Asylum procedure

Asielprocedure

If you are a refugee, you can get protection in the Netherlands. In that case, you will have to apply for asylum. During the asylum procedure (in Dutch: asielprocedure) the Immigration and Naturalisation Service (IND) assesses on behalf of the Dutch government whether or not you are a refugee according to the Convention on Refugees and Article 3 of the European Convention for the Protection of Human Rights.

Animatie asielprocedure: Engels (2017)

Video van Animatie asielprocedure: Engels (2017)

The video above is - besides all the languages on this website - also available in Armenian, Chinese en Russian.

In the Netherlands, you will be able to get an asylum residence permit under the following conditions:
• You fear persecution because of race, religion, nationality, political opinion or because you belong to a particular social group.
• You fear the death penalty, torture or another form of inhumane treatment.
• You fear becoming a victim of random violence from war in your country of origin.
• You are traumatised by events in your country of origin.

If your asylum application is rejected, you will have to leave the Netherlands and return to your country of origin.

Please note!
[ Let op! ]

Safe countries and Dublin claim
[ Dublin-claim en veilige landen ]

If you arrived in another European country before you came to the Netherlands, or if you have a visa for another European country, the information about the Dutch asylum procedure does not apply to you. For more information, click here:

Leaflet: Which country is responsible for your asylum application (Dublin). In addition to all languages on this website, this leaflet is also available in Albanian, Armenian, Chinese, Mongolian, Russian, Serbo-Croatian.

If you originate from a country that has been designated by the Dutch government as safe, your asylum procedure will be accelerated. For more information, click here:

List of safe countries

Where do you apply for asylum?
[ Waar vraag je asiel aan? ]

If you wish to apply for asylum and you entered the Netherlands by land, you will have to go to Ter Apel application centre. Wherever you are in the Netherlands, you can get a ticket (in Dutch: OV-dagkaart) from the police to travel to Ter Apel. If you arrived at Amsterdam Airport Schiphol or a Dutch port, you must report to the Royal Netherlands Marechaussee. After this, you will be taken to a closed reception centre (Justitieel Complex Schiphol). Staff members at the open reception centre in Ter Apel or at the closed reception centre will record your personal details. They will also take photos and fingerprints from you and search your clothes and luggage. In addition, they will take possession of your telephone, but you will get it back as soon as possible. After this, several asylum seekers will be transferred from Ter Apel to other open reception centres to follow the asylum procedure there.
After your arrival in the Netherlands

After you have applied for asylum, the so-called ‘rest and preparation period’ starts. This period lasts about six days, but this number of days may vary. At the centre, you will be told what the current procedure is. Anyway, you will have a medical check-up. The staff members of the Dutch Council for Refugees Nederland will give you information about the steps to be followed. You will also meet your lawyer. When you are staying at an open reception centre, the first meeting with your lawyer will be at his or her office. You will get a ticket to travel to your lawyer. The lawyer will assist you during your asylum procedure. The lawyer will be assigned to you through the government, but he or she is independent. The staff members of the Dutch Council for Refugees are also independent. You can discuss with the Dutch Council for Refugees or with your lawyer which documents you might retrieve from your country of origin to support your asylum application, identity, nationality, and travel route.

Interpreter

An independent interpreter will be called in to translate everything that is being said during your interviews with the IND, staff members of the Dutch Council for Refugees, and your lawyer. If you do not understand the interpreter well, or if you notice that the interpreter does not understand you well or does not translate your account properly, please say so immediately during the interview.

Reception

During your asylum procedure, you are entitled to reception facilities and a living allowance. You will be staying at an asylum seekers’ centre (in Dutch: asielzoekerscentrum or azc) of the government agency COA or in the Justitieel Complex Schiphol. After the asylum procedure, there are two possibilities:
• If your asylum application is granted, you will be allowed to stay at the reception centre until you are allocated a house.
• If your asylum application is rejected, your right to reception facilities ends. Dependent on the reason of the rejection, you will have to leave the reception centre within a specific period of time.

