

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 any 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 in the Netherlands for the court's decision on your application. 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 are allowed to live in the Netherlands temporarily. Your lawyer will explain the consequences for 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 in which you officially respond to the IND's initial decision and explain why you disagree with it.

Decision

After considering your response, the IND will decide 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 the consequences for 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 the consequences for 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 home, 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 study programme 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 consider 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 shelter, 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) will help you prepare your departure. DT&V will contact you after your asylum application has been rejected. If you do not leave independently within the designated period, you will be deported.

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



If you wish to return to your country of origin voluntarily, you can contact the **Internationale Organisatie voor Migratie** (IOM). The IOM can provide practical information and assist you with your departure. The IOM often has a walk-in consultation at the asylum seekers' centre.
www.iom-nederland.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. If the IND denies you asylum, the DT&V will help you arrange your return to your country of origin.
www.dienstterugkeerenvertrek.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 carefully and securely. The privacy law also establishes your rights, such as:

- the right of organisations to access your data;
- 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, this may have consequences for your asylum application.

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

The IND must make a decision within 6 months after you submit an asylum application. This is called the decision period. In some cases, the IND may extend the decision period to continue the investigation, for example. If the IND is unable to decide within 6 months, you will be notified. If you have not received a decision within 6 months of submitting your asylum application and you have not received a message from the IND about the matter, you can send the IND 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 a VWN employee can help you with this.

This leaflet is a joint publication of:
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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)

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