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Residence permit for temporary protection because of the war in Ukraine

Heruntergeladen am 07.06.2025

<https://fimportal.de/xzufi-services/213505318/L100038>

Modul	Sachverhalt
Leistungsschlüssel	99010022001006, 99010022001006
Leistungsbezeichnung I	Residence permit for temporary protection because of the war in Ukraine
Leistungsbezeichnung II	Residence permit due to displacement
Typisierung	3b - Bundesaufsichtsverwaltung: Regelung, Land: Ausführungsvorschriften, Kommune: Vollzug
Quellredaktion	Thüringen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Aufenthaltstitel (010)
Verrichtungskennung	Erteilung (001)
SDG-Informationsbereich	

Modul	Sachverhalt
Lagen Portalverbund	Hilfen für Geschädigte (1160200), Existenzsicherung und staatliche Unterstützung (1140100), Einwanderung (1080100), Asyl (1080200)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	28.11.2022
Fachlich freigegeben durch	Thuringian Ministry for Migration, Justice and Consumer Protection
Handlungsgrundlage	https://eur-lex.europa.eu/legal-content/DE/TXT/PDF/?uri=CELEX%3A32001L0055&from=DE https://eur-lex.europa.eu/legal-content/DE/TXT/?uri=uriserv%3AOJ.L_.2022.071.01.0001.01.DEU&toc=OJ%3AL%3A2022%3A071%3ATOC https://www.gesetze-im-internet.de/aufenthg_2004/_24.html https://dserver.bundestag.de/brd/2022/0590-22.pdf https://www.gesetze-im-internet.de/aufenthv/_45.htm https://www.gesetze-im-internet.de/aufenthv/_53.htm https://www.gesetze-im-internet.de/aufenthv/_52.htm https://eur-lex.europa.eu/legal-content/DE/TXT/PDF/?uri=CELEX%3A32001L0055&from=DE https://eur-lex.europa.eu/legal-content/DE/TXT/?uri=uriserv%3AOJ.L_.2022.071.01.0001.01.DEU&toc=OJ%3AL%3A2022%3A071%3ATOC https://www.gesetze-im-internet.de/aufenthg_2004/_24.html https://dserver.bundestag.de/brd/2022/0590-22.pdf https://www.gesetze-im-internet.de/aufenthv/_45.htm https://www.gesetze-im-internet.de/aufenthv/_53.htm https://www.gesetze-im-internet.de/aufenthv/_52.htm
Teaser	If you have fled from Ukraine, you can receive a residence permit for temporary protection under certain conditions.
Volltext	By Council Implementing Decision (EU) 2022/382 of 4

Modul

Sachverhalt

March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of the Mass Influx Directive 2001/55/EC, the European Union has decided to open the admission procedure for temporary protection for war refugees.

If you have fled Ukraine because of the war, or if you have been legally residing in Germany for a long time and cannot return to Ukraine after your current residence permit expires because of the war, you can receive temporary protection in Germany under Section 24 of the Residence Act.

In addition, you can currently enter Germany without a visa and stay here for 90 days from your initial entry - initially limited until May 31, 2023 - without a residence permit.

You may receive government assistance to support yourself if needed (for example, in the form of housing, cash payments, or medical care). If you are dependent on state support (social benefits), you are generally not entitled to stay in a specific place in Germany. Your place of residence is determined by the competent authority (allocation decision). In order to take up residence in a place of your choice, weighty reasons must be presented (for example, family relationships).

Before receiving your residence permit, you must go through the formal registration process for refugees. During registration, your personal data (personal data and fingerprints, photo) will be collected by a German authority.

The residence permit is usually issued initially for two years. It can be issued for a maximum of three years in total, provided that the EU decides to extend the admission procedure.

If there are no reasons to the contrary, you will be issued a permit by the competent foreigners authority to pursue dependent or self-employed gainful employment, with which you can pursue any occupation in Germany. Please note that in some professions there are access restrictions under

Modul

Sachverhalt

professional law (for example in the health sector). You can also start your own business or work as a freelancer.

In addition, you can receive benefits for counseling and placement according to SGB III through the employment agencies.

Children from the age of six have the right but also the obligation to attend school.

Erforderliche Unterlagen

- Recognized and valid identity document (for example, passport with or without biometric features, passport replacement document, identity documents of the country of origin, driver's license).
 - Proof of the date of entry into the Schengen area and Germany
 - Arrival certificate or proof of arrival (if available)
 - Proof of family relations (marriage, birth, adoption certificate, if available)
 - Assignment decision (if available)
 - Proof of current place of residence or stay in Germany
 - Displaced persons who do not have Ukrainian citizenship: Proof of valid right of residence in Ukraine.
 - Proof of representation (if you are acting as a representative)
 - In individual cases, the Aliens' Registration Office may require less or further proof.

Voraussetzungen

- You must declare your willingness to be admitted to the territory of the Federal Republic of Germany (i.e. you must express a request for protection, for example by applying for a residence permit for temporary protection).
- You belong to the beneficiary group of persons if you had your habitual residence in Ukraine before 24.02.2022 and belong to the following group of persons:
 - Ukrainian nationals with their family members,
 - Displaced non-Ukrainian nationals and stateless persons with international or national protection status in Ukraine with their family members.
 - Displaced non-Ukrainian citizens and stateless persons with an unlimited right of residence in Ukraine

Modul

Sachverhalt

(permanent right of residence) who cannot return to their country of origin with their family members.

- Displaced non-Ukrainian citizens with temporary right of residence in Ukraine who cannot return to their home country.
- In addition, Ukrainian citizens who have been legally residing in the territory of the Federal Republic of Germany for a long time and cannot return to Ukraine after their current residence permit expires due to the war can apply for a residence permit.