Start of the asylum procedure

Your asylum procedure starts after the rest and preparation period. The government agency IND assesses within eight days whether or not you comply with the conditions for an asylum residence permit or that more time is needed for investigation. Below is a description of how the asylum procedure will work.

Day 1: Initial interview or verification interview

You will have an official interview in which an IND staff member asks questions about your identity, your nationality, your travel route, and about the composition of your family before your came to the Netherlands. The IND staff member will not yet ask any questions about why you had to flee. Please note: be complete, clear, and honest. It is OK if you do not know an answer; take sufficient time to answer the questions you do know.

Day 2: Preparation for detailed interview

You will discuss the report of the initial interview with your lawyer. If something is missing or recorded incorrectly, your lawyer will report this to the IND by letter. Your lawyer will furthermore prepare you for the second interview with the IND.
Day 3: Detailed interview

[ Dag 3: nader gehoor ]

The second interview with an IND staff member is called ‘detailed interview’. During this interview, you can tell why you fled. If you have any scars, physical or psychological problems that are related to the reason why you fled, it is important to tell the IND staff member about this. Be honest, complete, and clear about what happened to you.

Day 4: Talk about detailed interview

[ Dag 4: bespreking nader gehoor ]

Together with your lawyer, you will check the report of the detailed interview. If something is missing or recorded incorrectly, your lawyer will report this to the IND by letter.

Day 5: Intended decision

[ Dag 5: voorgenomen beslissing ]

The IND will assess whether you comply with the conditions for an asylum residence permit. There are three possible outcomes:

- You are recognised as a refugee. You will get a residence permit (in Dutch: verblijfsvergunning) for five years. This means that you will be allowed to live and work in the Netherlands.
- The IND informs you by letter that it needs more time for investigation. Your application will now be processed in the Extended Asylum Procedure. A decision is made within six months.
- According to the IND, you do not comply with the conditions for a residence permit. You will receive a letter stating that the IND intends to reject your asylum application and for which reasons.

Day 6: Viewpoint

[ Dag 6: zienswijze ]

You will discuss the intended decision with your lawyer. Together, you can write a letter with arguments why you do not agree with the intended decision. This letter is called ‘viewpoint’ (in Dutch: zienswijze).

Days 7 and 8: Decision

[ Dag 7 en 8: beslissing ]

With due observance of the viewpoint, the IND assesses whether the intended decision should be altered. There are three possibilities:

- The IND recognises you as a refugee after all. You will get a residence permit for five years.
- The IND needs more time for investigation. Your application will now be processed in the
Extended Asylum Procedure. A decision is made within six months.

- The IND sticks to its opinion that you do not comply with the conditions for an asylum residence permit. You will receive a letter from the IND stating why your asylum application has been rejected and that you will have to leave the Netherlands. Your lawyer may appeal IND’s decision to court. If the decision of the court is also negative, you will have to leave the Netherlands. Click here for more information about return.

Role of the Dutch Council for Refugees

[ Rol van VluchtelingenWerk ]

The Dutch Council for Refugees is of the opinion that each asylum procedure must go smoothly. Therefore, the staff members and volunteers of the Dutch Council for Refugees assist you in the different steps:

- We provide information about the asylum procedure, so that you know what will be expected from you.
- We are present at each reception centre and act like a kind of intermediary. We can, for example, pass on your questions to the lawyer and pass on questions from the lawyer to you.
- We explain the letters you get from the IND and those from your lawyer. This can be done during our consultation hours. We will also lend you a sympathetic ear if you need one. Anything you tell the Dutch Council for Refugees will be kept confidential and will not be shared with your lawyer or the IND without your permission.
- We assist you in having sent relevant documents to the Netherlands.
- Together with you, we can independently analyse your account of your flight to get more clarity about the risk you run upon return. You can use this analysis during your conversation with the lawyer. For more information, click here.
- At your or your lawyer’s request, somebody of the Dutch Council for Refugees can attend your interviews in order to provide assistance and to ensure that you get enough room to give your account.
- We assist you in finding acquaintances or family members.

