

**DUN LAOGHAIRE REFUGEE PROJECT-DRP
 TIONSCNAMH DHUN LAOGHAIRE UM DHIDEANAITHE-TDD
 FOURTH ANNUAL REPORT OF ACTIVITIES - YEAR 2005
 CEATHRÚ TUARASCÁIL BHLIANTÚIL GHNÍOMHAIREACTAÍ -
 BLIAIN 2005**

Email: dunlaoghairerefugee@ireland.com

1. Introduction and overview of activities

Established in 2001, the Dun Laoghaire Refugee Project (DRP) works to provide assistance to asylum seekers and refugees in the greater Dun Laoghaire area. In 2005, we continued to help address the practical problems of adjusting to living in Ireland, by offering support and friendship. We do not ask why or how people came to Ireland, though we will provide a listening ear at their request. Some have left countries where there is extreme civil strife, disorder and/or denial of human rights (e.g. Afghanistan, Algeria, Angola, Burundi, Congo, Iran, Rwanda, Zimbabwe) and often show symptoms of disorientation or trauma. All need support.

The DRP does not rent office space and has NO paid staff, as its policy is that all activities should be on a voluntary basis. The DRP continues to avail of a room for meetings etc, in the premises of the Catholic Young Men’s Society of Ireland (CYMSI). We are grateful to the CYMSI who have provided this room since the end of 2002. We are also very grateful to the Dun Laoghaire Community Training Centre (DLCTC) who have allowed us to use their premises at York Road on Monday evenings since June of this year and who have given constant support, including an excellent Christmas party.

The main focus of the DRP’s activities in 2005 was on the following:

<ul style="list-style-type: none"> • Establishing and running a drop-in centre in Dun Laoghaire for young asylum seekers;
<ul style="list-style-type: none"> • Coordinating the P+L+U+S (Please Let Us Stay) Campaign for young “aged out” people who are seeking asylum;
<ul style="list-style-type: none"> • Outreach work with residents of Kilmarnock House accommodation centre, Killiney;
<ul style="list-style-type: none"> • Outreach work with residents of Glandore Lodge Hostel, Dun Laoghaire;
<ul style="list-style-type: none"> • Providing assistance to parents of children born in Ireland before the start of 2005, who have been granted residency (leave to remain) in Ireland;
<ul style="list-style-type: none"> • Undertaking a programme of social, recreational and cultural activities;
<ul style="list-style-type: none"> • Supporting people involved in education, or who wish to access educational courses;
<ul style="list-style-type: none"> • Providing support to people subject to deportation orders, both while in Ireland and subsequent to their repatriation;
<ul style="list-style-type: none"> • Networking with other service providers, both statutory and non-statutory;
<ul style="list-style-type: none"> • Working with the media to highlight issues of concern to people within the asylum applications process.

Further information on each of these activities is set out below. Additionally, the following Annexes are attached:

Annex I - Asylum Statistics.

Annex II – Membership of DRP Trust, DRP Association Committee and Volunteers.

Annex III – Summary of DRP Accounts for Year 2005 and a list of Major Donors.

Annex IV - Definitions of Some Technical Terms used regarding Asylum.

2. Background: Facts and figures

Adult asylum seekers come under the auspices of the RIA (Refugee Integration Agency), an agency of the Department of Justice, Equality and Law Reform (DJELR). Official policy aims to concentrate adult asylum seekers (with some exceptions e.g. for serious medical reasons and also for some families with children) within the 'direct provision' system. This means lodging and full board at a designated hostel with an allowance of €19.10 per week for adults and €9.60 per week for dependants. This small cash allowance has not been increased since 1999.

People who come into the country to seek asylum when they are aged under 18 years, and who are not in the care of a parent or guardian, are known as "*separated children*" (or '*unaccompanied minors*'). Under law, the Health Service Executive (HSE) is responsible for these children. On reaching 18 years, they become the responsibility of the RIA. People who arrived in the country as children, and who turn 18 without receiving a decision on their application for asylum, are known as "*aged out minors*".

