



Ad-Hoc Query on the implementation of the Dublin regulation

Requested by FR EMN NCP on 21st January 2014

Compilation produced on 26th March 2014

Responses from Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovak Republic, Slovenia, Spain, Sweden, United Kingdom and Norway (28 in Total)

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1. Background Information

France is reforming its asylum system and would like to collect good practices implemented by its partners in order to see if some of them could be adapted to the French system, especially to improve its transfer rate. To this end, the Department of asylum at the border and temporary admission to stay of the Ministry of Interior established a survey through the European Migration Network.

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I. Implementation of the Dublin Regulation

1. When do you recognize the asylum seeker status?
 - During the fingerprinting
 - When the asylum application is submitted

2. Do you distinguish between the intention of seeking asylum and the formalisation of the asylum application? Yes/No

3. Do you count asylum seekers under the Dublin procedure into the total number of asylum seekers? Yes/No

4. Are asylum seekers under the Dublin procedure provided with accommodation? Yes/No
If yes: Specific centre and/or transit centre
 Standard accommodation similar to other asylum seekers

5. Is the accommodation place imposed by the administration/authority?
If yes: Open centre
 Semi-open centre
 Closed centre

6. What kind of document is delivered to the asylum seeker while waiting for the answer of the requested Member State?

7. What are the possible appeals against your decision of transfer?

8. Do they have a suspensive effect? Yes/No

9. What are the different time limits?
 - Lodging an appeal
 - Decision
 - Appeal for judgments in first instance

10. Will this or these appeal(s) be subject to particular adaptation within the framework of Dublin III? Yes/No
If yes, which one?

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11. How do you proceed if an asylum seekers under the Dublin procedure is sick? Yes/No
 - a) Do you ask a registered doctor to approve the ability of the asylum seeker to travel? Yes/No
 - b) Do you organize sanitary transfers? Yes/No
 - c) Do you transfer pregnant women? Yes/No
 - d) Do you admit asylum seekers on your territory in case of serious disease? Yes/No

12. The transfers :
 - a) Do you detain asylum seekers just before the transfer? Yes/No
 - Single
 - Family
 - b) What kind of transfer is organized?
 - On the asylum seeker's initiative
 - Departure under control
 - Under escort
 - c) Do you organize transfers in group? Yes/No

13. Behaviour of the asylum seeker :
 - a) Do you notice that some asylum seekers run away at the time of the transfer? Yes/No
 - b) Do you notice refusal to board?

Dublin activity

1. How many Dublin procedures do you handle every year? (Incoming and outgoing requests)
2. How many agreements do you get from your partners (average number per year)?
3. How many effective transfer do you carry out every year?
4. How many times have you already used the sovereignty clause towards Greece?

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5. Do you apply the Dublin procedure for unaccompanied minors? Yes/No
6. Who takes charge of interpreting costs?
 - The Dublin unit
 - The partner associations
 - The asylum seeker

II. **Implementation of the Eurodac regulation**

1. How many Eurodac digital terminals do you have?
 - At the border (article 14)
 - On the territory (article 9)
2. Are irregular foreign nationals apprehended on the territory (article17)? Yes/No
If yes, who carries out fingerprinting? If it is the police, does it have specific terminals? If yes, how many?
3. Do you carry out ten-print images? Yes/No
4. Do you encounter difficulties during fingerprinting? Yes/No
If yes, which ones?

Do you have means of coercion? Yes/No

What are the consequences on the registration of the asylum application?

- Specific fast-track procedure
- Inadmissibility of the request

Eurodac activity

1. Which nationalities are the main concerned (asylum seekers)?
 - By the refusal to cooperate
 - By altered fingerprints

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2. What are the rates of refusal because of the fingerprints?



III. Organisation of your services

1. Who is the national Eurodac access point?
2. Who is the national Dublin access point? Please indicate its contact details, the head of the unit and the attached ministry.
3. Use of the secure messaging system DubliNet :
 - Exclusive
 - Sending of requests (take charge/take back, article 21)
 - Sending of answers
 - Requests of re-examination
 - Sending of transfer notices
4. Management of incoming and outgoing flows by:
 - National Dublin unit (Incoming and outgoing flows)
 - Local Dublin units (Incoming and outgoing flows)
5. What are the missions of the central Dublin unit?
6. Management of the litigations
 - Judgments in first instance: National Dublin unit and local Dublin units)
 - Judgment in appeal: National Dublin unit and local Dublin units)
7. Transfer management by :
 - Administrative services
 - Police services
8. How many persons are in charge of the Dublin activity?
 - a. Central Dublin unit
 - b. Local Dublin units

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c. Number of local Dublin units

2. Responses¹


	Austria	No	This EMN NCP has provided a response, however they have requested that this is not disseminated further.
	Belgium	Yes	<p>I. Implementation of the Dublin regulation</p> <ol style="list-style-type: none"> 1. When the asylum application is submitted 2. No 3. Yes 4. Yes. Standard accommodation similar to other asylum seekers 5. Yes. Open centre (assigned , not imposed), Semi-open centre : housing units (imposed), Closed centre (imposed) 6. Annex 25 or 26 , similar to other asylum seekers 7. A non-suspensive appeal at the Aliens Litigation Council (CCE/RVV) within 30 days of announcement of the decision. 8. The appeal has a suspensive effect if introduced in extreme urgency, which means if the transfer is imminent (in detention) 9. Lodging an appeal: A non-suspensive appeal within 30days (within 15 days if the person is detained). A suspensive appeal in extreme urgency within 5 days Decision: A non-suspensive appeal no time limit, an appeal in extreme urgency within 72 hours Appeal for judgments in first instance: 30days 10. 11. No 12. a) Yes b) Yes, exceptional c) Yes, if the transfer takes place by air we can transfer the pregnant woman against her will until 24 weeks of pregnancy, after 24 weeks we can only transfer her if she is willing to cooperate d) Yes 13. a) Yes. Single and Family (housing units, semi open) b) On the asylum seekers initiative, Departure under control, Under escort c) Exceptionally 14. a) Yes b) Yes <p>Dublin activity</p> <ol style="list-style-type: none"> 1. In 2013 : 5.621 incoming request and 2.502 outgoing requests 2. In 2013 : 1.983 agreements

¹ If possible at time of making the request, the Requesting EMN NCP should add their response(s) to the query. Otherwise, this should be done at the time of making the compilation.

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		<p>3. No data available at the moment</p> <p>4. In 2013 we had 476 hits with Greece, if no other state than Greece could be appointed as the responsible State, Belgian authorities examine the asylum claim. We have no exact data.</p> <p>5. Yes</p> <p>6. The Dublin unit</p> <p style="text-align: center;">II. Implementation of the Eurodac regulation</p> <p>1. 1 terminal (on the territory)</p> <p>2. Yes. The police carries out fingerprinting on livescan-macinenes or Fit –stations; a network of nearly 250 booking-stations, with an option to send fingerprints to the Immigration Office. No specific terminal for the police.</p> <p>3. Yes</p> <p>4. Yes. Poor quality due to manipulation of the fingertips for instance substances on the fingertips, polished fingers ... Do you have means of coercion? Yes Consequences: Detention of the asylum seeker</p> <p style="text-align: center;">Eurodac activity</p> <p>1. Somalia and Eritrea for both</p> <p>2. 1,5 %</p> <p style="text-align: center;">III. Organisation of your services</p> <p>1. See below</p> <p>2. FOD Binnenlandse zaken Dienst Vreemdelingenzaken - Dublin Unit World Trade Center, tower II Antwerpsesteenweg 59B, B-1000 Brussel</p> <p>SPF Intérieur Office des étrangers – Unité Dublin World Trade Center, tour II Chaussée d'Anvers 59B, B-1000 Bruxelles <u>Fax number: 0032-2/274.66.72</u> <u>General e-mail address: Bur_R10@dofi.fgov.be</u></p> <p>Head of unit: Mrs. Van Dorpe Els 0032-2/793.91.20 els.vandorpe@ibz.fgov.be</p>
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			<ol style="list-style-type: none"> 3. 95% of our messages are sent by Dublinet Sending of requests (take charge/take back, article 21), Sending of answers, Requests of re-examination, Sending of transfer notices 4. National Dublin unit (Incoming and outgoing flows) 5. Incoming and outgoing requests, transfer arrangements, detention decisions , info requests In and Out, preparation of laissez-passer, preparing and motivating the refusal decision. 6. Judgments in first instance: National Dublin unit Judgment in appeal: National Dublin unit 7. Administrative services 8. 16 (Central Dublin unit)
	<p>Bulgaria</p>	<p>Yes</p>	<p>I. <u>Implementation of the Dublin Regulation</u></p> <ol style="list-style-type: none"> 1. During the fingerprinting: The fingerprinting takes place after the asylum seeker has been registered in the Automatic Information System - <i>AIS Refugees</i>. 2. Yes 3. Yes 4. Yes, Standard accommodation similar to other asylum seekers 5. Yes. Open centre. 6. Registration card 7. Judicial control at first instance before the Administrative court in the city of Sofia. 8. No: In accordance with the Bulgarian Law on Asylum and Refugees, the appeal has no suspensive effect. However, there is a practice whereby in organization the transfer one waits for the court's decision. 9. Lodging an appeal – within 7 days after the decision has been given 10. Yes. The possibility for suspending the decision on transfer is being discussed. 11. a) Yes b) No c) Yes d) Yes 12. a) No b) Departure under control, Under escort 13. a) No b) No <p>Dublin activity</p> <ol style="list-style-type: none"> 1. In 2013: total 1498; incoming 1331; outgoing 167. 2. 29 in 2013. 3. 29 in 2013. 4. In each relevant case.



