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2026.4 National legislation and practices regarding the extension of the Dublin transfer period

**European Migration Network
Ad-hoc query**

February, 2026

AD-HOC QUERY ON 2026.4 NATIONAL LEGISLATION AND PRACTICES REGARDING THE EXTENSION OF THE DUBLIN TRANSFER PERIOD

REQUESTED BY EMN NCP BELGIUM ON 21 JANUARY 2026

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Responses from: EMN NCP Austria, EMN NCP Belgium, EMN NCP Bulgaria, EMN NCP Croatia, EMN NCP Cyprus, EMN NCP Czech Republic, EMN NCP Estonia, EMN NCP Finland, EMN NCP France, EMN NCP Germany, EMN NCP Greece, EMN NCP Hungary, EMN NCP Ireland, EMN NCP Italy, EMN NCP Latvia, EMN NCP Lithuania, EMN NCP Luxembourg, EMN NCP Netherlands, EMN NCP Poland, EMN NCP Slovakia, EMN NCP Slovenia, EMN NCP Spain, EMN NCP Sweden **(23 in total)**

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BACKGROUND INFORMATION

Article 29 (1) of the Dublin Regulation (Regulation (EU) N° 604/2013) provides that the transfer of the applicant shall be carried out after consultation between the Member States concerned, as soon as practically possible, and at the latest within six months of acceptance of the request by another Member State to take charge or to take back the person concerned or of the final decision on an appeal or review where there is a suspensive effect in accordance with Article 27(3). According to article 29 (2) of the Dublin Regulation, where the transfer does not take place within the 6-month deadline, the

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responsibility is transferred to the requesting State. But this 6-month deadline can be extended to a maximum of one year if the transfer cannot be carried out due to imprisonment of the person concerned or up to a maximum of 18 months if the person concerned absconds.

Currently, Belgian national legislation provides for a formal decision to extend the transfer deadline, separate from the transfer decision. As part of the amendments to our legislation aimed at the implementing the new Regulation (EU) 2024/1351 "AMMR" into the Belgian law, we are considering removing the decision to extend the transfer deadline.

In order to consolidate our legal reasoning, we would like other Member States to provide us with information on their legal framework and practices regarding the extension of the transfer deadline.

We would very much appreciate your responses by 11 February 2026.


WE WOULD LIKE TO ASK THE FOLLOWING QUESTIONS:

We would very much appreciate your responses by **11 February 2026**.

1. Does your national legislation provide for a formal decision to extend the transfer deadline that is separate from the transfer decision? YES/NO. If YES, could you mention and explain the relevant provisions?
2. Can the decision to extend the transfer deadline be appealed? YES/NO. Please explain indicating the legal provisions.
3. Does your national legislation contain specific provisions on absconding related to the extension of the transfer deadline? YES/NO. If YES, could you mention and explain these provisions?
4. Could you describe your practice regarding absconding and the extension of the transfer deadline?
5. Could you describe your practice if the applicant reappears after having absconded?

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RESPONSES

		Unrestricted Dissemination ?	
	EMN NCP Austria	Yes	<p>1. Does your national legislation provide for a formal decision to extend the transfer deadline that is separate from the transfer decision? YES/NO. If YES, could you mention and explain the relevant provisions?</p> <p>No. --- Source: Ministry of the Interior</p> <p>2. Can the decision to extend the transfer deadline be appealed? YES/NO. Please explain indicating the legal provisions.</p> <p>N/a, see Q1. --- Source: Ministry of the Interior</p>


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			<p>3. Does your national legislation contain specific provisions on absconding related to the extension of the transfer deadline? YES/NO. If YES, could you mention and explain these provisions?</p> <p>No. ---</p> <p>Source: Ministry of the Interior</p> <p>4. Could you describe your practice regarding absconding and the extension of the transfer deadline?</p> <p>In practice, the disappearance of an applicant is determined on the basis of objective criteria, in particular if the person concerned evades the competent authorities, can no longer be reached at a designated place of residence or fails to comply with official registration or cooperation obligations. The decisive factor is whether the person concerned deliberately evades the authorities responsible for carrying out the transfer in order to thwart the transfer. In this context, the case law of the CJEU, in particular the judgment in Case C-163/17 (Jawo), is taken into account. According to this, an applicant is considered to be 'absconding' within the meaning of Article 29(2) of the Dublin III Regulation if he deliberately evades the competent authorities, for example by leaving the accommodation assigned to him/her without giving notice, even though s/he has been informed of his/her obligations to cooperate. The applicant retains the possibility of proving that the failure to report was based on valid reasons and was not done with the intention of evading the authorities.</p> <p>Under Austrian legal interpretation, the concept of absconding must be interpreted in accordance with these EU legal requirements and in light of the relevant provisions of the Asylum Act 2005 and the Registration Act 1991. The decisive factor is whether the</p>
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			<p>whereabouts of the person concerned are known to the authorities or can be determined without disproportionate effort. If a person is not found at the registered address, a period of three days is generally observed to allow for any official deregistration in accordance with Art. 4 of the Registration Act 1991. If no new registration occurs within this period and the whereabouts remain unknown, it is assumed that the person has absconded or is elusive. If there are indications that the person concerned has absconded, the transfer period shall be extended to up to 18 months in accordance with Article 29(2) of the Dublin III Regulation. The extension is effected by informing the Member State responsible via DubliNet. National law does not provide for a separate formal decision on the extension of the transfer period; the extension results directly from the application of the Dublin III Regulation and is documented internally by the authorities.</p> <p>---</p> <p>Source: Ministry of the Interior</p> <p>5. Could you describe your practice if the applicant reappears after having absconded?</p> <p>If the applicant reappears after having absconded, the competent authorities examine whether the transfer period to the competent Member State is still ongoing. In particular, they shall take into account whether the conditions for assuming absconding are still met or whether the applicant can demonstrate that their previous absence was not intended to evade the authorities.</p> <p>If the extended transfer period is still in effect, the necessary measures to carry out the transfer to the competent Member State are initiated.</p> <p>If the extended transfer period has already expired, responsibility under Article 29(2) of the Dublin III Regulation shifts to Austria, and the application for international protection is admitted in Austria for substantive examination.</p> <p>---</p>
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			Source: Ministry of the Interior
	EMN NCP Belgium	Yes	<p>1. Does your national legislation provide for a formal decision to extend the transfer deadline that is separate from the transfer decision? YES/NO. If YES, could you mention and explain the relevant provisions?</p> <p>YES In Belgium the legal basis for formal decisions to extend the transfer deadline is: Article 51/5, paragraph 6, sub-paragraph 1, of the law of 15 December 1980 on access to the territory, residence, settlement and removal of foreign nationals (Aliens Law): for the foreign national who has lodged an application for international protection in Belgium; Article 51/5/1, paragraph 4, sub-paragraph 1, of the Aliens Law: for the foreign national who has lodged an application for international protection in another Member State and is staying illegally in the Belgian territory without lodging a new application for international protection ("transmigrant").</p> <p>2. Can the decision to extend the transfer deadline be appealed? YES/NO. Please explain indicating the legal provisions.</p> <p>YES. An appeal against the decision to extend the transfer deadline may be lodged with the Council for Alien Law Litigation (CALL).</p>


