

The Extended Asylum Procedure

Why are you receiving this leaflet?

You have applied for asylum in the Netherlands. The Dutch Immigration and Naturalisation Service (IND) assesses whether you meet the conditions for an asylum residence permit. The General Asylum Procedure takes eight days. In your case, IND requires more time to investigate. Hence, IND will continue to process your application for asylum in the Extended Asylum Procedure. This leaflet provides information about what this Extended Asylum Procedure entails.

The asylum procedure

You have already been interviewed by IND regarding your identity and your travel route. It is likely that you have already been interviewed a second time by IND concerning the reason for leaving your country. If IND has no more questions for you, you are no longer required to visit the IND office during the Extended Asylum Procedure. If you have not yet had a second meeting with IND or IND has additional questions for you, then IND will contact you for an additional interview.

You will also receive free assistance from a lawyer during the Extended Asylum Procedure.

You are allowed to continue to reside in the Netherlands while awaiting the decision on your application for asylum. In the mean time, you will stay in a reception centre of Centraal Orgaan opvang asielzoekers (COA) (Central Agency for the Reception of Asylum Seekers). This reception centre is different from the one you are staying now.

 *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 of the closed reception centre.*

Intended decision

Within six months, you will receive a letter from IND with the outcome of the investigation. There are two possibilities:

1. You meet the conditions for an asylum residence permit. (Via your lawyer,) you receive a letter from IND (= decision) 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 the other consequences of this outcome.
2. IND decides that you do not meet the conditions for an asylum residence permit. IND's letter states 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.

Opinion

If IND intends (= plans) to reject your application for asylum, discuss this intent with your lawyer. Your lawyer then sends a written response (= 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 with this intent.

Decision

After reading your response (= opinion), IND assesses whether it should change its intended decision. The outcome of this assessment determines the further course of your asylum procedure. IND will notify you of the outcome of this assessment by letter to your lawyer. Your lawyer will explain to you the consequences of this outcome.

There are two possibilities:

1. After reading your opinion, IND believes that you nevertheless meet the conditions for an asylum residence permit. (Via your lawyer,) you receive a letter from IND (= decision) 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 the other consequences of this outcome.
2. IND continues to believe that you do not meet the conditions for an asylum residence permit. (Via your lawyer,) you receive a letter from IND (= decision) 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. The court will then review whether IND has properly applied Dutch law in the decision on your application for asylum. 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. Here, you will prepare for your repatriation to your country of origin. IND's decision states the term within which you must leave the Netherlands. 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 a closed reception centre during the Extended 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.



Dienst Terugkeer en Vertrek
Ministerie van Veiligheid en Justitie

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.



IOM International Organization for Migration
IOM Internationale Organisatie voor Migratie

If you wish to voluntarily return 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 often has walk-in consultations in the asylum seekers' centre.



Are you staying in a closed reception centre during the Extended Asylum Procedure? IND strives to make a decision within six weeks.

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.

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

Frequently asked questions

What happens if you fail to keep an appointment with IND?

It can happen that you cannot keep an appointment with IND. You must however have a substantial reason for not being able to keep the appointment. You can communicate this reason to IND via your lawyer. If IND believes that you have indeed a valid reason, a new appointment will be made. Failing to keep an appointment with IND without a valid reason can have consequences for your application for asylum.

How long does IND's investigation take?

IND must make a decision within six months after your submission of the application for asylum. IND can sometimes extend this decision-making term to perform additional investigations. This extension is for a maximum of six months. In exceptional situations, IND can postpone the decision at the most one year. This could happen if the general security situation in your country suddenly changes dramatically.

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.

This publication is a joint publication of:

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Raad voor Rechtsbijstand (Legal Aid) | www.rvr.org
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