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		<p>5. Yes</p> <p>6. The Dublin unit: The costs are covered by the Bulgarian State Agency for Refugees. The Dublin unit is part of the agency.</p> <p>II. <u>Implementation of the Eurodac regulation</u></p> <p>1. At the border (article 14) - 22 On the territory (article 9) - 19</p> <p>2. Yes. Police authorities. Yes: 13</p> <p>3. Yes</p> <p>4. No No means of coercion</p> <p>Eurodac activity</p> <p>1. It is insignificant.</p> <p>2. Not significant.</p> <p>III. <u>Organisation of your services</u></p> <p>1. The Research Institute of Forensic Science and Criminology</p> <p>2. The State Agency for Refugees – Head of the Dublin unit – Mr. Daniel Indzhiev Contact persons: 1. Gergana Petrova, Directorate “Quality of procedure for international protection”, Legal adviser, E-mail: Gergana.Petrova@saref.government.bg, Tel: +359 2/81 81 240, Fax: +359 2/955 73 29;</p> <p>2. Veselin Chorbadzhiyski, Directorate “Quality of procedure for international protection”, Legal adviser, E-mail: Veselin.Chorbadzhiyski@saref.government.bg, Tel: +359 2/81 81 240, Fax: +359 2/955 73 29.</p> <p>3. Sending of requests (take charge/take back, article 21), Sending of answers, Requests of re-examination, Sending of transfer notices</p> <p>4. National Dublin unit (Incoming and outgoing flows)</p> <p>5. Conducting the procedure under Chapter VI, section Ia of the Law on Asylum and Refugees (determining the Member State responsible for examining the applications for international protection):</p>
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			<ul style="list-style-type: none"> - Sending requests for taking responsibility and return to the Member States and responding to incoming requests; - Delivering decisions on determining the responsible Member State; - Organizing and coordinating the activities for carrying out transfers. <p>6. Judgments in first instance: National Dublin unit Judgment in appeal: National Dublin unit</p> <p>7. Administrative services, Police services</p> <p>8. a) Central Dublin unit - 4 b) Local Dublin units: There are 8 staff members in the territorial units who also carry out some activities related to the implementation of the Dublin Regulation. c) Number of local Dublin units – There are no local units</p>
	<p>Cyprus</p>	<p>Yes</p>	<p>I. Implementation of Dublin</p> <p>1. When the asylum application is submitted</p> <p>2. No</p> <p>3. Yes</p> <p>4. Yes. Standard accommodation</p> <p>5. No</p> <p>6. Confirmation letter (for the application of international protection)</p> <p>7. Suspension of transfer, annulment of the decision</p> <p>8. Yes and no. The reviewing authority decides about that. Normally yes.</p> <p>9. Lodging an appeal: 20 working days for all types of appeals. A decision for an appeal is taken as soon as possible.</p> <p>10. Yes. An administrative Court will be established which will examine among others, and the appeals within the framework of Dublin III.</p> <p>11. a) Yes b) Yes c) No, unless a register doctor decides otherwise d) Yes, if we are in position to provide for the necessary treatment</p> <p>12. a) No b) Departure under control c) No</p> <p>13. a) Yes b) No</p> <p>Dublin activity</p> <p>1. 300 (circa) incoming and 10 (circa) outgoing</p> <p>2. 4 (circa) outgoing, 120 (circa) incoming</p> <p>3. 3 circa</p>


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			<ol style="list-style-type: none"> 4. 3 5. Yes 6. The Dublin unit <p>II. Implementation of the Eurodac regulation</p> <ol style="list-style-type: none"> 1. 7 terminals on the territory 2. Yes. Police. No specific terminals 3. Yes 4. No 5. No <p>Eurodac activity</p> <ol style="list-style-type: none"> 1. No such cases have ever been encountered 2. NA <p>III. Organisation of your services</p> <ol style="list-style-type: none"> 1. Criminalistic Services of the Cyprus Police 2. Effie Ioannou, Administrative Officer and Makis Polydorou, Head of Asylum Service, Ministry of the Interior 3. Sending of requests (take charge/take back, article 21), Sending of answers, Requests of re-examination, Sending of transfer notices 4. National Dublin units (incoming and outgoing flows) 5. The national Dublin unit carries out all missions 6. Judgments in first instance: National Dublin Unit Judgment in appeal: Refugee Reviewing Authority 7. Police services 8. a) 3 b) NA c) NA
	Czech Republic	No	This EMN NCP has provided a response, however they have requested that this is not disseminated further.
	Estonia	Yes	<p>I. Implementation of Dublin</p> <ol style="list-style-type: none"> 1. During the fingerprinting 2. Yes 3. Yes 4. Yes. Standard accommodation similar to other asylum seekers. 5. Yes. In open-centre. 6. A document certifying her/his asylum seeker status and allowing her/him to stay on the territory is delivered. 7. To appeal to Administrative Court 8. Yes

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		<p>9. The deadline for lodging appeal to Administrative Court on decision of transfer for the asylum seeker is 10 days.</p> <p>10. Yes. Creation of a specific suspensive action for annulment in first instance.</p> <p>11. a) No, if there is no doubt that the asylum seeker is able to travel. b) No c) N/A, haven't case until now. d) Yes.</p> <p>12. a) Single: Yes Family: No b) On the asylum seeker's initiative: Yes Departure under control: Yes Under escort: Yes c) Yes</p> <p>13. a) Yes b) Yes</p> <p style="text-align: center;">Dublin activity</p> <p>1. In 2013: Incoming requests: 67. Outgoing requests: 19 2. Ca 70 3. In 2013 – 6 4. No cases with Greece 5. No cases 6. Police and Border Guard Board and partner associations</p> <p style="text-align: center;">II. Implementation of the Eurodac regulation</p> <p>1. At the border points: 54. On the territory: 7 2. No 3. Yes 4. No No means of coercion Inadmissibility of the request</p> <p style="text-align: center;">Eurodac activity</p> <p>1. N/A, haven't had cases 2. N/A, haven't had cases</p> <p style="text-align: center;">III. Organization of your services</p> <p>1. Ministry of the Interior- Police and Border Guard Board 2. Police and Border Guard Board , Status Determination Bureau, International Protection Division, Pärnu mnt 139, 15060 Tallinn, e-</p>
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			<p>mail: asylum@list.politsei.ee; Head of unit: Liis Valk (liis.valk@politsei.ee; phone: +372 612 3360</p> <ol style="list-style-type: none"> 3. Sending of requests (take charge/take back,), sending of answers, requests of re-examination, sending of transfer notices 4. We do distinct National Dublin unit and local Dublin Unit. Sending of requests (take charge/take back,), sending of answers, requests of re-examination, sending of transfer notices regarding Dublin cases are done in the Status Determination Bureau of Police and Border Guard Board. 5. Processing of requests asked by the Member States, advice and support to the prefectures of Police and Border Guard Board regarding Dublin cases. 6. Status Determination Bureau of Police and Border Guard Board 7. Administrative services and Border Guard services 8. There are 2 case workers who deal with Dublin cases in Status Determination Bureau of Police and Border Guard Board and 8 border posts where some proceedings (e.g fingerprinting and sending to Eurodac) are carried out.
	Finland	Yes	<p>I. Implementation of Dublin</p> <ol style="list-style-type: none"> 1. When the asylum application is submitted 2. Usually intention and formalization are simultaneous. However, if the intention to seek asylum is presented to some other authority than police or border guard, the person is directed to the competent authority to lodge the application. 3. Not answered 4. Yes. Standard accommodation 5. Yes. Open centre, closed centre 6. Each asylum seeker is given a card which entitles him/her to reception benefits in the reception center. 7. Decision of transfer can be appealed to Helsinki Administrative Court similarly as well as all the other decision in asylum applications. The decision of Helsinki Administrative Court can be appealed to Supreme Administrative Court if a leave of appeal is granted 8. Not automatically. Finland is currently applying option C of Article 27(3) of Regulation 604/2013 although it has not yet been implemented in the national law. 9. Lodging an appeal: 30 days after notification of the decision, Appeal for judgments in first instance: 30 days after notification of the decision 10. Yes. Option C of Article 27(3) of Regulation 604/2013 11. a) Yes, Fit for Fly if needed. b) Yes, if needed. Very rare cases c) Yes d) Not automatically. Each case is decided case-by-case. It is considered what impact the transfer could have to the health of the person. 12. a) yes (both) b) • On the asylum seeker's initiative. Hardly ever <ul style="list-style-type: none"> • Departure under control. Yes, mostly. By plane, train or ferry (to Estonia) • Under escort: around 400 annually

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			<p>c) Yes/National Charter, Finland has once organized Frontex JRO to Kosovo</p> <p>13. a) Yes b) Yes, sometimes</p> <p>Dublin activity</p> <p>1. Incoming 2013: take back requests 304 take charge request 67 art. 21 requests 101</p> <p>outgoing 2013: take back requests 740 take charge request 509 art. 21 requests 287</p> <p>2. The percentage of accepted requests (only explicitly accepted requests, acceptances by default are not included) : 2013 take back requests 70% 2013 take charge requests 81 % 2012 take back requests 59% 2012 take charge requests 64% 2011 take back requests 63% 2011 take charge requests 66%</p> <p>3. From 2500 to 3000</p> <p>4. There are no statistics concerning this. If Greece would be the MS responsible of an application, Finland applies Article 3.2 of Regulation 604/2013 or the similar principle laid down in CJEU judgments C-411/10 and C-4/11. Thus, Finland does not automatically apply the sovereignty clause.</p> <p>5. Not answered</p> <p>6. The partner associations: each authority is responsible of its own the interpretation costs</p> <p>II. Implementation of the Eurodac regulation</p> <p>1. At the border: 12, on the territory: N/A at least 22</p> <p>2. NA</p> <p>3. Yes</p> <p>4. NA</p> <p>Eurodac activity</p> <p>1. N/A</p> <p>2. N/A</p>
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			<p>III. Organisation of your services</p> <ol style="list-style-type: none"> 1. 1. National Bureau of Investigation (Finnish Police) 2. Finnish Border Guard 3. Finnish Immigration Service 4. ICT Agency HALTIK 2. Finnish Immigration Service P.O Box 18 FIN-00581 Helsinki Tel: +358 295 430 431 Fax: +358 295 411 720 E-mail: migri@migri.fi Contact person: Head of Section Mikko Montin 3. Exclusive 4. National Dublin unit (Incoming and outgoing flows) 5. Central Dublin Unit is responsible of handling all Dublin cases including the requests (ingoing/outgoing), transfer decisions and appeal procedure. 6. National Dublin unit for both 7. Police services 8. a) 9 persons b) 0 c) 0
	<p>France</p>	<p>Yes</p>	<p>I. Implementation of Dublin</p> <ol style="list-style-type: none"> 1. During the fingerprinting 2. Yes 3. No 4. Yes. Provided that they request it 5. No 6. A document certifying her/his asylum seeker status under the Dublin procedure and allowing her/him to stay on the territory is delivered. 7. Administrative remedy, action for annulment, interim order (freedom, suspension) 8. Yes (suspension injunction) and no 9. Lodging an appeal : for administrative remedy and action for annulment, 2 months after the date of the notification of the decision; no time limit for the interim orders Decision : no time limit except for the interim orders Appeal for judgments in first instance: one month and a half for the interim orders. 10. Yes. Creation of a specific suspensive action for annulment in first instance. 11. a) Yes