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			<p>3. Does your national legislation contain specific provisions on absconding related to the extension of the transfer deadline? YES/NO. If YES, could you mention and explain these provisions?</p> <p>YES</p> <p>Article 51/5, paragraph 6, sub-paragraph 2, and article 51/5/1, paragraph 4, sub-paragraph 2, of the Aliens Law define, in general terms, the concept of “absconding” referred to in Article 29(2) of the Dublin III Regulation:</p> <p>“A foreign national has absconded if he deliberately evades the authorities responsible for carrying out the transfer in order to prevent it, provided that he has been informed of his obligations and the consequences of failing to comply with them in a language he understands or can reasonably be expected to understand.”</p> <p>This definition is based on the interpretation given by the Court of Justice of the European Union in the case of Jawo v. Bundesrepublik Deutschland (C.J. (Grand Chamber), March 19, 2019, C-163/17, EU:C:2019:218, paragraph 70).</p> <p>Our Aliens Law also lists a number of situations in which “the absconding” within the meaning of Article 29(2) of the Dublin III Regulation may be presumed. A distinction is made between: a foreign national who has lodged an application for international protection in Belgium: article 51/5, paragraph 6, sub-paragraph 3 a “transmigrant”: article 51/5/1, paragraph 4, sub-paragraph 3.</p> <p>The list of these situations is not exhaustive and does not exclude the possibility that, in other situations, we may consider that a foreign national is demonstrating a willingness to evade the competent authorities responsible for carrying out his or her transfer.</p> <p>4. Could you describe your practice regarding absconding and the extension of the transfer</p>
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			<p>deadline?</p> <p>In a Dublin case, first, a transfer decision is made and notified. Then, when the applicant absconds: the responsible Member State is notified of the extension of the time limit to 18 months the applicant is notified (at his last known address) of the "decision" to extend the time limit. The reasons for the extension are duly motivated in the decision and as such included in the applicant's file.</p> <p>5. Could you describe your practice if the applicant reappears after having absconded?</p> <p>Our practice varies depending on the situation of the case. For instance: when a person arrives at the registration centre with a valid agreement (and may already be considered absconded), the person is informed that the agreement is still valid as is the previous Dublin transfer decision. The person can then leave, and an internal note is added to the file. in the event of interception without detention, there is a reconfirmation of the transfer decision (no new decision). in the event of interception with a detention, we take a new transfer decision with detention.</p>
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	<p>EMN NCP Bulgaria</p>	<p>Yes</p>	<p>1. Does your national legislation provide for a formal decision to extend the transfer deadline that is separate from the transfer decision? YES/NO. If YES, could you mention and explain the relevant provisions?</p> <p>No</p> <p>2. Can the decision to extend the transfer deadline be appealed? YES/NO. Please explain indicating the legal provisions.</p> <p>No</p> <p>3. Does your national legislation contain specific provisions on absconding related to the extension of the transfer deadline? YES/NO. If YES, could you mention and explain these provisions?</p> <p>No</p> <p>4. Could you describe your practice regarding absconding and the extension of the transfer deadline?</p> <p>After verifying the evidence, sending a request to take charge or take back and receiving a response from the requested Member State, the determining authority takes a decision authorising the transfer of the foreigner to the responsible Member State. The decision</p>
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			<p>authorising the transfer is served on the foreigner. The transfer is carried out in compliance with that decision.</p> <p>Where the transfer has not been carried out, the State Agency for Refugees sets a new date for the transfer with the relevant authority of the State responsible to examine the application.</p> <p>5. Could you describe your practice if the applicant reappears after having absconded?</p> <p>If the applicant reappears after absconding, the competent authorities check whether the period for transfer to the responsible Member State has not expired.</p> <p>If the extended deadline for transfer has not expired, the necessary steps are taken to carry out the transfer. If it has expired, the responsibility is transferred to our country.</p>
	<p>EMN NCP Croatia</p>	<p>Yes</p>	<p>1. Does your national legislation provide for a formal decision to extend the transfer deadline that is separate from the transfer decision? YES/NO. If YES, could you mention and explain the relevant provisions?</p> <p>No.</p> <p>2. Can the decision to extend the transfer deadline be appealed? YES/NO. Please explain</p>

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			<p>indicating the legal provisions.</p> <p>Under Croatian law, there is generally no separate right to appeal against an extension of the Dublin transfer time limit, because such an extension is not issued as an independent administrative decision. The extension of the transfer deadline under Article 29 of the Dublin III Regulation occurs automatically by operation of EU law, rather than through a formal national decision. An appeal against the decision rejecting an application for international protection on the grounds that another MS is responsible for examining the application, and ordering a transferto the responsible MS is not permitted however, an administartive dispute may be initiated by filin a lawsuit before the Administartive court.</p> <p>3. Does your national legislation contain specific provisions on absconding related to the extension of the transfer deadline? YES/NO. If YES, could you mention and explain these provisions?</p> <p>No.</p> <p>4. Could you describe your practice regarding absconding and the extension of the transfer deadline?</p> <p>When the applicant absconds the responsible Member State is notified of the extension of the time limit to 18 months. The applicant is notified (at his last known address) of the "decision" to extend the time limit. The reasons for the extension are duly motivated in the decision and as such included in the applicant's file. Extensions of the transfer deadline due to absconding are applied only when the person has deliberately evaded authorities. Croatian authorities do</p>
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			<p>not have separate national rules on absconding, we follow the EU criteria and the extension period (18 months) is implemented as a consequence of the Regulation, not through a separate national decision.</p> <p>5. Could you describe your practice if the applicant reappears after having absconded?</p> <p>If an applicant reappears after absconding, Croatian authorities generally resume the transfer process under the Dublin III Regulation. The assessment follows EU laws and case law, not separate national rules. A decision rejecting the request and a notice of transfer to another member state would be served. If the transfer time limit has not expired (including any extension due to absconding), Croatia remains entitled to carry out the transfer to the responsible MS. If there are no grounds for detention, the person will be accommodated in reception centre until transfer is carried out.</p>
	<p>EMN NCP Cyprus</p>	<p>Yes</p>	<p>1. Does your national legislation provide for a formal decision to extend the transfer deadline that is separate from the transfer decision? YES/NO. If YES, could you mention and explain the relevant provisions?</p> <p>No, Cypriot national legislation does not provide for a formal, separate decision to extend the Dublin transfer deadline that is distinct from the transfer decision itself.</p>


