



EASO

Practical Guide on Information Provision in the Dublin Procedure

EASO Practical Guide Series

December 2021





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About the guide

Why was this guide created? The mission of the European Asylum Support Office (EASO) is to support Member States of the European Union and associated countries through common training, common quality standards and common country of origin information, among others. According to its overall aim of supporting Member States in achieving common standards and high-quality processes within the Common European Asylum System, EASO develops common practical tools and guidance.

Providing information on the Dublin procedure to applicants for international protection is an integral part of the procedure itself. This practical guide was developed to support all officials tasked with providing such information in an effective manner. The practical guide was also developed as a contribution to the horizontal *EASO Information Provision Project: Let's Speak Asylum*.

How was this guide developed? This guide was created by experts from the national authorities of Germany, Greece, Latvia, Slovenia and Sweden. Valuable input was also provided by the European Commission, the United Nations High Commissioner for Refugees, the International Organisation for Migration, the European Council on Refugees and Exiles, Red Cross EU Office, the Danish Refugee Council and METAdrasi. The development was facilitated and coordinated by EASO. Before its finalisation, a consultation on the guide was carried out with all Member States through the EASO Network of Dublin Units.

Who should use this guide? Determining which Member State should be responsible for assessing an application for international protection is one of the first things that needs to happen in an asylum procedure. As a result, many people with different professional backgrounds working in the field of asylum might need to provide information to an applicant about the Dublin system.

This guide has been developed to provide useful information for different staff within and beyond national asylum authorities. Border guards and immigration police, Dublin and case officers, staff in reception facilities, staff planning Dublin transfers, persons tasked with providing information to applicants as well as cultural mediators and interpreters might all find this practical guide useful when providing information on the Dublin procedure.

How to use this guide. This guide starts with a brief explanation of the main features of the Dublin system in [Chapter 1. The Dublin system](#), providing a basic overview of some of its key features in particular for those less familiar with the system. [Chapter 2. Methodologies for providing information](#) provides a brief introduction to the methodological aspects of information provision in the context of the Dublin procedure. This methodological section does not intend to be a complete guide with regard to information provision methodologies but rather to give the reader a basic understanding of the key concepts as well as practical guidance. In [Chapter 3. The Dublin pathway](#), more detail is provided about the Dublin procedure and the information needs of applicants during the different stages of the procedure. In order to provide practical examples of how information needs may look for different applicants during the procedure, the reader can follow the path through the procedure of the four fictional applicants introduced in this practical guide.

This guide has been developed with the intention of catering to the needs of persons with a varying prior knowledge and experience of the Dublin III regulation, or of information provision. Each of the chapters can either be read on its own, or in connection with the other chapters, depending on your prior experience.

Wherever needed, recommendations are preceded by a legal reference in a box above the relevant part of the text. This document also contains, at strategic instances, boxes containing good practices, practical examples or additional remarks. Good practice examples are used to promote a certain way a Member State works and are highlighted in green in this document. Practical examples, highlighted in yellow, are used to further illustrate and clarify certain topics for added clarification. Additional remarks, indented in blue, are used to provide additional details and explanations. The blue boxes refer to existing EASO products, training courses or other suggestions for further reading.

How does this guide relate to national legislation and practice? This is a soft convergence tool and is not legally binding. It reflects commonly agreed guidance and practice.

Contents

About the guide	3
List of abbreviations and commonly used terms	6
1. The Dublin system.....	8
1.1. The Dublin procedure	8
1.2. The cornerstone of the Common European Asylum System	8
1.3. The legal framework	9
1.4. Governing principles of the Dublin system.....	9
1.5. To whom does the Dublin III regulation apply?	10
1.6. The territorial scope of the Dublin system	11
1.7. The criteria used to determine responsibility and their hierarchy	11
1.8. Family unity under the Dublin procedure (Article 8, 9, 10).....	13
1.9. Dependency and the discretionary clauses.....	13
1.10. Avoiding secondary movements	14
1.11. Time limits in the Dublin procedure	15
1.12. Evidence in the Dublin procedure.....	15
2. Methodologies for providing information	17
2.1. Types of communication.....	17
2.2. Principles of information provision.....	23
2.3. Promoting understanding.....	28
3. The Dublin pathway	31
3.1. Meet Mahmoud, Bakary, Svetlana and the Al Hamoud family	32
3.2. Information provision on initial contact	33
3.3. Information provision when fingerprinting.....	38
3.4. Information provision when lodging the application	43
3.5. Information provision during the personal interview and the determination of the responsible Member State	48
3.6. Information provision when notifying the applicant about the transfer decision	53
3.7. Information provision for the transfer	56
4. Common misconceptions and counter narratives.....	60
5. Inspiration: additional information channels.....	63
5.1. Being able to locate/contact the applicant	63
5.2. Additional direct contact between the applicant and authority	63
5.3. Providing digital access to information	65
6. Inspiration: cooperation with civil society	67
6.1. Providing contact details of civil society organisations to applicants	67
6.2. Cooperation on family unity	68
6.3. Mitigating challenges in cooperation with civil society	69
Annex I. Checklists.....	70
1. Methodological	70
2. Procedural steps.....	71
3. Dublin criteria	75
Annex II. Family unity possibilities.....	78
Annex III. Timelines of the Dublin III regulation.....	79
Annex IV. Frequently asked questions	80
1. Family unity	81
2. The determination of the responsible Member State	83
3. Deadlines and waiting.....	85
4. Transfers and appeals	87

List of abbreviations and commonly used terms

Beneficiary of international protection	A person that is not a citizen of the European Union or an associated country (Iceland, Liechtenstein, Norway and Switzerland) who has been granted international protection (either refugee status or subsidiary protection)
CEAS	Common European Asylum System
CSO	civil society organisation
Dublin III regulation	Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person (recast)
EASO	European Asylum Support Office
EU	European Union
Eurodac	European Asylum Dactyloscopy Database, established by the Eurodac Regulation (see Eurodac II Regulation)
Eurodac II regulation	Regulation (EU) No 603/2013 of the European Parliament and of the Council of 26 June 2013 on the establishment of 'Eurodac' for the comparison of fingerprints for the effective application of Regulation (EU) No 604/2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person and on requests for the comparison with Eurodac data by Member States' law enforcement authorities and Europol for law enforcement purposes, and amending Regulation (EU) No 1077/2011 establishing a European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice (recast)
Implementing regulation	Commission Regulation (EC) No 1560/2003 of 2 September 2003 laying down detailed rules for the application of Council Regulation (EC) No 343/2003 establishing criteria and mechanisms for determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national, as amended by Commission Implementing Regulation (EU) 118/2014 of 30 January 2014
IOM	International Organization for Migration
Member States	European Union and associated countries (Iceland, Liechtenstein, Norway and Switzerland) applying the Dublin III regulation.
NGO	non-governmental organisation

<i>Non-refoulement</i>	This principle under international human rights law prohibits states from expelling, deporting, returning, or otherwise transferring an individual to another country when there are substantial grounds to believe that they are at real risk of being subject to persecution, torture, inhuman or degrading treatment or another serious violation of human rights.
Take back request	Member States have to take back an applicant whose application for international protection is under examination, has been withdrawn or rejected if the person makes an application in another Member State or is on the territory of another Member State without a residence document. In these cases the Member State where the person is present may request that the other Member State take back the applicant by sending them a so-called take back request.
Take charge request	Where a Member State with which an application for international protection has been lodged considers that another Member State is responsible for examining the application, it may request that other Member State to take charge of the applicant. Such a request is referred to as a take charge request.
Third-country national	Any person who is not a citizen of the European Union and who is not national of a state which participates in Regulation (EU) No 604/2013 (Dublin III regulation) by virtue of an agreement with the European Union (Iceland, Liechtenstein, Norway or Switzerland)
UAM(s)	unaccompanied minor(s)
UNHCR	United Nations High Commissioner for Refugees
VIS	Visa Information System as established by Council Decision (EC) No 512/2004 of 8 June 2004 establishing the Visa Information System (VIS) and defined in Regulation (EC) No 767/2008 of the European Parliament and of the Council of 9 July 2008 concerning the Visa Information System (VIS) and the exchange of data between Member States on short-stay visas

1. The Dublin system

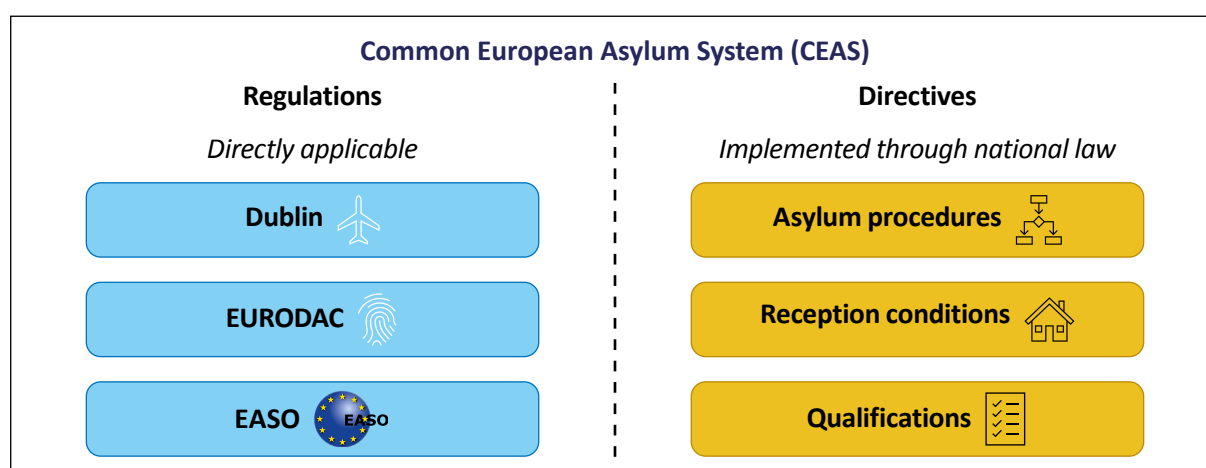
1.1. The Dublin procedure

As soon as a third-country national or stateless person lodges an application for international protection in one of the Member States, that Member State has to assess which Member State is responsible for examining that application. The ground rule of the Common European Asylum System (CEAS) is that Member States have to examine any application for international protection lodged by third-country nationals or stateless persons within the territory of the Member States, and the application will be examined by a single Member State.

The mandatory procedure to determine the Member State responsible for examining an application for international protection lodged in a Member State is set out in the Dublin III regulation ⁽¹⁾. This procedure describes the criteria that should be applied for deciding which Member State shall examine the application. Such criteria include, for example, whether the applicant has a spouse who has already applied for international protection in a certain Member State. Where no Member State responsible can be designated on the basis of these criteria, the first Member State in which the application for international protection was lodged shall be responsible for examining it.

1.2. The cornerstone of the Common European Asylum System

Each Member State has a responsibility to have procedures in place to provide international protection to third-country nationals and stateless persons in need of such protection. Although this responsibility rests on national authorities, the European Parliament and the Council have agreed on common rules in a series of directives and regulations in order to harmonise procedures and to guarantee high standards of protection throughout the Member States. Together, these directives and regulations are referred to as the CEAS. The Dublin system is the cornerstone of the CEAS and aims at effectively determining the Member State responsible for examining an application for international protection.



⁽¹⁾ [Regulation \(EU\) No 604/2013](#) of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person (recast).

1.3. The legal framework

The Dublin system consists of two regulations and an implementing regulation.

The Dublin III regulation ([Regulation 604/2013](#))

The Dublin III regulation is the core of the Dublin system and establishes the Dublin procedure. It contains elements such as the hierarchical criteria to be applied to determine which Member State is responsible for examining an application for international protection, procedural rules as well as the rights and obligations of the applicant in this procedure.

Eurodac II regulation ([Regulation 603/2013](#))

The Eurodac II regulation governs the Eurodac database. Eurodac contains fingerprints of third-country nationals or stateless persons and is used to assist the process of determining which Member State is to be responsible for examining an application for international protection.

Implementing regulation ([Commission Regulation 1560/2003](#) as amended by [\(EU\) No 118/2014](#))

The implementing regulation contains more detailed provisions for Member States to implement the Dublin III regulation. It also contains the full texts of the common information leaflets designed to explain the Dublin procedure to applicants as well as standard forms to be used by Member States when implementing the Dublin III regulation.

1.4. Governing principles of the Dublin system

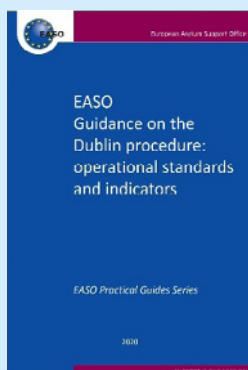
The Dublin system is based on mutual trust and respect between the Member States. All Member States are under a legal obligation to respect the principle of *non-refoulement* and are considered as safe countries for third-country nationals and stateless persons.

The principle of non-refoulement under international human rights law prohibits states from expelling, deporting, returning, or otherwise transferring an individual to another country when there are substantial grounds to believe that they are at real risk of being subject to persecution, torture, inhuman or degrading treatment or another serious violation of human rights.

To guarantee effective access to the asylum procedure, Member States have to cooperate with each other to determine the responsible Member State as soon as possible. The cooperation is particularly important where family reunion possibilities are being explored and in cases regarding children to identify family members.

The strict time limits and the clear responsibility criteria set out in the Dublin III regulation serve the purpose of ensuring quick and fair access to the asylum procedure for applicants for international protection. If a Member State fails to meet the time limit to send a request or to reply to a request, or fails to carry out the transfer in time, it becomes responsible for the application for international protection. Since each case is different, every Dublin case must be examined individually, impartially, and objectively.

Additional EASO guidance on the Dublin system



[EASO Guidance on the Dublin procedure: operational standards and indicators](#)

The overall objective of this guidance is to support Member States in the implementation of key provisions of the Dublin III regulation to achieve a streamlined application, and therefore to strengthen the CEAS. This document aims to provide guidance on how to operationalise the legal provisions of the Dublin III regulation. This document constitutes a tool to support the Member State authorities in the technical operation of the Dublin Units. This guidance also serves as a self-assessment tool.

EASO Training modules on the Dublin system



EASO offers many training modules in the field of asylum, two of which are directly related to the Dublin III regulation.

A comprehensive training course on the Dublin III regulation suited for case officers and administrators.

A comprehensive training course for the identification of potential Dublin cases, suited for front-line officers that might come into contact with potential Dublin cases.

Both training courses are available as 'train-the-trainer' modules which means that once participants pass the modules, they can themselves train staff in your organisation. If you would like to receive additional information on these or other EASO training modules, please contact your national contact point for training or contact EASO at training@easo.europa.eu

1.5. To whom does the Dublin III regulation apply?

The Dublin III regulation **applies to**:

- third-country nationals or stateless persons who have applied for international protection in one of the Member States.

The Dublin III regulation **can apply to**:

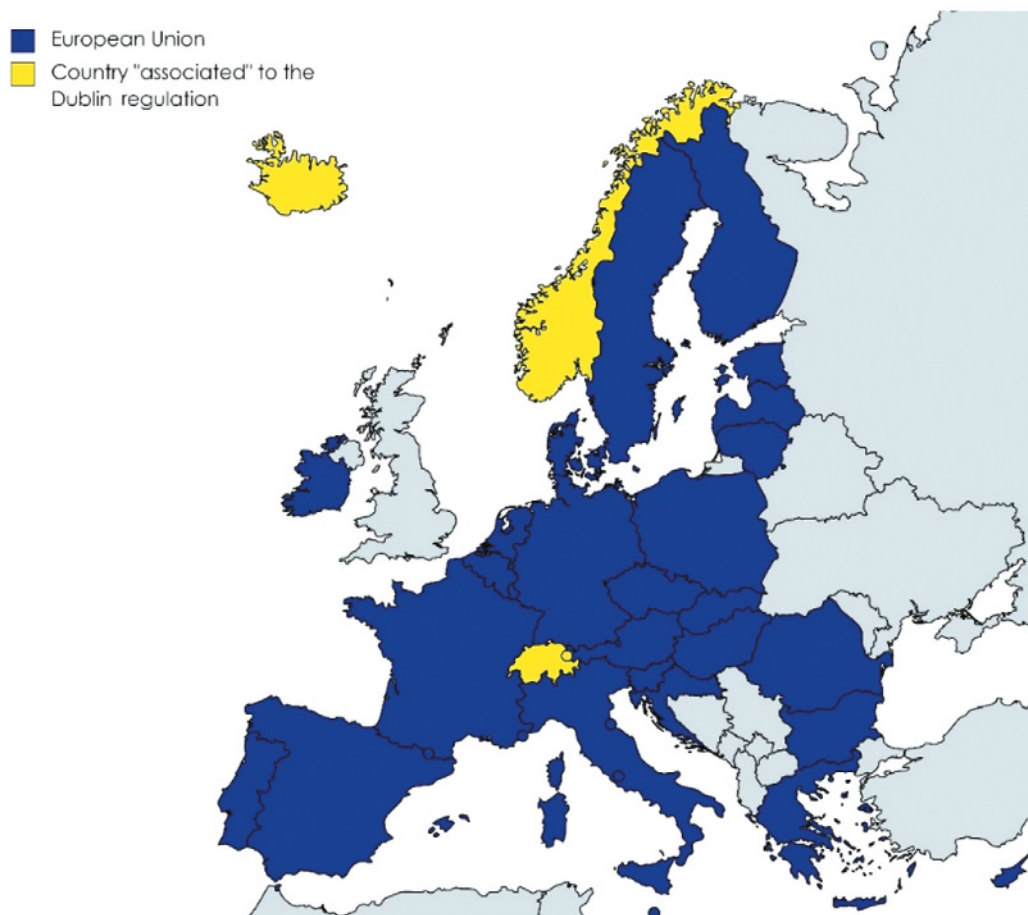
- third-country nationals or stateless persons who are on the territory of a Member State without a residence document but who have previously applied for international protection in another Member State.

The Dublin III regulation **does not apply to**:

- beneficiaries of international protection.

1.6. The territorial scope of the Dublin system

The Dublin system applies to all Member States of the European Union as well as four associated countries (Iceland, Liechtenstein, Norway and Switzerland) applying the Dublin III regulation.



1.7. The criteria used to determine responsibility and their hierarchy

The Dublin III regulation sets out the criteria for determining which Member State is responsible for examining an application for international protection. It is important to explain to the applicant that responsibility can be established on the following grounds:

- family links;
- regular entry and stay;
- irregular entry and stay;
- previous asylum applications.

These responsibility criteria must be applied in a hierarchical order. This means that family links trump regular entry and stay, and so on.

Family links

Articles 8, 9, 10, 11, 16 Dublin III regulation

The responsibility is first determined on the basis of the legal presence of family members in one or more Member States.

Regular entry and stay

Article 12 Dublin III regulation

Responsibility can then be determined on residence documents or visa being issued by other Member States.

Irregular entry and stay

Article 13 Dublin III regulation

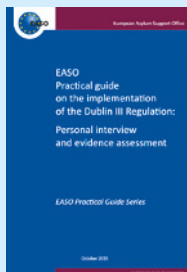
In case of irregular entry into the territory of the Member States, or prolonged irregular stay of more than five months.

The responsibility for examining an application for international protection will be determined by the first Member State in which an application for international protection has been lodged. In cases where an application is lodged by the same applicant in a second Member State, that second Member State will generally ask the first Member State to take back the person concerned because the person previously applied for international protection there. In cases where the first Member State established responsibility with another, third Member State, on the basis of the criteria listed above, such as family links or regular entry and stay, the responsibility will generally lie with that third Member State.

It can be challenging to determine which Member State is responsible for the examination of an application, especially if you have no extensive knowledge of the Dublin procedure, or if your work does not usually concern Dublin, e.g. because you work in a reception centre or you conduct registrations.

It is therefore important to remember to properly collect any information you may find that could help determine the Member State responsible. The Dublin Unit in your country will know how to deal with indications that another Member State may be responsible.

Further reading and training



The **EASO training module for the identification of potential Dublin cases** can help you understand indicators for Dublin cases and how to properly assess them and refer to the responsible Dublin Unit in your Member State. Trainings like these will be offered by your national authority with the help of EASO.

