

Dublin procedure - Iceland

Overview

Relevant EU legislation

Iceland is bound by the Dublin III Regulation (AMMR) and applies its provisions directly.

National Legislation

The provisions of the Dublin Regulation are applied directly by Iceland, however, reference is made to it in the [Foreign Nationals Act | Lög um útlendinga, 80/2016](#).

Competent authorities and stakeholders

Entity responsible for the Dublin procedure (the application of the criteria and mechanisms for determining the Member State responsible): Directorate of Immigration | Útlendingastofnun

Place in the institutional framework: An autonomous Dublin unit does not exist. The Directorate of Immigration is the authority responsible for processing Dublin cases and determining the responsible country. A Dublin unit operates within the Directorate.

Competencies of the entity:

Yes	Conducting the Dublin interview (specifically for the Dublin procedure, as part of the registration interview or handling the form to be completed during registration)
No	Organising Dublin transfers
Yes	Notifying the transfer decision
No	Accompanying/escorting applicants during a Dublin transfer

Yes	Sending and replying to take charge and take back requests to/from other Member States
No	Receiving applicants transferred under the Dublin procedure (meeting applicants at the airport/border crossing)
Yes	Sending and replying to information requests to/from other Member States

Stakeholders involved in the procedure:

Handing over the common leaflet on the Dublin procedure	Directorate of Immigration Útlendingastofnun
Conducting the Dublin interview (specifically for the Dublin procedure, as part of the registration interview or handing the form to be completed during registration)	Dublin Officer of the Directorate of Immigration Útlendingastofnun
Referral of cases to the Dublin unit	Directorate of Immigration Útlendingastofnun
Sending and replying to a take charge or take back request	Directorate of Immigration Útlendingastofnun
Sending and replying to information requests to/from another Member State	Directorate of Immigration Útlendingastofnun
Notification of the transfer decision	Directorate of Immigration Útlendingastofnun
Free legal assistance during the appeal of a transfer decision	The Directorate of Immigration Útlendingastofnun appoints an advocate. The service provider is an asylum lawyer.

Representation of the asylum authority in an appeal against a transfer decision	Directorate of Immigration Útlendingastofnun
Organising the transfer to the responsible Member State	International Division of the National Commissioner of the Icelandic Police Alþjóðadeild
Providing information on the transfer modalities to the applicant	International Division of the National Commissioner of the Icelandic Police Alþjóðadeild Directorate of Immigration Útlendingastofnun
Accompanying/escorting applicants during a Dublin transfer when necessary	International Division of the National Commissioner of the Icelandic Police Alþjóðadeild
Receiving applicants transferred under the Dublin procedure (meeting applicants at the airport/border crossing)	International Division of the National Commissioner of the Icelandic Police Alþjóðadeild
Court/authority responsible for deciding on an appeal against a transfer decision	Immigration and Asylum Appeals Board Kæruneftndar útlendingamála

Provision of information on the Dublin procedure

In Iceland, applicants are informed about the Dublin III Regulation at the beginning of their asylum interview by a case officer from the Directorate of Immigration (UTL). This briefing, which happens before any questioning, explains why the applicant falls under the Dublin procedure, which country is responsible for the asylum claim, and the roles of the interpreter and the legal representative (spokesperson).

Information is provided both orally and in writing, with the support of an interpreter, ensuring that the applicant fully understands the details, either by reading the written material aloud in his/her native language or by providing simultaneous interpretation, if the documents are not available in that language. The information is available in Icelandic, English, Spanish, and Arabic.

For vulnerable applicants, such as unaccompanied minors or victims of human trafficking, additional tailored guidance is provided to ensure their understanding. While Iceland does not have specific relocation procedure, under the Dublin III Regulation, applicants are notified electronically of any transfer decisions. The applicant's spokesperson plays a key role in communicating these decisions, explaining the rights for legal remedies, and supporting the applicant throughout the appeal process to ensure s/he is fully aware of his/her rights and options.

Right to legal counselling on the Dublin procedure

According to paragraph 1 Article 30 of the Foreign Nationals Act, all applicants for international protection have the right of a legal representative, who is appointed by the Directorate of Immigration.

[Legal counselling](#) (advocate services) for asylum applicants in Iceland is primarily provided in-person and on a one-to-one basis to ensure personalized support, tailored to each applicant's individual circumstances. An applicant for International Protection is typically meet with his/her legal representative (spokespersons) face-to-face, which allows for direct communication and confidentiality. However, depending on the situation or resources, some legal counselling or informational sessions may also be offered remotely (online) or in group settings, especially for general information or orientation purposes. The focus remains on providing clear, accessible, and individualized advice, in different stages of the asylum procedure such as interviews, collection of documentation and health information, detention reviews, or appeal processes. In case of an applicant who is unaccompanied minor, the lawyer must also have special expertise in children's affairs.

Legal representation is provided either by individual lawyers included in an approved list available by the Directorate of Immigration. Additionally, the [Icelandic Red Cross](#) offers legal counselling for asylum cases and support to apply for state legal aid. The aid organisation [Solaris](#) provides support for asylum seekers and refugees in finding a lawyer and assisting with legal fees.