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			<p>2. Can the decision to extend the transfer deadline be appealed? YES/NO. Please explain indicating the legal provisions.</p> <p>No, because the national law in Cyprus does not create a separate extension decision apart from the Dublin transfer decision itself; only the underlying transfer decision can be appealed before the International Protection Administrative Court (IPAC).</p> <p>3. Does your national legislation contain specific provisions on absconding related to the extension of the transfer deadline? YES/NO. If YES, could you mention and explain these provisions?</p> <p>No, Cypriot national legislation does not contain specific provisions on absconding for the purpose of extending the Dublin transfer deadline. The national asylum framework — principally the Refugee Law, does not include a distinct provision that links a person “absconding” from authorities to a formal extension of the Dublin transfer deadline (e.g., beyond six months). There is no explicit statutory text in the Refugee Law that provides for the extension of the Dublin transfer timeframe on account of absconding.</p> <p>4. Could you describe your practice regarding absconding and the extension of the transfer deadline?</p>
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			<p>In Cyprus, absconding is dealt with, at the level of administrative practice under the Dublin Regulation, rather than through detailed national legislative provisions. In practice, an applicant is considered to have absconded when: they cannot be located at the address they have declared to the Asylum Service, and/or they fail to comply with reporting obligations or instructions linked to the Dublin transfer (e.g. not presenting themselves for transfer arrangements), and the authorities are unable to carry out the transfer despite reasonable efforts. There is no formal statutory definition of "absconding" in national law specifically for Dublin purposes. The assessment is made case-by-case by the Asylum Service, based on factual circumstances. When absconding is established in practice: the Asylum Service applies Article 29(2) of the Dublin Regulation directly, extending the transfer deadline from 6 months up to a maximum of 18 months. No separate, formal national decision extending the deadline is issued. The extension is recorded internally in the Dublin case file and communicated operationally with the responsible Member State through DubliNet. The applicant is not notified through a distinct "extension decision". Any challenge related to absconding or the applicability of the extended deadline can only be raised indirectly, typically: in an appeal against the underlying Dublin transfer decision, or in proceedings where the applicant argues that responsibility has shifted to Cyprus because the transfer time limit expired. The courts may assess whether the applicant genuinely absconded, and whether the authorities exercised due diligence in attempting to carry out the transfer.</p> <p>5. Could you describe your practice if the applicant reappears after having absconded?</p> <p>The Dublin transfer procedure is resumed from the point at which it was interrupted. The fact that the applicant has reappeared does not automatically cancel the earlier finding of</p>
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			<p>absconding. If the transfer deadline had already been extended (up to 18 months) on the basis of absconding under Article 29(2) of the Dublin Regulation, that extended deadline continues to apply. The deadline is not shortened or recalculated due to the applicant's reappearance. Cyprus maintains the position that responsibility has not shifted to Cyprus as long as the extended deadline has not expired.</p> <p>The Asylum Service may:</p> <ul style="list-style-type: none"> re-establish contact with the responsible Member State via DubliNet, o update practical arrangements for the transfer, and issue or maintain reporting obligations or, where applicable, consider detention in line with national and EU law. No new or separate decision is issued solely because the applicant has reappeared.
	<p>EMN NCP Czech Republic</p>	<p>Yes</p>	<p>1. Does your national legislation provide for a formal decision to extend the transfer deadline that is separate from the transfer decision? YES/NO. If YES, could you mention and explain the relevant provisions?</p> <p>No</p> <p>2. Can the decision to extend the transfer deadline be appealed? YES/NO. Please explain indicating the legal provisions.</p> <p>No</p>

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			<p>3. Does your national legislation contain specific provisions on absconding related to the extension of the transfer deadline? YES/NO. If YES, could you mention and explain these provisions?</p> <p>No</p> <p>4. Could you describe your practice regarding absconding and the extension of the transfer deadline?</p> <p>The Czech Republic considers an applicant to have absconded within the meaning of the Dublin III Regulation in situations where the administrative authority responsible for the application of the Dublin Regulation loses contact with the person concerned. This may occur, for example, where the applicant repeatedly fails to respond to official summonses issued by the authority, such as invitations to attend an interview or to collect a decision.</p> <p>Each applicant for international protection is issued an "applicant card", which has limited validity depending on the stage of the international protection procedure. The applicant is obliged to ensure the extension of this document by appearing in person at the competent facility or office and requesting its renewal. If the applicant fails to do so and the document expires, a certain margin of tolerance is applied; however, if the situation persists, the administrative authority may consider the person to have absconded.</p> <p>Applicants are at all times obliged to report any change of residence or movement.</p> <p>Where a private residential address of the applicant is known, the administrative authority may request the assistance of the Police of the Czech Republic to carry out a residence check in order to verify whether the applicant is still residing at the declared address.</p> <p>Subsequently, the responsible Member State is informed of the fact that the person has absconded, and the notification includes an indication of the new time limit for carrying out the transfer.</p>
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			<p>5. Could you describe your practice if the applicant reappears after having absconded?</p> <p>If the applicant reappears, the administrative authority verifies the relevance and validity of all available information, in particular the current stage of the procedure, and proceeds accordingly with the transfer procedure.</p> <p>Where the statutory conditions are met, and on the basis of an individual assessment of the circumstances of the case, the authority may also consider the imposition of detention or the application of alternatives to detention, as appropriate.</p>
 <p>EMN NCP Estonia</p>		<p>Yes</p>	<p>1. Does your national legislation provide for a formal decision to extend the transfer deadline that is separate from the transfer decision? YES/NO. If YES, could you mention and explain the relevant provisions?</p> <p>No, our national legislation does not provide a formal decision to extend the transfer deadline that is separate from the transfer decision.</p> <p>2. Can the decision to extend the transfer deadline be appealed? YES/NO. Please explain indicating the legal provisions.</p> <p>No, there is no possibility to appeal the decision on extension of the transfer deadline. In</p>


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			<p>Estonia, only the transfer decision may be contested in the administrative court within ten days as of the announcement of the decision. A person has the right to stay in Estonia upon contesting the transfer decision.</p> <p>3. Does your national legislation contain specific provisions on absconding related to the extension of the transfer deadline? YES/NO. If YES, could you mention and explain these provisions?</p> <p>No, national legislation does not contain specific provisions on absconding related to the extension of the transfer deadline. National legislation regulates that an applicant for international protection may be detained if it is unavoidably necessary on transfer of a person in the procedure provided for in Regulation (EU) No 604/2013 of the European Parliament and of the Council, if there is a risk of escape of a person.</p> <p>4. Could you describe your practice regarding absconding and the extension of the transfer deadline?</p> <p>The Police and Border Guard Board will inform responsible MS by sending person´s abscondence form via DubliNet and extend the transfer deadline up to 18 months.</p> <p>5. Could you describe your practice if the applicant reappears after having absconded?</p>
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			<p>If there is a risk of absconding, the person will be detained. The Police and Border Guard Board will inform other Member State of the transfer in accordance with the timeframe specified by them.</p>
+	EMN NCP Finland	Yes	<p>1. Does your national legislation provide for a formal decision to extend the transfer deadline that is separate from the transfer decision? YES/NO. If YES, could you mention and explain the relevant provisions?</p> <p>NO.</p> <p>2. Can the decision to extend the transfer deadline be appealed? YES/NO. Please explain indicating the legal provisions.</p> <p>YES and NO. Since the extension of the transfer time limit is not a separate decision, it cannot be appealed on its own. However, if the time limit has been extended without sufficient legal grounds, this issue may be raised in an appeal against the transfer decision.</p> <p>3. Does your national legislation contain specific provisions on absconding related to the extension of the transfer deadline? YES/NO. If YES, could you mention and explain these provisions?</p>