The **EASO Practical Guide on the implementation of the Dublin III regulation: personal interview and evidence assessment** can further help you understand Dublin indicators, how to assess them and how to provide information to applicants on these whilst also getting the information from them you want to know.

1.8. Family unity under the Dublin procedure (Article 8, 9, 10)

It is important for the applicant to understand which persons they might be reunited with under the Dublin III regulation, and which persons fall outside of this scope. You can find more information on this in [Annex II. Family unity possibilities](#).

- If the determining Member State considers that another Member State is responsible for the examination of the application for international protection of the applicant, they can send a request to that Member State to take charge of the applicant.
- The requested Member State needs to accept that they are responsible for the applicant to be reunited with their family members under the Dublin III regulation.
- It should be clearly explained to applicants that the stronger the proof or circumstantial evidence they can provide to prove family relations and/or dependencies the easier it will be to establish the responsibility of the Member State in question.
- In cases concerning adult applicants, a written consent of the applicant is required.
- Cases concerning the family unity of unaccompanied minors should only be facilitated if it is in the best interests of the child, and the determining Member State and the requested Member State should cooperate closely with each other in assessing if family unity is in the child's best interests.

1.9. Dependency and the discretionary clauses

The Dublin III regulation provides some further possibilities for Member States to bring family members or relatives together, or to derogate altogether from the criteria used to determine the responsibility. This concerns the following specific cases.

Dependency (Article 16)

It is possible that applicants depend on the assistance of a child, sibling or parent who is legally resident in a Member State, or vice versa. Member States shall normally keep or bring together the applicant with that child, sibling or parent in case of a pregnancy, a newborn child, serious illness, severe disability or old age. The persons concerned need to express their desire in writing in that case. The Dublin III regulation further requires that the family ties need to have existed in the country of origin already, and that the caregiver is able to provide the assistance needed.

The sovereignty clause (Article 17(1))

A Member State may, at any given time, decide to examine an application for international protection lodged by the applicant in that Member State, even if that Member State is not responsible for the application.

The humanitarian clause (Article 17(2))

A Member State may, at any time before a first decision regarding the substance of an application for international protection is taken, request another Member State to take charge of an applicant in order to bring together any family relations based on humanitarian grounds. These grounds can be based on family or cultural considerations in particular, even where that other Member State is not responsible under the criteria used to determine the responsibility or for reasons of dependency. The persons concerned must express their consent in writing.

1.10. Avoiding secondary movements

The term secondary movements refers to journeys undertaken by third-country nationals and stateless persons from one EU+ country to another without the prior consent of national authorities and for the purpose of seeking international protection or illegal stay (in any EU+ country).

It is important to ensure that the applicant understands that only one Member State will be responsible for examining their application for international protection and that there is no freedom of choice on the part of the applicant regarding which Member State this will be.

It is of particular importance in this context that the applicant understands:

- the hierarchy of the criteria for the determination of responsibility in the Dublin III regulation;
- the possibilities to reunite with family members through the Dublin III regulation;
- that all Member States are bound by the rules agreed at EU level or apply similar national rules with regards to the rights of the applicant on things such as accommodation and other basic needs, and also with regards to the obligations of the applicant;
- the conditions in which the applicants could receive material support in all Member States.

You may want to highlight that:

- if the applicant engages in secondary movements they could be sent back to another Member State, which could delay their access to the asylum procedure.

1.11. Time limits in the Dublin procedure

The Dublin III regulation sets out different deadlines for each step of the procedure. It is very important for applicants to know about them, though all deadlines are not equally important to be aware of at all stages of the procedure.

Not knowing when the decision will be issued can cause stress for the applicant. In order to avoid such a situation, it might be useful to explain the deadlines in general mentioned in the regulation. Depending on the case, this could include: the latest point at which a take back/take charge request has to be made to the other Member State, and within which time-limit the requested Member State must answer the request, as well as the time limit for carrying out the transfer. In any case, the applicant must be informed of the time-limit for lodging an appeal or review against the transfer decision once it is notified to them.

Ensuring that applicants are aware of the deadlines that are relevant to their case and giving them realistic expectations on how long different steps in their procedure may take will contribute towards building trust. It should also be noted that to calculate the deadlines correctly the applicant needs to understand not just how long the deadline is but from what point in time it starts. Take your time to explain the relevant deadlines in your Member State.

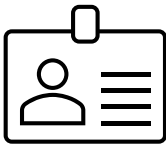
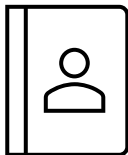


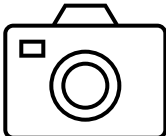

For a graphical illustration of the time limits in the Dublin procedure, refer to [Annex III. Timelines of the Dublin III regulation](#).

Annex II – Implementing regulation

1.12. Evidence in the Dublin procedure

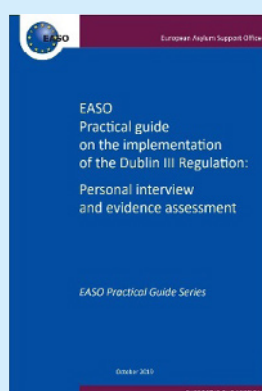
It is important that the applicant understands that a Member State that is requested to take charge of their application will request proof or circumstantial evidence to confirm whether it is indeed the responsible Member State. As such, it is important that the applicant provides any elements which can support their claim to the authorities. Giving practical examples to the applicant of what might constitute evidence can help them to better understand what they should provide to the authorities.

Examples of evidence to highlight to the applicant

Identity documents <ul style="list-style-type: none"> Passport ID card Driver's licence 		Family documents <ul style="list-style-type: none"> Birth certificate Marriage certificate Family book 	
Travel documents <ul style="list-style-type: none"> Tickets and hotel bills Visas Entry/exit stamps 		Official documents <ul style="list-style-type: none"> Residence permits Miscellaneous official documents Extracts of reports from international organisations 	
Personal documents <ul style="list-style-type: none"> Bills Photos 		Medical documents <ul style="list-style-type: none"> Medical reports DNA test results 	

It is important to give the essential elements of information on all relevant topics where you might want an applicant to provide evidence. For example, if an applicant is unaware of the dependency criteria they might not think about disclosing the fact that they have a dependent relative. On the other hand, if the applicant clearly states they do not have a dependent relative they will not need detailed information on all the procedural aspects of this part of the procedure. You can read more about adapting your message to the applicant in the next chapter on methodology.

Additional EASO guidance on the Dublin system



[EASO Practical guide on the implementation of the Dublin III regulation: personal interview and evidence assessment](#)

This guide assists the reader in conducting the Dublin personal interview with an applicant for international protection. It also supports the user in conducting an objective and impartial individual assessment of the evidence by applying the legal criteria and common standards equally. This guide is primarily intended for staff working in Dublin Units, registration officers, case officers and border guards, who conduct interviews with applicants and carry out the assessment to determine the responsible Member State on behalf of the national competent authorities.

2. Methodologies for providing information

Providing information to applicants under the Dublin procedure can be done in various ways and forms. You might find yourself explaining the Dublin procedure to a family of six, or you might be operating a hotline for impromptu calls for updates on the status of an applicant's procedure. You might be designing a poster on family reunion or an animation for use in a reception centre on the consequences of absconding from the facility. In all these instances, you are looking to provide information to applicants on the Dublin procedure. This chapter describes the most common methodologies for doing so in an efficient and effective manner.

Further training on information provision



The provision of information to applicants is generally considered a special expertise. Methodologies for the provision of information are briefly explained in this chapter, but to understand the full complexity of the subject and to be able to use that knowledge in practice, EASO recommends following a dedicated training module on the subject.

In this regard, EASO offers a module entitled **Communication with and information provision to asylum seekers**, which outlines the skills needed in designing, planning and implementing cross-cultural communication strategies. The aim of this module is to enable practitioners to assess the information needs of persons in need of international protection, applicants and potential beneficiaries of international protection, which will eventually allow the trainee to adapt and disseminate accessible messages through appropriate channels.

If you are interested in attending EASO training sessions please get in contact with the person responsible for training sessions within your authority in order to receive additional information.

2.1. Types of communication

This paragraph describes the most common forms of communication with applicants with a description of the most common communication channels, points of attention, suggestions and dos and don'ts.

2.1.1. Choice of communication channel

Some ways of communication are a better fit for your audience than others. It is therefore important to select the appropriate communication channel beforehand. When you select a communication channel, make sure the channel follows the principles below.



Available

make sure you can use the channel you choose



Fit for your objectives

make sure that you choose the channel that ensures you meet your communication goals



Fit for your audience

make sure the channel you use is adapted to the person(s) you address

Practical example

You need to explain the next step in the Dublin procedure to an unaccompanied minor. You choose to hold a quick conversation with the applicant and their representative because it is important that the child understands you well. You meet in a child-friendly interview room.

There are other factors that are important to bear in mind when selecting a communication channel. These include the:

- **time** it will take to convey your message
- **complexity** of your message
- **confidentiality** of your message
- need to **record** your message

Practical example

You choose to put up posters in the waiting room because you want to tell all newly arriving applicants that it is important to share information about family members present in Europe so you can consider reuniting them.

Mix your ways of communication

In practice, you will probably use different communication channels for the same activity. In the Dublin procedure, you will use brochures, you will explain the procedure in the Dublin personal interview, and you might have posters in the office on the procedure for family reunion. This mix of communication channels helps increasing the impact of your message because:

- applicants can be hard to reach through one form of communication only;
- applicants can find your message hard to understand.

Therefore, mixing various forms of communication helps to strengthen the message and the understanding of that message.

2.1.2. Verbal communication

Verbal communication is the most common form of communication. When providing information on the Dublin procedure orally, you can find yourself explaining the process to an individual applicant, but maybe even to a larger group during a dedicated information session. Providing information verbally is the most commonly used method, but it can be challenging nevertheless. When providing information verbally, whether to a group or to an individual, consider to follow the points below.

Speak with a **slow and easy pace**

- When speaking to an individual or a group, do not speak too fast. You have probably shared your information many times before, but your audience will probably be hearing it for the first time.
- Speaking slowly, at an easy pace, allows your audience to keep up with you. Speaking at a slower pace might also help interpreters understand what you say, which in turn improves the quality of the message.

Choose the **right language** when speaking

- Complex words and sentences are best avoided when you provide information. This does not mean you should 'dumb down' your message.
- Use instead relatively short and clear sentences. Start with what is most important and skip unimportant details.
- Explain (parts of) your message a bit more, in different words, if necessary.
- Repeat the main points of your message. Address the applicant directly, say 'you should' instead of 'one must', for example.

Use an **appropriate volume** when speaking

- It is important that people can hear you properly when you speak. This is also a ground rule: use the volume that you need to make yourself heard, but no louder than that.
- Speaking very loudly or shouting can be seen as aggressive, especially when addressing an individual. However, it can be necessary when you want to give instructions to a large group.
- A question such as 'can you hear me well?' before you start can help you to adjust your volume.

Make use of the **tonality of your voice**

- The tone of your voice matters as it can help you emphasise a message or connect with an applicant.
- For example, indicate a message is important by using a serious tone. If you are addressing a minor, a friendly tone can help you to connect with them.

Even **when you make use of interpreters and/or cultural mediators** in your procedure, it is best to maintain the above approach. Even when your audience has a limited understanding of what you say without the interpretation, the way you say it still matters and encourages active listening and increases understanding.

Digital communications

With the introduction of more ways to **communicate with applicants digitally or over the phone**, you might find yourself talking to them through this medium more often. Consider that both online and over the phone, it is much more difficult to notice clues from the non-verbal communication of the applicant. It is also important to note that the impersonal atmosphere makes it harder to build trust with the applicant.

When you choose to communicate by phone or online only:

- check your connection so you are sure your message reaches the applicant;
- verify whether your message reached the applicant, see also [Section 2.3. Promoting understanding](#);
- talk slowly and pause more often to verify if there are any signs that the applicant has misunderstood the information;
- support your message with the appropriate non-verbal feedback, see also [Section 2.1.3. Non-verbal communication](#).

2.1.3. Communicating through an interpreter

If you are not fluent in a language that the applicant understands you will have to make use of an interpreter. When providing information to an applicant through an interpreter make sure to follow the points below.

Avoid using complex words and sentences	{	<ul style="list-style-type: none"> ■ Avoid complex words and sentences. Even trained interpreters might be confused with complex procedures and terminology. ■ Ensure that the interpreter is comfortable to let you know if they are having problems understanding something.
Speak directly to the applicant	{	<ul style="list-style-type: none"> ■ Speak directly to the applicant and then allow to the interpreter to proceed with the interpretation. ■ The applicant should understand that you are addressing the message to them and not to the interpreter.

EASO training on interpreting in the asylum context



EASO offers a specialised training module entitled ***Interpreting in the asylum context*** designed specifically for interpreters working in the asylum context. The module provides a general overview of the asylum context from the perspective of interpreters and the main interpretation techniques needed in asylum processes.

2.1.4. Non-verbal communication

Whenever you are in direct contact with someone else, your body speaks too. Therefore, whenever you provide information to an applicant, your body language matters. Remember that body language can reinforce what you are saying.

- Say **hello with a smile**

 - When greeting an applicant, have a positive and empathetic attitude.
 - For example, you can say hello with a smile. When you smile, you signal to other people that you are not dangerous and it helps build trust.
- Try to keep **neutral facial expressions**

 - Begin with using a neutral, open facial expression. This helps you to get the message across without confusion and you leave room for the response of the applicant.
 - Of course, you can adapt your facial expression to the response you get, but retain a professional attitude.
- Consider your **posture**

 - Avoid things like crossing your arms, sitting on a table or turning your back to the applicant as this might give an unprofessional impression to the applicant.
- Give non-verbal feedback** to the applicant

 - When listening to an applicant, you can signal that you hear and understand what they are saying by nodding.
 - You can also raise your eyebrows to indicate that you did not understand.
- Use your hands

 - Neutral hand gestures can help explain what you mean.
 - For example, you can count to six on your fingers when explaining the six-month transfer time limit.
 - Avoid aggressive hand gestures or pointing at the applicant with your finger.

Be aware of cultural differences. Non-verbal feedback from an applicant can indicate that they understood what you said, for example because they were nodding when you were speaking. However, this can also be done out of respect while the message itself was lost. Your non-verbal signals matter as well. Your message might seem like good news to you, but it can be received as something negative by the applicant. Leave room for their emotional response as well by maintaining a professional and neutral attitude.

2.1.5. Written communication

When you write a letter, a notification or a decision, you are using an indirect medium to communicate and provide information to the applicant. Written communication can be used when a message does not require face-to-face interaction or immediate feedback. It can be very effective to convey large amounts of information, but it can also be misunderstood, especially if there is no room to ask follow-up questions.

Therefore, it is advised to follow the tips below.

- | | | |
|---|---|--|
| Use accessible language | { | <ul style="list-style-type: none"> ▪ When providing information in writing, make sure you use uncomplicated and direct language. ▪ Short sentences and easily understandable words help to convey your message. |
| Apply visuals to support your text | { | <ul style="list-style-type: none"> ▪ Visuals can improve the comprehension of your text. ▪ Even when providing an illiterate person with information in writing, such as information on the procedure, visuals can help understanding when the content is explained to them because meaning can be applied to the visuals instead of the text. |
| Make translations available | { | <ul style="list-style-type: none"> ▪ Make sure that you have the documents that you intend to provide to the applicant ready, in a language that they can understand, and take some time to explain what the documents that you will give them contain. ▪ Even when an applicant tells you they speak English as a second language, consider providing the written information in the mother tongue as well for increased understanding. |
| Make room for follow-up questions | { | <ul style="list-style-type: none"> ▪ You can increase understanding of the information you provided in writing by explaining the contents, but also by giving room for questions later, after the applicant read the document. ▪ This is a common practice when giving the Dublin brochure, for example. |

2.1.6. Audio-visual broadcasts

Another communication channel that might be overlooked for providing information on the Dublin procedure is broadcasting. This can be done through audio-visual means, or through audio or visual means only. You could use videos, radio broadcasts, static posters or animations to explain parts of the procedure.

One element that characterises these means to communicate with an applicant is that the information is sent one-way only and there is no exchange. The fact that the information is broadcasted means there is probably a lot of distractions, which makes broadcasts less suited for intricate, detailed messages.

This means that your message should follow the tips below.

- | | | |
|-----------------------------|---|---|
| As clear as possible | { | <ul style="list-style-type: none"> ▪ Avoid complicated messages that need a lot of explaining. ▪ Focus rather on one message only, use clear wording and make use of visuals. |
|-----------------------------|---|---|

As **accessible**
as possible

- Consider that some of your message might get lost due to external factors or distractions.
- Therefore, repeat your message, use subtitles where possible and refer to a source where your message can be re-read with additional explanation.

As **targeted**
as possible

- Avoid aiming your message to a large group of applicants.
- Instead, try to tailor your message to smaller, more unique groups so they can better identify with your message and are more likely to act.

Practical example

Your authority wants to increase the use of the family reunion procedure under Dublin. You therefore choose to run a campaign, focused on unaccompanied minors, with posters, short announcements on screens in the reception centre and advertisements on social media with the message: 'let us know if you have family in another country'. This way, you do not have to explain the whole procedure, just one element of it, which ensures that the message will more easily reach its target audience.

2.2. Principles of information provision

As highlighted in [Section 2.1.6. Audio-visual broadcasts](#), there are a couple of principles that apply when providing information to applicants. You should prepare well, know your audience and adapt your message to the applicant as much as possible. These principles are briefly explained in this section.

2.2.1. Situational awareness

When providing information to an applicant in person, it is important that you create the right environment for your discussion. A well set-up environment can help the applicant feel more confident to interact with you, feel less distracted and allow them to take in the information you provide as much as possible.

**Put the applicant
at ease**

- If possible, do not start with your information session right away.
- Instead, leave some time for a proper introduction and light conversation to break the ice and to build trust between yourself and the applicant.

**Use a place
that allows
confidentiality**

- The applicant might wish to disclose personal information with you, therefore, choose a place that allows for a private conversation so the applicant can ask questions or share information without being overheard.

Speak to **individuals rather than groups**

- When providing information, try to avoid addressing larger groups at once.
- Instead, break up into smaller groups, so distractions can be minimised and you can properly address individual questions and circumstances.

Good practice

For applicants with certain vulnerabilities, dedicated rooms are used to have a private conversation. For example, unaccompanied minors get their information in a child-friendly environment with a guardian present. It can also be a good practice to be gender sensitive, for example by involving female interviewers and interpreters where relevant and possible.

2.2.2. Cross-cultural awareness

When providing information, it is important to be aware of cultural differences. The more that is understood about other cultures the easier it is to avoid that you misunderstand the applicant or that the applicant misunderstands you. This will make the information provision more effective.

Be aware of **your position**

- As an information provider, you have an official position in the asylum system. Therefore, in the eyes of the applicant, you are in a position of power.

Assess the **needs of your audience**

- Each applicant is different. Try to be proactive to notice any special needs that the applicant might have.
- It is not uncommon that an applicant is not aware of their special needs and the support that can be provided to them.

Retain an **open attitude**

- In case of silence, gaps in a reply or an incomprehensible answer, you might be tempted to make assumptions, this is only human. However, try to avoid interpreting things that the applicant has not said or put in writing.
- Remember that you might also misunderstand the applicant.
- Categorising people immediately after meeting them is a normal reaction. However, try to stay open-minded, regardless of previous personal and professional experience.

Avoid **assumptions**

- Even though statistically applicants from certain countries might for example be more commonly affiliated with certain political, religious or social groups avoid making such assumptions about the applicant in front of you without knowing about their individual case.

Be respectful

- Even when you yourself are not treated with respect, try to remain respectful yourself because this is one of the few ways to build trust and to receive respect back.

Words can have different meanings

- Be aware that words can have different meanings in different cultural contexts or be used in different ways.
- For example, if you are discussing terms such as 'family', brother, sister, aunt, uncle etc. ensure that you have the same understanding of the terms used.

2.2.3. Preparation

The best way to avoid surprises and to be effective in providing information is by being prepared.

It is important that you always **familiarise yourself with the case** to adjust the main points of the provided information according to the individual needs and circumstances of the applicant. Especially when you have little time to prepare and/or to provide your information, knowing what information is most vital to the case at hand can make a huge difference. Do note, however, that the applicant might not have disclosed all relevant elements before your meeting. It is important not to neglect to explain the principle of family reunion for example just because the applicant did not previously disclose the presence of family members in a Member State.

