

Operational standards and indicators on the Asylum & Migration Management Regulation



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March 2026

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About the guide

Why was this guide created? The mission of the European Union Agency for Asylum (EUAA) is to facilitate and support the activities of EU Member States and the Schengen associated countries ⁽¹⁾ in the implementation of the Common European Asylum System. In accordance with its overall aim of promoting the correct and effective implementation of the Common European Asylum System and of enabling convergence, the EUAA develops common operational standards and indicators, guidelines and practical tools.

How was this guide developed? This guide was created by experts from across the EU, with valuable input from the European Commission, the United Nations High Commissioner for Refugees and the European Council on Refugees and Exiles ⁽²⁾. The development was facilitated and coordinated by the EUAA. Before its finalisation, a consultation on the guide was carried out with all EU Member States and the Schengen associated countries through the EUAA Asylum and Migration Management Network. The EUAA would like to extend its thanks to the members of the working group who prepared the drafting of this guide: Andréa Chevalier, Lorraine Delaney, Laura Jesaulkova, Angeliki Kouzi, Angelika Nitka, Safa Roshdi and Evi Stefou.

Who should use this guide? This guide is primarily intended for asylum case officers, interviewers and decision-makers, as well as policymakers in the national determining authorities. Additionally, this tool is useful for quality officers and legal advisers, as well as any other person working or involved in the field of international protection in the EU context.

How to use this guide. This guide is structured in a similar way as the asylum and migration management regulation (AMMR) ⁽³⁾ providing operational standards and indicators on all the main operational parts of regulation. The guidance covers both the responsibility determination procedures, the operational implementation of the solidarity mechanism and transfers.

How does this guide relate to national legislation and practice? This is a soft convergence tool. It is not legally binding and reflects commonly agreed standards as adopted by the EUAA Management Board in March 2026.

How does this guide relate to other EUAA tools? The EUAA, *Operational standards and indicators on the Asylum and Migration Management Regulation* should be used in conjunction with other available practical guides and tools. The guide replaces the

⁽¹⁾ The 27 EU Member States and Iceland, Liechtenstein, Norway and Switzerland.

⁽²⁾ Note that the finalised guide does not necessarily reflect the positions of the United Nations High Commissioner for Refugees and the European Council on Refugees and Exiles.

⁽³⁾ Regulation (EU) 2024/1351 of the European Parliament and of the Council of 14 May 2024 on asylum and migration management, amending Regulations (EU) 2021/1147 and (EU) 2021/1060 and repealing Regulation (EU) No 604/2013 (OJ L, 2024/1351, 22.5.2024), <http://data.europa.eu/eli/reg/2024/1351/oj>.

Guidance on the Dublin Procedure – Operational standards and indicators from 2020 ⁽⁴⁾. All EUAA practical tools are publicly available online on the EUAA website:

<https://euaa.europa.eu/practical-tools-and-guides>

Disclaimer

This guide was prepared without prejudice to the principle that only the Court of Justice of the European Union can give an authoritative interpretation of EU law.

Following an initial period of implementation of the Pact, this document may require updating, as needed.

⁽⁴⁾ EASO, *Guidance on the Dublin Procedure: Operational standards and indicators*, 2020, <https://euaa.europa.eu/publications/guidance-dublin-procedure>.



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List of abbreviations

Abbreviation	Definition
AMMR	Asylum and Migration Management Regulation — Regulation (EU) 2024/1351 of the European Parliament and of the Council of 14 May 2024 on asylum and migration management
AMMR Implementing Regulation	Commission Implementing Regulation (EU) 2025/2055 of 2 October 2025 laying down rules for the application of Regulation (EU) 2024/1351 of the European Parliament and of the Council, as regards asylum and migration management
APR	Asylum Procedure Regulation – Regulation (EU) 2024/1348 of the European Parliament and of the Council of 14 May 2024 establishing a common procedure for international protection in the Union
CEAS	Common European Asylum System
Charter	The Charter of Fundamental Rights of the EU
Dublin III Regulation	Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person (recast).
DubliNet	Secure electronic network of transmission channels between the national authorities dealing with asylum applications.
EUAA	European Union Agency for Asylum
Eurodac III Regulation	Regulation (EU) 2024/1358 of the European Parliament and of the Council of 14 May 2024 on the establishment of ‘Eurodac’ for the comparison of biometric data in order to effectively apply Regulations (EU) 2024/1351 and (EU) 2024/1350 of the European Parliament and of the Council and Council Directive 2001/55/EC and to identify illegally staying third-country nationals and stateless persons and on requests for the comparison with Eurodac data by Member States’ law enforcement authorities and Europol for law enforcement purposes
GDPR	General Data Protection Regulation – Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on





Abbreviation	Definition
	the protection of natural persons with regard to the processing of personal data and on the free movement of such data
EU+ countries	EU Member States and Iceland, Liechtenstein, Norway and Switzerland
Member States	Member States of the European Union
RCD (2024)	Reception Conditions Directive — Directive (EU) 2024/1346 of the European Parliament and of the Council of 14 May 2024 laying down standards for the reception of applicants for international protection
UAC(s)	unaccompanied child(ren)
VIS	Visa Information System



Introduction

Background

These operational standards and indicators for the asylum and migration management regulation (AMMR) ⁽⁵⁾ have been developed based on the previous operational standards and indicators for the Dublin III Regulation ⁽⁶⁾, which were adopted by the then European Agency for Asylum Network of Dublin Units in 2020.

Legal framework

The key legal framework of the AMMR is set out in the following legal acts.

Asylum and Migration Management Regulation

The AMMR replaces the Dublin III Regulation.

These operational standards and indicators relate primarily to Criteria and mechanisms for determining the Member State responsible and Solidarity ⁽⁷⁾ of the AMMR.

AMMR Implementing Regulation ⁽⁸⁾

The Commission Implementing Regulation (EU) 2025/2055, referred to in this guide as the AMMR Implementing Regulation lays down rules for the application of the AMMR. The AMMR Implementing Regulation is legally binding on Member States and replaces the implementing regulation for the Dublin III Regulation.

These operational standards and indicators refer to the relevant provisions of the AMMR Implementing Regulation and annexes throughout the text.

⁽⁵⁾ Regulation (EU) 2024/1351 of the European Parliament and of the Council of 14 May 2024 on asylum and migration management, amending Regulations (EU) 2021/1147 and (EU) 2021/1060 and repealing Regulation (EU) No 604/2013 (OJ L, 2024/1351, 22.5.2024),

<http://data.europa.eu/eli/reg/2024/1351/oj>.

⁽⁶⁾ Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person (recast) (OJ L 180, 29.6.2013),

<http://data.europa.eu/eli/reg/2013/604/oj>.

⁽⁷⁾ Parts III and IV AMMR.

⁽⁸⁾ Commission Implementing Regulation (EU) 2025/2055 of 2 October 2025 laying down rules for the application of Regulation (EU) 2024/1351 of the European Parliament and of the Council, as regards asylum and migration management and repealing Commission Regulation (EC) No 1560/2003 (OJ L, 2025/2055, 12.11.2025), http://data.europa.eu/eli/reg_impl/2025/2055/oj.



Eurodac III Regulation ⁽⁹⁾

The correct application of the Eurodac III Regulation is crucial for the proper functioning of the AMMR. As such, provisions of the Eurodac III Regulation are covered by these standards and indicators when they are relevant for the correct implementation of the AMMR.

Asylum Procedure Regulation ⁽¹⁰⁾

The EUAA provides separate standards and indicators on the asylum procedure ⁽¹¹⁾. Several provisions in the asylum procedure regulation (APR) have a direct effect on the implementation of the AMMR.

Reception Conditions Directive (RCD (2024)) ⁽¹²⁾

The EUAA provides separate standards and indicators on the RCD (2024) ⁽¹³⁾. Several provisions in the RCD (2024) have a direct effect on the implementation of the AMMR.

Screening Regulation ⁽¹⁴⁾

The screening regulation has an indirect impact on the implementation of the AMMR.

⁽⁹⁾ Regulation (EU) 2024/1358 of the European Parliament and of the Council of 14 May 2024 on the establishment of 'Eurodac' for the comparison of biometric data in order to effectively apply Regulations (EU) 2024/1351 and (EU) 2024/1350 of the European Parliament and of the Council and Council Directive 2001/55/EC and to identify illegally staying third-country nationals and stateless persons and on requests for the comparison with Eurodac data by Member States' law enforcement authorities and Europol for law enforcement purposes, amending Regulations (EU) 2018/1240 and (EU) 2019/818 of the European Parliament and of the Council and repealing Regulation (EU) No 603/2013 of the European Parliament and of the Council (OJ L, 2024/1358, 22.5.2024), <https://eur-lex.europa.eu/eli/reg/2024/1358/oj/eng>.

⁽¹⁰⁾ Regulation (EU) 2024/1348 of the European Parliament and of the Council of 14 May 2024 establishing a common procedure for international protection in the Union and repealing Directive 2013/32/EU (OJ L, 2024/1348, 22.5.2024), <http://data.europa.eu/eli/reg/2024/1348/oj>.

⁽¹¹⁾ EUAA, *Operational Standards and Indicators on the Asylum Procedure*, November 2025, <https://www.euaa.europa.eu/publications/operational-standards-indicators-asylum-procedure>.

⁽¹²⁾ Directive (EU) 2024/1346 of the European Parliament and of the Council of 14 May 2024 laying down standards for the reception of applicants for international protection (OJ L, 2024/1346, 22.5.2024), <http://data.europa.eu/eli/dir/2024/1346/oj>.

⁽¹³⁾ EUAA, *Operational Standards and Indicators on Reception including Vulnerability-related Aspects*, March 2026, <https://www.euaa.europa.eu/publications/operational-standards-indicators-reception-including-vulnerability-aspects>.

⁽¹⁴⁾ Regulation (EU) 2024/1356 of the European Parliament and of the Council of 14 May 2024 introducing the screening of third-country nationals at the external borders and amending Regulations (EC) No 767/2008, (EU) 2017/2226, (EU) 2018/1240 and (EU) 2019/817 (OJ L, 2024/1356, 22.5.2024), <https://eur-lex.europa.eu/eli/reg/2024/1356/oj>.





Visa Information System Regulation ⁽¹⁵⁾

The Visa Information System (VIS) regulation is relevant for the implementation of the AMMR notably in relation to the responsibility criteria linked with visas and residence permits.

Jurisprudence

At the time of drafting, the AMMR has not yet entered into application and there is no jurisprudence from the Court of Justice of the EU specifically interpreting the provisions of the AMMR. Parts of the existing jurisprudence of the Court of Justice in relation to the Dublin III Regulation will remain relevant where the underlying legal provisions and principles have been carried over into the AMMR. The Charter ⁽¹⁶⁾ rights that correspond to the rights guaranteed by the European Convention on Human Rights ⁽¹⁷⁾ must, in accordance with Article 52(3) of the Charter, be interpreted in the light of the case-law of the European Court of Human Rights, including Article 3 of the European Convention on Human Rights.

Given the relative uncertainty regarding the applicability of the existing body of jurisprudence related to the Dublin regulations ⁽¹⁸⁾ in the new legal framework, this guidance does not include any references to jurisprudence.

AMMR practitioners are however encouraged to use the EUAA Case Law Database ⁽¹⁹⁾ and publications such as the *EUAA Quarterly Overview of Asylum Case Law* which are available on the Case Law Database website to stay informed on the developing body of jurisprudence in the field of the AMMR.

Member States may also find additional information in the EUAA Database on International Protection or in the *Information on procedural elements and rights of applicants subject to a Dublin transfer* templates otherwise referred to as the 'Dublin transfer factsheets' available on the EUAA website ⁽²⁰⁾.

⁽¹⁵⁾ Regulation (EU) 2018/1806 of the European Parliament and of the Council of 14 November 2018 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (codification) (OJ L 303, 28.11.2018), <https://eur-lex.europa.eu/eli/reg/2018/1806/oj/eng>.

⁽¹⁶⁾ European Union, Charter of Fundamental Rights of the European Union, 26 October 2012, 2012/C 326/02, http://data.europa.eu/eli/treaty/char_2012/oj.

⁽¹⁷⁾ Council of Europe, European Convention on Human Rights, as amended by Protocols Nos. 11, 14 and 15, ETS No. 005, 4 November 1950, <https://www.refworld.org/legal/agreements/coe/1950/en/18688>.

⁽¹⁸⁾ In addition to Dublin III regulation, also referring to Council Regulation (EC) No 343/2003 of 18 February 2003 establishing the criteria and mechanisms for determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national (OJ L 50, 25.2.2003), <http://data.europa.eu/eli/reg/2003/343/oj> and Convention determining the State responsible for examining applications for asylum lodged in one of the Member States of the European Communities - Dublin Convention (OJ C 254, 19.8.1997), [https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:41997A0819\(01\)](https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:41997A0819(01)).

⁽¹⁹⁾ The EUAA Case Law Database is available at <https://caselaw.euaa.europa.eu/>.

⁽²⁰⁾ EUAA, 'Factsheets: Information related to Dublin transfers', available at <https://www.euaa.europa.eu/asylum-knowledge/dublin-procedure#section178-4>.





How to read this guidance

An **operational standard** describes a commonly agreed practice that is considered achievable by all Member States. Standards aim to ensure the establishment of fair and efficient asylum and reception systems in compliance with the provisions set out in the Common European Asylum System (CEAS).

An **indicator** is what can be observed and/or measured to demonstrate whether the operational standard is achieved. Indicators listed under each standard should be understood as cumulative without an order of hierarchy.

Additional remarks highlight specific points of attention, particular circumstances or exceptions for applying the indicator. In light of the different national contexts, the applicability of the additional remarks might vary across Member States.

Good practices mean practices that Member States are encouraged to consider adopting in their national systems, even though they do not constitute commonly agreed practices.

Standard	
Member States should ensure that the decision is notified in a reasonable time.	An operational standard is a commonly acknowledged practice to establish a fair and efficient asylum procedure that implements the provisions of the CEAS. An operational standard does not merely reflect what has already been put in practice but sets an aim for which to strive. Operational standards incorporate three perspectives: the perspective of the person concerned (fairness), of the responsible manager (efficiency) and of the legislator (legality).
Member State authorities have a case management system or countdown calendar in place to calculate time limits and flag approaching time limits to guarantee that the transfer notification is taking place within the time limit.	The indicator is a means to measure or observe the achievement of the standard. Indicators listed under each standard should be understood as cumulative without an order of hierarchy among them.
Indicator 1.a: If the person concerned does not have a legal adviser, the Member State authority notifies the decision to the person in a language that the applicant	Alternative indicators are used in situations where different options can be applied to measure compliance with the standard.



understands or is reasonably supposed to understand.

OR

Indicator 1.b: If the person concerned has a legal adviser or other counsellor, the Member State authority may choose to notify the decision to the legal adviser or other counsellor representing the person in accordance with national practice.

Indicator 1. The Member State authority allocates sufficient means to conduct the interview.

Additional remark: ‘sufficient means’ include, among others, a suitable space for conducting the interview, having interpreters available when needed and allocating enough time for conducting a thorough interview with the person concerned.

The additional remark highlights specific points of attention, particular circumstances or exceptions for applying the indicator.



Good practice

Example. This box draws the attention to a specific practice that can help Member States authorities to effectively implement a specific part of a procedure. Given differences in how Member State authorities are organised, or the specific conditions in different Member States, all good practices may not be applicable to all Member States. As such the suitability of implementing good practices will depend on individual assessments in each Member State.



Related EUAA publication

These boxes refer the reader to additional information available in relevant EUAA tools such as training modules and practical guides.



Terminology

AMMR case

The term ‘AMMR case’ denotes a case whereby there are indications that another Member State may be responsible for examining the application for international protection in line with the provisions set out in Part III, Chapters II-IV of the AMMR.

AMMR unit

The term ‘AMMR unit’ denotes the authority responsible for determining the responsible Member State for an individual application for international protection. This authority may also in some cases be responsible for the operationalisation of the solidarity measure outlined in Part IV of the AMMR.

Competent authority or Member State authority

The main responsibility for the application of these standards lies with the Member State authorities. The competence to apply most of the standards in this guidance lies in particular with the specialised units or departments of the competent authorities responsible for implementing the AMMR procedures. In practice, however, migration authorities and border guards, amongst others, are also often involved in AMMR procedures. The terms ‘competent authority’ and ‘Member State authority’ are used interchangeably and refer to the authorities designated by the Member State to carry out a specific task relevant to the implementation of the AMMR.

Person concerned

The AMMR is also applicable for persons who have not lodged a new application in the Member State where they are present but previously applied for international protection in another Member State (‘non-applicants’ in the Member State where they are present). This is the reason the term ‘person concerned’ is used throughout the guidance for persons to whom this situation may apply. The term ‘person concerned’ is also used more broadly as a neutral, collective reference, when referring to both applicants and non-applicants at the same time.

Designated representative vs appointed representative

Article 23(2)(a) AMMR sets out that the competent authorities must ‘designate as soon as possible and in any event in a timely manner’ a representative for an unaccompanied child (UAC). Article 23(2)(b) AMMR sets out that the competent authority must ‘appoint a representative as soon as possible and no later than fifteen working days from the date on which the application is made.’

This guidance refers to the person designated in accordance with Article 23(2)(a) as the ‘designated representative’. The representative appointed in accordance with Article 23(2)(b)



is referred to as the ‘appointed representative’. This is without prejudice to situations where the designated representative may become the appointed representative.

Where the term ‘representative’ is used without either ‘designated’ or ‘appointed’ it covers both capacities.

Modalities for the transfer

Reference to modalities for the transfer includes both the method by which the transfer will be carried out as well as the time and place of the transfer. With regard to Type A and Type B transfers, supervised Type A transfers refer to cases where the person to be transferred is required to appear before the designated authority at the communicated date and time (Article 25(1)(a) Implementing Regulation), while supervised Type B transfers refer to cases where the person is received by the authorities of the receiving Member State at an agreed location at the communicated date and time (Article 25(1)(b) Implementing Regulation). Escorted Type A transfers concern accompanied transfers involving the simultaneous transfer of more than 10 persons (Article 26(1)(a) Implementing Regulation), whereas escorted Type B transfers concern other accompanied transfers (Article 26(1)(b) Implementing Regulation).

Default location for transfers

Article 23(1) AMMR Implementing Regulation sets out that all Member States must indicate at least one airport to which transfers are to be carried out. They must also indicate the authority competent to receive such transfers at that airport when the receiving Member State has not confirmed receipt of the standard form or, where necessary, has not proposed alternative modalities for the transfer as provided for in Article 25(5), second and third subparagraphs or in Article 26(3), third subparagraph. This guidance uses the term ‘default location for transfers’ when referring to this type of airport(s).

Child or minor

This publication mainly uses the term ‘child’ or ‘children’ to refer to persons below the age of 18, unless referring directly to legal provisions using the term ‘minor’ or ‘minors’. The terms are used synonymously and there is no difference intended between them. In the context of describing family links between two persons references are also made to ‘adult children’.



General principles

The following overarching general principles need to be respected when applying the AMMR.

- **The principle of confidentiality**

Throughout the procedures in the AMMR, case officers must ensure confidentiality, this obligation is outlined in Article 73. When communicating with each other, Member States must always use the electronic communication system, DubliNet, to guarantee the encrypted, safe exchange of information.

- **Mutual trust and sincere cooperation between the Member States**

The AMMR procedures are based on mutual trust and sincere co-operation between the Member States. Recital 36 lays down that all Member States must respect the principle of *non-refoulement* and are considered safe countries for third-country nationals.

The AMMR contains a rebuttable presumption that all EU Member States observe the fundamental rights of the European Union. However, Member States are prohibited from transferring an applicant to another Member States where there are substantial grounds for believing that the applicant, because of the transfer to that Member State, would face a real risk of violation of their fundamental rights that amounts to inhuman or degrading treatment within the meaning of Article 4 of the Charter.

The CEAS relies on sincere cooperation between Member States, including the correct application of procedures and putting in place the practical arrangements needed to actually carry out transfers (recital 67). The AMMR operationalises this duty via close cooperation obligations (Article 6) through the principles of solidarity and fair sharing of responsibility and a dedicated conciliation clause requiring consultations ‘in accordance with the principle of sincere cooperation as enshrined in Article 4(3) [Treaty on the European Union]’ (Article 55(1)).

- **Integrated policy making**

The AMMR frames asylum and migration management via a comprehensive approach that must be implemented consistently and in an integrated manner across internal and external components. At the operational level, this guides the EU’s and Member States’ action (Article 3(1)) and is embedded in the common internal and external framework and national strategies (Articles 4–7). Recitals 2, 7, 9 highlight the need for integrated policymaking and joint, consistent implementation.

- **Sincere cooperation between the Member States in relation to Eurodac data**

Marking the Eurodac database when there is change in the circumstances of a case is an essential task to ensure a properly functioning system. This is the case not only for the Member State where the person concerned is present but also for any Member State that they may travel to in the future. As such, in line with the principle of sincere cooperation, Member



States must ensure that the responsible authority has the necessary access and resources to ensure that the Eurodac database is fully updated to reflect the latest status of the circumstances of the applicant or person concerned.

- **Member States cooperate with each other throughout the AMMR procedures and provide all information that is relevant for the determination of the responsible Member State**

In accordance with recital 67, all Member States must ensure sincere cooperation with each other, in particular regarding the procedural rules laid down by the AMMR in relation to the practical organisation of transfers.