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			<p>NO.</p> <p>4. Could you describe your practice regarding absconding and the extension of the transfer deadline?</p> <p>If the applicant absconds after the responsible Member State has accepted responsibility, the Finnish Immigration Service will inform the responsible Member State about the abscondence and about the extension of the transfer time limit to 18 months.</p> <p>5. Could you describe your practice if the applicant reappears after having absconded?</p> <p>If the applicant reappears and the transfer decision is still enforceable (e.g., the new transfer time limit has not been exceeded and the responsibility has not been transferred to another Member State), no new decision is needed and efforts will be made to transfer the applicant to the responsible Member State within the new extended time limit.</p>
	<p>EMN NCP France</p>	<p>Yes</p>	<p>1. Does your national legislation provide for a formal decision to extend the transfer deadline that is separate from the transfer decision? YES/NO. If YES, could you mention and explain the relevant provisions?</p>

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			<p>No. No provision in the French national legislation provides for a formal decision to extend the transfer deadline that is separate from the transfer decision, whose terms have been codified in Article L. 572-1 of the French Code for stay and residence of foreign nationals and for the right to asylum (CESEDA). In this regard, the Council of State, in its ruling on 21 October 2015, established the principle that the decision to extend the transfer deadline results in maintaining the decision on surrender to the State authorities and does not give rise to a new decision on surrender. This principle was confirmed by the Council of State in its opinion of 28 May 2021. The Council of State also specified, in its opinion of 27 October 2022, that the extension of the transfer deadline is deducted from the refusal decision to examine the asylum application under the normal procedure, in other words, to recognize the transfer of responsibility to the detriment of France.</p> <p>2. Can the decision to extend the transfer deadline be appealed? YES/NO. Please explain indicating the legal provisions.</p> <p>No. No provision of the CESEDA or the Code of Administrative Justice provides for a specific appeal against a decision by which the administrative authority decides to extend the transfer deadline. In this regard, since its ruling on 25 October 2015, the Council of State has established the principle that extending the transfer deadline or declaring a person « absconding » cannot be challenged as such, insofar as they merely extend the effects of the initial transfer deadline.</p> <p>However, in its opinion of 27 October 2022, the Council of State specified that the refusal of a request by an asylum seeker subject to the « Dublin » procedure to have its application for international protection examined by the French Office for the Protection of Refugees and Stateless Persons (OFPRA) under the normal procedure, at the end of the six-month period, constitutes a decision that is subject to appeal. This appeal is only admissible if it is based on new factual circumstances or legal considerations that are relevant and subsequent to the</p>
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			<p>transfer deadline. Furthermore, pursuant to Article L. 521-1 of the Code of Administrative Justice, it is possible to file an application for summary suspension. If the judge hearing the application for summary suspension grants the lawyer's request, he or she shall suspend the enforcement of all decisions pending the decision on the merits and request the registration of the asylum application.</p> <p>3. Does your national legislation contain specific provisions on absconding related to the extension of the transfer deadline? YES/NO. If YES, could you mention and explain these provisions?</p> <p>No. There are no provisions in the French legislation on absconding related to the extension of the transfer deadline. The concept of absconding justifying the extension of the transfer deadline is based on a definition given by the case-law of the Council of State since 18 October 2006, which defines absconding as the act of intentionally and systematically evading the control of the administrative authority in order to obstruct the execution of a transfer measure. In this regard, case law illustrations can be used to characterize absconding situations and behaviors, such as :</p> <ul style="list-style-type: none">When the asylum seeker, while in detention, clearly expresses its opposition to being returned, even though he/she has responded to all summonses and provided details of its vaccination history to enable its removal to proceed ;When the asylum seeker fails to appear, without legitimate reason, at the airport on the day of transfer, even though he/she complied with all previous summonses and belatedly informed the prefecture that his daughter was unable to fly due to a serious medical condition, as evidenced by a medical certificate ;When the administration has repeatedly attempted to implement the measure on surrender
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			<p>but the applicant has never been present at the address he provided, has not responded in any way to these attempts, and has waited six months to submit a new application, he must be regarded as having intentionally and systematically evaded the control of the administrative authority ;</p> <p>When, in the case of a controlled departure, the asylum seeker evades the transfer duly organized ;</p> <p>When the asylum seeker, who has refused the offer of escort by undertaking to travel to the airport by his own means, has failed to do so and has not responded to a second summons to enforce the measure.</p> <p>4. Could you describe your practice regarding absconding and the extension of the transfer deadline?</p> <p>The guidelines are to apply the jurisprudence of the Council of State as accurately listed in the answer to Q3.</p> <p>Furthermore, in its ruling on 21 October 2015, the Council of State stated that it is the responsibility of the competent authorities to inform the applicant, at the time of notification of the decision on surrender, of the cases and conditions in which the transfer deadline may be extended to eighteen months and, where this decision on surrender serves as the basis, after extension, for a detention measure, the existence, date, and reasons for the extension. In addition, in its ruling on 28 May 2021, the Council of State emphasized that the extension of the transfer deadline, which results solely from the applicant's absconding, only gives rise to a notification by the Member State that is unable to proceed with the transfer to the State responsible for the asylum application, failing which the requesting State becomes responsible for the application for international protection.</p>
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5. Could you describe your practice if the applicant reappears after having absconded?


The practice differs depending on the circumstances of the applicant's reappearance after absconding, such as:

In cases where an applicant who, having been declared « absconding », becomes available to the authorities again before the transfer deadline has expired, the competent services shall continue the procedure until the transfer decision has been implemented, where applicable ; Pursuant to Article L. 751-2 of the CESEDA, an applicant who, having been placed under house arrest or administrative detention, has not complied with the transfer decision or, having complied with it, and is once again available to the authorities while that decision is still enforceable, may be placed under house arrest again ;


Pursuant to Article L. 751-9 of the CESEDA, an applicant who, having been declared « absconding », makes himself available to the authorities again while the transfer decision is still enforceable, may be placed in detention for the purposes of enforcing the transfer decision. As the person concerned has been declared «absconding », the significant risk of absconding provided for in Article L. 751-10 may be established in order to justify detention. However, unless a case is identified as a matter of "public order," detention is rarely used for Dublin cases due to lack of space.

When an applicant who, having been declared « absconding » reappears at the end of the 18-month period, after which France is once again responsible for its asylum application, he may submit an asylum application to the single-desk contact point for asylum seekers (GUDA), in order to obtain a certificate in order to apply to the French Office for the Protection of Refugees and Stateless Persons (OFPRA) and request the French Office for Immigration and Integration (OFII) to restore the material reception conditions that have been partially or totally terminated due to the applicant's failure to comply with the requirements of the asylum authorities, pursuant to Article L. 551-16 of the CESEDA. It should be noted that, under this same article, the reinstatement of material reception conditions is not automatic. Thus, the applicant must submit a written request for reinstatement to the OFII, which will decide on the

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			<p>request, taking into account, in particular, the vulnerability of the applicant and, where applicable, the reasons why he or she did not comply with the obligations to which he or she had agreed when accepting the material reception conditions.</p>
	<p>EMN NCP Germany</p>	<p>Yes</p>	<p>1. Does your national legislation provide for a formal decision to extend the transfer deadline that is separate from the transfer decision? YES/NO. If YES, could you mention and explain the relevant provisions?</p> <p>No.</p> <p>2. Can the decision to extend the transfer deadline be appealed? YES/NO. Please explain indicating the legal provisions.</p> <p>No.</p> <p>3. Does your national legislation contain specific provisions on absconding related to the extension of the transfer deadline? YES/NO. If YES, could you mention and explain these provisions?</p> <p>No.</p>


