

The Extended Asylum Procedure

Why have you received this leaflet?

You have applied for asylum in the Netherlands. The Immigratie- en Naturalisatiedienst (IND) will assess whether you satisfy the conditions for an asylum residence permit. The General Asylum Procedure takes 6 (AA) or 9 (AA+) working days. In your case, the IND needs more time for its investigation, so your asylum application will be processed in the Extended Asylum Procedure. This leaflet explains the Extended Asylum Procedure.

The asylum procedure

You have spoken to the IND about your identity and travel route. In these interviews with the IND, you likely already discussed the reason for your departure from your country of origin. If the IND has no further questions for you, you will not have to visit the IND office during the Extended Asylum procedure. If you have not yet had a second interview with the IND, or if the IND has further questions, they will contact you for an additional interview. You will still receive free legal assistance during the Extended Asylum Procedure. You are allowed to wait for the court's decision in the Netherlands. You will stay at a COA reception centre while you wait. If you are transferred to the Extended Asylum Procedure, you may be moved to a different reception centre.

Initial decision

You will receive a letter from the IND with the results of the investigation within 6 months. There are two possibilities:

1. You satisfy the conditions for an asylum residence permit. You will receive a decision letter from the IND (through your lawyer) stating that your asylum application has been approved. You may continue to live in the Netherlands permanently or temporarily. Your lawyer will explain how this affects you.
2. The IND determines that you do not satisfy the conditions for an asylum residence permit. You will receive a letter from the IND stating that it intends to reject your asylum application. This is called an intended decision. The letter will also explain the reasons for rejection and the consequences for you. Your lawyer will discuss the letter with you.

Reaction to decision: response

If the IND intends to reject your asylum application, you will discuss the matter with your lawyer. Your lawyer can send the IND a written response. The response is a letter in which you can officially respond to the IND's intended decision and explain why you disagree with it.

Decision

After reading your response, the IND will assess whether to change its decision. The outcome of that assessment determines the further course of your asylum procedure. The IND will report the outcome of the assessment in a letter to your lawyer. Your lawyer will explain how this affects you. There are two possibilities:

1. After reading your response, the IND believes that you satisfy the conditions for an asylum residence permit. You will receive a decision letter from the IND (through your lawyer) stating that your asylum application has been approved. You may continue to live in the Netherlands permanently or temporarily. Your lawyer will explain how this affects you.
2. The IND determines that you still do not satisfy the conditions for an asylum residence permit. You will receive a decision letter from the IND (through your lawyer) stating that your asylum application has been rejected. The letter will also explain the reasons for rejection and the consequences for you. For example, you will no longer be allowed to stay in the Netherlands and will have to return to your country of origin. The letter also explains what to do if you disagree with the decision and outlines your options for returning to your country of origin. Your lawyer will discuss the letter with you.

After the asylum procedure

Your application is approved

If the IND approves your asylum application, you can temporarily or permanently remain in the Netherlands. You will receive a residence permit, are allowed to work, and can bring your family members to the Netherlands. The COA will help you find housing. Important information regarding your home will be documented in a meeting with the COA. Based on that information, you will be assigned a municipality in the Netherlands. That municipality will look for a suitable home for you. You will only be offered one house, and you must accept it. You may stay at the COA reception centre until you have your own accommodation. The IND will inform you of your rights – including allowing family members who have stayed behind to join you in the Netherlands – and obligations after being granted asylum. VluchtelingenWerk (VWN) employees can help you integrate into Dutch society and assist with the family reunification procedure. They will help you get in touch with various organisations to find an education or job, for example.

Your application is rejected

If the IND rejects your asylum application, you can appeal the decision at a Dutch court through your lawyer. This means that you officially inform the court that you disagree with the IND's decision. The court will examine whether the IND has correctly applied Dutch law when deciding on your asylum application. In some cases, you may be allowed to wait for the court's decision. In other cases, you can ask the court for permission to stay in the Netherlands during the appeal procedure. Your lawyer will help you with this.

If the IND rejects your asylum application, you will usually be taken to a different asylum seekers' centre where you will prepare to return to your country of origin. The IND's decision will state the period within which you have to leave the Netherlands. This is usually 28 days. After that, you are no longer entitled to a place in a reception centre, and may no longer live in the asylum seekers' centre.

