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REV 1
RESTREINT

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NOTE

from: the Presidency

on : 18 January 1994

to : Asylum Working Party

No. prev. doc.: 4533/94 ASIM 33

Subject: Standard form for determining the State responsible for examining an application for asylum

The results of the Asylum Working Party's discussions on this subject will be found in the Annex.

The French delegation may still wish to put forward alternative ideas at a future meeting.

A. BACKGROUND

Appended to the compilation of texts on European practice with respect to asylum (WGI 1505), the preparation of which was decided on by the Immigration Ministers at their London meeting on 30 November 1992, was a provisional version of a draft standard form for determining the State responsible for examining an application for asylum.

The preparation of that draft had been decided on at the meeting of the then Subgroup on Asylum on 9 December 1991 (WGI 939, paragraph 7).

The matter was discussed again at the Subgroup's meeting on 5 and 6 February 1992 and the delegations proposed certain improvements to the draft standard form already circulated as WGI 938 REV 1.

In the light of those comments, the then Presidency instructed the General Secretariat to draw up a revised version of the draft and at the same time asked delegations to submit any comments in writing.

The Italian and Netherlands delegations submitted written comments (WGI 1011 and WGI 1220 respectively).

Since then, the Subgroup has not discussed the matter.

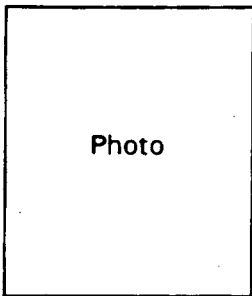
B. AIM

As the Dublin Convention is expected to come into force in 1994, the Presidency believes it is now time for the standard form to be finalized, since it will be the competent authorities' basic instrument for putting the Convention into practice.

This being so, the Presidency has produced a new version of the draft standard form (WGI 938 REV 1) taking into account delegations' written comments and the new conditions introduced by the Treaty on European Union.

The new draft is attached.

STANDARD FORM FOR DETERMINING THE STATE RESPONSIBLE FOR EXAMINING AN APPLICATION FOR ASYLUM



File number

Personal particulars of applicant

- 1. Family name (*)
Maiden name
- 2. Other name(s)
- 3. Does the applicant use/has he/she used other names?
 Yes No
What are/were they?
- 4. Date of birth
- 5. Place of birth
District/region
Country
- 6. Nationality (ies)
(indicate all)
(a) current
(b) previous
(c) none/stateless
- 7. Sex
 Male Female
- 8. Name of father
- 9. Name of mother
- 10. Marital status
 Single Married Widowed Divorced
- 11. Address
- current
- in country of origin
- 12. Language(s) of origin

(*) In block capitals

Personal particulars of family members

13. Spouse : family name (*), maiden name, other name(s), sex, date of birth, place of birth, place of residence (If the spouse is seeking asylum, a separate form should be completed)

14. Children: family name (*), other name(s), sex, date of birth, place of birth, place of residence (indicate all children; a separate form should be completed for children over 16 years of age if asylum is sought)
 (a)
 (b)
 (c)
 (d)
 (e)
15. Place and date of the application for asylum in the country of residence

Previous asylum procedures

16. Has the asylum applicant ever previously applied for asylum or recognition of refugee status in the country of residence or in another country?
 Yes No
- When and where?

- Was any decision taken on the application?
 No Not known Yes, refused
 Yes, deferred Yes, accepted
- When was the decision taken?

Identity papers

17. National passport
 Number
 Issued on
 By
 Valid until
- Yes No
18. Document replacing passport
 Number
 Issued on
 By
 Valid until
- Yes No
19. Other document
 Number
 Issued on
 By
 Valid until
- Yes No
20. In the absence of documents:
 (specify whether they may have contained a valid visa or residence permit and, if so, indicate the issuing authority and date of issue as well as the period of validity)
- Departed without documents (When, where?)
 Lost
 Stolen
 Other reasons (Which?)

25. Did the asylum applicant enter via another EU Member State?

- No
 Yes

- Which was the first EU Member State entered?
- Crossed border at authorized crossing point, or
- Avoided border controls at
- When?

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Residence in another EU Member State

26. Residence in another EU Member State or States after leaving country in which journey was begun (country of origin/provenance)

- No
 Yes

- In which State or States?
- From - to
- Place/exact address
- Residence was
- Period of validity of residence permit
- Purpose of residence

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 Authorized Unauthorized
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Residence in third countries (non-members of EU)

27. Residence in third country or countries after leaving country in which journey was begun (country of origin/provenance)

- No
 Yes

- In which third country or countries?
- From - to
- Place/exact address
- Residence was
- Period of validity of residence permit
- Purpose of residence

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 Hotel/boarding house Dwelling
 Camp Other
(Where?)
 Authorized Unauthorized
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- Was the asylum applicant in danger of being expelled/removed
- To which country?
- Why?
- Reasons for continuing journey

Yes No

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Particulars of family members living in EU Member States

28. (a) Is any member of the family recognized in a Member State as having refugee status and as being legally resident there?

Yes No

- Name of family member
- Member State
- Address in that Member State

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(b) Do any of those concerned object to the examination of the application for asylum in that Member State?

Yes No