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			<p>4. Could you describe your practice regarding absconding and the extension of the transfer deadline?</p> <p>In Germany, a formal “decision” to extend the Dublin transfer time limit is not required. If the applicant absconds, the Dublin caseworker at the Federal Office for Migration and Refugees informs the responsible Member State, the local foreigner’s authority and - if there is a pending appeal - the administrative court that the transfer time limit has been extended to 18 months. There is no notification to the applicant or the representative. The reasons for the extension should be mentioned in the case file for reasons of traceability.</p> <p>5. Could you describe your practice if the applicant reappears after having absconded?</p> <p>If the applicant reappears, there is no new transfer decision. The transfer procedure is instead resumed. In cases where the applicant or the representative states that the transfer time limit has already expired, they will be informed about its extension by the Federal Office for Migration and Refugees.</p>
	<p>EMN NCP Greece</p>	<p>Yes</p>	<p>1. Does your national legislation provide for a formal decision to extend the transfer deadline that is separate from the transfer decision? YES/NO. If YES, could you mention and explain the relevant provisions?</p>

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			<p>No, our national legislation does not provide for a formal decision to extend the transfer deadline that is separate from the transfer decision.</p> <p>2. Can the decision to extend the transfer deadline be appealed? YES/NO. Please explain indicating the legal provisions.</p> <p>No, since there is no decision to extend the transfer deadline, as mentioned above.</p> <p>3. Does your national legislation contain specific provisions on absconding related to the extension of the transfer deadline? YES/NO. If YES, could you mention and explain these provisions?</p> <p>No, our national legislation does not contain specific provisions on absconding related to the extension of the Transfer deadline.</p> <p>4. Could you describe your practice regarding absconding and the extension of the transfer deadline?</p> <p>We notify the responsible MS by sending the abscondence form via DubliNet.</p> <p>5. Could you describe your practice if the applicant reappears after having absconded?</p>
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			<p>We first locate the applicant and then schedule his transfer to the responsible MS.</p>
	<p>EMN NCP Hungary</p>	<p>Yes</p>	<p>1. Does your national legislation provide for a formal decision to extend the transfer deadline that is separate from the transfer decision? YES/NO. If YES, could you mention and explain the relevant provisions?</p> <p>Yes. If the circumstances justifying the extension of the transfer deadline already exist at the time the transfer decision is adopted, the extended deadline is automatically indicated in that decision. Where such circumstances arise only after the transfer decision has been issued, no separate formal decision extending the deadline is required, as the applicable legislation provides solely for the obligation to notify the Member State of the extension. In such cases, the extension is communicated internally to the competent organisational units (e.g. the Asylum Unit).</p> <p>2. Can the decision to extend the transfer deadline be appealed? YES/NO. Please explain indicating the legal provisions.</p> <p>Yes. The applicable legislation does not exclude the possibility of challenging a decision extending the transfer deadline by way of a separate appeal. However, to date, there has been no known case in which the extension of a transfer deadline has been contested before a court.</p>

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			<p>3. Does your national legislation contain specific provisions on absconding related to the extension of the transfer deadline? YES/NO. If YES, could you mention and explain these provisions?</p> <p>No. National legislation does not contain specific provisions on absconding in relation to the extension of the transfer deadline under the Dublin procedure. In this area, the applicable rules are set out directly in EU legislation, as interpreted by the case law of the Court of Justice of the European Union.</p> <p>4. Could you describe your practice regarding absconding and the extension of the transfer deadline?</p> <p>If the foreigner has absconded, this information will be provided by the competent organizational unit at the place of accommodation. In this case, the Member State concerned will be informed, and we will send feedback to the competent organizational unit regarding the deadline for the transfer under the Dublin procedure and that the Member State concerned has also been informed.</p> <p>5. Could you describe your practice if the applicant reappears after having absconded?</p> <p>If the applicant reappears after having absconded, the competent organisational unit, after consulting with the immigration authority and on the basis of the information provided regarding the previously applicable transfer deadline, will either refer the case to the</p>
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			<p>immigration authority for further action or, where the transfer deadline has already expired, take the necessary official steps to initiate the appropriate procedure.</p>
	<p>EMN NCP Ireland</p>	<p>Yes</p>	<p>1. Does your national legislation provide for a formal decision to extend the transfer deadline that is separate from the transfer decision? YES/NO. If YES, could you mention and explain the relevant provisions?</p> <p>No. There is no statutory decision to extend the Dublin Transfer in Ireland’s National Legislation. Ireland’s decision relies on the relevant articles in the Dublin III Regulation. Article 29 indicates the different scenarios under which a transfer can be extended.</p> <p>2. Can the decision to extend the transfer deadline be appealed? YES/NO. Please explain indicating the legal provisions.</p> <p>N/A. Ireland relies the articles in the Dublin III Regulation and corresponding Implementing Acts. The Irish legislation states that an appeal of a Dublin III decision automatically has suspensive effect. The applicants are not expected to apply for the appeal as a separate provision.</p>


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			<p>3. Does your national legislation contain specific provisions on absconding related to the extension of the transfer deadline? YES/NO. If YES, could you mention and explain these provisions?</p> <p>N/A Under the Dublin Regulation Implementing Act, Ireland would also be required to adhere to Article 9 which governs postponed or delayed transfers.</p> <p>4. Could you describe your practice regarding absconding and the extension of the transfer deadline?</p> <p>Under the Dublin Regulation Implementing Act, it is required to adhere to Article 9 which governs postponed or delayed transfers. Article 9(2) states that where a Member State cannot carry out the transfer within the normal time limit of six months, then Ireland shall inform the Member State before the expiry of the original 6 month time limit. We inform the Member State via the usual procedure on DubliNet.</p> <p>5. Could you describe your practice if the applicant reappears after having absconded?</p> <p>N/A</p>
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	<p>EMN NCP Italy</p>	<p>Yes</p>	<p>1. Does your national legislation provide for a formal decision to extend the transfer deadline that is separate from the transfer decision? YES/NO. If YES, could you mention and explain the relevant provisions?</p> <p>NO</p> <p>2. Can the decision to extend the transfer deadline be appealed? YES/NO. Please explain indicating the legal provisions.</p> <p>Even if there is not a formal decision to extend the time limit for the transfer, abscondence may be grounds for appeal against the transfer decision.</p> <p>3. Does your national legislation contain specific provisions on absconding related to the extension of the transfer deadline? YES/NO. If YES, could you mention and explain these provisions?</p> <p>NO</p> <p>4. Could you describe your practice regarding absconding and the extension of the transfer deadline?</p> <p>Whenever an applicant absconds, the Police Headquarters sends the Dublin Unit a report of unsuccessful searches via certified email (PEC) or through the IT link between Dublinet and</p>
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			<p>Vestanet (asylum seeker portal). Along with the report, a digital flag is also inserted into the system. Once the report is received, the Dublin Unit informs the competent MS of the extension of the time limit for the transfer.</p> <p>5. Could you describe your practice if the applicant reappears after having absconded?</p> <p>If the applicant reappears after having absconded, the Police Headquarters sends the transfer details to the Dublin Unit through dedicated mail.</p>
	<p>EMN NCP Latvia</p>	<p>Yes</p>	<p>1. Does your national legislation provide for a formal decision to extend the transfer deadline that is separate from the transfer decision? YES/NO. If YES, could you mention and explain the relevant provisions?</p> <p>No, our national legislation does not provide for a formal decision to extend the transfer deadline.</p> <p>2. Can the decision to extend the transfer deadline be appealed? YES/NO. Please explain indicating the legal provisions.</p> <p>No, as there is no formal decision.</p>

