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*“I have asked for
asylum in the EU
– which country will
handle my claim?”*

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Information about the Dublin Regulation for applicants
for international protection pursuant to article 4 of
Regulation (EU) No 604/2013

You have asked us to protect you because you consider that you have been forced to leave your own country due to persecution, war or risk of serious harm. The law calls this an 'application/request for international protection' and you – an 'applicant'. People seeking protection are often referred to as 'asylum seekers'.

The fact that you asked for asylum here does not guarantee that we will examine your request here. The country that will examine your request is determined through a process established by a European Union law known as the 'Dublin' Regulation. According to this law, only one country is responsible for examining your request.

This law is applied throughout a geographical region which includes 32 countries. For the purpose of this leaflet, we are calling these 32 countries 'Dublin countries'.

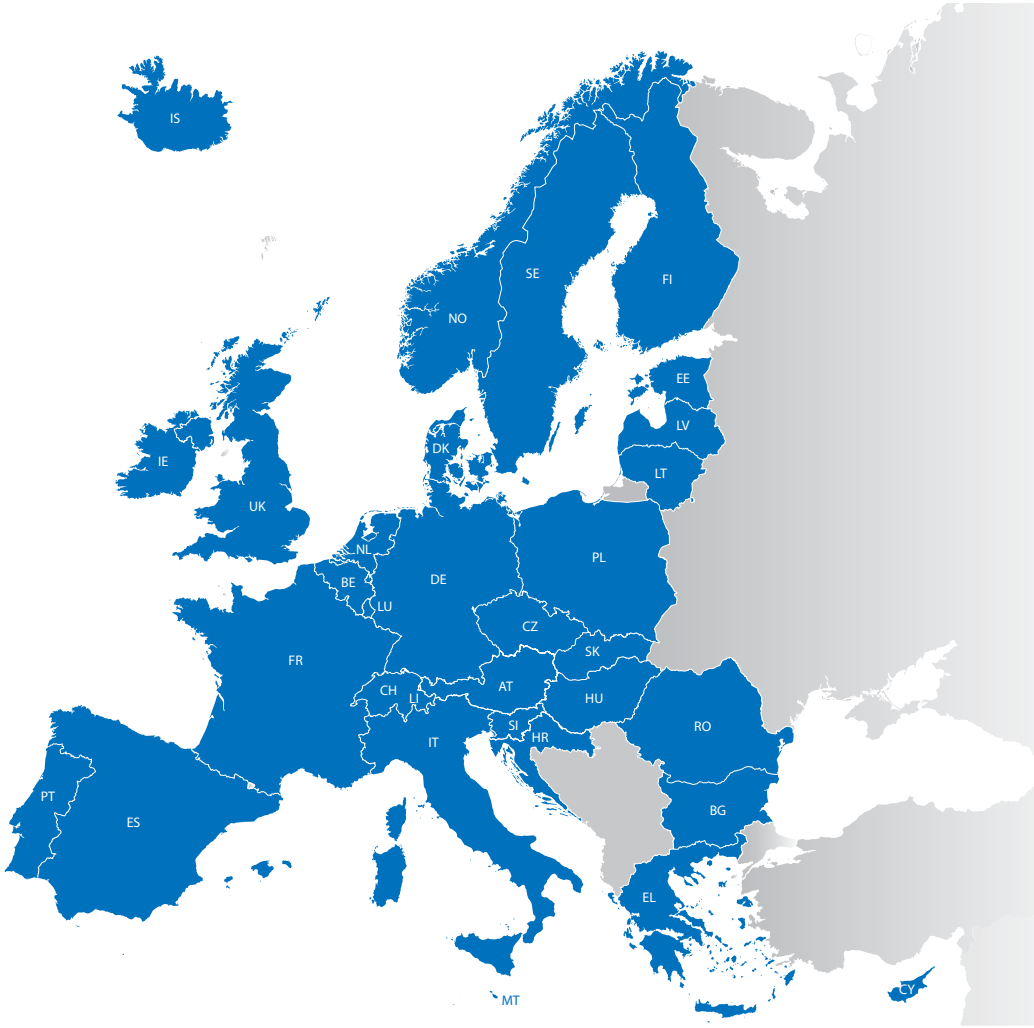
If there is anything in this leaflet that you do not understand, please ask our authorities.

