

# Info-Sheet: Dublin III Regulation

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## What is Dublin III?

Dublin III is a regulation established by the European Union which is used to decide which country is responsible for an asylum claim. If you, as a non-European citizen, arrive to the EU and apply for asylum, the Dublin III regulation is used to decide which country will examine your asylum claim (this does not always have to be the country which you arrived to). Dublin III is not about the asylum process itself, but only about which country your asylum procedure will be carried out in.

## Which countries are part of Dublin III?

The countries that are part of the Dublin III regulation are: Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Lithuania, Liechtenstein, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland and the United Kingdom.

Countries that are not part of Dublin III regulation (and it is therefore not possible to transfer your asylum claim to these countries) are for example: Turkey, FYROM, Albania, Montenegro, Serbia, Bosnia, USA, Canada, Australia and others.

## How is decided which country is responsible for my asylum claim?

Dublin III describes several reasons why a different country than the country where you currently are may be responsible for your asylum claim. These reasons are applied in order of importance. If the first reason is not relevant, the second one will be considered, and so on:

- 1.) You have a close family member (husband or wife, children under the age of 18) who has been granted asylum or is an asylum seeker in another Dublin country (see list of countries above). If you are an unaccompanied minor this also applies if you have a brother, sister, aunt, uncle or grandparents in another Dublin country;
- 2.) You were issued a visa previously (which is valid or expired within the last 6 months) or a residence permit by another Dublin country (which is valid or expired within the last 2 years);
- 3.) Your fingerprints were taken in another Dublin country (and stored in a European database called "Eurodac". For more information see the next paragraph);
- 4.) There is evidence that you have been to, or travelled through, another Dublin country. This evidence can even be considered if you did not have your fingerprints taken

## Why do I have to give my fingerprints?



When you are detected irregularly entering a Dublin country or you apply for asylum in one and you are 14 years or older, your fingerprints will be taken and sent - together with information about your sex and where and when you were detected - to a database called "Eurodac". You are obliged by law to have your fingerprints taken. Your fingerprints will be checked against "Eurodac" to see if you have applied for asylum before or if you have previously been fingerprinted in another Dublin country.

Your fingerprints, together with your gender and data about your arrival are stored in “Eurodac” for 18 months after you enter an EU country, then for a further 10 years after you apply for asylum. After that time they will be automatically deleted. Your name, photograph, date of birth and nationality are not sent to the “Eurodac” database, but may be stored in a national database.

### **Does Dublin III mean I can be sent back to a country where I was fingerprinted before leaving?**

Yes. The Dublin III regulation states that if you do not have close family members in another Dublin country or did not previously have a visa or residence permit in another Dublin country, your asylum claim has to be examined by the country where you first got fingerprinted. You have to be physically present in that country to proceed with your asylum claim.

From 2011 to the 15th of March 2017, Dublin countries did not send asylum seekers back to Greece. This was because the reception conditions for refugees in Greece did not meet European standards. However, now it is possible for Dublin countries to make Dublin transfers to Greece after the 15<sup>th</sup> of March 2017 on a case by case basis. This should only be possible if an asylum seeker has *arrived in Greece regularly or irregularly after the 15th of March 2017 and did apply for asylum in Greece later than the 15th of March 2017. It is also not possible to send back vulnerable applicants, like for example unaccompanied minors.*

### **What if Dublin III states I have to go to another country but I do not want to go there?**

You can say that you disagree with the decision to be sent to another Dublin country and challenge that decision in front of a court or tribunal. You will need to have good reasons, why you want to challenge this decision. You have a limited number of days to appeal. In Greece you have 15 days. You can also ask to remain in the country where you currently are until your appeal or review is decided. You have to pay yourself for the potential costs of a court case.

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