

COUNTRY
CHAPTER

IRE

IRELAND

BY THE GOVERNMENT OF IRELAND



Ireland Overview

Resettlement programme since: 1999	Selection Missions: Yes	Dossier Submissions: Yes	
Resettlement Admission Targets for 2014:			
Admission targets for UNHCR submissions:		90	
Total Resettlement Admission Target:		90	
Resettlement Admission Targets for 2015:			
Admission targets for UNHCR submissions:		100	
Total Resettlement Admission Target:		100	
Regional Allocations for 2014:		Regional Allocations for 2015	
Africa		Africa	30
Asia and Pacific:		Asia and Pacific:	
Middle East and North Africa	90	Middle East and North Africa	70
Europe:		Europe:	
Americas:		Americas:	
Sub-quota features:			
Designated sub-quota/acceptance for:		2014 Description, additional comments:	
Emergency resettlement procedures		N/A	
Medical cases		4 cases	
Women-at-risk cases		No specific number. Women at risk cases will be accepted as part of the quota.	
Unaccompanied children		Not accepted	
Family Reunion (within programme)		Every effort is made to accept complete nuclear families (parents and children). Where this is not possible, applications for family reunion are considered under Section 18 of the Refugee Act 1996 (as amended), not counted under the quota.	
Other		EU Regional Protection Programme from Middle East and North Africa	

1. Resettlement Policy

1.1 Description of Ireland's resettlement policy

Provision for participation in the UNHCR led resettlement programme was made in Section 24 of the 1996 Refugee Act, as amended.

1.2 Ministries and Departments responsible for resettlement policy

The **Department of Justice and Equality**, in consultation with other relevant Government Departments has responsibility for resettlement policy.

1.3 Process for deciding the annual resettlement quota and its composition

The annual quota is determined by Government. Implementation is subject to available funds. Decisions regarding the country of origin/country of first asylum are made by the Minister for Justice and Equality in consultation with the Department of Foreign Affairs and Trade and the UNHCR.

2. Criteria for Recognition of Refugee Status Eligibility: Asylum and Resettlement

2.1 National legislation defining refugee status eligibility

Persons admitted into Ireland under the resettlement programme are not granted refugee status within the meaning of the 1951 Geneva Convention relating to the status of refugees. They are granted the status of “**programme refugee**” under Section 24 of the Refugee Act, as amended.

Section 24 of the **Refugee Act 1996**, as amended, states that:

(1) “a “**programme refugee**” means a person to whom leave to enter and remain in the State for temporary protection or resettlement as part of a group of persons has been given by the Government and whose name is entered in a register established and maintained by the Minister for Foreign Affairs, *whether or not such a person is a refugee within the meaning of the definition of “refugee” in Section 2.*”

Persons that do not satisfy the Article 1F of the Geneva Convention are not accepted for resettlement.

2.2 Distinction between refugee status criteria for asylum-seekers, and that for resettled refugees

An asylum seeker must satisfy the 1951 Convention criteria as set out in Section 2 of the Refugee Act, as amended.

Section 2 states that “a refugee” means a persons who, owing to a well founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his or her nationality and is unable or, owing to such fear, is unwilling to avail himself or herself of the protection of that country; or who, not having a nationality and being outside the country of his or her former habitual residence, is unable or, owing to such fear, is unwilling to return to it, but *does not include a person who –*

- (a) is receiving from organs or agencies of the United Nations (other than the High Commissioner) protection or assistance
- (b) is recognised by the competent authorities of the country in which he or she has taken residence as having the rights and obligations which are attached to the possession of the nationality of that country,
- (c) there are serious grounds for considering that he or she:
 - i) has committed a crime against peace, a war crime, or a crime against humanity, as defined in the international instruments drawn up to make provision in respect of such crimes.
 - ii) has committed a serious non-political crime outside the State prior to his or her arrival in the State, or
 - iii) has been guilty of acts contrary to the purposes and principles of the United Nations.

