



German Asylum Law

July 2016

“Politisch Verfolgte genießen Asylrecht.”

Grundgesetz Art. 16a

“The politically persecuted enjoy the right to asylum.”

Basic Law Art. 16a

Asylgesetz (AsylG)

(Asylum Act)

Outlines process under which asylum is applied for and granted in Germany; asylum grantees receive temporary residence permit, insurance benefits, and integration assistance.

Asylbewerberleistungsgesetz (AsylbG)

(Asylum Seekers Benefits Act)

Defines specific government benefits for asylum seekers, including monthly payments for living expenses and health care services.

Aufenthaltsgesetz (AufenthG)

(Residence Act)

Law governing residence, economic activity, and integration of foreigners into the federal territory of Germany; frequent references to the *Asylgesetz* regarding specific rules for asylum seekers.

Core German asylum laws have been amended often in 2016. Selected amending acts include:

- Gesetz zur Verbesserung der Registrierung und des Datenaustausches zu aufenthalts- und asylrechtlichen Zwecken (Datenaustauschverbesserungsgesetz), BGBl. I s. 130 (Feb. 2, 2016).
 - English Title: Act on Improving Registration and Exchange of Data for Residence and Asylum Law Purposes (Data Exchange Improvement Act).
- Gesetz zur Einführung beschleunigter Asylverfahren, BGBl. I. s. 390 (March 11, 2016).
 - English title: Act Introducing an Accelerated Asylum Procedure.
- Gesetz zur erleichterten Ausweisung von straffälligen Ausländern und zum erweiterten Ausschluss der Flüchtlingsanerkennung bei straffälligen Asylbewerbern, BGBl. I. s. 394 (Mar. 11, 2016).
 - English title: Act Simplifying Expulsion of Foreign Criminals and the Broadened Suspension of Refugee Recognition for Criminal Asylum Applicants.

First-Time Asylum Applicants in Germany, **January-June 2016: 387,675**

First-Time Asylum Applicants in Germany, 2014: **173,072**

First-Time Asylum Applicants in Germany, 2015: **441,899**

Source:
Bundesamt für Migration und Flüchtlinge,
Aktuelle Zahlen zu Asyl, June 2016.

On the Horizon: Integrationsgesetz (Integration Act)

The latest asylum legislation seeks to facilitate refugees' integration into German society and participation in vocational training programs and the labor market. It was approved by the *Bundesrat* (Parliamentary Body of the Representatives of the Federal States) on July 8, 2016 after being passed by the *Bundestag* (Federal Parliament), and will be in force once it is signed by the Federal President and published in the Federal Gazette (*Bundesgesetzblatt*).

German Government Sources

- Bundestag (English) - http://www.bundestag.de/htdocs_e/
- Bundesrat (English) - <http://www.bundesrat.de/EN/homepage/homepage-node.html>
- DIP Parliament Documentation Database (German only) - <http://dip21.bundestag.de/dip21.web/br>
- Bundesgesetzblatt (Federal Gazette) (German only, click *Kostenloser Bürgerzugang* to browse by date) - <http://www1.bgb1.de/>
- Gesetze-im-Internet (statute and ordinance database; German with selected English translations) - <https://www.gesetze-im-internet.de/>
- Federal Chancellor's Office (English) - https://www.bundeskanzlerin.de/Webs/BKin/EN/Homepage/homepage_node.html
- Federal Ministry of the Interior: Migration and Integration (English) - http://www.bmi.bund.de/EN/Topics/Migration-Integration/migration-integration_node.html
- Federal Office for Migration and Refugees (English) - <http://www.bamf.de/EN/Startseite/startseite-node.html>
- Federal Constitutional Court (English) - http://www.bundesverfassungsgericht.de/EN/Homepage/home_node.html
- Federal Court of Justice (English) - http://www.bundesverfassungsgericht.de/EN/Homepage/home_node.html
- Federal Administrative Court Asylum/Citizenship Decisions (English) - http://www.bverwg.de/informationen/english/decisions/asylum_immigration_law.php

Other Sources

- Law Library of Congress (Jenny Gesley, German Law Specialist)
 - Global Legal Monitor: Germany - <http://www.loc.gov/law/foreign-news/jurisdiction/germany/>
 - Refugee Law and Policy: Germany - <http://www.loc.gov/law/help/refugee-law/germany.php>
 - Jenny's Twitter Feed: <https://twitter.com/jgesley>
- Harvard Law Library German Law Research Guide - <http://guides.library.harvard.edu/GermanLaw>
- Der Spiegel International: Asylum and Migration - http://www.spiegel.de/international/topic/asylum_and_migration/
- Linguee German-English Dictionary - <http://www.linguee.de/deutsch-englisch/>



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