As in previous years, the composition and location of the asylum seeking community in Dun Laoghaire has changed. When the DRP was established in June 2001, the area had two hostels: the Old School House (OSH) and Sandycove House. By 2003, these two hostels were used mainly by the East Coast Area Health Board (part of the new Health Services Executive since 2005) to accommodate separated children. Sandycove House closed in 2003 and the OSH closed on 4th April 2005. During the five years of its existence, the OSH had accommodated about 1,600 residents. A new hostel, Glandore Lodge, opened in Dun Laoghaire in April 2005, to cater for separated children (girls). It has the capacity to accommodate 24 residents. A further accommodation centre in the area is Kilmarnock House, Killiney. This accommodates both families and single adults. The centre has capacity for approximately 100 residents.

The current situation in Dun Laoghaire is set out in summary below:

HOSTEL	Residents, End December 2004:	Residents, End December 2005
Old School House, Dun Laoghaire	22 separated children	Closed April 05
Kilmarnock House, Killiney (capacity 105)	72 adult asylum seekers, many with young children	52
Glandore House (capacity 24)	Opened April 2005	12

Other hostels where young asylum seekers, 'graduates' of Dun Laoghaire are accommodated include **Viking Lodge (Francis Street)**, **Morehampton House Hostel**, **Balseskin** and **Tallaght**.

3. Focus of Action by DRP

The following is a summary of the main areas of activities with which the DRP was involved in 2005.

A) Drop-in Centre

When the Old School House closed in April 2005, attendance there by the DRP ceased. As many former residents of the hostel had continued to visit each Monday, it was considered important that another venue be sourced where this outreach contact could continue. With the assistance of Southside Partnership, contact was made with the Dun Laoghaire Community Training Centre

(DLCTC) who generously offered their premises each Monday night and the DRP ‘Drop-In Centre’ came into being.

The centre has provided a focus for the PLUS Campaign (see point B) and has also offered a much-needed facility where the young people involved can meet in an informal and relaxed setting to socialize, receive information and support from members of the DRP and from each other and organize social and cultural events. Having access to the DLCTC has made it possible for the DRP to invite politicians, representatives of other NGOs, legal and other professional personnel and interested journalists to meet with the young people and discuss their situation.

As of the end of 2005, the following had visited the centre on Monday evenings:

- A range of local TDs (Mr Barry Andrews TD, Mr Ciarán Cuffe TD, Mr Eamon Gilmore TD, Minister Mary Hanafin TD, and Ms Fiona O’Malley TD);
- Local community and ethnic liaison Gardaí;
- Representatives from the Irish Refugee Council (IRC), the City of Dublin Vocational Education Committee (VEC), and the National Youth Council of Ireland; and
- Journalists from The Irish Times, and from “Village” and “Focus” magazines.

In addition to organizing meetings and other contacts with political, social and media representatives, DRP members have arranged a series of events aimed at improving the young people’s public speaking skills, informing them about civic life and participation in Ireland and generally building their confidence. Importantly, the Drop-In Centre provides a neutral space in which the young people can socialise and relax with their friends, a space that is otherwise not available to them at hostel accommodation. It allows them also to meet with experienced DRP members and to discuss aspects of their cases in privacy, if they so wish.

By the end of 2005, the Drop-In Centre had been attended by over 136 young people. An average of 45-60 people come every week from all over Dublin city. Those who attend for the first time often come back the next week with friends, which allows contact to be made with other young asylum seekers and those with residency (refugee status or leave to remain) who often have problems to discuss.

(B) “Please Let Us Stay- P+L+U+S – Campaign”: the DRP assisted a group of young unsuccessful asylum seekers (single “aged out” unaccompanied minors) to make a submission to the Minister for Justice urging that arrangements similar to those for parents of an Irish child be put in place for young people who arrived in Ireland as unaccompanied minors but did *not* parent an Irish child.

When they had arrived in Ireland most were aged 16 years or less. Some have spent five years or more waiting for final decisions on their cases. To return them to major cities such as Conakry (Guinea), Freetown (Sierra Leone), Harare (Zimbabwe), Kinshasa (DR Congo), Kigali (Rwanda), Lagos (Nigeria), Luanda (Angola), Mogadishu (Somalia) where conditions are harsh and dangerous and where they have no contacts, family or friends would be to subject them to extreme hardship. They accordingly asked for leave to remain in Ireland with the opportunity to continue their education, contribute their skills and energy to the Irish economy and build their lives. A first estimate put the number involved at “not more than 500 young people in all” but more accurate information reduced this to about 150 accommodated in direct provision and not more than a further 100 living “outside the system” i.e. not more than 250 in all.

