



Asylum is still a relevant issue in post-boom Ireland

On World Refugee Day, the UNHCR urges Ireland to update an asylum procedure that was adopted as a temporary measure six years ago



OPINION

EACH YEAR on World Refugee Day, the United Nations High Commissioner for Refugees shines a light on the courage and perseverance of refugees around the world. Tragically, 2011 was a record year for forced displacement across borders, with more people becoming refugees than at any time since 2000.

A major humanitarian crisis in late 2010 in Ivory Coast was quickly followed by others in Libya, Somalia, Sudan and elsewhere. Worldwide, more than 42 million people ended 2011 as refugees, internally displaced or in the process of seeking asylum. Afghanistan remains the largest producer of refugees, followed by Iraq, Somalia, Sudan and the Democratic Republic of Congo.

About four-fifths of the world's refugees flee to neighbouring countries, and only a small proportion travel to Europe in search of protection.

The number of asylum seekers arriving in Ireland has fallen dramatically over recent years. In the first quarter of this year, 243 asylum applications were made. Should this trend continue to the end of the year, the number of new applications in 2012 may be the lowest since 1996.

The declining numbers may give the impression that asylum issues are no longer of great relevance in Ireland. However, there remains a substantial number of asylum seekers in Ireland who require the attention of the authorities.

An estimated 6,000 asylum seekers in Ireland are waiting for their protection claims to be assessed. Most have been waiting for upwards of three years. Many have been waiting for four years or substantially longer.

The wait takes a heavy toll. Asylum seekers cannot work or access third-level education. They live in accommodation centres where meals and basic needs are provided for. Efforts are undertaken to provide good reception arrangements. However, the system was designed for stays of six months or so. At a certain point, not being able to cook for one's children or sharing a bedroom with growing children become real problems.

The bar to accessing employment or advanced studies is grinding. Asylum seekers without an answer to their case cannot return home if they fear persecution or if home is a war zone. So they are stuck, waiting for an answer, and the State must bear the cost of accommodating them for prolonged periods.

The long delays for this group are due to an administrative procedure adopted in Ireland as a temporary measure six years ago. Since then, attempts to introduce new legislation to fix the procedure have not come to pass.

The Minister for Justice and Equality recently announced that a fourth edition of the Immigration, Residence and Protection Bill will be published, and he has expressed the hope that the Bill will be considered by the Oireachtas this year.

On citizenship matters, over the past year we have seen a swift reduction in the applications backlog and the introduction of citizenship ceremonies, something the UNHCR welcomes as a model of best practice globally. In terms of asylum matters, the Department of Justice and Equality faces a series of competing and urgent priorities.

On World Refugee Day, the UNHCR renews its call on the authorities to fix the problematic asylum procedure so that applications can be processed within a reasonable timeframe.

Fixing the system will involve introducing what is called a "single procedure". Under the Irish system, asylum seekers are interviewed by the Office of the Refugee Applications Commissioner to determine whether the applicant, should he or she be sent back, might be persecuted on grounds of race, religion, nationality, membership of a social group or political opinion. If the answer is yes, they are recognised as a refugee. If the answer is no, the decision can be appealed to the Refugee Appeals Tribunal and/or reviewed by the High Court.

It is only after this process is completed that an asylum seeker may raise their fear of returning home on the basis that they may

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suffer from torture, the death penalty or indiscriminate violence because of the conditions in their country.

All other EU member states have a "single procedure", and in all of these states, refugee-related questions (relating to persecution of the individual) are asked at the same time as protection-related questions (relating to the general conditions in the applicant's country).

The fractured process in Ireland poses problems for people who have fled to Ireland from countries such as Somalia, Afghanistan

and Iraq, where violence is widespread. They must often wait for years for the assessment of claims based on the prevailing situation in their countries.

The solution is relatively straightforward. The officials asking the **refugee-related** questions need to be given the legal powers to ask the subsidiary protection-related questions at the same time and during the first interview. This is what the fourth edition of the Immigration, **Residence and Protection** Bill will provide for. Once the new legal framework is in place, the **UNHCR** will work closely with the authorities on the development of a procedure that will identify effectively all those in need of protection.

The resolution of the backlog of cases and introduction of a single procedure are the key challenges facing the **asylum** system in Ireland. The **UNHCR** encourages the Irish authorities to expedite the resolution of these challenges in 2012. People fleeing conflict need access to a fair and efficient procedure. The **UNHCR** hopes that time will be found in a charged political schedule to put in place an appropriate procedure for those in need of protection.

Sophie Magennis is head of the **UNHCR** Ireland office

SOPHIE MAGENNIS