



EASO

Guidance on asylum procedure: operational standards and indicators

EASO Practical Guides Series

September 2019



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List of abbreviations

APD	Directive 2013/32/EU of the European Parliament and of the Council of 26 June 2013 on common procedures for granting and withdrawing international protection (recast)
COI	Country of origin information
EASO	European Asylum Support Office
EU	European Union
GDPR	Regulation 2016/679/EU of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation)
QD	Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted (recast) [2011]

Introduction

1. Background

The Directive 2013/32/EU of 26 June 2013 (APD) sets out the legal standards on common procedures for granting and withdrawing international protection. The directive leaves a degree of discretion on how these legal standards can be implemented. National asylum systems differ due to the way they have transposed the APD into national legislation, and in their organisational setup and modalities for the asylum procedures. Consequently, the ways in which asylum procedures are implemented continue to vary across European Union (EU) Member States, causing differences in the treatment of applicants for international protection. The present guidance formulates operational standards and indicators for a correct and effective implementation of the APD.

The elaboration of this document followed the established Quality Matrix methodology set up by the European Asylum Support Office (EASO). The guidance has been drafted by a working group composed of EU Member State experts and the draft was consulted with the European Commission, the United Nations High Commissioner for Refugees and the European Council on Refugees and Exiles. Before its final adoption, the guidance was sent to the EASO Asylum Processes Network for consultation and it was then formally adopted by the EASO Management Board.

The guidance was developed in the context of ongoing negotiations on a proposed asylum procedure regulation, though the content is based on, and refers to, the provisions of the current APD. At the time of reading, the corresponding provisions of the respective legal instrument in force need to be taken into account.

In September 2016, EASO issued its first [operational standards and indicators on reception conditions](#). This guidance on asylum procedures builds further on the methodology established in 2016.

2. Purpose and Scope

a) Overall objective

The overall objective of this guidance is to support Member States in the practical implementation of key provisions of the APD to achieve fair and effective asylum procedures and to strengthen the Common European Asylum System at an operational level.

The operational standards included in this guidance build on existing practices that can be found within the EU. As such, this guidance does not endeavour to create a model for the perfect asylum system. Instead, it aims at formulating commonly acknowledged operational standards and indicators that are realistic and achievable across all EU Member States, as well as to compile examples of good practice.

The guidance has been designed to serve multiple purposes:

- at policy level, it serves as a tool to strengthen or further develop national asylum procedures;
- at operational level, it can be used within the asylum procedure to ensure the effective implementation of key provisions of the APD and to support process improvement initiatives;
- in addition, the guidance can serve as a reference for the development of monitoring frameworks and for conducting self-assessments of national procedures on the quality of asylum procedure systems.

The main actor for the application of these standards are the Member State authorities and most of the standards in this guidance would fall specifically within the competence of the national asylum authorities. In practice, however, other actors are often involved in the asylum procedure, including, for example, migration authorities, border guards, regional or local services, intergovernmental organisations or non-governmental organisations.

Importantly, Member States may introduce or retain more favourable provisions in the field of asylum procedures for applicants than those included in this guidance. Under no circumstances should this document be understood as an invitation to lower existing standards, but rather as an encouragement to reach, as a minimum, the benchmarks developed herein.

b) Scope of the guidance

This guidance aims to facilitate the practical application of the legal provisions of the APD. The following aspects fall outside of the scope of this guidance.

Where listed operational standards require specific measures for unaccompanied children, these have been included. However, the present guidance does not offer a comprehensive set of operational standards for the respect of the principle of the **best interests of the child** in the asylum procedure as such. For an overview of the best interests of the child in asylum procedures please refer to the [EASO practical guide](#) by this name.

Access to the appeal procedure (first level) is within the scope (information, counselling, accessibility) of this guidance. The **organisation of the appeal procedure** itself, however, is not covered in this guidance.

Given the specialised nature of the topic, **medical examinations** are not included in this guidance. For further guidance on persons belonging to vulnerable groups, it is advised to consult the [EASO practical tool on Identification of Persons with Special Needs \(IPSN\)](#).

Situations considered an **emergency** have not been addressed separately in this guidance.

This guidance addresses **operational** standards which support the implementation of legal standards or provisions. However, in some cases, where provisions of the APD are themselves operational, these provisions have been included in this guidance as a standard.

3. Structure of the guidance

a) Sections

The guidance is divided into three areas of interest: Access to procedure, Guarantees for the applicants and Examination of the application. Subsequently, the document is divided into 17 sections.

A. Access to procedure

1. Making of the application
2. Registration of the application
3. Lodging of the application

B. Guarantees for the applicant

4. Procedural guarantees for applicants with special needs
5. Provision of information and counselling
6. Right to legal assistance and representation in the asylum procedure
7. Training and support

C. Examination of the application

8. Personal Interview
9. Case file management system
10. Country of Origin Information
11. Translation of relevant documents
12. Implicit withdrawal of an application
13. Concluding the examination as soon as possible
14. Decision
15. Information on the delay of the decision and the reasons
16. Special procedures
17. Withdrawal of international protection

b) Structure of the standards

Every section contains one or more operational standards that are each further defined by indicators and in some cases complemented with additional remarks and/or good practices.

An **operational standard** is a commonly acknowledged good practice to establish a fair and efficient asylum procedure that implements the provisions of the Common European Asylum System. An operational standard does not merely reflect what has already been put in practice, but sets an aim for which to strive. Operational standards incorporate three perspectives: the perspective of the applicant (fairness), of the responsible manager (efficiency) and of the legislator (legality).

An **indicator** is a way through which the achievement of the standard can be measured or observed.

Additional remarks are specific points of attention, particular circumstances or exceptions when applying the standards and indicators.

Good practices present practices that are not necessarily commonly acknowledged as a standard, but which Member States are encouraged to take into consideration when applying the operational standards and indicators in their national systems and which can serve as inspiration.

4. Legal framework

The main legal framework for this guidance is the Asylum Procedures Directive (2013/32/EU) – hereafter the APD. Other legislation like the Qualification Directive¹ (QD) or the Reception Conditions Directive², has been taken into consideration where this was necessary to complement the provisions of the APD.

5. Overarching principles

A number of general principles always need to be respected when applying each of the standards and indicators of this guidance.

These overarching principles are:

- ✓ the principle of **confidentiality** of the asylum procedure;
- ✓ right to remain on the territory during the procedure and the principle of **non-refoulement**;
- ✓ **non-discrimination** (recital 60 APD) and gender equality;
- ✓ giving primary consideration to the **best interests of the child** (recital 33 APD);
- ✓ **fair and efficient asylum procedure** (recital 8 APD);
- ✓ **individual, impartial and objective assessment** of each application.

⁽¹⁾ Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted (recast) [2011].

⁽²⁾ Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 laying down standards for the reception of applicants for international protection (recast) [2013].

Access to procedure

6. Making the application

a) Authorities that are likely to receive applications

APD Article 6(1)

STANDARD 1: Authorities that are likely to receive applications are aware of their responsibilities and their personnel is sufficiently qualified.

Indicator 1.1: Tasks and responsibilities of the relevant authorities are documented.

- **Additional remark:** *official documents could be national law, decrees, etc.*

Indicator 1.2: Personnel working at border crossing points and in detention facilities have received the necessary level of training to fulfil their tasks and responsibilities related to the asylum procedure. This training includes how to notice that a person may wish to apply for international protection, based, among others, on Article 10 of the Schengen Handbook and the EASO-Frontex Practical Guide on Access to Procedure and how to inform the persons that they may apply for international protection.

EASO-Frontex practical tools on Access to the Asylum Procedure

The [practical guide on Access to the Asylum Procedure](#), together with the poster, pocket book and leaflet, help first-contact officials to identify persons who may wish to apply for protection and give guidance on assistance and procedural guarantees that should be provided to such persons (provision of information, registration, referral and other assistance and procedural guarantees). They also provide information on the core obligations of first-contact officials and the rights of persons who may be in need of international protection in the first-contact situation.

STANDARD 2: Personnel of authorities that are likely to receive applications have relevant information and instructions to inform applicants as to where and how applications for international protection may be lodged.

Indicator 2.1: Written instructions and information are available to all relevant authorities in order to prepare them to inform applicants of where and how to lodge an application.

- **Additional remark:** *Written instructions and information for different authorities should be consistent to ensure that the application can be lodged effectively.*

Indicator 2.2: The instructions and information are formulated in a comprehensible way for the personnel of the relevant authorities.

Indicator 2.3: When a person makes an application to an authority that is not competent to register it, the applicant is immediately informed on how and where the application will be registered, including the timeframes for lodging the application with the competent authority.

b) Information and counselling in detention and at border crossing points

APD Article 8(1) and (2)

STANDARD 3: Personnel of detention facilities and at border crossing points have tools available to provide clear information to persons who may wish to make an application for international protection on where and how to do so.

Indicator 3.1: Standard information regarding the possibility to apply for international protection has been made available to persons who may wish to make an application, in writing and orally where necessary.

Good practice

- Different types of medium for the provision of information can be used: posters with illustrations, leaflets, videos, mobile applications, etc.

Indicator 3.2: Information is given as soon as possible to ensure that identified applicants can make an application without delay.

Indicator 3.3: Information on the possibility to make an application is accessible in relevant languages.

Indicator 3.4: Information to persons who may wish to make an application is adapted to the age/level of understanding of the applicant.

STANDARD 4: Interpretation services are available, free of charge, when necessary.

Indicator 4.1: Arrangements for the necessary interpretation in relation to the procedure are initiated as soon as the need is identified.

- **Additional remark:** *In case of shortages and/or time constraints, telephone or video interpretation facilities can be made available.*

STANDARD 5: In detention centres and at border crossing points, organisations and persons providing advice and counselling, and their interpreters, have adequate access to applicants in order to assist them.

Indicator 5.1: Access is only restricted/limited by national law where it is objectively necessary for security, public order or the administrative management of the crossing point, provided it is not thereby severely restricted or rendered impossible.