Therefore, it is advised to follow the tips below.

Know your audience

- When preparing for an information session, look at the needs of your audience.
- Who are they, why are they here, and what information is necessary/useful for them at this stage of the procedure? What are they searching for?
- The guiding questions above can help you determining what you will say, why, how and when.

Have support material at hand

- If you can, try to have all handout materials and other tools (in the correct language versions) at hand.

Know where to refer for extra information

- Your audience might have extra questions that you cannot answer right away.
- You can prepare additional sources where the applicant can look for extra information.
- You can also have a list of referrals where the applicant might turn to receive necessary additional support.

2.2.4. Adapting the message to the audience

The information provided should be as relevant for the applicant as possible: a message, tailor-made for the audience, will stick better. Therefore, if you can adapt your message to your audience, you can be more effective when providing information.

Determining the audience

There are many ways to categorise people. You can break down communities according to age, sex, ethnicity, education, legal status, etc. All these factors can determine how a message is received and understood, thus it is important you assess your audience well and prior to giving information. In this way, you can optimise your message to the person(s) in front of you. This increases understanding, concentration and trust between you and the applicant. This also makes the process more efficient for you.

When providing information on the Dublin procedure, the most common factors to consider when adapting your message include the following.

- **Stage of procedure** e.g., after registration, it is less relevant to explain that stage again
- **Age** e.g., children require child-friendly language and more time
- **Literacy level** e.g., use less or no text and more visuals for a low degree of literacy
- **Education** e.g., having a degree does not mean the applicant will already know the Dublin procedure
- **Language** e.g., bring an interpreter if you do not speak their language
- **Vulnerabilities** e.g., applicants with a vulnerability require a specialised, expert approach

Practical example

You are planning an information session for a family under the Dublin procedure. Since the family has already been registered, you focus on the next stage for them. The family has children aged 10 and 12 and for them you bring some visuals to support your message. Since the family only speaks Farsi, you have arranged for an interpreter to be present. You briefly speak with the interpreter before the session to explain what you will be doing.

Vulnerability

Vulnerable persons should be specifically taken into account. People may be vulnerable if they are, for example, children, unaccompanied minors, persons with disabilities, elderly people, pregnant women, single parents with minor children, victims of trafficking in human beings, persons with mental disorders, victims of serious forms of psychological, physical or sexual violence or if they have needs based on sexual orientation and gender identity and expression of sex characteristics (upon self-identification).

Be aware that the person in front of you may be vulnerable and have special needs that require particular attention. The person may be in need of specific information and/or needs a different communication channel and strategy. **Not all vulnerabilities are visible.** It is possible that a vulnerability has not previously been noticed by your colleagues.

Adaptation methods

There are different ways to adapt your approach to information provision to your audience. Consider the tips below.

- | | | |
|--|---|---|
| Adapting the message | { | <ul style="list-style-type: none"> ▪ When you notice that your audience has difficulties following your message, or when you consider prior to speaking to them that they might have difficulties understanding what you are planning on saying, consider rephrasing your message. ▪ For example, use shorter sentences, use (more) support material, give (more) examples and use more check questions. See also 2.3 on promoting understanding. |
| Adapting your approach | { | <ul style="list-style-type: none"> ▪ In case your audience has special needs when providing information, consider moving to a private meeting room, engaging cultural mediators to help convey the message or mix various communication channels into your approach. |
| Adapting your environment | { | <ul style="list-style-type: none"> ▪ Consider the environment in which you are providing information. Things to consider include ensuring the room is bright enough, and avoiding a prison-like environment. A few small adjustments can go a long way. ▪ If possible and relevant consider applicant preferences for staff of a particular gender. |
| Taking more time, or taking a break | { | <ul style="list-style-type: none"> ▪ Your audience might have difficulty understanding you, or might find it challenging to stay focused for a long time. ▪ Taking more time for your session or taking one or more breaks during your time with the applicant can help them process what you said and increase understanding and trust. |

Practical example

You have been told that you will be registering an elderly applicant. Since you will be providing some preliminary information about the Dublin procedure at this stage, you prepare by gathering brochures and some additional support material because you think the applicant might have vulnerabilities that you are not aware of yet, such as being hearing impaired or illiterate. You also notify your manager that you might need extra time with the applicant to properly explain what is happening and what the next steps will be.

2.3. Promoting understanding

For your message and your efforts in providing information to be effective, it is important that you check whether your audience understood what you told them and that you act appropriately if they did not understand. This part covers verification methods, ways to get feedback from your audience, additional ways to follow up with the audience after you provided information, and the importance of tackling misinformation.

2.3.1. Verification methods

In order to learn whether your audience understood what you told them, you need to **actively** check whether the applicant grasped what you shared with them.

Verification methods you can consider are:

- | | | |
|---|---|--|
| Encourage applicants to take notes | { | <ul style="list-style-type: none"> ▪ At the start of the information session, if the applicant is able to write, you can encourage them to take notes during your conversation. ▪ Towards the end of the session you can go through their notes together to see if anything was unclear or complicated. |
| Summarize what you said and check | { | <ul style="list-style-type: none"> ▪ After your conversation, or after a dedicated section of information, you can summarise what you said by highlighting the main points again and ask if the applicant understood what you said. |
| Ask a test question | { | <ul style="list-style-type: none"> ▪ Without “quizzing” your audience on their knowledge, you can ask a more detailed question to see if a particular point came across, think of asking ‘can you tell me where you need to be?’ when you just explained an upcoming appointment. |
| Let them repeat in their own words | { | <ul style="list-style-type: none"> ▪ You can ask your audience to repeat what you just said, in their own words. ▪ This way you will be able to determine if there are any misunderstandings or if the applicant missed important information. ▪ Also, this method will allow your audience to better remember what you said. |
| Give room for further questions | { | <ul style="list-style-type: none"> ▪ Ask the applicant if they have questions. Proactively asking the applicant if they have any questions is a good way to show early on that you are interested in their feedback and questions and can give you an idea of their main concerns. |

Try to avoid verifying understanding with the applicant only after you are done. It can be challenging to go back to a certain point, and the applicant can be discouraged to tell you they have not understood what you said after you just gave a lengthy explanation. Therefore, **divide your message into segments and after each segment, ask whether your audience understood what you said**. Give some time also to the applicant to ask questions at the end of the session.

2.3.2. Audience feedback

When verifying whether your audience understood the information you just gave to them, you can check for various forms of feedback that is less explicit than the reply you get on a question to check whether the applicant has understood. Both the verbal and the non-verbal reactions from your audience hold information that you should be aware of.

Verbal feedback

Although an applicant might truthfully respond ‘yes’ when you ask if they understood what you have explained, there are many reasons why they might answer ‘yes’ even though they did not actually understand. This could be because the applicant might:

- feel **shy**;
- appear shy because **they are used to more indirect forms of communication**;
- feel hesitant to come forward because **you are seen to be in a position of power**;
- feel afraid to tell you that they have not understood because **they do not want to be seen as making mistakes**;
- **think that they understood** the information that you provided, but actually did not;
- have **understood some but not all** of the information;
- feel **tired** and say yes to end the information provision session faster.

Non-verbal feedback

When you communicate with other people, you use a combination of verbal and non-verbal cues. For more on this topic see [Section 2.1.3. Non-verbal communication](#). You can be alert of non-verbal signs with which the applicant (unknowingly) lets you know that they did not understand what you said. Think of the following signals:

- **facial expressions** like frowning or yawning;
- **looking around the room** or staring;
- **change of mood** or change in tone of voice;
- **crossed arms**;
- a **shaking head**.

See [Section 2.3.1. Verification methods](#) for additional insights into the applicant’s understanding.

Especially regarding the Dublin procedure, many falsehoods circulate that you can come across when in contact with an applicant. It is important that you counter these, but it is important that you do so tactfully.

Do not outright say that the applicant is wrong, this might confirm any mistrust that the applicant already has. Instead, ask them to explain to you what they think of the Dublin III regulation, or invite them to explain what they heard about (an aspect of) the Dublin III regulation. Then, **try to counteract falsehoods by explaining the real situation or procedure** and try to support what you say with information materials such as a leaflet, a map or other forms of support material.

2.3.3. Follow-up

Even after you have finished providing information, it can be worthwhile to follow up with your audience to ensure their understanding of your message. Consider the following points, for example.

Proactively reach out to an applicant

- After you are done, you can decide to reach out to the applicant to ask if there are any remaining questions, and to explain some key messages once more to ensure these are understood.
- For Dublin, this can be useful because of deadlines that apply at certain steps of the procedure.
- Proactively reaching out to vulnerable applicants in particular can help to reduce anxiety about the procedure.

Enlist help from others

- Vulnerable applicants and applicants that find it challenging to trust you, can especially benefit from having someone they do trust reiterate what you explained to them.
- You can ask a civil society organisation (CSO) to help you out, or another applicant in their social circle, to repeat your key message(s) to ensure understanding.
- This is particularly important in cases of deadlines and where compliance is needed, such as with a pending Dublin transfer.

Provide a written summary

- After you are done providing information, you can provide a short summary in writing and/or with icons to help the applicant prolong their understanding of what you said.
- Do not forget to explain what is in the written summary.

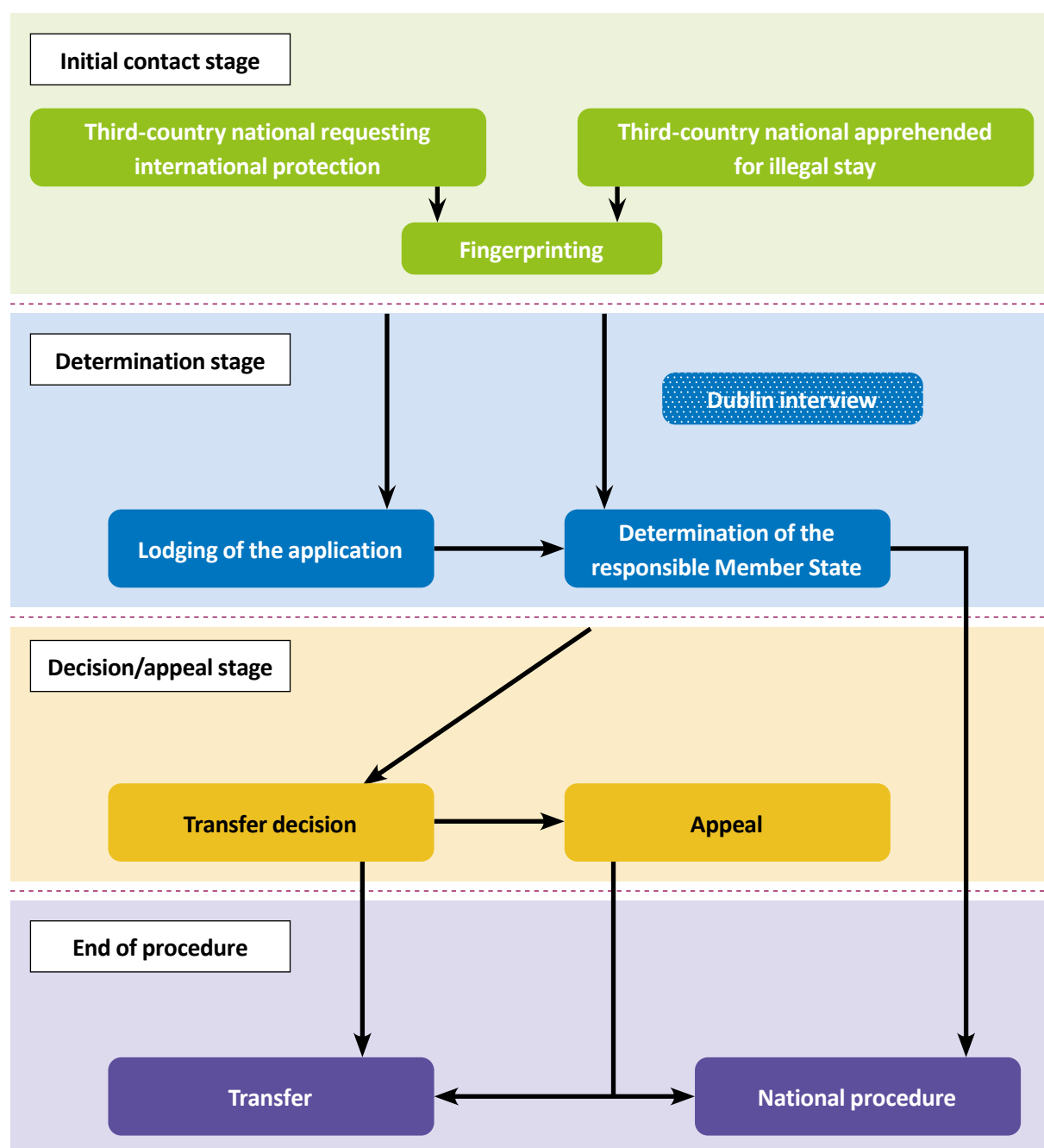
Refer to other sources

- During your information session or in your communication products, you can always refer to other sources you may have for further information.
- You can for example choose to have a webpage with frequently asked questions (FAQ) and a contact address where applicants can reach out to for further information and any follow-up questions that come up at a later stage.

3. The Dublin pathway

This chapter examines the information needs of applicants during the various stages of the Dublin procedure. It should be noted that the procedural and organisational setups across the Member States may differ slightly and cannot be assumed to be uniform. These setups might not therefore reflect the exact steps in every Member State. It should also be noted that the goal is not that information on specific topics should only be shared once. Repetition of information at relevant stages is an important part of ensuring that applicants understand and remember the information.

Flowchart of the Dublin procedure



3.1. Meet Mahmoud, Bakary, Svetlana and the Al Hamoud family

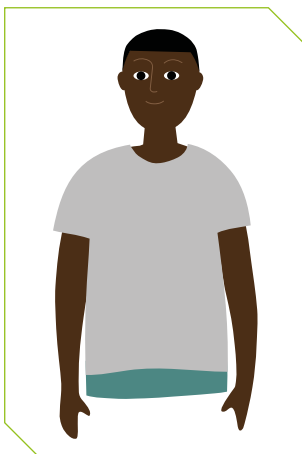
The content provided in this chapter is accompanied by three fictional applicants and a family of fictional applicants. These fictional applicants will help to illustrate some of the individual considerations that might need to be taken into account with regard to information provision on the Dublin procedure to different applicants. Please note that the examples are not intended to be an exhaustive compilation of all the information to provide but rather to provide some examples of where you might want to focus your information provision efforts. Since procedural steps and organisations continually change, the examples are also not intended to provide exact descriptions of the procedures in use in different Member States.



Mahmoud



Mahmoud is a 15-year-old boy from Afghanistan. He has left Afghanistan because of the conflict in his home country and wants to go to school in Europe. He has arrived in Bulgaria from Turkey after crossing the land border irregularly. He is travelling to Europe together with a small group of friends that he met on the way, and he wants to reach his uncle who lives in Norway.



Bakary



Bakary is 32 years old and comes from a small village in the Ivory Coast. He recently lost his job as a mechanic. With no means to support himself in his country, and no family to help him, Bakary sees no future for himself in his country and is desperate to seek a better future in Europe. He travelled on a boat from Libya to Italy where he entered the country irregularly and continued his route to Austria where he lodged an application for international protection. Bakary is now in Switzerland where he has been apprehended for illegal stay by the authorities. He is currently undergoing medical treatment for severe asthma.



The Al Hamoud family

The Al Hamoud family is seeking refuge from the civil war in Syria. The father Tariq worked as a farmer outside of Aleppo and his wife Fatima was a housewife. Tariq can read a little, but Fatima does not know how to read and write. They have two children, a boy of 5 years old called Samir and a girl of 15 years old called Amira. They have just arrived in Cyprus from Turkey.



Svetlana

Svetlana is 56 years old and comes from Minsk in Belarus where she worked as an architect. She has left Belarus because she is afraid that the police will arrest her for participating in demonstrations against the government.

She has arrived in Poland on a tourist visa intending to apply for international protection. Her mother has been living in Germany for a few years and is severely disabled after a recent stroke.



3.2. Information provision on initial contact

There are many different categories of officials that may be the first to meet a third-country national or a stateless person who could be subject to the Dublin III regulation. The person in question might have only just arrived in the EU to request international protection or they might have been apprehended for illegal stay having already spent some time in different Member States, where they may or may not have asked for international protection.

All third-country nationals and stateless persons asking for international protection, as well as third-country nationals and stateless persons apprehended for illegal stay in a Member State but who have previously applied for international protection in another Member State, may be subject to the Dublin III regulation.

It is therefore important that they are provided with information on the Dublin procedure at an early stage.

3.2.1. Persons apprehended for illegal stay

In these cases it is important to inform the third-country national or stateless person of their situation, and the next steps for the authorities. If there are indications that a person might wish to apply for international protection they should be provided with the relevant information on how to do this and also on how they can access independent legal counselling..

If the person does not wish to apply for international protection in the Member State where they are currently present, they might still be subject to the Dublin III regulation if they have already lodged an application for international protection in another Member State.

3.2.2. Persons applying for international protection

Member States have organised their procedures in different ways for situations where a third-country national indicates that they would like to apply for international protection. In some Member States, the application is registered and lodged almost immediately, whereas in other Member States there might be a gap between this moment and the lodging of the application.

Article 20(2) Dublin III regulation

It is always a good idea to provide the applicant with some basic information on the Dublin procedure as early as possible, especially if the formal registration and lodging of the application does not take place at the same time.

Additional EASO guidance on the Dublin system



You can find more information on the difference between making, registering and lodging an application in the EASO practical guide on access to the asylum procedure (p. 4) available [here](#).

3.2.3. Key information to provide on initial contact

It is good to provide some **basic information on the Dublin System and the CEAS** even before the lodging of an application. At this stage it could be good to let the applicant know that the Dublin III regulation sets out the criteria and mechanisms determining **which Member State is responsible** for examining their application and that they cannot choose which Member State will be responsible for this.

It can also be good to let the applicant know that **all Member States are bound by the rules agreed at EU level or apply similar national rules** with regards to the rights of the applicant on things such as accommodation and other basic needs, and also with regards to the obligations of the applicant. Let the applicant know that it is **important that they cooperate** with the authorities and that absconding or damaging their documents will not benefit the procedure and will not help the applicant to avoid the determination process. Informing applicants of their **right to access NGOs, interpretation**, etc. can also be a good way of building trust.

Informing applicants early on about the family unity provisions of the Dublin III regulation **can help to ensure that applicants provide the needed** proof or circumstantial evidence **of family ties that might enable a reunion**. Let the applicant know that if they have family members that are present in a Member State that the Dublin III regulation can be applied to reunite the applicant with their family. You may also want to explain who is considered a family member, and in the case of an unaccompanied minor also a relative, in the Dublin III regulation (see [Annex II. Family unity possibilities](#)) and that both parties will need to consent in writing to be reunited. Inform about the opportunity for applicants to be reunited with specific persons if they are either dependent on these persons, or if the persons concerned are depending on the assistance of the applicant (see [Chapter 1.9 Dependency and the discretionary clauses](#)).

You should also inform the applicant that **if they do not have family members in other Member States**, an issued residence permit, visa, a border crossing or stay in a specific country can affect which country is responsible. If they have any documents or elements that can serve as evidence with regards to entry, stay or residence they should gather this and present them to the authorities.

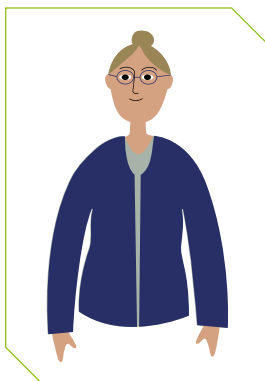
If the applicant is a child you should let them know that the best interests of the child is a primary consideration of Member States when applying the Dublin III regulation and that an unaccompanied minor will have the right to a representative. If the applicant has a vulnerability, let them know that they are entitled to specific safeguards and guarantees, and how to access these.

Remember that how you adapt to the situation in which you are providing the information can have an important effect on the outcome. Read more on methodology in [Chapter 2. Methodologies for providing information](#).

