

Your application for asylum

Information about the
General Asylum Procedure

Why are you receiving this brochure?

You would like to apply for asylum in the Netherlands. Asylum means: protection in another country for people who are not safe in their own country and who cannot obtain protection in their own country.

When you submit an application for asylum, you are officially requesting a residence permit from the Dutch government. You need this permit in order to reside in the Netherlands. Your asylum procedure will begin once you submit your application for asylum: a legal procedure in which the Dutch government assesses whether you will be granted a residence permit.

This leaflet provides information about what this asylum procedure entails. It will also tell you what you have to do (your duties) and what you can expect from the Dutch government (your rights).

When will you receive an asylum residence permit?

The Dutch Aliens Act stipulates the conditions on which you will be granted an asylum residence permit. You can obtain a residence permit if one of the following conditions applies to you.

- You have valid reasons to fear persecution in your country of origin due to your race, religion, nationality, political conviction, or because you belong to a certain social group.
- You have valid reasons to fear the death penalty or execution, torture, or another inhuman or humiliating treatment in your country of origin.
- You have valid reasons to fear that you will become the victim of random violence due to an armed conflict in your country of origin.
- Your spouse, partner, father, or mother has recently obtained an asylum residence permit in the Netherlands.

The Dutch Immigration and Naturalisation Service (IND) decides whether you meet these conditions for an asylum residence permit.

Note! If you have already applied for asylum at the Dutch border (at an airport or seaport), you could be denied access to the Netherlands. In that case, you are not allowed to enter the Netherlands officially. Your asylum procedure will then be different in some regards from what is described in this leaflet.

Such differences will be indicated in this leaflet with a: 

Which organisations will you deal with?



Centraal Orgaan opvang asielzoekers

The Dutch Central Agency for the **Reception of Asylum Seekers** (COA) is responsible for the reception of asylum seekers in the Netherlands. COA ensures that you receive accommodations, meals, and health insurance. COA can also provide you with assistance in contacting a doctor. COA is an independent organisation and does not decide on your application for asylum.



VluchtelingenWerk Nederland (Dutch Council for Refugees) is an independent human rights organisation, established to oversee the interests of asylum seekers. VluchtelingenWerk provides you with information and explanations about the asylum procedure. VluchtelingenWerk personally informs and supports you throughout this procedure, and mediates in the case of problems with other organisations. In doing so, they work in close collaboration with your lawyer. VluchtelingenWerk does not make a decision on your application for asylum.

Raad voor Rechtsbijstand *legal aid*

The **Raad voor Rechtsbijstand** (Legal Aid) ensures that you receive the assistance of a lawyer, if you cannot afford one. The Raad voor Rechtsbijstand will pay a fee to this lawyer for his assistance to you. The lawyer is not employed by the Raad voor Rechtsbijstand. The lawyer is an independent provider of legal assistance who will assist you in your asylum procedure.



Immigratie- en Naturalisatiedienst
Ministerie van Veiligheid en Justitie

The **Dutch Immigration and Naturalisation Service** (IND) is a part of the Dutch Ministry of Security and Justice. The employees of IND will interview you concerning your identity, nationality, travel route, and the reason for leaving your country. They will investigate your personal story and the situation in your country of origin. They will then decide whether you will (temporarily) be permitted to remain in the Netherlands, or whether you will have to return to your own country.



There is **security personnel** in the buildings of IND and in the reception centres of COA. You can identify them by their uniforms. They ensure your safety. You can also ask them questions about what is and is not permitted in the buildings and on the grounds of IND and COA. The security personnel have no influence on the decision regarding your application for asylum.



Dienst Terugkeer en Vertrek
Ministerie van Veiligheid en Justitie

The **Dutch Repatriation and Departure Service** (DT&V) is a part of the Dutch Ministry of Security and Justice. If IND rejects your application for asylum, an employee of DT&V will assist you in organising your return to your country of origin.



IOM International Organization for Migration
IOM Internationale Organisatie voor Migratie

The **International Organisation for Migration** (IOM) is an independent organisation that provides worldwide support to migrants. IOM can assist you if you want to leave the Netherlands independently. IOM will provide you with practical information about repatriation and reintegration, and will assist you in arranging your departure from the Netherlands. You can ask an employee of VluchtelingenWerk or your lawyer to assist you in this matter.