In August a further, longer submission entitled “P+L+U+S Appeal –Leave to Remain for Aged Out Minor Asylum Seekers” was prepared. This document explains the hardships experienced by the young people and sets out further arguments in support of their case. Copies of this document are available on request from the DRP - dunlaoghairerefugee@ireland.com - or can be

downloaded from Integrating Ireland's website at <http://www.integratingireland.ie/resources/>
This document was widely circulated at political level and also to the media.

Contact was made with local politicians in July, as a result of which an informal cross-party Oireachtas group was set up at the end of the summer to see how best the plight of these young people could be addressed and progressed with the Minister for Justice. In October a representative DRP group met in the Dail with the Oireachtas group.

C) Outreach work in Kilmarnock House: this hostel is managed by the Victory Christian Fellowship Church. For the asylum seekers residents frustrations caused by prolonged inactivity, loneliness, delays in reaching decisions about their future, adapting to Irish food and living conditions in general, and shortage of funds erupt every so often into tensions. Food is of concern to residents who have religious dietary laws such as Muslims for whom pork is forbidden. Access to the kitchen to cook for themselves or even to ensure that forbidden food is kept separate is not allowed to residents. By mid-year, Kilmarnock House was near full capacity, with 95 residents. The majority were adults, with some 36 children between the ages of 2 and 16. The residents included some 13 "aged out" minors. By the end of the year, all families with leave to remain had transferred to private rented accommodation and the total number of residents had dropped to approximately 52.

During the year further progress was made in implementing the 'Action Plan' based on a 'Needs Analysis' made by Southside Partnership in 2004. This involved in particular organizing a crèche facility for mothers and young children, the acquiring of four computers at the beginning of the year and setting them up in a dedicated room with a plan for use, including teaching the various PC programmes. Thanks to the generosity of The Community Foundation for Ireland and various donors, seventeen PCs were also supplied to individuals for use in their shared rooms.

The DRP aims to maintain cooperation with the KH hostel staff. DRP members are asked to know the house rules (laid down by the Reception and Integration Agency of the DJELR) at KH and to keep those rules. The DRP acted as a channel through which to relay suggestions between residents and the RIA for improvement as regards conditions at KH e.g. the need for a place for study, care of babies, play areas for children, food preparation etc.

D) Outreach work with residents of Glandore Lodge Hostel: The education, health and welfare aspects of the unaccompanied minors (young girls) at Glandore Lodge are managed directly by the various responsible official bodies. However, the DRP keeps in touch with those of the young girls who attend at the Drop-In Centre, where we offer them friendship and social contact. The DRP has not been invited to attend at the hostel itself.

E) Assistance for Asylum seeker Parents of Children Born in Ireland before 01/01/05: The DJELR on 18 December 2004 and subsequently on 10 January 2005 published announcements about 'revised arrangements for the consideration for permission to remain made by the parents of Irish born children'. Under this arrangement, 17,887 people whose children had been born in Ireland prior to 1st January 2005, applied for leave to remain. This number includes those in Ireland with work visas, students and asylum seekers. The DRP assisted the residents at KH, OSH and 'graduates' elsewhere who had parented children in Ireland to complete the forms that had to be submitted by end of March. By the end of 2005, a total of 16,727 people had been granted residency; 1,002 applications were rejected, and the remaining 158 were due to be processed at the start of January. As each family was granted "leave to remain" and moved into self-catering accommodation, the DRP continued to offer support. During the year we have given financial support for young mothers transferring from "direct provision" at KH to rented accommodation during the long delays that often occur in obtaining social welfare. We are grateful here for assistance and advice from the Vincentian Refugee Centre and the SVP Society.