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			<p>b) No c) No d) Yes</p> <p>12. The transfers : a) Single: Yes Family: No b) On the asylum seeker's initiative: Yes Departure under control: Yes Under escort: Yes c) Yes. Remark: family with children</p> <p>13. a) Yes b) Yes</p> <p>Dublin activity 1/ Incoming requests: 4,400. Outgoing requests: 6,700 2/ 3,600 3/ 600 4/ 1,200 in 2013 5/ No 6/ The partner associations and the asylum seeker.</p> <p>II. Implementation of the Eurodac regulation 1. At the border: 2. On the territory: 44 2. Yes. The police and the administrative structure. The police has 6 specific terminals. 3. Yes. In the administrative retention centres. 4. Yes. Altered fingerprints. No means of coercion. Specific fast-track procedure</p> <p>Eurodac activity 1 / By the refusal to cooperate: the Syrians and the Afghans at the border By altered fingerprints: Somali, Eritrean and Ethiopian nationals 2/ 10%</p> <p>III. Organization of your services 1. Ministry of the Interior- asylum service- department of asylum at the border and temporary admission to stay 2. Idem. Contact details: Service de l'asile – département de l'asile à la frontière et de l'admission au séjour - Place Beauvau 75800 Paris. Head of unit: Catherine Bogorn. Attached Ministry: Interior.</p>
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			<p>3. Sending of requests (take charge/take back, article 21) Requests of re-examination</p> <p>4. National Dublin unit. Incoming flows: 4,400. Local Dublin units. Outgoing flows: 6,700</p> <p>5. Processing of requests asked by the Member States, advice and support to the prefectures, analysis of the litigations, relations with Member States, participation in the Dublin contact committee</p> <p>6. Judgments in first instance. National Dublin unit: no, Local Dublin Units: yes Judgment in appeal. National Dublin unit: yes; Local Dublin Units: yes</p> <p>7. Administrative services and police services.</p> <p>8. A. 7 B. On average, 1 person per prefecture C. 95</p>
	Germany	Yes	<p>I. Implementation of the Dublin Regulation</p> <p>1. When the asylum application is submitted</p> <p>2. Yes</p> <p>3. Yes</p> <p>4. Yes. Standard accommodation similar to other asylum seekers</p> <p>5. Yes. Open centre</p> <p>6. Preliminary certificate about the solicitation for the status as asylum seeker.</p> <p>7. Effective provisional remedy</p> <p>8. Yes</p> <p>9. Lodging an appeal: 1 week, Appeal for judgements in first instance: 2 weeks</p> <p>10. No, it was just launched before the Dublin III executive came into force</p> <p>11. a) No, not generally, depending on the sickness alleged. b) Yes c) Yes, if able to travel, in general 6 weeks before the assumed birth date transfers will not be executed. d) Yes</p> <p>12. a) No. Single: just in exceptional cases, Family: No b) asylum seekers initiative: yes, departure under control: yes (normal case), under escort: yes in certain circumstances, e.g. unaccompanied minors or if person causes security danger c) Organize transfers in group: Yes, partially.</p> <p>13. a) Mostly attempts to abscond take place before the transfer takes place b) Yes</p> <p>Dublin activity</p>


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			<ol style="list-style-type: none"> 1. Incoming requests in 2013: 4 382, outgoing requests in 2013: 35 280, incoming request in 2012: 3 632, outgoing requests in 2012: 11 469, incoming requests in 2011: 2 995, outgoing requests in 2011: 9 075 2. 21 942 in 2013, 8 042 in 2012, 6 526 in 2011 3. 4 741 in 2013, 3 037 in 2012, 2 902 in 2011 4. 3 879 cases in 2013, 3 617cases in 2012, 4 630 cases in 2011 5. Yes 6. The Federal Office for Migration and Refugees <p>II. Implementation of the Eurodac regulation</p> <ol style="list-style-type: none"> 1. At the border: unknown, On the territory: unknown 2. Yes. Border Police. Unknown. Unknown. 3. Yes 4. Yes 5. Manipulation of fingertips 6. No. None. <p>Eurodac activity</p> <ol style="list-style-type: none"> 1. Refusal to cooperate: unknown, Altered fingerprints: e.g. Somalia 2. Unknown <p>III. Organisation of your services</p> <ol style="list-style-type: none"> 1. Federal Criminal Police Office 2. Dublin Unit of the Federal Office for Migration and Refugees, Mrs. Wenzl (Angelika.Wenzl@Bamf.Bund.de), Federal Ministry of the Interior 3. Sending of requests (take charge/take back), sending of answers, requests of re-examination 4. National Dublin unit: Yes, Local Dublin units: Yes. 5. Implementation, Controlling, Dublin Procedure (so called pick up cases), General Affairs 6. Judgements in first instance: National Dublin unit and local Dublin units (yes) Judgements in appeal: National Dublin unit (No) and local Dublin units (No) → different unit in the headquarter of the Federal Office for Migration and Refugees 7. Administrative services and police services 8. a. Central Dublin unit: 30,5 posts for executive-officers and 31,79 for administrative support officers b. Local Dublin units: approximately 50 executive officers c. Number of local Dublin units: 24
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	<p>Greece</p>	<p>Yes</p>	<p>I. Implementation of Dublin</p> <ol style="list-style-type: none"> 1. During the fingerprinting. 2. Yes. 3. Yes. 4. Yes, provided that they request it. The asylum seekers under the Dublin procedure are treated like all the other asylum seekers regarding reception condition. 5. Yes. Open centre. All matters regarding accommodation are handled by the National Centre of Social Solidarity. 6. An International Protection Applicant Card is delivered which certifies her/his asylum seeker status and allows her/him to remain in the country. 7. 1) Administrative appeal before one of the Appeals Committees against the transfer decision. 2) Administrative Court of Appeals in case of negative second instance decision. (power to annul in case of error of law only) 8. In the first case: YES , in the second case: NO 9. At the Appeals Committee: within 15 days after the date of the notification of the decision; At the Administrative Court of Appeals: within 60 days after the date of the notification of the second instance decision. 10. No 11. a)Yes, b) No, c) Yes, until five months of pregnancy, d) Yes, but we require information and medical reports concerning the disease. 12. a) No, unless he/she is already in detention. b) On the asylum seeker's initiative: Yes Departure under control: Yes Under escort: Yes, in case of unaccompanied minors and special medical cases. c) Yes, in cases of members of the same family. 13. a) No. In some cases, after the notification of the transfer decision, they disappear. b) Not so far. <p>Dublin Activity.</p> <ol style="list-style-type: none"> 1. For 2013: Incoming requests: 61, Outgoing requests: 1,279 2. For 2013: 962 3. For 2013: 675 4. ----- 5. Yes. 6. The Asylum Service. <p>II. Implementation fo the Eurodac regulation</p> <ol style="list-style-type: none"> 1. – At the border (article 14- Category 2) : 26 (they also send Category 1) - On the territory (article 9- Category 1): 7 2.- Yes. The police.
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			<p>No.</p> <p>3.- Yes.</p> <p>4.- Yes, in case of damaged fingerprints. No means of coercion.</p> <p>.....</p> <p>Eurodac activity.</p> <p>1. Not available 2. Not available</p> <p>III. Organisation of your services</p> <p>1. IT Division of Hellenic Police.</p> <p>2. ASYLUM SERVICE/COORDINATION DEPARTMENT/GREEK DUBLIN UNIT Address: 2 P. Kanellopoulou St., 10177 Athens. Telephone number: +30 210 6988522, +30 210 6988596 Head of the Department: Evgenia ADAM (Telephone number +30 210 6988523) MINISTRY OF PUBLIC ORDER AND CITIZENS PROTECTION.</p> <p>3. Sending requests (take charge/take back, article 34), sending answers to take charge/back and article 34 requests, requests for re-examination. Transfer notices are sent by fax, because this is asked by the M/S.</p> <p>4. Management of incoming and outgoing flows by National Dublin Unit.</p> <p>5. Since there is only the central Dublin unit, its staff handle all the Dublin issues (incoming/outgoing/information requests, transfer arrangements, sending transfer details, issuing the Laissez-Passer, informing the police authorities at the airport etc).</p> <p>6. No.</p> <p>7. Administrative services and police services.</p> <p>8. 6 persons</p>
	<p>Hungary</p>	<p>Yes</p>	<p>I. Implementation of the Dublin Regulation</p> <p>1. When the asylum application is submitted.</p> <p>2. Yes.</p> <p>3. Yes.</p> <p>4. Yes. Standard accommodation similar to other asylum seekers.</p> <p>5. Yes. Open centre, Semi-open centre, Closed centre</p> <p>6. No special document is delivered to asylum seekers under Dublin procedure, they receive the same standard document (residence permit) as the other asylum seekers. The applicant is informed on the Dublin procedure and on the suspension of his/her asylum procedure.</p>