Indicator 5.2: Where rules are established on the presence of persons and organisations providing advice and counselling, these are clear and accessible to the applicant and/or their adviser or counsellor, and the interpreter.

Indicator 5.3: The applicants in detention facilities have access to means of communication with their advisors/counsellors.

Good practice

- Arrangements are in place to ensure that sufficiently qualified interpreters can be accessed when needed.

STANDARD 6: The organisations and persons providing counselling are able to meet and speak with the applicants privately.

Indicator 6.1: If there are rules on visiting hours, the opening hours are long enough to allow for an effective meeting with the applicants.

Indicator 6.2: The organisations and persons providing counselling can meet the applicant in a place and under conditions that ensure adequate privacy.

STANDARD 7: Applicants at border crossing points and applicants held in detention are informed of the existence of organisations or persons providing counselling and can effectively contact them.

Indicator 7.1: Information about how to contact relevant organisations and persons providing counselling are available to the applicants in different languages.

Indicator 7.2: The means to contact these organisations and persons are placed at the disposal of the applicant.

c) Applications made on behalf of dependents and unaccompanied children

APD Article 7(1), (3) and (4)
APD Article 25(1)(a)

STANDARD 8: Guarantees have been put in place to ensure that every person has the possibility to make an application on their own behalf.

Indicator 8.1: In situations where national law provides that an application may be made by an applicant on behalf of dependent adults, authorities verify with every dependent adult whether they wish to lodge an application on their own behalf. This information shall be conveyed in private to the dependent adult.

Good practice

- In situations where national law provides that an application may be made by an applicant on behalf of dependent children, authorities verify with each such child with legal capacity whether they wish to make an application on their own behalf.

Indicator 8.2: Training to authorities that are likely to receive applications includes guidance on how to detect indications that an unaccompanied child may wish to apply for international protection, and on how to formulate questions in an age-sensitive manner.

STANDARD 9: There is an effective mechanism in place to ensure that where an unaccompanied child makes an application, a representative is designated as soon as possible.

Indicator 9.1: The authorities that are likely to receive applications are instructed on how to refer the child to the competent child protection authorities.

Indicator 9.2: The pool of qualified potential representatives is sufficient to ensure the timely appointment of a representative for each unaccompanied child and to ensure that representatives are not made responsible for too many cases at the same time.

7. Registration of the application

APD Article 6(1)

STANDARD 10: When a person makes an application, the application is registered on the spot or the applicant receives immediately an appointment for the registration within the next three working days, or within the next six working days when the application is made to an authority not competent for registering it.

Indicator 10.1: A system to manage appointments has been put in place for registrations that cannot take place on the spot.

Indicator 10.2: A work process, which includes the availability of sufficient staff and resources, ensures that the registration takes place within three working days or within 6 working days when the application is made to an authority not competent for registering it.

STANDARD 11: The application is properly registered.

Indicator 11.1: The applicant is physically present for the registration of the application, unless otherwise provided by the national law or if the applicant cannot go to the registration centre for reasons beyond their control.

Indicator 11.2: Registration takes place in a manner that ensures privacy to the extent possible.

Indicator 11.3: The personal details of each applicant are registered, irrespective of whether the application was made directly or by an applicant on behalf of dependants.

8. Lodging of the application**a) Effective opportunity to lodge the application**

APD Article 6(2), (3) and (4)

STANDARD 12: The applicant is informed of their rights and obligations regarding the lodging of the application at the latest when the application is registered.

Indicator 12.1: Written information is given to the applicant on how and where to lodge the application as well as the consequences of not lodging an application.

Indicator 12.2: The written information is complemented with oral explanations to ensure the understanding of the applicant when needed.

STANDARD 13: The lodging of an application takes place as soon as possible after the registration.

Indicator 13.1(a): Where national law provides that applications should be lodged through a specific form to be filled in by the applicant, the form is handed out upon registration, with explanations on how to transmit it to the determining authority.

OR

Indicator 13.1(b): Where national law provides that applications should be lodged in person and at a designated place after the registration, a system to manage appointment has been put in place for lodging which cannot take place on the spot.

Indicator 13.2: A monitoring system has been put in place to track the time-lapse between the registration of the application and its lodging.

STANDARD 14: Where national law requires that the applicant is interviewed in view of lodging the application, interpretation is provided where needed.

Indicator 14.1: Before or at the beginning of any such interview, the need for interpretation is assessed and addressed.

Indicator 14.2: The pool of interpreters is sufficient to ensure the timely lodging of the application.

- **Additional remark:** Especially in case of shortages and/or time constraints, telephone or video interpretation facilities can be made available.

STANDARD 15: Where another authority other than the determining authority is responsible for the lodging, the case file reaches the determining authority as soon as possible after the lodging.

Indicator 15.1: There is a process in place to ensure the timely transfer of the application file to the determining authority.

Indicator 15.2: The determining authority tracks the time between the lodging and the receipt of the file.

b) Lodging of an application on behalf of dependent adults or minors

APD Article 6(2), (3) and (4)
APD Article 7

STANDARD 16: Where an application was made by an applicant on behalf on their dependent adults with legal capacity, the consent of the dependants is requested, in writing.

Indicator 16.1: Dependent adults are informed individually and in a place that ensures sufficient privacy.

Indicator 16.2: Dependent adults have been informed of the consequences of the lodging of the application on their behalf and of their right to make a separate application, before their application is lodged or before the personal interview.

Indicator 16.3: A form for obtaining the consent of dependent adults is used and is separate from the application form of the 'principal' applicant.

Indicator 16.4: When informing dependants, interpretation is provided if needed.

c) Document on the status of applicant

RCD Article 6

STANDARD 17: All applicants receive a document certifying their status³.

Indicator 17.1: A system is in place to ensure that a document is issued as soon as possible after the registration of the application and/or at the latest within three working days of the lodging.

⁽³⁾ In line with Article 6(2) Reception Conditions Directive (2013/33/EU) Member States may exclude the application of providing a document certifying the status of an applicant, when the applicant is in detention and during the examination of an application for international protection made at the border or within the context of a procedure to decide on the right of the applicant to enter the territory of a Member State.

Guarantees for the applicant

9. Procedural guarantees for special needs

APD Article 24

STANDARD 18: A process has been established to identify, assess and respond to special needs within a reasonable period of time after an application for international protection is made and it is used throughout the procedure.

Indicator 18.1: The process clearly prescribes who is responsible for the identification, assessment of special needs and for ensuring the adequate response in order to allow applicants in need of special procedural guarantees to benefit from all the rights and comply with all the obligations during the procedure.

Indicator 18.2: Guidelines have been put in place on how to identify and assess special needs and how to respond to them.

EASO tool for the identification of persons with special needs

The primary objective of the [IPSN](#) tool is to facilitate the timely identification of persons with special procedural and/or reception needs. It may be used at any stage of the asylum procedure and at any stage of the reception process. This is a practical support tool for officials involved in the asylum procedure and reception and does not presuppose expert knowledge in medicine, psychology or other subjects outside the asylum procedure.

STANDARD 19: The process to identify, assess and respond to special needs throughout the procedure is effectively applied.

Indicator 19.1: Sufficient resources are allocated to identify, assess and promptly respond to special needs.

Indicator 19.2: The initial identification and assessment of special needs is conducted within a reasonable time, ensuring at the same time that special needs that become apparent at a later stage are adequately identified and assessed.

Good practice

- The identification and assessment of special needs is documented and shared with relevant actors in line with confidentiality and data protection policies and regulations as specified in the national law.

Indicator 19.3: Where relevant, specialised actors are involved in the assessment of special needs.

Indicator 19.4: Communication channels and cooperation between the reception authorities and the determining authority are established and used.

Indicator 19.5: Referral mechanisms should be appropriately used in every relevant case.

10. Provision of information and counselling

APD Article 19

STANDARD 20: An adequate mechanism to provide free of charge, legal and procedural information upon request has been established.

Indicator 20.1: The roles of the actors providing information and when are clearly defined.

Indicator 20.2: The responsibility for developing and keeping the information up-to-date is clearly defined.

Indicator 20.3: Applicants are informed about the steps of the procedure and the applicable timeframes.

Indicator 20.4: Applicants are informed about rights and obligations, including the obligation to submit the elements needed to substantiate the application for international protection, and the possible consequences of not complying with their obligations and not cooperating with the authorities.

Indicator 20.5: The information on the different steps of the procedure is provided in a timely manner to enable applicants to exercise their rights and to comply with the obligations.

STANDARD 21: The mechanism to provide legal and procedural information is effectively applied.

Indicator 21.1: Sufficient resources are allocated to ensure an effective provision of legal and procedural information.

Indicator 21.2: The personnel that provide information, clarifications and explanations have the necessary knowledge and skills.

Indicator 21.3: The functioning of the mechanism is assessed regularly.

Indicator 21.4: Possible deficiencies in the functioning of the mechanism are promptly addressed.

STANDARD 22: Ensure that information about the procedure and their individual case can be understood by the applicant.

Indicator 22.1: Where the information is provided in writing, the message is expressed in a clear and non-technical way and where possible in a language the applicant understands.

Indicator 22.2: Where necessary, the information is also provided orally in a language the applicant understands.

Indicator 22.3: When information is given orally, the authority ensures that the applicant has understood the information given.

Indicator 22.4: Information is provided in a manner that takes into account taking into account the special needs and individual circumstances of applicants.

11. Right to legal assistance and representation in the asylum procedure

APD Article 20

STANDARD 23: Information on the possibilities to access legal assistance and representation is provided to the applicant upon request.

Indicator 23.1: The information contains the conditions under which free of charge legal assistance and representations is provided and the steps to be followed to request legal assistance.

Indicator 23.2: The information includes an overview of the actors that can provide legal assistance and representation according to national law.

Indicator 23.3: Information on the possibility to contact providers of legal assistance is provided in a timely manner in order for the applicant to exercise their right to an effective remedy.

STANDARD 24: Free legal assistance and representation is not arbitrarily restricted.

Indicator 24.1: Rules for the processing of requests for free legal assistance and representation are clear and accessible to the applicant, according to the national law.

