

Visa Application Assistance

We cannot provide legal advice! This document also does not replace one. It is exclusively a collection of experience. If legal advice is required, please contact a lawyer!

I. What do I have to consider when applying for a visa?

The general and special conditions of grant requirements must be met. The general conditions of the grant requirements are regulated in § 5 AufenthG, the special ones are based on the respective purpose of stay. (eg study, tourism, family reunion, etc.)

The information provided on the "Required Documents" section on the websites of the Foreign Office and the embassies is sometimes insufficient. It is helpful to send an e-mail to the responsible embassy, requesting a written list of the required documents (with a request for confirmation of the email).

General tips and tricks:

- Application forms are available for download on the websites of the embassies
- Only if explicitly requested should you hand over original copies. In all other instances, always keep a certified copy for yourself.
- In the case of exclusively digitally existing documents, reference them
 - For example, in invitation letters from Germany, write; "via email to: *email address of the recipient*" instead of the address of the recipient on top. Digital signature has to be included.
- Present several invitation letters, also from German associations and non-profit organizations.
- Constant demands for the current status of the application is important.
- Provide a police certificate of good conduct, even if not explicitly required.
- Submit letters of recommendation from various agencies in Germany and abroad.
- If there is a bank account in the home country with a large sum of money, show a bank statement.
- Language skills are not always required. Inquiring about a German-Tandem-Partner, a German Teacher, or the Goethe-Institute is still helpful.
- Show flight reservation of outward and return flight (no booking!). Since return flights cannot be booked so far in advance, explain this and show finances or writing from Germany, proving that you are willing to book it as soon as possible.
- In case of doubt, ask for the appropriate legal basis.
- Confirmation of readiness to return:

The existence of the so-called readiness to return is probably the most difficult condition to fulfill. To recommend is a purpose-oriented letter of motivation, in which the existence of readiness to return is justified. It is important to pay attention to what information is communicated in this letter. In addition, it makes sense to document the reasons mentioned there. The letter of motivation should be in the form of a letter of a formal application with letterhead, subject line, place and date, signature, and reference to the above-mentioned attachments. The letter may also refer to the list of documents required for a visa application previously sent by the embassy, so that the claim of incompleteness of the application cannot arise.

Outline proposal for a motivation letter:

- Who am I?
- What am I doing right now?
- Why do I want to volunteer / vacation / study? (Why now?)
- Why do I want to go to Germany?
- What keeps me in my country?
- How am I rooted there? / What is my family situation?
- Why do I want to go back to my country?

Speaks **for** the readiness to return

- Family bonding and social roots in country of origin
- Workplace in country of origin
- Own company in country of origin
- Bank account with large sum of money in country of origin
- Positive influence of the stay on the further professional life and personal development
- Social engagements in country of origin
- Student status in country of origin
- No political problems in country of origin (explicitly mention)
- If possible: Has already been in Germany and returned to country of origin

Speaks **against** the readiness to return

- Solid relationship in Germany (not in regard to family reunions)
 - Contact of partner living in Germany to embassy should be avoided
- Family ties in Germany
- Intention to stay longer (for example, to study)
- Bad economic situation in the home country
- Personally involved in political or ethnic disputes at home

II. My application for a visa was rejected? What now?

After refusal of the visa, there are two options. First, there is the possibility of a Remonstrations. This is a written counter-proposal submitted to the relevant embassy. It should explain, in detail, the reasons for the issue of the visa.

On the other hand, there is the possibility to bring an action before the Berlin Administrative Court (Verwaltungsgericht Berlin). This must take place within one month after notification of the rejection notice or in the case of a remonstrance, within one month after notification of the notification of remonstrance.

Inserting a Remonstrations is free. The cost of a lawsuit is about 400-500 €.

Should you take legal assistance with a Remonstrations it would amount to about 500 € and in a lawsuit about 1000 € in legal fees.