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			<p>3. Does your national legislation contain specific provisions on absconding related to the extension of the transfer deadline? YES/NO. If YES, could you mention and explain these provisions?</p> <p>No.</p> <p>4. Could you describe your practice regarding absconding and the extension of the transfer deadline?</p> <p>Generally, a person is deemed to have absconded in the following circumstances: where an Asylum Seekers' Centre has reported that an asylum seeker has failed to return to an Asylum Seekers' Centre after leaving it and has not informed either the Office of Citizenship and Migration Affairs of Latvia or the State Border Guard of his or her whereabouts; where a person residing at a declared place of residence and subject to a Dublin transfer cannot be reached, thereby failing to make himself or herself available for the execution of the transfer.</p> <p>Following the applicant's abscondment, an official letter is sent to the responsible Member State informing it of the extension of the transfer deadline and the same letter is added to the applicant's file. Letters containing information regarding the extension of the transfer deadline are not sent to the applicant.</p>
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			<p>5. Could you describe your practice if the applicant reappears after having absconded?</p> <p>It depends on the time that has elapsed following the applicant's abscondment and his or her subsequent return. If the responsible Member State has already been informed of the extension of the transfer deadline, the extension remains valid. If the applicant returns shortly after absconding and before the responsible Member State has been informed of the extension, generally no further action regarding the extension of the transfer deadline is taken.</p>
	<p>EMN NCP Lithuania</p>	<p>Yes</p>	<p>1. Does your national legislation provide for a formal decision to extend the transfer deadline that is separate from the transfer decision? YES/NO. If YES, could you mention and explain the relevant provisions?</p> <p>No.</p> <p>Lithuanian legislation does not provide for a separate administrative decision to extend the time limit for transferring a third-country national to another EU Member State, as an independent act distinct from the decision to transfer under the Dublin Regulation.</p> <p>The Migration Department informs the competent authority of the EU Member State responsible for examining the asylum application about the extension of the transfer time limit before the expiry of the time limit set in Article 29(1) of Regulation (EU) No 604/2013 of the European Parliament and of the Council.</p> <p>Please note that this and all of the following responses were prepared on the basis of the legal framework currently in force. Following the implementation of the Pact on Migration and Asylum, amendments to the currently applicable legislation are envisaged; these are currently</p>


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			<p>at the drafting stage.</p> <p>2. Can the decision to extend the transfer deadline be appealed? YES/NO. Please explain indicating the legal provisions.</p> <p>No. As no separate decision is adopted to extend the transfer time limit, only the transfer decision itself can be appealed. Under Article 138(1) of the Law of the Republic of Lithuania on the Legal Status of Foreigners, a foreigner has the right to lodge an appeal with the Regional Administrative Court within 14 days from the date of service of the decision.</p> <p>3. Does your national legislation contain specific provisions on absconding related to the extension of the transfer deadline? YES/NO. If YES, could you mention and explain these provisions?</p> <p>No. Lithuanian national law does not contain a specific provision defining the concept of “absconding” in the context of extending the transfer time limit. However, Article 113(5) of the Law of the Republic of Lithuania on the Legal Status of Foreigners sets out criteria for assessing the risk of absconding. Under this provision, when assessing whether there are grounds to believe that a foreigner may abscond, the competent authority evaluates objective circumstances, including: lack of identity documents and non-cooperation in establishing identity; absence of a place of residence or ties to Lithuania; lack of means of subsistence; failure to comply with an obligation</p>
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			<p>to depart; non-compliance with alternatives to detention; lack of cooperation with procedures; unlawful departure or an attempt to depart unlawfully; a return or removal decision issued by another State; an entry ban to the EU; a threat to public order; other circumstances provided for by law.</p> <p>4. Could you describe your practice regarding absconding and the extension of the transfer deadline?</p> <p>Transfers under the Dublin Regulation are carried out in accordance with the Order of the Minister of the Interior of the Republic of Lithuania "On the Approval of the Description of the Procedure for Granting and Withdrawing Asylum in the Republic of Lithuania" (hereinafter: the Description). https://www.e-tar.lt/portal/lt/legalAct/ebc768d0dadd11e583a295d9366c7ab3/asr</p> <p>In Lithuania, the transfer of an asylum applicant to the responsible EU Member State is organised by the Migration Department and carried out by the State Border Guard Service. Transfer actions must be completed within the time limit laid down in Article 29(1) of the Dublin Regulation, calculated from the receipt of the responsible Member State's acceptance or from the date the transfer decision becomes final (point 71 of the Description). This time limit may be extended in the cases provided for in Article 29(2) of the Dublin Regulation, including where the person absconds.</p> <p>In national practice, the fact that a person has absconded is established on the basis of sub-points 76¹(2)–76¹(3) of the Description, i.e. where the asylum applicant: leaves the place of accommodation without permission or does not return for more than 72 hours; leaves the place of detention and their whereabouts cannot be established within 72 hours; cannot be contacted for more than 72 hours; leaves the territory of the Republic of Lithuania without permission. In such cases, the transfer is considered impossible to carry out due to the person's own actions. If the State Border Guard Service determines that the transfer cannot be carried out within the prescribed time limit, it immediately informs the</p>
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			<p>Migration Department in writing (point 74 of the Description). Where there are grounds to do so, the Migration Department extends the transfer time limit and informs the competent authority of the responsible Member State before the expiry of the time limit (point 72 of the Description).</p> <p>5. Could you describe your practice if the applicant reappears after having absconded?</p> <p>If the person's whereabouts are established after absconding has been recorded, the ground for extending the transfer time limit is considered to have ceased to exist. In such a case, point 73 of the Description applies, under which cooperation with the competent authority of the responsible Member State is resumed in accordance with the procedure set out in Article 9(1a) of Commission Regulation (EC) No 1560/2003.</p> <p>In practice, this means that the exchange of information with the responsible Member State is resumed, arrangements for the transfer continue, and the transfer procedure is continued from the stage at which it was suspended.</p> <p>If the procedure was discontinued on the basis of point 76¹ of the Description due to absconding, once the person reappears their legal situation is assessed and a decision is taken on further steps in accordance with the applicable national and EU legal acts.</p>
	EMN NCP Luxembourg	Yes	<p>1. Does your national legislation provide for a formal decision to extend the transfer deadline that is separate from the transfer decision? YES/NO. If YES, could you mention and explain the relevant provisions?</p>

