



Informationes about third-country nationals who fled from Ukraine

All persons, regardless of their residence status in Ukraine, who left the country after 24.02.2022 are allowed to enter Germany and **are entitled to stay in Germany without a visa or residence permit until 31.08.2022.**

Entitled to **Protection and a residence permit according to §24 AufenthG** are:

- Ukrainian citizens
- Persons from third countries who had **permanent residence** in Ukraine
- Third-country nationals and stateless persons who have **an international protection or equivalent national protection** in Ukraine before 24.02.2022 and their family members.
- Persons with other long-term residences in Ukraine, **who cannot return to their origin country in safety**
 - ⇒ Conditions for safe and durable return are **not** fulfilled if:
 - Armed conflicts, violence or serious risk of systematic or widespread human rights abuses prevail in the home country
 - This generally applies to the countries **Eritrea, Syria and Afghanistan**
 - Otherwise, reasons for toleration (Duldung) according to § 60 Abs. 5 and Abs. 7 are used as a benchmark, i.e. persons with life-threatening illnesses, family responsibilities or particularly vulnerable groups are granted protection

→ **Important:** Third-country nationals should necessarily seek counseling before applying for protection under §24 AufenthG or applying for asylum.

→ Because: **after a negative asylum application, residence permits for study or work without leaving the country are no longer possible.**

→ after application or granting of a residence according to §24 AufenthG a change to other residences is possible but particular stays are then excluded (§§ 16b Abs. 1 and 5, 17 Abs. 2, 18b Abs. 2, 18d, 19e AufenthG → Exclusion reason by § 19f Abs. 1 Nr. 2 AufenthG)

We recommend using the time until the expiry of the transitional residence to clarify alternative residence titles.

The application for §24 AufenthG can then be filed shortly before the expiration of the transitional ordinance, if necessary. Or the chances of applying for asylum can be examined.



Apply for alternative residence:

Those who wish to continue their studies or work as a specialist (qualified by training or study) can apply for a residence permit until 31.08.2022 without leaving the country. Basic requirements are:

- A valid passport
- Living expenses are secured
- Sufficient living space (12qm per person)

The foreigners office where you are registered is responsible. Until 31.08.2022 you are also allowed to move to another federal state if you find an apartment there.

Overview of possible purposes of residence in Germany:

	study	specialist	language course	FSJ/FÖJ	Au-Pair
Legal base	§16b AufenthG	§18a, §18b AufenthG	§16f	§19e AufhG	§19c Abs 1 AufhG §12 BeschV
Duration of stay	duration of study / 2 years	4 years	course time	1 year	1 year
German language skills	Depends on subject of study	In regulated professions	no	A1	A1
Living expenses secure	yes	through work	yes	yes	through family
Living space	yes	yes	yes	possible through institution	through family
working permit	120 days / year	yes	no	no	no

Study:

Admission / Place of study:

- Contact the relevant universities that offer the course directly and ask for advice from the International Student Advisory Service there.
- Questions about the recognition of certificates can be asked at the International Offices of the universities → Partner universities of universities from Ukraine often offer special programs, so find out if there are any possibility to continue your studies there

Difficulty: English-language degree programs are almost only available at the master/postgraduate level in Germany. Possibly consider other European countries as a place to study since there are more English-language degree programs and the cost of living is lower.



Residence permit for studying according to §16b AufenthG:

Prerequisites for a study or also for a study-preparatory measure, e.g. a language course are :

- Confirmation of study place / Enrolment
- Securing of living expenses (monthly about 744,- € + tuition fees) must be proven. Either by a blocked account (ca.10.000,00 Euro/year) or the submission of a declaration of commitment by a person residing in Germany. Scholarships (e.g. DAAD or special programs) are also possible.
- Living Space
- Language skills are tested with regard to the language of study

Employment with this residence title is only possible to a limited extent up to 120 days per year.

Residence permit as a professional according to §18a or §18b AufenthG:

If you have completed your education or studies and you find a job in your field, you can apply for a residency as a specialist.

Specific requirements for this are:

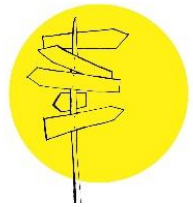
- Job offer
- The consent of the employment agency
- The determination of the equivalence of the qualification by the relevant authority for certain professions, e.g.: nursing specialist, master craftsman professions (self-employed execution regulated). list of all regulated professions: <https://bit.ly/3LgOdZJ>

Find out right away what requirements the individual industries have for the recognition of their title, the respective chamber is responsible. The recognition of foreign qualifications can be lengthy and strict. You can find advice on the competent bodies for recognition here: <https://www.anerkennung-in-deutschland.de/html/en/index.php>

Proof of German language skills is only required for the so-called regulated professions (e.g. medical professions or teachers). In many other areas, there are no minimum language requirements.

The general conditions for issuance from §5 AufenthG apply.:

- clarified identity (passport)
- Securing of living expenses (SGB II-Satz (380€) + rent + health insurance)
- Living space (12qm per person)



Consultation:

Residence law consultation

Do you have further questions about your individual case? We can offer group counseling on issues concerning third-country national refugees from Ukraine. Please make an appointment at info@muenchner-fluechtlingsrat.de or call 089/123 900 96.

Advice on language courses

IBZ

Franziskanerstraße 8
81669 München

Appointments via E-Mail to ibz-sprache.soz@muenchen.de

VHS – German language courses

In different districts possible
Tel: 089 48006 6169
E-Mail: deutsch@mvhs.de

Amiga – Career counseling for international students

<https://www.amiga-muenchen.de/international/>

Appointments via anmeldung@amiga-muenchen.de
Edmund-Rumpler-Straße 13
80939 München

Advisory office for the recognition of foreign qualifications

Franziskanerstraße 8
81669 München

Tel: 08923340520

Email: servicestelle-erkennung.soz@muenchen.de

<https://stadt.muenchen.de/service/info/abteilung-migration-integration-teilhabe/10308039/>

This collection of information was compiled by the Münchner Flüchtlingsrat e.V. and reflects our state of knowledge as of April 2022. The legal situation may change, please inform yourself about the current situation at www.muenchner-fluechtlingsrat.de.