To guarantee quick access to the asylum system, Member States must cooperate with each other to determine the responsible Member State and organise the transfer of the applicant to that Member State as soon as possible. The cooperation is particularly important where family reunification possibilities are being explored to identify family members, siblings or relatives.

- **Giving primary consideration to the best interests of the child**

Recital 46 AMMR refers to the United Nations Convention on the Rights of the Child ⁽²¹⁾ and to the Charter and the requirement for the best interests of the child to be given primary consideration in the international legal framework. Article 23 AMMR sets out the specific obligation that the best interests of the child must be a primary consideration when applying the AMMR. This article also outlines the specific procedural guarantees in relation to children stipulated in the AMMR.

- **Seeking family reunification possibilities and ensuring family unity**

Recital 54 AMMR stipulates that the absence of formal proof, such as original documentary evidence and DNA testing, should not be a barrier to reunification where there is existing circumstantial evidence, which is coherent, verifiable and sufficiently detailed to establish responsibility. Member State authorities should also consider all available information, such as photos, proof of contact and witness statements to make a fair appraisal of the relationship. The same recital also refers to the obligation to provide the dedicated Family Tracing Template developed by the EUAA ⁽²²⁾ in cases where there is an indication of family members present in another Member State.

When applying the AMMR, Member States should endeavour to reunite family members, keep families together and process the application of family members together in full respect of their right to family and private life as outlined in recitals 48 and 51. Member States should show flexibility in family reunification cases and strive for reuniting the applicant with their family member, or in the case of UAC their family member, sibling or relative.

⁽²¹⁾ UN General Assembly, Convention on the Rights of the Child, United Nations, Treaty Series, vol. 1577, p. 3, 20 November 1989, <https://www.refworld.org/legal/agreements/unga/1989/en/18815>.

⁽²²⁾ EUAA, *Family Tracing Form – Adult*, April 2025, <https://euaa.europa.eu/publications/family-tracing-form-adult> and EUAA, *Family Tracing Form – Child*, April 2025, <https://euaa.europa.eu/publications/family-tracing-form-child>.



- **Prioritising all family cases**

The AMMR lays down the obligation to prioritise all family cases throughout all stages of the procedure and to take the necessary steps to guarantee them the quickest access to the procedure ⁽²³⁾.

- **Ensuring quick and fair access to the asylum procedure**

Recital 37 sets out the need for a clear and workable method for determining the Member State responsible for examining an application. This should ensure swift, fair and effective access to the asylum procedure through strict time limits and clear responsibility criteria.

Member States should strive for short AMMR procedures to ensure speedy access to the asylum procedure.

- **Individual, impartial and objective assessment of each AMMR related case**

Member States should examine all cases with due regard for the individual facts of the case, through a proper and thorough examination of the responsibility criteria. Each case is different, and every AMMR case should be examined individually, impartially and objectively.

- **Respect and compliance with the Charter and international law**

When applying the criteria set out in the AMMR, Member States must ensure that all actions taken are compliant with and fully respect the fundamental rights enshrined in the Charter and international law as set out in recital 87.

⁽²³⁾ Articles 25–28, 34, Articles 39(1), 40(1) and 46(1) and recital 54 AMMR Regulation.



1. Procedural guarantees for persons falling under the procedures of the AMMR

The regulations and directives that together form the CEAS provide means and provisions to safeguard the vital interests of those who fall within its scope. The AMMR provides procedural guarantees of its own to those concerned. The standards that can be derived from these guarantees are described in this chapter.

Confidentiality



Standard 1. The confidentiality of AMMR cases and procedures is ensured.

Indicators

Indicator 1. Staff at the competent authorities are aware of national laws and regulations concerning the confidentiality of the AMMR procedures.

Indicator 2. Internal databases and case filing systems are secure, including the user access management and maintained in accordance with relevant national law and the General Data Protection Regulation (GDPR) ⁽²⁴⁾.

Indicator 3. All information regarding the individual person concerned is exchanged only through DubliNet between the competent authorities of the Member States.


Indicator 4. Case specific information is shared only on a need-to-know basis with officials in the competent authorities dealing with the case.

Indicator 5. Interviews with the person concerned are conducted in a space that guarantees the privacy and confidentiality of the interview.

⁽²⁴⁾ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data and repealing Directive 95/46/EC (General Data Protection Regulation) (Text with EEA relevance) (OJ L 119, 4.5.2016), <http://data.europa.eu/eli/reg/2016/679/oj>.



Information provision

	AMMR
	Articles 19(1), 20
	Eurodac III Regulation
	Article 42(2)

Article 19 AMMR sets out the right to information which is applicable to every applicant for international protection or person concerned that is subject to the procedures of the AMMR. Article 19 also details the information that a Member State must provide, which pertain to three main categories: their rights, their obligations and the consequences of non-compliance. It specifies that information should be provided as soon as possible, and at the latest when an application for international protection is registered. Article 20(2) also sets out the requirement of the EUAA to develop a common information material which covers the rights, obligations and consequences of non-compliance. The different materials are summarised in the table below.

Information provision materials

The brochure titled **‘What you need to know about the asylum and migration management regulation – Type A: Applicants for International Protection’** provides information to applicants for international protection about the AMMR. It covers the rights and obligations of persons concerned, the relevant timeframes of the procedure, the relevant Member State specific information and contact information for relevant stakeholders to be filled in by the national authority. A slightly amended version of this leaflet **Type B: Third country nationals found illegally staying in an EU+ country** is also available for those found illegally staying on the territory and contains the essential information for this specific profile.

The brochure titled **‘What you need to know about relocation’** provides information to applicants who have been selected for relocation. The brochure contains information on the specific rights and obligations stemming from the relocation procedure as well as information on the relevant timeframes of the procedure. A slightly amended version for beneficiaries contains the essential information specific to beneficiaries of international protection.

Four picture stories covering access to the procedure/screening, the asylum procedure, the best interests assessment and the AMMR provide information to children (teenagers) applying for international protection. The picture story related to the AMMR titled **‘EU Countries Working Together: Asylum, Finding Family and Relocation’** explains in a child-friendly manner family reunification possibilities. In addition, the story elaborates upon the AMMR procedures with information on the obligations and rights of the child as well as the consequences of non-compliance also in relation to the taking of biometric data.





Four posters complement the picture stories and capture the most essential messages from all four picture stories. They are designed for use in the context of information provision sessions.

Flashcards with only visuals for information providers to use with small children and applicants with mild cognitive impairments.

These products have fields that can be filled in by the information provider to add extra information, where relevant.

The brochure titled '**What you need to know about Eurodac**' provides information to categories of third-country nationals whose personal data will be transmitted to the Eurodac database. The brochure details the obligations to provide fingerprints and provides information on the categories of information stored and the rights of the data subjects. This brochure should be provided in conjunction with the specific information brochure that corresponds to the individual category of third-country national (see below). This brochure should be provided to the person concerned when their biometric data is taken.

Brochure titled '**Why is my personal data transmitted to Eurodac**' informs the following individual categories of third-country nationals whose personal data will be transmitted and stored on the Eurodac database about the specific individual categories of information collected:

- **Applicants for international protection**
- **Persons registered for the purpose of conducting an admission procedure and persons admitted in accordance with a national resettlement scheme**
- **Persons admitted in accordance with a national resettlement scheme**
- **Third-country nationals or stateless persons apprehended in connection with the irregular crossing of an external border**
- **Third-country nationals or stateless persons illegally staying in a Member State**
- **Third-country nationals or stateless persons disembarked following a search and rescue operation**
- **Beneficiaries of temporary protection**

It details the duration of the storage of their personal data as well as information related to the possibility to contact the data controller to amend or request the erasure of incorrect information. This brochure should be provided to the person concerned when their biometric data is taken.

Standard 2. The person concerned is provided, by registration at the latest, with relevant procedural information—including on their rights, obligations and consequences—in clear, plain language they understand or can reasonably be expected to understand. The competent authority ensures that the delivery of this information is recorded in the case management system.

Indicator

Indicator 1. A procedure is in place and applied, the common information material (Article 20(2) AMMR) is used, and case files show delivery of the information took place by the time of the registration of the application.





Indicator 2. A procedure is in place to ensure that the information relevant to the taking of biometric data and the transmission of this information to the Eurodac database is provided at the time at which the biometric data is taken.

Indicator 3. A procedure for language capture and delivery is in place and applied; case files show the preferred/understood language, the delivery language and mode (including oral, interpreter/translation or accessible format where needed).

Indicator 4. Case management system logging requirements are defined and applied; a version register for brochures/notices is maintained; and case files include and show what was provided, in which language and mode, by whom and when, with timestamps aligned to the relevant workflow events.

- **Additional remark:** Information specifically relevant to relocation under AMMR should be provided only to those who are eligible for relocation.

Indicator 5. Where necessary for the applicant's proper understanding, the information shall also be provided orally, where appropriate in connection with the personal interview and the applicant shall be provided the opportunity to ask questions where misunderstandings arise.

- **Additional remark:** Multimedia equipment can also be used to help aid understanding of the information provided.

Good practice: Confirming that the applicant has understood the common information materials on the AMMR, relocation and Eurodac

Ensuring understanding is one of the key principles of effective information provision. Whilst not a legal obligation under the AMMR, the competent authorities can nonetheless choose to carry out dedicated sessions to allow applicants and persons concerned to ask any questions they may have on the information provided. The personal interview shall also provide an opportunity to confirm that the applicant or person concerned has understood the information provided.

Standard 3. In cases regarding children, the relevant procedural information is provided in a child-friendly manner by appropriately trained staff in the presence of the applicant's representative to safeguard the child's best interests.

Indicators

Indicator 1. All staff members dealing with cases involving children have undergone specialised training. A training programme exists for staff dealing with children, covering at least: (a) child rights, (b) age-appropriate communication techniques, (c) trauma-sensitive approaches.

Indicator 2. Child-friendly materials and methodologies (e.g. illustrated brochures, simplified language, interactive tools) are developed and



systematically used during information provision. Information is adapted to the child's age, level of understanding, maturity, and specific circumstances, and is made available through a variety of communication channels (oral, visual, digital, etc.) to ensure understanding.

Indicator 3. In all cases involving children, a qualified representative is present during the information provision session. Where no appointed representative is yet available, a provisional representative with the necessary skills and expertise is assigned without delay to safeguard the child's best interests and ensure their effective access to the procedure.

Indicator 4. Where necessary for the child's proper understanding, the information shall also be provided orally, where appropriate in connection with the personal interview and the child shall be provided the opportunity to ask questions where misunderstandings arise.

- **Additional remark:** Multimedia equipment can also be used to help aid understanding of the information provided.

Presenting and assessing new information



AMMR

Articles 17(3), 18(2), 19(1), 22(2)

Standard 4. It is possible for the person concerned to present relevant information during the AMMR procedures and they are informed about their right to do so and the applicable time limit for the submission of evidence.

Indicators

Indicator 1. The person concerned is given information about when and where to send documents and information regarding their case and the relevant time limit for the submission of this information.

- **Additional remark:** The person concerned is informed about the time limits to provide relevant documents, provided the procedure is not yet concluded.

Indicator 2. The competent authority has set up channels and modalities to allow persons concerned to present any claims and supporting evidence for consideration.

- **Additional remark:** The person concerned is also informed of any services for translations for evidence submitted in its original language, if available.

Indicator 3. The Member State authority has a workflow in place so that a case officer is notified immediately of any new information in the case.



Standard 5. If evidence to substantiate the elements and information already provided is not available at the time of the personal interview, the Member State establishes a time limit for which such information can be submitted. The Member State ensures this information is taken into account when determining responsibility.

Indicators

Indicator 1. The Member State authority has a standard procedure for establishing and communicating a time limit for the submission of further evidence to substantiate the information provided relevant to the determination of the responsible Member State. This time limit should be calculated with due regard to the overall time limits for the submission of a take charge request.

- **Additional remark:** Information submitted after the expiry of the time limit are taken into account if it provides decisive evidence in determining the responsible Member State. This is especially pertinent in cases involving UACs and family reunification.

Indicator 2. The competent authority has, as far as is possible, a dedicated case officer assigned to the case and a procedure for active case management is in place.

Indicator 3. The competent authority has procedures in place and provides training and/or instruction to case officers on how to identify relevant additional substantive information to determine the responsible Member State.

Right to request an update on the progression of the responsibility determination procedure



AMMR

Article 19(2)

Standard 6. The applicant is provided an opportunity to request an update on the progression of their case.

Indicators

Indicator 1. An appropriate channel to allow applicants to request an update on the progression of their case is maintained.

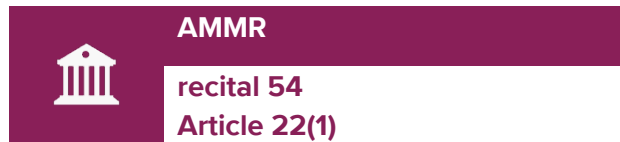
- **Additional remark:** An appropriate channel could be a dedicated email address or a hotline.

Indicator 2. The relevant communication channel is indicated in the editable section of the brochure '**What you need to know about the asylum and migration management regulation – Type A: Applicants for International Protection**'.



Indicator 3. In cases regarding children, the child's parent(s) and/or representative has the possibility to request such information on the child's behalf.

Right to request and receive the Family Tracing Template



Standard 7. The Family Tracing Template is provided without delay where there are indications of a family member, relative or sibling present in another Member State, or when explicitly requested by an applicant.

Indicators

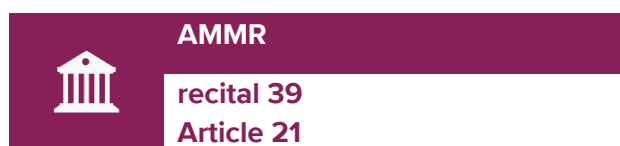
Indicator 1. The Member State authority responsible for the registration and/or lodging of the application is trained and informed of its obligation to provide the Family Tracing Template without delay where relevant or when explicitly requested.

Indicator 2. The applicant is informed of the possibility to request support from their legal counsellor to complete the template and that they should complete it prior to the personal interview where possible.

Indicator 3. The list of organisations that can assist with family tracing and/or the available assistance from the Member State in that respect is provided in the EUAA brochure '**What you need to know about the asylum and migration management regulation - Type A: Applicants for international protection**' and the **Family Tracing Template**. The details are updated when necessary.

Indicator 4. In cases regarding children, whether unaccompanied, separated or part of a family, due support is provided in order to complete the Family Tracing Template, ensuring that the child's views are heard and that the process is guided by the best interests of the child.

Right to consult a legal adviser entrusted with the provision of free legal counselling



Article 21 AMMR establishes that applicants have the right to consult 'a legal adviser or other counsellor, admitted or permitted as such under national law, on matters relating to the application of [responsibility] criteria...at all stages of the procedure' set out in AMMR, and that



applicants can request access to free legal counselling. In this guidance, free legal counselling covers guidance and assistance on the application of the criteria and mechanisms for determining the Member State responsible, assistance in providing information that could help determine the Member State responsible and assistance in completing the Family Tracing Template.

Standard 8. Applicants are provided with access to a legal adviser entrusted with the provision of free legal counselling during the entire procedure for determining the responsible Member State.

Indicators

Indicator 1. Information on how to request free legal counselling is provided, at the latest upon registration, in the editable section of the EUAA brochure ‘**What you need to know about the asylum and migration management regulation – Type A: Applicants for international protection**’.

- **Additional remark:** Where relevant this information should also be made available to the applicant in the editable section of the **Family Tracing Template**

Indicator 2. Specific procedural rules are in place concerning the arrangements for filing and processing requests for the provision of free legal counselling. This ensures free legal counselling is made available to applicants who request it, as soon as possible after the registration of the application.

Indicator 3. The procedure to request free legal counselling is defined and easy to use, and the service is provided free of charge to applicants.

Indicator 4. There is a procedure in place to ensure that free legal counselling is provided by legal advisers or other counsellors admitted or permitted under national law to counsel, assist or represent applicants, or by non-governmental organisations accredited under national law to provide legal services or representation to applicants.

Indicator 5. Persons entrusted with providing free legal counselling are appropriately trained to ensure the scope of the legal counselling to be provided is in line with Article 21(6) AMMR.

Indicator 6. Legal counsellors are granted effective access to applicants for international protection during the procedure for determining the responsible Member State, under conditions that allow for timely and adequate provision of legal counselling. They are not restricted in a manner that renders the counselling ineffective.

Indicator 7. In cases regarding children, access to free legal counselling is ensured, including through the child’s representative or parent(s). Counselling is provided in a child-friendly manner, taking into account the child’s age, maturity and best interests.



**EUAA Practical Guide on Legal Counselling** ⁽²⁵⁾

The guide provides guidance on the way the concept of free legal counselling may be approached based on the requirements set in the APR and in the AMMR.

Prioritisation of family cases

**AMMR****recitals 52, 54****Articles 23(1), 39(1), 40(1), 46(1)**

In the AMMR, 'family cases' relate to the application of the family-related criteria under Articles 25–28 and 34 AMMR which are, or may be, applicable. This includes cases involving UACs with family members, siblings or relatives present in a Member State. In such cases, the best interests of the child and the unity of the family are primary considerations.

Standard 9. All procedural steps in cases concerning the application of the family-related criteria are prioritised.

Indicators

Indicator 1. All cases involving the application of the family-related criteria are clearly flagged and appropriately monitored.

Indicator 2. The Member State ensures sufficient human and financial resources to allow for the prioritisation of all cases concerning the application of the family-related criteria.

Indicator 3. Clear internal instructions are in place to guarantee that family-related cases are systematically prioritised.

⁽²⁵⁾ EUAA, *Practical Guide on Free Legal Counselling: Organisation of the provision of free legal counselling*, October 2025, <https://www.euaa.europa.eu/publications/practical-guide-free-legal-counselling>.



Continuing the determination procedure where there are substantial grounds for believing an applicant would face inhuman or degrading treatment in the responsible Member State



Standard 10. The determination procedure is continued to establish whether another Member State can be designated as responsible if there are substantial grounds for believing that, because of a transfer to the responsible Member State, the applicant would face a real risk of violation of their fundamental rights amounting to inhuman or degrading treatment within the meaning of Article 4 of the Charter.

Indicators

Indicator 1. The requesting/notifying Member State assesses the individual case for credible evidence of substantial grounds that the person concerned would face a real risk of inhuman or degrading treatment after transfer.

- **Additional remark:** Case officers should always bear in mind that the responsibility criteria of the AMMR (including Article 16(2)) must be applied in accordance with the Charter as interpreted by the Court of Justice of the EU. The Charter rights that correspond to the rights guaranteed by the European Convention on Human Rights must, in accordance with Article 52(3), be interpreted in the light of the case-law of the European Court of Human Rights, including Article 3 of the European Convention on Human Rights.

Indicator 2. A standard protocol is in place to check if another Member State could be responsible in cases where it is considered a transfer to the responsible Member State is not possible due to potential violations of Charter rights.

Indicator 3. If no other Member State is deemed responsible the Member State has a standard procedure in place to ensure that the case is channelled into the national procedure for examination.



2. Identifying a potential AMMR case

When an application for international protection is registered, the deadline for sending a take charge request under the AMMR starts to run. Where responsibility may arise on the basis of a Eurodac or VIS hit, the time limit for submitting the relevant request or notification starts from receipt of the relevant hit. Accordingly, an initial assessment must be made in every case as to whether there are indications that another Member State is responsible. Case officers need to identify potential AMMR indicators to ascertain whether the case at hand falls under the AMMR. It is commonplace that the authorities responsible for registration and lodging, and where applicable the authorities involved in the screening procedure, are the first authority that might identify indicators that another Member State is responsible under the AMMR. Therefore, some of the following standards and indicators regarding the identification of an AMMR case are directed to all competent authorities and do not only refer to a single AMMR Unit in each Member State.

The relevant point from which the relevant time limits for the assessment of responsibility apply is the moment the application for international protection is registered. This further underlines the importance of the early identification and onward referral of potential AMMR cases and of clearly defining, at national level, when the AMMR procedure is initiated in relation to the screening and asylum procedures. Information gathered during screening may be used to identify potential AMMR cases and refer them to the competent authority, without the screening outcome being treated as a decision on responsibility; procedures should allow movement between the screening, AMMR, asylum and return tracks where appropriate.



EUAA training module on the identification of potential AMMR cases

This EUAA training module helps Member State officials that may come across a potential AMMR case determine how to proceed and refer them to the responsible unit.

Standard 11. The Member State authority involved in screening, registration and lodging, has the appropriate means to identify AMMR cases.

Indicators

Indicator 1. The Member State authority has access to the Eurodac database as well as to other relevant databases, and, where access is allowed, to VIS, for identifying a possible AMMR case.

Indicator 2. A dedicated unit or authority within every Member State authority is assigned as responsible for AMMR cases and the AMMR procedures, ensuring that AMMR cases can be referred to this authority.

Indicator 3. The Family Tracing Template is systematically applied in practice in relevant cases and is part of the authority's established procedures.



Standard 12. The Member State authority involved in screening, registration and lodging have sufficient knowledge of the AMMR and are able to identify and refer these cases for further assessment.

Indicators

Indicator 1. Staff at the competent authority who first encounter a potential AMMR case have undergone training and have an understanding of what indications to look for when assessing whether the AMMR is applicable.

Indicator 2. A workflow is in place for staff at the competent authority who first encounter a potential AMMR case to refer cases to the authority responsible for conducting the procedure as quickly as possible.