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		<p>7. Judicial review.</p> <p>8. Yes, on the basis of the request of the asylum seeker the Court may suspend the transfer.</p> <p>9. Lodging an appeal: The request for review shall be submitted to the refugee authority within three days of the notification on the decision. The refugee authority shall forward the request for review, together with the documents of the case and its counter-application, to the Court without delay.</p> <p>Appeal for judgments in first instance: The Court shall decide on the request for review in a non-litigious procedure on the basis of the available documents within eight days of receipt of the request for review. There is no legal remedy against the decision of the Court.</p> <p>10. No.</p> <p>11. a) It depends on the particular case. b) Yes, if required. c) It depends on the stage of pregnancy. d) In case of serious disease the Dublin Unit shall be informed in advance so that all necessary measures can be taken (i.e. sending appropriate information to other Hungarian authorities, so that they can prepare for the situation). If the Hungarian Dublin Unit does not get the information from the sending Member State and it turns out that the person has serious or infectious disease he/she can be turned back to the sending Member State on public health grounds. Of course, it depends on the type of disease (e.g. if the person is in very poor health condition and he/she is physically unfit for a return to the sending Member State and requires immediate treatment, he/she will be transported to a hospital.)</p> <p>12. a) Single: A specific regime for detention (asylum detention) was created in accordance with the provisions of Articles 8-11 of the Reception Conditions Directive in Hungary. One of the main purposes of the asylum detention is to ensure the presence of the asylum-seeker in the asylum procedure, including the Dublin procedure and to prevent asylum-shopping. The refugee authority can choose between four ways in order to ensure this: 1. Designated place of residence 2. Asylum bail 3. Regular reporting before the refugee authority 4. Asylum detention.</p> <p>Family: Asylum detention may not be ordered in the case of an unaccompanied minor seeking recognition for international protection. Families with minors may only be placed in asylum detention as a measure of last resort, and taking into account the best interests of the child as a primary consideration. The asylum detention shall be terminated after 30 days in case of families with minors. A special closed reception centre serves for the detention of families.</p> <p>b) Departure under control, under escort. c) Yes.</p> <p>13. a) Yes. b) No.</p> <p>Dublin activity</p> <p>1. In the last few years the average number of <i>incoming</i> take back and take charge requests was 1400-2000 per year, but in 2013 the number of these requests increased extremely: Hungary had almost 8000 requests. After the judgment of the Court in the M.S.S case, Hungary decided to stop the transfers to Greece. After February 2011 (when Hungary officially suspended transfers to Greece) the average number of <i>outgoing</i> take back and take charge requests was 150-200, but this number also increased in 2013: last year Hungary sent out more than 300 requests.</p> <p>2. We receive acceptances in 70-75% of the cases.</p>
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			<p>3. Variable, an average cannot be given.</p> <table border="1" data-bbox="1019 319 1680 414"> <thead> <tr> <th></th> <th>2010</th> <th>2011</th> <th>2012</th> <th>2013</th> </tr> </thead> <tbody> <tr> <td>Incoming transfers</td> <td>742</td> <td>448</td> <td>335</td> <td>850</td> </tr> <tr> <td>Outgoing transfers</td> <td>177</td> <td>70</td> <td>126</td> <td>32</td> </tr> </tbody> </table> <p>4. From February 2011 in almost every case (except the cases when the asylum-seekers expressed in writing that they want to be transferred back to Greece: 6 people were transferred to Greece) in which Greece was also concerned. The exact number is not known.</p> <p>5. Yes.</p> <p>6. It is the duty of the state.</p> <p style="text-align: center;">II. Implementation of the Eurodac regulation</p> <p>1. - At the border (article 14): Workstation for scanning fingerprints taken in paper format: 16 - at the external borders: 6 - in-depth control:7 - at the Office of Immigration and Nationality: 3</p> <p>Fingerprint integration workstation:14 (10 fingers device) - at the external borders:13 - in-depth control:1</p> <p>Identifier workstation: 121 (1 finger device) - at the borders:73 - in-depth control: 48</p> <p>On the territory (article 9): The asylum authority of the Office of Immigration and Nationality has approximately 5 digital devices to take fingerprints.</p> <p>2. Yes. The Police and/or aliens policing authority of the Office of Immigration and Nationality. In asylum cases the authority carrying out fingerprinting is always the asylum authority. There are 32 specific terminals in the fingerprint expert section of the Police.</p> <p>3. Yes.</p> <p>4. Yes. Lack of booking stations, poor quality of fingerprints taken the “traditional way” (i.e. using ink and paper), refusal to cooperate. Do you have means of coercion? No. Consequences: In case the asylum seeker hinders or renders the registration of his/her fingerprints the refugee authority may discontinue the preliminary assessment procedure or make the decision on the asylum application based on the available information.</p> <p style="text-align: center;">Eurodac activity</p> <p>1. By the refusal to cooperate: No specific group can be specified.</p>		2010	2011	2012	2013	Incoming transfers	742	448	335	850	Outgoing transfers	177	70	126	32
	2010	2011	2012	2013														
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			<p>By altered fingerprints: No specific group can be specified. 2. The refusal rate is very low. No data available.</p> <p>III. Organization of your services</p> <p>1. Hungarian Institute for Forensic Sciences Dactyloscopy Department H-1903 Budapest P.O. Box 314/4 Tel: 36-1 477-2150 Fax: 36-1 477-2196 E-mail: daktiloszkopia.bszki@orfk.police.hu; dachu@orfk.police.hu</p> <p>Contact persons: -Mr Márton LONTAI / lontai@orfk.police.hu / +36-1 477-2150 -Mr Zsolt BESZE / besze.zs@orfk.police.hu /</p> <p>2. Ministry of Interior, Office of Immigration and Nationality Department of International Affairs Dublin Coordination Unit H-1117 Budapest, Budafoki str. 60. Tel: + 36 1 463 4872 Fax: + 36 1 463 4875 e-mail: dublinko@bah.b-m.hu</p> <p>Contact persons: -Mr Gábor KULITSÁN (Head of Unit) kulitsan.gabor@bah.b-m.hu / +36-1 463-4872 -Ms Renáta NAGY nagy.renata@bah.b-m.hu</p> <p>3. Sending of requests (take charge/take back, article 21) – if necessary by fax as well Sending of answers – if necessary by fax as well Requests of re-examination – if necessary by fax as well Sending of transfer notices – if necessary by fax as well</p> <p>4. National Dublin unit</p> <p>5. Decide on requests relating to the Dublin Regulations sent by Member States; sending requests to other Member States; coordinating the transfer of asylum seekers and managing the communication with the Member States.</p> <p>6. Judgments in first instance: National Dublin unit Judgment in appeal: National Dublin unit.</p>
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EMN Ad-Hoc Query: Implementation of the Dublin Regulation


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			<p>7. Administrative services, Police services</p> <p>8. a. Central Dublin unit: 8 (1 Head of Unit, 5 caseworkers, 2 secretarial colleagues)</p> <p>b. Local Dublin units: 0</p> <p>c. Number of local Dublin units: 0</p>
	Ireland	No	This EMN NCP has provided a response, however they have requested that this is not disseminated further.
	Italy	No	This EMN NCP has provided a response, however they have requested that this is not disseminated further.
	Latvia	Yes	<p>I. Implementation of Dublin</p> <p>1. When the asylum application is submitted.</p> <p>2. No.</p> <p>3. Yes.</p> <p>4. Yes. Standard accommodation similar to other asylum seekers.</p> <p>5. Yes. Open Centre.</p> <p>6. A document certifying asylum seeker status and allowing her/him to stay on the territory in Latvia until a final decision (or decision on transfer to responsible MS) in asylum case is taken.</p> <p>7. During the last 2 years, no decisions has not been appealed.</p> <p>8. No.</p> <p>9. Lodging an appeal: one month. Decision: one month. Appeal for judgments in first instance: one month.</p> <p>10. Yes. Currently appeals on Dublin cases are examined according to the Administrative Procedure Law (3-step system for appeals: 1. The Office of Citizenship and Migration Affairs, 2. The Administrative Court 3. The Supreme Court). Now we are drafting the new Asylum Law and we are planning to introduce separate chapter on the Dublin appeal procedure, which will provide two step system where the final instance for appeals will be the Administrative Court.</p> <p>11. a) No cases have occurred but most probably doctor's opinion would be asked. b) No cases have occurred. c) No cases have occurred. d) No cases have occurred.</p> <p>12. The transfers : No a) Single: No Family: No b) On the asylum seeker's initiative: No cases Departure under control: Yes Under escort: No cases c) No cases</p> <p>13. a) No cases</p>