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			<p>NO.</p> <p>2. Can the decision to extend the transfer deadline be appealed? YES/NO. Please explain indicating the legal provisions.</p> <p>N/A.</p> <p>3. Does your national legislation contain specific provisions on absconding related to the extension of the transfer deadline? YES/NO. If YES, could you mention and explain these provisions?</p> <p>The national law on international protection contains provisions on the concept of risk of absconding but only relating to the terms and conditions of detention. The provisions of article 29(2) of the Dublin III regulation are not covered by national law and there are no specific conditions outlined for extending the six-month deadline.</p> <p>4. Could you describe your practice regarding absconding and the extension of the transfer deadline?</p> <p>Contrary to the Belgian practice, we do not have to inform the person about the extension of the transfer deadline, nor do we have to provide a separate, motivated decision. Dublin cases are assigned to a dedicated return facility, where they are obliged to be present</p>
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			<p>at night, from the moment they are notified of their transfer decision. Therefore, we have a daily overview of their presence in this facility, and we get notified once a person is not present anymore and therefore does not respect his/her legal obligation.</p> <p>5. Could you describe your practice if the applicant reappears after having absconded?</p> <p>Applicants who reappear after having absconded can either be assigned to the return facility or placed in detention if the criteria set out in the national law are met. If the applicant has already been notified of a transfer decision and the time limit to transfer him/her to the responsible member state is still ongoing, we do not need to take a new transfer decision, even in case of detention.</p>
	<p>EMN NCP Netherlands</p>	<p>Yes</p>	<p>1. Does your national legislation provide for a formal decision to extend the transfer deadline that is separate from the transfer decision? YES/NO. If YES, could you mention and explain the relevant provisions?</p> <p>Yes, Dutch legislation provides for a formal decision to extend the transfer deadline that is separate from the transfer decision. In ruling of 14 December 2022 (ECLI:NL:RVS:2022:3630) the Dutch Council of state ruled that extending the transfer deadline is a decision within the meaning of Section 1:3 of the Dutch General Administrative Law Act (Algemene wet bestuursrecht, Awb). This establishes its formal legal character as a distinct administrative act.</p>

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			<p>2. Can the decision to extend the transfer deadline be appealed? YES/NO. Please explain indicating the legal provisions.</p> <p>Yes, in a ruling of 14 December 2022 (ECLI:NL:RVS:2022:3630) the Dutch Council of state ruled that extending the transfer deadline is a decision within the meaning of Section 1:3 of the Dutch General Administrative Law Act (Algemene wet bestuursrecht, Awb). Section 8:1 Awb provides that an interested party may lodge an appeal with the administrative court against a decision.</p> <p>3. Does your national legislation contain specific provisions on absconding related to the extension of the transfer deadline? YES/NO. If YES, could you mention and explain these provisions?</p> <p>Yes, article 2.6 of the Aliens Act Implementation Guidelines 2000 (C1), which includes further elaboration on Article 30 of the Aliens Act 2000 and Article 3.109 of the Aliens Decree 2000 regulating the conduct of the Dublin procedure, includes provisions on absconding related to the extension of the transfer deadline. It states that the transfer period may be extended to a maximum of 18 months if the applicant absconds. The TCN must have been informed about his obligation to cooperate with the transfer and must have been informed of the consequences of non-compliance. The Immigration and Naturalisation Service (Immigratie- en Naturalisatiedienst, IND) will extend the deadline accordingly, while timely notifying the Member State responsible for processing the application. The transfer deadline will not be extended where the unavailability is attributable to excusable circumstances or where the</p>
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			<p>applicant was not properly informed of his obligations.</p> <p>4. Could you describe your practice regarding absconding and the extension of the transfer deadline?</p> <p>See Q3</p> <p>5. Could you describe your practice if the applicant reappears after having absconded?</p> <p>If the applicant reappears after the extended transfer period of 18 months, their asylum application will be examined on its merits in the national procedure. If however, the applicant reappears within the time limit of the extended transfer period, the transfer decision is still valid. In this case, the IND contacts the Repatriation and Departure Service (Dienst Terugkeer en Vertrek) to check if the applicant is still under their attention so that they can take further steps to arrange the transfer if possible.</p>
	EMN NCP Poland	Yes	<p>1. Does your national legislation provide for a formal decision to extend the transfer deadline that is separate from the transfer decision? YES/NO. If YES, could you mention and explain the relevant provisions?</p>


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			<p>No, we do not issue another decision regarding the extension of the transfer deadlines. In the event of obtaining the consent of a Member State to transfer a foreigner, the decision on discontinuing the proceedings for granting international protection and transferring the foreigner to the responsible Member State is issued. The instruction to the decision contains information about the date by which the transfer should take place and, that if an appeal has been filed, this time limit will count anew, i.e. 6 months from the date of the final decision (Article 29(1) of Regulation (EU) No 604/2013 of the European Parliament and of the Council).</p> <p>2. Can the decision to extend the transfer deadline be appealed? YES/NO. Please explain indicating the legal provisions.</p> <p>Not applicable</p> <p>3. Does your national legislation contain specific provisions on absconding related to the extension of the transfer deadline? YES/NO. If YES, could you mention and explain these provisions?</p> <p>No, the national legislation does not contain specific provisions on absconding related to the extension of the deadline of the transfer; the provision of Article 29 paragraph 2 of the Regulation is directly applicable.</p>
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			<p>4. Could you describe your practice regarding absconding and the extension of the transfer deadline?</p> <p>Firstly, it should be noted that in Poland, two authorities are involved in the implementation of the Dublin procedures: the Head of the Office for Foreigners and the Border Guard. The Head of the Office for Foreigners is the authority competent to issue decisions on taking charge/taking back under the Dublin procedures. The Border Guard, in turn, is responsible for all organisational and logistical arrangements related to the transfer of foreigners to/from EU Member States.</p> <p>If the person concerned has absconded, the Border Guard shall immediately inform the Head of the Office for Foreigners of the foreigner's escape. The Head of the Office for Foreigners then notifies the responsible Member State of this fact.</p> <p>After the foreigner has absconded, the Border Guard authorities shall apply the time limits for the transfer of the person specified in Article 29 of Regulation 604/2013.</p> <p>If the Border Guard does not find the person to be transferred to the responsible Member State at the last indicated address, they inform the Dublin Division of the Office for Foreigners. The Dublin Division sends the relevant information pursuant to Article 29 (2) of the Dublin Regulation to the responsible Member State using DubliNet to extend the deadline for transfer.</p> <p>5. Could you describe your practice if the applicant reappears after having absconded?</p> <p>The Border Guard makes several attempts to contact and locate the foreigner. If the Office receives information about the foreigner's reappearance, it informs the Border Guard accordingly and provides the current residential address. If it turns out that the foreigner has</p>
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			<p>been detained and/or placed in detention in the meantime, the Border Guard takes the necessary further steps to proceed with the Dublin transfer as soon as possible. Both the Border Guard (responsible for transfers) and the Office for Foreigners (responsible for Dublin procedures) monitor the applicable transfer deadlines. Prior to carrying out the transfer, the Border Guard requests the Office for Foreigners to issue the Laissez-Passer for the foreigner.</p>
	<p>EMN NCP Slovakia</p>	<p>Yes</p>	<p>1. Does your national legislation provide for a formal decision to extend the transfer deadline that is separate from the transfer decision? YES/NO. If YES, could you mention and explain the relevant provisions?</p> <p>No. The transfer decision already contains the information about the possibility of extending the transfer deadline in the situations mentioned in the Article 29 (2) of the Dublin III Regulation and therefore other separate decision is not needed.</p> <p>2. Can the decision to extend the transfer deadline be appealed? YES/NO. Please explain indicating the legal provisions.</p> <p>NA</p> <p>3. Does your national legislation contain specific provisions on absconding related to the extension of the transfer deadline? YES/NO. If YES, could you mention and explain these</p>