Subsequent Asylum Application

[ Opvolgende asielanvraag ]
If your asylum application is completely rejected, you could submit a subsequent asylum application, a new asylum application. This is a so-called HASA: a repeated asylum application.

**New facts/circumstances**

[Nieuwe feiten/omstandigheden]

In order to have a higher chance to be granted asylum after the subsequent application, there must be new facts or circumstances:

"This is newly disclosed information that you did not provide during your previous asylum procedure. And which you could not have brought in before. Think of events that have changed your situation or the situation in your country of origin. These changes took place after the decision on your previous asylum application. Or changes in policy related to your situation."

**Good preparation and a lawyer**

[Goede voorbereiding en advocaat]

Good thorough preparation of the subsequent asylum application is therefore required. Also, because all supporting documents must be delivered original and translated. So always arrange a lawyer who can help you. Are there really new facts and circumstances? Then you must thoroughly prepare the new application together with your lawyer and / or the Dutch Council for Refugees.

**Please note!**

Unfortunately, the Dutch Council for Refugees in Ter Apel cannot find a lawyer for you. And unfortunately, the Dutch Council for Refugees in Ter Apel cannot fill in the application form (M35-0) for subsequent asylum applications with you.

**Do not go to Ter Apel too early**

[Niet te vroeg naar Ter Apel gaan]

You can only travel to asylum application center Ter Apel if you meet all the conditions and are in possession of the completed application form (M35-0) and the original and translated documents. So do not travel to Ter Apel before that is arranged.

**Information on the IND website**

[Informatie op website IND]

The application form (M35-0) for a subsequent application can be found on the website of the Immigration and Naturalization Service (IND). The IND website also contains more information about a Successive Asylum Application (or so-called HASA).

**No changes after the last asylum application?**

[Geen veranderingen na laatste asielaanvraag?]
Are there no new facts or circumstances at all? Then you could consider returning to the country of origin with the help of the Dutch Council for Refugees, or IOM or DT&V. After all, you have now completed the asylum procedure without being granted asylum.

More information
[ Meer informatie ]

IND

On behalf of the Dutch government, the IND (Immigration and Naturalisation Service) assesses asylum applications and all other requests from people who want to stay in the Netherlands or want to become Dutch.

- To the website of the IND

COA

On behalf of the Dutch government, the COA provides reception during the asylum procedure. The reception consists of accommodation, meals or money to buy them, pocket money, guidance and access to medically necessary care.

- To the website of the COA

Raad voor Rechtsbijstand
The Legal Aid Council ensures that you get help from a lawyer if you cannot pay for one yourself. The Legal Aid Council pays this lawyer a fee for the help you get. The lawyer is not employed by the Legal Aid Council. The lawyer is an independent legal aid provider who will assist you in your asylum procedure.

- To the website of the The Legal Aid Council

Internationale Organisatie voor Migratie Nederland (IOM)

The IOM can help family members with their trip to the Netherlands if they need support.

- To the website of IOM

Rode Kruis

Looking for your family? The Red Cross helps!

- To the website of the Red Cross

CoMensha (Commisie mensenhandel)
CoMensha is the national Coordination Center against Human Trafficking and we are committed to the interests and rights of (possible) victims of human trafficking in the Netherlands.

- [To the document of CoMensha](#) (pdf)

**NIDOS**

Nidos is a national (family) guardianship institution for unaccompanied minor aliens (amv's in Dutch).

- [To the website of NIDOS](#)

**Time4you**

The Council for Refugees organises at AZC's weekly meetings (Time4You's) for children where you can ask all your questions and get information about the asylum procedure, your rights, life at an AZC and in the Netherlands and other things.

- [To the website of Time4You](#)