Good practice: contact with the responsible unit

It can be beneficial that the competent authority responsible for determining responsibility has a dedicated contact point(s) within the authorities who encounter potential AMMR cases. This fosters the rapid exchange of information between the different authorities involved in the procedure.

Many different documents that the person has in their possession may be relevant in the responsibility determination procedure. These documents should be taken into consideration in accordance with the AMMR.

Standard 13. All relevant documents submitted by the person concerned are considered when identifying indicators for responsibility.

Indicators

Indicator 1. The competent authority ensures that all relevant documents submitted by the person concerned are systematically collected, registered in the case file and made available for the responsibility determination.

Indicator 2. The staff at the Member State authority that come across the document(s) have sufficient knowledge about the AMMR and have clear guidance on the internal referral procedure to ensure appropriate follow-up actions.

Indicator 3. The competent authority has a procedure in place and expertise for checking the authenticity of documents.

- **Additional remark:** Important documents that should be taken into account during the procedure include: ID card, birth certificate passport, driving licence, residence permits, educational diplomas, medical documents or any official document issued by a competent foreign authority, or any document that can verify the statements of the person concerned, for example a train ticket, receipts. A list of proof and indicative evidence is provided in Annex I to the AMMR Implementing Regulation.



Indicator 3. All relevant documents submitted by the person concerned are systematically collected, registered in the case file and made available for the responsibility determination.

Good practice: searching for relevant documents

It may be helpful that applicants and their belongings are searched to find relevant elements of proof for the AMMR procedures where national law permits. Relevant documents are temporarily seized upon discovery, scanned and checked for authenticity.



EUAA Practical Guide on Registration and Lodging ⁽²⁶⁾

This guide is for Member State staff working on the registration of applicants. It can also help them to assess AMMR indicators in a case.

⁽²⁶⁾ EUAA, *Practical guide on the registration and lodging of applications for international protection*, December 2025 <https://www.euaa.europa.eu/publications/practical-guide-registration-lodging>.



3. Technical systems and databases

Case management systems

The AMMR aims to ensure a faster determination of the responsible Member State and access to the asylum procedure compared to the previous Dublin III Regulation. This means that most time limits in the AMMR are shorter and as a result Member State authorities will need to have efficient systems in place to manage workflows and caseloads. Although each Member State needs to ensure that its case management system is fit for purpose in their national context, some common standards are considered essential to ensure the overall functioning of the system.

It is also very important that Member States ensure that case management systems operate in full compliance with applicable standards for the protection of personal data including the GDPR.

Standard 14. A digital case management system is in place that allows Member State authorities to track all AMMR procedures and the relevant time limits.

Indicators

Indicator 1. The digital case management system conforms to relevant standards for the protection of personal data of data subjects concerned by the system.

- **Additional remark:** Relevant standards include EU data protection law (in particular the GDPR and related EU instruments) and applicable national legislation

Indicator 2. The digital case management system allows case officers efficient access to the relevant information in all procedures covered by the AMMR.

Indicator 3. The digital case management system allows case officers to track time limits, including urgent procedures, in all the procedures of the AMMR for which they are responsible for and to efficiently prioritise cases as required.



DubliNet

	AMMR
	Article 52(4)
	AMMR Implementing Regulation
	Chapter I

Standard 15. The standard forms, biometric data taken in accordance with the Eurodac III Regulation and any other written correspondence are sent through DubliNet in accordance with the AMMR Implementing Regulation. This ensures secure, fast and reliable communications between Member States.

Indicators

Indicator 1. The competent authority uses the appropriate standard forms, provided by the European Commission in the AMMR Implementing Regulation, attaching any relevant additional information.

Indicator 2. Messages between Member States concerning the application of the AMMR are always sent via the encrypted DubliNet electronic communications system.

Indicator 3. Dedicated officials who have access to the DubliNet system are sufficiently trained/instructed on the use of DubliNet.

Indicator 4. Working instructions stipulate that a proof of delivery of all messages that are sent via DubliNet is obtained and recorded.

Indicator 5. The competent authority ensures that technical systems used for sending and receiving DubliNet messages support the standard forms without alteration, preventing loss or distortion of information during transmission between Member States.

Indicator 6. In case the requested Member State experiences an interruption in its DubliNet operation, the requesting Member State log of transmission at the level of the central communication infrastructure shall be used as proof of the date and time of transmission.

Standard 16. Communications between Member States through DubliNet is carried out in a language commonly understood by the competent authorities in both Member States.

Indicators

Indicator 1. Member States agree on a common language of communication to avoid any misunderstandings, reduce the need for translation and prevent delays in the procedure.

- **Additional remark:** Translation of attached documents may be arranged bilaterally where necessary, particularly if the



communication is not in English or if documents are in the language of the transferring Member State.

Indicator 2. Information provided in free text fields of the standard forms is provided in the agreed language.

Indicator 3. Additional documentation such as consent forms or other relevant documents submitted by a Member State authority through DubliNet are provided to the other Member State in the agreed language.

Standard 17. Member States ensure effective exchange of information on transfers, using DubliNet or other agreed means of communication in accordance with Article 3 of the AMMR Implementing Regulation.

Indicators

Indicator 1. Without prejudice to the requirement to transmit all personal information through DubliNet, the Member State authority has alternative means of communication in place, such as a functional email address or dedicated phone number. This facilitates the exchange of practical arrangements for transfers, especially in urgent cases.

Good practice: linking DubliNet to the national case management system

To ease the administrative burden, improve data quality and expedite proceedings, some Member State authorities have chosen to integrate DubliNet into their national case management systems. This can allow for the automation of procedures such as the filling in of forms, recording and sending proofs of delivery or the automatic transfer of data submitted by other Member States into the national case management system. Integrating DubliNet into the national case management system can also help to streamline communications reducing the risk of errors and ensuring conformity with commonly agreed standards.

The Eurodac database

	AMMR
	recitals 63, 76, 78 Articles 33, 36–41, 45, 51, 63, 68, 69
	Eurodac III Regulation
	Articles 1(1)(a), 13, 14, 15(2), 16, 17, 24, 25, 31, 40, 42

The AMMR requires fast and efficient updates notably of Eurodac data for the system to function correctly. All Member States authorities will be depending on the other authorities to carry out their tasks of updating their records for the system to be able to function appropriately.



The use of the Eurodac database is regulated in the Eurodac III Regulation. It is a common source of information for the identification of an AMMR case. The database allows the Member States to see, among others, information on the following:

- previous applications for international protection in other Member States;
- the responsible Member State, if responsibility has been determined;
- whether the person was accepted for admittance to the EU under the Union Resettlement and Humanitarian Admission Framework or resettled under a national resettlement scheme;
- if the person was apprehended in connection with irregularly crossing the external border of the EU;
- if the person was apprehended illegally staying in a Member State;
- if the person was disembarked following a search and rescue operation;
- the Member State of relocation and if the person was relocated;
- whether the person has left the territory of the Member States;
- the date of arrival in the responsible Member State following a transfer.

Note that a person's data may appear under more than one category. These datasets are linked within Eurodac to ensure that all records concerning the same individual can be cross-referenced.

Eurodac categories (CAT) as laid down in Article 37(4) Eurodac III Regulation

CAT 1	Applicants for international protection of at least six years old ⁽²⁷⁾ .
CAT 2	<i>[A] third-country national or stateless person of at least six years of age who is apprehended by the competent control authorities in connection with the irregular crossing by land, sea or air of the border of that Member State, who comes from a third country, who is not turned back, or who remains physically on the territory of the Member States, and who is not kept in custody, confinement or detention during the entirety of the period between apprehension and removal on the basis of the decision to turn him or her back ⁽²⁸⁾.</i>
CAT 3	A third-country national or stateless person of at least six years of age who is illegally staying within the territory of the Member State ⁽²⁹⁾ .
CAT 4	Requests by designated authorities for law enforcement purposes ⁽³⁰⁾ .
CAT 5	Requests by the Europol designated authority ⁽³¹⁾ .
CAT 6	Requests for the data subject's 'rights of access to, rectification, completion, erasure and restriction of the processing of personal data' ⁽³²⁾ .

⁽²⁷⁾ Article 15(1) Eurodac III Regulation

⁽²⁸⁾ Article 22(1) Eurodac III Regulation.

⁽²⁹⁾ Article 23(1) Eurodac III Regulation.

⁽³⁰⁾ Article 33 Eurodac III Regulation.

⁽³¹⁾ Article 34 Eurodac III Regulation.

⁽³²⁾ Article 43(1) Eurodac III Regulation.



CAT 7	'[A] person of at least six years of age registered for the purpose of conducting an admission procedure under the Union Resettlement and Humanitarian Admission Framework.' ⁽³³⁾
CAT 8	'[A] person of at least six years of age who has been admitted in accordance with a national resettlement scheme.' ⁽³⁴⁾
CAT 9	'[A] third-country national or stateless person of at least six years of age who is disembarked following a search and rescue operation.' ⁽³⁵⁾
CAT 0	'[A] third-country national or stateless person of at least six years of age registered as a beneficiary of temporary protection in the territory of that Member State.' ⁽³⁶⁾

As the Eurodac database is a tool of primary importance for the proper functioning of the AMMR, it is crucial that Member States have set up their access to the Eurodac database in a way that enables them to make full use of the system when determining the responsible Member State. They must be able to take the necessary steps to record, update and mark data in the Eurodac database in a simple way without undue administrative burdens.

Good practice 1: possibility to update and mark data in the Eurodac database from the case management system of the authority responsible for the implementation of the AMMR

The AMMR and Eurodac III Regulations require Member States to make large numbers of markings and updates in their Eurodac records. Integrating the possibility to update and mark this data directly from the national case management system is a good practice that allows Member States to ensure that these updates are made in a timely and resource efficient way.

Good practice 2: possibility to automate the updating and marking of Eurodac records based on received broadcast messages

Eurodac transmits broadcast messages to all concerned Member States where an update of their records is necessary. It is considered a good practice from Member States to allow for the automation of updating and marking of their Eurodac records based on received relevant broadcast messages from the Eurodac database.

Recording data in the Eurodac database

Member State authorities need to take the biometric data of every applicant of at least six years of age and transmit that information to the Eurodac database within 72 hours, in situations where the person:

- is registered as an applicant for international protection;

⁽³³⁾ Article 18(2) Eurodac III Regulation.

⁽³⁴⁾ Article 20(1) Eurodac III Regulation.

⁽³⁵⁾ Article 24(1) Eurodac III Regulation.

⁽³⁶⁾ Article 26(1) Eurodac III Regulation.





- is registered whilst conducting an admission procedure under the Union Resettlement and Humanitarian Admission Framework;
- has been admitted in accordance with a national resettlement scheme;
- has been apprehended in connection with the irregular crossing of an external border;
- is illegally staying within the territory of the Member State;
- is disembarked following a search and rescue operation;
- is registered as a beneficiary of temporary protection.

In addition, if it is discovered following the security checks carried out as part of the screening procedure or at another stage of the procedure that the person concerned could pose a threat to internal security, a security flag should be recorded in the Eurodac database. A flag 'should only be recorded ... if the person is violent or unlawfully armed or where there are clear indications that the person is involved in any of the offences referred to in Directive (EU) 2017/541 of the European Parliament and of the Council ⁽³⁷⁾ or in any of the offences referred to in Council Framework Decision 2002/584/JHA ⁽³⁸⁾, ⁽³⁹⁾.

Updating data in the Eurodac database

Member State authorities need to update, without delay, their Eurodac records of an applicant with information on the status of the data subject including when:

- it has been determined that their Member State is the responsible Member State;
- someone is relocated to their Member State;
- an applicant for international protection arrives in their Member State following a transfer pursuant to an accepted take charge request;
- an applicant for international protection or other person arrives in their Member State following a transfer pursuant to a take back notification;
- the person concerned whose data was recorded in the Eurodac database has left the territory of the Member States of their own accord or following a return decision or removal order issued following the withdrawal or rejection of the application for international protection;
- they establish that responsibility has shifted to another Member State pursuant to the cessation of the responsibility (Article 37(1) AMMR or relocation (Article 68(3) AMMR).

⁽³⁷⁾ Directive (EU) 2017/541 of the European Parliament and of the Council of 15 March 2017 on combating terrorism and replacing Council Framework Decision 2002/475/JHA and amending Council Decision 2005/671/JHA (OJ L 88, 31.3.2017), <https://eur-lex.europa.eu/eli/dir/2017/541/oj/eng>.

⁽³⁸⁾ Council Framework Decision 2002/584/JHA of 13 June 2002 on the European arrest warrant and the surrender procedures between Member States (OJ L 190, 18.7.2002), https://eur-lex.europa.eu/eli/dec_framw/2002/584/oj/eng.

⁽³⁹⁾ Recital 8 Eurodac III Regulation.





Marking data in the Eurodac database

Member State authorities need to mark, without delay, the information in the Eurodac database when, among other actions, the authorities:

- grant the person international protection;
- withdraw the international protection previously granted;
- issue a residence document to a third-country national or stateless person, previously registered in the Eurodac database for irregular entry, illegal stay or disembarkation following search and rescue operations;
- register a relocated beneficiary of international protection.

Standard 18. The Member State has sufficient resources available and efficient procedures in place for taking biometric data and recording, updating and marking it in the Eurodac database.

Indicators

Indicator 1. Sufficient devices and trained operators are available to ensure that fingerprints and facial images are taken and transmitted to the Eurodac database within the limits set out in the Eurodac III Regulation.

Indicator 2. Devices used for the taking of fingerprints and facial images are located close to where the application for international protection is registered or the point of detection of the irregular entry.

Indicator 3. Internal rules are in place that set out which authority or authorities are responsible for recording, updating and marking Eurodac records.

Indicator 4. Clear workflows and communication channels are established between all authorities involved in recording, updating and marking Eurodac records to ensure timely and accurate exchange of fingerprint and facial image data.

Indicator 5. The case management system of the authority responsible for determining the responsible Member State allows for digital searches to identify applications within the case management system based on a Eurodac number.

Indicator 6. The results from Eurodac searches are made available to the national authority responsible for conducting the AMMR procedure shortly after conducting the search.

Indicator 7. Information extracted from the Eurodac database is transmitted in a clear and easily interpretable format to all Member States.



Standard 19. The Member State makes the necessary recordings, markings and updates in the Eurodac database without any delay.**Indicators**

Indicator 1. The competent authority has the necessary workflows and internal instructions in place to ensure that Eurodac data is **recorded** without any delay in accordance with the legal requirements.

- **Additional remark:** Where applicable, the prompt recording of a security flag should be made if there are indications that the person concerned poses a threat to internal security. If the Member State who recorded the security flag consider the person concerned no longer poses a threat to internal security, they shall delete the record of the security flag from the dataset, after having consulted any other Member States having registered a dataset of the same person.

Indicator 2. The competent authority has the necessary workflows and internal instructions in place to ensure that Eurodac data is **updated** without any delay in accordance with the legal requirements.

Indicator 3. The competent authority has the necessary workflows and internal instructions in place to ensure that Eurodac data is **marked** without any delay as per the legal requirements.

Standard 20. Appropriate procedural safeguards are in place regarding fingerprinting and the transmission of information to the Eurodac database.**Indicators**

Indicator 1. Workflows and internal instructions are in place to ensure the dignity and physical integrity of the person during the fingerprinting procedure and when capturing their facial image.

Indicator 2. The competent authority ensures that administrative measures are in place to support compliance with the obligation to provide biometric data.

Indicator 3. Workflows and internal instructions are in place to handle situations where it is impossible to take the biometric data of a third-country national or stateless person who is deemed to be a vulnerable person due to the condition of that person's fingertips or face and where that person did not intentionally bring about the condition.

- **Additional remark:** Other specific safeguards may be required in individual cases involving vulnerable persons, to ensure that the fingerprinting and biometric data collection process does not adversely affect their physical or mental condition.

Indicator 4. Workflows and internal instructions are in place to ensure that officials dealing with children have undergone specific training on taking biometric data of children in a child-friendly and child-sensitive manner, in



full respect of the best interests of the child and the safeguards laid down in the United Nations Convention on the Rights of the Child.

Standard 21. A contingency plan is in place to ensure continuity of fingerprinting and Eurodac-related procedures in case of technical failures or exceptional circumstances, while respecting applicable safeguards and legal requirements

Indicators

Indicator 1. A workflow and internal instructions are in place for a contingency plan that identifies the responsible units/roles, trigger events (e.g. system outage, site inaccessibility) and alternative procedures for capturing and storing biometric data and related information.

Indicator 2. The contingency plan specifies how biometric and other relevant data recorded under contingency procedures are securely registered, transmitted, updated and, where relevant, marked in Eurodac once normal operations resume

Indicator 3. Relevant staff are informed of the contingency plan and know where to access it (e.g. via internal guidance or standard operating procedures).

The Visa Information System

The VIS database is another relevant source of information regarding the identification of potential AMMR cases ⁽⁴⁰⁾. The system performs biometric matching for identification and verification purposes. VIS connects embassies and consulates in non-EU countries and all external border-crossing points of Schengen states. VIS applies to all Schengen States, therefore not all Member States applying the AMMR are bound by the VIS regulation and have access to the VIS system. While VIS is applicable across all Schengen states, not all Member States implementing the AMMR are currently bound by the VIS Regulation or have access to the VIS system.

Information in VIS

From the VIS database, Member States can find information regarding:

- short and long term visas;
- residence permits;
- personal data such as passport information of a third-country national.

⁽⁴⁰⁾ Regulation (EC) No 767/2008 of the European Parliament and of the Council of 9 July 2008 concerning the Visa Information System (VIS) and the exchange of data between Member States on short-stay visas (VIS Regulation) (OJ L 218, 13.8.2008), <http://data.europa.eu/eli/req/2008/767/oj>.





Good practice: search in VIS at the same time as Eurodac

A search in the VIS database is conducted at the same time as the mandatory search in the Eurodac database. For Member States authorities with access to the Schengen Information System (SIS), a search in this system can also be done at the same time.

Standard 22. Where access is allowed, the Member State authority conducts a search in the VIS database to establish whether the person concerned has been granted a visa or residence document by another Member State.

Indicators

Indicator 1. The Member State authority, where access is allowed under EU law, has access to the VIS database to identify AMMR cases.

Indicator 2. The staff at the Member State authority actively search the VIS database and use the retrieved (visa or residence permit) information when handling AMMR cases.





4. The AMMR personal interview

Article 22 AMMR specifies that Member States must conduct a personal interview with the applicant to facilitate the procedure of determining the Member State responsible. The regulation further stipulates that the interview should be carried out before any request to take charge is made.

This ‘AMMR interview’ can be omitted if the person has absconded or the person already provided the information relevant for the responsibility determination procedure or if an applicant failed to attend a previously scheduled personal interview without providing justified reasons for their absence. If the interview is omitted, after the applicant has already provided the information relevant to determine the Member State responsible, the Member State must provide the applicant with an opportunity to submit all relevant information for determining the responsible Member State within a specified period, paying due regard to the overall time limit with which to send a take charge request.

The personal interview set out in Article 22 AMMR facilitates the procedure for determining the responsible Member State but also enables the applicant to properly understand the information they receive in accordance with Article 19 AMMR. Member States can implement the AMMR personal interview at different stages of their national procedure. To ensure that procedural steps and access to safeguards are clear to all parties, it is important that Member State clearly define what constitutes the AMMR personal interview in their procedures.

Timing of the interview



Standard 23. The Member State clearly defines the procedural step that constitutes the AMMR personal interview within their national procedure.

Indicators

Indicator 1. National guidelines explicitly identify the procedural step that constitutes the AMMR personal interview and set out clear instructions for staff on how to conduct it.

Standard 24. The personal interview is conducted guaranteeing privacy and in a timely manner and in any case before any request is made to take charge of the application.

Indicators

Indicator 1. The Member State authority allocates sufficient means to conduct the interview.

- **Additional remark:** ‘sufficient means’ include, among others, a space that guarantees the privacy and confidentiality of the interview, having interpreters available when needed and allocating



enough time for conducting a thorough interview with the person concerned.

Indicator 2. The Member State authority has a procedure for scheduling interviews, allowing for the prioritisation of the AMMR interviews with regard to the given time limits and obligations around the prioritisation of family cases.

- **Additional remark.** Where possible, the applicant is invited to complete the Family Tracing Template before the personal interview and, where feasible, the case officer reviews it in advance. This can ensure an efficient interview and reduce the need for follow-up, in line with Article 22 AMMR.

Good practice: addressing cases of non-cooperation during the personal interview

Where an applicant does not respond to relevant questions or otherwise fails to cooperate during their personal interview, it is considered a good practice for the Member State to proceed with sending the request to the other Member State concerned, clearly indicating the non-cooperation of the applicant. This approach helps to avoid unnecessary delays and ensures that the procedure is not prolonged due to a lack of cooperation.

Good practice: conducting comprehensive and well-prepared initial interviews

Member States carry out comprehensive and well-prepared initial interviews that cover all relevant aspects of responsibility, so that all necessary information is gathered at once. This approach reduces the need for follow-up interviews while ensuring that additional interviews are conducted where required to establish or clarify relevant elements of the case.

Preparation of the interview

Standard 25. The designated staff member undertakes a careful review and studies the information regarding the case file before conducting the personal interview.

Indicators

Indicator 1. The case file is available to the case officer with sufficient time before the interview to allow for appropriate preparation.

