

Before your asylum procedure begins

Why have you been handed this leaflet?

You wish to apply for asylum in the Netherlands. Asylum means: protection in another country for those people who can find no safety or protection in their own country.

When you apply for asylum, you are officially asking the Dutch government for a residence permit. You need this permit to be allowed to live in the Netherlands. The asylum procedure begins after you have put in your application: it is a legal procedure during which the Dutch government decides whether you are going to be given a residence permit or not. The asylum procedure does not start immediately on your arrival in the Netherlands. You are given time to rest from your journey and to prepare for the asylum procedure. You will be given at least three weeks' time for this.

This leaflet explains what happens during this period of rest and preparation one step at a time but, in reality, it is possible that these steps will take place in a different order.

Step 1: reporting and registering

You report to the reception centre in Ter Apel. Officers of the Immigration and Naturalisation Service (IND) will record your personal details such as your name, date of birth and nationality. If you are 15 or older, you fill in a questionnaire on paper or on the computer. After that, you go to the Vreemdelingenpolitie (Aliens Police) (AVIM) in Ter Apel or in another place. Officers from the Aliens Police will establish your identity and search your clothing and luggage. They will also take your photo and your fingerprints. You have already received a leaflet explaining why your fingerprints are needed.



The Aliens Police (Aliens Police Department, Identification and People Trafficking) (AVIM) is part of the Dutch national police force and is responsible for monitoring foreign nationals in the Netherlands.

They can also ask you questions about your journey, and whether you have applied for asylum before, either here or elsewhere in Europe. They will also ask you whether you have any family members here in Europe.

Were you refused entry to the Netherlands, at a seaport or airport? In that case, the Royal Netherlands Military Constabulary (KMar) will have already registered your personal details at the border. They also examine your clothing and luggage as well as taking photos of you and recording your fingerprints. These officers and the IND officers will also carry out an age assessment if necessary.

Do you have any documents that can prove your identity, such as a passport, ID card, birth certificate or a driving licence? Or do you have any documents that can provide evidence of the journey you have taken or the reasons why you are applying for asylum, such as plane tickets, a boarding pass, diplomas, a judgment from the court or a newspaper article? Hand in these documents when you are being registered. If you do have any documents of this kind but don't have them with you, try to get them before your asylum procedure begins. A staff member of the Dutch Council for Refugees can help you with this



VluchtelingenWerk Nederland (Dutch Council for Refugees) is an independent human rights organisation, whose aim is to protect the rights of asylum seekers. The Dutch Council for Refugees can give you information and explain the asylum procedure to you, and will be there in person to inform and support you as you pass through the asylum procedure; it can also help you if there are any problems with other organisations. It works in close cooperation with your lawyer. The Dutch Council for Refugees takes no part in the decision about your asylum application.

Your documents will be examined by experts to verify their authenticity. The IND uses these documents when it assesses your asylum application.

Your personal details and your documents are important when your asylum application is being assessed. They can prove that you are telling the truth. Keep nothing back and check whether the details have been noted fully and correctly. Never discard any personal documents. The Dutch government will never tell the authorities in your country of origin that you have applied for asylum in the Netherlands.



Under Dutch law, a guardianship must be arranged for anyone who arrives in the Netherlands as a minor asylum seeker without their parents or anyone to look after them. The Nidos Foundation is the organisation that is responsible for the guardianship of unaccompanied minor asylum seekers. It officially applies for the guardianship over you and then appoints one of its staff to be your guardian, who will be there to guide you in the Netherlands. They will help you when you are faced with important decisions, make sure that you have a suitable place to live and arrange education for you. The guardian will also help you during your asylum procedure but has no influence on the IND's decision. Nidos will give you further information about the guardianship.

Age assessment examination

If your age is still not clear after the age assessment and you have no documents to prove your age, the IND will ask you if you are willing to undergo a special examination to determine your age. If you agree to having your age assessed, you will be taken to an investigation centre where X-rays will be taken of your shoulder and wrist. These photos are taken with special photographic equipment that can see through your skin and look at your bones. When you are being examined for your age, you can see the shoulder blade in your shoulder and the joint in your wrist in the X-rays. Having X-rays taken is painless and is not harmful: it feels just the same as having a normal photo taken. The shoulder blade and the hand or wrist joint of children are different in appearance than those of adults. This allows the age assessor to come to certain conclusions about your age from the X-rays of your shoulder and wrist.

