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## **Changes of the 'Residenzpflicht' law**

**The amended 'Residenzpflicht' law came into force yesterday.**

**The most important changes:**

For refugees with 'Aufenthaltsgestattung' the geographical restriction (restriction of movement) "expires" after three months of stay.

After that they are allowed to move freely within the German territory without a permit.

The obligation to reside in a particular place remains.

**Unfortunately, there are many exceptions:**

1. A final conviction because of a criminal offense (no minimum penalty or limitation), if it is not because of a violation of immigration laws.
2. Violation of the "Betäubungsmittelgesetz" (= drug possession), even if there was no conviction by a court.
3. If "concrete measures to terminate residence" are imminent. But this should never! be the case with persons with 'Aufenthaltsgestattung'.

**Refugees who fall within these exceptions are, as usual, at the mercy of the foreigners authorities.**

For refugees with 'Duldung', the geographical restriction (restriction of movement) "expires" after three months of stay as well.

At least in theory: Lawyers fear that the claim of foreigners authorities that "concrete measures to terminate residence" are imminent will enable the authorities to "tie" refugees arbitrarily to certain districts at any time – as before.

**These things will stay as they were:**

- For asylum seekers in reception centers the stay will remain restricted to the district of the foreigners authority. In Brandenburg this is the Municipality of Eisenhüttenstadt.
- The absurd and unique rule within the German legal system that violations of the geographical restriction are first considered an administrative offense and, in the event they are repeated, a criminal offense.

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