Remember



- Provide information on the Dublin procedure as early as possible
- Underline that all Member States are bound by rules agreed on an EU level or apply similar national rules
- Let the applicant know that they have rights and obligations and that it is important that they gather and provide evidence of family members and relatives present in other Member states
- If the applicant is a vulnerable person, inform them of the specific safeguards and guarantees that may apply, for example, in the case of a child inform about the best interests of the child and that an unaccompanied minor will receive a representative



Svetlana



After arriving to Warsaw, Svetlana informs the authorities that she would like to apply for international protection.

Provide general information on asylum and Dublin procedure

- As an immigration officer at the airport, you inform Svetlana about the asylum procedure and explain that there is a European Union system in place that is used to determine which Member State will examine her application for international protection, called the Dublin procedure.
- You give general information on the rights of applicants for international protection, including her right to accommodation, legal assistance, right to access NGOs, interpreters, etc.
- You explain that she cannot choose which country will examine her application. All Member States follow similar rules throughout the process of examining the application for international protection, and they respect the same safeguards during the procedure.

Inquire about presence of family members or potential dependency link

- You ask Svetlana about any potential vulnerabilities she has, and if she has family members or relatives in other Member States, or if she has any relative or family member who needs to be looked after.
- A family member is her spouse or minor children. If she has family members in the EU, or Norway, Iceland, Switzerland or Lichtenstein, she can be reunited with them. You explain to her that for this, it is important to provide all information so that the authorities can locate the family members. She also has to provide consent to this in writing.

Manage expectations: inform on next steps

- Svetlana tells you that her mother is in Germany and she needs to be looked after because she had a stroke and she is now disabled.
- You explain to Svetlana that she will be asked to provide more information on their relationship, and she will be asked to present documents to prove their relationship, or any information or document about her mother's situation. You explain to Svetlana that she also needs to give information on the dependency link: how her mother depends on Svetlana's care.
- You also explain to Svetlana the timelines that are applicable in the procedure, and inform her that the procedure might take a couple of months.

Explain the obligations of the applicant

- You tell Svetlana that she should stay in Poland. Since she entered Europe by using a visa, and that she is applying for international protection in Poland, it is likely that in case she applies for international protection in another country, she will be sent back to Poland.

Hand over the appropriate leaflet

- You give Svetlana a leaflet entitled '*I have asked for asylum in the EU – which country will handle my claim?*', detailing all the information mentioned and where she can ask for help from UNHCR, IOM or NGOs, if need be.



Mahmoud



Mahmoud has arrived in Bulgaria and he tells you that he wants to apply for international protection. You are a police officer at the border of Bulgaria. A representative is appointed to Mahmoud.

A representative is appointed

- You explain to Mahmoud that because he is a child, a representative or guardian is appointed to him who will help him throughout the procedure.
- The representative will make sure that Mahmoud's best interests are always respected. This means that he will always stay in a safe and secure place, he will always be heard, and it is important that he always shares what he thinks with the representative or the personnel in the reception centre. It is a priority that he feels well, he can be with other children, such as with his friends, and can learn as well.

Inquire about family members in the Member States

- You ask Mahmoud if he has any family members in any of the Member States, or Norway, Iceland, Switzerland or Liechtenstein.
- You explain to him that if he has any family members, siblings or relatives living in the EU, it is important that he tells so because he can be reunited with this person. For this, it is important to give this person's personal details and where they live so that the authorities can contact the person.
- You explain that he should only be reunited with family members or relatives if that is considered to be in his best interests.

Manage expectations: next steps

- Mahmoud tells you that he has an uncle in Norway. After registering this information you explain to Mahmoud that he will be asked further questions about his uncle, and it is important that he tells everything to the officers because they can help Mahmoud joining his uncle quickly.

Explain the obligations and the rights of the applicant

- It is important that Mahmoud stays in the country as it can be dangerous for him to leave. You also reassure Mahmoud that the authorities and the representative will do their best so that Mahmoud can join his uncle in Norway, but he should to stay in Bulgaria while this procedure is finalised.
- You also explain the rights that Mahmoud is entitled to (e.g. having a representative, accommodation, etc.)

Hand over the appropriate leaflet

- You give Mahmoud a leaflet about '*Children asking for international protection*' where all the information you mentioned is available and where Mahmoud can ask help from social services, UNHCR, IOM or NGOs.
- You also give a copy to the representative.

3.3. Information provision when fingerprinting

Article 29 Eurodac II Regulation

When a third-country national or stateless person, who is 14 years or older, applies for international protection or is apprehended in connection with the irregular crossing of the external border or is found illegally staying on the territory of a Member State they are fingerprinted by the authorities.

Fingerprinting in this context is regulated by the Eurodac II regulation, which also prescribes the information that authorities must provide in these cases, and minimum standards on how to provide it.

Leaflet developed by the EU Fundamental Rights Agency

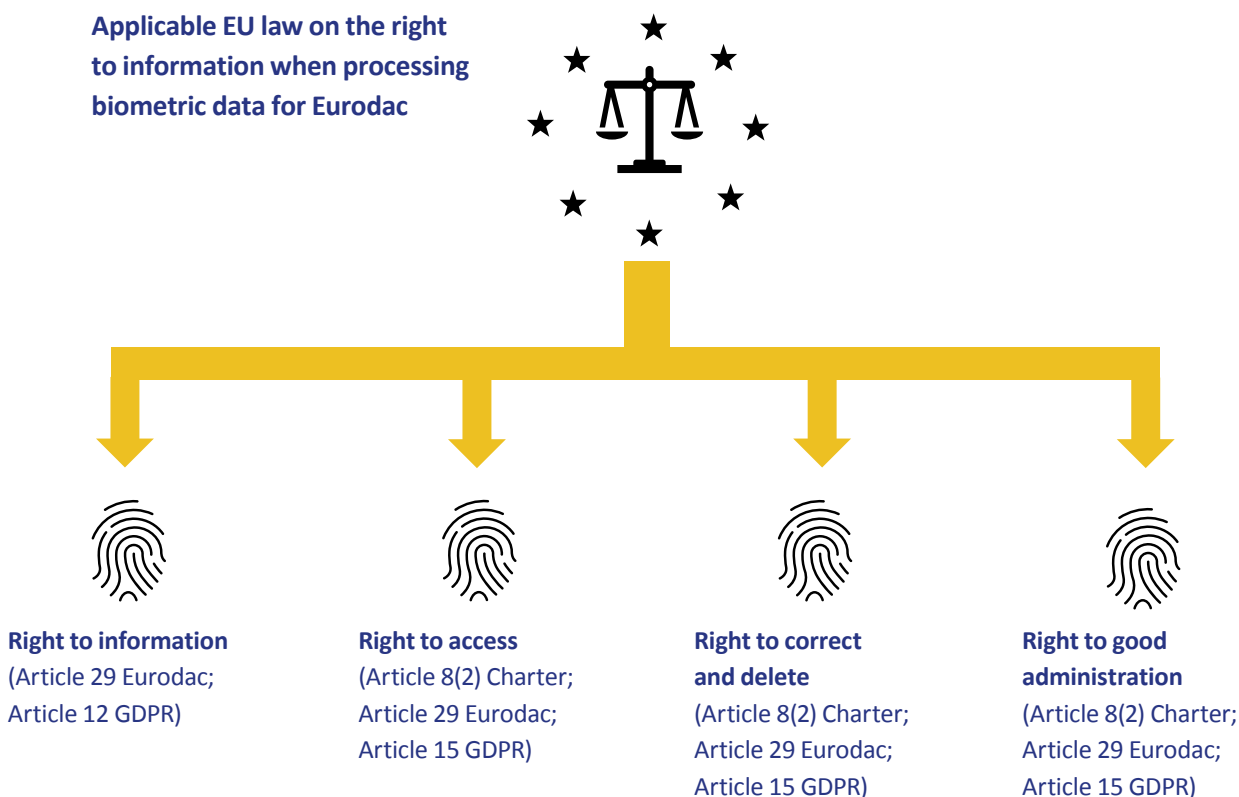


In 2019, the Fundamental Rights Agency (FRA) developed a leaflet entitled ***Right to information – Guide for authorities when taking fingerprints for EURODAC*** to assist officers and authorities to inform applicants for international protection and migrants in an understandable and accessible way about the processing of their fingerprints in Eurodac.

The leaflet specifies what information should be provided to applicants, how to provide it and gives some special considerations for informing children.

The leaflet may be consulted and downloaded through this [link](#).

Applicable EU law on the right to information when processing biometric data for Eurodac



Source: FRA, [Right to information – Guide for authorities when taking fingerprints for EURODAC](#), 19 December 2019.

The information on fingerprinting should be provided at the time when fingerprints are taken in cases of applicants for international protection and in case of third-country nationals or stateless persons apprehended in connection with the irregular crossing of the external border. In cases of a person that has been found illegally staying within the territory it must be provided no later than at the time when the data relating to that person are transmitted to the Central System.

Applicants, third-country nationals and stateless persons found to be illegally staying on the territory of the Member States are not always fingerprinted, this depends on the way the national procedure is designed. The taking of fingerprints for applicants can be postponed or extended for certain reasons and for example be taken at a later stage.

Information on fingerprinting must be:

- concise, transparent, comprehensible and in easily accessible format;
- written in clear and plain language, adapting this to the needs of vulnerable persons, such as children;
- provided, where necessary, orally;
- in a language that the person understands or can reasonably be expected to understand.

3.3.1. Key information to provide on fingerprinting

Article 9 Eurodac II Regulation

Before fingerprinting starts **make sure that the applicant understands what a fingerprint is**, that we all have unique individual fingerprints and that pictures of these can be used to identify us. You should let the applicant know that fingerprinting is **compulsory for persons of age 14 or older** that ask for international protection in the Member States, are apprehended in connection with irregular border crossing or that are found to be illegally staying within the territory of the Member States. You should also inform the applicant that the fingerprints must be taken and checked even though the applicant has family or relatives in another Member State that they want to be reunited with.

It is important that the applicant understands what will happen with their fingerprints. Inform the applicant that **their fingerprints will be transmitted to a fingerprint database called 'Eurodac'**. The applicant should be informed that Eurodac is an EU fingerprint database enabling Member States to compare the fingerprints of applicants for international protection and persons found to be illegally staying within the territory of the Member States. This makes it easier for Member States to determine which country should be responsible for examining an application.

Explain that the **fingerprints will be checked by the authorities to see if the applicant has applied for international protection previously or if the applicant has been fingerprinted at a border**. The fingerprints may also be checked against the Visa Information System (VIS), which is a database that contains information on visas granted within the Schengen area.

Let the applicant know that **fingerprints of all of their fingers, their gender, the country taking the fingerprint and (if applicable) the place and date of their application will be stored**. If they have asked for international protection, the fingerprints will be stored for 10 years. If the applicant has been fingerprinted following an irregular entry the fingerprints will be kept for 18 months. After this period the

data is automatically deleted by the system. Data of persons found illegally staying on the territory will not be stored.

You should also inform the applicant that **their data can be accessed by the authorities** that are determining which Member State will be responsible for examining the application for international protection and under strict conditions the police and European Police Office (Europol) if they are investigating serious crimes. You should also let the applicant know that the **information will never be shared with the country of origin** of the applicant.

Finally the applicant should be informed about their **rights to access** the data, **obtain a copy** of the data as well as to **correct and/or delete** the data if there are any mistakes. Inform the applicant also of how they can exercise these rights in your country.

When providing information consider using concise language and supporting materials, see more information on methodology in [Chapter 2. Methodologies for providing information](#).

Good practice

Providing a copy of the Eurodac data to the applicant can help them to exercise their rights to access and if needed to delete and correct the data. Explain to the applicant that this is not a copy of their application for international protection.

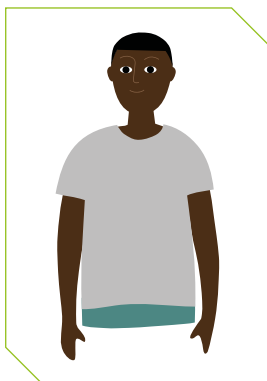
Good practice

When fingerprints are taken of third country nationals in connection with the irregular crossing of an external border, make sure to inform them that if they later decide to apply for international protection in another Member State they may be returned to your Member State in order for their application to be examined even if they did not apply for international protection in your Member State.

Remember



- Make sure that the person understands what a fingerprint is
- Make sure that the person understands fingerprints will be stored in a European database
- If the case concerns a person fingerprinted in connection with the irregular crossing of an external border, explain that their fingerprints will be stored even if they have not (yet) applied for international protection
- Explain to the applicant that their fingerprints will be checked by authorities in other Member States if they ask for protection there
- Inform about the length of data storage and the applicant's data rights



Bakary

Bakary is apprehended in Switzerland for illegal stay. As an immigration police officer, you take his fingerprints and conduct a search in Eurodac, to see if Bakary had previously applied for international protection in another Member State.

Provide information on fingerprinting and Eurodac

- In order to identify Bakary, you take his fingerprints and conduct a search in Eurodac to see if Bakary had applied for international protection previously in another Member State. When fingerprinting Bakary you explain that fingerprinting is compulsory for persons of age 14 or older.
- You also explain that the fingerprints will be transmitted to a database called Eurodac. Member States can compare the fingerprints of persons apprehended in a Member State for checking if the person is already known to other Member State authorities. This makes it easier for Member States to determine responsibility for examining an application for international protection.

Inform about searching in Eurodac

- You also explain to Bakary that during this Eurodac search, Bakary's fingerprints are not recorded in the system, but the search can reveal if he already applied for international protection in another Member State.

Inform about the Dublin procedure

- The Eurodac search result shows that Bakary applied for international protection in Austria a few months ago. You inform Bakary about the Eurodac search result, and that he will be asked about his stay in Austria.
- You explain to him that because he applied for international protection in a Member State, Switzerland might contact this country to inquire about his procedure. As a result, he might be transferred to Austria to conclude the procedure. He is also informed that his case will be referred to the Dublin Unit of Switzerland and the authorities of Switzerland might start consultations with Austria to determine if Austria should examine his case.

Inform about the right to lodge an application for international protection

- You inform Bakary that he can apply for international protection in Switzerland, if he wishes to do so. It is explained to Bakary that even if he applies in Switzerland, he may still be transferred to the Member State responsible for his application.

Hand over the appropriate leaflet

- You give Bakary the leaflet on 'Information for third-country nationals or stateless persons found illegally staying in a Member State'.



The Al Hamoud family

After arriving in Cyprus, the Al Hamoud family wants to apply for international protection with the Cypriot authorities. As a case officer working at the asylum office you explain to the Al Hamoud family that they will be fingerprinted.

Provide information on fingerprinting

- You tell them that every person has unique fingerprints and the pictures of these can be used for identifying us. Fingerprinting is compulsory for everyone above 14 years old, so Tariq, Fatima and Amira will be fingerprinted.
- You explain to them that Samir is a young child, his fingerprints will not be taken.
- The procedure of fingerprinting is not painful and not harmful, and it will not take too much time.

Inform about Eurodac

- The fingerprints will be stored in the national database and they will also be sent to a European central database, called Eurodac. Eurodac is an EU fingerprint database where Member States can compare the fingerprints of applicants for international protection to facilitate the determination of which Member State is responsible for examining the person's application.

Explain the purpose of Eurodac

- Note that the purpose of Eurodac is to assist with the application of the Dublin Regulation.
- The information in Eurodac can be accessed only by specific authorities only for Member States authorities to determine the Member State responsible for examining an application for international protection.

Explain the data stored in Eurodac

- In Eurodac, only the minimum information is stored: ten digital fingerprints, the gender of the person, the country of fingerprinting, and the place and date of the application for international protection. The fingerprints are stored in Eurodac for ten years, and after this period, they will be automatically deleted.

Explain the access to data

- Under strict conditions, other authorities, including police authorities, can also access the information in Eurodac. In all cases, the information in the system will be never shared with the country of origin, so in this case, Syria.
- The Al Hamoud family has the right to access information relating to them that is stored in Eurodac and if they want, they can have a copy of the information stored. This document is, however, not their application for asylum. If there are mistakes, the data shall be deleted or corrected.

Hand over the appropriate leaflet

- You give a leaflet to the Al Hamoud family on 'I have asked for asylum in the EU – which country will handle my claim?', detailing all the information mentioned and where they can ask for help. You also explain to Fatima that since she cannot read, she can ask for help from organisations to assist Fatima. The list of these organisations is indicated in the leaflet.

3.4. Information provision when lodging the application

Article 4 Dublin III regulation

This chapter covers the registration interview that is usually conducted when an application for international protection is registered and lodged with a Member State. The fingerprinting of the applicant is covered separately in [Section 3.3. Fingerprinting](#). The Dublin III regulation also provides for a specific Dublin interview. In some Member States, this interview is combined with the registration and lodging of the application. In others, it happens a bit later in the procedure. The Dublin interview is covered in this practical guide in [Chapter 3.5 Determination of the responsible Member State](#).

When a person lodges an application for international protection, they will naturally need to be thoroughly informed about the asylum procedure, reception conditions, their rights and obligations, etc. This practical guide will however only cover the information needs specific to the Dublin procedure. Article 4 Dublin III regulation sets out the information that shall be provided to the applicant as soon as an application is lodged. This information is contained within the common leaflets annexed to the implementing regulation. It should be noted that there is a common leaflet for adults and one for unaccompanied minors ⁽²⁾.

Lodging an application for international protection and the Dublin III regulation

The CEAS makes a difference between the making, registering, and lodging of an application for international protection. You can find more information on this topic in the [EASO Practical Guide: Access to the asylum procedure](#) (p. 4). The Member States have organised their procedures in slightly different ways and as such it is important to be familiar with the procedures in your Member State.

The Dublin procedure starts when the applicant lodges their application pursuant to Article 20(2) Dublin III regulation. Pursuant to that provision, an application shall be deemed to have been lodged once a form submitted by the applicant or a report prepared by the authorities has reached the competent authorities of the Member State concerned. According to the judgment of the Court of Justice of the European Union in case C-670/16, *Mengesteab* ⁽³⁾, the latter means that, for the purpose of that regulation, ‘the application is deemed to have been lodged if a written document, prepared by a public authority and certifying that a third-country national has requested international protection, has reached the authority responsible for implementing the obligations arising from that regulation’. It is also deemed to have been lodged if only the main information contained in such a document, but not that document or a copy thereof, has reached that authority.

⁽²⁾ [Commission Regulation \(EC\) No 1560/2003](#) of 2 September 2003 laying down detailed rules for the application of Council Regulation (EC) No 343/2003 establishing criteria and mechanisms for determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national, as amended by Commission Implementing Regulation (EU) 118/2014 of 30 January 2014; [Commission Implementing Regulation \(EU\) No 118/2014](#) of 30 January 2014 amending Regulation (EC) No 1560/2003 laying down detailed rules for the application of Council Regulation (EC) No 343/2003 establishing the criteria and mechanisms for determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national.

⁽³⁾ CJEU, judgment of 26 July 2017, *Tsegezab Mengesteab v Bundesrepublik Deutschland*, EU:C:2017:587, para. 76. A summary of the case is available in the [EASO Case Law Database](#).

3.4.1. Key information to provide when the applicant lodges their application

Article 4 Dublin III regulation provides clear instructions on the information that must be provided at this stage. Make sure to **explain the objectives of the Dublin III regulation** and the consequences of making another application in a different Member State (see [Section 1.8 Avoiding secondary movements](#)).

Make sure that the applicant understands **the criteria for determining the Member State responsible** (for more information, see [Annex I. Checklists](#)), the hierarchy of these criteria and the different steps of the procedure and their duration. You should also explain the **consequences of moving from one Member State to another** during the phases in which the Member State responsible is being determined and the application for international protection is being examined.

You should inform the applicant that an application for international protection lodged in one Member State can result in that Member State taking responsibility under the Dublin III regulation even if such responsibility is not based on those criteria. You should also provide some information about the **Dublin personal interview**, if this interview takes place at a later stage of the procedure.

Inform the applicant about the importance of **submitting information regarding the presence of family members, relatives or any other family relations** in the Member States, as well as the timelines within which a take charge request would need to be submitted. In addition, encourage the applicant to inform the Member State about whether or not the applicant is dependent on any of those family members, relatives or family relations or if any of those depend on the applicant. Finally, inform about the practical means through which they can submit such information if it is not immediately available to the applicant.

