstätigkeit erlaubt”, you are also allowed to work as a self-employed person. Please find out which additional permits for self-employment you need to obtain from the responsible authorities, in particular the tax office or trade supervisory authority, and what notifications you must send them. You can find out more from an appropriate advisory service, such as a chamber of industry and commerce (<https://www.ihk.de/>, available in German only).

If you have completed vocational training or a higher education degree and have questions about receiving recognition for your qualifications, you can contact the telephone helpline (in German and English) for working and living in Germany at this number:

+49 30 1815 1111 (Monday–Friday, 08:00–18:00 Central European Time)

or via email: www.make-it-in-germany.com/de/mail

Assignment to a certain place of residence

In principle, you can move freely within Germany. However, while you are receiving social welfare benefits to ensure your subsistence, you may be required to live in a certain town or city. This is intended to distribute the costs of ensuring subsistence evenly across the country. You will be informed if you are required to live in a certain town or city. When you are able to support yourself, or a family member is able to support you, or if you must move to a new town or city in order to be able to earn your living, the requirement to live in a certain place can be lifted. It may be lifted if you plan to start vocational training or higher education. Or it may be lifted for special reasons, such as to reunite family members who have been separated. An assignment to a certain place of residence does not mean you cannot travel: you may travel freely within Germany, but you may not move to a new place of residence without permission.

You may also apply to relocate to another European Union member state. If your application is approved, you will receive a certificate confirming relocation (*Bescheinigung über die Wohnsitzverlegung*). This certificate will also tell you where you will need to present the certificate in the other member state.

If you have any questions regarding relocation or your assignment to a certain place of residence, please contact your local foreigners authority.

Travel within the Schengen area

As soon as you have received a permanent card or passport sticker confirming your right of residence, you may use the card with your valid passport or travel document for foreigners to travel to another Schengen member state for up to 90 days in a 180-day period, if you can pay for your travel yourself. However, you are not allowed to work in the other country without its permission. Exceptions are allowed for typical business travel, such as visiting trade fairs or conducting business negotiations for your German employer.

Expiry of your residence status

If you leave Germany for more than six months, your right of residence will expire. If you would like to reside outside of Germany for more than six months for a temporary purpose, such as visiting relatives abroad or for employment, please contact your foreigners authority in advance to extend this six-month period. In this case, your right of residence will not expire if you return to Germany within the time period approved by the foreigners authority.

Further information

This fact sheet only addresses your right of residence. When you first arrive in Germany, you will need more information than is included in this fact sheet.

You can find much more information at <https://www.germany4ukraine.de/hilfeportal-en>, in particular about

- accommodation,
- financial support,
- medical care,
- learning German,
- working and finding a job,
- education and schools.

Important:

If you need assistance when you first arrive in Germany, in most cases you will be eligible for social welfare benefits under the Asylum Seekers Benefits Act (*Asylbewerberleistungsgesetz*). You can apply for these benefits at your local benefits office (*Sozialamt*).

Based on an amendment of the law, starting 1 June 2022 you can receive social benefits under the Social Code Book II or Book XII, as soon as you have applied for a residence permit for the purpose of temporary protection, your (biometric) data have been collected, and you have been issued a temporary document confirming your right of residence in Germany or a residence permit for the purpose of temporary protection. These benefits are more advantageous for recipients than those offered under the Asylum Seekers Benefits Act. The amended law means that you will be able to apply for social benefits from a different authority. As soon as you have applied for or been issued a residence permit for the purpose of temporary protection, you should apply for social benefits at your local job centre run by the Federal Employment Agency. Even if you have been receiving benefits under the Asylum Seekers Benefits Act, you need to submit a new application at your local job centre as soon as possible.

You can find answers to questions about

- your documents and about tax and social law issues,
- opening a bank account, getting mobile phone and internet service, and renting a flat,
- having your driving licence converted to an EU driving licence,
- contacting people who may be looking for you to let them know that you are safe, and about
- registering your address

at <https://www.germany4ukraine.de/hilfeportal-en>, <https://handbookgermany.de/en.html> and the website of your local foreigners authority. Additional fact sheets are also available at the offices of the foreigners authorities.