F) Social, Recreational and Cultural Activities

The Social, Recreational and Cultural Programme for asylum seekers in the Dun Laoghaire area concentrated on KH but welcomed others, especially 'graduates' accommodated elsewhere who showed an interest. During the year, it covered:

- Cinema and theatre attendance especially during the winter;
- Hill walks from Easter through the summer months with picnics in the Dublin/Wicklow mountains;
- A weekend away in a private hostel in Wicklow
- Visit to Dublin Zoo;
- Swimming at the Monkstown Leisure Centre and in the sea;
- Team-sports including the Dun Laoghaire Football Club and cooperation with Dalkey United;
- In conjunction with the RAPID/UNITE social inclusion group, establishing a programme to help people access Loughlinstown and Monkstown Leisure Centres at a considerably subsidised rate;
- Birthday greetings for individual asylum seekers and small gifts to mark birthdays and Christmas;
- Participation in Dun Laoghaire Community events (e.g. Community Day in July, the International Festival of World Cultures on the week-end of 27/28 August, etc.);
- Christmas parties in the Methodist Church Hall, Dun Laoghaire and at the DLCTC
- Participation in seminars and meetings organised by Comhlámh, Integrating Ireland etc.
- Carol singing in Dun Laoghaire on 10th December

In addition, visits were facilitated for those interested in other aspects of Dublin cultural life e.g. HopOn/HopOff tour of Dublin to familiarize newcomers with the city, visits to the Clonskeagh Mosque, museums etc.

The DRP would like to extend its thanks to the Health Promotion Department of the HSE for grants received throughout the year that have assisted with covering the cost of transport to, and participation in, a range of events.

G Education/Training: The DRP has encouraged and supported both asylum seekers and persons with residency (refugee status or leave to remain) to enrol in various education/training courses aimed at acquiring skills and professional qualifications that will give them the chance of finding employment in Ireland (for those who remain) or in their birth countries (if they return there). For persons with residency there is the problem that they must have been resident in Ireland for at least three years in order to qualify for free third level education. As for adult asylum seekers, the rule is that they are asked to pay the full "economic fee" except for free English language teaching. They have access, however, to the useful free courses provided by NGOs such as SPIRASI, the Catherine McCauley Centre, and some other courses under VEC auspices.

The DRP has provided funds both for course fees and for the ancillary costs in attending educational courses (e.g. transport, food etc.). In all some 20 persons (refugees with status and asylum seekers at various stages before or after the asylum determination process) were so assisted during the year. During the academic year (2004-2005), a small number of young women (young mothers who had applied for and later obtained leave to remain) and also two young men resident at Kilmarnock House attended a course for care assistants: all qualified and a diminished number continued on with this course during the academic year 05-06. This course leads to a professional certificate which enables those qualified to provide competent care services for children, older people, people with disabilities, etc. The DRP helped with the

ancillary costs (travel, subsistence etc.) for this course. There is a considerable need for professional carers in modern Ireland and this qualification will enable these young people to be gainfully employed and so be self-sufficient and contribute to Irish society and the economy.

By far the largest part of DRP funds in 2005 was allocated to education/training and associated costs, e.g. transport to and from college. We would like to acknowledge the generous assistance of our donors, whose contributions make it possible to fund these extremely important education initiatives.

H) Legal Assistance at Various Stages before and After the Asylum Determination Process: Judicial Review

The DRP has assisted with a small amount of legal fees of solicitors, attended with clients at meetings with solicitors and barristers and has been present at the Garda National Immigration Bureau, where unsuccessful asylum seekers who have been issued with deportation orders must report at regular intervals pending a decision on deportation. In some cases, clients have been ordered to report month by month for over a year. In the case of a number of clients, Judicial Reviews have been obtained resulting in a Court finding that the recommendation by the Office of the Refugee Applications Commission (ORAC) was invalid and ordering ORAC to re-interview the client.

