Dublin procedure - Luxembourg

Overview

Content updated and validated on: 21/08/2025

Relevant EU legislation

Luxembourg implemented the provisions of the Dublin III Regulation and applies them directly.

National legislation

Amended Law of 18 December 2015 on international protection and temporary protection, (hereafter amended Aslyum Law) [Loi modifiée du 18 décembre 2015 relative à la protection internationale et à la protection temporaire.

Amended Law of 29 August 2008 on the free movement of people and immigration, (hereafter amended Immigration Law) [Loi modifiée du 29 Août 2008 portant sur la libre circulation des personnes et l'immigration]

Competent authorities and stakeholders

Entity responsible for the Dublin procedure (the application of the criteria and mechanisms for determining the Member State responsible): Ministry of Home Affairs - General Department of immigration- Department for Refugees- Dublin Unit | Ministère des Affaires intérieures - Direction générale de l'immigration- Département Réfugiés- Service Dublin.

Place in the institutional framework: The Dublin Unit is not part of the determining authority. It lies within the Department for Refugees of the General Department of immigration which is part of the Ministry of Home Affairs.

Competencies of the entity:

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.

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)
Yes	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	Ministry of Home Affairs- General Department of immigration- Department for Refugees | Ministère des Affaires intérieures – Direction générale de l'immigration- Département Réfugiés
Conducting the Dublin interview (specifically for the Dublin procedure, as part of the registration interview or handing the form to be completed during registration)	Ministry of Home Affairs- General Department of immigration- Department for Refugees | Ministère des Affaires intérieures – Direction générale de l'immigration- Département Réfugiés- Service Dublin

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.

Referral of cases to the Dublin unit	Ministry of Home Affairs- General Department of immigration- Department for Returns | Minsitère des Affaires intérieures- Direction générale de l'immigration - Département Retours Ministry of Home Affairs - General Department of immigration- Department for Refugees | Ministère des Affaires intérieures – Direction générale de l'immigration- Département Réfugiés Grand-Ducal Police, General Department of Internal Security | Police grand-ducale, Direction générale de la sécurité intérieure Aliens Police + Organised Crime Section, Criminal Investigation Department | Police des Etrangers, Section Criminalité organisée, Police judiciaire
Sending and replying to a take charge or take back request	Ministry of Home Affairs- General Department of immigration- Department for Refugees | Ministère des Affaires intérieures – Direction générale de l'immigration- Département Réfugiés- Service Dublin
Sending and replying to information requests to/from another Member State	Ministry of Home Affairs- General Department of immigration- Department for Refugees | Ministère des Affaires intérieures – Direction générale de l'immigration- Département Réfugiés- Service Dublin
Notification of the transfer decision	Ministry of Home Affairs- General Department of immigration- Department for Refugees | Ministère des Affaires intérieures – Direction générale de l'immigration- Département Réfugiés- Service Dublin
Free legal assistance during the appeal of a transfer decision	Ministry of Justice | Ministère de la Justice.

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.

Representation of the asylum authority in an appeal against a transfer decision	Ministry of Home Affairs | Ministère des Affaires intérieures.
Organising the transfer to the responsible Member State	Ministry of Home Affairs- General Department of immigration- Department for Refugees- Dublin Unit | Ministère des Affaires intérieures – Direction générale de l'immigration- Département Réfugiés - Service Dublin Grand-Ducal Police, Surveillance and operational support unit | Police grand-ducale, Unité de garde et d'appui opérationnel.
Providing information on the transfer modalities to the applicant	Grand-Ducal Police, Surveillance and operational support unit | Police grand-ducale, Unité de garde et d'appui opérationnel. Ministry of Home Affairs General Department of immigration- Department for Refugees- Dublin Unit | Ministère des Affaires intérieures – Direction générale de l'immigration- Département Réfugiés- Service Dublin.
Accompanying/escorting applicants during a Dublin transfer when necessary	Grand-Ducal Police, Surveillance and operational support unit | Police grand-ducale, Unité de garde et d'appui opérationnel.
Receiving applicants transferred under the Dublin procedure (meeting applicants at the airport/border crossing)	Grand-Ducal Police, | Surveillance and operational support unit Police grand-ducale, Unité de garde et d'appui opérationnel.
Court/authority responsible for deciding on an appeal against a transfer decision	Administrative Tribunal | Tribunal administratif

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.

Provision of information on the Dublin procedure

Information on the Dublin procedure is provided at the moment applicants present themselves to the General Department of immigration to lodge their application. Agents of the General Department of immigration are responsible for providing general information on the Dublin procedure to all applicants for international protection, utilizing the Dublin brochure type A produced by the European Union. Applicants who fall under the Dublin procedure receive a more detailed brochure (Dublin brochure type B) and are given thorough explanations by an agent from the Dublin Unit of the Department for Refugees during the Dublin interview. The information provided covers key aspects of the Dublin procedure, including the criteria for determining the responsible Member State for processing an asylum application, the applicant's rights and obligations under the Dublin Regulation, the process for appealing decisions, and the timelines involved. It also includes details about the potential consequences of being transferred to another Member State. The common information leaflet is complemented with specific national information.

