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The Thuringian Commission on Hard- ship Cases



What does the Commission on Hardship Cases (HFK) do?

The Commission on Hardship Cases decides, whether immigrants, who are obliged to leave the country, can obtain a residence permit.

Under certain circumstances, it constitutes an unreasonable hardship for foreigners if they are not allowed to stay in Germany. The Thuringian Commission on Hardship Cases (Thuringian HFK) examines such urgent humanitarian or personal circumstances.

If the Thuringian HFK decides that the humanitarian or personal grounds are serious enough that the foreigner should be allowed to stay in Germany, it asks the Thuringian Ministry of Migration, Justice and Consumer Protection to issue a residency permit.

As long as the HFK deals with their case, the deportation of the foreigners concerned may be suspended.

The chairperson of this commission is the State Secretary of the Thuringian Ministry of Migration, Justice and Consumer Protection. All members of the Thuringian HFK are led solely by their conscience and are obliged to maintain secrecy.

The Thuringian HFK makes decisions in a closed session without the presence of the persons affected.

You can place your hope in the Thuringian Commission on Hardship Cases if:

- you live in Thuringia
- you are forcibly obliged to leave the country,
- there are urgent personal or humanitarian grounds for being allowed to stay and
- a favorable integration prognosis can be made for you.

Who can you get in touch with?

Only members of the Thuringian Commission on Hardship Cases can bring such cases before the board. This is the reason why you have to appeal to one of the members listed in this paper.

You should gather comprehensive information and get personal advice before you do this, for instance through a migration counseling center.

What should you keep in mind?

It is important to submit all the personal and humanitarian grounds that speak for your continued residence in Germany. You should also describe how you have integrated yourself into the local society. This includes information on:

- your reasons for entering the country
- your previous residence
- your family situation
- your health
- your economic situation
- your education / profession
- your involvement in society
- your knowledge of German

You should substantiate these aspects as far as possible with documents.

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When does your application have little or no likelihood of success?

Certain circumstances rule out the Thuringian Commission on Hardship Cases processing a case. Some circumstances make a decision in your favor rather unlikely. This is especially the case if:

- yours is a case for the Dublin procedure,
- you have committed substantial offences,
- a concrete date for your return has already been set,
- you only cite grounds that the Federal Office for Migration and Refugees would have to review,
- one of the grounds for exclusion listed in § 5 of the regulations on the Thuringian Commission on Hardship Cases applies to you.