J) Deportations/Repatriations and Subsequent Monitoring of Returned Minors/Young Asylum Seekers in their Countries of Origin

On 15 March some 36 (26 adults and 10 children) unsuccessful Nigerian asylum seekers were deported from Dublin airport to Lagos. These included the parents of five children who were left behind in Ireland. Among the adults were two 'aged out' young people, who had sought asylum in Ireland as unaccompanied minors. One of these, a twenty-year-old young man, was still at school and due to sit Leaving Certificate in June. Another, a young woman, had recently been co-opted onto the Committee of the DRP. Subsequently, the young man, a pupil at Palmerstown Community College, was readmitted into Ireland on a student visa to allow him to sit the Leaving Certificate examination. According to a press report, on arrival at Lagos Airport, some deportees were taken to Alagbon Prison and released only after payment of a cash sum. The DRP cooperated with the Rialto Community Network and the Kiltegan Fathers SPS (to both of whom *sincere* thanks) in giving support to the young woman involved both before and after the deportation.

The DRP has tried to monitor and to help unsuccessful asylum seekers especially the young ('graduates') after their deportation and has investigated/established links with NGOs (Non-Governmental Organisations-including Churches) in several African countries including Nigeria. The DRP wrote to the Minister of State for Development Assistance and Human Rights, Mr. Conor Lenihan TD, on 23 August pointing out that the DRP had the gravest concerns for the safety of young people returned to their countries of birth and was opposed to any such non-voluntary returns. The DRP suggested that, if, such returns were to continue to be made in the future, financial support should be given under the official overseas development assistance programme ("Development Cooperation Ireland") to selected reliable child/youth welfare organizations (NGOs) in countries such as Nigeria that provide shelter capacity for trafficking victims, rehabilitation by way of vocational skills-training and anti-trafficking public awareness education campaigns targeting vulnerable children and their families. Such organizations should also be able to provide effective monitoring of returned child-adolescent asylum seekers in their countries of origin and so *inter alia* allow for the on-going assessment as to the safety of return policies. As a result, the Minister has invited the DRP to indicate how this initiative can be brought forward in the short term.

Further deportations took place during the year but these did not involve any of the asylum seeker clients of the DRP.

K) Liaison with other statutory and non-statutory service providers the DRP maintains contact with the main official bodies concerned with the asylum application and integration processes, e.g., the Reception & Integration Agency (RIA), Health Services Executive, FAS, VEC, the Gardai. It often acts as an intermediary between the asylum seeker community and one or other of these bodies.

The DRP participates in the bi-monthly meetings of the Churches' Asylum Network (CAN) and at meetings between CAN and the RIA. The DRP is also a member of the Children's Rights Alliance, of Integrating Ireland and of the Social Policy Sub-Committee of the Irish Refugee Council. The DRP is affiliated to the Southside Partnership Unite Project. Contact is also maintained with other NGOs such as the Vincentian Refugee Centre, Spirasi etc.

At local level, the DRP is very involved with the RAPID/UNITE social inclusion group, which works to provide practical assistance to people seeking asylum in the Dun Laoghaire area. Other members include Dun Laoghaire-Rathdown County Council, the HSE, RAPID and Southside Partnership. Actions undertaken by Southside Partnership have included social outings, health promotion programmes, and encouraging access to computer courses. As a key member of the UNITE network, the DRP has been very involved in a number of awareness-raising activities.

M) World Refugee Day Event – 20 June 2005

The Dun Laoghaire-Rathdown County Council, in conjunction with the DRP and Southside Partnership, marked World Refugee Day (20 June) with a programme of music and dance in which asylum seekers and refugees performed. The Cathaoirleach, Cllr Niamh Breathnach, formerly opened the event, which included an exhibition to which the Irish office of the UN High Commissioner for Refugees contributed. The Cathaoirleach hosted a reception. In her address the Cathaoirleach referred to the Irish experience of emigration in the past and the fact that Dun Laoghaire port had been a major starting point for so many Irish emigrants. She welcomed the new arrivals from overseas, including refugees, who had settled in Dun Laoghaire-Rathdown.

The DRP Chairperson, spoke on the theme of this year's World Refugee Day: "It takes courage to be a refugee". A central part of the programme was a video film made in cooperation with the asylum seekers describing life at the Old School House Hostel at Eblana Avenue and the support given by David Hicks who managed the hostel throughout the five years of its existence. A tribute to David was paid by Garda Paul Durkan (Dun Laoghaire Ethnic Liaison Officer) for his excellent work and that tribute was loudly supported by all present especially the asylum seekers. Several hundred people attended. On behalf of the DRP Mary King, also, praised David Hicks who welcomed members of the DRP to the Old School House from the very early days and whose cooperation throughout was invaluable. David has since become a volunteer with the DRP.