Indicator 2. Preparation takes into account all the elements that could help determining the Member State responsible for the purposes of applying Article 39 AMMR.

Indicator 3. The Member State has procedures in place to inform the applicant, before the interview, that relevant information should be submitted at the latest during the interview.

Indicator 4. Where relevant, the applicant is offered the possibility to be interviewed by a staff member of a specific gender and any such request is respected where possible.

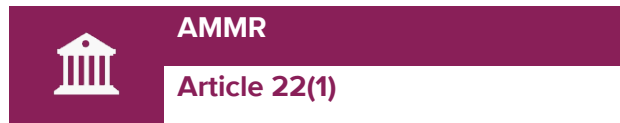


Good practice: encouraging early submission of relevant information

Member States should provide applicants with information on how to submit all relevant information including identity documents, the Family Tracing Template and any other relevant information as early as possible in the procedure and before the personal interview. This will ensure that the interviewing officer has access to all the relevant information at the time of the interview.



Scope of the interview



Standard 26. The personal interview covers all aspects relevant to the take charge procedure for the purpose of applying Article 39 AMMR.

Indicators

Indicator 1. The personal interview is conducted using a standardised interview protocol to ensure that all the aspects relevant to the take charge procedure are covered.

- **Additional remark:** The standardised interview protocol includes questions relating also to family or relatives on the territory of the Member States, visas or residence permits, educational diplomas, dependency, dependants and entry to the territory of Member States, as well as aspects not obtainable from databases such as Eurodac or VIS.

Indicator 2. The standardised interview protocol ensures that the AMMR indicators not available via searches in the databases (Eurodac, VIS) are covered during the interview.

Indicator 3. The staff conducting the personal interview are properly trained and have sufficient knowledge of the AMMR to know when to ask follow-up questions from the standardised protocol.

Standard 27. The applicant is given an opportunity during the interview to provide duly motivated reasons for Article 35(1) AMMR to be applied

Indicators

Indicator 1. The standardised interview protocol contains questions relevant to the application of the humanitarian clause in Article 35(1) AMMR.

Interpretation



In this standard, interpretation refers to the assistance required under Article 22(4) AMMR: ensuring communication in a language the person concerned understands or is reasonably supposed to understand, through accurate, impartial and confidential rendering of what is said between the applicant and the authorities by a qualified interpreter. Cultural mediation may, where permitted under national law, be used in addition to interpretation to explain cultural



references or context and to support communication, but it does not replace interpretation and must not alter, omit or add to the content of what is said.

Standard 28. The AMMR personal interview is conducted in a language that the person concerned understands or is reasonably supposed to understand.

Indicators

Indicator 1. The applicant is provided an opportunity to request an interpreter of a specific gender prior to the interview. Any such request is respected where possible.

Indicator 2. The Member State authority has access to qualified interpreters for all languages commonly spoken by applicants.

Indicator 3. The person concerned is asked whether they understand the interpreter during the personal interview. If the answer is negative despite all preparatory efforts, appropriate measures are taken to resolve the issue.

Good practice: the use of cultural mediators

Member States are permitted under national law to provide access to cultural mediation to applicants. Cultural mediators may be able to provide additional support to applicants and can increase overall understanding of the procedure.

Good practice: training for interpreters

Member States can consider offering specific training for interpreters on interpretation specifically in the asylum context and interpreting for individuals with identified vulnerabilities. Training should also cover professional ethics, impartiality and techniques to ensure accurate and complete interpretation.



EUAA Practical Guide on Access to the Asylum Procedure ⁽⁴¹⁾

This guide provides information on the core obligations of first-contact officials and the rights of persons who may be in need of international protection in the first-contact situation. This practical guide explains to first-contact officials how to work with interpreters and how to ascertain the best possible outcome in situations where an interpreter is used.

⁽⁴¹⁾ EUAA-Frontex, *Practical Guide: Access to the Asylum Procedure*, August 2023, <https://www.euaa.europa.eu/publications/practical-guide-access-asylum-procedure>.





EUAA Practical Guide on the implementation of the Dublin III regulation: Interview and evidence assessment ⁽⁴²⁾

A substantial part of this guide focuses on the interview conducted with the applicant. The guide explains communication technics and working with interpreters, as well as the purpose of the AMMR interview. The ‘Areas to explore during the interview’ annexed to this practical guide gives helpful guidance for the AMMR personal interview and the various elements concerning the questions that might help the case officers in the determination of the responsible Member State. The practical guide also explains the obligations related to providing information about the AMMR procedures.

The key principles of evidence assessment, the different types of means of proof and circumstantial evidence are also explained.



EUAA Training module for Interpreters

Every year, the EUAA provides an online training course lasting between 20 and 25 hours for interpreters who work for national asylum authorities. The module aims to support interpreters in performing their tasks, mainly to facilitate the communication between applicants for international protection and national authorities and other relevant stakeholders throughout the asylum procedure.

⁽⁴²⁾ EUAA, *Practical Guide on the Implementation of the Dublin III Regulation: Interview and evidence assessment*, October 2019 (update forthcoming), <https://www.euaa.europa.eu/publications/practical-guide-implementation-dublin-iii-regulation>.



Understanding



Standard 29. The Member State authority ensures that the person concerned understands the questions asked and information provided on the procedure.

Indicators

Indicator 1. The purpose and the context of the interview is explained to the person concerned at the opening of the interview.

Indicator 2. The standard interview protocol ensures that possible deficiencies in the provision of interpretation are promptly addressed.

Indicator 3. The interviewer provides an opportunity for the applicant to ask any questions regarding the information contained within the common information materials.

Recording of the interview



Standard 30. An audio recording of the personal interview is made and a written summary that contains at least the main information provided by the applicant during the interview is provided to the applicant and, where relevant, their legal representative/counsellor.

Indicators

Indicator 1. The required equipment is made available at the time of the interview and the equipment is functional before the interview starts.

Indicator 2. The Member State has created a protocol for the written summary of the audio recording of the interview.

Indicator 3. The applicant is informed prior to the start of the interview that the interview will be recorded.

Indicator 4. The written summary of the interview is made available to the applicant as soon as possible after the interview and, in any case, before the competent authority makes a decision on the responsible Member State.

Indicator 5 Where the applicant is being assisted by a legal representative or counsellor, the written summary of the interview is made available to them, upon request or in line with national practice, as soon as possible



after the interview and, in any case, before the competent authority takes a decision on the responsible Member State.

Indicator 6. Member State authorities have the necessary digital infrastructure to be able to easily store and access the audio recording.



EUAA Practical Guide on Audio Recording ⁽⁴³⁾

This guide highlights what information should be provided to the applicant and other participants present at the interview regarding the audio recording. It defines the key aspects that ensure the quality of the audio recording. It provides guidance on the aspects of the procedure that need to be clearly defined and regulated as well as on the technical aspects to consider when setting up the audio recording system. The publication also provides guidance on aspects to consider and measures to adopt to ensure the proper governance and management of the audio file and addresses the written record of the personal interviews, with a focus on the transcript of the audio recording.

Standard 31. The applicant is given the opportunity to make comments or provide clarifications on the written summary of the AMMR personal interview, either orally at the end of the interview or in writing within a specified time limit, before the competent authority makes a decision on the responsible Member State

Indicators

Indicator 1. At the end of the interview, the applicant is given the opportunity to make comments or clarifications orally on the content of the written summary.

Indicator 2. Where the opportunity to provide comments or clarifications are not made at the end of the interview, the applicant is granted a specific and reasonable time limit, communicated in a clear manner and taking into account the applicable AMMR time limits for submitting a take charge request, within which they may submit comments or clarifications in writing and are informed where to submit them.

Indicator 3. If doubts emerge on the accuracy of the written summary due to comments or clarifications provided by the applicant, an analysis of the audio recording is made and the conclusion on the accuracy of the summary is made based on this recording.

⁽⁴³⁾ EUAA, *Practical Guide on the Audio Recording of Personal Interviews*, October 2025, <https://www.euaa.europa.eu/publications/practical-guide-audio-recording-personal-interviews>.



Conducting the personal interview remotely



Standard 32. The determining authority ensures that personal interviews are conducted in person, except where duly justified by the circumstances. A process is in place to decide and document when it is appropriate to conduct an interview by video conference, in accordance with Article 22(5) AMMR and relevant guidance.

Indicators

Indicator 1. Personal interviews are conducted in person, except where duly justified by the circumstances.

Indicator 2. A workflow and internal instructions are in place outlining how the determining authority decides to conduct or not remote interviews.

Indicator 3. Guidance is in place specifying the criteria and situations under which a remote interview may be conducted.

Standard 33. If the determining authority conducts personal interviews by video conference, a procedure is in place to ensure the necessary arrangements for appropriate facilities, procedural and technical standards, legal assistance and interpretation, taking into account the *EUAA Guidance on Remote Interviews*.

Indicators

Indicator 1. Standard procedures and procedural standards for conducting personal interviews by video conference are established, taking into consideration the *EUAA Guidance on Remote Interviews* ⁽⁴⁴⁾.

Indicator 2. Guidance is in place specifying the appropriate locations for conducting remote interviews.

Indicator 3. Guidance is in place specifying on the technical modalities for conducting remote interviews.

Indicator 4. Appropriate facilities and technical equipment are available to ensure clear communication, confidentiality and reliability of the video connection.

Indicator 5. Access to legal assistance and interpretation during video-conference interview is ensured.

⁽⁴⁴⁾ EUAA, *Guidance on Remote Interviews*, April 2025, <https://euaa.europa.eu/publications/guidance-remote-interviews>.



**EUAA Guidance on Remote Interviews** ⁽⁴⁵⁾

This guide provides information on remote interviews in the context of the APR and the AMMR.

Applicants with special procedural needs

**AMMR****Article 22(4), 22(6)**

Standard 34. Interviews of unaccompanied and, where applicable, accompanied children are conducted in a child-sensitive manner in line with their age, maturity and best interests, and in the presence of the representative and, where applicable, the child's legal adviser.

Indicators

Indicator 1. Staff members conducting personal interviews with children have undergone the necessary training on child-sensitive interview techniques and on the relevant rights and special needs that should be taken into account during such interviews.

Indicator 2. Standard procedures on conducting personal interviews with children are established, ensuring that the interviews are child-friendly and age-appropriate, and that they are accessible to and known by the staff conducting them.

Indicator 3. The authority responsible for the organisation of personal interviews involving children ensure that the representative and, where applicable, the legal adviser are present during the personal interview.

Standard 35. Applicants with special procedural needs are provided with the necessary support to present all elements relevant for determining the responsible Member State.

Indicators

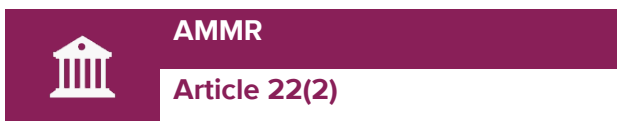
Indicator 1. A procedure is in place to ensure that interviews are adapted to the individual needs of applicants requiring special procedural guarantees, providing adequate support and ensuring effective access to the procedure.

Indicator 2. Staff members conducting interviews with applicants with applicants, including those with identified special procedural needs, have undergone specialised training and have knowledge of factors that may affect the applicant's ability to be interviewed, such as experiences of torture and trafficking in human beings.

⁽⁴⁵⁾ EUAA, *Guidance on Remote Interviews*, April 2025, <https://euaa.europa.eu/publications/guidance-remote-interviews>.



Omission of the interview



Standard 36. The personal interview is only omitted according to the conditions set out in Article 22(2) AMMR.

Indicators

Indicator 1. The authority responsible for the organisation of the personal interview are aware of the specific conditions that need to be met for the personal interview to be omitted.


Indicator 2. When the interview is omitted in accordance with Article 22(2)(c) AMMR, applicants are informed that a personal interview will not be conducted and they are informed of the opportunity to present further information, including duly motivated reasons to consider the need for a personal interview, within the time frame laid down in Article 39(1) AMMR.

Good practice: relevant information on consequences of non-attendance of interview explained in interview invitation

To encourage compliance and to ensure that applicants are fully aware of the ramification of not attending their personal interview, Member States can include relevant information in the invitation to the personal interview. This can include information related to the requirement for applicants to provide justified reasons for not attending their interview. This should be in addition to the information already provided at the time of registration.



5. Request for information

	AMMR
	Articles 23(7), 34(4), 51
	AMMR Implementing Regulation
	Articles 5, 11(3), 11(4)

The Member State authority does not always have sufficient information to determine the Member State responsible. In cases where the available evidence is not satisfactory to establish whether the AMMR procedure can be conducted, or it is not enough to determine the responsible Member State, Member States can send a request to another Member State for further information. This information request can be sent pursuant to Article 51 AMMR using the standard form in Annex VII to the AMMR Implementing Regulation.

Information requests under Article 51 may also be sent when necessary for the purpose of examining an application for international protection, implementing any other obligation arising under the AMMR or to implement a return decision.

Member States may also send information requests as set out in Article 23(7) AMMR to identify the family members or relatives of a UAC living in the territory of another Member State. Member States may also send information requests in accordance with Article 34(4) AMMR to request and exchange information in cases where dependent persons reside in other Member States.

Member States must record information requests submitted and information received in the individual's file, in accordance with Article 51(9) AMMR.



Recommendations on information exchange between Dublin units ⁽⁴⁶⁾

In 2021, the EUAA developed a set of recommendations on information exchange between Dublin Units. The recommendations provide a general overview of information exchange between Dublin Units and detail the procedure for preparing, sending, receiving and replying to information requests. Some inspiration for the effective organisation of the procedure is also provided. The recommendations are primarily intended for case officers dealing with information requests or others involved in the procedure.

These recommendations relate to the legal framework at the time (Dublin III regulation) but will be updated to the new legal framework in the coming years.

⁽⁴⁶⁾ EASO, *Recommendations on Information Exchange between Dublin Units*, December 2021, <https://www.euaa.europa.eu/publications/recommendations-information-exchange-between-dublin-units>, (update forthcoming).



Standard 37. An information request is made only in accordance with Articles 23(7), 34(4) or Article 51 AMMR. The Member State authority ensures that they have sufficient grounds for making the request.

Indicators

Indicator 1. The competent authority uses the standard form (Annex VII to the AMMR Implementing Regulation) in place to request the information in a timely and sufficient manner.

Indicator 2. The case officers have undergone relevant training to ensure they understand the grounds for sending information requests whilst taking into account the relevant standards (e.g. reference number) laid down in the AMMR Implementation Regulation.

Indicator 3. The case officers record information requests submitted in the individual's file.

Good practice: sending an info request

- Instructions/guidance on how to draft the information request is available for the case officers.
- The four-eye principle is applied when sending the information request to ensure that requests are not more extensive than what is required in each case.

Good practice: involvement of child protection services in family tracing

- In the case of sending information requests in accordance with Articles 23(7) or 34(4) AMMR, the competent authority may involve the relevant actors for example child protection services in family tracing..

Standard 38. The Member State authority replies to a request for information as soon as possible but at the latest within three weeks, in accordance with Article 51 AMMR.

Indicators

Indicator 1. The competent authority uses the standard form (Annex VII to the AMMR Implementing Regulation) to ensure that the correct information is given in a timely and efficient manner.

Indicator 2. Staff members replying to the request for information have adequate access to all the relevant databases needed for providing the answers.

Indicator 3. The format of the reply is sent in an attachment as a closed document that cannot be edited later.

Indicator 4. The case officers are able to identify and apply the sufficient grounds for replying to information requests.

Indicator 5. The case officers record information requests received in the individual's file.





Good practice: involvement of child protection services in family tracing

- In the case of replying to requests in accordance with Articles 23(7) or 34(4) AMMR, the competent authority may involve the relevant actors for example child protection services in family tracing.





6. Assessing responsibility

Ensuring sufficient resources



Standard 39. The competent authority tasked with assessing responsibility has the necessary resources and internal procedures in place for determining responsibility within the applicable time limits.

Indicators

Indicator 1. A procedure is in place for applying the hierarchy of the AMMR responsibility assessment criteria.

Indicator 2. A procedure is in place that allows for the prioritisation of requests made on the basis of Articles 25 to 28 and 34 AMMR.

Indicator 3. A workflow and internal instructions, including contingency arrangements where necessary, ensures that sufficient staff and resources are available to carry out the responsibility assessment within the applicable time limits.

Good practice: facilitating the implementation of the AMMR

On grounds of recital 75 and Article 53 AMMR, Member States locate liaison officers in other Member States to facilitate the implementation of the regulation and increase its effectiveness. To ensure efficient use of resources Member States primarily locate liaison officers in partner Member States with which they work closely on many cases.

Training

Standard 40. Staff at the competent authorities are provided with sufficient training.

Indicators

Indicator 1. Internal procedures are in place to ensure the adequate training and knowledge for staff at the competent authorities involved in the responsibility determination procedure.

Indicator 2. Internal procedures are in place to ensure that staff of the competent authorities carrying out duties in relation to children as set out in Article 20(3) and 23(5) AMMR are appropriately trained.



A comprehensive dossier

Standard 41. The case file is complete with all the evidence required to assess the responsibility in accordance with the hierarchy of criteria set out in the AMMR.

Indicators

Indicator 1. The responsible authority has a procedure in place guaranteeing that the person concerned, or other relevant actors on behalf of the person concerned, can submit information. Where the applicant is not in a position at the time of the interview to submit evidence to substantiate the elements and information provided, the responsible authority has a procedure in place to set a reasonable time limit for submitting such evidence. This time limit takes into account the individual circumstances of the case and the relevant time limits laid down in the AMMR.

Indicator 2. The competent authority gathers all information relevant to the determination of responsibility.

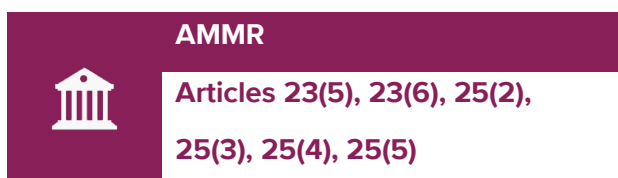
- **Additional remark:** Information includes application forms, other internal records, the template for the identification of family Members, search results from Eurodac and VIS, statements made or documents submitted by the applicant such as passports, ID cards, driving licences, etc.

Indicator 3. Case officers have an overview of all the relevant information gathered in individual cases, including any representations from the applicant and apply the determining criteria of Part III, Chapter II AMMR.

Indicator 4. The case officer uses the information at hand to identify the most probable Member State responsible.

Indicator 5. Case officers document their assessment of the case in the case file.

Tracing family members, siblings and/or relatives



The AMMR strengthens the rules on tracing and restoring family links for UACs. Where a family member, sibling or relative of the child is legally present in another Member State, that Member State is presumed to be responsible for examining the child's application for international protection, unless this is not in the child's best interests. In all cases, a best interests assessment must be carried out before any transfer of a child. The use of the Family Tracing Template plays a central role in collecting relevant information and supporting this assessment.



Standard 42. The Member State authority actively collects and considers information provided by the UAC or credible sources on family members, siblings or relatives legally present in other Member States. Representatives are systematically involved in the tracing process and mechanisms are in place to ensure continuity of information and cooperation with relevant organisations.

Indicators

Indicator 1. Written guidelines for case officers exist, specifying: (a) questions on family links included in the personal interview template, (b) how to document and cross-check information received, (c) how to share information with the child's representative.

- **Additional remark:** An established practice for the identification of family members, siblings and/or relatives is to have an interview template that includes questions regarding family members staying on the territory of any of the Member States.

Indicator 2. Representatives have formal channels of access to the authority (e.g. designated contact points, secure email submission, regular consultation meetings) and can submit documents/information within set deadlines.

Indicator 3. Representatives are routinely included in tracing efforts, documented in the case file, and notified of tracing steps taken within a defined timeframe (e.g. within seven working days of receiving new information).

Indicator 4. Where applicable, a cooperation mechanism (e.g. a standard operating procedure, designated liaison) exists with relevant national and international organisations to request verification of evidence and to support family tracing.

Indicator 5. A procedure is in place to ensure that all information gathered by a designated representative is formally transferred to the appointed representative and confirmation of this is recorded in the case management system.

- **Additional remark:** information gathered may be transferred via a handover which can include: (a) a summary of evidence collected, (b) pending actions, (c) contact details of involved organisations.

Standard 43. The Member State authority consults other Member States to identify family members legally present on the territory, establish family links and, in the case of a relative, assess the capability of that relative to take care of the child.

Indicators

Indicator 1. The Member State authorities provide guidance and instruction to case officers on when and how to consult with another Member State to identify family members and establish family links.

Indicator 2. The Member State authority confirms the family links if the family member, sibling or relative is found in another Member State.



Indicator 3. The Member State authority has guidelines in place for assessing the capability of a relative to take care of a child.

Good practice: standard operating procedure on family tracing

Member States agree upon a standard operating procedure with the relevant authorities or organisations that may assist in the tracing of and reunification with family members, siblings and/or relatives in the Member States, designating their respective roles and tasks in the procedure.



EUAA Practical Guide on Family Tracing ⁽⁴⁷⁾

The two-fold guide provides guidance and reference materials to support Member States and the associated Schengen countries regarding family tracing, as well as a mapping of current practices of family tracing across these countries. The target groups of this guide are policy-makers and practitioners working with UACs and involved in different stages of the family tracing procedure.

Standard 44. Where family members, siblings and/or relatives of the child are legally present on the territory of another Member State, that Member State is presumed to be responsible for examining the application, unless this is not in the best interests of the child. The Member State where the child is currently staying carries out a best-interests assessment before any transfer to determine whether restoring family links is in the child's best interests.