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			<p>b) No cases</p> <p>Dublin activity</p> <p>1/ Incoming requests: 380 (Year 2012). Outgoing requests: 15 (Year 2012).</p> <p>2 10</p> <p>3/ 10</p> <p>4/ 10</p> <p>5/ No</p> <p>6/The Office of Citizenship and Migration Affairs.</p> <p>II. Implementation of the Eurodac regulation</p> <p>1. At the moment 27 (LiveScan (Bookings) – 7 pieces within the territory, Cardscan – 4 pieces within the territory, Quick Identification Station – 16 pieces (territory: 6, border: 10). In connection to Regulation 603/2013 there are going to be made changes.</p> <p>2. Yes. All activities regarding fingerprinting of persons in Eurodac is responsibility of the State Border Guard.</p> <p>3. Yes</p> <p>4. No difficulties during fingerprinting. There are no means of coercion. What are the consequences on the registration of the asylum application? No consequences.</p> <p>Eurodac activity</p> <p>1. By the refusal to cooperate: No cases By altered fingerprints: No cases</p> <p>2. 0</p> <p>III. Organization of your services</p> <p>1. The State Border Guard of the MOI.</p> <p>2. Contact details: The Asylum Affairs Division of the Office of Citizenship and Migration Affairs of the MOI – Mail address: Čiekurkalna 1 line 1, k-3, Riga, LV-1026, Head of the Unit: Līga Vijupe</p> <p>3. Sending of requests (take charge/take back, article 21), requests of re-examination and answers.</p> <p>4. There is just one Dublinet national access point in Latvia. Incoming flows: 380/Outgoing flows: 15.</p> <p>5. All Dublin Regulation issues.</p> <p>6. Judgments in first instance. The Asylum Affairs Division of the Office of Citizenship and Migration Affairs. Judgment in appeal. 3-step system for appeals: 1. The Office of Citizenship and Migration Affairs, 2. The Administrative Court and 3. The Supreme Court</p> <p>7. By the State Border Guard.</p> <p>8. 2 persons.</p>
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	<p>Lithuania</p>	<p>Yes</p>	<p>I. Implementation of Dublin regulation</p> <ol style="list-style-type: none"> 1. When the asylum application is submitted 2. Yes. Lithuanian legislation neither defines nor refers to “intention of seeking asylum”, thus all the relevant procedures start only when the application is formally lodged. 3. Yes. “Dubliners”, who physically submitted asylum claims in Lithuania, are counted into the total number of asylum seekers, while those accepted but never transferred to Lithuania are uncounted. 4. Yes. Standard accommodation similar to other asylum seekers. 5. Yes. Semi-open centre. 6. All asylum seekers are issued with a foreigner’s registration ID card. 7. Person to be transferred has a right to appeal against the transfer decision before a court. 8. No. 9. Lodging an appeal – 14 days Decision – approx. 3 months Appeal for judgments in first instance – 14 days 10. No. 11. a) No; b) No; c) No (no practice); d) Yes. 12. a) No; b) Departure under control; c) No (no practice). 13. a) Yes; b) No. <p>Dublin activity</p> <p>1. Number of incoming requests received during the last five – year period:</p> <p>2013 – 453 2012 – 562 2011 – 481 2010 – 490 2009 – 280</p> <p>Number of outgoing requests sent during the last five – year period:</p> <p>2013 – 15 2012 – 19 2011 – 22 2010 – 19 2009 – 44</p> <p>2. Number of agreements received during the last five – year period:</p> <p>2013 – 9 2012 – 12</p>
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			<p>2011 – 16 2010 – 5 2009 – 17 3. Number of transfers conducted during the last five – year period: 2013 – 9 2012 – 7 2011 – 12 2010 – 6 2009 – 8</p> <p>4. Since our cooperation with Greece is very limited, Lithuania has neither established Greece as a Member State responsible for the application lodged in Lithuania, nor applied the “sovereignty clause” towards Greece in recent years. 5. No (no practice). 6. The Dublin unit.</p> <p>II. Implementation of the Eurodac regulation</p> <p>1. Police department institutions currently have 19 Eurodac digital terminals. 2. Yes. The police officers. 19 Eurodac digital terminals 3. Yes. 4. No. Means of coercion: No. Specific fast-track procedure.</p> <p>Eurodac activity</p> <p>1 and 2. Police department does not keep statistics on nationalities which are the main concerned by the refusal to cooperate or by altered fingerprints.</p> <p>III. Organisation of your services</p> <p>1. Lithuanian Police Forensic Science Centre. 2. Asylum Affairs Division of the Migration Department under the Ministry of the Interior. Head of the Division – Viktor Ostrovnoj. Address: Sapiegos str. 1, LT-10312 Vilnius, Lithuania Tel: +370 5219 8464 Fax: +370 5271 8210 Email: md.rastine@vrm.lt</p> <p>3. Exclusive; Sending of requests (take charge/take back, article 21); Sending of answers; Requests of re-examination; Sending of transfer</p>
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			<p>notices.</p> <p>4. National Dublin unit (Incoming and outgoing flows)</p> <p>5. Implementation of obligations arising from the Dublin regulation. There are no local units in Lithuania, all the activities are managed by the single national unit.</p> <p>6. Judgments in first instance: National Dublin unit and local Dublin units Judgment in appeal: National Dublin unit and local Dublin units.</p> <p>7. Administrative services; Police services.</p> <p>8. Central Dublin unit (1- 3 persons)</p>
	<p>Luxembourg</p>	<p>Yes</p>	<p>I. Implementation of Dublin</p> <p>1. When the asylum application is submitted</p> <p>2. Yes</p> <p>3. Yes</p> <p>4. Yes. Standard accommodation similar to other asylum seekers.</p> <p>5. Yes. It can be an open facility but also in a closed facility in accordance with article 10 (1) (d) of the modified Asylum Law of 5 May 2006 (Asylum Law).</p> <p>6. A document certifying her/his asylum seeker status and allowing her/him to stay on the territory is delivered except if the applicant is placed in detention.</p> <p>7. Administrative remedy interim order (“<i>mesure de sauvegarde</i>”), action for annulment.</p> <p>8. Yes, in fact the appeal may have a suspensive effect (Administrative remedy interim order), when a related provisional ruling has been issued by the Administrative Tribunal (“<i>tribunal administratif</i>”).</p> <p>9. Lodging an appeal: 1 month after the date of the notification of the decision. Appeal for judgments in first instance: No appeal possible for judgments in first instance before the Court of Appeal (“<i>Cour d’appel</i>”).</p> <p>10. No, there will be no particular adaptation within the framework of Dublin III.</p> <p>11. a) Yes b) Yes (up till now ambulance transport). c) Depends upon the stage of pregnancy. d) In principle, yes. However this has not yet been the case (in fact, until now only psychological issues).</p> <p>12. The transfers : a) Single: Yes Family: In theory yes, but will be decided case-by-case. b) On the asylum seeker’s initiative: Yes Departure under control: Yes Under escort: Yes c) Yes (air transport)</p> <p>13. a) Yes</p>


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			<p>b) Yes</p> <p>Dublin activity</p> <p>1/ At the moment no exact figures can be given, because the statistics for 2013 are still under preparation. In fact, statistics are available on the Eurodac website, but so far they are not a reliable source of data until verification.</p> <p>2/ Idem, at the moment no exact figures can be given, because the statistics for 2013 are still under preparation. In fact, statistics are available on the Eurodac website, but so far they are not a reliable source of data until verification.</p> <p>3/ 2013: 179 effective transfers, 2012: 169 effective transfers</p> <p>4/ NA</p> <p>5/ In principal yes, if it is in the child's best interest, however, this has not yet been the case.</p> <p>6/ The Dublin unit</p> <p>II. Implementation of the Eurodac regulation</p> <p>1. At the border: "0"; On the territory: "2" each composed of 1xFIT-station + 1xNAP-workstation.</p> <p>2. Yes. The Grand-ducal police.</p> <p>3. Yes. In the administrative retention centers.</p> <p>4. Yes. Altered fingerprints and refusal to cooperate. No means of coercion. Specific fast-track procedure</p> <p>Eurodac activity</p> <p>1 / A direct answer cannot be provided, because under this perspective. The issue has not previously been tackled.</p> <p>2/ Idem, a direct answer cannot be provided, because under this perspective. The issue has not previously been tackled.</p> <p>III. Organization of your services</p> <p>1. Ministry of Foreign and European Affairs – Immigration Department - Returns Department –Dublin Unit</p> <p>2. Idem. Contact details: Service Refugiés. - 26, route d'Arlon, Luxembourg. Head of unit: Jean-Marc Kirsch, contact person Pascal Lorang. Attached Ministry: Foreign and European Affairs.</p> <p>3. Exclusive use.</p> <p>4. By national Dublin Unit (It should be noted, that in Luxembourg there is only one Dublin Unit).</p> <p>5. Processing of requests asked by the Member States, analysis of the litigations, relations with Member States, participation in the Dublin contact committee.</p> <p>6. Judgments in first instance: the department's Legal Services Unit. Judgment in appeal: the department's Legal Services Unit.</p> <p>7. Both, Administrative services and Police services.</p> <p>8. A. Central Dublin unit: Two to three persons B. not existing</p>
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			C. not existing
	Malta	Yes	<p>I. Implementation of Dublin</p> <ol style="list-style-type: none"> 1. When the asylum application is submitted 2. Yes 3. No 4. Yes. Upon arrival, the third country national is directed to the Agency for the Welfare of Asylum Seekers (AWAS) for accommodation purposes. 5. No 6. If the person concerned is living in the community he is issued with an asylum seeker's document. If he is in the closed centre there is no need of any document. 7. Administrative Remedy (Suspension) 8. Yes 9. No time limit 10. Yes. Creation of a specific suspensive action. 11. a) Yes b) No c) No d) Yes 12. a) Yes (single) b) On the asylum seeker's initiative, Departure under control, Under escort c) Yes 13. a) Yes b) Yes <p>Dublin activity</p> <ol style="list-style-type: none"> 1/ Incoming requests: 1,600. Outgoing requests: 50 2/ 10% 3/ 20 outgoing, 200 incoming 4/ Never transfer to Greece. This has always been applied. 5/ Yes 6/ The partner associations <p>II. Implementation of the Eurodac regulation</p> <ol style="list-style-type: none"> 1. At the border: 0. On the territory: 1 2. Yes. The police. Three terminals

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			<p>3. Yes.</p> <p>4. Yes. Altered fingerprints. No means of coercion.</p> <p style="text-align: center;">Eurodac activity</p> <p>1 / By the refusal to cooperate: Somalis By altered fingerprints: Somalis/ Eritreans 2/ 20%</p> <p style="text-align: center;">III. Organization of your services</p> <p>1. The Malta Police</p> <p>2. The Refugee Commissioner, Mr Mario Friggieri (refugee-commission@gov.mt) under the Ministry for Home Affairs and National Security.</p> <p>3. Sending of requests Sending of answers Sending of transfer notices</p> <p>4. National Dublin unit.</p> <p>5. Receiving requests, Sending answers, Receiving and sending transfer notices.</p> <p>6. Judgments in first instance. National Dublin unit and Local Dublin Units</p> <p>7. Police services.</p> <p>8. a) 1 b) 0 c) 1</p>
	<p>Netherlands</p>	<p>Yes</p>	<p>I. Implementation of the Dublin Regulation</p> <p>1. During the fingerprinting</p> <p>2. Yes</p> <p>3. Yes</p> <p>4. Yes. Specific centre and/or transit centre</p> <p>5. Yes. Open centre</p> <p>6. At the beginning of the asylum procedure, the asylum seeker will get a document (a so called W-document). At the time the asylum seeker will be transferred to the other Member State, he has to give the document to the Dutch authorities</p> <p>7. The asylum seeker has the possibility to appeal (administrative appeal) and to lodge a provisional ruling, if this is necessary</p> <p>8. In general, this has a suspensive effect.</p> <p>9. Lodging an appeal: 1 week/4 weeks. Appeal for judgments in first instance: no fixed time limits</p>

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			<p>10. No</p> <p>11. a) Yes b) Yes c) Only 6 weeks before and 6 weeks after the birth of the child. d) No</p> <p>12. a) Yes (single and family) b) Yes (all mentioned at the bullet points) c) Yes</p> <p>13. a) Yes b) Yes</p> <p>Dublin activity</p> <p>1-4. Due to a transfer into a new ICT system, we can't deliver statistics at the moment.</p> <p>5. Yes</p> <p>6. The Immigration service</p> <p>II. Implementation of the Eurodac regulation</p> <p>1. At the border: 32, on the territory: 4</p> <p>2. Yes. The Aliens Police has 51 stations</p> <p>3. Yes</p> <p>4. Yes. Occasionally the quality of the fingerprints is insufficient for registration / verification on Eurodac, either by of manipulation of the fingerprint or by nature. No means of coercion Inadmissibility of the request. It is possible that a asylum request is rejected on grounds of not cooperating in determining identity. But an individual assessment is required in those cases</p> <p>Eurodac activity</p> <p>1. There are no statistics in the Netherlands about this issue</p> <p>2. There are no statistics in the Netherlands about this issue</p> <p>III. Organisation of your services</p> <p>1. Ministry of Security and Justice, Immigration and Naturalisation Service, DIV J.C. van Paassen, Jc.v.paassen@ind.minvenj.nl</p> <p>2. Ministry of Security and Justice, Immigration and Naturalisation Service, Unit Dublin B.L.G Gradussen, blg.gradussen@ind.minvenj.nl</p> <p>3. Sending of requests, sending of answers, request of re-examination</p> <p>4. National Dublin unit</p> <p>5. Processing of outgoing and incoming requests on ground of the Dublin Regulation and bilateral agreements, decide on asylum</p>
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EMN Ad-Hoc Query: Implementation of the Dublin Regulation

