**Information for asylum-seeking children who want to apply**

**to join a family member in another European country**

1. **Why have I been given this information leaflet?**

You have been given this information leaflet because you are under 18 years of age and have asked for asylum[[1]](#footnote-1). You have said that you are without your parents or legal guardian and want to go and live with a family member/relative who is in another European country. When you ask for asylum this means that you are afraid to go back to your country. Asking for asylum is sometimes called ‘an application for international protection’ or an ‘application for asylum’. Sometimes you will hear people call you an ‘asylum-seeker’.

Although you asked for asylum in Cyprus, it might be that another country will have to examine your application for protection. Only one country can be responsible for considering your application. This leaflet explains the conditions that have to be met for you to be transferred to the country, which is responsible for examining your application. This leaflet explains both the legal rules and the procedure.

If there is something that you do not understand, you should ask your guardian/representative to explain it. Your guardian/representative is an adult appointed by the government who will help you with the procedure. She or he will assist you with your application and will accompany you when you have to talk to the authorities. Your guardian/representative is there to ensure your best interests. To ensure your best interests means that your needs, safety, well-being and your own views will be taken into account. An application to join your family member/relative will only be made if it is in your best interests.

1. **When can a request be made for me to join my family member/relative in another European country?**

There is a European Union law, the Regulation (EU) No 604/2013, which is often called the ‘Dublin Regulation’. The Regulation requires us to establish whether we are responsible for examining your application or another country. Only one country The Asylum Service of the Republic of Cyprus will call you for an interview, where you have to provide all information and documentation about your identity, age and any family member/relative in another country. Your guardian/representative will be present at your interview. Then, it will be considered whether a request can be made to the country where your family member/relative lives for you to travel there. This country may accept or deny the request. In the case you disagree with a decision to be transferred, you have 75 days to appeal before the Administrative Court and ask to change the decision. Your guardian/representative can help you on this. If you go to live with your family member/relative, that country will examine your application for asylum and decide whether you should be allowed to stay and live there.

The Regulation applies to the following countries which we will call the ‘Dublin countries’:

The 28 European Union countries: Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, United Kingdom, AND

The four countries linked with the Dublin Regulation: Norway, Iceland, Switzerland and Liechtenstein.

If you are under 18 years old:

* A request may be made for you to join your mother, father, brother or sister if they are legally present in one of the Dublin countries.
* A request may be made for you to join another relative (this is limited to your aunt[[2]](#footnote-2), uncle[[3]](#footnote-3) or grandparent) if that person is legally present in one of the Dublin countries and is in a position to take care of you.

**Both you and your family member/relative must state in writing that you wish to be united. To make an application, information is needed on your age, your family member/relative, and his or her ability to look after you.**

1. **What information is needed on my age?**

Persons older than 18 years are ‘adults’ and different rules will apply to them. The country in which your family member/relative lives will require evidence that you are under the age of 18.

You must tell the truth about your age. You must give to the Asylum Service any documents proving your date of birth, such as your passport or birth certificate (birth certificates as proof of age are not always considered as credible evidence). During your interview at the Asylum Service, you may undergo an ‘age assessment’ procedure. If there are still reasonable doubts about your age, after this, you may be asked by the authorities to go for medical examinations to see if you are younger or older than 18 years old. However, medical examinations will only take place if you and/or your guardian/representative agree in writing. The medical examination procedure will be explained to you by the Asylum Service officer and your guardian/representative. If there is anything that you do not understand, you should ask for it to be explained to you.

1. **What other information is needed about my family member/relative and his or her ability to look after me?**

The other country must also consider whether a transfer is in your best interests and whether your relative can take care of you. In order to make the request, the Asylum Service will need the following information:

* A written consent on behalf of your family member/relative;
* A written consent from you and/or your guardian/representative;
* A document that shows that your family member/relative is legally present in the country (this could also be as an asylum-seeker);
* Proves/evidence that you are related to the person that you wish to join;
* Your family member/relative’s address;
* Details of your family member/relative’s income and living conditions (accommodation);
* Proves/evidence that your family member/relative is able to take care of you;

The Asylum Service will decide whether to make a request for you to join your family member. If a request is made, all information and documents will be sent to the relevant authority in the country in which your family member lives. That county will then review the information/documentation and decide.

1. **How long does the procedure take?**

The request must be made by the Asylum Service of the Republic of Cyprus within **3 months** of the date that you apply for asylum. Before the request can be made, all of the necessary information and documentation must be gathered, including proof of your age. Your guardian will be notified of the date your application is sent.

The country in which your family member lives will examine the request and make a decision within **two months** of the request being made.

If the country accepts responsibility for you, your transfer will take place within **six months** of the date of the acceptance.

If the country does not accept responsibility for you, the Asylum Service may write to ask if they could reconsider the decision. The country usually replies within two weeks but sometimes it could take longer.

1. **Why have I been fingerprinted?**

If you are 14 years of age or older and you make an application for asylum, a picture or image of your fingers (called a ‘fingerprint’) will be taken and transmitted to a fingerprint database called ‘Eurodac’. You must cooperate in this procedure. All people that apply for asylum are obliged by law to have their fingerprints taken.

Your fingerprints might be checked at some point to see if you have ever applied for asylum before in another ‘Dublin country’ or to see if you were previously fingerprinted at a border of another ‘Dublin country’. If it is discovered that you have already applied for asylum in another ‘Dublin country’, you may be sent to this country, if it is in your best interests for you to go there. This country will then be responsible for examining your application for international protection.

1. **I have more questions, where can I get information?**

Your guardian/representative will be able to answer any more questions that you may have.

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1. Article 4 of the Regulation (EU) No 604/2013 [↑](#footnote-ref-1)
2. Your mother’s or father’s sister [↑](#footnote-ref-2)
3. Your mother’s or father’s brother [↑](#footnote-ref-3)