Indicators

Indicator 1. The Member State authority has a procedure in place to consult the relevant authorities or organisations (e.g. child protection services) on the possibility and feasibility of family reunification.

Indicator 2. The Member State authority has workflows and internal instructions in place to ensure close coordination with the guardian or representative when collecting additional information from the child (e.g. during the AMMR interview).

Indicator 3. The Member State authority has access to sources to be able to collect information from other persons in a timely manner, if applicable (e.g. siblings, other persons the child travelled with, etc.)

Indicator 4. To facilitate the best interests assessment in accordance with Articles 23(4)(a-f) and Article 23(5) AMMR, the competent authority makes inquiries about family members, siblings and/or relatives staying in another Member State.

⁽⁴⁷⁾ EUAA, *Practical Guide on Family Tracing – Part I. Principles and practices on family tracing in the EU+ and third countries*, April 2025, <https://euaa.europa.eu/publications/practical-guide-family-tracing-part-i-principles-practices> and EUAA, *Practical Guide on Family Tracing – Part II. Tracing and identifying family members under the asylum and migration management regulation*, April 2025, <https://euaa.europa.eu/publications/practical-guide-family-tracing-part-ii-tracing-AMMR>.



Good practice: cooperation between Member States on best interests of the child

It is considered good practice for Member States to cooperate and exchange all relevant information with each other when establishing whether a transfer is in the best interests of the UAC. This could be important, for instance if a Member State is in possession of information that someone would be unsuitable to care for the child due to having a criminal background, substance abuse or similar and this information would otherwise not be known by the other Member State. Exchange of information should be carried out in conformity with the provisions set out in Article 23(7) and Article 51 AMMR.

Standard 45. Where no family members or relatives of the UAC are found to be legally present on the territory of the Member States, the Member State responsible is that which first registered the application, if it is in their best interests.

Indicators

Indicator 1. In cases where a UAC has no family member, sibling or relative in another Member State, the responsible authority first assesses whether transferring the child to the Member State where their application was first registered is in their best interests.

Indicator 2. The Member State authority has a procedure in place to consult the relevant authorities or organisations about the best interests of the child.

- **Additional remark:** Examples of relevant authorities or organisations include child protection services and social workers tasked with the care of UACs.

Indicator 3. The Member State authority has a procedure in place to collect additional information from the child.

- **Additional remark:** Clear and defined communication channels are established with the representative and legal counsellor to ensure that additional information on the child can be collected

Good practice: separate collection of information from representative and legal adviser

It is considered a good practice for the Member State authority to give the opportunity to the representative and the legal adviser to separately provide information on the best interests of the child, preferably orally to ensure understanding. Additional information could also be given in writing.



Continuing the responsibility determination in cases of absconding

**AMMR****Article 38(2)**

Standard 46. The responsible authority in the Member State where the application was first registered, or, where relevant, the Member State of relocation, continues determining responsibility for applicants who have absconded and for whom responsibility has not yet been established.

Indicators

Indicator 1. The Member State authority has a policy in place for determining the responsible Member State in cases where the applicant has absconded, based on the information available to it, making full use, when relevant, of databases and information requests.

Indicator 2. The Member State authority, in cases where the applicant has absconded, sends a take charge request when there are indications another Member State may be responsible for examining the application.

Indicator 3. The Member State authority, in cases where the applicant has absconded, indicates in the Eurodac database that it is the responsible Member State, if that is the outcome of the responsibility determination.



7. Sending and replying to a take charge request

The procedure of determining which Member State is responsible for examining an application for international protection of a third-country national commences upon registration of the application, in accordance with Article 38(1) AMMR. The responsible authority immediately initiates the determination procedure, including the collection of relevant information, identification of responsibility indicators, and, where necessary, the conduct of an interview. The sending of a take charge request to another Member State occurs once the assessment of the responsibility criteria indicates that another Member State may be responsible.

Sending requests to take charge

Timely requests

	AMMR
	Articles 39(1), 39(2), 45
	AMMR Implementing Regulation
	Article 6(3)

Standard 47. Take charge requests are made as soon as possible and within the time limits to the Member State that is most likely to be responsible.

Indicators

Indicator 1. A case management system and/or countdown calendar is in place to calculate time limits and flag approaching time limits.

Indicator 2. Requests for urgent replies to other Member States are clearly marked as such along with the reasons why.

Indicator 3. A procedure is in place to prioritise family-related cases.

Indicator 4. A procedure is in place to respect the shorter time limits where a person is detained.

Indicator 5. A procedure is in place to respect the shorter time limits in cases whereby the request is based on a Eurodac or VIS hit.



Including proof and evidence

	AMMR
	Articles 39(3), 40(3), 40(4), 40(5)
	AMMR Implementing Regulation
	Articles 5(1), 7(1)

Standard 48. Take charge requests include full and detailed reasons, based on all the circumstances of the case, including the relevant elements from the applicant's statements.

Indicators

Indicator 1. The standard form (Annex II to the AMMR Implementing Regulation) for submitting take charge request is used.

Indicator 2. Instructions are in place to ensure the uniform use of the standard form (Annex II to the AMMR Implementing Regulation).

Indicator 3. Take charge requests include proof and/or circumstantial evidence as described in the lists referred to in Article 40(4) AMMR or any other documentation or information relevant for justifying the request.

- **Additional remark:** when the take charge request is based on circumstantial evidence, they should be sufficient, detailed and verifiable.

Indicator 4. Family members are all included in the same standard form (Annex II to the AMMR Implementing Regulation) when submitting a take charge request.

Replying to a take charge request

The next step in the procedure of determining the responsible Member State, after sending the request, is the sending of a reply by the requested Member State. There are various standards for this second step in the determination procedure. Since, in some cases, the determination procedure is not concluded after the initial reply, standards for the procedure for re-examination after a rejection of the first request are also included.



Sufficient resources

Standard 49. The competent authority responsible for replying to a take charge request has the necessary resources and internal procedures in place to process the request within the applicable time limits.

Indicators

Indicator 1. The requested Member State has sufficient resources allowing it to examine all the proof and circumstantial evidence provided by the requesting Member State.

Indicator 2. A procedure is in place which allows for the prioritisation of requests made on the basis of Articles 25 to 28 and 34.

Indicator 3. A procedure is in place for replying to urgent requests within the time limit set by the requesting Member State and at the latest within two weeks.

Indicator 4. A procedure is in place for replying to requests related to individuals in detention within one week of receipt of the request.

Reply

	AMMR
	Articles 40(1), 40(2), 40(7), 40(8)
	AMMR Implementing Regulation
	Articles 6(3), 8

Standard 50. The requested Member State replies to the take charge request within the time limits set out.

Indicators

Indicator 1. A case management system and/or countdown calendar is in place to calculate time limits and flag approaching time limits.

Indicator 2. The case management system is capable of managing multiple time limits, prioritising cases accordingly and flagging those that require urgent attention.

Indicator 3. The reply is provided by using the same standard form (Annex II to the AMMR Implementing Regulation) that was received for the request.

Good practice: including aliases in replies

For identification purposes, Member States include, as far as is possible, all relevant aliases of the person concerned in their replies, indicating the source Member State for each alias.



Acceptance

	AMMR
	Articles 40(1), 40(7)
	AMMR Implementing Regulation
	Article 8

Standard 51. The requested Member State accepts its responsibility providing the applicable provisions and provides practical information concerning the transfer and takes the necessary follow-up actions.

Indicators

Indicator 1. If the take charge request is accepted, the acceptance of the responsible Member State is indicated in the Eurodac database by the requesting Member State.

Indicator 2. Requests based on circumstantial evidence that is coherent, verifiable and sufficiently detailed are accepted.

Acceptance by default

	AMMR
	Article 40(8)

If the requested Member State does not object to the request within the given time limits, that lack of objection is tantamount to accepting the request. It entails the obligation to take charge of the person, including the obligation to provide for proper arrangements for arrival.

Good practice: confirming responsibility in case of acceptance by default

If a Member State discovers that it is deemed responsible by default, a confirmation of responsibility and the terms of transfer can be sent to the requesting Member State without having to be requested to do so.

Standard 52. If the case is accepted by default, the Member States involved agree on transfer details.


Indicators

Indicator 1. The requesting Member State ensures that the Member State responsible is updated in the Eurodac database also in cases of acceptance by default.

Indicator 2. If requested by the requesting Member State, the requested Member State confirms its responsibility in writing and communicates the practical details regarding the transfer as soon as possible.



Objection to a take charge request

	AMMR
	Article 40(5), 40(8)
	AMMR Implementing Regulation
	Article 9(1)

Standard 53. Objection to a take charge request is done by a reply which sets out substantiated reasons.

Indicators

Indicator 1. In the case of an objection, proof and circumstantial evidence are individually assessed and the reasons for the objection to the request are substantiated.

Indicator 2. Objections are not issued on the basis of requiring proof or evidence that exceeds what is necessary for the application of the AMMR

Good practice: communication in cases of unsubstantiated rejections

Where the requesting Member State is of the view that the requested Member State has failed to provide the substantiated reasons for their rejection as set out in Article 40(8) AMMR, it is good practice that the requesting Member State contacts the requested Member State without delay. The requesting Member State should clearly state that it does not consider that the requested Member State has provided the required substantiated reasons and that unless such reasons are provided within the applicable time limits, this entails the obligation of the requested Member State to take charge of the person concerned.

If the requested Member State does not provide the requested substantiated reasons within the applicable time limits it is good practice for the requesting Member State to inform the requested Member State that it is considered the responsible Member State.

If the Member State authorities disagree on whether the reasons provided are sufficiently substantiated, they refer such cases to the conciliation procedure set out in Article 55 AMMR. This aims to ensure that the applicant does not risk ending up 'in orbit' with neither Member State considering itself to be responsible for the examination of the application for international protection.



Conciliation Procedure

**AMMR****Article 55(1), 55(2)**

Standard 54. The competent authority uses the conciliation procedure when necessary.

Indicators

Indicator 1. The Member State authority has guidelines and procedures in place on how to resolve difficulties in the application of the AMMR in relation to other Member States by holding consultations with these Member States as set out in Article 55(1) AMMR.

Indicator 2. The Member State authority has guidelines and procedures in place to evaluate when there is a need to request the European Commission to hold consultations with the concerned Member States as set out in Article 55(2) AMMR.

Good practice: dialogue in cases of disputed rejections

If Member States authorities disagree about a decision to reject a take charge request, it is good practice to engage in a constructive dialogue to ensure a mutual understanding of the underlying reasons for the rejection and to avoid misunderstandings. Liaison officers can help to facilitate such dialogue between Member States. Ensuring a continuous bilateral dialogue between Member State authorities can contribute to reducing future disagreements and allow for the identification of issues that may need to be referred to the conciliation procedure set out in Article 55 AMMR.

Re-examination procedure

Where the requesting Member State considers that a refusal of a take charge request is based on a misappraisal or where it has additional evidence to put forward, it may ask for its request to be re-examined.

**AMMR Implementing Regulation****Article 9(2)**

Standard 55. Requests for re-examination are exercised within three weeks of the receipt of the negative reply, including all the necessary elements.

Indicators

Indicator 1. The legal grounds upon which the re-examination request is based are included in the request for re-examination



Indicator 2. If additional proof is available and relevant, it is enclosed in the re-examination request.

Standard 56. Replies to the re-examination request are submitted within two weeks of receipt of the re-examination request, including the necessary grounds in the case of rejection.

Indicators

Indicator 1. A case management system and/or countdown calendar is in place to calculate time limits and flag approaching time limits.

Indicator 2. In the case of rejection of the re-examination request, the legal grounds upon which the rejection is based are included in the reply.

Indicator 3. If a rejection to a re-examination request is received, a standard procedure is in place to ensure that the case is channelled into the national procedure for examination.

Indicator 4. If no response is received from the requested Member State to the request for re-examination within the relevant time limit, the requesting Member State has a standard procedure in place to ensure that the case is channelled into the national procedure for examination

Good practice: clarity of the re-examination request

The re-examination request is clear on why the refusal of the take charge request was based on a misappraisal or what the additional evidence is.

Good practice: avoiding requests based on Article 35(2) AMMR after a re-examination

It is considered good practice in cases where a request for take charge has been rejected and where a request for re-examination has also been rejected, that Member States refrain from sending an additional take charge request for the same applicant under Article 35(2) AMMR. This applies unless new elements, which would constitute humanitarian grounds, have emerged since the initial request, as set out in Article 35(2) AMMR.



8. Sending and confirming a take back notification

If following the transmission of the biometric data of an applicant to the Eurodac database, it transpires that another Member State may be responsible for examining the application for international protection a take back notification shall be sent to the relevant Member State. This also applies in cases whereby following the transmission of the biometric data of a third country national found illegally staying on the territory of a Member State, it transpires that the person concerned previously made an application in another Member State. In line with Article 36(1)(b) the notified Member State is obliged to confirm their responsibility unless they are able to demonstrate that their responsibility has ceased in line with one of the grounds detailed in Article 37 or that their responsibility has been incorrectly marked in Eurodac,

If a person who was accepted for admittance to a Member State under the Union Resettlement and Humanitarian Admission Framework or a person who was resettled to a Member State under a national resettlement program makes an application for international protection or is found to be illegally staying in a Member State other than the one in which they are required to be present, a take back notification shall be sent to the Member State where they are required to be present in line with the obligation set out in Article 36(1)(c).

This also applies where an applicant is present in a Member State without a residence document, or makes an application for international protection there, after another Member State has confirmed that the person concerned is to be relocated pursuant to Article 67(9) and before the transfer has been carried out pursuant to Article 67(11). In such cases, a take back notification shall be sent to the Member State if relocation in line with Article 38(5).

It is important to note that whilst the AMMR contains general obligations regarding the time limits with which to submit a take back notification, failure to submit the take back notification within this time limits does not affect the obligation of the Member State responsible to take back the person concerned.

Submitting a take back notification

	AMMR
	Article 41
	AMMR Implementing Regulation
	Article 12(5)(1)



Standard 57. The Member State where the applicant or person concerned is present submits a take back notification immediately and within the required time limit.

Indicators

Indicator 1. The responsible authority has a case management system and/or countdown calendar in place to calculate time limits and flag approaching time limits.

Indicator 2. The case management system is able to manage various time limits and to flag requests for urgency.

Indicator 3. The standard form (Annex III to the AMMR Implementing Regulation) for submitting take back notifications is used.

Indicator 4. Take back notifications concerning members of the same family are made simultaneously and in the same standard form (Annex III to the AMMR Implementing Regulation).

Indicator 5. A procedure is in place to respect the shorter time limits where a person is detained.

Standard 58. Take back notifications include proof or circumstantial evidence.

Indicators

Indicator 1. The form (Annex III to the AMMR Implementing Regulation) includes proof or circumstantial evidence as described in the lists referred to in Article 40(4) AMMR or relevant elements from the statements of the person concerned.

Confirmation of a take back notification

Standard 59. The notified Member State confirms the receipt of the notification providing the applicable provisions and provides practical information concerning the transfer within the time limit set out.

Indicators

Indicator 1. The same standard form (Annex III to the AMMR Implementing Regulation) for the take back notification is used when responding.

Indicator 2. The confirmation includes practical details and relevant information concerning the upcoming transfer.



Non confirmation of a take back notification

Standard 60. The notified Member State demonstrates that it is not responsible within the time limit set out, if applicable.

Indicators

Indicator 1. Where the non-confirmation is based on the cessation of responsibility, it includes evidence demonstrating the cessation.

Indicator 2. The shift of responsibility is indicated in the Eurodac database by the notified Member State.

Indicator 3. Where the non-confirmation is based on an incorrect indication of the Member State responsible in Eurodac, it includes a confirmation by the notified Member State that the Member State that inserted the incorrect indication in the Eurodac database has been informed thereof. Where available, it also includes proof of the rectification of the indication in Eurodac.

Confirmation by default



AMMR

Article 41(4)

If the notified Member State fails to act within the time limit set out, it is tantamount to confirmation of the receipt of the notification.

Good practice: confirming responsibility in the case of acceptance by default

If a Member State discovers that it is deemed responsible by default, a confirmation of responsibility and the terms of transfer can be sent to the notifying Member State without having been requested to do so.

Standard 61. If confirmed by default, the Member States involved agree on transfer details.

Indicators

Indicator 1. If requested by the Member State who sent the notification, the notified Member State confirms its responsibility in writing and communicates the practical details regarding the transfer as soon as possible.



Reconsideration of the notification



AMMR Implementing Regulation

Articles 15(3), 15(4)

In certain cases, where the notification sent is not confirmed and the notifying Member State considers that the non-confirmation is based on a misappraisal by the notified Member State, or where the notifying Member State has additional evidence to demonstrate that the responsibility has not ceased, the notifying Member State may request for its notification to be reconsidered. These scenarios are laid down in the AMMR Implementing Regulation.

Good practice: non-confirmation on the grounds of ceased responsibility

If there are grounds for cessation or a shift of responsibility, the necessary documents (such as the acceptance or other information to indicate why another Member State has become responsible) are attached, if possible.

Standard 62. Requests for reconsideration are submitted where relevant within two weeks of the receipt of the non-confirmation, including all the necessary evidence.

Indicators

Indicator 1. The legal grounds upon which the reconsideration request is based are included in the request for reconsideration.

Indicator 2. If additional proof is available and relevant, it is enclosed in the reconsideration request.

Indicator 3. Guidelines and/or procedures are in place to assess when it is relevant to send a reconsideration request.

Standard 63. Replies to the reconsideration request are submitted within two weeks, including the grounds in the case of non-confirmation.

Indicators

Indicator 1. A case management system and/or countdown calendar is in place to calculate time limits and flag approaching time limits.

Indicator 2. The case management system is able to prioritise various time limits and to flag requests for urgency.

Indicator 3. If a reconsideration request is rejected, the legal grounds upon which the rejection is based are included in the reply.

Indicator 4. Guidelines and/or procedures are in place on how to assess a reconsideration request.

Indicator 5. If a rejection to a reconsideration request is received, a standard procedure is in place to ensure that the case is channelled into the national procedure for examination.



9. Relocation

Before a transfer, the benefitting Member State identifies and matches eligible persons and shares standardised information so the Member State of relocation can confirm and, where needed, interview for security checks (Articles 67(4)–(9) AMMR). After transfer, the Member State of relocation must notify safe arrival, update/indicate responsibility in the Eurodac database, and if responsibility was not yet fixed, carry out the Part III procedure. Relocated beneficiaries are automatically granted protection status (Articles 68(1)–(4) AMMR).

Relocation under the Solidarity Mechanism is coordinated by the EU Solidarity Coordinator with Member State direction via the High-Level Forum and the Technical-Level Forum. The Coordinator supports relocation activities, facilitates intra Member States communication and promotes coherent methods for the identification and matching. In order to identify persons to be relocated and match them with the Member States of relocation, benefitting Member States may use tools developed by the EU Solidarity Coordinator (Article 67(4) AMMR). The EUAA, upon request, acts as a participant and technical enabler while providing operational standards and tools. It also supplies expertise that the European Commission and the Solidarity Coordinator draw upon to keep relocation running smoothly.

The procedure before relocation

	AMMR
	Articles 67, 68
	AMMR Implementing Regulation
	Article 17
	Eurodac III
	Article 16(1), Article 31(6)

Standard 64. The benefitting Member State has procedures in place to allow for efficient identification and matching of applicants for relocation.

Indicators

Indicator 1. The benefitting Member State has a procedure in place to identify and exclude from relocation any person where there are reasonable grounds to consider that the person poses a threat to internal security.

Indicator 2. The benefitting Member State ensures that the EUAA brochure ‘**What you need to know about relocation**’ is provided to all persons in the relocation procedure.

Indicator 3. A workflow and internal instructions exist for the persons in the relocation procedure to provide information on the existence of meaningful links, such as those based on family and cultural considerations.



- **Additional remark:** The EUAA brochure ‘**What you need to know about relocation**’ contains an optional section where the competent authorities can choose to provide details on where and how to submit information on the existence of meaningful links to another country. If the competent authorities choose not to include this information in the brochure they should collect this information through other means, for example during the registration interview.

Indicator 3. The benefitting Member State has a procedure in place to identify and exclude from relocation any applicant where the benefitting Member State can be determined to be the responsible Member State. This determination is based on the criteria set out in Articles 25 to 28 and 34 AMMR, with the exception of Article 25(5).

Indicator 4. The benefitting Member State has a procedure in place to give primary consideration to the relocation of vulnerable persons.

Indicator 5. The benefitting Member State has a procedure in place to ensure that UACs are only relocated when it is in their best interests, involving the representative and legal counsellor where necessary.

Indicator 6. The benefitting Member State assesses whether applicants that could potentially be eligible for relocation could be the responsibility of another Member State. This is pursuant to the criteria laid out in Part III, Chapter II AMMR and Article 34 AMMR and channels them to the appropriate procedure.

Indicator 7. The benefitting Member State has procedures in place to take into account, where applicable, the meaningful links such as those based on family or cultural considerations, between the person concerned and the Member State of relocation when matching persons to be relocated with a Member State of relocation.

Indicator 8. The benefitting Member State ensures that family members are relocated to the territory of the same Member State.

Indicator 9. Where beneficiaries of international protection are considered for relocation, a bilateral agreement is in place between the benefitting and contributing Member State under which they agree to carry out such relocations.