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			<p>applications on grounds of Dublin Regulation, advice and support to asylum units within IND, relations with Member States</p> <ol style="list-style-type: none"> 6. National Dublin unit 7. Administrative services 8. a) central Dublin unit: 41
	Poland	No	This EMN NCP has provided a response, however they have requested that this is not disseminated further.
	Portugal	Yes	<p>I. Implementation of the Dublin Regulation</p> <ol style="list-style-type: none"> 1. When the asylum application is submitted 2. No 3. Yes 4. Yes. Standard accommodation similar to the other asylum seekers 5. No 6. A document that recognize the status as an asylum seeker 7. Judicial appeal 8. Yes 9. Lodging an appeal: 5 days, Decision appeal for judgments in first instance: 8 days 10. No 11. a) Yes b) Yes c) Yes d) Yes 12. a) No b) Departure under control c) No 13. a) Yes b) Yes <p>Dublin activity</p> <ol style="list-style-type: none"> 1. 398 procedures 2. 80% 3. 70% 4. Two 5. Yes 6. The Dublin unit <p>II. Implementation of the Eurodac regulation</p> <ol style="list-style-type: none"> 1. At the border: none. On the territory: 1

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			<ol style="list-style-type: none"> 2. Yes. The Portuguese Asylum and Refugees Department. 1 specific terminal for the police 3. Yes 4. Yes. The quality of the fingerprints. No means of coercion. Inadmissibility of the request <p>Eurodac activity</p> <ol style="list-style-type: none"> 1. By the refusal to cooperate: none. By altered fingerprints: Somali (2012) 2. PT NCP does not have a relevant rate of refusals <p>III. Organisation of your services</p> <ol style="list-style-type: none"> 1. The Portuguese Asylum and Refugees Department (Immigration and Borders Service) 2. The Portuguese Asylum and Refugees Department (Immigration and Borders Service). Ms Rute Esteves (Immigration and Borders Service), Phone Number: +351 21 318 99 97. The Head of the Asylum and Refugees Department is Mrs Emília Lisboa, and the Ministry of Internal Affairs 3. Exclusive 4. National Dublin unit 5. All the procedures related to Dublin Regulation Procedures 6. Judgment in appeal: National Dublin unit and local Dublin units 7. Police services 8. 1. Central Dublin unit
	<p>Romania</p>	<p>Yes</p>	<p>I. Implementation of Dublin</p> <ol style="list-style-type: none"> 1. When the asylum application is submitted 2. No 3. Yes 4. Yes - Standard accommodation similar to other asylum seekers 5. When certain conditions are met, yes. – Open centres. 6. A temporary document issued to all third country national or stateless persons applying for international protection in Romania. 7. An appeal to the District Court is possible. The Court's decision is final. 8. The appeal did not have suspensive effect. 9. Lodging an appeal - 2 days. Decision Appeal for judgments in first instance – 5 days according to the Romanian law. 10. According to Art 27 (3) of the Regulation EU no. 604/2013 there are three possibilities for the member states to grant suspensive effect to the appeal. Romania chose the 3rd option that the applicant has the possibility to ask for suspensive effect until the District Court decides upon that matter. The applicant will have a time limit of 5 days to submit an appeal against the transfer decision.

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			<p>The District Court will decide in 30 days on the appeal and it will decide as soon as possible on the suspensive effect, when asked.</p> <p>11. a) Yes. b) Yes. c) No. d) Depends on the disease.</p> <p>12. Yes – a) Single b) On the asylum seeker's initiative, departure under control and under escort c) Yes - mostly land transfers to the neighboring member states.</p> <p>13. a) Yes b) Yes</p> <p style="text-align: center;">Dublin activity</p> <p>1. Incoming requests 711 Outgoing requests 85 2. Accepted requests 59 3. Transfers outgoing 19 4. Sovereignty clause Greece – not available 5. Yes – family reunification provisions. 6. Partner NGO's and asylum seeker</p> <p style="text-align: center;">II. Implementation of the Eurodac regulation</p> <p>1. -border – 20 -territory - 9 2. Yes - Migration Directorate – General Inspectorate for Immigration - 3 3. Yes. 4. Yes. – When the person has damaged fingertips or when the person concerned refuses to be fingerprinted. Means of coercion: Yes. Yes - Accelerated procedure.</p> <p style="text-align: center;">Eurodac activity</p> <p>1. Not available. 2. Under 0,01% of the total of asylum seekers.</p> <p style="text-align: center;">III. Organization of your services</p> <p>1. Ministry of Internal Affairs – General Inspectorate for Immigration 2. Ministry of Internal Affairs – General Inspectorate for Immigration – Directorate for Asylum and Integration – Bucharest, Tudor Gociu street, no 24A, 4th District, 041044 3. All. 4. National Dublin Unit – Directorate for Asylum and Integration.</p>
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EMN Ad-Hoc Query: Implementation of the Dublin Regulation

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			<ol style="list-style-type: none"> 5. Processing of the incoming and outgoing workflow, coordination of the practical aspects of the Dublin procedure, coordination of transfers to/from Romania. 6. National Dublin Unit– Directorate for Asylum and Integration. 7. Police services - General Inspectorate for Immigration’s personnel are policemen 8. <ol style="list-style-type: none"> a) 6 b) 0 c) 0
	Slovak Republic	No	This EMN NCP has provided a response, however they have requested that this is not disseminated further.
	Slovenia	Yes	<p>I. Implementation of the Dublin Regulation</p> <ol style="list-style-type: none"> 1. When the asylum application is submitted 2. Yes 3. Yes 4. Yes. Specific centre and/or transit centre. Standard accommodation 5. Yes: open and closed centre 6. Asylum seeker identification card 7. Appeal against the decision of transfer is possible to the Administrative Court. Against the decision of Administrative Court, appeal to the Supreme Court is possible. 8. No. According to national legislation application for interim order (temporary court decision?) is possible. 9. Lodging an appeal: 8 days. Appeal for judgments in first instance: 7 days 10. No 11. <ol style="list-style-type: none"> a) Yes b) Yes c) Yes and No, it depends on individual cases d) Yes 12. <ol style="list-style-type: none"> a) Yes (both) b) Under escort c) Yes 13. <ol style="list-style-type: none"> a) No b) No <p>Dublin activity</p> <ol style="list-style-type: none"> 1. incoming: 209, Outgoing 89 in 2013 2. 56 in 2013 3. 30 in 2013 4. 10 5. Yes


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			<p>6. The Dublin unit</p> <p>II. Implementation of the Eurodac regulation</p> <p>1. At the border: 0 On the territory: 2</p> <p>2. Yes. The police. 1</p> <p>3. Yes</p> <p>4. No No means of coercion Specific fast-track procedure</p> <p>Eurodac activity</p> <p>1. No for both 2. None</p> <p>III. Organisation of your services</p> <p>1. Ministry of the Interior Internal Administrative Affairs, Migration and Naturalization Directorate Migration Office Accommodation, Care and Integration Division Cesta v Gorice 15, 1000 Ljubljana, Slovenia Head: mag Katarina Štrukelj</p> <p>2. Idem</p> <p>3. Exclusive</p> <p>4. National Dublin unit (incoming and outgoing flows)</p> <p>5. Complete Dublin and EURODAC procedures</p> <p>6. Judgment in first instance: National Dublin unit, first instance court Judgment in appeal: National Dublin unit, Second instance court</p> <p>7. Administrative services</p> <p>8. Central Dublin unit: 2 persons</p>
	<p>Spain</p>	<p>Yes</p>	<p>I. Implementation of the Dublin regulation</p> <p>1- When the asylum application is submitted</p> <p>2- Yes</p> <p>3- Yes</p> <p>4- Yes (standard accommodation)</p> <p>5- Yes (open centre)</p>


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			<p>6- The same documents issued to the rest of asylum seekers: a document issued in his/her name, certifying his/her status as an applicant and allowing him/her to stay in the territory while the application is pending.</p> <p>7- A decision to transfer an asylum-seeker under Dublin regulation is a negative decision on the admissibility of the claim. It can therefore be appealed in the same manner as other negative decisions on admissibility made in country. The tribunal may suspend the transfer upon the request of the asylum seeker in a case by case basis.</p> <p>8- Upon the applicant's request, precautionary measures may be adopted, where a court or tribunal shall have the power to rule whether or not the applicant may remain on the territory of the Member State.</p> <p>9- 9.1. Any decision can be appealed in the first instance within one month since the decision. 9.2. Any decision can be appealed in the second instance within 2 months since the decision in the first instance or the resolution of the appeal in the first instance.</p> <p>10- No</p> <p>11- a)no b)no c)no d)yes</p> <p>12- a)no b)on the asylum seeker's initiative or under escort c)no</p> <p>13- Not answered</p> <p>Dublin Activity 1-In 2013 – 4270Dublin cases 2 - 83 cases 3- 27 cases 4- 0 5- no</p> <p>II. Implementation of the Eurodac regulation</p> <p>Not answered</p> <p>III. Organisation of our Services. 1-Unidad Central de Identificación; Comisaría General de Policía Científica (Spanish National Police) 2- Ministry of Interior. General Directorate of Internal Policy. Spanish Office for Asylum and Refugees. Dublin Unit. Head of Service: Concepción Gimeno. E- mail: cgimeno@interior.es 3- Sending of requests; sending on answer; take back, art. 21; sending on answer, request of re-examination; sending on transfer notices</p>
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			<p>5- All tasks related to the implementation of the Dublin Regulation. 6- Management of litigations: judgments in first instance: legal service in the Ministry of Interior; 7- Police services 8- Central Unit. 6 persons in the Unit</p>
	Sweden	Yes	<p>I. Implementation of the Dublin Regulation</p> <p>1. When the asylum application is submitted 2. No 3. Yes 4. Yes, if requested. Standard accommodation similar to other asylum seekers 5. Yes. Open centre. Closed centre (This means open centres or detention) 6. ID-card 7. Single procedure 8. Yes 9. Lodging an appeal: 3 weeks after the applicant has been notified 10. Yes 11. a) Yes, if the health conditions put the person at risk during a transfer b) No, only air ambulance c) Yes d) Yes 12. a) Single: Yes, Family: rarely b) On the asylum seeker's initiative: no. Departure under control: yes. Under escort: yes. c) Yes, only if conducted by force. 13. a) Yes. b) Yes, but only if conducted by force.</p> <p>Dublin activity</p> <p>1. Requests 2013: incoming: 3806, outgoing: 10761. 2. Accepted requests in 2013: 9179. 3. 2013: 3185 voluntary and 2200 forced. 4. No data available. 5. Yes. 6. The Dublin unit: Yes, the Swedish Migration Board. The partner associations: No. The asylum seeker: No.</p>