The asylum procedure, day by day

On the day of your appointment with IND, you will go to the office of IND and commence the General Asylum Procedure.

During the asylum procedure, you will usually remain in the same reception centre where you were residing during the preparation for the procedure. You will be transported to the office of IND for the meetings with IND.

 *Are you staying in the closed reception centre at Schiphol during the asylum procedure? In that case, you will not be moved to another building for the meetings with your lawyer and IND. Your lawyer and the employees of IND have their own rooms in the building where you are residing.*

The text below explains how your asylum procedure will proceed day by day.

Day 1: initial interview

You will have an official meeting with an employee of IND regarding your identity, nationality, and your travel route. This meeting is called the initial interview. During this interview, you will not yet be asked about the reasons for your application for asylum. That will happen at a subsequent meeting with an IND employee (refer to day 3).

The IND employee will ask you many details to obtain more clarity about your identity, nationality, and travel route, as well as to assess whether you are telling the truth. You should prepare as well as possible for this interview. You will only receive one chance to clearly and exhaustively explain who you are. Always provide your authentic information and not that of a false (travel) document. If you have used an alias (= fictitious name), mention this also. You must do this as your documents and your story will be checked for genuineness. If IND determines that your story is inaccurate or that your documents are not authentic, this can have a negative impact on your application for asylum.

You can ask Vluchtelingenwerk to attend the initial interview. Furthermore, Vluchtelingenwerk can assist you in obtaining important documents from abroad.

An interpreter will be present at the meetings with IND. The IND employee will ask the questions in Dutch. The interpreter will interpret these questions into a language you can understand. The interpreter will also interpret your answers into Dutch. The interpreter is independent and has no influence on the decision on your application for asylum.

If you and the interpreter have difficulty in understanding each other, ask for another interpreter. It is important to prevent misunderstandings resulting from a lack of proper comprehension of the questions.

If you have submitted an application for asylum together with your spouse or partner, each of you will be administered a separate

interview by an IND employee. If you have children 15 or older, they will also undergo individual interviews.

You will receive a report of the initial interview via your lawyer.

Day 2: preparation detailed interview

Your lawyer will discuss the report of the initial interview with you. The lawyer has a room in the IND office for this purpose. During this meeting, an interpreter will assist you by interpreting everything said by you and the lawyer. The lawyer will notify IND by letter if something is missing from the report or if something has been inaccurately documented.

Your lawyer will prepare you for the second meeting with IND.

Day 3: detailed interview

The second meeting with an IND employee is called the detailed interview. During this interview, you can tell the reasons for your application for asylum. This meeting will also take place in the IND office.

It is important that you tell everything that might demonstrate your need for protection. Be honest, exhaustive, and clear about what has happened to you and about why you are unable to obtain protection in your country of origin. If you cannot precisely remember a certain event, say so to the IND employee.

The IND employee is informed about the general situation in your country. It is important that you tell your own situation: why you personally need protection. Tell as many relevant details as possible. This IND employee will also ask you questions in this regard.

An interpreter will also be present at this meeting. If you so wish, someone from Vluchtelingenwerk can sometimes be present at this meeting.

You will receive a report of the detailed interview via your lawyer.

Day 4: discussion of detailed interview

Your lawyer will discuss the report of the detailed interview with you. An interpreter will also interpret everything you and your lawyer say at this meeting. The lawyer will notify IND by letter if something is missing from the report or if something has been noted down inaccurately.

Day 5: intended decision

IND assesses whether you meet the conditions for an asylum residence permit. The outcome of this assessment determines the further course of your asylum procedure. There are three possibilities.

1. You meet the conditions for an asylum residence permit. You will receive (via your lawyer) a letter (= decision) from the IND stating that your application for asylum has been granted. You are allowed to continue to reside (temporarily) in the Netherlands. Your lawyer will explain to you what other consequences this has for you.