Information on the Dublin procedure is provided in multiple formats. This includes written materials such as brochures and leaflets, oral explanations during individual conversations, and digitally through a dedicated website which has a read-aloud option for visually impaired applicants

Right to legal counselling on the Dublin procedure

All applicants requiring legal assistance in Luxembourg have access to lawyers and may contact the Luxembourg or Diekirch Bar Association. The applicant is informed right away about his right to apply for legal aid, which, in the case it is granted, is provided free of charge throughout the asylum procedure, including the Dublin procedure, and under the conditions of the Law of 7 August 2023 on the organisation of legal assistance.

Personal interview for determining the Member State responsible

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.

Organisation of the interview: The Department for Refugees is in charge of conducting the Dublin personal interviews, which is organised as part of the admissibility procedure. However, it is possible to omit the Dublin interview, if the applicant has absconded or in case the applicant has already given all relevant information by other means.

If the interview is conducted, interpreters are generally available, unless it is considered that one of the spoken languages in Luxembourg (French, German and English) is a language the applicant may reasonably be expected to understand.

The interview is conducted based on a standardized question/answer template which are completed during the interview process. Questions also refer to the applicant's experience on their way to Luxembourg (reception conditions, experience of inhuman and degrading treatment, etc.)

Dublin interviews are neither recorded (audio-visual or audio) nor are they transcribed. Every applicant, as well as their legal representatives, has access to the completed form of the interview before the interview is signed by the interviewer, the applicant and the interpreter, and a decision is taken.

Persons present during interview: The Dublin interview is conducted by specially trained members of the Dublin Unit. Interpreters are generally available, unless it is considered that one of the spoken languages in Luxembourg (French, German and English) is a language the applicant may reasonably be expected to understand. The applicant may be accompanied by his legal representative during the interview. In the case of an unaccompanied minor, the representative must accompany the child for the Dublin interview.

Notification of the transfer decision

If another Member State is found responsible, a decision on both inadmissibility and transfer will be taken as soon as possible. Dublin decisions are communicated by the Dublin Unit and are given in written form to the applicant of international protection. Transfer decisions include information about possible legal remedies.

Remedies

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.

Competent authority/court	Administrative Tribunal
Deadline for review/appeal	The appeal must be lodged within 15 days of the notification of the Dublin transfer decision.
Deadline for decision on the review/appeal	The tribunal must take a decision within a month since the appeal is introduced and that decision is not subject to appeal.
Suspensive effect of the review/appeal	The appeal of a Dublin transfer decision has automatic suspensive effect.

Transfer arrangements

The enforcing bodies to arrange and enforce the transfer to the responsible Member State are the Dublin Unit, together with the Surveillance and Operational Support Unit of the national Police.

Once a transfer decision is final, the Dublin Unit sends the modalities for the transfer, i.e. personal data, provisions of the responsible Member State (destination airport or border crossing point, accepted time of arrival etc.) and current place of accommodation of the applicant, to the Police Unit in charge of transfers.

From there, the Police is in charge of the organisation of the transfer. Nevertheless, the Dublin Unit needs to accept the proposed date, time and costs, and is also in charge of the notification of the transfer details to the responsible Member State via DubliNet.

Within the Dublin procedure, there is no specific mechanism in place for the identification of persons with special needs. The identification is part of the international protection procedure itself. If the health condition could put the person at risk during a transfer, we have the possibility to ask a doctor to approve the applicant’s ability to travel.

Guarantees for minors in the Dublin procedure

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.

Assessment of the best interests of the child: The amended Asylum Law expressly indicates that the application of an unaccompanied minor can only be treated by a case officer with the necessary knowledge to detect the particular needs of minors. However, there are no provisions in national legislation specifically addressing the best interest of the child in the Dublin procedure. The provisions of the Dublin III Regulation, especially articles 6 and 8, are directly applied. In case another Member State might be responsible for processing an UAM's application for international protection, e.g. if there are family members or relatives in another Member State, an interview about the best interest of the child is conducted by case officers trained on the use of interviewing vulnerable persons and children and questions are asked in accordance with the child's age and maturity. The representative is present during the interview and the child may also be accompanied by a guardian/social worker from the reception centre depending on the child's age and upon prior request. The interviewer uses a specific interview template in the context of the best interest assessment, focusing on questions related to the identification of family members and the child's relation to these family members. Based on the child's statements and views, the General Department of immigration cooperates closely with the legal representative and/or the guardian/social worker to assess whether a family reunification is in the best interest of the child and, when necessary, to collect and assess the available evidence to send a take charge request to another Member State.

Legal guardian: Considering the best interests of the child, the family court judge appoints a representative or "ad hoc administrator" to the UAM as soon as possible. The legal system also provides for the appointment of a guardian to manage the minor's current affairs outside of the procedure for international protection. The representative appointed to the UAM for the international protection procedure stays the same within the Dublin procedure. They accompany the UAM during the Dublin interview.

Detection of potential family reunification cases: The search for family reunification cases involving unaccompanied minors begins already during the registration of the UAM's application for international protection. At this stage, the Luxembourgish asylum authorities ask the UAM whether they have got any family in Europe as well as where their parents and siblings currently are. The answers to these questions are then recorded in the application form of the minor.

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.

Furthermore, if the Eurodac database indicates that the UAM has previously been in another Member State, the Dublin Unit systematically sends requests for information to all Member States concerned in order to find out whether the UAM has any family members there.

Finally, a qualified member of the Dublin Unit, trained on the use of interviewing vulnerable persons and children conducts an interview with the unaccompanied minor focusing on questions related to the identification of family members and the child’s relation to these family members in order to start the process of family tracing and possibly family reunification.

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.