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			<p>II. Implementation of the Eurodac regulation</p> <ol style="list-style-type: none"> 1. At the border (article 14): 2 (Police) On the territory (article 9): 42 (Migration Board) plus 51 with the Police that can be used as part of the asylum workflow. 2. Yes, irregular foreign nationals apprehended on the territory are generally fingerprinted by the Police. If it is the police, does it have specific terminals? Yes. How many? See above. 3. Yes. 4. Yes. E.g. mutilation, non-cooperation of subject, user-based issues. Do you have means of coercion? Yes. No specific consequences, but processing of the asylum application may take more time. <p style="text-align: center;">Eurodac activity</p> <ol style="list-style-type: none"> 1. There are no statistics based on nationality. 2. Approx. 9 %. <p>III. Organisation of your services</p> <ol style="list-style-type: none"> 1. The Swedish Migration Board. 2. Swedish Migration Board, Dublin Unit 1 & 2, Heads of Unit: Therese Lindström and Helen Lekström. Attached ministry: Ministry of Justice. 3. All Dublin-related correspondence. 4. Yes, there are two national Dublin units. No, there are no local Dublin units. 5. Handling of the entire Dublin process, except for application procedures, transfer procedures, litigation procedures. 6. Litigation unit of the Swedish Migration Board 7. Administrative services, Police services 8. a) Approx. 70 persons. b) No local Dublin units. c) No local Dublin units.
	<p>United Kingdom</p>	<p>Yes</p>	<p>I Implementation of Dublin regulation</p> <ol style="list-style-type: none"> 1. In the UK fingerprinting takes place as part of the application submission process. An asylum applicant is recognised as such at the time that the application is lodged: providing a set of fingerprints that can be enrolled into the national database or which are accepted by Eurodac is not a requirement for the person to be considered to be an asylum applicant. This means that even if a person has damaged fingers where it is difficult to obtain a good set of prints then that person is still considered to be an asylum applicant if (s)he has otherwise lodged the application. 2. No 3. Yes. The individuals have made asylum claims in the UK and so are asylum applicants, in particular because of the definitions in the Dublin and Eurodac Regulations. 4. Yes, if the applicant requires accommodation e.g. the applicant tells us that they do not have any accommodation to which they may go, such as suitable accommodation with a relative, then they are provided with standard accommodation similar to other asylum seekers.


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			<p>The UK does not distinguish between an asylum applicant whose application is being examined in the UK and an applicant whose case is being considered for possible transfer under the Dublin Regulation. (The UK's practice has always been in line with that set out in the Cimade and Gisti ruling, Case C-179/11). 70% of applicants under the Dublin procedure are detained.</p> <p>5. Closed centre – if detained. The UK does <u>not</u> make use of open accommodation/reception centres in the same way as some other Member States. If the person requires accommodation (see above) then this is provided in self-contained accommodation e.g. flats/apartments, houses etc. depending on need e.g. a single person/a couple/a family group with children.</p> <p>The UK does, however, make use of detention (closed) centres. On average around 25% of all asylum applicants are placed into detention centres.</p> <p>6. -</p> <p>7. There are 2 different possibilities for the applicant to challenge the transfer decision: (i) where the facts of the challenge are based on alleged violations of the ECHR such that there is an appeal with suspensive effect to the Immigration and Asylum Tribunal, then to that Tribunal; (ii) where the above does not apply with suspensive effect or where a challenge before the Immigration and Asylum Tribunal is exhausted then the person may challenge the decision with suspensive effect by application for judicial review by the civil Administrative Court (High Court/Court of Appeal/Supreme Court). In some cases where a challenge that has been rejected is repeatedly renewed a Judge in the Administrative Court may rule that any renewal of the application will not automatically attract a suspensive effect. In such cases the applicant may consider seeking a court injunction to prevent removal or depending on whether there are human rights issues in his/her case whether or not to seek a Rule 39 indication from the European Court of Human Rights in Strasbourg.</p> <p>8. Yes</p> <p>9. Lodging an appeal: At any time before removal Decision Appeal for judgments in first instance: -</p> <p>10. No</p> <p>11a. Yes</p> <p>11b. Yes</p> <p>11c. Yes – depending on the circumstances</p> <p>11d. Yes</p> <p>12a. Yes</p> <p>12b. On the asylum seeker's initiative: - Departure under control: Yes Under escort: Yes</p> <p>12c. Not usually</p> <p>13a. Yes</p> <p>13b. Yes</p> <p><u>Dublin Activity</u></p> <p>1. 900 incoming, 2,000 outgoing. 2. 1400 3. 900</p>
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<p>4. About 1,800</p> <p>5. yes – but only when in the best interests of the minor</p> <p>6. All interpretation costs for personal interviews are at the expense of the Home Office (asylum authority). The applicant is not expected to provide his or her own interpretation for a personal interview.</p> <p><u>II Implementation of the Eurodac regulation</u></p> <p>1. The Eurodac functionality is integrated into the UK’s Immigration and Asylum Biometric System . There are no stand alone Eurodac terminals.</p> <p>2. yes</p> <p>3. Fingerprinting is routinely carried out by Immigration Officers. There are a small number of exceptions to this that are detailed in current legislation (Immigration & Asylum Act 1999)</p> <p>4. Yes</p> <p>5a. Yes. Applicants deliberately self damage their fingerprints in an attempt to hide their identity</p> <p>5b. Yes. UK legislation allows the use of reasonable force to be used to capture fingerprints</p> <p>5c. There are no direct consequences, although clearly if it is not possible to obtain fingerprints that are suitable for acceptance into the Eurodac database then it is impossible to establish immediately whether the applicant’s data is already included in Eurodac and so whether the person’s application is likely to be the responsibility of another State under the Dublin Regulation as a result.</p> <p><u>Eurodac activity</u></p> <p>1. -</p> <p>2. -</p> <p><u>III Organization of your services</u></p> <p>1. The Home Office (Immigration Fingerprint Bureau)</p> <p>2. Dublin/Third Country Unit, UK Visas and Immigration, Home Office. The Home Office, as above. The Third Country/Dublin Unit is the responsible unit for the application and administration of the Dublin Regulation i.e. the Third Country/Dublin Unit makes and receives requests to/from other States sent via the DubliNet system. The Head of Unit of the Third Country/Dublin Unit is Elizabeth McMillan</p> <p>3. Use of the secure messaging system DubliNet :</p> <p>Exclusive: yes</p> <p>Sending of requests (take charge/take back, article 21): yes</p> <p>Sending of answers: yes</p> <p>Requests of re-examination: yes</p> <p>Sending of transfer notices: yes</p> <p>4. National Dublin unit (Incoming and outgoing flows):</p> <p>Local Dublin units (Incoming and outgoing flows): There are no local Dublin Units in the UK</p> <p>5. The mission of the central Dublin unit is to operate the Dublin procedures in conjunction with other Member States and associated States. The Third Country/Dublin Unit is responsible for dealing with the implementation of the UK’s procedure under the Dublin Regulation. It is also responsible for the implementation national legislation that reflects the possibility to declare that an asylum</p>
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			<p>application lodged in the UK should be examined by another “safe third country” or “first country of asylum” as provided for in the Asylum Procedures Directive 2005/85/EC.</p> <p>6. Judgments in first instance: National Dublin unit Judgment in appeal: National Dublin unit</p> <p>As above, the UK has a single, national Dublin Unit which has a role in dealing with litigation, but which works with specialist teams within the Home Office and the legal services to manage that litigation. For example some challenges to transfer raise issues that go wider than the particular facts of the case (i.e. challenges that seek to argue that the procedure in a Member State has “systemic deficiencies”) and in these cases it is necessary to include a range of policy and legal experts when considering how to address the challenge).</p> <p>7. Administrative services</p> <p>8a. approximately 60</p> <p>8b. -</p> <p>8c. -</p>
	Croatia	Yes	<p>I. Implementation of Dublin</p> <p>1. When the asylum application is submitted</p> <p>2. Yes</p> <p>3. Yes</p> <p>4. Yes. Standard accommodation similar to other asylum seekers</p> <p>5. Yes. Open centre</p> <p>6. In accordance with Article 76 and 78 of Act on the amendments to the Asylum Act (OG 143/13), the Ministry shall issue the identity card to an asylum seeker within 3 days from the moment of asylum application. Identity card of asylum seeker shall serve as a residence permit in the Republic of Croatia until the completion of asylum procedure. The identity card of an asylum seeker shall also be issued to members of his/her family, pursuant to Article 30, paragraph 2 of the Act on the amendments to the Asylum Act.</p> <p>7. Against the decision of transfer, asylum seeker has right to initiate an administrative dispute against the decision of the Ministry in front of the Administrative Courts, within 8 days from the day of the service of the first instance decision.</p> <p>8. Yes</p> <p>9. Lodging an appeal – within 8 days from the day of the service of the first instance decision Decision – within 15 days from the day of receiving case file Appeal for judgments in first instance- within 15 days from the day of the service of the judgments in first instance</p> <p>10. No</p> <p>11. a) Yes b) Yes c) Yes d) Yes</p> <p>12. The transfers: a) Single: No Family: No</p>