Good practice

- The synergies between the mechanism to provide legal and procedural information and other mechanisms is evaluated and addressed (e.g. the mechanism for the identification, assessment and response to special procedural or reception needs).

STANDARD 25: The legal advisor or other counsellor admitted or permitted as such under national law, who assists or represents an applicant, has timely access to the information in the case file on which the decision is based.

Indicator 25.1: Rules are in place to regulate access to relevant information in the file.

Indicator 25.2: These rules are clear and publicly accessible.

12. Training and support

APD Article 4(3)
APD Article 14

STANDARD 26: A training programme for relevant personnel of the determining authority on knowledge and skills regarding asylum matters is in place.

Indicator 26.1: Personnel have been trained in international human rights and refugee law and the asylum *acquis* of the European Union, including specific legal standards and case-law.

- **Additional remark:** The training programme for the relevant personnel could include the EASO Training Modules, especially the core modules: Interview Techniques, Evidence Assessment, and Inclusion.

Indicator 26.2: Specialised personnel are trained in issues related to handling the asylum applications of children and persons with special needs.

Indicator 26.3: Personnel have been trained in interview techniques, thereby acquiring general knowledge of the circumstances and experiences that could adversely affect an applicant's ability to be interviewed.

- **Additional remark:** Circumstances and experiences that the applicant suffered as severe forms of persecution in the past could include torture, gender-based violence, trauma, Post Traumatic Stress Disorder, etc.

STANDARD 27: Necessary and appropriate support for the personnel has been put in place.

Indicator 27.1: Each officer has a thorough and timely introduction to their role, including on the applicable code of conduct.

Indicator 27.2: Core training is given immediately upon recruitment and before the case officer begins conducting interviews.

Indicator 27.3: Refresher trainings and specialised trainings are provided in a regular manner and depending on the needs.

Indicator 27.4: Personnel have the possibility to seek advice, whenever necessary, from experts on particular issues, such as medical, cultural, religious, child-related or gender issues.

Good practices

- Designation of thematic focal points within the administration in order to facilitate access to expert advice.
- A training syllabus for each training is in place.

Examination of the application

13. Personal Interview

a) Invitation for personal interview

APD Article 14(1)

Good practice

- The invitation to the personal interview gives the applicant reasonable time to prepare for the personal interview.

STANDARD 28: *Where the applicant receives an invitation for a personal interview the information about the personal interview provided to the applicant is direct, clear and accurate.*

Indicator 28.1: The written personal invitation shall include at least information as to the date, time and place of the personal interview.

Good practices

- In case of families, written personal invitations are given to all the adult applicants and children who applied individually.
- The invitation clearly indicates whether the children are expected to be present or not.

b) Preparation of the interview

EASO Practical Guide: Personal Interview

This [practical guide](#) promotes a structured interview method in line with the EASO Training Curriculum. This structured approach leads the user through the stages of preparation for the personal interview, opening the interview and providing information, conducting the interview, including guidance regarding the substance of the application that needs to be explored during the interview, and concludes with closing the interview and the post-interview actions to be taken.

STANDARD 29: *A careful study of the case file precedes the conduct of the personal interview as much as possible.*

Indicator 29.1: The case file is available to the case officer a sufficient time before the interview to allow for the preparation of the interview.

Indicator 29.2: Whenever possible, preparation takes into account all the elements that could influence the conducting of the interview, including any requests made for a specific gender of the interviewer and/or interpreter.

Indicator 29.3: Preparation takes into account all the elements that are relevant for the assessment of the claim.

- **Additional remark:** *These elements could be relevant for both the conducting of the interview and the assessment of the claim.*

Indicator 29.4: The case officer consults relevant Country of Origin Information (COI) that applies to the case, prior to the interview.

Good practice

- The case officer prepares topics for the interview to serve as a basis, taking into account any information on file and the relevant COI.

STANDARD 30: The personal interview takes place in a language the applicant understands.

Indicator 30.1: There is system in place to ensure that appropriate and a sufficient number of interpreters can be made available.

Indicator 30.2: There is a system in place to ensure that interpreters have the necessary knowledge and expertise to ensure appropriate communication with the applicant and/or the translation of documents.

Good practices

- Requirements for interpreters may include certified training (EASO Training Module for Interpreters) as well as a Code of Conduct that each interpreter signs before starting work.
- Mechanisms are put in place to ensure that an alternative is found in case there is no available interpreter for the language the applicant understands, such as:
 - postponing the interview to the earliest possible date;
 - conducting the personal interview in another language that the applicant is reasonably expected to understand;
 - engaging appropriate interpreters remotely by making use of electronic media (teleconference, Skype, IP Phone);
 - cooperating with other Member States to find an appropriate interpreter.

STANDARD 31: The interview rooms are appropriate to conduct personal interviews in full respect of confidentiality and security.

Indicator 31.1: Internal guidelines are established for the setup of an interview room, in particular taking into account those applicants with special needs.

Indicator 31.2: Specific guidelines have been established on security and emergency situations during the interview.

Good practice

- Training on dealing with security and emergency situations is provided to case officers for example on first aid.

Indicator 31.3: The interview is conducted in a separate room where the applicant cannot be seen by the public.

Good practices

- When calling the applicant in the waiting room use forms of identification that ensure anonymity.
- Provide dedicated interview rooms with decoration and other child-friendly materials.

Indicator 31.4: Internal rules have been established to ensure that the interview is not unnecessarily interrupted.

Good practices

- Provide dedicated and supervised places/rooms for the applicants' children where safe toys and drawing materials are available in order for them to be creatively occupied for as long as the interview takes place.
- Inform the applicant in the invitation letter to the interview, where applicable, that the presence of children is not required and the children do not have to accompany the parent to the interview.
- The equipment is checked to see whether it is in place and functioning prior to the interview.
- A supply of water and tissues may be stored in the interview room and made available to the applicant.

c) Opening of the interview

APD Article 15(3)

STANDARD 32: *At the opening of the interview, the purpose and the context of the interview are explained to the applicant.*

Indicator 32.1: The interviewer introduces themselves to the applicant as well as the other persons in the interview room and clarifies the role of each person present.

Good practices

- The interpreter is present for the first contact with the applicant.
- The seating arrangement should be made in such a way that the case officer sits opposite the applicant and the interpreter is sitting neutrally between the applicant and the case officer.

Indicator 32.2: The necessary information given to the applicant is included at the opening of the interview including: the purpose of the interview, the principle of confidentiality, the possibility of breaks, the obligations of the applicant, the possibility to lodge relevant documents, and the procedure to be followed including the way the interview will be recorded or reported.

Good practice

- Case officers have a checklist to ensure that they follow all the steps and provide the necessary information.

Indicator 32.3: After the introductory stage of the personal interview, the mutual understanding of the applicant and the interpreter is verified.

d) Conducting the interview

APD Article 16

STANDARD 33: Conditions for conducting an adequate interview are put in place.

Indicator 33.1: Sufficient time is foreseen for the interview to allow the applicant to submit all the elements needed to substantiate the claim.

Indicator 33.2: The applicant and the interpreter are encouraged to indicate any communication/comprehension issues at any stage of the personal interview.

Indicator 33.3: Throughout the interview, it is verified that the questions with regard to key elements have been correctly understood.

Indicator 33.4: The applicant is given the opportunity to provide explanations on any possible inconsistencies, contradictions or missing elements throughout the interview.

Indicator 33.5: Interviewer makes sure that the applicant has nothing more to add before closing the interview.

e) Closing the interview

APD Article 12 (1) (a)
APD Article 17

STANDARD 34: The applicant is requested to confirm the content of the transcript or the report of the interview when there is no recording of the interview.

Indicator 34.1a: Sufficient time is given at the end of the interview to read over the transcript/report to allow the applicant to confirm the content, make comments and/or provide clarifications orally and/or in writing

OR

Indicator 34.1b: A specific and reasonable time limit is given to the applicant to confirm the content or make comments and/or provide clarifications orally and/or in writing before the determining authority takes a decision.

Indicator 34.2: Any additional comment or clarification made by the applicant is integrated or attached to the transcript/report, including any refusal by the applicant to confirm the content.

- **Additional remark:** *In case of recording, control checks need to be done regularly during the personal interview. Detailed written instructions on the use of recording equipment helps to avoid any loss of information.*

STANDARD 35: The applicant is appropriately informed as to the next steps of the procedure.

Indicator 35.1: The case officer makes sure that the applicant has understood the next steps of the procedure.

Good practice

- The applicant is informed as to the approximate date when the decision will be issued and they will be notified in writing.

14. Case file management system

APD Article 48
QD Article 4(3)

STANDARD 36: *All information concerning the case is transmitted to the responsible case officer properly and in a timely manner in order to ensure that they have all the relevant information at their disposal before the personal interview and before the decision.*

Indicator 36.1: A case file management system is in place that allows any (new) piece of information to be correctly linked to the case file, including the ability to immediately locate the relevant case file and/or identify the responsible case officer.

Indicator 36.2: The time between the receipt of any (new) piece of information and the moment that it reaches the responsible case officer can be monitored.

STANDARD 37: *The case file management system ensures the confidentiality of the information contained in the personal file of the applicant, in line with GDPR.*

Indicator 37.1: Access to the personal file (both electronic and physical) is tracked and monitored, to ensure that only relevant staff may access the file on a need-to-know basis, which may include the need to consult case files with similar profiles and/or decisions for instructive purposes.

Indicator 37.2: Clear internal rules have been established and made available to all relevant staff on how to respond to requests for access to the file by the applicant, family members or representatives, in accordance with the national legislation.

15. Country of Origin Information

APD Article 10(3)(b)

STANDARD 38: *Ensure case officers have access to relevant and up-to-date country of origin information.*

Indicator 38.1: Necessary technical arrangements are made in order for the case officers to have access to national COI platforms and/or any other relevant platforms or webpages, etc. needed for their daily work.

Indicator 38.2: Overview of appropriate COI references for specific asylum topics/claims are available to case officers and it is updated on a regular basis.

Indicator 38.3: A system is in place to assist the case officer to obtain relevant advice and, when necessary, further research on COI topics.