Before your request for asylum can be considered, we need to establish whether we are responsible to examine it or whether another country is responsible – we call this a 'Dublin procedure'. The Dublin procedure will not concern your reason for applying for asylum. It will only deal with the question of which country is responsible for making a decision on your application for asylum.

The present leaflet is for information purposes only. Its aim is to provide applicants for international protection with the relevant information with respect to the Dublin procedure. It does not create/entail in itself rights or legal obligations. The rights and obligations of States and persons under the Dublin procedure are such as set out in Regulation (EU) 604/2013.

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The Dublin countries include the 28 European Union countries (Austria (AT), Belgium (BE), Bulgaria (BG), Croatia (HR), Cyprus (CY), Czech Republic (CZ), Denmark (DK), Estonia (ET), Finland (FI), France (FR), Germany (DE), Greece (EL), Hungary (HU), Ireland (IE), Italy (IT), Latvia (LV), Lithuania (LT), Luxembourg (LU), Malta (MT), Netherlands (NL), Poland (PL), Portugal (PT), Romania (RO), Slovakia (SK), Slovenia (SI), Spain (ES), Sweden (SE), United Kingdom (UK)) as well as 4 countries “associated” to the Dublin Regulation (Norway (NO), Iceland (IS), Switzerland (CH) and Liechtenstein (LI)).

“How long will it take to decide which country will consider my application?”

“How long will it be before my application is examined?”

If our authorities decide that we are responsible for deciding on your application for asylum, this means that you may remain in this country and have your application examined here. The process of examining your application will then start immediately.

If we decide that another country is responsible for your application, we will seek to send you to that country as soon as possible so that your application can be considered there. The entire duration of the Dublin procedure, until you are transferred to that country **may, under normal circumstances, take up to 11 months**. Your asylum request will then be examined in the responsible country. This time frame could be different if you hide from the authorities, are imprisoned or detained, or if you appeal the transfer decision. If you are in one of these situations, you will receive specific information, informing you about which time frame applies to you. If you are detained, you will be informed of the reasons for detention and the legal remedies available to you.



“How is the country responsible for my application decided?”



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The law sets out various reasons why a country may be responsible for examining your request. These reasons are considered in the order of importance by the law, starting from whether you have a family member present in that Dublin country; whether you now or in the past have had a visa or a residence permit issued by a Dublin country; or whether you have travelled to, or through, another Dublin country, either legally or irregularly.

It is important that you inform us as soon as possible if you have family members in another Dublin country. If your husband, wife or child is an applicant for asylum or has been granted international protection in another Dublin country, that country could be responsible for examining your asylum application.

We may decide to examine your application in this country, even if such examination is not our responsibility under the criteria laid down in the Dublin Regulation. We will not send you to a country where it is established that your human rights could be violated.

“What if I don’t want to go to another country?”

You have the possibility to say that you disagree with a decision to be sent to another Dublin country, and may challenge that decision in front of a court or tribunal. You can also ask to remain in this country until your appeal or review is decided.

If you abandon your application for asylum and you move to another Dublin country, you are likely to be transferred back to this country or to the country responsible.

It is therefore important that once you apply for asylum, you stay here until we decide who is responsible for the examination of your asylum request and/or to examine your asylum request in this country.

Please be aware that if we consider that you are likely to try to run away or hide from us because you do not want us to send you to another country, you may be put in detention (a closed centre). If so, you will have the right to a legal representative and will be informed by us of your other rights, including the right to appeal against your detention.



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“Why am I being asked to have my fingerprints taken?”

When you lodge a request for asylum, if you are 14 years of age or older, your fingerprints will be taken and transmitted to a fingerprint database called ‘Eurodac’. **You must cooperate with this procedure – you are obliged by law to have your fingerprints taken.**

If your fingerprints are not of a good quality, including if you have deliberately damaged your fingers, the fingerprints will be taken again in the future.

Your fingerprints will be checked within Eurodac to see if you have ever applied for asylum before or to see if you were previously fingerprinted at a border. This helps to determine which Dublin country is responsible for the examination of your asylum request.

Your fingerprints may also be checked against the Visa Information System (VIS), which is a database that contains information relating to

visas granted within the Schengen area. If you have a current or previous visa for another Dublin country, you may be sent there for consideration of your request for international protection.