Indicator 10. The benefitting Member State has procedures in place to identify and exclude from relocation beneficiaries of international protection who were granted international protection more than three years prior to the adoption of the Council Implementing Act ⁽⁴⁸⁾.

Indicator 11. The benefitting Member State has procedures in place to ensure that the consent is gathered for beneficiaries of international protection being considered for relocation and that this consent corresponds to relocation to a specific Member State.

⁽⁴⁸⁾ Council implementing decision on establishment of the annual solidarity pool (OJ L, 2025/2642, 23.12.2025), https://eur-lex.europa.eu/eli/dec_impl/2025/2642/oj/eng.



Standard 63. The benefitting and contributing Member States communicate effectively to ensure a swift and efficient relocation procedure.

Indicators

Indicator 1. The benefitting Member State transmits, using the standard form (Annex IV to the AMMR Implementing Regulation), all relevant information and documents on the person to be relocated to the Member State of relocation.

Indicator 2. The Member State of relocation communicates whether they wish to conduct security interviews with the person(s) to be relocated to their Member State and whether these interviews are to be carried out remotely or in person.

Indicator 3. The Member State of relocation uses the standard form (Annex IV to the AMMR Implementing Regulation) to request information on the practical details regarding the time, location and other modalities of the security interview.

- **Additional remark:** If the contributing Member State decides to conduct security interviews for all persons proposed for relocation they can do so collectively, without the need to submit individual notifications via the standard form.

Indicator 4. The Member State of relocation informs the benefitting Member State when it needs to use the provision to extend the time limit to respond.

Indicator 5. The benefitting Member State has procedures in place that allows it to facilitate the security interviews in the relocation procedure.

Indicator 6. Where there are no reasonable grounds to consider that the person(s) to be relocated pose a threat to internal security, the Member State of relocation confirms that it will relocate the person(s) within the time limits using the same standard form (Annex IV to the AMMR Implementing Regulation).

Indicator 7. The Member State of relocation has a procedure in place to inform the benefitting Member State where security checks confirm that the person proposed for relocation poses a threat to internal security. This information is provided within one week of receipt, containing details of the nature of and underlying elements for an alert from any relevant database using appropriate and agreed communication channels.

Indicator 8. The benefitting Member State makes a transfer decision within one week of receiving the confirmation from the Member State of relocation.

Indicator 9. The benefitting Member State ensures that the transfer is carried out within the time limits provided for in the AMMR.



The procedure after relocation

Standard 65. The Member State of relocation notifies the arrival of the relocated person(s) and updates the Eurodac database.

Indicators

Indicator 1. The Member State of relocation informs the benefitting Member State, the EUAA and the EU Solidarity Coordinator of the safe arrival of the relocated person(s).

Indicator 2. The Member State of relocation indicates its responsibility in the Eurodac database pursuant to Article 16(1) Eurodac III Regulation.

Standard 66. Where the responsibility was not determined in the benefitting Member State, the Member State of relocation determines the responsible Member State in accordance with Article 68(2) AMMR.

Indicators

Indicator 1. The Member State of relocation has a separate procedure in place to examine whether another Member State is responsible for the examination of the application for international protection pursuant to the procedures in Part III AMMR with the exception of Articles 16(2), 17(1) and (2), 25(5), Articles 29 and 30 and Articles 33(1) and (2) AMMR.

Standard 67. A relocated beneficiary of international protection is automatically granted international protection status in the Member State of relocation.

Indicators

Indicator 1. The Member State of relocation has a procedure in place through which it automatically grants international protection status to beneficiaries of international protection that have been relocated to its territory.

Indicator 2. The Member State of relocation has a workflow in place to ensure that the new protection status is marked in the Eurodac database.



EUAA Practical Guide on the Solidarity Mechanism Part I: Operational implementation of relocation ⁽⁴⁹⁾

This guide is intended for practitioners and policymakers dealing with the operational implementation of relocation under the AMMR.

⁽⁴⁹⁾ EUAA, *Practical Guide on the Solidarity Mechanism Part I: Operational implementation of relocation*, March 2026, <https://www.euaa.europa.eu/publications/practical-guide-solidarity-mechanism-part-i-operational-implementation>.



10. Responsibility offsets



AMMR

Articles 63(6), 63(8), 63(9)

Responsibility offsets constitute a secondary level solidarity measure under the AMMR. As set out in Article 63 AMMR, responsibility offsets mean the responsibility for examining an application for international protection is transferred from a Member State benefitting from solidarity measures to a contributing Member State. Responsibility offsets do not involve any transfer of the applicant as they can only be used for cases where the applicant is physically present in the Member State that takes on the responsibility.

This section focuses on the practical implementation of the responsibility offsets. This concerns the statistical reporting obligations on Member States to estimate the number of such cases during an annual migration cycle and the necessary exchange of information between the contributing member State and the benefitting member State in such cases. It therefore does not detail how the offsets are triggered or the activities of the High Level or Technical Level Solidarity Forum.

Standard 68. The contributing Member State has procedures and tools in place allowing it to approximate the number of possible responsibility offsets during the current annual cycle.

Indicators

Indicator 1. The contributing Member State has access to historical statistical data, with breakdowns per Member State, allowing it to make estimations on the average number of applications that may be possible to offset to different Member States in one annual cycle.

Indicator 2. The case management system of the contributing Member State is able to provide statistical data about the number of applications that it may be possible to offset to different Member States during the current annual cycle.

Standard 69. The contributing Member State has procedures in place allowing for the efficient identification of applications that can be offset.

Indicators

Indicator 1. The case management system of the contributing Member State is able to identify which applications for international protection that meet the criteria of Article 63(8)(a), (c), (e) and (f) AMMR.

Indicator 2. The contributing Member State has procedures in place that allows it to efficiently verify that the persons being considered for offsetting have not absconded from the territory of the contributing Member State.



Standard 70. The benefitting and contributing Member States communicate effectively to ensure a swift and efficient offsetting of applications.

Indicators

Indicator 1. If the contributing Member State is not able to determine, using the information available to it, the criteria on which the benefitting Member State is responsible for examining an application for international protection, it sends a clear request for this information from the benefitting Member State through DubliNet.

- **Additional remark:** Article 63(8) lists the criteria for offsetting applicants. Depending on the individual case it may not be possible for the contributing Member State to determine whether the person to be offset meets these criteria or not from information in Eurodac or contained in previous communications between the Member States. In such cases the Member States need to ensure swift and efficient communication to ascertain that the person can be offset in line with the provisions of 63(8)

Indicator 2. The benefitting Member State has efficient tools and procedures in place allowing it to verify the criteria on which it is responsible for the applications being considered for offsetting by the contributing Member State.

Indicator 3. The benefitting Member State has procedures in place allowing it to, when requested, promptly inform the contributing Member State of the basis for which it is responsible for the applications for international protection being considered for offsetting by the contributing Member State.

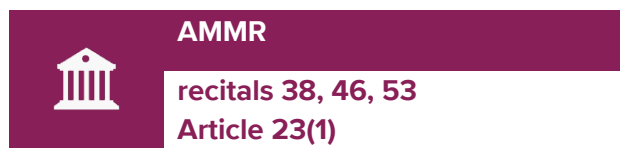
Indicator 4. The contributing Member State which assumes responsibility for the identified applications shall indicate promptly its responsibility pursuant to Article 16(3) of Regulation (EU) 2024/1358.



11. Unaccompanied children

The AMMR provides specific procedural rules regarding UACs. Member States prioritise these cases to seek family reunification possibilities where the child is unaccompanied. At every step, the greatest care should be given to the assessment of the best interests of the child. There are also specific procedural guarantees that the Member State authorities have to apply.

Best interests of the child



Standard 71. The best interests of the child is a primary consideration and is assessed throughout the AMMR procedure.

Indicators

Indicator 1. Case officers are aware of their duties and have the appropriate training to be able to ensure the best interests of the child in the context of maintaining family unity as far as possible and throughout the procedure.

Indicator 2. Case officers have timely access to the relevant expertise, including child-protection and social services, to support the assessment of the child's best interests and to assess the capacity of a relative or an adult to take care of a child, taking into account the child's safety, stability and emotional and developmental needs.

- **Additional remark:** Close cooperation and information exchange with social services and other child protection bodies should be ensured to facilitate timely and well-informed best interests assessments.

Indicator 3. The competent authority has a procedure in place to guarantee that the child's right to participate and have their views heard is respected and that these views are considered according to their age and maturity.

- **Additional remark:** Children should be informed in an age-appropriate and understandable manner about matters affecting them in the AMMR procedures (e.g. restoring family links). Their views and wishes should be documented and duly taken into account as part of the best interests assessment.

Indicator 4. The child's parent or representative is involved as soon as possible. Their views are taken into account unless contrary to the child's best interests.



Indicator 5. While assessing the best interests of the child, confidentiality and data protection are ensured. Case officers make sure that sensitive information shared by or about the child is not disclosed in a way that may put the child at risk.

- **Additional remark:** In the context of family tracing, the best interests assessment should also consider any potential risks to the child's safety, well-being or development that may arise from contact or reuniting with family members or other relatives.

Good practice: use of the EUAA template for the assessment of best interests and standardised templates for the best interests assessment

Member States can use the EUAA template for the uniform assessment of the best interests of the child throughout the asylum procedure.

Good practice: establishing a coordination mechanism and ensuring comprehensive documentation in the best-interests assessment

Member States may consider putting in place a coordination mechanism for the best interests assessment. It may involve child protection and reception authorities, the child's representative and, where appropriate, the child's legal adviser, as well as other relevant experts (e.g. health professionals). Such coordination ensures a comprehensive and multidisciplinary approach and promotes consistency in decision-making.

Member States may also develop and adopt standardised protocols and templates to document the best interests assessment in writing, explicitly addressing factors such as the child's safety, family ties, well-being, views and continuity of care. Decisions affecting the child, including those on restoring family links, should clearly record how the best interests principle was applied, including considerations of the previously listed aspects.



EUAA *Practical guide on the best interests of the child in the framework of international protection* ⁽⁵⁰⁾

This guide is intended for practitioners and policymakers dealing with children in the asylum context. It targets in particular those involved in the assessment of the best interests of the child. The tool provides guidance on conducting the best interests assessment and the necessary safeguards in different stages of the asylum procedure and regarding reception conditions. In addition to practical guidance, it lists the available reference materials.

⁽⁵⁰⁾ EUAA, *Practical guide on the best interests of the child in the framework of international protection*, March 2026, <https://www.euaa.europa.eu/publications/practical-guide-best-interests-child-international-protection>.



Appointing a representative

	AMMR
	recital 46
	Article 23(2)
	APR
	recital 35
	Articles 23(1), 23(2), 23(10)

Standard 72. The Member State authority designates as soon as possible and in any event in a timely manner, a person with the necessary skills and expertise to provisionally assist the child to safeguard their best interests and general well-being.

Indicators

Indicator 1. The Member State has a procedure to designate a person with the necessary resources, qualifications, training, expertise and independence to safeguard the best interests of the child whilst waiting for a representative to be appointed.

Indicator 2. The Member State has a pool of qualified persons that is sufficient to ensure the timely appointment in relation to each UAC and to ensure they are not made responsible for too many cases at the same time.

Indicator 3. The child's parent or representative is involved as soon as possible and their views are taken into account, unless contrary to the child's best interests.

Good practice: ensuring the prompt appointment of the representative

Whilst the AMMR lays down the provisional designation of a person to assist the child until a representative has been appointed, Member State authorities should strive to proceed as swiftly as possible with the direct appointment of the representative. Immediate appointment is simpler, promotes continuity and better safeguards the best interests and general well-being of the child. The provisional designated person should therefore function strictly as a backstop, used only where necessary and never as a standard practice that delays the appointment of the representative.

Standard 73. The Member State authority appoints a representative for the UAC as soon as possible and at the latest within fifteen working days from the date on which the application for international protection was made.

Indicators

Indicator 1. The Member State has a procedure to appoint a person with the necessary resources, qualifications, training, expertise and independence to provisionally assist the child to safeguard their best interests and general well-being to act as a competent representative for the child.



Indicator 2. The pool of qualified representatives is sufficient to ensure the timely appointment of a representative for each UAC and to ensure that representatives are not made responsible for too many cases at the same time.

- **Additional remark:** In cases where an applicant claims to be a UAC, but the Member State authority concludes after an appropriate age assessment that they are without doubt over the age of 18, the obligation to appoint a representative does not apply.
- **Additional remark:** Article 27(7) RCD and Article 23(10) APR sets out that in normal circumstances, a representative should not be responsible for more than 30 UACs at the same time, to ensure that they are able to perform their tasks effectively.

Indicator 3. The handover procedure between designated representative and the appointed representative ensures that information relevant for the determination procedure regarding the UAC is shared as necessary.

Good practice: minimising the number of UACs under the responsibility of a representative

Member State authorities should strive to ensure that the number of UACs under the responsibility of a single representative is kept to a minimum. The role of a representative is of vital importance to ensure that a UAC has the necessary understanding of the procedure and to support them in ensuring that they understand their rights and obligations throughout the procedure.

Good practice: ensuring that preliminary procedures are not delayed before the assignment of the appointed representative

Whilst the AMMR states that the appointed representative for an UAC can take place up to fifteen working days following the making of the application, Member States should endeavour to proceed with organising the necessary procedural steps in the procedure in the meantime. This will ensure that the designated representative is involved throughout the procedure until the assignment of the appointed representative.



Standard 74. The Member State is able to take adequate mitigating measures when faced with disproportionate numbers of applications made by UACs.

Indicators

Indicator 1. The Member State authority has a mechanism to monitor the number of applications made by UACs on its territory to allow for the extension of the time limit for the appointment of a representative by ten working days and the number of children per representative can be increased to 50.

Indicator 2. The Member State authority has defined a maximum number of applications pursuant to which the time limit for the appointment of the representative can be extended.

- **Additional remark:** Member States include in their contingency plans (referred to in Article 32 RCD) measures to be taken to ensure the appointment of representatives and the designation of persons suitable to provisionally act as representatives in accordance with Article 27(1) RCD in cases where they are confronted with a disproportionate number of applications made by unaccompanied minors.

Age assessment

Article 25 APR stipulates that if an individual claims to be under 18 but there are doubts as to whether the person concerned is a child, the competent authorities should conduct a multidisciplinary assessment of the person's age. In addition, under Article 25(7) APR, a Member State may recognise an age-assessment decision made by another Member State where the assessment was carried out in compliance with EU law.



EUAA Practical Guide on Age Assessment ⁽⁵¹⁾

This guide supports personnel tasked with requesting and performing the age assessment procedure when there are substantiated doubts about the age of an applicant for international protection.

Good practice: recognising age-assessment decisions made by other Member States

Whilst the APR provides that a Member State may recognise an age assessment decision carried out by another Member State in compliance with EU law, Member State authorities should strive to put in place clear procedures enabling such recognition. Recognising an existing age-assessment decision, where the necessary safeguards are ensured, helps to uphold the rights of the child by avoiding the need for them to undergo the same procedure more than once. This approach reduces delays and supports the timely identification of the child's needs and entitlements, thereby safeguarding the best interests of the child and promoting consistency in the application of age-assessment practices across Member States.


⁽⁵¹⁾ EUAA, *Practical Guide on Age Assessment*, November 2025, <https://www.euaa.europa.eu/publications/practical-guide-age-assessment-0>.



12. Dependent persons and discretionary clauses

The AMMR contains one provision on dependent persons (Article 34), aimed at ensuring that Member States keep or bring together dependent people and their family members with carer responsibilities and two provisions that permit Member State(s) to assume responsibility at their discretion (Article 35(1) and 35(2)). These provisions are means for Member States to assume responsibility for examining an application for international protection that differ in nature from the criteria in Chapter II to such an extent that it justifies a separate section in this guidance. Article 34 creates a positive obligation to keep or bring together the dependent person and their carer when its conditions are met, whereas Article 35 is discretionary, allowing a Member State to assume responsibility on a case-by-case, reasoned basis

Situations of dependency

	AMMR
	recital 53 Article 34

Standard 75. Member State authorities are aware of their responsibilities regarding dependent or vulnerable persons.

Indicators

Indicator 1. The personnel responsible for such cases have received the necessary level of training to fulfil their tasks and responsibilities related to dependency and vulnerability.

Indicator 2. Where attention is drawn to dependency or vulnerabilities, the authorities have access to relevant expertise for consultation and advice.

Indicator 3. The Member State has a procedure in place to gather all the necessary documentation, including medical documentation where necessary, that are relevant for the dependency claim for the parties involved.

Good practice: translation of documents

Where feasible, documents supporting a dependency claim are translated into the agreed language before the request is sent, to speed up handling by the requested Member State.



Standard 76. The Member State assesses in each stage of the procedure if evidence concerning dependency is produced up to a point of acceptance and applies Article 34 AMMR accordingly.

Indicators

Indicator 1. The dedicated case officer is able to recognise indications of dependency in the case at hand and undertakes appropriate action referring to the lists of proof as outlined in Annex I of the AMMR Implementing Regulation.

Indicator 2. The Member State authority has access to relevant information and expertise to assess and verify any documents (such as medical certificates).

Indicator 3. The Member State authority ensures that the persons concerned express their consent in writing.

Discretionary clauses

The following standards cover articles that are applied with the full discretion of the Member States involved. Therefore, there is no mention of specific circumstances or terms under which the articles mentioned in this specific section may be applied or used.

**AMMR****Article 35**

Standard 77. The competent authority is prepared to apply the discretionary clause of Article 35(1) AMMR at any stage of the procedure at its own discretion.

Indicators

Indicator 1. The Member State authority has effective access and the necessary means to obtain the relevant expertise to assess and verify any documents or other information provided.

Indicator 2. If a Member State decides to examine an application pursuant to Article 35(1) AMMR, the Member State previously responsible is informed through DubliNet.

Indicator 3. If a Member State decides to examine an application pursuant to Article 35(1) AMMR, its responsibility is indicated in the Eurodac database.



Standard 78. The competent authority assesses if Article 35(2) AMMR could be applied at any time before a first decision regarding the substance is made.

Indicators

Indicator 1. If a Member State decides that Article 35(2) AMMR could be applied, the Member State authority sees to it that the Member States cooperate to attain the consent of the persons.

- **Additional remark:** Missing the original time limit for applying the criteria set out in Chapter II should not in itself be a reason for applying the Article 35(2) AMMR discretionary clause.

Good practice: national guidelines on applying Article 35(2) AMMR

Member States have national guidelines for the application of Article 35(2) AMMR in appropriate cases.



13. Non-applicants

When the competent authority of a Member State apprehends a third-country national or a stateless person who is present in that Member State without a residence document, the Eurodac search result helps to establish the identity of the person concerned. It also helps to check whether the person concerned has:

- applied for international protection in another Member State;
- been granted international protection by another Member State;
- been granted international protection or humanitarian status under national law by another Member State in accordance with the Union Resettlement and Humanitarian Admission Framework or a national resettlement scheme;
- been marked as the responsibility of the Member State of relocation.

Where applicable, the competent authority performing such a Eurodac search sends a take back notification to the Member State indicated as responsible in the Eurodac database, or for which there is an indication that another Member State may be responsible.

The Member States should ensure the non-applicant has the possibility to apply for international protection if they express an intention to do so after their apprehension. The rights and obligations as set out in the AMMR apply equally to non-applicants.

Registration and comparison in the Eurodac database

	Eurodac III Regulation
	recitals 2, 4 Articles 23, 27

Standard 79. If the Member State authority responsible conducts a Eurodac registration and comparison of a non-applicant and the search result indicates that the AMMR is applicable, the case is referred to the Member State authority responsible.

Indicators

Indicator 1. The staff at the national authority conducting the Eurodac search have basic knowledge of the AMMR and know where to refer the case for further AMMR procedures.

Indicator 2. The Member State authority provides the common information materials.



Standard 80. When a Member State on whose territory a person is staying illegally or without a residence document, makes a comparison of biometric data in the Eurodac database in accordance with Article 23 Eurodac III regulation, and the result of the comparison shows that another Member State is indicated as the Member State responsible, a take back notification is sent within the set time limit.

Indicators

Indicator 1. Instructions and information are available to the police, border guards, personnel of detention facilities and other first-contact officials to identify a possible AMMR case.

Indicator 2. The Member State authority has access to the Eurodac database, as well as to other relevant databases.

Indicator 3. The Member State has developed, where necessary, internal guidelines on how first-contact officials can present a case to the competent AMMR authorities.

Good practice: non-applicants

When the person concerned does not wish to register a new application in a Member State, the competent authorities write this down in an official report.



14. Transfer decision and remedies

Whenever the responsible Member State is determined, the person concerned must be notified about the transfer decision and the possibility to apply for the suspensive effect of the transfer and the legal remedies available. Member States should specifically allow for the filing of an appeal for the suspensive effect on the transfer. The regulation sets out minimum requirements that have to be considered and respected by all Member States when notifying an applicant of a transfer decision, the information contained within that decision and the legal rights of the person concerned regarding legal remedies.

Before the notification of the transfer decision

Standard 81. The Member State authority ensures that all conditions are met to issue a transfer decision.

Indicators

Indicator 1. The determination of responsibility has been correctly examined and finalised by the requesting or notifying Member State.

Indicator 2. A transfer decision is not taken before the requested or notified Member State has given its explicit or implicit agreement to the request/notification.

Indicator 3. The Member State only issues the transfer decision if all the legal requirements for the transfer decision are met.