2. ✈️ IND needs more time to investigate and cannot decide on your application for asylum within eight days. IND will continue to process your application for asylum in the Extended Asylum Procedure. The decision on your application for asylum will then follow later. You will receive another leaflet with information about this Extended Asylum Procedure.

3. IND decides that you do not meet the conditions for an asylum residence permit. You will receive (via your lawyer) a letter from the IND stating that IND intends (= plans) to reject your application for asylum. This letter will also state the reasons for this intended rejection and its consequences for you. Your lawyer will discuss this letter with you.

✈️ *Are you staying in the closed reception centre at Schiphol during the asylum procedure? In that case, IND can decide to continue your stay in a closed reception centre during the Extended Asylum Procedure. However, you will be transferred to a different department in the closed reception centre.*

✈️ *Are you staying in the closed reception centre at Schiphol during the asylum procedure? In that case, IND can decide to continue your stay in a closed reception centre during the Extended Asylum Procedure. However, you will be transferred to a different closed reception centre.*

Day 6: opinion

If IND intends to reject your application for asylum, discuss this intent with your lawyer. Your lawyer will already have made agreements with you in this regard. Your lawyer can then send a written opinion to IND. This is a letter in which you officially respond to IND's intent and in which you can state your reasons for disagreeing.

Days 7 and 8: decision

After reading your opinion, IND will assess whether the intended decision should be changed. The outcome of this assessment determines the further course of your asylum procedure. You will receive (via your lawyer) a letter in which IND notifies you of the outcome of this assessment. Your lawyer will explain to you the consequences of this outcome. There are three possibilities.

1. After reading your opinion, IND believes that you nevertheless meet the conditions for an asylum residence permit. You will receive (via your lawyer) a letter (= decision) from the IND stating that your application for asylum has been granted. You are allowed to continue to reside (temporarily) in the Netherlands. Your lawyer will explain to you what other consequences this has for you.

2. ✈️ IND needs more time to investigate and cannot decide on your application for asylum within eight days. IND will continue to process your application for asylum in the Extended Asylum Procedure. You will receive another leaflet with information about this Extended Asylum Procedure.

3. IND continues to believe that you do not meet the conditions for an asylum residence permit. You will receive (via your lawyer) a letter (= decision) from the IND stating that your application for asylum has been rejected. This letter will also state the reasons for this rejection and its consequences for you. Your lawyer will discuss this letter with you.

After the asylum procedure

If IND grants your application for asylum, you are allowed to remain (temporarily) in the Netherlands. You will receive a residence permit, you are allowed to work, and you can look for your own accommodation. COA can assist you in finding your own accommodation. Until you find such accommodation, you can continue residing in the reception centre of COA. IND will inform you about your rights and duties after your application for asylum has been granted. Employees of VluchtelingenWerk can assist you in your integration into Dutch society. They will help you in finding your way to all kinds of authorities, such as for locating accommodation, training, or work.

If IND rejects your application for asylum, you can lodge an appeal against this decision with a Dutch court in consultation with your lawyer. This means that you officially notify the court of your disagreement with the decision of IND. You can also ask the court whether you can continue to reside in the Netherlands during your appeal proceedings. Your lawyer will assist you in this matter. The court will then review whether IND has properly applied Dutch law in the decision on your application for asylum. In most cases, you are allowed to continue to reside in the Netherlands while awaiting the court's decision.

If IND rejects your application for asylum, you will be transferred to another asylum seekers' centre. At that centre, you will have 28 days to prepare for the repatriation to your country of origin. Once this term expires, you will no longer be entitled to reception. You will no longer be allowed to live in the asylum seekers' centre.

 *Are you staying in the closed reception centre at Schiphol during the asylum procedure? If IND rejects your application for asylum, you will be transferred to another department of the closed reception centre. You will remain here pending your departure from the Netherlands.*

You are responsible for your repatriation to your country of origin. If you do not leave by yourself within the stated term, you can be forcibly deported to your country of origin.

The Repatriation and Departure Service of the Dutch Ministry of Security and Justice will assist you in the organisation of your departure. If IND rejects your application for asylum, you will receive a separate leaflet with information about the repatriation to your country of origin.