Kosten

From 0 to 100 EUR

Remark:

Additional fees may apply for the issuance of the residence permit in the form of the electronic residence permit (eAT), which can also be used as an electronic proof of identity.

The fee is waived in the case of benefit receipt. In other cases, the fee may be waived or reduced in individual cases for humanitarian reasons.

Verfahrensablauf

The entire procedure is structured as follows:

- Registration: Before receiving your residence permit, you must go through the formal registration process for refugees. Registration currently takes place, for example, at reception centers or immigration authorities and usually includes your name, date of birth, nationality, current address, and a copy of your identification document. In addition, you will be photographed and your fingerprints will be recorded.
- Once registered, a certificate (proof of arrival, start-up certificate, fictitious certificate or other confirmation) is issued that can be presented to the relevant social welfare office in order to apply for social benefits.
- Distribution to a place of residence in case of social benefit claim (assignment): Subsequently, an assignment decision is generally issued, which obligates you to take up residence and habitual abode in a specific place or region.
- Registration: Registration of your residential address

Modul

Sachverhalt

with the relevant residents' registration office at your destination.

- Application for a residence permit: In order to obtain a residence permit for temporary protection, you must submit an application to the foreigners authority responsible for your place of residence. If you already have an assignment decision, this is the place to which you have been assigned.

- Find out whether your foreigners authority allows you to apply online or has a special application form.

- If the application can only be submitted in person, make an appointment at the Aliens' Registration Office. In the case of online application, the Aliens' Registration Office will contact you after receiving your application to schedule an appointment.

- During the appointment, your identity and documents will be checked (please bring your documents, if possible in original, to the appointment).

- If your application is granted, your fingerprints will be taken for the production of an electronic residence permit (eATKarte). The Aliens' Registration Office will order the production of the eAT card from the Bundesdruckerei. After completion, you will receive information and can pick up the residence permit at the responsible office. The eAT card must always be collected in person.

- If your application is rejected, you will receive a rejection notice.

- The initial registration, distribution, registration at the registration office and application for the residence permit are separate processes - sometimes they are done together, but this ultimately depends on the local organization. In case of doubt, please ask.

Bearbeitungsdauer

It takes about 4 to 6 weeks for the Bundesdruckerei to produce the electronic residence permit. Due to the very high number of displaced persons, it can also take longer. This varies from foreigners authority to foreigners authority. For the transitional period you will receive a fictitious certificate. The stay in the federal territory is thus allowed until the eAT is handed out.

Frist

Application deadline: 90 days after first entry into the Federal territory at the latest. Duration: 6 to 8 weeks after positive decision on the application Objection

Modul	Sachverhalt
	period: 1 month
weiterführende Informationen	
Hinweise	<ul style="list-style-type: none"> • The foreigners authorities will issue so-called fictitious certificates as soon as an application is submitted. These bridge the right of residence until the actual residence title can be issued and granted. The foreigners authority will also enter "gainful employment permitted" in the fictitious certificate. <ul style="list-style-type: none"> • If there is a need, all persons covered by the scope of application of Section 24 of the Residence Act currently receive benefits for subsistence and medical care. • There is no appeal against the allocation decision; an appeal has no suspensive effect. • Incorrect or incomplete information may slow down the procedure and be disadvantageous for you. In serious cases, incorrect or incomplete information that is not completed or corrected in time vis-à-vis the Aliens' Registration Office may result in the revocation of residence rights already granted, a fine, a prison sentence of up to three years, or expulsion from the Federal territory. • If you meet the requirements for this, you can in principle also obtain a residence permit for the purpose of employment or training from the local aliens' registration office. • As an alternative to applying for a residence permit for temporary protection, every refugee has the option of applying for asylum. However, it should be noted that applying for a residence permit grants faster protection and is associated with advantages (for example, no restriction on taking up employment and no housing obligation in initial reception facilities)
Rechtsbehelf	Action against the decision of the Foreigners' Registration Office before the court named in the rejection notice
Kurztext	<ul style="list-style-type: none"> • Residence permit for reasons of international law, humanitarian or political reasons Issuance for temporary protection <ul style="list-style-type: none"> • Persons displaced from Ukraine in the temporal context of the military invasion of the Russian armed

Modul
Sachverhalt

forces on February 24, 2022, as well as Ukrainian citizens who have been legally residing in the territory of the Federal Republic of Germany for a longer period of time and who cannot return to Ukraine after the expiration of their current residence permit due to the war, may apply for a residence permit.

- Under the Ukraine Transitional Residence Ordinance, war refugees from Ukraine are exempt from the requirement of a residence title for 90 days from the date of their first entry into the territory of the Federal Republic of Germany (initially limited until May 31, 2023). After that, war refugees require a residence title.
- If displaced persons wish to work or need government assistance, they must apply for a residence permit before this date expires.
- The residence permit is initially issued for two years. The total duration is a maximum of three years, provided the EU decides to extend the admission procedure.
- Displaced persons must declare their willingness to be accepted in the federal territory (this is done indirectly by applying for a residence permit for temporary protection).
- If state support (social benefits) is required, the place of residence in Germany is determined by the authorities.
- The residence permit entitles the holder to engage in dependent or self-employed gainful employment.
- Responsible: the foreigners authority responsible for the applicant's place of residence.

Ansprechpunkt
Zuständige Stelle

The foreigners authority responsible for the applicant's place of residence is responsible for processing the application.

Formulare

Forms available: No

Written form required: No

Informal application possible: Yes

Personal appearance required: Yes

Modul	Sachverhalt
	Online service available: Yes
Ursprungsportal	Residence permit for temporary protection because of the war in Ukraine, Aufenthaltserlaubnis zum vorübergehenden Schutz wegen des Krieges in der Ukraine