Informing the applicant about the possibility to receive assistance from NGOs and other organisations can help to build trust. Such information could include the possibility to access independent legal assistance that can help the applicant navigate the procedure, collect information and prepare for the Dublin interview.

You should also inform the applicant of the fact that the competent authorities of Member States can exchange data on them for the sole purpose of examining the application for international protection, determining the Member State responsible, or implementing their obligations arising under the Dublin III regulation. The applicant should be informed that they have **the right to access data** relating to them and to request that such data be corrected if inaccurate or be deleted if unlawfully processed.

The applicant must also be informed about the **procedures for exercising the rights regarding their personal data**, including the contact details of the competent authorities and of the national data protection authorities responsible for hearing claims concerning the protection of personal data.

Inform the applicant that if they do not agree with a decision to transfer them to the Member State that is determined as responsible, they have the **possibility to challenge a transfer decision**, and, where applicable, to apply for a suspension of the transfer, pending the outcome of the appeal or review. Furthermore, inform the applicant that they have the right to legal assistance with regards to the appeal.

Information needed to determine the responsible Member State

It is particularly important to ensure early on that the applicant understands the need to provide the authorities with all information and available supporting evidence that might assist the Dublin procedure. It can be useful to provide the applicant with concrete examples of what types of documents or information might be used during the Dublin procedure so that they do not overlook certain documents or provide them only at a later stage. Explain that documents do not need to be originals, but that photos or copies can also be useful for the authorities.

Explaining evidence from databases (Eurodac/VIS)

In most Dublin cases based on entry and stay the Dublin Unit has evidence such as visas, residence permits or 'hits' from the VIS or Eurodac. Dublin Units can use the presentation of these elements as part of the information provision and explain their relevance for determining the responsible Member State and the continued procedure. At the same time, it is also important to explain the family and dependency criteria that are relevant for family unity under the Dublin procedure to the applicant.

When providing information consider your situational awareness and choice of communication method. Read more on methodology in [Chapter 2. Methodologies for providing information](#).

Common leaflets for applicants



The Dublin III regulation and the Eurodac II regulation require Member States to provide information to applicants using common leaflets annexed to the implementing regulation. Each leaflet also provides space for the national authorities to include relevant Member State specific information. The content of all of these leaflets is set out in annexes in the implementing regulation, see references below.

I have asked for asylum in the EU – Which country will handle my claim? (Annex 10, Part A)

This leaflet contains introductory information about the Dublin procedure, including fingerprinting and should be provided to all adult applicants for international protection early on during the procedure.

I'm in the Dublin procedure – what does this mean? (Annex 10, Part B)

This leaflet contains more detailed information about the Dublin procedure and should be provided to adult applicants that are in a Dublin procedure.

Children asking for international protection (Annex XI)

This leaflet contains information designed for unaccompanied minors, including on fingerprinting, and should be provided to them early on during the procedure.

Fingerprints and Eurodac (Annex XII)

This leaflet contains information on fingerprinting intended for persons that have been apprehended in connection with the irregular crossing of an external border.

Fingerprints and Eurodac (Annex XIII)

This leaflet contains information on fingerprinting intended for persons found illegally staying in a Member State.

Remember



- Explain how the Dublin system works, including the responsibility criteria
- Explain the consequences of absconding in accordance with the provisions in your Member State
- Inform the applicant about their rights related to data
- Inform about the possibility to challenge a transfer decision and available legal assistance



Mahmoud



Mahmoud is lodging his application for international protection. During this process he is accompanied by his representative who is present during the procedure. As the officer in charge of lodging the application of Mahmoud, you register all his personal details and you see on the file that Mahmoud has an uncle in Norway.

Explore possibilities of family reunification

- You ask Mahmoud if he would like to be reunited with his uncle, if he wants to live with him. You also ask if there are other family members in Europe that he might want to join.

Explore the relationship between the child and the relative

- You explain to Mahmoud that it is important to provide documents or copies of documents that can prove the family ties with his uncle. You also ask if the uncle knows that Mahmoud is in Europe.

Ensure the respect of the child's best interests

- You explain to Mahmoud that during the procedure, his best interests will be continuously assessed, and the Dublin procedure will be carried out according to his best interests.

Inform about the Dublin procedure

- You explain that since Mahmoud wants to join his uncle in Norway, Bulgaria will request Norway to examine Mahmoud's application. Bulgaria will do so because deciding on an application can take a lot of time, and it is important that Mahmoud is not alone during this time, and that Mahmoud and his uncle can be together as soon as possible. This is called the Dublin procedure.
- For this procedure, all the information that Mahmoud has shared with you, and the document about his uncle's data will be sent to the Dublin Unit. This unit will start the consultation with Norway and share all information with the Norwegian Dublin Unit to ensure that his application will be examined there.
- You also tell Mahmoud that if he changes his mind and does not want to be reunited with his uncle he can say so.

Manage expectations on timelines: prioritisation of cases of children

- As a minor, Mahmoud's procedure will be prioritised. You explain that the reunification can take a few months because the authorities will examine all conditions, and you give an approximate timeline applicable in Mahmoud's case.
- The procedure can be quicker if all information is already available. In Mahmoud's case, it is important to collect any documents he has about his uncle.

Hand over the appropriate leaflet

- You explain to Mahmoud and the representative that in order for the family reunification to proceed faster, they can also ask for the help of UNHCR, IOM or NGOs. A list of these organisations can be found in the leaflet on 'Children asking for international protection'. You ask Mahmoud if he has received this already, and if not, hand him and the representative a new one. You show where the information on the list of the organisations can be found. You also explain how these organisations can help collecting the necessary evidence for the reunification. You also show that there is an email address where all relevant documents, such as the copy of the identity document of his uncle or residence document in Norway can be sent.



The Al Hamoud family

The Al Hamoud family is lodging their application for international protection. As the lodging officer, you explain that they will be interviewed.

Explain the start of Dublin procedure

- You explain that with the lodging of the application, a procedure called Dublin also starts.
- The Dublin procedure precedes the examination of the application on the merits. The Dublin procedure determines which Member State should examine their application for international protection. Although they applied for international protection in Cyprus, it might be that another Member State should examine their application, for example, if they entered another country before, if they were issued a visa or residence permit, or if they applied for international protection in another Member State.

Inform about the Dublin procedure

- All these conditions will be examined before establishing which country will examine their application. If it is found that another Member State should examine their application, Cyprus may start a consultation with that country, and will arrange their transfer to that country. During this procedure, the family will be kept together.

Manage expectations: interview the persons separately

- You explain the rights and obligations in Cyprus as an applicant for international protection. The children are also explained the rights they have during the procedure.
- When interviewing them you also explain that the children should let you know if there are any reasons why they would not like to have their cases treated together with their parents. In case it would be in the childrens' best interests to handle the cases separately this can happen.

3.5. Information provision during the personal interview and the determination of the responsible Member State

Article 5 Dublin III regulation

The time it takes for the process to determine the responsible Member State can vary considerably from case to case, although the regulation provides that the process for determination should take place as soon as possible. This chapter covers information provision during the Dublin interview as well as additional information needs that the applicant may have during the determination process. The chapter also covers information provided to the applicant in cases where the determining Member State becomes the responsible Member State.

When conducting a Dublin interview at the same time, or shortly after the lodging of the application this chapter and the preceding chapter on the lodging can be read together. It is important to note that repetition of information is important to ensure the proper understanding by the applicant.

3.5.1. Information materials

If the applicant is an adult and was previously provided with part A of the common leaflets (*I have asked for asylum in the EU – Which country will handle my claim?*) it could now be a good time to ensure that they are also provided with part B of the common leaflets (*I'm in the Dublin procedure – what does this mean?*). Part B of the common leaflets is intended for adult applicants that are in the Dublin procedure.

For more information on the use of the leaflets, see [Chapter 2. Methodologies for providing information](#).

3.5.2. Key information to be provided during the Dublin personal interview

During the Dublin interview you may want to explain what your role is and remind the applicant that the Dublin procedure establishes which single country is responsible for examining an applicant's application for international protection. This means that an **applicant may be transferred from one country where the application is lodged to another country that is responsible for examining the application**. Remind them as well of the territorial scope of the Dublin III regulation that applies throughout 31 countries.

Take some time to explain to the applicant what **special needs** are, what help the applicant can receive, which organisations or authorities that are responsible for providing such services and how they can be accessed by the applicant. Ask the applicant to inform the authorities of any special needs they might have.

You may also wish to remind the applicant that the **purpose of the Dublin procedure** is to guarantee that the application for international protection will be examined on the merits by the authority of one of the countries participating in the Dublin system, and ensure that an applicant does not make multiple applications in several countries with the aim of extending their stay in the Member States.

Explain to the applicant that **until it has been decided which country is responsible for examining their application, the authorities will not consider the detail of that application**. Applicants that are eager to tell you about what happened to them in their country of origin may be disappointed that you are not asking about this, make sure to explain that this will be dealt with in full once a responsible country has been determined. Make sure to also provide some information on the **time limits** in the Dublin procedure (see [Annex III. Timelines of the Dublin III regulation](#)).

Remind the applicant about the **criteria for determining the Member State responsible**, and their hierarchy, notably the family criteria, dependency and humanitarian clause. Note that if the applicant does not want to be reunited with family members in another Member State, it is not necessarily the case that the application will be handled where the applicant is currently present. It could be another Member State based on other criteria.

Remind the applicant of the **importance to provide the authorities with all the information** that the applicant has about the presence of any family members or relatives in any of the Member States. Remind the applicant as well of the importance of providing any other information which the applicant thinks could be relevant for establishing the country responsible for examining their application. The applicant should also provide any documents or papers in their possession that contain relevant information. Remind the applicant that cooperating with the authorities is in the best interests of both

the applicant and the authorities. Remind the applicant that it is important that they are truthful and answer all questions to the best of their ability.

3.5.3. A continuous process of information provision

The time it takes from the start of the Dublin procedure until a transfer decision is taken, or the determining Member State assumes responsibility, can vary greatly from case to case. In this context, the registration and Dublin interviews both offer structured possibilities for the authorities to communicate information to the applicant and to answer any questions that they might have. If trust between the applicant and authority as well as other entities cooperating with the authorities can be built during these occasions, the applicant might be more likely to turn to official sources of information. The ability of an applicant to reach out to the authorities with their questions during the procedure can also depend on factors such as whether the applicant is lodged in a reception centre or not, if they have access to other assistance through legal aid, representatives or civil society organisations (CSOs).

You will find some ideas on how to follow up with applicants in [Chapter 2. Methodologies for providing information](#).

3.5.4. When the determining Member State is the responsible Member State

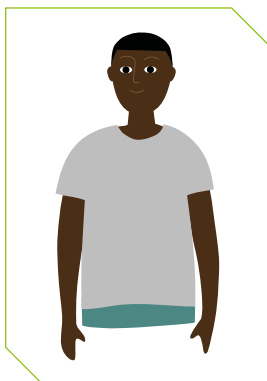
The Dublin procedure does not always end with a transfer. For various reasons, the determining Member State can be the responsible Member State. When this happens it is important to inform the applicant of this development and the continued procedure with regards to the examination of their application for international protection. In this case, it could also be important to inform the applicant about the consequences of absconding according to the provisions in your Member State.

When providing information consider using concise language and adapting your message to the applicant(s) in front of you. You can read more in [Chapter 2. Methodologies for providing information](#).

Remember



- Explain the purpose of the Dublin procedure, its main steps and the responsibility criteria
- Explain that the examination of the application for international protection starts once a Member State is determined to be responsible, or when the applicant arrives in the Member State responsible following a transfer
- Remind the applicant of the need to provide information and evidence to the authorities, notably on family unity
- Be perceptive and proactive with regards to any special needs that the applicant may have



Bakary

The Dublin procedure has started in Bakary's case. Bakary did not apply for international protection in Switzerland. He is in a closed reception centre for returnees. Bakary is receiving medical treatment for his asthma, and he will need to go back for a consultation in two months. Bakary knows that his case is with the Dublin Unit. He would like to know about the status of his procedure.

Provide information on the status of the Dublin case

- As a case officer at the Dublin Unit, during this consultation you explain to Bakary that his case is still pending, and you explain the deadline until reply is received.
- You explain that Switzerland consulted Austria, and Austria informed the Swiss authorities that Italy was determined as the responsible Member State to examine Bakary's case. The Swiss authorities requested Italy to take Bakary back and reply from Italy is pending.
- You can consider sharing more information on the status of the case of Bakary, considering the applicant's information needs.

Inform about rights to medical treatment

- You see Bakary's file and ask him about his asthma and the treatment he is receiving. After listening to him, you explain to Bakary that if he will be transferred to another Member State, his treatment should be continued there as well because Member States must respect the same minimum rules regarding the rights of applicants.
- You also explain that if Bakary would agree to share his medical data with Italy, the Italian authorities can prepare for his treatment in advance, and he can receive appropriate care from the beginning.
- It is important that Bakary provides information on the medical data so that this could be taken into account.

Manage expectations: consequences of leaving to another Member State

- Bakary says that he wants to go to Luxembourg and does not want to stay in Switzerland. You explain to Bakary that it is important to wait for the outcome of the procedure. If Bakary goes to another Member State, he may be sent back to the Member State responsible for his application.

Hand over the appropriate leaflet

- You ask Bakary if he understood the information. You also give Bakary the leaflet on '*I'm in the Dublin procedure – what does this mean?*', and explain that all information on the procedure is contained in the leaflet, and he can find the list of organisations providing help in the leaflet, and you show the page where the list is.



Svetlana



Svetlana is in a reception centre in Poland. Her mother has been admitted to a hospital recently in Germany. Through her representative, Svetlana was able to receive documentation on her mother's health status and the aftercare she has to receive once leaving the hospital. Svetlana is inquiring about the status of her procedure and wants to know when she can join her mother.

Inform about the status of the Dublin procedure

- As a case officer in the reception centre you explain to Svetlana that her case is now under Dublin procedure. Poland is now in consultation with Germany, and Poland is asking Germany to take charge of Svetlana's case due to the situation of the mother. You can inquire about her mother's health and Svetlana explains to you that her mother is now in hospital and she will need to be looked after once leaving the hospital.

Provide support for the collection and submission of relevant documents

- You explain that it can help her case if the medical opinion is submitted to the German authorities. They will need to examine all circumstances, and this is why they need all documents that can give information on the health of the mother, their relationship and Svetlana's capability to take care of her mother.

Verify understanding

- You ask Svetlana if she understood the information. Svetlana nods, but you notice some hesitation on her face. You repeat all the information, slowly and with simpler words. You suggest to Svetlana to make a list together on the type of documents she can submit to the authorities for helping her case.
- You ask again if Svetlana understood the information. Svetlana looks more confident and summarises what was said, she also tells you what documents she will submit.

Hand over the appropriate leaflet

- You give the leaflet on 'I'm in the Dublin procedure – what does this mean?' to Svetlana, describing all the information mentioned by the case officer, and where Svetlana can ask for more information.

3.6. Information provision when notifying the applicant about the transfer decision

Article 26 Dublin III regulation

The decision to transfer an applicant will be taken once a request to take charge or take back a third-country national or a stateless person under the Dublin III regulation has been accepted by another Member State. This section examines information provision surrounding this step, and the notification of the decision to the person concerned.

A transfer decision can be seen by the applicant as either a positive or negative step depending on their personal situation. A person receiving a transfer decision that will allow them to reunite with family members will likely be happy and wish for a quick transfer.

Depending on the circumstances, the decision to transfer a person to the responsible Member State might be seen with either anticipation or disappointment. Ensuring that applicants have sufficient information to understand the decision and upcoming procedure will be crucial to ensure a successful transfer and effective access to the asylum procedure for the applicant in the responsible Member State.

3.6.1. Key information to be provided when notifying the applicant about the transfer decision

Make sure that the applicant understands **why and based on which criteria another Member State has been determined to be responsible** for examining their application for international protection, and that this process will start once they have been transferred to the responsible Member State.

It is important to **remind the applicant that all Member States are bound by the rules agreed at EU level or apply similar national rules** with regards to the rights of the applicant on things such as accommodation and other basic needs, and also with regards to the obligations of the applicant.

Discuss with the applicant whether they wish to appeal against the transfer decision to obtain some information on the possible continuation of the case. You should always inform the applicant about the legal remedies that are available to them, the time limits, including on the right to apply for suspensive effect, where applicable. Make clear to the applicant that if they do not appeal the decision, it becomes enforceable on the expiration of the time limits relating to the appeal.

You should also remind the applicant of their **right to receive legal assistance**, the contact details of persons or entities that may provide such legal assistance and the practical steps necessary to receive such support.

With regard to the **practical circumstances** of the transfer, inform the applicant about the time limits to carry out the transfer, and, if possible, provide a time frame of any upcoming meetings. Underline the importance to cooperate with the authorities and the potential consequences of not doing so.

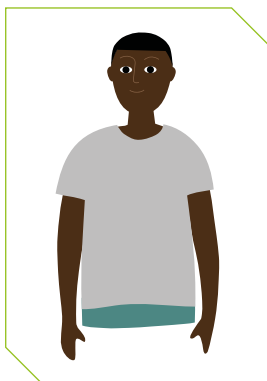
Remember to consider the specific situation of the applicant in front of you and adapt your message. It is also important to be aware of how cultural differences could affect the communication. Read more in [Chapter 2. Methodologies for providing information](#).

Good practice

Sometimes an applicant that is undergoing medical treatment will be worried about whether they will be allowed to continue their treatment after a transfer to another Member State. Informing the applicant early on about the consent required to transfer medical information to the receiving Member State and that this provision is there to help the applicant to receive continued medical care in the receiving Member State can help to reassure the applicant.

Remember

- Explain the reasons for the transfer decision
- Remind the applicant that all Member States are bound by commonly agreed provisions of the CEAS
- Discuss with the applicant whether they wish to appeal the transfer decision
- Explain what legal assistance is available and how the applicant can access it
- Inform about time limits and practical elements of the transfer



Bakary



A transfer decision has been made in Bakary's case. You are a case officer in charge of notifying Bakary about the transfer decision.

Explain the decision to transfer to the responsible Member State

- Before notifying Bakary, check his file to see if he has any special needs and how these should be addressed. You inform him about the outcome of the Dublin procedure, explain why it was conducted, what is the outcome and what will happen next, what are his rights and obligations.

Explain the process of the determination of the responsible Member State

- You explain that Italy was identified as the Member State responsible for examining his application for international protection. Considering Bakary's information needs, you can decide to share more details on how the Dublin procedure was conducted.

Manage expectations: transfer to the responsible Member State

- You explain that Switzerland made a decision to transfer Bakary to Italy. The transfer will take place within 6 months. Italy will examine Bakary's application, and Bakary should receive appropriate accommodation and care in Italy. His medical treatment should continue in Italy as well. You ask Bakary if he wants to go to Italy. Bakary says yes.

Inform about the right to appeal against the decision

- You explain to Bakary that he can appeal against the decision to be transferred to Italy, and you tell him the deadline for submitting an appeal.
- You explain how (and where) Bakary can seek legal advice if he would like to appeal. You explain that legal assistance is free of charge and that an appeal against the transfer decision can suspend the time limit for the transfer. If suspensive effect of the transfer decision is granted, Bakary cannot be transferred to Italy as long as a decision on the appeal is pending. Bakary is also explained how long an appeal procedure might take in Switzerland.

Ask consent to share medical data

- You ask Bakary if he consents to share his medical data with Italy. You reassure him that this will help Italy to continue his medical treatment in Italy and can help the Italian authorities to prepare his reception. Bakary gives his consent.

Inform about travel arrangements

- You explain that the transfer is free of charge. You share all information on the planned time of Bakary's travel to Italy, and all details on escort to the airport. You also tell him that it is important to cooperate during the transfer. A travel document will be issued, and the Italian authorities will wait for Bakary's arrival at the airport.
- You also give practical information on the things Bakary can take with him on board, and ask Bakary to take this into account when packing his luggage, e.g. if he has to take medication with him on board. The Swiss authorities will also ensure to supply Bakary with enough medication for his asthma.
- You tell to Bakary to pack his luggage by considering the weather in Italy, because he will be transferred to a reception centre in the south, where the weather is usually warm and sunny.



