Dublin procedure - Slovakia

Overview

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Relevant EU legislation

Slovakia is bound by the Dublin III Regulation (AMMR) and enforces its provisions directly.

Following the entry into force of the reformed EU asylum acquis, a new law on international protection will take effect in June 2026.

National legislation

20 June 2002: Act No 480/2002 of 20 June 2002 on Asylum and on changes and amendments of some other acts | ZÁKON z 20. júna 2002 o azyle a o zmene a doplnení niektorých zákonov, Act No. 480/2002 of 20 June 2002 on Asylum and on changes and amendments of some other acts

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Competent authorities and stakeholders

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Entity responsible for the Dublin procedure (the application of the criteria and mechanisms for determining the Member State responsible): Dublin Unit, Migration Office | Dublinské stredisko, Migračný úrad

Place in the institutional framework: The Dublin unit is within the Migration Office of the Ministry of the Interior. The unit has two branches located in Bratislava and Humenne. In general, the activities of the Dublin unit is organised into two teams: the team in Humenne manages outgoing cases and the team in

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Bratislava manages both incoming and outgoing cases and information requests.

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	Dublin Unit, Migration Office | Dublinské stredisko, Migračný úrad Ministry of the Interior | Ministerstvo vnútra
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 Unit, Migration Office | Dublinské stredisko, Migračný úrad

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Referral of cases to the Dublin unit	Bureau of Border and Foreign Police, Presidium of the Police Force | Úrad hraničnej a cudzineckej polície, Prezídia Policajného zboru Procedural Unit, Migration Office | Procedurálny odbor, Migračný úrad Dublin Unit, Migration Office | Dublinské stredisko, Migračný úrad
Sending and replying to a take charge or take back request	Dublin Unit, Migration Office | Dublinské stredisko, Migračný úrad . The team in Humenne manages outgoing cases and the team in Bratislava manages both incoming and outgoing cases.
Sending and replying to information requests to/from another Member State	Dublin Unit, Migration Office | Dublinské stredisko, Migračný úrad. The team in Bratislava manages information requests.
Notification of the transfer decision	Dublin Unit, Migration Office | Dublinské stredisko, Migračný úrad Legal representative Ministry of the Interior | Ministerstvo vnútra
Free legal assistance during the appeal of a transfer decision	Centre for Legal Aid | Centrum právnej pomoci NGOs
Representation of the asylum authority in an appeal against a transfer decision	Organizational and Legal Department, Migration Office | Organizačný a právny odbor, Migračný úrad

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Organising the transfer to the responsible Member State	Bureau of Border and Foreign Police, Presidium of the Police Force | Úrad hraničnej a cudzineckej polície, Prezídia Policajného zboru
Providing information on the transfer modalities to the applicant	Dublin Unit, Migration Office | Dublinské stredisko, Migračný úrad Ministry of the Interior | Ministerstvo vnútra
Accompanying/escorting applicants during a Dublin transfer when necessary	Bureau of Border and Foreign Police, Presidium of the Police Force | Úrad hraničnej a cudzineckej polície, Prezídia Policajného zboru
Receiving applicants transferred under the Dublin procedure (meeting applicants at the airport/border crossing)	Bureau of Border and Foreign Police, Presidium of the Police Force | Úrad hraničnej a cudzineckej polície, Prezídia Policajného zboru
Court/authority responsible for deciding on an appeal against a transfer decision	Administrative Court in Bratislava/Košice | Správny súd v Bratislave/Košiciach

Provision of information on the Dublin procedure

According to Section 4(2) of the Asylum Act, employees of the Migration Office must provide applicants with comprehensive information on the asylum procedure within 15 days from the procedure's commencement. This normally takes place during the registration phase and includes information on the Dublin procedure, together with general information on the asylum procedure, their rights and obligations, as well as contact details for the Centre for Legal Aid. Information is provided both orally and in writing through brochures available in 12 languages as per Annex X and XI of the Commission Implementing Regulation (EU) No 118/2014. The common leaflet is complemented by specific national information about time periods, the competent court to whom the appeal could be submitted and contact details of the asylum authority, UNHCR, Data

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Protection Authority, legal aid providers, the IOM and the Eurodac controller.