3. Criteria for Resettlement

3.1 Resettlement Eligibility Criteria

(Please see Section 2 of the Refugee Act 1996 as amended in the previous section):

- (a) Does the applicant require resettlement? Have all other options been explored including repatriation and local integration?
- (b) Applicants for resettlement must meet the definition of a “**programme refugee**” as defined in Section 24 of the Refugee Act 1996 but do not have to satisfy the Geneva Convention requirements. (See 2.1 above.)
- (c) Priority is given to cases with legal or physical protection needs.
- (d) Ireland requires a "balanced" caseload. This may include persons with disabilities, women and children at risk, special needs cases but must also include community leaders and, where possible, a spiritual leader.
- (e) Having satisfied a) and b) above, other issues may influence the decision to accept a case for resettlement:
 - i) Medical cases must be referred to the Health Service Executive to confirm that the health matter can be effectively treated in a timely manner within existing resources.
 - ii) Persons with special educational needs must be referred to the Education Authorities for approval.
 - iii) While integration potential is not a primary consideration, the applicant and family members must indicate a willingness to participate in their own resettlement and integration following resettlement and must accept that Irish Law takes precedence over religious or cultural practices.
 - iv) Ireland does not accept unaccompanied minor children.
- (f) The following will cause a case to be rejected (This list is not exhaustive)
 - i) exclusion by reference to Article 1F of the Geneva Convention;
 - ii) a threat to public order or national security;
 - iii) serious concerns regarding an applicant's declared identity or that of his/her family members or their stated relationship;
 - iv) serious concerns or discrepancies in the applicants' claim.

3.2 Admissibility criteria

- (a) Applicants must have a valid travel document. Applicants are required to travel on their own passports where they are valid, current and available. Applicants who are not in possession of valid passports may apply to the Irish Government for a travel document. Processing usually takes 6 – 8 weeks. Alternatively, an applicant may use a travel document issued by the Government of the country of asylum or the International Committee of the Red Cross.
- (b) Resettled refugees who are holders of Irish Travel Documents are not visa required to enter Ireland. Holders of all other types of travel documents, including valid passports from their country of origin, must have a valid entry visa. Applications for Irish Entry visas must be submitted online. Entry visas are issued by the appropriate Irish Embassy or Consulate in the region.

3.3 Other humanitarian immigration programmes

In exceptional circumstances, the Irish Government may enter into bilateral arrangements with other Governments for resettlement purposes.

4. Resettlement Allocations/Processing Priorities

4.1 Resettlement allocations including sub-quotas

The 2014 quota is dedicated solely to the admission of Syrian refugees from the region. The majority of the 2015 and 2016 quota will also be dedicated to the resettlement of cases from the Middle East.

The quota provides for the inclusion of all nuclear family members in the initial application, i.e. spouse, dependent children under 18 years of age, dependent unmarried children over 18 years of age and dependent parents/ grandparents providing they have been residing with and dependent on the applicant.

4.2 Processing priorities

Ireland accepts refugees identified as having priority for resettlement by UNHCR while taking account of national considerations. No other agencies are involved in referral.

4.3. Non-UNHCR allocations

In exceptional circumstances, Ireland may accept cases following bilateral consultations with other governments.

5. Submission and Processing via Dossier Selection

5.1. Dossier (RRF) submission policies

Generally, caseloads of less than 50 persons are selected by an examination of the RRFs. All RRFs should be submitted to the Resettlement Unit, Office for the Promotion of Migrant Integration, Department of Justice and Equality and copied to the Department of Foreign Affairs and Trade. Contact details will be provided for each of the above at the time the caseload is being considered.

Each RRF is examined to ensure that Ireland can offer a durable solution to the applicant. Applications are submitted to the other Government Departments or service providers as considered appropriate, e.g., cases with serious medical issues are referred to the Health Service Executive and cases with special educational needs are referred to the Department of Education and Skills for consideration.

5.2. Case documentation

Ireland prefers the long form of the Refugee Referral Form (RRF). Taking account of the exceptional nature of the situation in the Middle Eastern region, special arrangements have been put in place to accept the short form RRF for the Syrian caseload in cases where a selection mission will take place. The long form is still required for all dossier based decisions.

Details of all of the nuclear family members that require resettlement should be included in the initial application, including nuclear family members separated at time of flight. Family reunification post resettlement is very limited and is processed under Section 18 of the Refugee Act 1996, as amended. Details of all other family members should be included in Section 3. This may be required later where an application for family reunification is submitted.

Care should be taken to ensure that there are no gaps or conflicts with regard to the "refugee claim".