Indicator 38.4: When a new COI report or an answer to a query is issued or published, it is communicated to the personnel responsible for examining applications and making decisions.

Good practices

- An internal database or electronic platform has been developed by the determining authority, and is regularly updated, to provide searchable access to relevant COI to the case officers.
- Staff/unit in the determining authority specialised in the research of COI.

EASO COI Portal

The EASO COI Portal provides access to COI for use in Protection Status Determination procedures. It holds carefully selected information on countries of origin to assist asylum practitioners (COI researchers, case officers, decision and policy-makers, lawyers, legal aid providers and judges).

It allows users to keep up-to-date on COI-related events and publications and on COI workshops or conferences organised by EASO.

STANDARD 39: Case officers are trained on how to access and use the information needed.

Indicator 39.1: The case officer is trained on how to effectively search, select and take into account relevant COI from various accurate sources.

16. Translation of relevant documents

APD Article 10 (5)

STANDARD 40: Rules on translation of documents are established and communicated to the applicants, indicating clearly what is expected from them and what will be provided by the authorities.

Indicator 40.1: Where the onus is on the applicant to translate the documents, this obligation is included in the information given to the applicant on the asylum procedure before or upon the lodging of the application.

Indicator 40.2: If a timeframe is set for providing documents/translations, this should be clearly communicated to the applicant.

Indicator 40.3: Translation turnaround times have been indicated in the rules in order to avoid unnecessary delays in the procedure.

Good practices

- Where the translation is provided by the authorities, the modalities under which the translation took place are mentioned in detail:
 - an indication allowing for the identification of the translator;
 - the date the translation took place;
 - clarification as to whether it is a verbatim translation or a resume of the document;
 - indication if/where the written document is not readable or understandable.
- Where the translation is provided by the authorities, the authorities, in cooperation with the asylum seeker, can decide which documents are relevant for the case and should therefore be translated.

17. Implicit withdrawal of an application

APD Article 12(1)(a)
APD Article 28(1)(a), (b) and (2)

STANDARD 41: *An internal process is established to ensure the applicant is informed of the consequences of not complying with obligations and the situations that might lead to the implicit withdrawal of an application.*

Indicator 41.1: Any request for submitting essential information is given in writing and/or orally, during the lodging phase or the personal interview.

Indicator 41.2: The information about the obligation to cooperate and to submit information essential to the asylum application should also include the consequences of not adhering to these obligations.

Indicator 41.3: An invitation for the personal interview is given to the applicant in writing. The invitation specifies the consequences of not appearing for the personal interview without a timely and valid explanation, in line with national law or practice.

Indicator 41.4: As applicable, the applicant has been properly informed, orally and/or in writing, of the consequences of absconding, or leaving the place where they lived or were held without authorisation, or of not complying with reporting duties or other obligations to communicate a change of address.

Good practice

- In cases where the applicant fails to appear, check for recent updates to their address and contact details or contact the reception centre.

STANDARD 42: *Safeguards have been established before the determining authority discontinues the examination or rejects the application.*

Indicator 42.1: Before the discontinuation or rejection is issued, the applicant has been given a reasonable time, defined by the determining authority, during which they can demonstrate that failure to comply was due to circumstances beyond their control.

Indicator 42.2: The decision includes an examination of the justification provided by the applicant for their failure to comply.

Good practice

- A system is in place that tracks the date the decision of discontinuation is issued.

18. Concluding the examination as soon as possible.

APD Article 31(2) to (5)

STANDARD 43: *Every stage of the first instance asylum procedure is followed without any undue delay.*

Indicator 43.1: There is a clear description of the workflow and activities in order to meet the time limits. The workflow is reviewed/adjusted regularly.

Indicator 43.2: Internal guidance have been established indicating the expected timeframe for the different steps of the procedure.

STANDARD 44: The personal interview is organised in a way that prevents unnecessary delays.

Indicator 44.1: The personal interview is scheduled as soon as possible (in accordance with national law) after the lodging of the application and taking into consideration Standard 28.

Indicator 44.2: Measures are taken to ensure that the interview can take place as soon as possible in case of any unforeseen circumstances on the part of the determining authority.

Indicator 44.3: Any known issues with the language of interpretation for the personal interview are identified and dealt with in advance of the personal interview in order to find appropriate alternatives.

Indicator 44.4: Any necessary arrangements for special procedural guarantees are made soon after the registration and before the personal interview, including considerations for the most appropriate time for the interview.

Indicator 44.5: Postponement of the planned interview upon the request of the applicant is accepted, in accordance with the national legislation, only upon the presentation of a valid justification.

STANDARD 45: The pending cases are closely monitored and properly managed.

Indicator 45.1: An internal mechanism is developed for monitoring pending cases; where and how long they have been pending in the different steps of the procedure.

Indicator 45.2: Based on the result of the monitoring, necessary measures are taken to reduce the number of pending cases.

Good practices

- Specific COI is collected and/or guidance is established focused on specific groups of pending cases.
- Applications with high recognition/protection rates are prioritised.

19. Decision

a) Stating all reasons in fact and in law

APD Article 11(2)

STANDARD 46: A quality assurance mechanism has been established to ensure that all decisions are soundly motivated both in fact and in law.

Indicator 46.1: Support tools have been made accessible to assist the case officer on how to formally motivate the decision (e.g. checklists, guidelines, etc.).

Indicator 46.2: Decision template(s) are available to the case officer.

Indicator 46.3: A quality control system is put in place to regularly review the interviews and decisions, including the provision of feedback to the case officers.

Good practices

- The four-eye principle ensures that any decision has been seen and reviewed by at least two staff members before it is finalised.
- A 'case-bank' or repository of decisions is maintained both for training and for reference purposes. The case-bank or repository of decisions may include decisions from various countries on different claims that have been reviewed by the competent team or department and met the quality criteria.

EASO Quality Assurance tool

The objective of this [quality assurance tool](#) is to provide EU Member States and Associated countries with a common framework for internal quality assessment and assurance. This flexible tool brings clarity and consistency when assessing the quality of the asylum process and in particular the personal interview and first instance decision. Both modules of the tool can be used together for a more complete assessment of the overall quality of the examination of applications for international protection, or separately if there is a need to focus on just one of the two aspects.

STANDARD 47: Where an application is lodged on behalf of the applicant's minor child, the determining authority pays particular attention to any specific grounds that could be applicable to the child on an individual basis.

Indicator 47.1: Specific internal guidance is provided to the case officers on how to take into account the situation of accompanied children.

EASO Practical guide on the best interest of the child in asylum procedures

This [practical guide](#) aims to provide guidance and support to the competent national authorities on the required guarantees and safeguards that will ensure that the child's best interests are given primary consideration when making decisions affecting the child in asylum procedures. It is divided into five sections, providing 1) an overview of the terminology; 2) the background and elements of the best interests of the child; 3) the relevant guarantees; 4) guidance on how to assess the best interests in practice; and 5) vulnerability and risk indicators. At the end, it presents a comprehensive checklist, designed to ensure that all key steps are completed by the responsible authorities and appropriately taken into account when assessing the child's best interests. The guide is complemented by a set of annexes; a compilation of policy and guidance documents relevant to the topic; and an overview of the legal framework including international, European and EU legal instruments.

b) Notification of the decision

APD Article 12(1)(e) and (f)
APD Article 19(1)

STANDARD 48: The decision is properly notified to the applicant.

Indicator 48.1: A workflow has been put in place by the determining authority to ensure that the applicant is notified of the decision within a reasonable timeframe.

STANDARD 49: The applicant is informed of the decision in a language that they understand.

Indicator 49.1a: Where the applicant is notified of the decision by post, electronic courier or through an intermediary, it is accompanied by a document, in a language the applicant understands, that informs of the decision.

OR

Indicator 49.1b: Where the applicant is notified of the decision in person, they are informed of the result in a language that they understand.

- **Additional remark:** In cases where a legal adviser or other counsellor represents the applicant, the decision can be notified either to the legal adviser or other counsellor or to the applicant.

STANDARD 50: In the event of a negative decision⁴, the applicant receives accurate and precise information on how to challenge the decision.

Indicator 50.1: The applicant is provided in writing with information on how to challenge a negative decision, including the name and address of the competent court or tribunal to assess the appeal and the applicable time limits to appeal against the negative decision, in accordance to national law.

- **Additional remark:** Information should be provided in clear and non-technical language.
- **Additional remark:** Information should be provided orally in the case of illiteracy or in cases where the person does not understand the written information provided.

Good practice

- Written information on how to challenge the negative decision is provided in a language that the applicant understands. Where necessary and appropriate, the information is also provided orally in a language the applicant understands.

Indicator 50.2: Information on the suspensive effect of the appeal is provided to the applicant, including information on how to request the suspension of any removal measure in accordance with national legislation.

Indicator 50.3: Information on how to challenge a negative decision is provided together with the notification of the negative decision, where the applicant has not been provided with this information at an earlier stage.

- **Additional remarks:** Information on how to challenge a negative decision can be included systematically in the decision or in a separate document attached to the decision.

Indicator 50.4: The special needs of the applicant are taken into account when providing information on how to challenge the negative decision.

- **Additional remarks:** For example, for persons with visual impairments or intellectual disabilities information is provided in an adapted manner.

STANDARD 51: Clarifications on the reasons for a negative decision at first instance are given at the request of the applicant.

Indicator 51.1: The applicant has access to staff of the competent authorities or other actors, who can clarify the reasons for the negative decision in a non-technical way.

Good practice

- All decisions are notified orally by competent officers, who can answer questions and provide clarifications to the applicant during the notification.

20. Information on the delay of the decision and the reasons/timeframe

APD Article 31(6)

STANDARD 52: A monitoring system allows for the identification of cases where a decision is not issued in time.

Indicator 52.1: A system is in place to track cases for which a decision cannot be taken within six months of the lodging.

(⁴) Where reference is made to a negative decision this is with regard to refugee or subsidiary protection status.

STANDARD 53: The applicant is informed when a decision has not been issued after a six-month period.