Indicator 4. Where the applicant is a child, any transfer decision is issued only following a documented best interests assessment, taking into account the child's safety, well-being, family unity and their views, considered in accordance with their age and maturity.

Good practice: supervision of cases

Member States make sure that the file is reviewed by a second case officer or another designated party to check for errors and omissions before notification of the decision is issued.



Time limit



AMMR

Articles 42(1), 42(2), 42(3), 42(4)

Standard 82. The Member State authority ensures that the person concerned is notified of the transfer decision within a reasonable time.

Indicators

Indicator 1. The Member State has a procedure in place to monitor the relevant deadline with which to issue the transfer decision following the formal acceptance/confirmation received from the responsible Member State.

Indicator 2. As soon as possible and at the latest within two weeks of the formal acceptance of the request or confirmation of the notification, the responsible authority issues a transfer decision.

- **Additional remark:** There is a time limit of one week for issuing a transfer decision relating to relocation.

Indicator 3. The Member State has a procedure in place to determine whether to notify the transfer decision either to the applicant or their legal representative if they have one.

Indicator 4a. If the person does not have a legal adviser or legal counsellor, the transfer decision is provided to the applicant without delay in writing in plain language.

OR

Indicator 4b. If the person concerned has a legal adviser or legal counsellor representing them, the responsible authority may choose to notify the decision to the legal adviser or legal counsellor.

Indicator 5. In cases involving vulnerable applicants, Member States ensure that the appropriate safeguards are put in place to ensure that the information contained within the transfer decision is delivered in a manner that ensures the applicant's understanding.

Indicator 6. In cases regarding children, the transfer decision is communicated in an age-appropriate and child-friendly manner, with the support of the representative and, where applicable, the legal counsellor.

Good practice: transfer decision notified during a dedicated information session

To promote compliance by increasing understanding of the procedure, Member States can endeavour to notify the transfer decision to the applicant/person concerned in a dedicated information session in a language they understand or are reasonably supposed to understand. Where appropriate, the applicant's legal adviser or counsellor may also attend



the session to provide support and ensure that the person fully understands the decision and its implications.

Good practice: information on transfer decision provided to the applicant even if represented

Even where the applicant is represented, the responsible authority may also inform the applicant directly of the decision, in parallel with notification to the legal adviser/counsellor.

Information to be provided in the transfer decision



AMMR

Articles 42(2), 42(4), 43(4), 43(5)

Standard 83. The required information is provided in the transfer decision.

Indicators

Indicator 1. The fact that the application will not be examined in the Member State where the applicant is present is explained in the transfer decision.

Indicator 2. The obligation of the applicant to comply with the transfer decision is explained in the transfer decision

Indicator 3. The consequences of non-compliance are clearly communicated in the transfer decision

- **Additional remark:** Unless a separate decision is issued, the transfer decision states that the relevant reception conditions have been withdrawn in accordance with this Articles 17-20 RCD 2024. The applicant is informed of their rights and obligations regarding that decision

Indicator 4. In cases regarding UACs, the consideration of the best interests of the child are summarised in the transfer decision

Indicator 5. Where the person concerned is required to travel to the Member State responsible by his or her own means, such as in cases of voluntary or supervised Type A transfers, the transfer decision includes, where applicable, information on the place where and the date on which the person concerned is required to appear.



Legal remedies



Standard 84. The person concerned is made aware of the legal remedies available under Article 43 AMMR.

Indicators

Indicator 1. Information about the legal remedies available and their scope is provided in the transfer decision including information on the possibility to request suspensive effect.

Indicator 2. Information is provided about the time limits applicable for seeking such remedies and for carrying out the transfer.

Indicator 3. The notification also contains information on persons or entities that may provide legal assistance and representation to the person concerned where that information has not already been communicated.

Indicator 4. Any request for suspensive effect is decided upon within 1 month of its submission to the responsible court/tribunal and communicated to the person concerned.

Indicator 5. The execution of the transfer is suspended whilst the request for suspensive effect is outstanding.

Legal assistance and representation



The AMMR sets out the right for individuals subjected to a transfer decision to legal assistance and representation. This aims to support the lodging of an appeal against the decision before the relevant court or tribunal. This right is separate and distinct to the right to receive legal counselling.

Standard 85. The Member State provides access to legal assistance, representation and to language assistance, where necessary.

Indicators

Indicator 1. The Member State authority ensures that legal assistance and representation is granted on request free of charge when the person concerned cannot afford the costs, except when the appeal or review is considered to have no tangible prospect of success.



Indicator 2. Member States should ensure that in cases where access to legal assistance and representation is not granted this does not amount to an arbitrary restriction.

Indicator 3. If legal assistance and representation is not granted on the basis that the appeal has no tangible prospect of success, this decision is to be provided in writing to the applicant and is subject to the right to an appeal.

Indicator 4. Legal assistance and representation includes at least the preparation of the required procedural documents and representation before the court or tribunal.

Indicator 5. The Member State authority has procedures for access to legal assistance and representation laid down in national law.

Communication on appeals with suspensive effect

Standard 86. All information on appeals or review procedures with suspensive effect, and the cessation of that effect, is indicated in the appropriate standard form as soon as possible

Indicators

Indicator 1. The requesting Member State communicates the relevant information regarding the application of the suspensive effect of the appeal to the responsible Member State in part III of Annex II for take charge requests and Annex III for take back notifications.

Indicator 2. The requesting Member State provides information that the suspensive effect has begun within the initial transfer time limit in part III of Annex II for take charge requests and Annex III for take back notifications.

Indicator 3. The requesting Member State sends the information about the end of the suspensive effect as soon as the measure has ended in part I of Annex V.

Indicator 4. The information is sent using DubliNet.

The withdrawal of material reception conditions following the notification of a transfer decision

The AMMR stipulates that provided that the applicant has been informed of their obligations and the consequence of non-compliance, the applicant is not entitled to the reception conditions set out in Articles 17-20 RCD (2024) if they are not in the Member State that they are required to be present in. This applies from the moment in which the applicant has been notified of the transfer decision. Notwithstanding this obligation, Member States must ensure a



standard of living in accordance with EU law, including the Charter and international obligations to all persons subjected to the regulation.

By way of exception to Article 18(1) AMMR, the withdrawal/non-entitlement to reception conditions in a Member State other than the one where the applicant is required to be present does not apply where the applicant is present in another Member State and that Member State has reasonable grounds to believe that the applicant might have been subjected to any of the offences referred to in Articles 2 and 3 of Directive 2011/36/EU.

Standard 87. The Member State ensures that a standardised procedure is in place to withdraw the reception conditions as laid down in Articles 17-20 RCD (2024) from the moment that an applicant is notified of the transfer decision.

Indicators

Indicator 1. When the transfer decision is issued, the competent authorities co-ordinate with the relevant reception authorities to ensure that the material reception conditions outlined in Articles 17-20 RCD (2024) are withdrawn from the moment the transfer decision is notified to the applicant.

Indicator 2. The competent authorities ensure that in cases where the material reception conditions outlined in Articles 17-20 RCD (2024) are withdrawn, basic needs are ensured.

- **Additional remark:** In all cases, access to healthcare and a standard of living in accordance with EU law, including the Charter and international obligations, must be ensured. In particular, Member States should provide for the applicant's subsistence and basic needs, both in terms of physical safety and dignity and in terms of interpersonal relationships, with due regard to the inherent vulnerabilities of the person as an applicant for international protection and that of their family or caregiver.

Good practice: sharing of information through integrated case management system

The authorities competent for the implementation of the AMMR and the reception authority share an integrated case management system where information is visible on a need-to-know basis or their separate databases are interoperable so as to guarantee a real-time exchange of information



15. Detention

	AMMR
	Articles 44, 45

The AMMR sets out specific procedural rules in cases where a person is detained. In these cases, the following standards are agreed upon regarding the AMMR procedure.

Detention must be as short as possible and for no longer than the time reasonably necessary to complete the required administrative procedures with due diligence until the transfer under the AMMR is carried out.

There has to be a ground or reason for the use of detention independent of the transfer. According to the AMMR, these consist of a risk of absconding or to protect national security or public order. A person cannot be detained on the sole basis of being subject to the AMMR procedures. The detention must be based on an individual assessment, it must be proportional and applied only where other less coercive alternative measures are not applicable effectively. Special attention is given to applicants in vulnerable situations and to children, for whom detention may only be used as a measure of last resort, for the shortest possible duration, in the most exceptional circumstances, and always in line with their best interests.

Standard 88. Detention, in accordance with the AMMR, is ordered in writing by administrative or judicial authorities stating the reasons in fact and in law on which it is based.

Indicators

Indicator 1. There is a procedure in place to ensure that every detention decision is ordered in writing by administrative or judicial authority.

Indicator 2. The decision states the reasons in fact and law based on which the detention is ordered.

Indicator 3. Where detention is ordered by an administrative authority, there is a procedure in place for a speedy judicial review of the lawfulness of the detention to be conducted *ex officio*, at the request of the applicant, or both.

- **Additional remark:** The decision must specify the applicable ground (risk of absconding or protection of national security/public order) and the individualised facts supporting it. Less coercive alternatives are considered and the reasons for rejecting them are recorded.



Standard 89. The time limits for keeping persons detained in cases of detention in accordance with the AMMR are strictly followed.

Indicators

Indicator 1. Instructions and information related to the AMMR procedures are available to personnel of detention facilities so they understand the AMMR procedures and are able to provide relevant information to detained persons to whom the AMMR applies.

Indicator 2. When sending a take charge request or submitting a take back notification in a case where the person concerned is detained in accordance with Article 44 AMMR, the requesting or notifying Member State informs the requested or notified Member State about the person concerned being detained and the urgency of the case.

Good practice: prioritisation of detention cases

The shortened time limit for responding to a transfer request as laid down in Article 45 AMMR is only to be considered as the last possible date for sending a reply, in any event within one week of receipt of the request. It is considered good practice to prioritise these requests and to reply as soon as possible, regardless of the time limits, ensuring that the person concerned is detained for as short a period as possible.



16. Transfers

The last step in the AMMR procedure is the organisation and carrying out of the transfer of the person concerned to the Member State responsible. All transfers, whether conducted as the conclusion of a take charge request, take back notification or relocation decision are handled in the same way.

‘Transferring Member State’ means the Member State organising and carrying out the transfer. ‘Receiving Member State’ means the Member State responsible to which the person is transferred.

Exchange of general information on modalities and practical arrangements



The EUAA is responsible for drawing up a consolidated list of the information mentioned below and to make it available to the Member States (Article 23(4) AMMR Implementing Regulation). The information, which will be made available on the AMMR transfer platform is to be updated by 20 December of each year.

Exchange of general information concerning the modalities and practical arrangements for transfers

Member States provide the following information to the other Member States and the EUAA in order to facilitate the organisation of transfers:

- all airports in their Member State with direct, regular scheduled flights to other Member States;
- all seaports in their Member State with direct ferry connections to other Member States;
- the names and addresses of the authorities before which the persons subject to voluntary transfers and transfers carried out by supervised Type A transfer should appear upon arrival;
- the names and addresses of the authorities at the border or within their territory to which transfers carried out by land by supervised Type B transfer and under escort take place;
- a list of all national holidays.



Exchange of information on the default location for transfers

Member States designate/indicate:

- at least one airport as a default location to which transfers can be carried out even if they have not confirmed receipt of the standard form, or where necessary, have not provided an alternative location or time for the transfer;
- the authorities that are competent to receive such transfers at that airport;
- If applicable, to which locations (airports, seaports or land border crossings) that transfers are possible also outside of 09:00 to 16:00 during working days.

Standard 90. The Member State shares information concerning modalities and practical arrangements for the transfer.

Indicators

Indicator 1. The Member State provides annual updates of the general information concerning the modalities and practical arrangements of the transfer.

Indicator 2. The Member State provides additional information to the transferring Member State about any temporary issues affecting transfers at specific points of entry or any general preferences that could be useful for the transferring Member State. They do so using the common forms provided in Annexes II, III or IV to the AMMR Implementing Regulation.

Good practice: providing additional information on issues affecting transfers

The general information concerning the modalities and practical arrangements for AMMR transfers, as reflected in the AMMR Transfer Table, is updated annually by the EUAA. Different events and developments may affect the practical possibility to make transfers to certain points at specific times during the year. This could be due to large-scale events such as major sporting events or similar creating additional burdens on the authorities working at the borders.

Member States can provide information about temporary limitations to their capacity at certain border crossings in the common forms (Annexes II, III or IV to the AMMR Implementing Regulation) when accepting a take charge request, confirming a take back notification or relocation. Up to 1 500 characters can be provided directly in the forms. The information should set out the nature of the limitation along with the expected duration. Member States can also provide information for instance on preferred points of entry for persons with medical conditions, specific vulnerabilities or security cases.

Ensuring that the transferring Member State has access to this information will limit the need for back-and-forth communication between Member States to identify suitable points of entry and transfer dates. This limits administrative burdens for both Member States and reduces the time needed to conduct transfers, contributing to limiting the risk of persons absconding.



To limit administrative burdens, and to ensure consistency in communication, Member States are encouraged to maintain and update a centralised text for the ‘information about the possibilities to carry out the transfer’ that can be inserted into all relevant forms when accepting/confirming responsibility. This removes the need for individual case officers to compile such information each time for individual cases. It also ensures that the information provided is up-to-date and relevant for the transferring Member State.

Lastly, the requested MS may add information about past behaviours that could affect the decision on the type of transfer selected by the requesting Member State. Such information can be provided in the ‘Information about the possibilities to carry out the transfer’ section of part II of the standard forms.

General considerations for transfers

Standard 91. Before sending a transfer notification to the receiving Member State, the transferring Member State makes all the necessary arrangements so that the transfer can proceed smoothly.

Indicators

Indicator 1. The Member State authority is aware of any special needs of the person to be transferred. It is in possession of all the necessary elements as set out in Articles 48 and 50 AMMR.

- **Additional remark:** Special needs include, for example, UACs, any medical conditions or vulnerability that may have a direct impact on the transfer or that the receiving Member State should be aware of in order to provide adequate reception measures.

Indicator 2. The Member State authority has procedures in place to identify any security-related information and to communicate it to the other Member State through the appropriate law enforcement channels.

Indicator 3. The Member State authority has guidelines in place for determining the category of transfer to use in each case.

Indicator 4. All personal documents of the person, where available, are transferred by the transferring Member State to the receiving Member State at the time of the transfer.

- **Additional remark:** In cases of voluntary transfers the Member State authorities should agree upon the most appropriate means of transferring the documentation

Indicator 5. The determining authority establishes a direct communication channel with the relevant reception authorities to ensure that the location of the person is monitored and they remain available for the transfer.



Standard 92. If the transferring Member State is unable to affect the transfer of the applicant or person concerned within the required time limit they assume responsibility for the examination of the application.

Indicators

Indicator 1. In cases whereby the transfer of the applicant or person concerned cannot be executed within the required time limit, a standard procedure is in place to ensure that the case is channelled into the national procedure for examination

Exchange of information between Member States on transfer modalities

In the case of voluntary transfers or supervised Type A transfers, where the receiving Member State will not meet the person at the point of entry, the receiving Member State is not required to provide a reply to the transfer notification.

For supervised Type B transfers where the receiving Member State will meet the person at the point of entry, and for escorted Type B transfers, the following provisions apply

- if the receiving Member State confirms the transfer modalities proposed by the transferring Member State, no further communications are necessary on the modalities;
- where the receiving Member State proposes an alternative way to carry out the transfer, the transferring Member State should communicate whether this alternative is acceptable or if they instead intend to transfer the person(s) concerned to the default location for transfers in the responsible Member State;
- where the receiving Member State does not respond to the transfer notification within the time limit, the transferring Member State informs the receiving Member State that they will carry out the transfer to the default location for transfers in the receiving Member State and of the modalities of that transfer.

Good practice: providing timely replies on transfer notifications

Planning transfers involves a lot of administrative work and cost for the transferring Member State. In the spirit of promoting strong cooperation between Member State authorities, the receiving Member State is encouraged to provide responses as soon as possible to the transferring Member State. This allows them maximum flexibility to finalise the necessary planning for the transfer and avoiding unnecessary extra work.

Member States are therefore encouraged to prioritise replies based on the anticipated date of the transfer. This helps reduce the need for re-booking transfers if there are any objections to the proposed transfer modalities very close to the intended transfer date.



Good practice: sending documents

Where documents are not sent at the time of transfer, they are sent using recorded delivery, after consultation with the receiving Member State, to ensure that the documents are sent to the right authority using a valid and up-to-date address.

Good practice: group transfers

When group transfers are carried out, the Member States involved may have a bilateral agreement in place which provides details on acceptable modalities and requirements for such transfers between the Member States concerned. Such agreements can lead to a more efficient process, particularly between Member States where group transfers are common.

Good practice: providing information to the person to be transferred

It is good practice to provide information to the person to be transferred ahead of the transfer to ensure that they are aware of their rights and obligations. They should also be informed of the consequences of absconding or not abiding by the transfer decision. Providing this information also orally during an information provision session can serve as an opportunity for the person to be transferred to ask questions regarding the transfer. If the transfer of the person is to be carried out under escort, it can also be good to explain the role of escorts during the transfer to the person being transferred.

Transferring families

**AMMR Implementing Regulation****Chapter V**

Standard 93. According to the principles of family unity and the best interests of the child, members of a family are transferred together as far as is possible.

Indicators

Indicator 1. If a child is born between the acceptance and the transfer, Member States include in the form all information regarding the child along with a birth certificate or other documents providing information about the birth.

- **Additional remark:** There is no need to send a new take back / take charge request for a newborn child.

Indicator 2. The Member State is flexible in organising the transfer in the interests of keeping the family together, especially when they are at different stages in the AMMR procedures, without prejudice to the need to comply with the relevant time limits



Indicator 3. There is a system in place to prioritise the transfer of applicants following the acceptance of requests made on the basis of Articles 25 to 28 and 34 AMMR.

Good practice: international birth certificates

To support the full understanding of the information contained therein, some Member States choose to enclose an international birth certificate with their form, if feasible.

Voluntary transfers

	AMMR
	recital 68
	Article 48
	AMMR Implementing Regulation
	Article 24

In voluntary transfers, neither the transferring nor the receiving Member State escort or supervise the transfer. This however does not imply that the Member State authorities are not involved in the organisation of the transfer. In addition, for voluntary transfers, the transferring Member State covers the costs of the transfer and the Member States need to exchange information.

The following principles need to be respected by the transferring Member State:

- the person concerned is not a UAC;
- there is no risk of absconding during the transfer;
- the person does not pose a threat to internal security;
- the person to be transferred has no special needs to be adequately addressed, including medical needs.

Standard 94. The transfer notification is sent to the receiving Member State within the applicable timeframe, considering the information provided on the modalities and practical arrangements for the transfer and including all the relevant information.

Indicators

Indicator 1. The transfer notification is sent using the standard form no more than fourteen and no less than seven calendar days before the date by which the person concerned should appear before the authority indicated in the receiving Member State.

Indicator 2. The responsible authorities of the transferring Member State have guidelines in place to determine whether a person is suitable for a voluntary transfer.



Indicator 3. The transferring Member State plans the transfer considering, as far as possible, the information on modalities and practical arrangements provided by the receiving Member State.

Standard 95. The transferring Member State and receiving Member State both ensure adequate communication when carrying out voluntary transfers

Indicators

Indicator 1. The transferring Member State notifies the receiving Member State about the transfer and the time limit communicated to the person to be transferred to contact the authorities in the receiving Member State.

Indicator 2. The transferring Member State ensures that the person will be able to present themselves at the location of the authority by the date and time they are to appear. The arrangements take note, in particular, of public holidays and other relevant modalities and practical arrangements communicated by the receiving Member State.

Indicator 3. The receiving Member State notifies the transferring Member State when the person subject to the voluntary transfer has presented themselves at the indicated authority without undue delay.

Indicator 4. The receiving Member State notifies, within seven days of the end of the time limit for the person subject to a voluntary transfer to present themselves, where the person has not appeared.

- **Additional remark:** If the receiving Member State does not provide any information within that time limit, the transfer is considered as carried out.

Standard 96. The transferring Member State provides sufficient information and support to the person to be voluntarily transferred to ensure the success of the transfer

Indicators

Indicator 1. The transferring Member State has a procedure in place to inform the person to be transferred of when and where they are to appear in the receiving Member State.


Indicator 2. The transferring Member State ensures that all travel-related costs of the person to be transferred, until their final arrival at the point where they are instructed to contact the authorities of the receiving Member State, are covered by the transferring Member State.

Indicator 3. The transferring Member State ensures that the person to be transferred is aware of their obligations to abide by the transfer decision and to report to the authorities in the receiving Member State.

Indicator 4. The transferring Member State ensures that the person to be transferred is aware of how to travel from their current location to the location where they are instructed to report to the authorities in the receiving Member State.



Supervised transfers

	AMMR
	recital 68
	Article 48
	AMMR Implementing Regulation
	Article 25

There are two types of supervised transfers under the AMMR. In both cases, the person to be transferred is accompanied to the point of departure by the transferring Member State. For supervised Type A transfers, the person is provided a time and place to present themselves to the authorities in the responsible Member State. If an applicant fails to present themselves to the authorities this does not affect the responsibility to examine the application by the responsible Member State.

For supervised Type B transfers, the authorities in the responsible Member State receive the person to be transferred at the point of entry. This means that supervised Type A transfers are only supervised at the point of departure whilst supervised Type B transfers are supervised at both ends.