If you wish to return voluntarily to your country of origin, you can contact the International Organisation for Migration (IOM). IOM can provide you with practical information and assist you in your departure. IOM oftentimes has walk-in consultations in the asylum seekers' centre.

You can still contact the VluchtelingenWerk for support and information even after the asylum procedure.

Frequently asked questions

When will my initial interview with IND take place?

After reporting to the Aliens Police or the Royal Marechaussee, you have at least six days to prepare for the asylum procedure. In practice, it could take a little longer before your initial interview with IND. At the reception centre of COA, you will receive a letter from IND with an invitation to this initial interview.

 *Are you staying in the closed reception centre at Schiphol during the preparation and the asylum procedure? In that case, you will also be having the initial interview with an IND employee here.*

How long must I wait for a decision from IND?

The General Asylum Procedure usually takes eight working days. IND is sometimes unable to reach a decision within eight working days, e.g. because you fell ill during your asylum procedure. In that case, IND can use six additional working days to decide on your application for asylum. The IND offices are closed on Saturday and Sunday: hence, these are not working days.

IND can also decide to continue to process your application for asylum in the Extended Asylum Procedure. In that case, it will take at most six months after signing your asylum application before IND reaches a decision on your request for asylum. You will then receive another leaflet with information about this Extended Asylum Procedure.

If IND cannot reach a decision within six months, you will be notified by IND. Has IND not yet sent you a decision six months after your submission of the application for asylum or did you not yet receive a message from IND in this regard? In that case, you can ask IND by letter to reach a decision on your application for asylum within two weeks. Your lawyer can assist you in this matter. Upon the request of your lawyer, a court can then decide whether IND must pay a penalty for each day that a decision on the application for asylum has not yet been reached.

 *Are you staying in the closed reception centre at Schiphol during the asylum procedure? The IND employees and your lawyer work here also on Saturday and Sunday. IND can reach a decision on your application for asylum within eight days following commencement of the General Asylum Procedure. If the IND is unable to reach a decision within eight days, you will be transferred to another reception centre. This can be an open or closed centre. If you are staying in a closed reception centre, IND will strive to reach a decision within six weeks. If you are staying in an open reception centre of COA, IND will reach a decision on your application for asylum within six months.*

I would rather tell my reason for requesting asylum to a woman. Is that possible?

In the Netherlands, you cannot refuse contact with men or women in daily life. Men and women are treated as equals in Dutch society. We expect the same from you. However, if you would rather talk about the reason for requesting asylum with a female IND employee,

you can indicate this at your initial interview (= meeting with IND). IND will also try to arrange to have a female interpreter present at the detailed interview (= second meeting).

Would you rather tell your reason for requesting asylum to a man? In that case, you can indicate this at your initial interview with IND. IND will then try to arrange to have a male IND employee and a male interpreter present at the detailed interview.

What should I do if I am ill?

If you are ill or pregnant, notify the nurse during the examination for the medical advice (refer to the leaflet: Before you begin the asylum procedure). This is even more important if you have, or believe you have, a contagious disease, such as: TB, rabies/scabies, or hepatitis B. Everything you tell the nurse will be treated confidentially. The nurse will never pass on information about your health to others without your permission.

If you fall ill during the asylum procedure, notify an employee of COA, IND, or VluchtelingenWerk. They can assist you in obtaining proper (medical) care.

If you are ill on the day of a meeting with IND or your lawyer, ask an employee of COA to notify your lawyer or IND accordingly.

Do you still have questions after reading this leaflet?

You can ask these questions to your lawyer or to one of the employees of COA, IND, or VluchtelingenWerk.

Do you have a complaint?

All organisations involved in the asylum procedure try to work professionally and carefully. However, you can submit a complaint if you deem to have been treated improperly by an organisation. Your lawyer or an employee of VluchtelingenWerk can assist you in this matter.

This is a joint publication of:

Centraal Orgaan opvang asielzoekers (COA) | www.coa.nl
Immigratie- en Naturalisatiedienst (IND) | www.ind.nl
Raad voor Rechtsbijstand (Legal Aid) | www.rvr.org
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