Indicator 53.1: The determining authority informs the applicant orally/in writing of the delay of the decision.

Indicator 53.2: Upon request, information about the reasons for the delay is given orally/in writing.

Indicator 53.3: A process is in place for the authority to identify quickly the reason for the delay.

- **Additional remark:** *Depending on the national context, additional information needs to be provided to the applicant on any specific steps they have to take, such as the renewal of the applicant's card.*

21. Special procedures

a) Accelerated procedure

APD Article 31(8)

STANDARD 54: Where the Member State has established accelerated procedures within its national asylum legislation, a work process and guidance is in place to enable compliance with the grounds for accelerating the procedure.

Indicator 54.1: The Member State has established a screening mechanism to identify the relevant cases.

Indicator 54.2: The Member State has developed, where necessary, internal guidelines on how to apply the grounds that are described in the national law.

Indicator 54.3: The Member State does not apply or ceases to apply the accelerated procedure when it cannot provide adequate support to applicants in need of special procedural guarantees.

Good practice

- The Member State has a digitalised monitoring mechanism keeping track of each application (i.e. procedural steps, duration, time limits).

STANDARD 55: Where the Member State has established accelerated procedures for unaccompanied children within its national asylum legislation, a work process and guidance is in place to enable the respect of the best interest of the child under these conditions.

Indicator 55.1: The Member State has established a screening mechanism to identify unaccompanied children within the accelerated procedures.

Indicator 55.2: Where necessary, the Member State has developed specific internal guidelines on how to apply each ground for accelerating the procedure to an unaccompanied child

Indicator 55.3: A control mechanism is established to ensure that accelerated procedures are not applied to unaccompanied children where adequate support to meet the special needs cannot be provided in the framework of accelerated procedures.

STANDARD 56: Where the Member State has established accelerated procedures within its national asylum legislation, mechanisms are put in place to enable the respect of the time limits as defined in the national law.

Indicator 56.1: The reasonable time limits laid down by the Member State are shorter than six months, except when otherwise provided in the national law.

Indicator 56.2: The Member State keeps track of and monitors the lead times in the accelerated procedures.

- **Additional remark:** Monitoring can include the number of accelerated cases not processed in the time limits and average length (median) of accelerated procedure.

b) Admissibility procedures

APD Article 33(2)
APD Article 34(1) and 2

STANDARD 57: Where the Member State has established admissibility procedures within its national asylum legislation, a work process is in place to enable the grounds for deciding that an application is inadmissible.

Indicator 57.1: The Member State has established a screening mechanism to identify the relevant cases.

Indicator 57.2: The Member State has developed the necessary internal guidelines on how to apply the grounds that are defined in the national law.

Indicator 57.3: A work process has been established to verify if another Member State has already granted international protection.

STANDARD 58: Provisions are made to allow the applicants to present their views with regard to the admissibility grounds.

Indicator 58.1: The applicant is informed of the fact that the application is examined under the admissibility procedure and on which grounds.

Indicator 58.2: A personal interview is organised during which specific questions on the inadmissibility criteria are asked to the applicant, taking into account the specific exceptions for subsequent applications.

STANDARD 59: When the personal interview on the admissibility of the application is conducted by authorities other than the determining authority, the personnel conducting the personal interview are appropriately trained for this task.

Indicator 59.1: The personnel have completed necessary basic training, in particular with respect to international human rights law, the European Union asylum *acquis* and interview techniques, organised by their national authority or by EASO.

STANDARD 60: When the personal interview on the admissibility of the application is conducted by authorities other than the determining authority, the Member State has developed internal guidelines on how to conduct a personal interview on the admissibility of the application.

Indicator 60.1: The interview guidelines are accessible to and applied by the relevant staff.

c) Subsequent applications

APD Article 40 (1)-(3)
APD Article 41(1)
QD Article 21

STANDARD 61: A process has been established in order to ensure that the subsequent application is examined taking into account the examination the previous applications.

Indicator 61.1: The case officer responsible for the examination of the subsequent application has access to all the elements of the file of the previous examinations.

STANDARD 62: A procedure for preliminary examination has been established.

Indicator 62.1: Internal guidelines are in place on what can be considered as new elements or findings that significantly add to the likelihood of the applicant qualifying as a beneficiary of international protection, unless already sufficiently detailed in the national law.

Indicator 62.2: A personal interview is organised, unless national law permits the preliminary examination to be conducted on the sole basis of written submissions, except in the cases referred to in Article 40(6)⁵.

Indicator 62.3: The Member State informs the applicant of the outcome of the preliminary examination.

Indicator 62.4: A work process has been established, according to which the admissible subsequent application is further examined through the relevant procedure.

STANDARD 63: Where the Member State has established restrictions to the right to remain in case of a subsequent application within its national asylum legislation, a work process is established to ensure compliance with the principle of non-refoulement.

Indicator 63.1: A screening mechanism is in place to identify the relevant cases.

Indicator 63.2: Internal guidelines on each ground have been established.

Indicator 63.3: Measures have been put in place to ensure that the principle of non-refoulement is respected.

d) Border procedures

APD Article 43(1), (2)
Article 25(6)(b)

STANDARD 64: Where the Member State has established border procedures within its national asylum legislation, a work process has been established to enable the proper grounds for applying the border procedure.

Indicator 64.1: A screening mechanism to identify the relevant cases has been established.

Indicator 64.2: The Member State does not apply or ceases to apply the border procedure when it cannot provide adequate support to applicants in need of special procedural guarantees.

⁽⁵⁾ Article 40(6) APD: 'The procedure referred to in this Article may also be applicable in the case of: (a) a dependant who lodges an application after he or she has, in accordance with Article 7(2), consented to have his or her case be part of an application lodged on his or her behalf; and/or (b) an unmarried minor who lodges an application after an application has been lodged on his or her behalf pursuant to Article 7(5)(c). In those cases, the preliminary examination referred to in paragraph 2 will consist of examining whether there are facts relating to the dependant's or the unmarried minor's situation which justify a separate application.'

STANDARD 65: Where the Member State has established border procedures for unaccompanied children within its national asylum legislation, a work process is in place to enable the respect of the best interest of the child.

Indicator 65.1: The Member State has established a screening mechanism to identify unaccompanied children within the border procedure.

Indicator 65.2: Where necessary, the Member State has developed specific internal guidelines on how to apply each relevant ground of Article 25(6)(b) APD to unaccompanied children.

Indicator 65.3: A control mechanism is established to ensure that border procedures are not applied to children where adequate support to meet their special needs cannot be provided in the framework of border procedures.

STANDARD 66: Where the Member State has established border procedures within its national asylum legislation, mechanisms are in place to enable the respect of the time limits as defined in the national law.

Indicator 66.1: The Member State has laid down reasonable time limits in their national law for border procedures.

Indicator 66.2: The reasonable time limits laid down by the Member State are shorter than four weeks.

Indicator 66.3: The Member State keeps track and monitors the lead times in the border procedures.

Indicator 66.4: Measures are put in place to ensure that those applicants whose application was not examined within four weeks have access to the territory of the Member State concerned.

e) Prioritisation

APD Article 31(7)

STANDARD 67: Where the Member State applies prioritisation of examinations, work processes are established to ensure that relevant cases are identified and processed within the relevant procedure.

Indicator 67.1: The Member State has established a screening mechanism to identify the relevant cases.

Indicator 67.2: The Member State has developed the necessary internal guidelines on how prioritisation is applied within the procedure.

Indicator 67.3: The Member State keeps track and monitors the lead times in the prioritised applications.

Good practice

- The Member State has a digitalised monitoring mechanism keeping track of each application (i.e. procedural steps, duration, time limits).

22. Withdrawal of international protection

APD Article 31(7)

STANDARD 68: A work process is established to identify new elements or findings that may indicate the need to reconsider the validity of the international protection that was granted.

Indicator 68.1: The determining authority has established a cooperation mechanism with other relevant national administrations and/or other Member States in order to ensure the collection of relevant new elements or findings that may indicate there are reasons to reconsider the validity of the international protection that was granted.

Indicator 68.2: Work processes are in place to ensure that precise, up-to-date and relevant COI that is related to the countries of origin of the persons concerned and obtained from various sources are available to the relevant case officers. This is in order to identify new elements or findings that may indicate that there are reasons to reconsider the validity of the international protection that was granted.

Indicator 68.3: The Member State has established a mechanism to assess whether the new elements or findings are sufficient to start the process for reconsidering the validity of the international protection that was granted.

STANDARD 69: A work process is established to enable the respect of the conditions for withdrawing international protection.

Indicator 69.1: The determining authority has developed, where necessary, internal guidelines on how to apply the conditions under which international protection can be withdrawn, as described in the QD, with specific attention to the general principle of confidentiality within the asylum procedure.

STANDARD 70: Provisions are in place to allow applicants to present their views with regard to reconsideration of the validity of their international protection.

Indicator 70.1: The applicant is informed in writing of the fact that the validity of their international protection is being reconsidered, and upon which new elements or findings such a reconsideration is based.

Indicator 70.2a: A personal interview is organised during which the beneficiary of international protection is asked specific questions on the new elements or findings.

OR

Indicator 70.2b: The beneficiary of international protection is allowed to submit statements in writing as to the reasons why their international protection status should not be withdrawn. These statements must be taken into account by the examining authority.

Annex – Summary table

Operational standards and indicators: asylum procedure.