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			<p>b) On the asylum seeker's initiative: No Departure under control: Yes Under escort: Yes</p> <p>c) Do you organize transfers in group? By now we did not have transfers in group but we think that it could be practical.</p> <p>13.a) No b) No</p> <p>Dublin activity</p> <ol style="list-style-type: none"> 1. In the period from 01st July 2013 till 31 December 2013, Republic of Croatia had 311 dublin cases 2. In the period from 01st July 2013 till 31 December 2013, Republic of Croatia received 44 positive replies, and established responsibility for 14 cases on the basis of not respecting time limits for answering requests by responsible MS's. 3. In the period from 01st July 2013 till 31 December 2013, Republic of Croatia transferred two persons to responsible member states and took back 9 persons. 4. In all of Dublin cases where Greece is to be considered responsible, Croatia used sovereignty clause and took over responsibility for such cases. We used 74 times sovereignty clause towards Greece. 5. Yes 6. The Dublin unit <p>II Implementation of the Eurodac regulation</p> <ol style="list-style-type: none"> 1. At the border : Non On the territory: Republic of Croatia is currently in possession of 2 digital terminals in the territory (one is located in the Reception Center for asylum seekers, and the other in Reception Center for foreigners). Process of supply of additional 30 units is underway, and they will also be distributed at the border crossing points. 2. Yes. Fingerprinting of irregular foreign nationals apprehended on the territory is carried out by the police officers who have at disposition one terminal located in Reception Center for foreigners. If the fingerprinting is carried out at border police offices or police stations within the territory, fingerprints are taken on paper using ink, and forwarded to EURODAC national access point where they are scanned and sent to EURODAC Central Unit. 3. Yes 4. Yes. Occasionally, asylum seekers or irregular migrants refuse that their fingerprints be taken on terminal. In that cases, fingerprints are taken on paper using ink, and then scanned to be sent to EURODAC database. Some of them abscond before fingerprinting. No means of coercion. Inadmissibility of the request. <p>Eurodac activity</p> <ol style="list-style-type: none"> 1. By refusal to cooperate: Syrians, Morocco, Algerians By altered fingerprints: Syrians, Morocco, Algerians, Afghanistan and Pakistan 2. Less than 10%
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			<p>III Organisation of your service</p> <ol style="list-style-type: none"> 1. National EURODAC access point is established within the Ministry of the Interior, Directorate for administrative and inspection affairs, Sector for administrative affairs, foreigners and nationality, Service for foreigners and asylum, Department for asylum. 2. National DUBLIN access point is established within the Ministry of the Interior, Directorate for administrative and inspection affairs, Sector for administrative affairs, foreigners and nationality, Service for foreigners and asylum, Department for asylum. There are currently two officers working in Dublin Unit. Contact details for NAP: Ms. Anita Dakić, tel: +385 1 4570 976, adakic@mup.hr; Ms. Ana Mindak Milašin, tel: +385 1 4570 966, amindjak@mup.hr Head of Unit: Ms Anita Mandić, tel: + 385 1 4570 951, amandic@mup.hr 3. Exclusive 4. National Dublin unit (we had Incoming and outgoing flows) 5. Republic of Croatia does not have local Dublin units. All Dublin cases are managed within the Central Dublin Unit, where is, among all asylum applications, is decided which will be a subject of Dublin procedure. Central Dublin Unit is responsible for managing, processing and finishing the Dublin procedure. 6. Judgments in first instance: National Dublin unit and local Dublin units) Judgment in appeal: National Dublin unit and local Dublin units) 7. Administrative services 8. a) Central Dublin unit: 3 officers in National Dublin unit b) non c) non
	<p>Norway</p>	<p>Yes</p>	<p>I. Implementation of the Dublin Regulation</p> <ol style="list-style-type: none"> 1. When the asylum application is submitted 2. Yes, status as asylum seeker is first recognized when the application is submitted 3. Yes 4. Yes. Standard accommodation 5. No 6. The asylum seeker is given a document to prove his/her status as an asylum seeker in Norway. 7. - request for suspension of the implementation of the transfer decision - appeal the decision 8. Yes but only in regards to the request for suspending the implementation of the transfer decision, and only if the request is granted. 9. Lodging an appeal: The time limit for requesting that the transfer is suspended: 48 hours from the time the decision is taken in the first instance. Then time limit to reject or approve the request: none The time limit for submitting an appeal: 3 weeks from the time the decision is taken in first instance 10. Yes. The first instance (UDI) can no longer deny the request for suspension. This is now decided by The Norwegian Immigration Appeals Board (UNE) which is considered to be a tribunal in accordance to article 27.

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			<p>11. a) Yes and No. We always make sure the immigrant is “fit to flight”. If a deportation is unadvisable due to the health of the person in question, the deportation is delayed. b) No c) Yes (see answer a) above) d) Yes</p> <p>12. a) Yes, we may detain both single and families before a deportation/transfer b) There are a number of options for transfers. Forced returns are organized both escorted and unescorted with a monitored/supervised /controlled departure. A return can also be arranged on the immigrant’s initiative. IOM and the Directorate of Immigration usually handle assisted voluntary returns, although the National Police Immigration Service may accompany the immigrant to destinations where assisted voluntary returns cannot otherwise be carried out.</p> <ul style="list-style-type: none"> • On the asylum seeker’s initiative: Possible • Departure under control: Sometimes • Under escort: Sometimes <p>c) Yes, returns are sometimes arranged as charters, both national, in cooperation with another country, or as a joint return operation (JRO) with Frontex. Families are also usually deported as a group.</p> <p>13. a) Yes, approximately 30-35 % of all cancelled returns are due to potential returnees absconding. Although this number may include those who leave the country without letting the police know of their departure, we suspect it mainly consists of those absconding a forced return. b) Yes, some are reluctant to board the plane. In these cases, the forced return will be delayed and carried out at a later stage with an escort.</p> <p>Dublin activity</p> <p>We would like to make a note that Norway has an agreement with EMN (and we believe other EMN member countries who have administrative units that produce statistics which are routinely sent to Eurostat have the same agreement) about when to contact Eurostat in order to obtain statistical data when it is otherwise routinely reported to Eurostat.</p> <ol style="list-style-type: none"> 1. This has been reported to Eurostat. 2. Reported to Eurostat. (though we think an average number is not very relevant in this case) 3. The Norwegian Police Immigration Service has statistics about the number of Dublin-deportations/transfers which are carried out per year. However, they use a broad definition of “Dublin” which probably means that the numbers they use are a bit higher than strictly speaking would be the norm. In addition to deportations/transfers which are carried out according to the Dublin-regulations, an additional category of transfers are also included in the Dublin statistics: “people transferred to another European country according to the European agreement on transfer of refugees and in accordance with the Return Directive...” <p>Statistics from the Norwegian Police Immigration Service: (Outgoing flow): 2011: 1 503 2012: 1 114 2013: 1 408 (forced returns)</p>
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		<p>4. 161 times in 2013</p> <p>We also have the following information from 2012: The sovereignty clause was applied by the UDI and the Appeals Board on at least 20 applications, including 7 accompanying children, after an individual assessment of the particular facts of the cases. The main reason for the application of Article 3 (2) in these cases was family ties, consideration of the best interests of the child, and the applicant's severe health condition. 61 cases of the 9 785 (0,6%) which were lodged in Norway in 2012 were marked with a specific code showing that Greece was the MS responsible. Due to the fact that this code is registered manually, the actual number of cases in which Greece was the MS responsible may be higher. In these 61 cases, Art 3 (2) was applied.</p> <p>5. Yes</p> <p>6. The Dublin unit.</p> <p style="text-align: center;">II. Implementation of the Eurodac regulation</p> <p>1. The National Police Immigration Service (NPIS) have access to 3 terminals On the territory: 3</p> <p>2. Yes, foreign nationals may be apprehended at the territory. The police carry out fingerprinting. The NPIS have 3 terminals at our disposal.</p> <p>3. Yes</p> <p>4. Yes. Sometimes we experience that foreign nationals have attempted to damage the tips of their fingers in order to avoid fingerprinting. We do have means of coercion: foreign nationals with altered fingerprints may be detained at the NPIS holding centre. A consequence of attempted manipulation of fingerprints is that the case will be handled as a Dublin-case which includes a specific fast-track procedure.</p> <p>Eurodac activity 1 et 2. The (Norwegian) National Police Immigration Service (NPIS) do not have any statistics concerning this Eurodac activity nor could the Norwegian Directorate of Immigration access this information. However, as no one has been detained at the NPIS Holding Centre due to altered fingertips since 2011, we have reason to believe that altering fingertips is of little concern in Norway for the time being.</p> <p style="text-align: center;">III. Organisation of your services</p> <p>1. The national Eurodac access point is the National Crime Investigation Service (KRIPOS).</p> <p>2. NORWAY</p> <p>1. Ministry of Justice and Public Security Pb 8005 Dep NO- 0030 Oslo Tel: + 47 22 24 90 90</p> <p>2. Norwegian Directorate of Immigration</p>
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			<p>Pb. 8108 Dep NO-0032 Oslo Tel: + 47 23 35 15 00 Fax: +47 23 35 18 64 E-mail: udi@udi.no</p> <p>Contact persons: The head of the unit: Siv Blindheim Jacobsen, sbja@udi.no, +47 456 923 86 The head of the unit : Anne Frydenlund, anf@udi.no, +47 99 323 472 Anita Fjeldsæter, afj@udi.no, +47 92 015 274</p> <p>3. The National Police Immigration Service P.O Box 8102 Dep 0032 OSLO Tel: + 47 22 34 24 00 Fax: + 47 22 34 26 21 Contact persons: Geir Bang Danielsen / geir.bang.danielsen@politiet.no / + 47 22 34 26 33 Nora Torp Lomnes / nora.torp.lomnes@politiet.no / + 47 22 34 25 14 Yngve Higrav / yngve.higrav@politiet.no / + 47 22 34 25 72 Anne-Grethe Stene / anne-grethe.stene@politiet.no / + 47 22 34 25 82</p> <p>3. Sending of requests, sending of answers, requests of re-examination. Sending of transfer notices as of 01/02/2014</p> <p>4. We are unfortunately not yet able to extract accurate figures for the number of cases during 2013. However, in the first half of 2013 we had: 856 incoming request and 1797 outgoing request - Outgoing flows: Please refer to our response under “Dublin Activity” question nr. 3 above. (same question)</p> <p>5. We only have a National Dublin unit, which consists of two equal units. The National Dublin unit’s mission is to send and process requests / take charge/ back article 21/ 34, make judgments in first instance, develop relations with other Member States, and participate in the Dublin contact committee.</p> <p>6. Judgments in first instance: National Dublin unit. Judgment in appeal: no</p> <p>7. Police services (Transfers/forced returns are managed by the police, more precisely NPIS)</p> <p>8. We have 2 national Dublin units and around 35 persons.</p>
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