You are personally responsible for your return to your country of origin. However, the Dienst Terugkeer en Vertrek (DT&V) can help you prepare your departure. The DT&V will contact you after your asylum application has been rejected. If you do not leave independently within the specified period, the DT&V may take measures to force you to leave the Netherlands. If you would like to speak with the DT&V about returning sooner, your lawyer or the COA can put you in touch with them. You can also contact the DT&V yourself by sending an email to ilc@dtv.minvenj.nl

If you wish to voluntarily return to your country of origin, you can contact the DT&V or the Internationale Organisatie voor Migratie (IOM). Their websites explain how to do so and provide information about returning and the support you may be able to receive (basic departure support and/or reintegration support). The DT&V and IOM can provide practical information and assist you with your departure. You can visit the IOM at the COA reception centre. You can also contact VWN with questions about returning and support.

You can still contact VWN and other organisations for assistance and information after the asylum procedure.



VluchtelingenWerk Nederland (VWN) is an independent human rights organisation that promotes the interests of asylum seekers. VWN will provide information about the asylum procedure, inform and support you throughout the procedure, and mediate in the event of problems with other organisations. They work closely with your lawyer to this effect. VWN does not decide on your asylum application. www.vluchtelingenwerk.nl
www.refugeehelp.nl



Dienst Terugkeer en Vertrek
Ministerie van Justitie en Veiligheid

The **Dienst Terugkeer en Vertrek** (DT&V) is part of the Dutch Ministry of Justice and Security and responsible for the execution of the Dutch return policy. If the IND denies you asylum, the DT&V will talk to you about your return to your country of origin. www.dienstterugkeerenvertrek.nl



The **Internationale Organisatie voor Migratie** (IOM) is an independent organisation that supports migrants worldwide. The IOM can help you if you want to leave the Netherlands independently. The IOM provides practical information about your return and reintegration and can assist you in arranging your departure from the Netherlands. You can contact IOM, the DT&V, VWN or your lawyer directly to help you with this. www.iom-nederland.nl

Personal data processing

Personal data is any kind of information about you. The organisations that collaborated on this leaflet are listed below. They process personal data while processing your application, notification or request. They will ask you for your details and will also ask other organisations or individuals if necessary. These organisations use and store your data and share it with other organisations if required to do so by law. Privacy legislation sets out obligations for organisations that process your data. For example, they must handle your data accurately and securely. Privacy legislation also establishes your rights. For example, you have the right to the following, on request:

- The right to access your data stored by organisations.
 - The right to know what organisations are doing with your data and why.
 - The right to know with which organisations your data has been shared.
- To find out more about your rights and how your personal data is processed, visit the respective organisation's website.

Frequently asked questions

What happens if I miss the interview with the IND?

You may be unable to attend an appointment with the IND. If you have an important reason, you can notify the IND through your lawyer. If the IND considers your reason valid, a new appointment will be made. If you miss an appointment with the IND without a valid reason, it may have consequences for your asylum application.

How long will I have to wait for a decision by the IND?

The amount of time the IND has to decide on your asylum application is determined by law; this is called the statutory decision period. To find out what the statutory decision periods are, visit www.ind.nl/beslistermijnen or www.ind.nl/en/decision-periods. The decision period can be extended in some cases. However, the IND should never take longer than 21 months to make a decision. If you have not received a decision within 6 months of submitting your asylum application, you can send them a letter requesting a quick decision on your asylum application. Your lawyer can help you with this.

Questions

If you have any questions after reading this leaflet, please talk to your lawyer or a COA, IND or VWN employee.

Complaints

All organisations involved in the asylum procedure are professional and meticulous. If, nevertheless, you feel that you have not been treated properly by an organisation, you can file a complaint. Your lawyer or VWN can help you with this.

This leaflet is a joint publication by:
Afdeling Vreemdelingenpolitie, Identificatie en Mensenhandel (AVIM)
Nidos
Dienst Justitiële Inrichtingen (DJI)
Centraal Orgaan opvang asielzoekers (COA)
Immigratie- en Naturalisatiedienst (IND)
Koninklijke Marechaussee (KMar)
Raad voor Rechtsbijstand (RvR)
VluchtelingenWerk Nederland (VWN)
Internationale Organisatie voor Migratie (IOM)
Dienst Terugkeer en Vertrek (DT&V)

Commissioned by:
Ministerie van Justitie en Veiligheid,
directie Migratiebeleid
www.rijksoverheid.nl

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