ACCESS TO PROCEDURE

1. MAKING THE APPLICATION

Standard	Indicator
1. Authorities that are likely to receive applications are aware of their responsibilities and their personnel is sufficiently qualified.	<ul style="list-style-type: none"> 1.1. Tasks and responsibilities of the relevant authorities are documented. 1.2. Personnel working at border crossing points and in detention facilities have received the necessary level of training to fulfil their tasks and responsibilities related to the asylum procedure. This training includes how to notice that a person may wish to apply for international protection, based, among others, on Article 10 of the Schengen Handbook and the EASO-Frontex Practical Guide on Access to Procedure and how to inform the persons that they may apply for international protection.
2. Personnel of authorities that are likely to receive applications have relevant information and instructions to inform applicants as to where and how applications for international protection may be lodged.	<ul style="list-style-type: none"> 2.1. Written instructions and information are available to all relevant authorities in order to prepare them to inform applicants on where and how to lodge an application. 2.2. The instructions and information are formulated in a comprehensible way for the personnel of the relevant authorities. 2.3. When a person makes an application to an authority that is not competent to register it, the applicant is immediately informed on how and where the application will be registered, including the timeframes for lodging the application with the competent authority.
3. Personnel of detention facilities and at border crossing points have tools available to provide clear information to persons who may wish to make an application for international protection on where and how to do so.	<ul style="list-style-type: none"> 3.1. Standard information regarding the possibility to apply for international protection has been made available to persons who may wish to make an application, in writing and orally where necessary. 3.2. Information is given as soon as possible to ensure that identified applicants can make an application without delay. 3.3. Information on the possibility to make an application is accessible in relevant languages. 3.4. Information to persons who may wish to make an application is adapted to the age/level of understanding of the applicant

4. Interpretation services are available, free of charge, when necessary.	
	4.1. Arrangements for the necessary interpretation in relation to the procedure are initiated as soon as the need is identified.
5. In detention centres and at border crossing points, organisations and persons providing advice and counselling, and their interpreters, have adequate access to applicants in order to assist them.	
	<p>5.1. Access is only restricted/limited by national law where it is objectively necessary for security, public order or the administrative management of the crossing point, provided it is not thereby severely restricted or rendered impossible.</p> <p>5.2. Where rules are established on the presence of persons and organisations providing advice and counselling, these are clear and accessible to the applicant and/or their adviser or counsellor, and the interpreter.</p> <p>5.3. The applicants in detention facilities have access to means of communication with their advisors/counsellors.</p>
6. The organisations and persons providing counselling are able to meet and speak with the applicants privately.	
	<p>6.1. If there are rules on visiting hours, the opening hours are long enough to allow for an effective meeting with the applicants.</p> <p>6.2. The organisations and persons providing counselling can meet the applicant in a place and under conditions that ensure adequate privacy.</p>
7. Applicants at border crossing points and applicants held in detention are informed of the existence of organisations or persons providing counselling and can effectively contact them.	
	<p>7.1. Information about how to contact relevant organisations and persons providing counselling are available to the applicants in different languages.</p> <p>7.2. The means to contact these organisations and persons are placed at the disposal of the applicant.</p>
8. Guarantees have been put in place to ensure that every person has the possibility to make an application on their own behalf.	
	<p>8.1. In situations where national law provides that an application may be made by an applicant on behalf of dependent adults, authorities verify with every dependent adult whether they wish to lodge an application on their own behalf. This information shall be conveyed in private to the dependent adult.</p> <p>8.2. Training to authorities that are likely to receive applications includes guidance on how to detect indications that an unaccompanied child may wish to apply for international protection and how to formulate questions in an age-sensitive manner.</p>
9. There is an effective mechanism in place to ensure that where an unaccompanied child makes an application, a representative is designated as soon as possible.	
	<p>9.1. The authorities that are likely to receive applications are instructed on how to refer the child to the competent child protection authorities.</p> <p>9.2. The pool of qualified potential representatives is sufficient to ensure the timely appointment of a representative for each unaccompanied child and to ensure that representatives are not made responsible for too many cases at the same time.</p>

2. REGISTRATION OF THE APPLICATION

10. When a person makes an application, the application is registered on the spot or the applicant receives immediately an appointment for the registration within the next three working days, or within the next six working days when the application is made to an authority not competent for registering it.

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| | <p>10.1. A system to manage appointments has been put in place for registrations that cannot take place on the spot.</p> <p>10.2. A work process, which includes the availability of sufficient staff and resources, ensures that the registration takes place within three working days or within 6 working days when the application is made to an authority not competent for registering it.</p> |
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11. The application is properly registered.

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| | <p>11.1. The applicant is physically present for the registration of the application, unless otherwise provided by the national law or if the applicant cannot go to the registration centre for reasons beyond their control.</p> <p>11.2. Registration takes place in a manner that ensures privacy to the extent possible.</p> <p>11.3. The personal details of each applicant are registered, irrespective of whether the application was made directly or by an applicant on behalf of dependants.</p> |
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3. LODGING OF THE APPLICATION

12. The applicant is informed of their rights and obligations regarding the lodging of the application at the latest when the application is registered.

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| | <p>12.1. Written information is given to the applicant on how and where to lodge the application as well as the consequences of not lodging an application.</p> <p>12.2. The written information is complemented with oral explanations to ensure the understanding of the applicant when needed.</p> |
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13. The lodging of an application takes place as soon as possible after the registration.

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| | <p>13.1(a). Where national law provides that applications should be lodged through a specific form to be filled in by the applicant, the form is handed out upon registration, with explanations on how to transmit it to the determining authority.</p> <p>OR</p> <p>13.1(b). Where national law provides that applications should be lodged in person and at a designated place after the registration, a system to manage appointment has been put in place for lodging which cannot take place on the spot.</p> <p>13.2. A monitoring system has been put in place to track the time-lapse between the registration of the application and its lodging.</p> |
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14. Where national law requires that the applicant is interviewed in view of lodging the application, interpretation is provided where needed.

- 14.1.** Before or at the beginning of any such interview, the need for interpretation is assessed and addressed.
- 14.2.** The pool of interpreters is sufficient to ensure the timely lodging of the application.

15. Where another authority other than the determining authority is responsible for the lodging, the case file reaches the determining authority as soon as possible after the lodging.

- 15.1.** There is a process in place to ensure the timely transfer of the application file to the determining authority.
- 15.2.** The determining authority tracks the time between the lodging and the receipt of the file.

16. Where an application was made by an applicant on behalf of their dependent adults with legal capacity, the consent of the dependants is requested, in writing.

- 16.1.** Dependent adults are informed individually and in a place that ensures sufficient privacy.
- 16.2.** Dependent adults have been informed of the consequences of the lodging of the application on their behalf and of their right to make a separate application, before their application is lodged or before the personal interview.
- 16.3.** A form for obtaining the consent of dependent adults is used and is separate from the application form of the 'principal' applicant.
- 16.4.** When informing dependants, interpretation is provided if needed.

17. All applicants receive a document certifying their status.

- 17.1.** A system is in place to ensure that a document is issued as soon as possible after the registration of the application and/or at the latest within three working days of the lodging.

GUARANTEES FOR THE APPLICANT

4. PROCEDURAL GUARANTEES FOR APPLICANTS WITH SPECIAL NEEDS

18. A process has been established to identify, assess and respond to special needs within a reasonable period of time after an application for international protection is made and it is used throughout the procedure.

- 18.1.** The process clearly prescribes who is responsible for the identification, assessment of special needs and for ensuring the adequate response in order to allow applicants in need of special procedural guarantees to benefit from all the rights and comply with all the obligations during the procedure.
- 18.2.** Guidelines have been put in place on how to identify and assess special needs and how to respond to them.

19. The process to identify, assess and respond to special needs throughout the procedure is effectively applied.

- 19.1. Sufficient resources are allocated to identify, assess and promptly respond to special needs.
- 19.2. The initial identification and assessment of special needs is conducted within a reasonable time, ensuring at the same time that special needs that become apparent at a later stage are adequately identified and assessed.
- 19.3. Where relevant, specialised actors are involved in the assessment of special needs.
- 19.4. Communication channels and cooperation between the reception authorities and the determining authority are established and used.
- 19.5. Referral mechanisms should be appropriately used in every relevant case.

5. PROVISION OF INFORMATION AND COUNSELLING

20. An adequate mechanism to provide free of charge, legal and procedural information upon request has been established.

- 20.1. The roles of the actors providing information and when are clearly defined.
- 20.2. The responsibility for developing and keeping the information up-to-date is clearly defined.
- 20.3. Applicants are informed about the steps of the procedure and the applicable timeframes.
- 20.4. Applicants are informed about rights and obligations, including the obligation to submit the elements needed to substantiate the application for international protection, and the possible consequences of not complying with their obligations and not cooperating with the authorities.
- 20.5. The information on the different steps of the procedure is provided in a timely manner to enable applicants to exercise their rights and to comply with the obligations.

21. The mechanism to provide legal and procedural information is effectively applied.

- 21.1. Sufficient resources are allocated to ensure an effective provision of legal and procedural information.
- 21.2. The personnel that provide information, clarifications and explanations have the necessary knowledge and skills.
- 21.3. The functioning of the mechanism is assessed regularly.
- 21.4. Possible deficiencies in the functioning of the mechanism are promptly addressed.

22. Ensure that information about the procedure and their individual case can be understood by the applicant.

- 22.1. Where the information is provided in writing, the message is expressed in a clear and non-technical way and where possible in a language the applicant understands.
- 22.2. Where necessary, the information is also provided orally in a language the applicant understands.
- 22.3. When information is given orally, the authority ensures that the applicant has understood the information given.
- 22.4. Information is provided in a manner that takes into account taking into account the special needs and individual circumstances of applicants.

6. RIGHT TO LEGAL ASSISTANCE AND REPRESENTATION IN THE ASYLUM PROCEDURE

23. Information on the possibilities to access legal assistance and representation is provided to the applicant upon request.

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| | <p>23.1. The information contains the conditions under which free of charge legal assistance and representations is provided and the steps to be followed to request legal assistance.</p> <p>23.2. The information includes an overview of the actors that can provide legal assistance and representation according to national law.</p> <p>23.3. Information on the possibility to contact providers of legal assistance is provided in a timely manner in order for the applicant to exercise their right to an effective remedy.</p> |
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24. Free legal assistance and representation is not arbitrarily restricted.

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| | <p>24.1. Rules for the processing of requests for free legal assistance and representation are clear and accessible to the applicant, according to the national law.</p> |
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25. The legal advisor or other counsellor admitted or permitted as such under national law, who assists or represents an applicant, has timely access to the information in the case file on which the decision is based.