Mahmoud



Mahmoud and his guardian are waiting for you to notify them about the transfer decision.

Explain the outcome of the Dublin procedure

- In a child-friendly manner, you explain to Mahmoud and his guardian that Bulgaria requested Norway to take charge of Mahmoud's application for international protection. Norway accepted the request. This means that Mahmoud will travel to Norway, to his uncle, where his application will be examined.
- You ask Mahmoud if he understands what this means.

Inform about the right to appeal against the transfer decision

- Mahmoud seems very excited to be reunited with his uncle. You notice the happiness on Mahmoud's face but you ask in creative ways to confirm if he wants to go to his uncle. Mahmoud says yes. You also tell him that in case Mahmoud changes his mind later he can file an appeal against the decision, and then you explain the time limit to file an appeal.

Manage expectations: travel arrangements

- Afterwards, you explain how Mahmoud will travel from Bulgaria to Norway. Mahmoud will travel by air. Bulgaria will buy a flight ticket for Mahmoud. Mahmoud will not be alone during this journey, his guardian will accompany him from the reception centre to Norway. They will fly from Sofia to Oslo. It will be a long flight, so Mahmoud can take a book or a phone with him to read or listen to music during the journey.

Manage expectations: arrival to the responsible Member State

- You also explain that when they arrive to Oslo, his uncle will wait for Mahmoud at the airport. The representatives from the Norwegian police and the asylum authority will also be there. Mahmoud will have another guardian in Norway who will also wait for him at the airport. The police will be there to ensure Mahmoud's safety. They will take Mahmoud to the asylum office where he can lodge his application, and have his fingerprints taken. Mahmoud is explained that this procedure will be the same as he has experienced in Bulgaria. He will be accompanied by his uncle and his new representative, who can help him during the procedure and answer his questions.

3.7. Information provision for the transfer

Article 29 Dublin III regulation

The final step of the Dublin procedure is the transfer of an applicant to another Member State. This section covers the information provision to third-country nationals and stateless persons during this final step of the procedure. The Dublin III regulation provides a standard time limit of 6 months from the acceptance of the take charge or the back request until the transfer should be executed. Under some circumstances this time limit can be even longer.

Depending on the circumstances of the case, a transfer to the responsible Member State might be seen with either anticipation or disappointment. Ensuring that applicants have sufficient information about the transfer will be crucial to ensure a successful transfer and effective access to the asylum procedure for the applicant in the responsible Member State.

3.7.1. Key information to provide when preparing a transfer

When you are preparing the transfer itself, once the transfer decision has become enforceable, make sure to **provide at an early stage as many practical details** as possible on the arrangements regarding the transfer. Consider providing the applicant with practical advice on what to pack in a carry-on bag for the transfer. Remind the applicant that the Member State will cover the cost of the transfer.

Especially if the applicant is reluctant or opposed to the transfer, remind them that **they are being transferred to a country bound by the same minimum standards** to provide protection. Inform the applicant about the consequences of absconding according to with your national practice.

Remember to verify that the applicant has understood the information that you have provided them with. You can read more in [Chapter 2. Methodologies for providing information](#).

Good practice

Continuity of care and health data of applicants

Information on any special needs of the person to be transferred, which could include information on their physical or mental health, should be communicated to the receiving Member State as long as the applicant provides their explicit consent.

Applicants may worry about whether the medical care that they are receiving in the Member State where they are present will continue also after a transfer. Informing applicants early on about the need for their consent to communicate medical data to the receiving Member State can offer an opportunity to also explain that this data will be exchanged precisely to ensure a continuity of their medical care. This can contribute to building trust and reducing anxiety amongst the applicants.

Information on what to pack

Providing some basic tips on what to pack and especially on what to bring in their carry-on bag that is available to the applicant during the trip can prove helpful for the applicant. This could concern medicines, clothes appropriate for the current weather at the destination and similar things.

Information on what to expect after the transfer

Informing the applicant on what to expect in the Member State that they will be transferred to can contribute to reducing stress and anxiety with the applicant and to build trust. This is especially true in rare cases of voluntary transfers where the applicant will not be met by the authorities of the receiving Member State but rather is expected to seek them out to gain access to the asylum procedure.

Remember



- Provide as much practical information as possible
- Remind the applicant that they are being transferred to a country bound by the same minimum standards for protection



Mahmoud



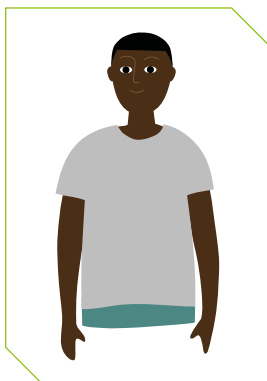
The day before the transfer, as a reception officer, you remind Mahmoud about the arrangements of his travel to Norway.

Ensure willingness to travel

- Mahmoud is very excited and happy about the transfer. He shows you his luggage, which is packed with warm clothes. He says that his uncle sent them to him because it is cold in Norway.

Remind about travel arrangements: flight, timing, luggage

- You remind Mahmoud that he will be taken to the airport in the morning, and his representative will accompany him. He will also receive breakfast and some snacks during the flight. He can take toys or books with him or can play on his phone on the plane.



Bakary



The day before the transfer to Italy, Bakary wants to see you. He explains to you that he does not want to go to Italy, he wants to stay in Switzerland.

Ensure willingness to travel

- You ask him why he does not want to go to Italy. You see in Bakary's file that he did not lodge an appeal against the decision to transfer him to Italy and had raised no concerns over the transfer previously. You therefore notice the change, and want to understand what happened. You also notice Bakary's behaviour. He is nervous and seems very perplexed.

Ask the applicant to share their concerns

- Bakary repeats that he wants to stay in Switzerland. You reassure Bakary that it is normal to be a bit nervous before any travel, but it might help if Bakary shares his concerns.
- Bakary says that his friend is in Italy and he scared him and now he does not want to go to Italy. His friend scared him by telling him that he will not receive accommodation and will not be given any food. His friend lives on the street. Bakary is also worried about his asthma because he thinks it will get worse and that he will not receive any treatment.

Listen and understand the applicant's concerns

- You listen to Bakary attentively and ask questions about his friend and his situation in Italy. You note down Bakary's concerns and reflect on these.
- From Bakary's account, you understand that Bakary's friend is staying in Italy illegally and is hiding from the authorities. You explain to Bakary that you have understood his concerns.

Manage expectations: arrival to the responsible Member State

- You explain to Bakary that as an applicant for international protection, he has the right to access to accommodation and food.
- You explain to Bakary that he will also have the right to healthcare and show him the standard form for the exchange of health data prior to a Dublin transfer that has been transmitted to the Italian authorities in preparation of the transfer.

Observe and respond to body language

- You notice Bakary's body language and see that Bakary seems less nervous. You reassure Bakary that everything will be all right. You give a copy of these documents to Bakary, and explain to him that he will also have the right to a legal representative at his own cost who can assist him in the process in Italy, and he has the right to free legal and procedural information in procedures at first instance.

Verify understanding

- You ask Bakary if he understood all information and if he has any questions. You also ask him how he feels about going to Italy now. You also tell him that if he has any further questions, he can come back to you. He says that he is now relaxed and thanks you for your help.

4. Common misconceptions and counter narratives

The Dublin system is fairly complex and depends on the cooperation between authorities in different Member States for its practical implementation. As this guide has established in the previous chapters, there are many different actors, in all Member States, involved in providing information on the Dublin system. These factors combined with rumours and information spreading amongst applicants either in person or through social media can lead to applicants having received incorrect or misleading information about how the system works.

This chapter examines some of the common misconceptions that you should be aware of together with **counter narratives** so that you can ensure that applicants receive accurate information on these topics. Note that you should not wait until a misconception appears but rather try to be pre-emptive and ensure that the applicant has correctly understood these elements.

Misconceptions related to the determination of the Member State responsible

Dublin means going home

The Dublin III regulation means direct transfer to the country of origin.

- You need to explain the objectives of the Dublin III regulation and its core principles. Some Member States may be viewed as 'ports of return' simply due to their geographic location or even historic events. If you are speaking to the applicant before they have their Dublin interview, it is particularly important that you explain the steps of the procedure, including what is currently happening. Make sure that the applicant understands that Dublin transfers only happen between Member States and that all Member States are bound by common rules to provide the basic needs of applicants for international protection.

Authorities use our information against us

The national authorities are questioning the applicants and gathering information with the purpose of using this information against them.

- Explain that the Dublin procedure is not a tool for returning applicants to their countries of origin. Make sure to explain your role and who you work for. Explain why the information is collected. Information gathering is intended to provide the help and assistance that the applicant needs as well as a correct determination of the responsible Member State. Distrust of authorities creates secretive behaviour and makes the procedure more complicated.

No identity document means no transfer

If the applicant does not have their identity documents, they cannot be transferred to the responsible member state.

- Explain that identity documents can be useful to establish family links, for example, and to determine the responsible Member State. A transfer of the applicant to another Member State is still possible even if the Member State authorities do not have the identity documents of the applicant.

Dublin is only about family unity

The scope of the Dublin III regulation is only about reuniting families.

- Explain that the determination of the Member State that is responsible to examine the application is the main objective of the Dublin III regulation, as well as the criteria that are used.

Dublin applies to beneficiaries of protection

The Dublin III regulation applies also to a person that has been granted international protection.

- Explain that the Dublin III regulation is not applicable to persons that have already received international protection in another Member State. This, however, does not imply that the beneficiary of international protection has an unrestricted right to travel or reside in other Member States.

Since my siblings live here I can automatically stay

My siblings are already living in the Member State where I am present, therefore this Member State is responsible no matter what has happened.

- Explain the Dublin procedure, and notably the relevant family criteria.

Time limits start when I provide information to the authorities

The time limits for the Dublin Unit to ask another Member State to take charge of my application start when I (the applicant) provide the information to the authorities proving where my family Members are.

- Inform the applicant that the time limits with regards to the Dublin regulation are calculated from the date of the lodging of the application. Inform the applicant of what this date is in their case and when the respective time limits lapse.

Misconceptions related to the organisational aspects

Authorities and courts are the same

There is no difference between asylum authorities and the courts.

- Explain what the opportunity for an effective remedy before the courts means and the difference between an authority and the courts. Remember that in countries around the world where judicial independence is weak or non-existing, the concept of independent courts can need some explaining. Explain that the applicant will have access to legal assistance during the court proceedings.

Only EU states are part of Dublin

Only Member States of the European Union are part of the Dublin system.

- All Member States of the European Union are indeed part of the Dublin system, but it includes also four associated countries (Iceland, Liechtenstein, Norway and Switzerland).

All European countries are part of Dublin

Every European country is part of the Dublin system.

- Although it is true all Member States of the European Union as well as four associated countries (Iceland, Liechtenstein, Norway and Switzerland) are part of the Dublin system, there are several European countries, notably in the Western Balkans that are not part of the Dublin system. Since the United Kingdom's withdrawal from the European Union, the United Kingdom is also no longer part of the Dublin system.

Misconceptions related to special needs

When I turn 18 I will be treated as an adult

I am currently a minor, but I am about to turn 18 and then I will be treated like an adult under the Dublin procedure.

- If you were a minor when you first lodged an application for protection in a Member State, you will still be considered as a minor with regards to the criteria used to determine the Member State responsible even if you turn 18. Please note that this provision applies to the main responsibility criteria in Chapter III Dublin III regulation. If dependency or the use of the humanitarian clause might apply, the current age of the applicant will instead be considered. Although the determination of the responsible Member State will be based on their age at the time of lodging they might be treated as adults with regards to certain procedural guarantees as well practical arrangements during a transfer, for instance.

5. Inspiration: additional information channels

Keeping in contact with the applicant throughout the entire Dublin procedure is important in order to be able to collect all the directly or indirectly available evidence, comply with the time limits, determine the responsible Member State and arrange the transfer. Ensuring that the applicant is able to receive answers to their questions throughout this time can also be an important element in reducing stress, promoting trust in the authorities and ensuring compliance with the established procedures.

In this chapter, inspirational tips and ideas are provided on different ways that Member State authorities can consider staying in touch with or remaining accessible to the applicant during the Dublin procedure, and aspects that could be considered for the various options.

5.1. Being able to locate/contact the applicant

Informing an applicant as soon as possible that their contact details and current location should be accurate, available to the authorities and renewed after every change can make it easier to stay in touch with applicants. Explaining to the applicant why the authorities need to be able to get in touch with them could also help to ensure that applicants understand why it is important that they provide this information. The applicant also needs to be provided with an easy way to contact the authorities to provide this updated information if needed.

The way that each Member State keeps in contact with the applicant will depend on the structure of the national competent authority, how the applicant is housed, the available staff, technical equipment and resources.

It can also be noted that some applicants do not have access to a mobile phone, even less a smartphone with access to web, email, social media or applications. Finding practical ways to overcome such barriers to communication between the authorities and the applicant can also contribute to facilitating contact.

5.2. Additional direct contact between the applicant and authority

Allowing for the applicant to request a meeting with the authorities responsible for their Dublin procedure could be a way to exchange additional information and answer questions that the applicant might have. Meetings organised in both face-to-face format on the premises of the authority or through digital means would likely require interpreters to be present. This will allow the applicant to express themselves fully and properly understand the authorities. When planning any meeting, attention should also be given to any special needs that the applicant might have. This would thus require some degree of planning and scheduling and could prove fairly resource intensive.

Another issue to consider if offering such a possibility for applicants is whether the person representing the authority in these meetings will have access to and knowledge about the dossier of the applicant. This would determine whether the applicant is able to ask mainly questions of a more general nature or if the applicant is able to ask questions directly related to their case.

You will find some additional information on this topic in [Chapter 2. Methodologies for providing information](#).

Face-to-face meetings with the authorities



Providing the applicant with an opportunity to meet face-to-face on the premises of the authority or of the reception centre can offer a way to maintain contact during the Dublin procedure. A short, personal meeting would likely be sufficient to exchange information about the case, allow the applicant to submit further evidence or clarify any inconsistencies. During the applicant's stay at the premises of the authority, videos and other audio-visual materials could provide additional information. These face-to-face meetings would naturally also require the applicant to be able to reach the premises of the authority. Creating helpdesks in the regional centres where many applicants are housed could be one way to mitigate challenges related to the distance to the central authority.

Practical example

A way to organise these face-to-face meetings is to have open hours organised, for instance on a weekly basis, specifically for the provision of information (e.g. every Thursday from 10am to 11am). Applicants may be shy to schedule a personal meeting as it can be intimidating. Open hours give them a bit more liberty and flexibility as they can spontaneously decide to go. Information on these opening hours could be shared with them when they lodge their application for international protection. Interpreters should also be available.



Digital meetings with the authorities

Allowing for the organisation of digital meetings can be a way of overcoming some of the practical challenges related to traditional face-to-face meetings. These types of meetings could be organised over the phone or through videoconferencing depending on the available technical solutions. As described in [Chapter 2 Methodologies for providing information](#), there are also some challenges to be aware of regarding verbal information provision in digital meetings. It should also be noted that digital solutions require the applicants to either have access themselves to devices to interact with the authorities or to be able to access them in a reception centre, for example.

If applicants are called from personal phone numbers of staff in authorities that can be identified and saved, the applicant or their supportive network might attempt to call back later with additional questions, even if they are not related to the Dublin procedure. During such unscheduled follow-up calls, there will likely not be an interpreter available and the person responding may not have the time or ability to answer questions. This can lead to frustration for the applicants. It could therefore be beneficial both for staff in the authorities and the applicants that a system involving the possibility for applicants to reach out to the authorities with their questions is structured and transparent. In this way, applicants are made aware of the practical limitations, such as for example the need to make an appointment.

Phone hotline

The use of a phone hotline where applicants can call in to ask their questions can be an effective way to provide information to the applicant. The operating hours of the hotline can be adapted to the resources available in the authority and allows for the scheduling of interpreters in the most common languages spoken by applicants. It could also be possible, for example, to have different operating hours for different languages.

An issue to consider in this context is the kind of information that could be provided through such a hotline. As an example, if the intention would primarily be to provide information of a general nature or if applicants could also be connected, if needed, with case officers that could answer questions related to their situation.

Email

Providing the applicant with the opportunity to reach out to the authority through email could be a practical solution for both the authority and the applicant. Language barriers and limited access to digital devices could, however, be something that could make this a bit challenging. Possible ways to overcome such challenges could involve assistance in submitting such questions within reception facilities or from CSOs.

By providing applicants with an automatic reply, the authority can also easily remind the applicants that they need to provide the authorities with information to identify them. That way the applicant can provide any missing information without delay.

5.3. Providing digital access to information

Allowing applicants to access information on the Dublin procedure online can also be an effective way to provide information to applicants. To the extent that the authority offers ways for the applicant to contact the authorities with their questions the contact details, along with practical instructions, can also be made available. Authorities could consider making this information easily accessible also through mobile devices. It can be noted that such information provision presupposes a level of digital literacy and access to digital devices that may not be available to all applicants. In this context an example of a digital tool that can be used are videos or animations created to explain the Dublin procedure.

Making information available on webpages or digital apps

Collecting all the relevant information on the Dublin procedure in one place on the website of the authority can be one way to provide easy access. Information can also be collected for applicants to access in downloadable applications that can be made available in different languages. These applications could also offer some possibilities for interaction between the authorities and the applicant depending on their complexity. When providing information using for example leaflets or posters including a QR-code can allow the applicant to access complementary information by redirecting them to relevant websites.

Good practice

Frequently asked questions can be automated using what are commonly referred to as ‘chatbots’ to talk to applicants about their most common questions on the Dublin procedure. Chatbots can be programmed to communicate in different languages. They function 24/7 at a time and place of the applicant’s own choosing. They can be installed in public spaces in reception centres, or in the waiting area at the asylum service.

Information in social media channels

Social media channels of the Dublin Unit could be used to communicate major announcements, contact details and similar information. If the authority notices that incorrect information on a particular topic is circulating amongst applicants, social media channels could also potentially be used to put out correct information as a counter narrative.

6. Inspiration: cooperation with civil society

Civil society has demonstrated a strong commitment when it comes to providing assistance to applicants for international protection and refugees upon arrival, ensuring access to fundamental rights, accommodation, international protection, medical and social services and promoting long-term integration. The way that Member States organise their asylum and reception system, differences in the availability of established CSOs and practical considerations with regard to the nature of migratory flows will affect the cooperation between Dublin Units and CSOs that will be possible in different Member States. Here some ideas and practices are presented that can serve as an inspiration for different arrangements that can promote cooperation and participation with civil society.

Several parts of the legal framework of the CEAS specifically involves the civil society in the asylum procedure.

Legal provisions relating to the role of CSOs in the CEAS

Several parts of the legal framework of the CEAS ⁽⁴⁾ specifically involves civil society in the asylum procedure:

- Every applicant should have, inter alia, an opportunity to communicate with a representative of UNHCR and with organisations providing advice or counselling to applicants for international protection (Article 12(1)(c) asylum procedures directive).
- Applicants have the possibility of communicating with relatives, legal advisers or counsellors, persons representing UNHCR and other relevant national, international and nongovernmental organisations and bodies (Article 18(2)(c) reception conditions directive).
- Member States may provide that the legal and procedural information free of charge in procedures at first instance is provided, inter alia, by non-governmental organisations (Articles 19 and 21(1) asylum procedures directive).
- Member States may allow non-governmental organisations to provide legal assistance and/or representation to applicants in all stages of the procedure (Article 22(2) asylum procedures directive).
- Member States shall ensure that applicants are provided with information by organisations or groups of persons that provide specific legal assistance and organisations that might be able to help or inform them concerning the available reception conditions, including healthcare (Article 5(1) reception conditions directive).

6.1. Providing contact details of civil society organisations to applicants

A relatively easy step to take that can promote participation of civil society is to provide applicants with information on established CSOs at the earliest stage possible. This information could include information about the services that different organisations can provide to applicants together with contact details.

⁽⁴⁾ Asylum Procedures Directive: [Directive 2013/32/EU](#) of the European Parliament and of the Council of 26 June 2013 on common procedures for granting and withdrawing international protection (recast); Reception Conditions Directive: [Directive 2013/33/EU](#) of the European Parliament and of the Council of 26 June 2013 laying down standards for the reception of applicants for international protection (recast).

