

DUBLIN FACTS

WHAT IS “DUBLIN”?

In 32 countries of Europe (called ‘Dublin countries’ below), the rules and procedures on asylum and who can get protection are the same. This means that **only one** of these countries will be responsible to decide on your asylum claim. You will have no choice in deciding where your case will be treated. Which country is responsible is determined by the Dublin rules explained below. These rules are **only applicable to persons above 18 years old**.







The **United Kingdom** is also a ‘Dublin country’. If you apply for asylum in the UK and if you have fingerprints in another ‘Dublin country’ (including Belgium) you are likely to be sent back to this country.



During the Dublin procedure, **your asylum claim will not be heard nor assessed**. This procedure is only to determine which country is responsible for your asylum procedure. The decision you will receive has no impact on the assessment of your claim afterwards.

WHEN WILL YOU BE TRANSFERRED TO ANOTHER ‘DUBLIN COUNTRY’?

If you APPLY FOR ASYLUM in BELGIUM , you will be transferred if:	If you DO NOT APPLY FOR ASYLUM in BELGIUM , you will be transferred if:
Your spouse or child has applied for asylum or has been granted protection in that ‘Dublin country’	You applied for asylum in that ‘Dublin country’ and did not wait for the result of your application
You have a residence permit in that ‘Dublin country’  If the residence permit is expired for more than 2 years, this rule does not apply and you will not be transferred.	You applied for asylum in that ‘Dublin country’ and you stopped the procedure
You have a visa from that ‘Dublin country’  If the visa has expired for more than 6 months, this rule does not apply and you will not be transferred.	You applied for asylum in that ‘Dublin country’ and your asylum application was rejected  If you do not apply for asylum, both Belgium and that ‘Dublin country’ are allowed to send you back to your country of origin.
Your fingerprints were taken in that ‘Dublin country’ when you irregularly crossed the border coming from outside Europe  If you have not been in that ‘Dublin country’ for more than 12 months, this rule does not apply and you will not be transferred.	
You applied for asylum in that ‘Dublin country’	

WHEN WILL YOU NOT BE TRANSFERRED TO ANOTHER 'DUBLIN COUNTRY', BUT TO YOUR COUNTRY OF ORIGIN?



If you do not apply for asylum in Belgium and you have not applied for asylum in another 'Dublin country', Belgium will send you back to your country of origin (even if you have fingerprints in another 'Dublin country').

IF YOU ARE IN ONE OF THESE SITUATIONS AND YOU DO NOT WANT TO BE TRANSFERRED, YOU MUST:

- **Contact a lawyer** as soon as possible.
- If possible, collect proof of:
 - **Family members** living in Belgium or in another 'Dublin country', or
 - Your **medical problems** (including pregnancy) and **vulnerability**, or
 - The fact that you have not been in that 'Dublin country' for more than 12 months, or
 - **Problems** and **difficult living conditions** in that 'Dublin country', or
 - Any other reason explaining why you don't want to go back to this 'Dublin country'.
- Inform the Office of Immigration and the police of all of this during your interviews. You have the right to ask for an interpreter.
- If you receive a transfer decision, **appeal** this decision before a Court with the help of your lawyer. The Court can decide to cancel the decision of transfer.



If you are in detention, you must appeal within 5 or 10 days (depending on your case). Contact your lawyer as soon as possible.

- If you receive a transfer decision and your appeal before the Court fails, the Belgian authorities must **transfer** you to the 'Dublin country'. They have to do this within 6 months. If you abscond, this time-limit may be extended to 18 months. If the Belgian authorities fail to transfer you within these time-limits, Belgium will be responsible to treat your asylum application.