There is a specific leaflet for unaccompanied minors. Information to unaccompanied minors is provided through their legal representative or guardian. Information on the Dublin procedure is also provided by case officers of the Dublin Unit once the Dublin procedure begins.

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Right to legal counselling on the Dublin procedure

The Centre for Legal Aid provides legal aid in appeals against a decision on a Dublin transfer.

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Personal interview for determining the Member State responsible

Organisation of the interview: Dublin interviews take place before asylum interviews and are conducted by the Dublin Unit. They can be omitted if applicants are not fit for the interview, if they abscond or if there is already sufficient information provided to determine the responsible Member State. A written transcript of the interview is produced and made available to the applicant.

Persons present during interview: The personal interview is conducted by the Dublin case officer in charge of the case. An interpreter must always be present. If the applicant has a legal representative, he/she is informed about the personal interview and is entitled to be present as well. For an unaccompanied minor, the appointed guardian must be present during the Dublin interview.

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Notification of the transfer decision

The Dublin Unit issues decisions on responsibility for examining the application of international protection. If Slovakia is found responsible, no formal decision is taken and the application for international protection is processed accordingly.

When a decision to transfer the applicant is taken, applicants are informed through a written notification delivered in person by the Dublin Unit in the presence of an interpreter (decisions are drafted in the Slovak language only) or through their legal representative. The Dublin Unit also sends a copy to the Border Police and the UNHCR Regional Representation for Central Europe in Budapest if requested by the applicant. The decision includes instructions on means to appeal.

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Remedies

Competent authority/court	Appeals can be submitted to administrative courts in Bratislava or Kosice. If the appeal is rejected, the applicant can then appeal to the Supreme Court, which has the function of an appellate review court.
Deadline for review/appeal	20 days
Deadline for decision on the review/appeal	The administrative court decides on the appeal within 90 days of its receipt.
Suspensive effect of the review/appeal	Appeals do not have an automatic suspensive effect, but applicants can request the suspension of the implementation of the transfer decision. The court decides on the suspensive effect within 15 days.

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Transfer arrangements

Detention may be applied in Dublin cases to carry out the transfer if there is a significant risk of absconding. It is relatively frequent in practice for third-country nationals who did not apply for international protection. Alternatives to detention in the form of an obligation to report themselves regularly or an obligation to reside in a specific place can be applied, mostly when applicants have family members or other relatives residing in Slovakia.

Transfers are arranged and carried out by the Border Police, and in most cases are organised under escort.

Voluntary Dublin transfers are not usually carried out. However, based on the circumstances of the case, they can be organised exceptionally.

Applicants accommodated in reception centres must present themselves at the place and date indicated by the Border Police. Applicants held in detention centres are brought to the border crossing point or to the airport by the designated escort of Border Police.

The Dublin procedure uses the same mechanisms for the identification of persons with special procedural or reception needs as the rest of the asylum procedure.

For applicants with health issues, medical approval for travel is usually required. Slovakia can admit applicants who are seriously ill depending on decisions by examining doctors.

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Guarantees for minors in the Dublin procedure

Assessment of the best interests of the child: There is no specific procedure to assess the best interests of the child within the Dublin procedure. All relevant factors are taken into account in the best interests of the child assessment including, first and foremost, the factors enumerated in Article 6(3) of the Dublin III Regulation, including consent/willingness of the relative as well as the will or

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views of the child (especially if there are any concerns/complaints from a child concerning their family members or a sibling e.g. cases of domestic violence). Information received from another Member States pursuant to Article 6(5) is also relevant.

Legal guardian: The representative appointed for the Dublin procedure is the same as the representative within the general international protection procedure. The representative provides information to the child, takes part in the Dublin personal interview and is involved in the assessment of the best interests of the child.

Detection of potential family reunification cases: There are no particular arrangements in place to identify family members, siblings or relatives of unaccompanied minors. In practice, the involvement of the Red Cross and UNHCR is welcomed.

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