If the age assessment shows that you haven't given your correct date of birth, it could lead to the IND doubting the credibility of your other statements such as the reasons why you left your country of origin. If the age assessment shows that you are of full age, the IND can treat your asylum application as that of an adult. Are you unwilling to take part in an age assessment? The IND will see this as a sign that you have not given the correct date of birth. This may have consequences for your residence permit.

If you are pregnant, you can't have an age assessment examination. In that case, the age assessment will be postponed until after your pregnancy. Are you not sure whether you are pregnant? Ask for a pregnancy test first.



Immigratie- en Naturalisatiedienst
Ministerie van Veiligheid en Justitie

The Immigration and Naturalisation Service (IND) is part of the Dutch Ministry of Justice and Security. The officers of the IND will conduct interviews with you about your identity, your nationality, your journey to the Netherlands and the reasons why you left your own country. They will examine your personal story and look at the situation in your country of origin. They will then decide whether you can stay in the Netherlands - sometimes for a temporary period - or whether you must return to your own country.

Step 2: tuberculosis screening

Tuberculosis is a serious disease that is common in many parts of the world, possibly in the country you come from as well. People with 'open' TB can infect others, by coughing or sneezing, for instance. For this reason, you will be tested for this illness when you first register. Tuberculosis is an infectious disease that usually affects the lungs. Therefore, the screening consists of an X-ray of your chest. If you have TB, you will be given a course of medication in the Netherlands as treatment.

Step 3: registration interview

Are you 12 or older? Then you will have a registration interview. During the registration interview, the IND will ask you questions about your identity and origin. You may be asked additional questions if you come from a certain country of origin. In a registration interview, no questions will be asked about the reasons why you have fled to the Netherlands.

Step 4: reception

The Dutch government will provide you with accommodation, meals and medical care from the moment you have registered with the Aliens Police. Reporting, registration and TB screening will usually take no more than one or two days.



Centraal Orgaan opvang asielzoekers

COA – Centraal Orgaan opvang asielzoekers (Central Agency for the Reception of Asylum Seekers) is responsible for the reception of asylum seekers in the Netherlands. The COA makes sure that you are provided with a roof above your head, meals and healthcare insurance and appropriate guidance during your time in reception. The COA can also assist you if you need help to contact a doctor. The COA is an independent organisation and does not decide on your asylum application.

If you are fifteen to eighteen years of age, you will be taken to a special COA reception centre for young asylum seekers, after you have reported and registered. This reception centre will be close to the IND office that will be dealing with your asylum application.



GezondheidsZorg Asielzoekers (GZA) (Healthcare for Asylum Seekers) is the healthcare organisation that can help you if you are ill or if you have any questions concerning your health. There is a GZA health centre at or near every COA reception centre. GZA can arrange an appointment with a doctor's assistant, nurse, mental health primary care assistant practitioner or a doctor. They have a 24-hour helpline, the *Praktijklijn*, which you can call if you have any medical questions: 088 112 21 12. You can also call this number for other medical questions from Monday to Friday, for example if you need a referral to a specialist.

During your stay at the reception centre, COA will invite you to an initial interview at the health centre. This appointment is to discuss your health and any medical problems you may have. In this way, you will be able to be given the correct medical care during your stay at the reception centre.

In some cases, the Nidos Foundation will decide that you will be placed with a foster family.

Are you younger than 15 years? Then you will be living with a foster family during your asylum procedure, and possibly while you prepare for it. The Nidos Foundation arranges this kind of reception and not the COA.

Step 5: information

You can rest from your journey to the Netherlands while you are with the foster family or in the reception centre. You can also prepare for the asylum procedure. The staff from the Dutch Council for Refugees at the reception centre will have a talk with you to explain the asylum procedure and the medical report to you (step 6). An interpreter will also be available during this talk to translate everything said between you and the person from the Dutch Council for Refugees. Very often this is done via the telephone: the interpreter is not present in person. You will also be given a leaflet that tells you what will happen during the course of your asylum procedure. Staff at the Dutch Council of Refugees will also assist you and support you during the asylum procedure. The services provided by the Dutch Council for Refugees are given free of charge. Your information will be treated confidentially.