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| | <p>25.1. Rules are in place to regulate access to relevant information in the file.</p> <p>25.2. These rules are clear and publicly accessible.</p> |
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7. TRAINING AND SUPPORT

26. A training programme for relevant personnel of the determining authority on knowledge and skills regarding asylum matters is in place.

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| | <p>26.1. Personnel have been trained in international human rights and refugee law and the asylum <i>acquis</i> of the European Union, including specific legal standards and case-law.</p> <p>26.2. Specialised personnel are trained in issues related to handling the asylum applications of children and persons with special needs.</p> <p>26.3. Personnel have been trained in interview techniques, thereby acquiring general knowledge of the circumstances and experiences that could adversely affect an applicant's ability to be interviewed.</p> |
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27. Necessary and appropriate support for the personnel has been put in place.

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| | <p>27.1. Each officer has a thorough and timely introduction to their role, including on the applicable code of conduct.</p> <p>27.2. Core training is given immediately upon recruitment and before the case officer begins conducting interviews.</p> <p>27.3. Refresher trainings and specialised trainings are provided in a regular manner and depending on the needs.</p> <p>27.4. Personnel have the possibility to seek advice, whenever necessary, from experts on particular issues, such as medical, cultural, religious, child-related or gender issues.</p> |
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EXAMINATION OF THE APPLICATION

8. PERSONAL INTERVIEW

28. Where the applicant receives an invitation for a personal interview the information about the personal interview provided to the applicant is direct, clear and accurate.

28.1. The written personal invitation shall include at least information as to the date, time and place of the personal interview.

29. A careful study of the case file precedes the conduct of the personal interview as much as possible.

29.1. The case file is available to the case officer a sufficient time before the interview to allow for the preparation of the interview.

29.2. Whenever possible, preparation takes into account all the elements that could influence the conducting of the interview, including any requests made for a specific gender of the interviewer and/or interpreter.

29.3. Preparation takes into account all the elements that are relevant for the assessment of the claim.

29.4. The case officer consults relevant Country of Origin Information (COI) that applies to the case, prior to the interview.

30. The personal interview takes place in a language the applicant understands.

30.1. There is system in place to ensure that appropriate and a sufficient number of interpreters can be made available.

30.2. There is a system in place to ensure that interpreters have the necessary knowledge and expertise to ensure appropriate communication with the applicant and/or the translation of documents.

31. The interview rooms are appropriate to conduct personal interviews in full respect of confidentiality and security.

31.1. Internal guidelines are established for the setup of an interview room, in particular taking into account those applicants with special needs.

31.2. Specific guidelines have been established on security and emergency situations during the interview.

31.3. The interview is conducted in a separate room where the applicant cannot be seen by the public.

31.4. Internal rules have been established to ensure that the interview is not unnecessarily interrupted.

32. At the opening of the interview, the purpose and the context of the interview are explained to the applicant.

32.1. The interviewer introduces themselves to the applicant as well as the other persons in the interview room and clarifies the role of each person present.

32.2. The necessary information given to the applicant is included at the opening of the interview including: the purpose of the interview, the principle of confidentiality, the possibility of breaks, the obligations of the applicant, the possibility to lodge relevant documents, and the procedure to be followed including the way the interview will be recorded or reported.

32.3. After the introductory stage of the personal interview, the mutual understanding of the applicant and the interpreter is verified.

33. Conditions for conducting an adequate interview are put in place.

- 33.1.** Sufficient time is foreseen for the interview to allow the applicant to submit all the elements needed to substantiate the claim.
- 33.2.** The applicant and the interpreter are encouraged to indicate any communication/comprehension issues at any stage of the personal interview.
- 33.3.** Throughout the interview, it is verified that the questions with regards to key elements have been correctly understood.
- 33.4.** The applicant is given the opportunity to provide explanations on any possible inconsistencies, contradictions or missing elements throughout the interview.
- 33.5.** Interviewer makes sure that the applicant has nothing more to add before closing the interview.

34. The applicant is requested to confirm the content of the transcript or the report of the interview when there is no recording of the interview.

- 34.1a.** Sufficient time is given at the end of the interview to read over the transcript/report to allow the applicant to confirm the content, make comments and/or provide clarifications orally and/or in writing
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- 34.1b.** A specific and reasonable time limit is given to the applicant to confirm the content or make comments and/or provide clarifications orally and/or in writing before the determining authority takes a decision.
 - 34.2.** Any additional comment or clarification made by the applicant is integrated or attached to the transcript/report, including any refusal by the applicant to confirm the content.

35. The applicant is appropriately informed as to the next steps of the procedure.

- 35.1.** The case officer makes sure that the applicant has understood the next steps of the procedure.

9. CASE FILE MANAGEMENT SYSTEM**36. All information concerning the case is transmitted to the responsible case officer properly and in a timely manner in order to ensure that they have all the relevant information at their disposal before the personal interview and before the decision.**

- 36.1.** A case file management system is in place that allows any (new) piece of information to be correctly linked to the case file, including the ability to immediately locate the relevant case file and/or identify the responsible case officer.
- 36.2.** The time between the receipt of any (new) piece of information and the moment that it reaches the responsible case officer can be monitored.

37. The case file management system ensures the confidentiality of the information contained in the personal file of the applicant, in line with GDPR.

- 37.1.** Access to the personal file (both electronic and physical) is tracked and monitored, to ensure that only relevant staff may access the file on a need-to-know basis, which may include the need to consult case files with similar profiles and/or decisions for instructive purposes.
- 37.2.** Clear internal rules have been established and made available to all relevant staff on how to respond to requests for access to the file by the applicant, family members or representatives, in accordance with the national legislation.

10. COUNTRY OF ORIGIN INFORMATION

38. Ensure case officers have access to relevant and up-to-date country of origin information.

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| | <p>38.1. Necessary technical arrangements are made in order for the case officers to have access to national COI platforms and/or any other relevant platforms or webpages, etc. needed for their daily work.</p> <p>38.2. Overview of appropriate COI references for specific asylum topics/claims are available to case officers and it is updated on a regular basis.</p> <p>38.3. A system is in place to assist the case officer to obtain relevant advice and, when necessary, further research on COI topics.</p> <p>38.4. When a new COI report or an answer to a query is issued or published, it is communicated to the personnel responsible for examining applications and making decisions.</p> |
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39. Case officers are trained on how to access and use the information needed.

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| | <p>39.1. The case officer is trained on how to effectively search, select and take into account relevant COI from various accurate sources.</p> |
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11. TRANSLATION OF RELEVANT DOCUMENTS

40. Rules on translation of documents are established and communicated to the applicants, indicating clearly what is expected from them and what will be provided by the authorities.

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| | <p>40.1. Where the onus is on the applicant to translate the documents, this obligation is included in the information given to the applicant on the asylum procedure before or upon the lodging of the application.</p> <p>40.2. If a timeframe is set for providing documents/translations, this should be clearly communicated to the applicant.</p> <p>40.3. Translation turnaround times have been indicated in the rules in order to avoid unnecessary delays in the procedure.</p> |
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12. IMPLICIT WITHDRAWAL OF AN APPLICATION

41. An internal process is established to ensure the applicant is informed of the consequences of not complying with obligations and the situations that might lead to the implicit withdrawal of an application.

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| | <p>41.1. Any request for submitting essential information is given in writing and/or orally, during the lodging phase or the personal interview.</p> <p>41.2. The information about the obligation to cooperate and to submit information essential to the asylum application should also include the consequences of not adhering to these obligations.</p> <p>41.3. An invitation for the personal interview is given to the applicant in writing. The invitation specifies the consequences of not appearing for the personal interview without a timely and valid explanation, in line with national law or practice.</p> <p>41.4. As applicable, the applicant has been properly informed, orally and/or in writing, of the consequences of absconding, or leaving the place where they lived or were held without authorisation, or of not complying with reporting duties or other obligations to communicate a change of address.</p> |
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42. Safeguards have been established before the determining authority discontinues the examination or rejects the application.

- 42.1.** Before the discontinuation or rejection is issued, the applicant has been given a reasonable time, defined by the determining authority, during which they can demonstrate that failure to comply was due to circumstances beyond their control.
- 42.2.** The decision includes an examination of the justification provided by the applicant for their failure to comply.

13. CONCLUDING THE EXAMINATION AS SOON AS POSSIBLE

43. Every stage of the first instance asylum procedure is followed without any undue delay.

- 43.1.** There is a clear description of the workflow and activities in order to meet the time limits. The workflow is reviewed/adjusted regularly.
- 43.2.** Internal guidance have been established indicating the expected timeframe for the different steps of the procedure.

44. The personal interview is organised in a way that prevents unnecessary delays

- 44.1.** The personal interview is scheduled as soon as possible (in accordance with national law) after the lodging of the application and taking into consideration Standard 28.
- 44.2.** Measures are taken to ensure that the interview can take place as soon as possible in case of any unforeseen circumstances on the part of the determining authority.
- 44.3.** Any known issues with the language of interpretation for the personal interview are identified and dealt with in advance of the personal interview in order to find appropriate alternatives.
- 44.4.** Any necessary arrangements for special procedural guarantees are made soon after the registration and before the personal interview, including considerations for the most appropriate time for the interview.
- 44.5.** Postponement of the planned interview upon the request of the applicant is accepted, in accordance with the national legislation, only upon the presentation of a valid justification.

45. The pending cases are closely monitored and properly managed.

- 45.1.** An internal mechanism is developed for monitoring pending cases; where and how long they have been pending in the different steps of the procedure.
- 45.2.** Based on the result of the monitoring, necessary measures are taken to reduce the number of pending cases.

14. DECISION

46. A quality assurance mechanism has been established to ensure that all decisions are soundly motivated both in fact and in law.

- 46.1.** Support tools have been made accessible to assist the case officer on how to formally motivate the decision (e.g. checklists, guidelines, etc.).
- 46.2.** Decision template(s) are available to the case officer.
- 46.3.** A quality control system is put in place to regularly review the interviews and decisions, including the provision of feedback to the case officers.