RRFs for medical cases, and other cases with medical conditions, should include a recently completed (last two months) Medical Assessment Form (MAF). Scanned copies of x-rays and scans should be sent with the RRF.

The RRF should be signed by the applicant and all persons 16 years or over. The exclusion clause (Article 1f) should be considered for all persons 16 years or over included in the application.

When completing the RRF, every effort should be made to confirm with the primary applicant that names are spelled correctly. The RRF should include information on how identity is certified. Where conflicts in information arise, this conflict must be explained. The details provided are entered on the official register of programme refugees and will be the form of the name used in Ireland.

The RRF should include the current medical status of the applicant and all family members. Applicants are requested to provide vaccination records for children.

5.3 Routing of Submissions

Dossiers should be submitted to the Resettlement Unit, Office for the Promotion of Migrant Integration, Department of Justice and Equality Department of Justice and Equality and copied to the Department of Foreign Affairs and Trade. Contact details will be provided when the caseload is being considered.

Once a decision has been made the UNHCR is advised and the International Organization for Migration (IOM), through its Dublin Office, is requested to carry out health screening, secure travel documents and visas and to make the necessary travel arrangements. A minimum of four weeks notice of departure is requested.

5.4 Processing times

From reception to decision:

- Normally, decisions on cases are available within 3 months.
- Decisions can be taken for urgent medical cases in approximately 4 weeks.

In exceptional circumstances, where additional information is required by either the medical professionals or by the case processing team, these periods may be extended. For example, out of date Medical Assessment Forms (MAFS), conflicting information or gaps in the claimant's story may result in delays in decision making.

From decision to departure:

In general, once a decision is indicated, the transfer of the refugees may take place within 12 to 16 weeks of conveying the decision to UNHCR. This lead-in period arises to allow for pre-departure health screening, procurement of travel documents and entry and exit visas and to make transfer arrangements. This may be reduced to 4 - 6 weeks for medical cases.

Four weeks prior notice of transfer is required by the Irish authorities.

5.5 Recourses, appeals

Not applicable.

6. Submissions and Processing via In Country Selection

6.1 Selection Mission Policies

Three months in advance of a selection mission, an RRF must be submitted for each applicant referred for resettlement. (A short form RRF will be accepted for the Syrian caseload only.)

Selection mission locations are decided in consultation with the UNHCR.

The interview team usually consists of three or four persons – two/three drawn from the Resettlement team and one from the Garda (Police) National Immigration Bureau (GNIB).

UNHCR support may be requested:

- to acquire appropriate in-country permissions/ camp permissions as appropriate;
- to organise interview venues - including equipment such as photocopier/ electricity;
- to organise interpretation staff;
- to transfer refugees to the interview venue where appropriate;
- to assist with organising transport for the interview team to an interview location/camp;
- to organise lunches and beverages for staff and interviewees as appropriate; and
- depending on the location, accommodation may be required.

Costs for all of the above will be covered by the Irish Government.

The Interview teams meet with the UNHCR and IOM for pre and post Interview briefings.

6.2. Case documentation and routing of submissions

In all medical cases and cases being considered on a dossier basis, the long form RRF should be submitted, including MAFs where medical cases are included. At time of interview, medical cases will not be accepted for interview unless the extent of the medical issue or disability has previously been flagged in the RRF. RRFs should be submitted for consideration as per Section 5.

6.3 Processing times and procedures

Selection Missions

Three months processing time is required between the submissions of RRFs to carrying out the Mission.

The Irish Government's resettlement programme covers the transfer costs of family members included in Section 2 of the RRF i.e. the nuclear family.

A brief introduction is provided to the applicants and their families prior the interviews taking place. This is designed to inform the applicant of the interview process, reduce stress and to allow for Q & A.

All members of the family being resettled must attend for interview.

Persons 14 years and over are interviewed separately initially - short interview. A parent or guardian may attend the interview.

All persons listed on a single application must also present for interview together. Interviews generally take two to two and half hours.

All persons attending for interview should provide copies of their documentation to the interview team (identity documents (even if they are expired), health, education certificates, evidence of trade or skill etc.)

The interview process provides an opportunity:

- to check information provided in the dossier and to correct any incorrect data;
- to ascertain the full extent of a family, their status and location;
- to "hear" the applicant's story and that of the family;
- to impart information on the resettlement process - including rights and responsibilities and to manage expectations - theirs and ours;
- to gather information which may not be available on the Refugee Resettlement Form; and
- to gather information that may assist service providers post arrival.