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			<p>provisions?</p> <p>No. Not directly related to the extension of the transfer deadline. However, the Slovak national legislation contains provisions stating that in case the transfer decision has not been issued yet, another Member State is responsible and the person concerned has absconded, the procedure shall be suspended until the end of the transfer deadline.</p> <p>4. Could you describe your practice regarding absconding and the extension of the transfer deadline?</p> <p>In case the relevant authority in the Slovak Republic obtains information that the person concerned has absconded and the transfer decision has not been issued yet, this authority informs the responsible Member State about the extension of the transfer deadline and the procedure is suspended until the end of the 18 months' transfer deadline, after this deadline passes, the procedure is ceased. In case the transfer decision has already been issued and the person concerned absconds afterwards, the authority only informs the responsible Member State about the extension of the transfer deadline.</p> <p>5. Could you describe your practice if the applicant reappears after having absconded?</p> <p>If the transfer decision has been issued, the transfer deadline extended and the person concerned reappears, the relevant authority in the Slovak Republic can directly proceed with the transfer, there are no other procedural steps needed.</p>
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	<p>EMN NCP Slovenia</p>	<p>Yes</p>	<p>1. Does your national legislation provide for a formal decision to extend the transfer deadline that is separate from the transfer decision? YES/NO. If YES, could you mention and explain the relevant provisions?</p> <p>No.</p> <p>2. Can the decision to extend the transfer deadline be appealed? YES/NO. Please explain indicating the legal provisions.</p> <p>No.</p> <p>3. Does your national legislation contain specific provisions on absconding related to the extension of the transfer deadline? YES/NO. If YES, could you mention and explain these provisions?</p> <p>No.</p> <p>4. Could you describe your practice regarding absconding and the extension of the transfer deadline?</p>


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			<p>In such cases, we immediately inform the responsible Member State based on regulations and EU case law. When, for a person who is in the Dublin procedure, the official records of the accommodation of reception centres demonstrate the fact that the person has arbitrarily left the facility and has not returned to it on the basis of Commission Implementing Regulation (EU) No. 118/2014 of 30 January 2014 amending Regulation (EC) No. 1560/2003 laying down detailed rules for the application of Council Regulation (EC) No. 343/2003 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, namely on the basis of Article 9(1) - Postponed or delayed transfers, the responsible Member State shall be immediately informed of the fact that the applicant has withdrawn from the transfer procedure. The second legal basis for extending the transfer deadline is the judgment of the European Court of Justice (Case C-163/17) of 19 March 2019, which stipulates that if the applicant was informed of the planned transfer by officials and deliberately avoided it by withdrawing in order to prevent the planned transfer by leaving the place of residence assigned to him without informing the competent national authorities of his absence, this act must be interpreted as meaning that the applicant has "absconded" within the meaning of the provision of Article 29(2), second sentence, of the Dublin Regulation.</p> <p>5. Could you describe your practice if the applicant reappears after having absconded?</p> <p>If the applicant reappears after having absconded, in practice we check the circumstances to see if the applicant was rightfully removed from the records of reception centres. If he was wrongfully removed (e.g. admitted to hospital and was unable to inform the competent authorities about his absence from the reception centre), we inform the competent state of the fact and cancel the extension of the deadline. However, if the person was rightfully removed from the records, the extension of the deadline in his case remains. In both cases, we continue with the implementation of the Dublin procedure.</p>
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Ad-Hoc Query on 2026.4 National legislation and practices regarding the extension of the Dublin transfer period

	<p>EMN NCP Spain</p>	<p>Yes</p>	<p>1. Does your national legislation provide for a formal decision to extend the transfer deadline that is separate from the transfer decision? YES/NO. If YES, could you mention and explain the relevant provisions?</p> <p>No.</p> <p>2. Can the decision to extend the transfer deadline be appealed? YES/NO. Please explain indicating the legal provisions.</p> <p>3. Does your national legislation contain specific provisions on absconding related to the extension of the transfer deadline? YES/NO. If YES, could you mention and explain these provisions?</p> <p>No.</p> <p>4. Could you describe your practice regarding absconding and the extension of the transfer deadline?</p>

Ad-Hoc Query on 2026.4 National legislation and practices regarding the extension of the Dublin transfer period

			<p>5. Could you describe your practice if the applicant reappears after having absconded?</p>
	<p>EMN NCP Sweden</p>	<p>Yes</p>	<p>1. Does your national legislation provide for a formal decision to extend the transfer deadline that is separate from the transfer decision? YES/NO. If YES, could you mention and explain the relevant provisions?</p> <p>No.</p> <p>2. Can the decision to extend the transfer deadline be appealed? YES/NO. Please explain indicating the legal provisions.</p> <p>No, unless the transfer decision states that the time limit has been extended due to absconding. Such a decision may therefore be appealed in accordance with national law and, in accordance with Article 27(1) of the Dublin Regulation. The full factual and legal grounds may be relied on in an appeal.</p>

Ad-Hoc Query on 2026.4 National legislation and practices regarding the extension of the Dublin transfer period

			<p>3. Does your national legislation contain specific provisions on absconding related to the extension of the transfer deadline? YES/NO. If YES, could you mention and explain these provisions?</p> <p>In order to extend the transfer deadline, the responsible reception unit must have concluded and register that the applicant has absconded.</p> <p>4. Could you describe your practice regarding absconding and the extension of the transfer deadline?</p> <p>When an applicant has been registered as absconded the reception unit will contact the Swedish Dublin Unit who will evaluate the case. Absconding is considered as having recalled an asylum application. If the case is a take charge and there is no accept the application will be written off and the request to other Member States is withdrawn. In case of a take charge with a valid accept or a take back a decision to write off the asylum application will be taken but the decision will also involve transfer to the responsible Member State. After the transfer decision has been taken the Dublin Unit will contact the responsible Member State concerning an extension. If a decision to transfer to the responsible Member State has already been taken, the Swedish Dublin Unit will immediately contact the responsible Member State concerning an extension. In case of 4(c) and 4(d) the case will be handed over to the Swedish Police.</p> <p>5. Could you describe your practice if the applicant reappears after having absconded?</p> <p>In case of 4(b). A new asylum application will be opened and the Dublin procedure will restart if the deadline has not expired.</p>
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Ad-Hoc Query on 2026.4 National legislation and practices regarding the extension of the Dublin transfer period

			<p>In case of 4(c) the person may be fingerprinted to evaluate if a shift of responsibility has happened. If not, the person will be asked if they want to appeal the decision to write off their application or apply for asylum again. If they wish to do so the case will be handed over to a court of appeals. If they wish to apply for asylum a new asylum application will be opened but a decision to refuse it will be prioritized since there is a valid decision to transfer (please note that this answer is theoretical as it has not occurred in practice).</p>
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