

Dublin Procedure – what does it mean and how is it organised?

The Dublin Procedure determines which country is responsible for examining and deciding about your asylum application (the "responsible country"). Only after the *responsible country* is determined, the authorities of this country will examine the details of your asylum application.

It is possible that on the basis of the Dublin Procedure, you will be transferred from the Slovak Republic to another country – *to the responsible country*.

An interview will be conducted with you by the Migration Office in order to determine *the responsible country*. During the interview, you are obliged to provide all relevant information necessary for the Dublin Procedure (residence of your family members in the EU country, previous residence in the EU country, previous application in another EU country, etc.). If possible, provide the Migration Office with relevant documents to (more information about the interview can be found in information leaflet „Preparation for the interview“).

How is the “responsible country“ determined?

Criteria for determining the responsible country have their binding order:

1) Your family member (spouse, child up to 18 years old) was granted international protection (eg. asylum) or is an asylum seeker in another Member State

If you want to be reunited with this family member, you have to notify the Migration Office as soon as possible. At the same time, you and your family member have to agree in writing with the reunification and such consent has to be notified on the Migration Office.

2) The visa or residence permit have been granted to you in other member state

3) Your fingerprints were taken in another member state

4) There is evidence that you have stayed in or have transferred through another member state, even though your fingerprints have not been taken.

Dublin procedure in the case of dependent persons

In addition to the above criteria, you may be reunited with your mother, father, sister, brother or your child, provided that all the following conditions are complied with:

- these persons are legal residents in another member state,
- one of you is pregnant or has a new born child, is seriously ill, severely disabled or elderly,
- one of you is dependent on assistance of the other person who is able able to help with the necessary care,
- your family ties have already existed in your country of origin.

You and your family member must agree in writing with family reunification and such agreement must be notified to the Migration Office as soon as possible.

In case another country than the Slovak Republic is determined as “the responsible country”, the Migration Office will send the request for accepting responsibility for your asylum application, this must be done within the following time limits:

- 2 months, if the responsibility was determined on the basis of your fingerprints (the time limit is calculated from the moment when Slovakia obtained information about your fingerprints in another country) or
- 3 months, if the responsibility was determined based on another criterion (the time limit is calculated from submission of the application for asylum).

If the country to which the Slovak Republic sent the request for accepting responsibility **accepted the responsibility** for your asylum application, you will be transferred to this responsible country within 6 months. If you voluntarily left the asylum centre or intentionally failed to notify the Migration Office about your place of stay, the period for your transfer will be extended to 18 months.

If you disagree with the decision of the Migration Office on your transfer to another country, you can submit a lawsuit against this decision to the Court. The lawsuit shall be submitted within 20 days from the date of delivery of the Decision of the Migration Office to you or to your legal representative. You can also submit request for suspension of your transfer until the decision of the Court about your lawsuit.

The member states of the Dublin Regulation: *Austria (AT), Belgium (BE), Bulgaria (BG), Croatia (HR), Cyprus (CY), Czech Republic (CR), Denmark (DK), Estonia (ET), Finland (FI), France (FR), Germany (DE), Greece (EL), Hungary (HU), Ireland (IE), Italy (IT), Lithuania (LT), Latvia (LV), Luxembourg (LU), Malta (MT), Netherlands (NL), Poland (PL), Portugal (PT), Romania (RO), Slovakia (SK), Slovenia (SI), Spain (ES), Sweden (SE), United Kingdom (UK), Norway (NO), Island (IS), Switzerland (CH) and Liechtenstein (LI).*