6.4 Decisions

Applications found not to be credible are recommended for exclusion from resettlement.

Decisions are not taken at the time of interview.

Each case is further examined on return to the Head Office. Special needs and medical cases are referred to various Government Departments/agencies for consideration. Some cases may be referred for security clearance. In due course, a submission is prepared seeking Ministerial approval.

As the nuclear family is included at the time of application, there is restricted access to further family reunification post resettlement. It is therefore essential to establish the full extent of the immediate and extended family – children, stepchildren, siblings and stepsiblings, parents, former spouses etc. at the time of interview.

6.5 Information sessions during selection missions

At the end of the Interview process, the Resettlement Team presents a series of information sessions to the refugees (1-2 days) that were interviewed. These sessions include general information about the resettlement process, Ireland's lifestyle and culture, information on the rights and entitlements of resettled refugees in regard to access to health, education, income, employment freedom of movement etc. Some sessions will include the whole family while others will be presented to men, women and teenagers separately. Time is allowed in each case for Q & A.

7. Emergency Cases/Urgent Cases

Ireland does not accept emergency cases.

With regard to urgent cases, once the quota is approved, provision is included for urgent medical cases.

The long form RRF should be submitted to the Resettlement Unit of the Department of Justice and Equality and copied to the Department of Foreign Affairs and Trade. Contact details will be provided for each of the above at the time the caseload is being considered.

Processing time for urgent cases is generally 4 weeks from receipt of RRF to decision. This may be extended if the MAF is out of date or where there are gaps in information which cause a request for additional information.

Generally transfer can occur within 4 weeks of a decision. Delays may occur where exit visas or travel documents are required. Entry visas can be arranged without undue delay.

For case documentation and routing of RRFs please see Section 5.

8. Special Categories/Special Needs

Ireland accepts a balanced caseload that may include persons with special needs, women and children at risk and urgent medical cases but should also include community leaders and, where possible, a spiritual leader.

There is one procedure for submission of RRFs for all cases - as set out in Section 5.

9. Medical Requirements

9.1 Screening procedures and health criteria

The Irish Health Services requires a full medical history of each person included in the application with particular emphasis on vaccination history for children and pregnant women.

Persons with a medical condition should travel with 1 month's medication.

Medical reports, x-rays, a list of current medication, and relevant information on current status of treatment should be carried by the patient (or his/her guardian). This should be presented to the Doctor on arrival.

In addition, information about any significant cultural or religious issues, past/current mental health issues and treatments should be included.

The IOM is requested to carry out the following screening tests for all caseloads. Any medical issues .e.g. T.B. that could cause a threat to public health must be treated before departure. Supervised treatment is preferable. The IOM must issue a fitness to travel certificate before transfer.

Mandatory Health Screening for All Refugees - Adults:

- 1) Hepatitis B
- 2) Hepatitis C
- 3) Full Blood Count
- 4) Tuberculosis (TB)
- 5) Malaria (only where malaria is an issue)
- 6) Varicella Zoster
- 7) Mumps
- 8) Sexually Transmitted Diseases
- 9) Rubella (females of child-bearing age only).

Mandatory Health Screening for refugee children:

- 1) Full Blood Count
- 2) Tuberculosis (TB) (Not required for those under 15). Where chest X-rays are taken an AP should be sufficient unless the examining physician feels a lateral is required to further investigate an anomaly/lesion seen on the AP view.
- 3) Malaria (only where malaria is an issue)
- 4) Varicella Zoster
- 5) Mumps
- 6) Rubella (females of child bearing age only).

Full test results should be sent to the Resettlement Unit, Office for the Promotion of the Migrant Integration, Department of Justice and Equality to be issued to the treating physician in due course. Details will be provided with each caseload. Other tests specific to a region may be requested from time to time.