As you have made an application for asylum, your fingerprint data will be stored by Eurodac for 10 years – after 10 years, they will be deleted automatically from Eurodac. If you are successful with your request for asylum, your fingerprints will remain in the database until they are automatically deleted. If you become a citizen of a Dublin country, your fingerprints will be deleted at that point. Your fingerprints and your gender will be stored in Eurodac – your name, photograph, date of birth and nationality are not sent to the Eurodac database, but they may be stored in a national database.

You may at any time in the future ask us for the data relating to you that we have recorded in Eurodac. If you think the data are inaccurate or should not be stored, you may request that they be corrected or erased. **Information about the authorities responsible for handling (or controlling) your data in this country and the relevant authorities responsible for supervising data protection can be found in page 11.**

Eurodac is operated by an Agency of the European Union called eu-LISA. Your data can only be used for the purposes defined by law. Only the Eurodac Central System will receive your data. If you request asylum in the future in another Dublin country, your fingerprints will be sent to that country for verification. The data stored in Eurodac will not be shared with any other country or organisation outside the Dublin countries.

As of 20 July 2015, your fingerprints may be searched by authorities such as the police and the European police office (Europol) who may request access to the Eurodac database for the purpose of preventing, detecting and investigating serious crimes and terrorism.

“What are my rights during the period that the country responsible for my asylum request is decided?”

You have the right to remain in this country if we are responsible for examining your asylum request, or, where another country is responsible, until you are transferred there. If this country is responsible for examining your asylum request, you have the right to remain here at least until a first decision is taken on your asylum application. You are also entitled to benefit from material reception conditions, e.g. accommodation, food etc., as well as basic medical care and emergency medical assistance. You will be given the opportunity to provide us with information about your situation and the presence of family members on the territory of the Dublin countries orally and/or in writing and, when doing so, to use your mother tongue or another language that you speak well (or to have an interpreter, if needed). You will also receive a written copy of the decision to transfer you to another country. You are also entitled to contact us for more information and/or to contact the office of the United Nations High Commissioner for Refugees (UNHCR) in this country.

If we consider that another country could be responsible for examining your application, you will receive more detailed information about that procedure and how it affects you and your rights.



Contact information:

Address and contact details of the asylum authority;

Oficina de Asilo y Refugio (OAR)
C/ Pradillo, 38-40 – 28002 Madrid
Tel.: 91.537.21.70
www.interior.gob.es

Details of the National Supervisory Authority;

Agencia Española de Protección de Datos
C/ Jorge Juan, 6-28001-Madrid
Tel.: 91.266.35.17 – 901.100.099
www.agpd.es

Identity of the Eurodac controller and of his/her representative;

Comisaría General de Policía Científica
Avda. Julián González Segador, s/n
28043 –Madrid
Tel.: 91.582.83.75
www.policia.es

Contact details of the office of the controller;

Oficina de Asilo y Refugio (OAR)
C/ Pradillo, 38-40 – 28002 Madrid
Tel.: 91.537.21.70
www.interior.gob.es

Contact details of the local UN-HCR office (if present);

Delegación Española del ACNUR
Avda. Gral. Perón, 32, 2º Izqda. –
28020 Madrid
Tel.: 91.556.36.49/35.03
www.acnur.es

Contact details of the legal aid providers/refugee supporting organisations;

Cruz Roja Española
C/ Pozas, 14 – 28044 Madrid
Tel.: 91.521.04.57
C/ Muguet,7 – 28044 Madrid
Tel.: 91.532.55.55
www.cruzroja.es

Comisión Española de Ayuda al Refugiado (CEAR)
C/ Hermanos García Noblejas 41.
8º Izq. Madrid
Tel.: 91.555.06.98/29.08
www.cear.es

Asociación Comisión Católica Española de Migraciones (ACCEM)
Plaza Sta. Mª Soledad Torres Acosta,
2, 3º - 28004 Madrid
Tel.: 91.532.74.78/9
www.accem.es

Contact details of IOM; IOM

C/ Fernando el Católico, 10, 1º B
28015-Madrid
Tel.: 91.594.36.70 – 91.445.71.16
www.spain.iom.int

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