Standard 97. The transfer notification is sent to the receiving Member State within the applicable timeframe, considering the information provided on modalities and practical arrangements for the transfer and including all the relevant information.

Indicators

Indicator 1. The transfer notification is sent using the standard form no more than fourteen and no less than seven calendar days before the date of arrival specifying whether the transfer is a Type A or Type B supervised transfer. This refers to whether the person is required to present themselves before the authority of the receiving Member State (Type A) or the receiving Member State is to receive the person at the point of entry (Type B).

- **Additional remark:** for supervised Type A transfers, the date of arrival is the date by which the person is to appear before the authorities of the receiving Member State. For supervised Type B transfers, the date of arrival is the date the person will arrive in the responsible Member State. If the receiving Member State is required to take any immediate measures to adequately address the special needs of the person to be transferred in accordance with Article 48(2) and the standard form (Annex V to the AMMR Implementing Regulation) is transmitted at least twenty-one days before the date of arrival.

Indicator 2. The transferring Member State plans the transfer considering, as far as possible, the information on modalities and practical arrangements provided by the receiving Member State.



Standard 98. The receiving Member State confirms the modalities of the transfer or promptly offers a viable alternative solution.

Indicators

Indicator 1. If the transfer is a supervised Type B, the receiving Member State either confirms its availability to receive the transfer of the person(s) concerned or indicate a viable alternative way for the transfer to be carried out within five days of receipt of the transfer notification form (Annex V to the AMMR Implementing Regulation).

- **Additional remark:** If the alternative for the proposed Type B transfer by the receiving Member State does not present a reasonable alternative for the transferring Member State, the transferring Member State carries out the transfer to the default location for transfers and communicates the arrival time to the receiving Member State. The same applies where no alternatives have been provided within the time limit.

Indicator 2. If the receiving Member State indicates an alternative way for the transfer to be carried out, it ensures, to the best of its ability, that the alternative would be a viable option for the transferring Member State.

- **Additional remark:** Ensuring the viability of the alternate transfer can, for instance, include ensuring that there are available transport options between the proposed points of departure and arrival during office hours.

Standard 99. The transferring and receiving Member States both ensure adequate communication when carrying out supervised transfers.

Indicators

Indicator 1. The transferring Member State ensures that the person will be able to present themselves by the date and time and at the location indicated to them (Type A), or that the transfer can go ahead on the date proposed (Type B). The arrangements take note, in particular, of public holidays and other relevant modalities and practical arrangements communicated by the receiving Member State.

Indicator 2. If the alternative for the proposed Type B transfer by the receiving Member State does not present a reasonable alternative for the transferring Member State, the transferring Member State carries out the transfer to the default location for transfers in the receiving Member State. The transferring Member State communicates the arrival time to the receiving Member State. The same applies where no alternatives have been provided within the time limit.

Indicator 3. The receiving Member State notifies the transferring Member State when the person subject to the supervised transfer of Type A has presented themselves at the indicated authority without undue delay.



Indicator 4. The receiving Member State notifies the transferring Member State, within seven days of the time limit for the person subject to a supervised Type A transfer to present themselves, if the person has not appeared.

- **Additional remark:** If the receiving Member State does not provide any information within that time limit, the transfer is considered as carried out.

Standard 100. The transferring Member State provides sufficient information and support to the person to be transferred with a supervised departure to ensure the success of the transfer.

Indicators

Indicator 1. For supervised Type A transfers, the transferring Member State ensures that all travel-related costs of the person to be transferred, until their final arrival at the point where they are instructed to contact the authorities of the receiving Member State, are covered by the transferring Member State.

Indicator 2. The transferring Member State ensures that the person to be transferred is aware of their obligations to abide by the transfer decision.

Indicator 3. For supervised Type A transfers, the transferring Member State ensures that the person to be transferred is aware of their obligation to report to the authorities in the receiving Member State.

Indicator 4. For supervised Type A transfers, the transferring Member State ensures that the person to be transferred is aware of how to travel from the point of entry in the receiving Member State to the location where they are instructed to report to the authorities.

Escorted transfers

	AMMR
	recital 68
	Article 48
	AMMR Implementing Regulation
	Article 26

Escorted transfers involve a supervised departure at both ends of the transfer and the transferring Member States provides escorts during the transfer. Persons who pose a threat to internal security should only be transferred under escort.



There are two types of escorted transfers under the AMMR. Transfers of 10 persons or more are referred to as escorted Type A transfers. Transfers of 9 persons or fewer are referred to as escorted Type B transfers. These transfers are also defined as group transfers.

In cases whereby multiple groups of persons are to be transferred together i.e. 4 families consisting of 3 persons, the type of escorted transfer should be calculated on the basis of the total number of persons to be transferred.

Standard 101. The transfer notification is sent to the responsible Member State within the applicable timeframe, considering the information provided by the responsible Member State on modalities and practical arrangements for the transfer and including all the relevant information.

Indicators

Indicator 1a. If the transfer is for a group of 10 persons or more, the intention to carry out a transfer is sent using the standard form as soon as possible but at least twenty-one days before the intended date of the transfer.

OR

Indicator 1b. For other group transfers, the transfer notification is sent no more than fourteen and no less than seven calendar days before the intended day of the transfer.

- **Additional remark:** If the receiving Member State is required to take any immediate measures to adequately address the special needs of the person to be transferred in accordance with Article 48(2) AMMR, the person poses a threat to internal security or the person is a UAC, the standard form is transmitted at least twenty-one days before the date of arrival.

Indicator 2. For escorted Type A transfer once the intention to carry out the transfer has been notified and the receiving Member State has confirmed its availability to receive, the transferring Member State sends the individual transfer notification for each person concerned no more than fourteen and no less than seven calendar days before the intended date of the transfer.

Indicator 3. The transferring Member State plans the transfer considering, as far as possible, the information on modalities and practical arrangements provided by the responsible Member State.

Standard 102. The receiving Member State confirms the final transfer modalities.

Indicators

Indicator 1. The receiving Member State responds to the transfer notification within five days using the standard form Annex V to either confirming the transfer modalities proposed by the transferring Member State or indicating a viable alternative.



Indicator 2. If the receiving Member State indicates an alternative way for the transfer to be carried out, it ensures, to the best of its ability, that the alternative would be a viable option for the transferring Member State.

- **Additional remark:** Ensuring the viability of the alternate transfer can, for instance, include ensuring that there are available transport options between the proposed points of departure and arrival during office hours.

Indicator 3. If the alternative proposed by the receiving Member State does not present a reasonable option for the transferring Member State, the transferring Member State carries out the transfer to the default location for transfers in the receiving Member State. The transferring Member State communicates the arrival time to the receiving Member State. The same applies where no alternatives have been provided in the time limit.

- **Additional remark:** For escorted Type A transfers if the receiving Member State does not present an alternative the transfer cannot be carried out to the default location.

Standard 103. The transferring and receiving Member States both ensure adequate communication when carrying out type A escorted transfers.

Indicators

Indicator 1. The transferring Member State notifies the receiving Member State about the intention to transfer as soon as possible, but at least twenty-one days prior to the date of the transfer using the standard form (Annex VI to the AMMR Implementing Regulation).

Indicator 2. The transferring Member State takes note of public holidays and other relevant modalities and practical arrangements communicated by the receiving Member State when notifying the transfer.

Indicator 3. The receiving Member State either confirms the availability to receive the person as proposed by the transferring Member State or indicates an alternative way for the transfer to be carried out within five days of receiving the form (Annex VI to the AMMR Implementing Regulation).

Indicator 4. Where an escorted Type A transfer has been confirmed, the transferring Member State submits standard forms (Annex V to the AMMR Implementing Regulation) for all persons that are part of that transfer, together with the list in Annex VI to the AMMR Implementing Regulation, no earlier than fourteen days and no later than seven days prior to the transfer.



Standard 104. The transferring and receiving Member States both ensure adequate communication when carrying out escorted Type B transfers.

Indicators

Indicator 1. The transferring Member State notifies the receiving Member State about the escorted transfer within the applicable time limit.

Indicator 2. The transferring Member State takes note of public holidays and other relevant modalities and practical arrangements communicated by the receiving Member State when notifying the transfer.

Indicator 3. If the transfer notified is an escorted Type B, the receiving Member State either confirms the availability to receive the person as proposed by the transferring Member State or indicates an alternative way for the transfer to be carried out within five days of receiving the form (Annex V to the AMMR Implementing Regulation).

Good practice: disruptive behaviour of the person concerned

If the transferring Member State is aware that there are reasonable grounds to believe that the person concerned might be violent or disruptive, even if the person does not pose a threat to internal security, it is important to communicate this to the receiving Member State. This information is communicated to the receiving Member State in an appropriate way and as soon as possible. This means the receiving Member State can make the necessary preparations for receiving the person. At the same time, measures should be taken to ensure that the dignity and fundamental rights of the person concerned are respected throughout the process.

Delayed, postponed and cancelled transfers

	AMMR
	recital 59
	Article 46(2)
	AMMR Implementing Regulation
	Article 28(2)

Article 46(2) of the AMMR stipulates a number of scenarios which lead to an extension of the deadline with which to transfer the person concerned to the responsible Member State:

- The person concerned is imprisoned
- The person concerned, or one of their family members has absconded
- The person concerned is physically resisting the transfer
- The person concerned is intentionally making themselves unfit to be transferred



- The person concerned is not complying with the medical requirements for the transfer

This section uses the terms delay, postponement and cancellation. They are defined as follows.

- **Delay** implies that the transfer can still be carried out on the intended day of the transfer but that circumstances have shifted causing a delay of the transfer. Delays refer both to delays known to the transferring Member State prior to the day of the transfer and on the day of the transfer. Delays refer to considerable delays of more than one hour or delays that imply that the transferee would arrive in the receiving Member State outside of the normal office hours. Transfers outside normal office hours must be explicitly requested by the requesting Member State and confirmed by the requested Member State, as they may require the involvement of the police authority or border guards.
- **Postponement** implies that the intended transfer cannot be carried out on the intended date of the transfer but that the person(s) to be transferred is (are) still available to be transferred and that the transfer can be carried out at a later date.
- **Cancellation** implies that the transfer cannot be carried out as planned, for instance because the person absconded or that the transfer decision was cancelled. In these situations, a new transfer would be planned if the person becomes available again to the authorities in the transferring Member State.

Standard 105. If the transfer is delayed, the transferring Member State informs the receiving Member State without delay and takes appropriate action.

Indicators

Indicator 1. The transferring Member State informs the receiving Member State without delay about the delay in the transfer.

Indicator 2. The transferring Member State postpones the transfer if the delay is of such a nature as to cause considerable complications for the receiving Member State.

- **Additional remark:** Considerable complications could be, for instance, a delay resulting in a transfer arriving more than one hour outside of the normal working hours of the receiving Member State for escorted transfers or a supervised Type B transfer where the receiving Member State will meet the person at the airport.

Good practice: direct communication channels between Member State

Establishing direct lines of communication between the authorities of transferring Member States for escorted transfers, and transfers that are supervised at both ends of the transfer, can greatly improve the possibility to efficiently resolve issues related to delays or other issues that can occur during transfers. Liaison officers may also help resolve issues during the transfer.



Good practice: postponement requested by the receiving Member State

If the receiving Member State identifies a pressing need to postpone an already planned and agreed transfer, they communicate this as soon as possible to the transferring Member State. As such postponements likely imply considerable added workload and costs for the transferring Member State, they should only be resorted to when unforeseen events severely affect the capacity of the receiving Member State to receive the person(s) to be transferred.

The receiving Member State should make every effort to proactively provide a suitable alternative for the transfer and show as much flexibility as possible (e.g. acceptance of transfer outside of the normal working hours) towards the transferring Member State so that they may carry out the transfer with the shortest possible additional delays and limiting as far as possible their additional workload and costs.

The use of direct communication channels and liaison officers offer possibilities to mitigate some of the additional complexities in such situations.

Standard 106. If a transfer must be postponed, both Member States act without delay to ensure a successful transfer.**Indicators**

Indicator 1. The transferring Member State informs the receiving Member State without delay about the need to postpone the transfer and proposes new modalities for the transfer.

Indicator 2. The receiving Member State replies without delay and gives priority when considering the proposed transfer modalities.

Standard 107. If a transfer must be cancelled, the transferring Member State informs the receiving Member State without delay.**Indicators**

Indicator 1. The transferring Member State informs the receiving Member State without delay about the cancellation of the transfer stating the reasons that the transfer was cancelled.

Indicator 2. If a transfer is cancelled due to one of the reasons for the extension of the transfer deadlines outlined in Article 46(2), the requesting Member State details the reason in part 1 of Annex 5.



Erroneous transfers or transfers overturned on appeal or review



AMMR

Article 46(3), Article 47(2)

An erroneous transfer refers to the situation where a person is transferred to a Member State that is not the responsible Member State because of an administrative or clerical error. The costs for the transfer shall be covered by the Member State which initially carried out the transfer.

A transfer is not considered to be erroneous if there was an administrative error in the exchange of information or communication between Member States prior to the transfer provided that this did not lead to a misidentification of the person concerned and the correct person is transferred to the responsible Member State.

Likewise, a transfer is not considered to be erroneous where it has been carried out because suspensive effect was not applied and the transfer decision is subsequently overturned on appeal or review. In such cases, the Member State that carried out the transfer accepts the person back promptly and implements the outcome of the appeal or review.

Standard 108. Upon becoming aware of the erroneous transfer, the Member State immediately notifies the other Member State and arranges the transfer back by mutual agreement.

Indicators

Indicator 1. The Member States involved in an erroneous transfer exchange all relevant information about the case without delay.

Indicator 2. The person who was erroneously transferred is transferred back as soon as possible to the responsible Member State.

Good practice: providing further information to applicant in the case of erroneous transfer

Authorities should provide information to the person who was erroneously transferred on the reasons for the transfer back to the responsible Member State.

Standard 109. In the event that a transfer decision is overturned on appeal or review after the transfer has been carried out, on becoming aware of the outcome, the transferring Member State immediately notifies the receiving Member State and arranges the transfer back by mutual agreement.

Indicators

Indicator 1. The transferring Member State informs the receiving Member State in writing and without delay when it receives the outcome of the appeal.

Indicator 2. The person concerned is transferred back as soon as possible in accordance with the outcome of the appeal or review.



Successful transfers

Standard 110. The information about a successful transfer is marked in the Eurodac database as soon as possible after the arrival.

Indicators

Indicator 1. The receiving Member State has a procedure in place to monitor arrivals on their territory relating to AMMR transfers.

Indicator 2. The receiving Member State has a procedure in place designating the necessary tasks to staff authorised to fulfil the obligations arising from the Eurodac III Regulation.

Spontaneous arrivals

It may happen that a person that is subject to a transfer decision under the AMMR appears in the responsible Member State within the 6 month time limit for transfer without any prior communication of the involved Member States. This can also be the case for persons that have absconded from the Member State that issued a transfer decision. The person concerned may be identified in the responsible Member State either because they voluntarily present themselves to the authorities or because they are apprehended by the authorities. The person concerned may also have multiple transfer decisions from different Member States to the responsible Member State.

Informing the other Member States of the fact that the person appeared in the responsible Member State allows them to close the case in their case management systems.

Standard 111. In cases of spontaneous arrivals, the responsible Member State informs, without delay, the other relevant Member State(s) that the person has arrived.

Indicators

Indicator 1. The responsible Member State notifies any Member State that has sent a take charge request or take back notification for the concerned person informing them of the fact that the person has arrived in the responsible Member State using Annex II for take charge or Annex III for take back.

Indicator 2. The responsible Member State indicates in the Eurodac database that the person has arrived in their Member State.



EUAA Recommendations on Dublin Transfers ⁽⁵²⁾

The recommendations support all categories of staff that are involved in the planning, organisation and execution of Dublin transfers.

⁽⁵²⁾ EUAA, *Recommendations on Dublin Transfers*, April 2023, (update forthcoming), <https://www.euaa.europa.eu/publications/recommendations-dublin-transfers>.



Annex 1. Deadlines for take charge requests and take back notifications and for transfer decisions

AMMR procedure	Time limit
<p>Start of the procedure for determining the Member State responsible</p>	<ul style="list-style-type: none"> • For take charge requests without delay from the registration. • For take back notifications within 2 weeks of receiving the Eurodac hit.
Take charge	
<p>Submitting a take charge</p>	<ul style="list-style-type: none"> • Within 2 months of registration (no legal consequence for cases of UACs) • 1 month for Eurodac/VIS hits. • If the person is detained, the period must not exceed 2 weeks from the date of the registration of the application or the date of the hit from Eurodac in cases where no new application was registered. If the person was placed in detention after the registration of the application, the period must not exceed one week from the date on which the person was placed in detention.
<p>Replying to a take charge</p>	<ul style="list-style-type: none"> • Within 1 month of receipt. • Within 2 weeks of receipt in case of Eurodac/VIS hit. • In cases where an urgent reply has been requested, the requesting Member State should provide a timeline of at least 1 week to respond. The requested Member State should endeavour to respond by the requested deadline, failing this at the latest within 2 weeks of the request. • If the person is detained, the reply should be sent as soon as possible, and in any event within one week of receipt of the request.
Take back	
<p>Submitting a take back</p>	<ul style="list-style-type: none"> • Within 2 weeks of receipt of the Eurodac hit (no legal consequence on determination of responsibility).



	<ul style="list-style-type: none"> If the person is detained, the period must not exceed 2 weeks from the date of the registration of the application or the date of the hit from Eurodac in cases where no new application was registered. If the person was placed in detention after the registration of the application, the period must not exceed 1 week from the date on which the person was placed in detention
Confirming a take back notification	<ul style="list-style-type: none"> Within 2 weeks. If the person is detained, the confirmation/non-confirmation should take place as soon as possible, and in any event within 1 week of receipt of the request.
Transfer	
Taking a transfer decision	<ul style="list-style-type: none"> Within 2 weeks of acceptance/notification of the take charge or take back.
Notifying a transfer decision	<ul style="list-style-type: none"> Without delay after making the decision.
Appealing a transfer decision	<ul style="list-style-type: none"> At least 1 week but not more than 3 weeks after the notification.
Court decision on the possible suspensive effect	<ul style="list-style-type: none"> The court must endeavour to decide within 1 month of the decision to grant suspensive effect.
Carrying out a transfer	<ul style="list-style-type: none"> As soon as practically possible and at the latest within 6 months of the acceptance/confirmation of the take charge or take back or of the final decision on an appeal where there is a suspensive effect. If the person is detained, as soon as practically possible or within 5 weeks of the acceptance of the request or the lifting of the suspensive effect. <p>Possible extensions:</p> <ul style="list-style-type: none"> Up to 1 year if the person is imprisoned. Up to 3 years in case of absconding, physical resistance to the transfer, the person is intentionally making themselves unfit for the transfer or is not complying.



Annex 2. Deadlines before the transfer

Transfer modality	Required Action	Time limit
All transfer modalities	Prioritisation and preparation of cases	As early as possible
Voluntary transfers	Transmission of standard form	No more than 14 and no less than 7 days before the date by which the person is to appear
Supervised transfers – Type A (appearance before authority)	Transmission of standard form	No more than 14 and no less than 7 days before the indicated date
Supervised transfers – Type A (special needs or UACs)	Transmission of standard form	At least 21 days before the indicated date
Supervised transfers – Type B (received by authorities)	Transmission of standard form	No more than 14 and no less than 7 days before the planned arrival
Supervised transfers – Type B (special needs or UACs)	Transmission of standard form	At least 21 days before the planned arrival
Supervised transfers – Type B	Confirmation of availability or proposal of alternatives by receiving Member State	Within 5 days of receipt of the standard form
Transfers under escort – individual cases (special needs, security threat or UACs)	Transmission of standard form	At least 21 days prior to the transfer
Transfers under escort – individual cases	Confirmation of availability or proposal of alternatives by receiving Member State	Within 5 days of receipt of the standard form
Transfers under escort – simultaneous transfer of 10 persons or more	Notification of intention	As soon as possible and at latest 21 days before the intended transfer date
Transfers under escort – simultaneous transfer of 10 persons or more	Transmission of individual standard forms	No more than 14 and no less than 7 days prior to the transfer
Transfers involving detained persons	Carrying out the transfer	As soon as practically possible and within 5 weeks of the acceptance of the take





		charge request or confirmation of the take back notification, or from the date an appeal or review no longer has suspensive effect
Relocation transfers	Transmission of standard form	As soon as possible after notification of the transfer decision
Relocation transfers	Carrying out the transfer	Within 4 weeks of the confirmation by the Member State of relocation or of the final decision on an appeal or review of a transfer decision with suspensive effect





Annex 3. Deadlines after the transfer

Transfer modality	Required Action	Time limit
Voluntary transfers	Notification of arrival or non-appearance by receiving Member State	Within 7 days* of the expiry of the time limit for appearance <i>*If no notification is received within this period, the transferring Member State assumes that the person concerned arrived.</i>
Supervised transfers – Type A	Notification of non-appearance by receiving Member State	Within 7 days* of the indicated date <i>*If no notification is received within this period, the transferring Member State assumes that the person concerned arrived.</i>
Voluntary and supervised transfers – Type A	Transfer deemed to have been carried out where no information is received	After 7 days
All applicable cases	Entry of arrival date in Eurodac	As soon as possible after actual arrival





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