Step 6: medical report



You have an appointment with a nurse from the Utrecht Forensic Medical Service (FMMU). This nurse will ask you if you are willing to undergo a medical examination. The aim of this examination is to ascertain whether you have any mental or physical problems that could affect your interviews with the IND.

The nurse will ask you a number of questions during the medical examination. An interpreter will also be on hand during this meeting to translate everything said between you and the nurse. Very often this is done via the telephone: the interpreter is not present in person. When necessary, the nurse will refer you to a doctor for a further examination. The nurse or the doctor will pass the results of the examination on to the IND. But only with your consent. The IND will take this information about your state of health into consideration during the asylum procedure.

It is important that you are honest about any mental and physical conditions you may have and that you tell the nurse or the doctor about them. It is important that you tell the nurse about any scars you may have. The report of the medical examination is confidential. The medical examination is not compulsory. You do not have to pay for the medical examination. Tell the nurse if you do not want to have the medical examination. In that case, the IND will not be able to take your state of health into consideration during the asylum procedure.

Step 7: help from a lawyer

A lawyer will assist you during your asylum procedure. This lawyer works independently of the Dutch government. You will receive an invitation for a meeting with your lawyer through the Raad voor Rechtsbijstand (Legal Aid Board).

Raad voor Rechtsbijstand *legal aid*

Raad voor Rechtsbijstand (Legal Aid Board) makes sure that you get the help of a lawyer if you can't pay for one yourself. The lawyer is an independent legal assistance counsellor who is there to assist you during your asylum procedure and is not employed by the Legal Aid Board. The lawyer will receive payment from the Legal Aid Board for helping you.

Make sure that you check your post at the reception centre every day! The first meeting with your lawyer is very important for your asylum procedure: be sure to be there. In this meeting, the lawyer will prepare you for the interviews with the IND. The lawyer will usually hold this preparatory meeting with you at his office. You will be given a map and directions on how to find the lawyer's office, plus a free train or bus ticket to get there. Your guardian will accompany you during this journey and travel with you to your lawyer's. An interpreter will also be available during this meeting to translate everything said between you and your lawyer. You do not have to pay for your lawyer's assistance. Your information will be treated confidentially.

The asylum procedure

After you have reported to the Aliens Police, it takes at least three weeks before you have your first interview with the IND. The IND will send the invitation for this first interview to the place where you are staying. You will receive further information about the asylum procedure from the Dutch Council for Refugees within a few days (see Step 5).

Withdrawing your application

You can withdraw your application any time you wish. If you decide to do so, it is advisable to contact IND directly, your guardian or your lawyer. One consequence of withdrawing your application from the IND is that you will no longer be entitled to stay in the Netherlands, unless you are allowed to stay for other reasons. If you withdraw your asylum application, you must return to your country of origin. You will be placed in a reception centre until your return journey starts. It is still possible to apply for asylum again after you have withdrawn your asylum application.

Processing your personal data

Personal data is all kinds of information about you. The organisations that have cooperated in this leaflet are listed below. These organisations handle personal data during the processing of your application, notification or request. They ask you for your details and also ask other organisations or people for these, if necessary. These organisations use and store your details and pass them on to other organisations if that is required by law. The privacy legislation contains obligations for organisations that process your data. For example, they must handle your data safely and with due care. The privacy laws also set out your rights, for example:

- to consult the data held by organisations;
- to know what the organisations do with your data and why;
- to know to which organisations your data has been passed on.

Do you want to know more about the processing of your personal data and your rights? Check the websites of the organisations. You can find the web addresses below.

Questions?

Do you still have any questions after reading this leaflet?

You can put these questions to your guardian, your lawyer or to someone from the COA, IND or the Dutch Council for Refugees.

Do you have a complaint?

All the organisations that are involved in the asylum procedure work professionally and carefully, but you can put in a complaint if you feel that you haven't been treated properly by one of the organisations. Your lawyer or someone from the Dutch Council for Refugees can help you with this.

This publication is a joint production of:

The Central Agency for the Reception of Asylum Seekers | www.coa.nl

The Repatriation and Departure Service | www.dienstterugkeerenvertrek.nl

The Immigration and Naturalisation Service | www.ind.nl

The Legal Aid Board | www.rvr.org

The Dutch Council for Refugees | www.vluchtelingenwerk.nl

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