

BILATERAL

Dublin

It is a fact that not only people who are victims of persecution come to Europe to seek political asylum, others are motivated for economic reasons. To raise their chances of gaining entry to the EU, many such individuals go from one country to another trying their luck and in doing so create additional work for national immigration authorities. To relieve national asylum systems of such multiple applications, the Dublin Agreement regulates which country is responsible for dealing with each individual asylum application. The rules set out in the agreement guarantee that every asylum seeker can pass through a fair procedure, but only one.

Asylum seekers have a right to an accurate examination of their applications for asylum and not to be pushed back and forth between countries. At the same time, there is a need to prevent asylum seekers from making applications in several countries, which leads to unnecessary and costly multiple burdens on national asylum systems.

For this reason, the Dublin agreement determines which country is responsible for which asylum seeker. Initially, responsibility lies with the country in which family members are already living. If this does not apply, responsibility lies with the country that issued a residence document or visa for the asylum seeker, or with the country that the individual in question entered illegally. If it is not possible to ascertain which country is responsible on the basis of the various criteria, responsibility lies with the country in which the asylum application was made (first asylum country). This country must check the application for asylum and is responsible for the wellbeing of the person concerned. If the asylum seeker is deported following a negative decision and subsequently resurfaces in another country, the person can be sent back to the country originally responsible for the case.

All asylum seekers have their fingerprints taken and stored in the European fingerprint database (Eurodac). All states participating in the Dublin Agreement have access to Eurodac. Checking this database makes it possible to determine within a very short time whether asylum proceedings have already been carried out in another country. Costly clarification can frequently be avoided as a result.

Geographically, Switzerland is situated in the middle of Europe. To avoid becoming an island, it also participates in the Dublin Agreement. Even in the past, Switzerland took fingerprints of asylum seekers. Thanks to the Dublin Agreement, Switzerland now stores the fingerprints in the Eurodac database, which includes data from all Dublin states. By comparing fingerprints, Switzerland can now check whether the person concerned has already submitted an application in another country, for example Italy. Initial experience with Eurodac has shown a high hit rate.

Additional burdens on Mediterranean countries

Given their geographical location, Mediterranean countries such as Spain, Italy, Malta or Greece are frequently first-entry states for asylum seekers, meaning that they are more often responsible for asylum applications than other countries. The EU is discussing improved ways of sharing the various costs involved. One measure already implemented, for example, concerns the financial compensation mechanisms to support countries with heavier burdens. Switzerland has not so far participated in these instruments.



Key data

Date of signing: 26 October 2004 (in the framework of Bilaterals II)

Approval by the electorate: 5 June 2005

Became operational: 12 December 2008

“Persons arriving at our centre as asylum seekers have the right to correct examination of their application. We record their data and carry out the questioning needed for the application. The asylum seekers have their fingerprints taken. Since we are linked to the European fingerprint database Eurodac, we can also check whether an application has already been made in another country.”

Antonio Simona, Reception and Procedure Centre Manager