Procedure

- RRFs with associated up to date MAFs are submitted by the UNHCR to the Departments of Justice and Equality and copied to the Department of Foreign Affairs and Trade. Contact details will be provided at the time the caseload is being considered.
- CD's, (where available) or scanned copies of chest X-rays and scans should be sent with the MAF.
- The Health Service Executive and/or the Department of Education and Skills are consulted.
- For medical cases, a treating Consultant and receiving hospital are nominated.
- UNHCR & IOM are advised of the outcome and where a positive decision exists IOM is requested to make immediate transfer arrangements.
- In consultation with the UNHCR the IOM completes the appropriate health screening and pre-embarkation "Fitness to Travel" assessments and flight arrangements.
- IOM notifies the Resettlement Unit of the arrival details.

Reasonable costs for screening and treatment must be agreed in advance and are covered by the Irish Government.

10. Orientation (pre-departure)

Pre-departure orientation is carried out only when a selection mission takes place. On the two days following the interviews, the interview team presents a series of sessions on life and culture in Ireland to all refugees interviewed for resettlement. The objective is to allay any fears that the applicant or family members may have, to allow the applicant and family members to make an informed decision as to whether they wish to come to Ireland for resettlement and what that involves for them.

The presentations cover issues such as the resettlement process, when a decision can be expected, lifestyle and culture, rights and responsibilities, management of unrealistic expectations, the education system, access to health services, housing, income, employment, their expectations and ours. Some of the sessions are delivered to the whole group. Others are presented to men, women and teenage children separately.

Each session allows for a Q & A period.

The group is given a broad outline of the decision making process, timescale for decision making and possible timescale for transfer. Being invited to attend the orientation talk is not an indication of selection for resettlement.

While assistance may be required to arrange a venue and services for the orientation presentation, all costs are covered by the Irish Government.

11. Travel

IOM make the necessary arrangements for movement and transfer of refugees selected for resettlement in Ireland. This includes transport, transit visas, and entry visas, in-transit support and assistance, medical escorts, flight arrangements, fitness to travel examinations etc from point of departure to port of arrival.

In general, UNHCR organises exit visas.

Costs of travel and transfer are covered by the Irish Government as agreed in advance of each movement between the Department of Foreign Affairs and Trade and IOM.

12. Status on Arrival and the Path to Citizenship

12.1 Immigration status on arrival

The status of a person admitted under the Resettlement programme is "**programme refugee**" as provided for in Section 24 of the Refugee Act 1996, as amended. Programme refugees have, in general, the same rights and entitlements as a person granted refugee Status under the Geneva Convention.

12.2 Documentation issued, including travel documents

Programme refugees must apply for a Garda (Police) National Immigration Bureau (GNIB) Registration Certificate on arrival. Assistance is provided during this process.

12.3 Process for regularization of status, including requirements and timeframes

Subject to the usual immigration and travel document processing procedures, a programme refugee may apply for a travel document identifying the holder thereof as a programme refugee.

12.4 Documents issued to children born after arrival but before naturalisation of their parents

Children born in Ireland to a programme refugee are Irish citizens from birth. Having an Irish born child does not confer any additional rights on parents who are programme refugees.

12.5 Details on the requirements, costs and timelines for citizenship

Programme refugees may apply for Irish Citizenship after three years continuous residency in the state.

13. Domestic Settlement and Community Services

13.1 Reception and Orientation:

A member of the resettlement team generally meets the refugees at the airport.

Resettled refugees are placed in a reception centre for a period of 8 - 12 weeks post arrival where they participate in a cultural orientation and language training programme to prepare for independent living in the community. This allows the new arrivals the opportunity to adjust to their new environment before moving to their new home. Due to housing shortages and pressures on services in large cities, refugees are generally resettled in rural towns or small cities.

During the period in the reception centre, the refugees will attend a cultural orientation programme which builds on the introduction programme presented during the two days post interview.

The national resettlement team works very closely with the receiving community for approximately 9 months prior to resettlement to ensure that the local community is prepared to receive the group and is aware of any special needs.

It is recognised that the early days of resettlement can present exceptional challenges to refugees and service providers. Therefore, where required, funding for special targeted initiatives may be provided during the first year post resettlement to ensure that the immediate needs of the resettled refugees can be met. Ireland has a mainstream model of integration and every effort is made to move from targeted initiatives to mainstream service provision within the first year.