Services provided can be highlighted by using explanatory icons/pictograms and if the leaflets are available in different languages spoken by the applicants it could further increase their usefulness. This information could also be made available to applicants using digital platforms, applications for mobile phones, etc.

The common leaflets developed by the European Commission to inform applicants about the Dublin procedure includes space at the end of the leaflets where Member States can add this type of information. This information can also be highlighted and explained orally to applicants when they are provided with these leaflets.

6.2. Cooperation on family unity

CSOs can play a role in particular with regards to Dublin cases where an applicant wishes to be reunited with a family member present in another Member State. The Dublin III regulation provides for this cooperation, for instance with regards to family tracing.

Practical example

As a country of first arrival with many applicants spread across the Greek islands and with a central Dublin Unit in Athens, the cooperation between CSOs and the Greek Dublin Unit greatly supports, in particular, the family unity procedures under the Dublin III regulation.

During the Dublin Screening Phase, the Dublin Unit maps the special needs of each Dublin case to immediately locate the applicants through their representatives. Usually the CSOs also contact the Dublin Unit to ensure that the case was referred to the Dublin Unit in a timely fashion.

Depending on the applicant's location, the Dublin Unit is aware of the CSOs that are active in the specific camp or shelter and can easily contact them, usually in Greek or English (without needing interpretation). The CSO then proceeds to locate the applicant to further assess the case's circumstances and inform the applicants in a timely manner of the actions to be taken.

CSOs support the applicant in collecting the necessary documentation, translate documents with their own interpreters, organise sessions to collect further evidence, facilitate the arrangement of appointments, submit the documents to the authority, notify the applicant if the requested Member State rejects a take charge request and remind the applicant to comply with the deadlines.

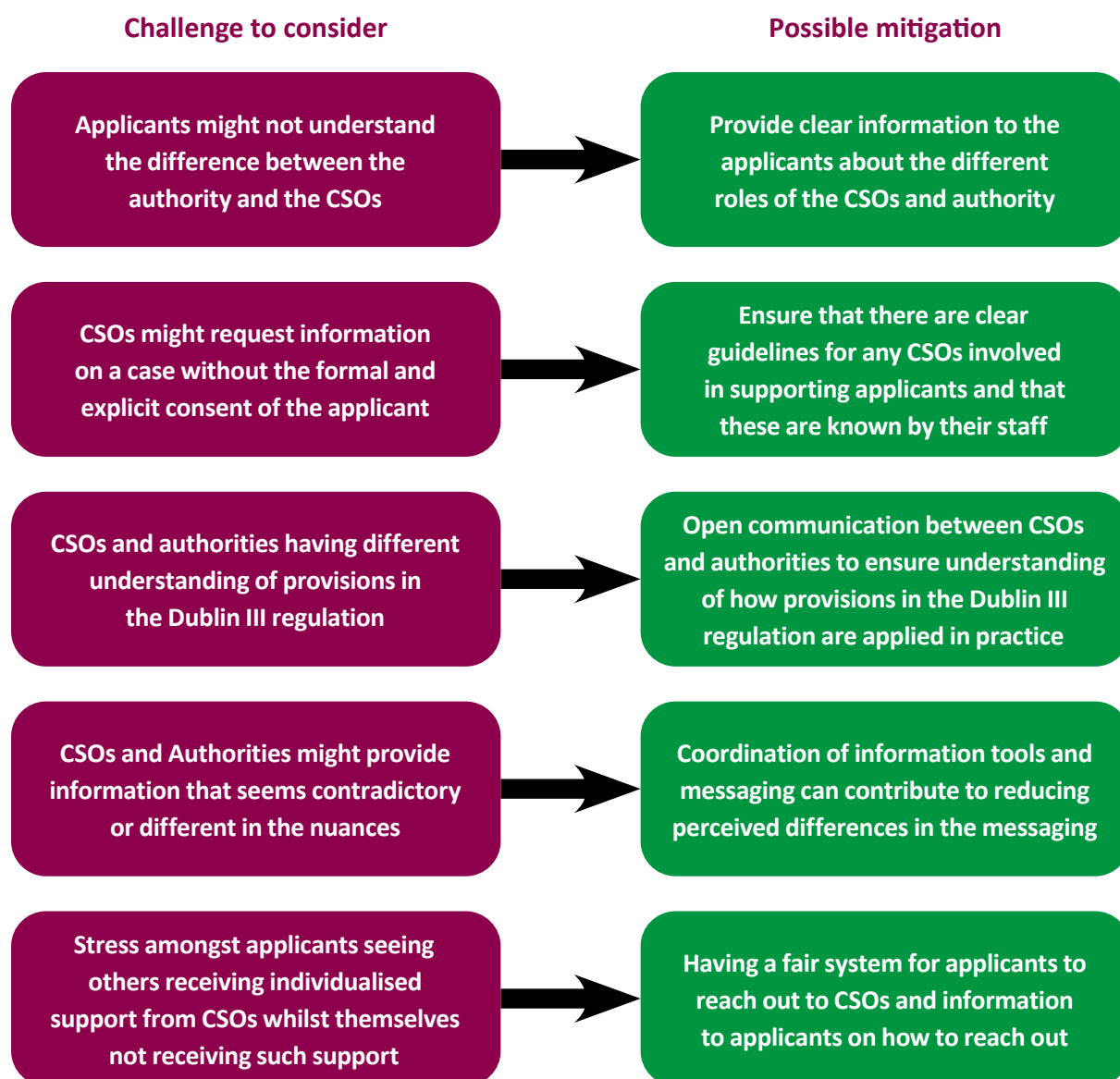
For applicants that do not live in a camp and that need further assistance regarding their Dublin case, a list of CSOs (included in a national register) is given to them by the responsible regional Asylum Office. They are also provided with a leaflet containing the specific requirements related to family unity under the Dublin procedure of the Member State where the applicant's family members reside. In this way, upon registration the applicant is informed in a timely fashion to collect the necessary documents (e.g. family documents, translations, medical documents, etc.).

The Greek Dublin Unit has also cooperated with UNHCR, EASO, IOM and various CSOs in order to create and utilise a Best Interests Assessment Form for the purpose of implementing the Dublin III regulation ⁽⁵⁾.

⁽⁵⁾ For more information see CoE report '[Family reunification for refugee and migrant children](#)'. p. 70-71.

6.3. Mitigating challenges in cooperation with civil society

Even though cooperation between Dublin Units and civil society can provide benefits both for the authorities and the applicants, it is important to reflect on the challenges that can accompany such cooperation. Asylum authorities and CSOs have different roles and responsibilities, and it is important that these are clear both to the involved parties and the applicants.



Annex I. Checklists

1. Methodological

Checklist: preparing for a verbal information provision session

Subject of the information

- ☐ Check the exact information needs to be communicated to the applicant at the given stage of the information provision.
- ☐ Familiarise yourself with the relevant Dublin aspects of the case to adjust the main focus points of the provided information according to the individual needs and circumstances of the applicant.

Information tools and products

- ☐ Ensure you have all handout materials and other tools (in the correct language versions).
- ☐ Prepare additional sources to look for information in case the applicant requests additional information.
- ☐ Have a list of referrals where the applicant might turn to receive necessary additional support.

Practical planning

- ☐ If face-to-face – plan a location to provide the information where you can build trust and have a calm conversation with the applicant.
- ☐ If online – make sure that the technological setup is working well and that you will be able to communicate well with each other.
- ☐ Ensure that you have access to an interpreter.

2. Procedural steps

Checklist: key information on initial contact

Basics about the Dublin system and the CEAS

- ☐ The Dublin system is a European system used to determine which Member State will be responsible for their application for international protection.
- ☐ The applicant is not able to choose which Member State will be responsible for examining their application. Only one Member State will be responsible.
- ☐ All Member States are bound by the same minimum standards agreed on a European level (fundamental rights, accommodation and other basic needs).
- ☐ The rights and obligations of the applicant, including the obligation to cooperate with the authorities.
- ☐ Absconding or damaging their documents will not benefit the procedure and will not help the applicant to avoid the determination process.

Basic information on family unity

- ☐ If an applicant has family members that are present in another Member State, the Dublin procedure can be used to reunite the applicant with their family.
- ☐ Who is considered a family member and relatives in the Dublin procedure (see [Annex II. Family unity possibilities](#))?
- ☐ If the applicant and the applicant's family member(s) want to be reunited, they will have to express this in writing.
- ☐ It is very important that the applicant informs the authorities of the location of any family members or relatives.
- ☐ The applicant should gather any evidence they have that can help to prove the family links.
- ☐ The concept of dependency (see [Annex II. Family unity possibilities](#)).

Residence or entry

- ☐ If the applicant does not have family members in other Member States, an issued residence permit, visa, border crossing or stay in a specific country can affect which country will be responsible.
- ☐ If the applicant has any documents or elements that can serve as proof or circumstantial evidence with regards to entry, stay or residence they should gather this and present it to the authorities.

Children

- ☐ The best interests of the child is a primary consideration of Member States when applying the Dublin III regulation.
- ☐ Unaccompanied minors do not have to provide a written consent.
- ☐ Unaccompanied minors have the right to a representative.

Checklist: Key information on fingerprinting

Make sure that the applicant understands what a fingerprint is

- ☐ We all have unique individual fingerprints and pictures of these can be used to identify us.

Who needs to be fingerprinted?

- ☐ Fingerprinting is compulsory for persons of age 14 or older that apply for international protection in Europe, are apprehended in connection with the irregular crossing of the external border or are found illegally staying on the territory of a Member State.
- ☐ The fingerprints must be taken and checked even if the applicant has family or relatives in another Member State that they want to be reunited with.

What will happen with the applicants' fingerprints?

- ☐ The fingerprints will be transmitted to a fingerprint database called 'Eurodac'.
- ☐ Eurodac is an EU fingerprint database enabling Member States to compare the fingerprints of applicants for international protection.
- ☐ The fingerprints will be checked by the authorities to see if the applicant has applied for international protection previously or if the applicant has been apprehended in connection with the irregular crossing of the EU external borders.
- ☐ The fingerprints may also be checked against the Visa Information System, which is a database that contains information on visas granted within the Schengen area.

What will be stored and for how long?

- ☐ Ten (digital) fingerprints, the gender of the applicant, the country fingerprinting, and the place and date of the application for international protection (if applicable).
- ☐ Fingerprints will be kept for ten years (in the case of applications for international protection) or 18 months (if an irregular border crossing).
- ☐ The data is automatically deleted by the system after this period.

Who can access the applicant's fingerprints?

- ☐ The authorities that are determining which Member State will be responsible for examining the application for international protection.
- ☐ Under strict conditions, the police and European Police Office (Europol) can access the data if they are investigating serious crimes.
- ☐ The information will never be shared with the country of origin of the applicant.

What are the applicants' rights?

- ☐ The applicant has a right to access the data.
- ☐ The applicant has a right to obtain a copy of the data.
- ☐ The applicant has a right to correct and delete the data if there are any mistakes.

Checklist: key information during lodging and the Dublin personal interview

Basic information about the Dublin system

- ☐ Territorial scope of the Dublin III regulation applies throughout 31 countries.
- ☐ The Dublin procedure establishes which single country is responsible for examining an applicant's application for international protection. An applicant may be transferred from one country to another country that is responsible for examining the application.
- ☐ The Dublin III regulation has the purpose of guaranteeing that an application for international protection will be examined on the merits by a Member State. It ensures that an applicant does not make multiple applications in several countries with the aim of extending their stay in the Dublin countries.
- ☐ Until it has been decided which country is responsible for examining an applicant's application, the authorities will not consider the detail of that application.
- ☐ Applicable time limits (see [Annex III. Timelines of the Dublin III regulation](#)).

The responsibility criteria

- ☐ The criteria for determining the Member State responsible, and their hierarchy.
- ☐ If the applicant does not want to be reunited with family members in another Member State, it is not necessarily the case that the application will be handled where the applicant currently resides. It could be another Member State that is determined as responsible based on the other criteria.

Providing the authorities with proof and evidence

- ☐ The importance of providing the authorities with all the information that the applicant has about the presence of any family members or relatives in any of the Dublin countries.
- ☐ The importance to provide any other information that could be relevant for establishing the country responsible for examining the application for international protection.
- ☐ The applicant should also provide any documents or papers in their possession that contain relevant information.
- ☐ That cooperating with the authorities is in the best interests of both the applicant and the authorities.

Special needs

- ☐ Explain to the applicant what special needs are, the help available, which organisations or authorities are responsible for providing such services and how they can be accessed by the applicant.
- ☐ The applicant should be proactively asked to inform the authorities of any special needs they might have.

Checklist: notifying the applicant about the transfer decision

Explaining the decision, and the underlying reasons

- ☐ Explain why and based on which criteria another Member State has been determined to be responsible for examining their application for international protection.
- ☐ The examination of their application for international protection will be examined once they have been transferred to the responsible Member State.

Common standards across Europe

- ☐ All Member States must apply the minimum standards laid down in the provisions of the CEAS, or similar national rules with regards to the rights of the applicant on things such as accommodation and other basic needs.
- ☐ The applicant will receive a fair hearing of their application for international protection in the responsible Member State.

Available remedies

- ☐ Discuss with the applicant whether they wish to appeal against the transfer decision to obtain information on the possible continuation of the case.
- ☐ Provide information on the legal remedies available.
- ☐ Explain the applicable time limits, including on the right to apply for suspensive effect, where applicable.
- ☐ Make clear to the applicant that if they do not appeal the decision, it becomes enforceable on the expiration of the time limits.

Legal assistance

- ☐ Remind the applicant of their right to receive legal assistance.
- ☐ The contact details of persons or entities that may provide such legal assistance.
- ☐ The practical steps necessary to receive such support.

Practical circumstances of the transfer

- ☐ The time limits to carry out the transfer.
- ☐ A time plan of upcoming meetings (if possible).
- ☐ Where and on which date the person should appear in the receiving Member State.
- ☐ The importance to cooperate with the authorities and the potential consequences of not doing so.

Checklist: key information to provide when preparing a transfer

The practical circumstances of the transfer

- ☐ Provide as many practical details as possible on the arrangements regarding the transfer as soon as possible.
- ☐ Practical advice on what to pack in a carry-on for the transfer.
- ☐ Remind the applicant they are being transferred to a country bound by the same minimum standards to provide protection.

3. Dublin criteria

Checklist: providing information on the responsibility criteria of the Dublin III regulation

Family members for adult applicants

- ☐ Their spouse or unmarried partner in a stable relationship.
- ☐ Any children that are still minors (under the age of 18).

Family members and relatives for unaccompanied minors

- ☐ Parents
- ☐ An adult person responsible for the minor
- ☐ Siblings
- ☐ Aunts or uncles
- ☐ Grandparents

General criteria for responsibility to be assigned based on family criteria

- ☐ The individuals need to be present in the Member State as an applicant or as a beneficiary of international protection. For unaccompanied minors, the individuals need to be legally present in the Member State.
- ☐ The applicant does not have to be reunited with a family member that they do not wish to be reunited with.
- ☐ The person that they wish to be reunited with must also provide a written consent.

The best interests of unaccompanied minors

- ☐ Explain the purpose of the best interests assessment and what it entails.
- ☐ A transfer to another Member State under the Dublin III regulation can only happen if it is in the best interests of the child.
- ☐ What is in the child's best interest is assessed by the determining Member State, in cooperation with the other Member State.

When family members and/or minor unmarried siblings submit applications for international protection in the same Member State simultaneously and where the application of the criteria set out in the Dublin III regulation would lead to them being separated, the Member State responsible shall be determined on the basis of the following

- ☐ The Member State that the criteria indicate is responsible for taking charge of the largest number of them.
- ☐ Failing this, the Member State that the criteria indicate is responsible for examining the application of the oldest of them.

Residence documents and visas

- ☐ If the applicant has been granted a residence document or a visa this can be important to establish the responsible Member State.

Residence documents do not affect the determination of the responsible Member State if they are issued during the period required in order to perform the following

- ☐ Determine the responsible Member State to examine an application for international protection.
- ☐ Examine an application for international protection.
- ☐ Examine an application for a residence permit.

With regards to the entry criteria it should be explained

- ☐ That it applies if the other criteria such as family ties, prior residence, visas, etc. do not apply.
- ☐ What constitutes an irregular entry.
- ☐ That this responsibility ceases 12 months after the date on which the irregular border crossing took place.

With regards to visa waived entry it should be noted

- ☐ That it is important to inform the authorities if the applicant was allowed to legally enter the territory of the Member States without a visa.

With regards to applications in the international transit area of an airport

- ☐ That it is important to inform the authorities if the applicant made the application for international protection at the airport when arriving.

Checklist: providing information on dependency

Dependency may be considered if

- ☐ An applicant is dependent on the assistance of their child, sibling or parent that is legally resident in one of the Member States.
- ☐ The child, sibling or parent of the applicant is depending on their assistance.

General criteria for responsibility to be assigned based on dependency

- ☐ The family ties existed already in the country of origin.
- ☐ The applicant and the family member / relative indicate in writing that they both wish to be reunited.
- ☐ The child, sibling or parent is able to take care of the dependent person.

The Dublin III regulation lists the following reasons for a possible dependency

- ☐ Pregnancy
- ☐ A newborn child
- ☐ Serious illness
- ☐ Severe disability
- ☐ Old age

Checklist: providing information on the discretionary clauses

General considerations when providing information

- ☐ Explain to the applicant that for a transfer to be possible under this clause it requires not only a request from the determining Member State but also an acceptance from the requested Member State.
- ☐ Take particular care to manage the expectations of applicants when providing information on these provisions.

With regards to the sovereignty clause (Article 17(1) Dublin III regulation)

- ☐ A Member State may decide to assume the responsibility to examine an application for international protection that has been lodged with it even though it is not its responsibility under the criteria laid down in the Dublin III regulation.

A request to apply the humanitarian clause (Article 17(2) Dublin III regulation) can be submitted to another Member State

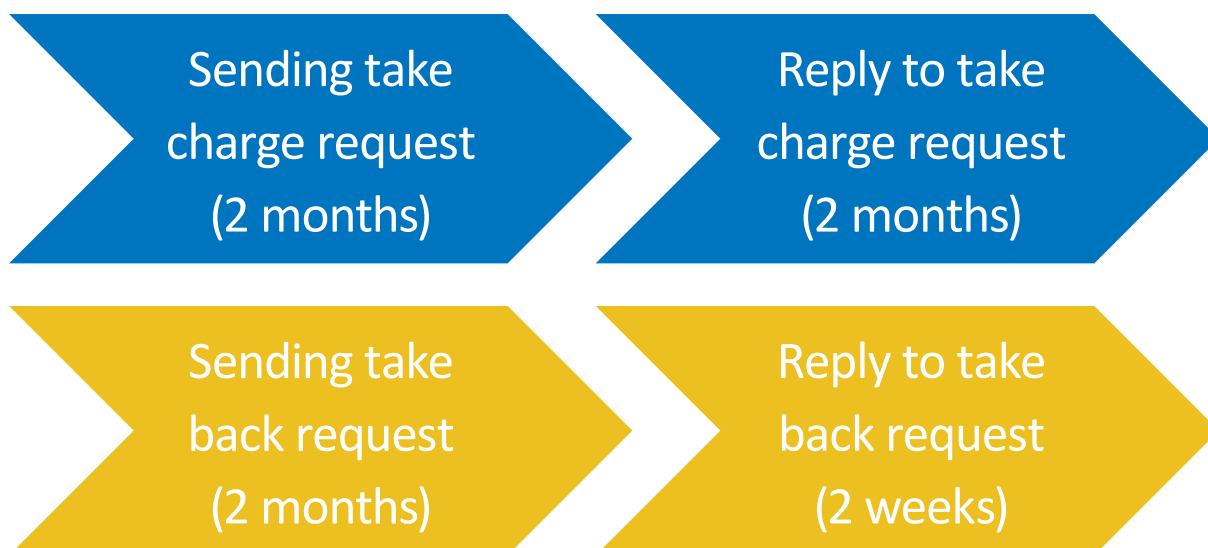
- ☐ Before a first instance decision on the substance of that application.
- ☐ To bring together any family relations on humanitarian grounds based in particular on family or cultural considerations, even where that other Member State is not responsible under the criteria laid down in the articles relating to family and dependency.
- ☐ If both parties consent to this procedure.