47. Where an application is lodged on behalf of the applicant's minor child, the determining authority pays particular attention to any specific grounds that could be applicable to the child on an individual basis.

47.1. Specific internal guidance is provided to the case officers on how to take into account the situation of accompanied children.

48. The decision is properly notified to the applicant.

48.1: A workflow has been put in place by the determining authority to ensure that the applicant is notified of the decision within a reasonable timeframe.

49. The applicant is informed of the decision in a language that they understand.

49.1a: Where the applicant is notified of the decision by post, electronic courier or through an intermediary, it is accompanied by a document, in a language the applicant understands, that informs of the decision.

OR

49.1b: Where the applicant is notified of the decision in person, they are informed of the result in a language that they understand.

50. In the event of a negative decision⁶, the applicant receives accurate and precise information on how to challenge the decision.

50.1. The applicant is provided in writing with information on how to challenge a negative decision, including the name and address of the competent court or tribunal to assess the appeal and the applicable time limits to appeal against the negative decision, in accordance to national law.

50.2. Information on the suspensive effect of the appeal is provided to the applicant, including information on how to request the suspension of any removal measure in accordance with national legislation.

50.3. Information on how to challenge a negative decision is provided together with the notification of the negative decision, where the applicant has not been provided with this information at an earlier stage.

50.4. The special needs of the applicant are taken into account when providing information on how to challenge the negative decision.

51. Clarifications on the reasons for a negative decision at first instance are given at the request of the applicant.

51.1. The applicant has access to staff of the competent authorities or other actors, who can clarify the reasons for the negative decision in a non-technical way.

15. INFORMATION ON THE DELAY OF THE DECISION AND THE REASONS/TIMEFRAME

52. A monitoring system allows for the identification of cases where a decision is not issued in time.

52.1. A system is in place to track cases for which a decision cannot be taken within six months of the lodging.

⁽⁶⁾ Where reference is made to a negative decision this is with regard to refugee or subsidiary protection status.

53. The applicant is informed when a decision has not been issued after a six-month period.

- 53.1.** The determining authority informs the applicant orally/in writing of the delay of the decision.
- 53.2.** Upon request, information about the reasons for the delay is given orally/in writing.
- 53.3.** A process is in place for the authority to identify quickly the reason for the delay.

16. SPECIAL PROCEDURES**54. Where the Member State has established accelerated procedures within its national asylum legislation, a work process and guidance is in place to enable compliance with the grounds for accelerating the procedure.**

- 54.1.** The Member State has established a screening mechanism to identify the relevant cases.
- 54.2.** The Member State has developed, where necessary, internal guidelines on how to apply the grounds that are described in the national law.
- 54.3.** The Member State does not apply or ceases to apply the accelerated procedure when it cannot provide adequate support to applicants in need of special procedural guarantees.

55. Where the Member State has established accelerated procedures for unaccompanied children within its national asylum legislation, a work process and guidance is in place to enable the respect of the best interest of the child under these conditions.

- 55.1.** The Member State has established a screening mechanism to identify unaccompanied children within the accelerated procedures.
- 55.2.** Where necessary, the Member State has developed specific internal guidelines on how to apply each ground for accelerating the procedure to an unaccompanied child
- 55.3.** A control mechanism is established to ensure that accelerated procedures are not applied to unaccompanied children where adequate support to meet the special needs cannot be provided in the framework of accelerated procedures.

56. Where the Member State has established accelerated procedures within its national asylum legislation, mechanisms are put in place to enable the respect of the time limits as defined in the national law.

- 56.1.** The reasonable time limits laid down by the Member State are shorter than six months, except when otherwise provided in the national law.
- 56.2.** The Member State keeps track of and monitors the lead times in the accelerated procedures.

57. Where the Member State has established admissibility procedures within its national asylum legislation, a work process is in place to enable the grounds for deciding that an application is inadmissible.

- 57.1.** The Member State has established a screening mechanism to identify the relevant cases.
- 57.2.** The Member State has developed the necessary internal guidelines on how to apply the grounds that are defined in the national law.
- 57.3.** A work process has been established to verify if another Member State has already granted international protection.

58. Provisions are made to allow the applicants to present their views with regard to the admissibility grounds.	
	<p>58.1. The applicant is informed of the fact that the application is examined under the admissibility procedure and on which grounds.</p> <p>58.2. A personal interview is organised during which specific questions on the inadmissibility criteria are asked to the applicant, taking into account the specific exceptions for subsequent applications.</p>
59. When the personal interview on the admissibility of the application is conducted by authorities other than the determining authority, the personnel conducting the personal interview are appropriately trained for this task.	
	59.1. The personnel have completed necessary basic training, in particular with respect to international human rights law, the European Union asylum <i>acquis</i> and interview techniques, organised by their national authority or by EASO.
60. When the personal interview on the admissibility of the application is conducted by authorities other than the determining authority, the Member State has developed internal guidelines on how to conduct a personal interview on the admissibility of the application.	
	60.1. The interview guidelines are accessible to and applied by the relevant staff.
61. A process has been established in order to ensure that the subsequent application is examined taking into account the examination the previous applications.	
	61.1. The case officer responsible for the examination of the subsequent application has access to all the elements of the file of the previous examinations.
62. A procedure for preliminary examination has been established.	
	<p>62.1. Internal guidelines are in place on what can be considered as new elements or findings that significantly add to the likelihood of the applicant qualifying as a beneficiary of international protection, unless already sufficiently detailed in the national law.</p> <p>62.2. A personal interview is organised, unless national law permits the preliminary examination to be conducted on the sole basis of written submissions, except in the cases referred to in Article 40(6)⁷.</p> <p>62.3. The Member State informs the applicant of the outcome of the preliminary examination.</p> <p>62.4. A work process has been established, according to which the admissible subsequent application is further examined through the relevant procedure.</p>
63. Where the Member State has established restrictions to the right to remain in case of a subsequent application within its national asylum legislation, a work process is established to ensure compliance with the principle of non-refoulement.	
	<p>63.1. A screening mechanism is in place to identify the relevant cases.</p> <p>63.2. Internal guidelines on each ground have been established.</p> <p>63.3. Measures have been put in place to ensure that the principle of non-<i>refoulement</i> is respected.</p>

⁽⁷⁾ Article 40(6) APD: 'The procedure referred to in this Article may also be applicable in the case of: (a) a dependant who lodges an application after he or she has, in accordance with Article 7(2), consented to have his or her case be part of an application lodged on his or her behalf; and/or (b) an unmarried minor who lodges an application after an application has been lodged on his or her behalf pursuant to Article 7(5)(c). In those cases, the preliminary examination referred to in paragraph 2 will consist of examining whether there are facts relating to the dependant's or the unmarried minor's situation which justify a separate application.'

64. Where the Member State has established border procedures within its national asylum legislation, a work process has been established to enable the proper grounds for applying the border procedure.

- 64.1. A screening mechanism to identify the relevant cases has been established.
- 64.2. The Member State does not apply or ceases to apply the border procedure when it cannot provide adequate support to applicants in need of special procedural guarantees.

65. Where the Member State has established border procedures for unaccompanied children within its national asylum legislation, a work process is in place to enable the respect of the best interest of the child.

- 65.1. The Member State has established a screening mechanism to identify unaccompanied children within the border procedure.
- 65.2. Where necessary, the Member State has developed specific internal guidelines on how to apply each relevant ground of Article 25(6)(b) APD to unaccompanied children.
- 65.3. A control mechanism is established to ensure that border procedures are not applied to children where adequate support to meet their special needs cannot be provided in the framework of border procedures.

66. Where the Member State has established border procedures within its national asylum legislation, mechanisms are in place to enable the respect of the time limits as defined in the national law.

- 66.1. The Member State has laid down reasonable time limits in their national law for border procedures.
- 66.2. The reasonable time limits laid down by the Member State are shorter than four weeks.
- 66.3. The Member State keeps track and monitors the lead times in the border procedures.
- 66.4. Measures are put in place to ensure that those applicants whose application was not examined within four weeks have access to the territory of the Member State concerned.

67. Where the Member State applies prioritisation of examinations, work processes are established to ensure that relevant cases are identified and processed within the relevant procedure.

- 67.1. The Member State has established a screening mechanism to identify the relevant cases.
- 67.2. The Member State has developed the necessary internal guidelines on how prioritisation is applied within the procedure.
- 67.3. The Member State keeps track and monitors the lead times in the prioritised applications.

17. WITHDRAWAL OF INTERNATIONAL PROTECTION

68. A work process is established to identify new elements or findings that may indicate the need to reconsider the validity of the international protection that was granted.

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| | <p>68.1. The determining authority has established a cooperation mechanism with other relevant national administrations and/or other Member States in order to ensure the collection of relevant new elements or findings that may indicate there are reasons to reconsider the validity of the international protection that was granted.</p> <p>68.2. Work processes are in place to ensure that precise, up-to-date and relevant COI that is related to the countries of origin of the persons concerned and obtained from various sources are available to the relevant case officers. This is in order to identify new elements or findings that may indicate that there are reasons to reconsider the validity of the international protection that was granted.</p> <p>68.3. The Member State has established a mechanism to assess whether the new elements or findings are sufficient to start the process for reconsidering the validity of the international protection that was granted.</p> |
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69. A work process is established to enable the respect of the conditions for withdrawing international protection.

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| | <p>69.1. The determining authority has developed, where necessary, internal guidelines on how to apply the conditions under which international protection can be withdrawn, as described in the QD, with specific attention to the general principle of confidentiality within the asylum procedure.</p> |
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70. Provisions are in place to allow applicants to present their views with regard to reconsideration of the validity of their international protection.

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| | <p>70.1. The applicant is informed in writing of the fact that the validity of their international protection is being reconsidered, and upon which new elements or findings such a reconsideration is based.</p> <p>70.2a: A personal interview is organised during which the beneficiary of international protection is asked specific questions on the new elements or findings.</p> <p>OR</p> <p>70.2b: The beneficiary of international protection is allowed to submit statements in writing as to the reasons why their international protection status should not be withdrawn. These statements must be taken into account by the examining authority.</p> |
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