Personal interview for determining the Member State responsible

Organisation of the interview: The Directorate of Immigration is in charge of screening and identification of potential Dublin cases. The Dublin personal interview takes place after registration of an application for international protection as part of an admissibility procedure.

The applicant is called for an interview by the Directorate of Immigration in order to assess the applicant's situation and to examine whether the provisions of the Dublin Regulation apply in the relevant case. The interview is conducted by a specially trained Dublin officer of the Directorate of Immigration. The interview consists of questions regarding the applicant's situation in the responsible member state, health situation and possible connections to Iceland or other states within the Schengen area.

Persons present during interview: During the Dublin interview in Iceland, the following persons are typically present:

- The **case officer** from the Directorate of Immigration (UTL), who conducts the interview and provides information about the Dublin procedure.
- The **applicant**, who is being interviewed about his/her asylum claim and Dublin-related matters.
- An **interpreter**, who ensures the applicant fully understands the questions and information by interpreting both orally and, if needed, reading written materials aloud in the applicant's native language.
- The **applicant's legal representative (Spokesperson)**, who supports the applicant and may provide legal advice or can speak privately with the applicant if requested.

Notification of the transfer decision

The Directorate of Immigration (UTL) is responsible for notifying the applicant about the transfer decision. The notification is done soon after a decision has been made under [criteria of the Dublin III Regulation](#). The notification occurs as soon as possible following the issuance of the decision to ensure the applicant is promptly informed of his/her situation as well as his/her rights and obligations.

The notification is typically provided electronically by the [Directorate of Immigration](#) and the applicant is informed accordingly. Additionally, the [applicant's legal representative \(spokesperson\)](#) is also notified as s/he is responsible to formally inform the applicant about the transfer decision. The

legal representative is also responsible to explain the content, including instructions on possible legal remedies and the suspension of the decision's legal effects during the appeal process.

Remedies

Competent authority/court	Immigration and Asylum Appeals Board Kæruneftdar útlendingamála
Deadline for review/appeal	15 days from the date the transfer decision is issued
Deadline for decision on the review/appeal	Not specified
Suspensive effect of the review/appeal	There is automatic suspensive effect of the appeal.

Transfer arrangements

After establishing responsibility under the Dublin III Regulation, the Directorate of Immigration (UTL) [issues a formal transfer decision](#) notifying the applicant and their legal representative.

The applicant and their spokesperson are notified promptly about the transfer decision, including information on legal remedies and the suspensive effect of the appeal.

The applicant has 15 days to [file an appeal](#) with the Immigration and Asylum Appeals Board. During this period, the transfer cannot take place due to the automatic suspensive effect.

The Immigration and Asylum Appeals Board [reviews the appeal](#). Usually, the review of the appeal is done in writing, unless the board requires additional information by the applicant. While there is no publicly available strict deadline for the Board's decision, it is generally expected to be timely to avoid prolonged uncertainty.

Once the appeal period ends without an appeal or after an appeal is rejected by the Appeals Board, the Directorate of Immigration prepares the practical arrangements for the transfer. This includes coordinating with the responsible state and organising the logistics.

In practice, a transfer of the applicant to the responsible Member State is carried out within the timelines described under the Dublin III Regulation, typically within 6 months from the date the requesting Member State took responsibility, with a possible extension to 18 months under certain circumstances.

Transfer decisions are implemented by the International Division of the National Commissioner of the Icelandic Police.

Guarantees for minors in the Dublin procedure

Assessment of the best interests of the child: Foreign Nationals Act, [Article 37](#) stipulates that an evaluation of the child's best interest is carried out by the Directorate of Immigration which examines possibilities for family reunification, the minors safety, well-being and social development and takes into account its statement depending on its age and maturity. Prior to decision, the Directorate receives consultation by the child protection authorities and in cases of UAMs the opinion of the Government Agency for Child Protection must be elicited before a decision is made. All children are given the opportunity to express themselves in interviews conducted by specially trained staff.

Legal guardian: The national legislation does not explicitly specify the role of the legal guardian. The legal representatives of the applicant shall be a lawyer and, in the case of an unaccompanied minor, must also have special expertise in [children's affairs](#). The [legal guardian](#) is responsible to support and represent unaccompanied minors throughout all stages of the asylum procedure, including the Dublin procedure. This includes helping the minors understand the process, ensuring their best interest is considered, assist in communication with the authorities, and safeguarding the applicant's legal rights. The legal representatives must ensure that minors are informed about transfer decisions, appeal rights, and the overall procedure in a way appropriate to their age and maturity. There is no further publicly available information about whether legal guardians/representatives in Iceland receive specific, mandatory training focused exclusively on the Dublin procedure.

Detection of potential family reunification cases: The national legal framework of Iceland does include specific legal provision about the early detection for family members. [Foreign Nationals \(Article 25\)](#), emphasizes the importance of family unity and protection of vulnerable groups, particularly unaccompanied minors. Applicants during the initial interview, are required to provide detailed information regarding family members, which is systematically recorded to facilitate timely and effective family reunification in applicable cases (i.e. unaccompanied minors). Special attention is

given to vulnerable individuals, with legal guardians and representatives playing a crucial role in assisting unaccompanied minors to disclose information and verify family connections.