Annex II. Family unity possibilities

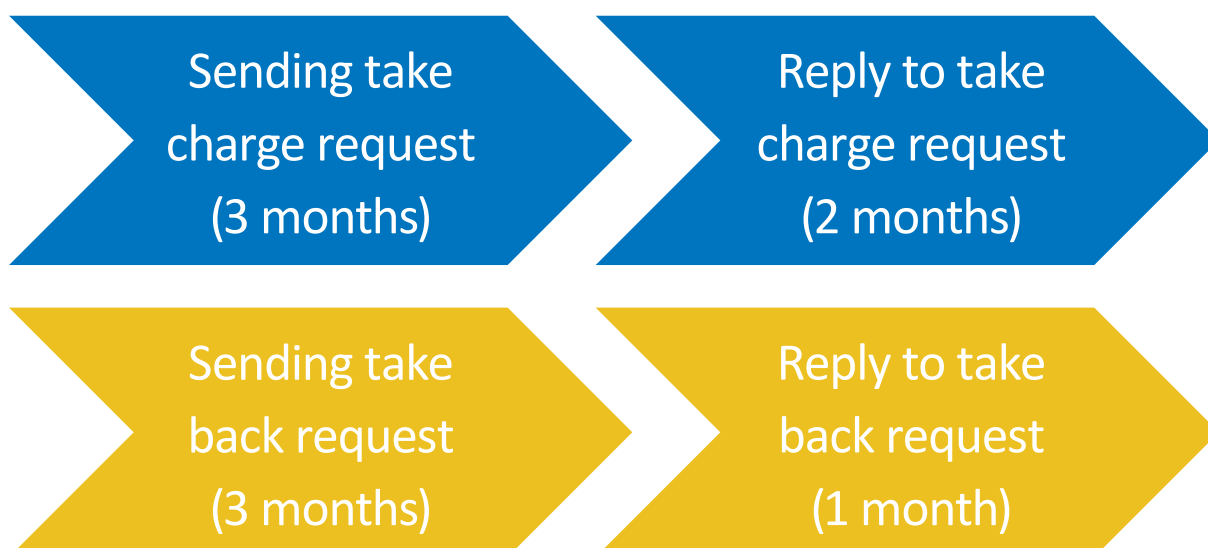
 <p>unaccompanied minors reuniting with family members or siblings <i>Article 8(1) Dublin III regulation</i></p>	 <p>unaccompanied minors reuniting with relatives <i>Article 8(2) Dublin III regulation</i></p>	 <p>adult applicants reuniting with beneficiaries of international protection <i>Article 9 Dublin III regulation</i></p>	 <p>adult applicants reuniting with an applicant for international protection <i>Article 10 Dublin III regulation</i></p>	 <p>adult applicants in a situation of dependency <i>Article 16 Dublin III regulation</i></p>
<ul style="list-style-type: none"> – UAMs can be reunited with a family member (parent(s) or sibling(s) in another Member State) – The family member needs to be legally present there – The family should already have existed in the country of origin – This reunification should be in the best interests of the minor 	<ul style="list-style-type: none"> – UAMs can be reunited with a relative (aunt/uncle or grandparent(s) in another Member State) – The relative needs to be legally present there – The relative should be able to take care of the UAM – This reunification should be in the best interests of the minor 	<ul style="list-style-type: none"> – An applicant can be reunited with a family member (see Article 2(g) Dublin III regulation) who has been granted international protection in another Member State – It is not necessary that this family already existed in the country of origin – Both the applicant and the family member need to give their written consent 	<ul style="list-style-type: none"> – An applicant can be reunited with a family member (see Article 2(g) Dublin III regulation) who is an applicant for international protection in another Member State and who has not yet received a decision on this application – Both the applicant and the family member need to give their written consent 	<ul style="list-style-type: none"> – The applicant and a child, sibling or parent in another Member State can be brought together – If the applicant is dependent on their assistance, or vice-versa – Assistance is needed because of pregnancy, a newborn child, serious illness, severe disability or old age – The child, sibling or parent needs to be legally resident and family ties existed in the country of origin – All persons concerned need to give their written consent

Annex III. Timelines of the Dublin III regulation

Deadlines if there is a Eurodac hit



Deadlines if there is no Eurodac hit



Transfer deadlines



Annex IV. Frequently asked questions

This chapter presents questions or statements related to the Dublin procedure that are commonly asked by the applicants, accompanied by suggested elements for answers.

Please note that not all of the questions in the following section will be common in every Member State as different Member States face different challenges depending on geographic location and other variables.

1. Family unity

1.1	I want to reunite with person X in country Y, can you help me?
1.2	With whom can I be reunited?
1.3	Why can I not be reunited with my adult children?
1.4	What kind of information do I need to prove that I have a link with my family?
1.5	I lost my documents during the journey, how can I provide proof of the family links?
1.6	I have not applied for international protection yet, can I still be reunited with my family?
1.7	I received a first instance decision, can I still be reunited with my family in another Member State?

2. The determination of the responsible Member State

2.1	What is going to happen after the Dublin interview?
2.2	I may have a visa from country X, but I never even wanted to go to this country, and I never visited this country on my way here. Why would they be responsible for my application?
2.3	What happens if the other Member State rejects the request to take charge of my application?
2.4	Nobody here cares why I had to leave my country to ask for protection, why are you not asking me questions about what happened to me in my home country?
2.5	I will not be a minor anymore when you will send the request – is this a problem?

3. Deadlines and waiting

3.1	How long do I have to wait until you have decided which Member State will be responsible for my application?
3.2	When will you send the request to the other country to take charge of my application, how do I count the deadlines?
3.3	How is the six-month transfer deadline counted?
3.4	How long do I have to wait to be transferred to Member State X?

4. Transfers and appeals

4.1	Can I pay the ticket on my own so as to leave earlier?
4.2	I do not want to be transferred to Member State X, how can I appeal this decision?
4.3	I do not want to be transferred to Member State X, is it possible to return voluntarily to my country of origin instead?
4.4	I do not want to go back to Member State X. Person X did not have to go and my case is identical, why should I have to go back?
4.5	My application has been rejected in Member State X. If I am transferred, I am going to be sent back to my country of origin. I cannot go back to my country of origin, will you send me there?
4.6	The responsible Member State has friendly ties with the government of my home country which persecuted me, do I have to go there?
4.7	Member State X did not provide me with anything. I cannot go back

1. Family unity



1.1. I want to reunite with person X in country Y, can you help me?



Yes. The Dublin III regulation can be used to reunite persons under certain specific conditions. A visualisation of the family unity possibilities under the Dublin III regulation can be found in [Annex II. Family unity possibilities](#).

Explain

- The family definitions, and how the family criteria of the Dublin III regulation work.
- What evidence might be needed to establish such a link.
- That your authority needs to provide this information to the authorities in the other Member State.



1.2. With whom can I be reunited?



The Dublin III regulation provides specific rules on whom you can be reunited with. This will depend on whether you are an adult or an unaccompanied minor. A visualisation of the family unity possibilities under the Dublin III regulation can be found in [Annex II. Family unity possibilities](#).

Explain

- The family criteria, and the various persons that the applicant might be able to be reunited with depending on their individual situation.
- That if the applicant is dependent on any of those family members, relatives or family relations or if any of those depend on the applicant it is important to inform the authorities of this so that it can be taken into consideration.
- That your authority needs to provide this information to the authorities in the other Member State.

Consider

- If you provide information on family unity through the discretionary clauses, take particular care in managing the expectations of the applicant.



1.3. Why can I not be reunited with my adult children?



The Dublin III regulation provides specific rules on whom you can be reunited with and in most cases does not offer the possibility to reunite with adult children. A visualisation of the family unity possibilities under the Dublin III regulation can be found in [Annex II. Family unity possibilities](#).

Explain

- Explain the definition of family members set out in the Dublin III regulation and that these are the rules that have been agreed between the European Parliament and the Council.
- If the applicant is dependent on their adult children or if the adult children depend on the applicant it is important that they inform the authorities of this so that it can be taken into consideration. Make sure to manage the expectations of the applicant in this regard.

Consider

- If you provide information on family unity through the discretionary clauses, take particular care in managing the expectations of the applicant.



1.4. What kind of information do I need to prove that I have a link with my family?



The Dublin III regulation provides rules on the use of proof and circumstantial evidence in the Dublin procedure. The Commission Regulation (EC) No 1560/2003 provides, in Annex II, lists of the proof and circumstantial evidence. A visualisation with examples of the types of evidence that can be used in the Dublin procedure can be found in [Section 1.10 Evidence in the Dublin procedure](#).

Explain

- By giving practical examples on what can constitute evidence.
- How the evidence can be submitted to the authority.
- How to access any available assistance to gather evidence or to trace family links.

Consider

- If you provide information on family unity through the discretionary clauses, take particular care in managing the expectations of the applicant.



1.5. I lost my documents during the journey, how can I provide proof of the family links?



The Dublin III regulation provides rules on the use of proof and circumstantial evidence in the Dublin procedure. The Commission Regulation (EC) No 1560/2003 provides, in Annex II, lists of the proof and circumstantial evidence. A visualisation with examples of the types of evidence that can be used in the Dublin procedure can be found in [Section 1.10 Evidence in the Dublin procedure](#).

Explain

- That there are different ways to prove family links and give concrete examples on possible evidence that could be provided by the applicant.
- That although original documents are good, the applicant could also provide copies or photos of relevant documents if they no longer have the originals.



1.6. I have not applied for international protection yet, can I still be reunited with my family?



Family reunion under the Dublin III regulation is only possible if the person has lodged an application for international protection.

Explain

- That the Dublin procedure starts when the person lodges their application for international protection and that they therefore cannot be reunited through the Dublin procedure unless they have applied for international protection.



1.7. I received a first instance decision, can I still be reunited with my family in another Member State?



If your case has already been examined in this country you cannot be reunited with family members in another Member State through the Dublin procedure.

Explain

- If your case has already been examined in this country you cannot be reunited with family Members in another Member State through the Dublin procedure.
- Family members that are legally residing in another Member State could inquire to the authorities of that Member State about whether they fulfil the requirements for other forms of non-Dublin related family reunification.
- In general, the family reunification process cannot be valid in combination with a national procedure or another European program (for example the voluntary relocation program).

2. The determination of the responsible Member State



2.1. What is going to happen after the Dublin interview?



The Member State authority will determine whether they or another Member State is responsible for examining the application for international protection.

Explain

- The next steps of the procedure including the possibility of a court proceeding.

Consider

- You might have to explain the difference between the decision of the authority and a court proceeding.
- Providing information on expected time frames for the procedures can help to manage the expectations of applicants. A visualisation of the timelines in the Dublin III regulation can be found in [Annex III](#).



2.2. I may have a visa from country X, but I never even wanted to go to this country, and I never visited this country on my way here. Why would they be responsible for my application?



With regards to visas, the Member State that made possible the entry to the Schengen Area is considered responsible based on objective criteria.

Explain

- It does not make a difference if the applicant planned to go to that country or wants to go to that country, the Member State that made possible the entry to the Schengen Area is considered responsible based on objective criteria.



2.3. What happens if the other Member State rejects the request to take charge of my application?



There is no possibility for the applicant to appeal a rejection from the other Member State to take charge of their application. If the applicant is not transferred to another Member State, the Member State they are currently residing in will examine their application for international protection

Explain

- There is no possibility for the applicant to appeal a rejection from the other Member State to take charge of their application.
- If the requesting Member State considers that a refusal by another Member State to take charge or take back an applicant is based on a misappraisal, or where it has additional evidence to put forward a request for re-examination can be sent, if the deadlines allow for it.
- If the applicant is not transferred to another Member State, the Member State they lodged their application in will examine their application for international protection.



2.4. Nobody here cares why I had to leave my country to ask for protection, why are you not asking me questions about what happened to me in my home country?



The authorities first need to establish the Member State responsible for examining the application for international protection.

Explain

- The applicant will get to tell their full history and underline the purpose of your current interaction with them.
- You need to first determine which country will be responsible for the application before the authorities start to examine in detail what happened in the country of origin.

Consider

- Applicants that are expecting to tell the full history of what happened to them in their country of origin can be disappointed if not provided the opportunity to do so. This could give a feeling that the authorities do not care about what might have happened and lead to distrust.



2.5. I will not be a minor anymore when you will send the request – is this a problem?



If the applicant was a minor when they first lodged an application for protection in a Member State they will still be considered as a minor with regards to the criteria used to determine the Member State responsible even if they turn 18. This would not apply however with regards to dependency, the humanitarian clause and certain procedural guarantees.

Explain

- If the applicant was a minor when they first lodged an application for protection in a Member State they will still be considered as a minor with regards to the criteria used to determine the Member State responsible even if they turn 18.
- This provision applies to the main responsibility criteria in Chapter III Dublin III regulation. If dependency or the use of the humanitarian clause are applicable, the current age of the applicant will instead be considered.
- Although the determination of the responsible Member State will be based on their age at the time of lodging, they might be treated as adults with regards to certain procedural guarantees as well as practical arrangements, for instance during a transfer.

3. Deadlines and waiting



3.1. How long do I have to wait until you have decided which Member State will be responsible for my application?




The deadlines to send a request to another Member State, and the deadline for that Member State to provide an answer are set out in the Dublin III regulation. There are different deadlines for different types of requests. A visualisation of the timelines in the Dublin III regulation can be found in [Annex III. Timelines of the Dublin III regulation](#).


Explain


- Your time limit to request a transfer pursuant to the Dublin III regulation and the time limit for the requested Member State to reply, and the transfer time limit should the requested Member State accept the transfer request.
- The Dublin procedure does not only depend on your administration, but that it also depends on the cooperation with authorities in other Member States.

Consider


If you can provide the applicant with a more precise estimate for their case based on your experience and current case management times, this can be beneficial. Giving the applicant a realistic expectation of the time frames of the procedure can help to manage their expectations.

?	3.2. When will you send the request to the other country to take charge of my application, how do I count the deadlines?
	<p><i>The time limit to send the request starts from the lodging of the application for international protection, and the time limit for the answer starts from the time the request is received by the other Member State. A visualisation of the timelines in the Dublin III regulation can be found in Annex III. Timelines of the Dublin III regulation.</i></p>
<p>Explain</p> <ul style="list-style-type: none"> ■ The steps and time limits of the Dublin procedure, adapted to the particular case of the applicant (whether there is a Eurodac hit, for instance). ■ The time limits for the requesting Member State starts when the applicant lodges the application and the deadline for the requested Member State starts from the time they receive the request. 	

?	3.3. How is the six-month transfer deadline counted?
	<p><i>The deadline is calculated from the date that the other Member State accepted the request. If the transfer decision was subject to an appeal or review the transfer deadline starts from the final decision on the appeal or review, if suspensive effect has been granted. A visualisation of the timelines in the Dublin III regulation can be found in Annex III. Timelines of the Dublin III regulation.</i></p>
<p>Explain</p> <ul style="list-style-type: none"> ■ The deadline is calculated from the date that the other Member State accepted the request to take charge or take back the applicant. ■ If the transfer decision was appealed by the applicant, inform them that the transfer deadline starts from the final decision on the appeal or review, if suspensive effect has been granted. 	
<p>Consider</p> <ul style="list-style-type: none"> ■ Provide the applicant with the applicable date in their case if it is known to you. 	

?	3.4. How long do I have to wait to be transferred to Member State X?
	<p><i>The transfer time limit is six months, which can be extended to 12 months if the applicant is imprisoned or up to 18 months if the applicant absconds. The deadline is calculated from the date that the other Member State accepted the request. A visualisation of the timelines in the Dublin III regulation can be found in Annex III. Timelines of the Dublin III regulation.</i></p>
<p>Explain</p> <ul style="list-style-type: none"> ■ The transfer time limit of six months, which can be extended to 12 or 18 months under specific conditions. ■ The Dublin procedure does not only depend on your administration, but that it also depends on the cooperation with the authorities in the other Member State. <p>Consider</p> <ul style="list-style-type: none"> ■ That if you can provide the applicant with a more precise estimate for their case based on your experience and current case management times, this can be beneficial. ■ Giving the applicant a realistic expectation of the time frames of the procedure can help to manage their expectations. 	

4. Transfers and appeals

?	4.1. Can I pay the ticket on my own so as to leave earlier?
	<p><i>The transfer has to be arranged between the authorities in the two Member States. If the applicant wants to leave earlier, they can contact the authorities and let them know that they want to leave voluntarily so that the authorities can arrange the transfer as soon as possible and in cooperation with the applicant. A visualisation of the timelines in the Dublin III regulation can be found in Annex III. Timelines of the Dublin III regulation.</i></p>
<p>Explain</p> <ul style="list-style-type: none"> ■ The transfer has to be arranged between the authorities in the two Member States and that they will need to communicate information between them, for instance. ■ The practical arrangements that will apply in the particular case with regards to whether the departure will be supervised or not, how travel documents will be arranged, etc. 	



4.2. I do not want to be transferred to Member State X, how can I appeal this decision?



The Dublin III regulation sets out the right to an effective remedy in the form of an appeal or review. The particular modalities and deadlines applicable are decided by each Member State.

Explain

- The national rules that apply with regards to appeals, the relevant deadlines in your country and, if applicable, the procedure to apply for suspensive effect.
- The right to receive legal assistance, the contact details of persons or entities that may provide such legal assistance and the practical steps necessary to receive such support.



4.3. I do not want to be transferred to Member State X, is it possible to return voluntarily to my country of origin instead?



The rules that apply for voluntary returns in your Member State should be explained, and whether or not that may be an option in the particular case.

Explain

- The consequences of withdrawing their application for international protection and inquire if the applicant really wishes to go ahead with this.
- The relevant rules that apply for voluntary returns in your Member State and whether that may or may not be an option in the case of the applicant.



4.4. I do not want to go back to Member State X. Person X did not have to go and my case is identical, why should I have to go back?



The criteria for determining the Member State responsible for the examining an application for international protection have to be examined individually in each case.

Explain

- The circumstances differ from case to case and are examined individually.
- The best is to focus on their case as the other case might seem as to be the same whereas a little alteration will change the case completely.

Consider

- Do not become involved in debating seemingly 'identical' cases involving other applicants, every applicant has the right to privacy and data protection.
- If a Eurodac hit is involved, explain the category and what it means, as simply as possible.



4.5. My application has been rejected in Member State X. If I am transferred, I am going to be sent back to my country of origin. I cannot go back to my country of origin, will you send me there?



Dublin transfers are only between Member States.

Explain

- The relevant parts of the CEAS and that upon arrival, a new application for international protection (if submitted) will be dealt with by this Member State according to the relevant rules.
- Dublin transfers are only between Member States.



4.6. The responsible Member State has friendly ties with the government of my home country which persecuted me, do I have to go there?



All Member States are under a legal obligation to respect the principle of non-refoulement and are considered as safe countries for third-country nationals and stateless persons. The foreign policy of a Member State does not affect the determination of the Member State responsible for examining an application for international protection, nor the examination of that application.

Explain

- Every Member State has signed up and are bound to respect the principle of *non-refoulement*.
- The authorities in the responsible Member State will examine the application for international protection objectively, and in accordance with common European rules, regardless of the diplomatic relationship between the two countries.



4.7. Member State X did not provide me with anything. I cannot go back



All Member States are bound by the rules agreed at EU level or apply similar national rules with regards to the rights of the applicant on things such as accommodation and other basic needs.

Explain

- All Member States are bound by the rules agreed at EU level or apply similar national rules with regards to the rights of the applicant on things such as accommodation and other basic needs.
- If the applicant is granted international protection they will receive additional rights.

Consider

- Asking the applicant what they mean more concretely with this statement, and the situation that they previously experienced.

Getting in touch with the EU

In person

All over the European Union there are hundreds of Europe Direct information centres. You can find the address of the centre nearest you at: https://europa.eu/european-union/contact_en

On the phone or by email

Europe Direct is a service that answers your questions about the European Union. You can contact this service:

- by freephone: 00 800 6 7 8 9 10 11 (certain operators may charge for these calls),
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Information about the European Union in all the official languages of the EU is available on the Europa website at: https://europa.eu/european-union/index_en

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For access to legal information from the EU, including all EU law since 1952 in all the official language versions, go to EUR-Lex at: <http://eur-lex.europa.eu>

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