The Local Authority acts as coordinator at a local level, identifying and bringing together all of the appropriate local actors. An **Inter-agency Resettlement Steering Group** is set up, drawn from mainstream service providers. The Resettlement Steering Group identifies a local implementing partner to work directly both with the new arrivals and the service providers to ensure that services are provided in an appropriate and timely manner. The implementing partner will support the new arrivals by promoting participation in local activities and encouraging local organisations to proactively welcome the new arrivals. In some cases, a cross-cultural worker may also be employed to support the early resettlement process. The national resettlement team continues to provide support and guidance for as long as it is required.

Language and cultural orientation training is provided for all adults during the first year post resettlement. This period may be extended in exceptional circumstances. Children are integrated into age appropriate classes in local mainstream schools at both primary and post primary level. English language classroom supports are provided. Access to third level education is on the same basis as for Irish citizens.

Funding may also be sought from the European Refugee Fund to support resettlement activities.

14. Family Reunification of Refugees

14.1. Definition of a family

The definition of family is set out in Section 18 of the Refugee Act 1996 as amended. See extracts below.

(3) (a) ...if, after consideration of a report of the Commissioner submitted to the Minister under *subsection (2)*, the Minister is satisfied that the person the subject of the application is a member of the family of the refugee, the Minister shall grant permission in writing to the person to enter and reside in the State and the person shall be entitled to the rights and privileges specified in *Section 3* for such period as the refugee is entitled to remain in the State.

In *paragraph (a)*, "**member of the family**", in relation to a refugee, means—

- (i) In case the refugee is married, his or her spouse (provided that the marriage is subsisting on the date of the refugee's application pursuant to *subsection (1)*);
- (ii) In case the refugee is, on the date of his or her application pursuant to *subsection (1)*, under the age of 18 years and is not married, his or her parents; or
- (iii) A child of the refugee who, on the date of the refugee's application pursuant to *subsection (1)*, is under the age of 18 years and is not married.

(4) (a) The Minister may, at his or her discretion, grant permission to a dependent member of the family of a refugee to enter and reside in the State and such member shall be entitled to the rights and privileges specified in *Section 3* for such period as the refugee is entitled to remain in the State.

(b) In *paragraph (a)*, "**dependent member of the family**", in relation to a refugee, means any grandparent, parent, brother, sister, child, grandchild, ward or guardian of the refugee who is dependent on the refugee or is suffering from a mental or physical disability to such extent that it is not reasonable for him or her to maintain himself or herself fully.

From a resettlement point of view, the definition of "**nuclear family member**" is slightly broader in so far as unmarried children over 18 years of age may also be included for resettlement purposes. The nuclear family is defined as the spouse, dependent children under 18 years of age, dependent unmarried children over 18 years of age and dependent parents/ grandparents providing they have been residing with the applicant. It is recommended that the nuclear family, as defined above, particularly children under 18 years and **unmarried children over 18 years, are included in the primary application**, even when the dependents are not currently resident with the applicant (having been separated due to conflict or circumstances beyond their control) and where it is known that the family wish to be reunited in the short term post resettlement. Where the family member is included in the primary application, they are included in the quota and costs of transfer are covered by the Irish Government.

14.2 Routing of applications

It is expected that a very low level of family reunification applications for any additional family members will be lodged. Applications for family reunification for additional family members should be submitted by the programme refugee to the Irish Naturalisation and Immigration Service (INIS). Applications are examined under *Section 18* of the *Refugee Act 1996* (as amended). Where cases are approved, the costs of transfer are the responsibility of the applicant.

14.3 Status of family members on arrival

Persons admitted under family reunification arrangements have, in general, the same rights and responsibilities as the applicant. Persons admitted under family reunification do not themselves have family reunification rights.

Where a person is included in the initial application, their status on arrival is "**programme refugee**" and they receive support from the resettlement team or local support group on arrival.

Where a refugee applies for the admission of an extended family member under family reunification arrangements, the applicant refugee is expected to provide support and guidance to their family member on arrival. Family members admitted under family reunification are not programme refugees.

15. References/Resources

Refugee Act 1996- www.irishstatutebook.ie/1996/en/act/pub/0017/

Office for the Promotion of Migrant Integration (OPMI)- <http://www.integration.ie>

Web site gives full details on the Irish resettlement programme and integration activities at a national and local level.

Irish Naturalisation and Immigration Service (INIS) - www.inis.gov.ie

Web site has information on matters relating to visas, family reunification, travel documents, and citizenship.