N) Other activities

- Information and Media Liaison, Political Representations

Promoting the PLUS Campaign has involved considerable contact with interested politicians and journalists. In addition, events such as World Refugee Day attracted positive media coverage. On 16 June, an inter agency group- comprising the African Refugee Network, Integrating Ireland, Dublin City Council, UNHCR, NCCRI, CREATE and Spirasi - presented Mary King, DRP Chairperson and Abraham Wahid, DRP Committee Member, with awards for their work with refugees and asylum seekers. This presentation was reported favourably in the press and the awards were on display at the World Refugee Day Event at DLRCC County Hall.

- *Asylum seekers granted Refugee Status/‘Leave to Remain’*

During the year, the DRP assisted former residents of the Dun Laoghaire hostels who were granted residency (refugee status or leave to remain). Such persons will probably spend the rest of their lives in Ireland and need assistance to overcome the traumas they have suffered in the past, to be trained for and to find suitable paid work, to establish families and to integrate into their communities. The main services offered by the DRP have covered advice or other assistance as regards education/skills training and employment. As to the latter, the Local Employment Services (LES-Job Link) office in Dun Laoghaire (particular thanks to Hazel Boylan) has been of great help, as has Integrate Ireland Language & Training.

- *Prison Visits*

The DRP assisted one asylum seeker who was detained at Clover Hill Prison and are currently supporting another in Mountjoy prison. As in the past, prison staff have been helpful – for which we are grateful.

4. Legal Status of DRP Trust and DRP Association

The DRP is made up of two legal bodies: (a) the DRP Trust and (b) the DRP Association, governed respectively by a Deed of Trust and a Constitution. By way of a “Scheme of Incorporation under the Charities Act 1973”, the Trust was established as a Body Corporate by the Charity Commissioners on 14 April 2003. Joint meetings of the Trust and of the Association Committee were held monthly in 2005. The Committee reviewed its Constitution during 2005 with a view to updating it and an amendment was adopted by the Committee at the January 2006 meeting.

5. DRP Trustees, DRP Association Committee Members and Volunteers (Ordinary Members)

(a) Trust & Association: The names of (and offices held by) the DRP Trustees and of the members of the Committee of the DRP Association are listed in Annex II. There were no changes in the Trust membership during 2005. As to the DRP Association, Mr. Saheed Saliu was co-opted as Acting Treasurer at the February meeting of the Committee. The Committee now includes three members of the asylum seeker / refugee community. There are nine ‘volunteers’ (ordinary members of the Association who are not members of the Committee – see Annex 11)

(b) **Guidelines for Volunteers:** in 2002 as stated in the First Annual Report of the DRP, a Code of Conduct for Volunteers was adopted, but this was never implemented. During 2005, a new set of guidelines was drafted availing of the useful guidelines adopted by the Vincentian Refugee Centre. This work will continue in 2006 with a view to setting down in clear and practical terms what the DRP expects of its volunteers and equally what volunteers expect of the DRP and in addition establishing a procedure for implementing actively such guidelines. The aims and objectives set out in the Deed of Trust and DRP Constitution as well as the experience gained by the DRP over the years and the views of the volunteers themselves will form the basis.

6. Funding and Accounts

A summary of the DRP Accounts for 2005 with a list of major Donors is attached (Annex III).

(a) **Donors:** During 2005, we have been assisted by generous grants from: Atlantic Philanthropies, The Community Foundation for Ireland, Cosgrave Developments, Dublin Bus, The Ireland Funds, the Health Services Executive (National Lottery), Southside Partnership,

Treasury Holdings. In addition, the DRP welcomed the contributions from the Dun Laoghaire business community; from the Churches and from many generous citizens including those who contributed to the Christmas carol singing collection at Marine Road on Saturday 10 December. Special attention is paid to the wishes of the donors as to the use of funds and reporting.

(b) Annual Audit: CDK Associates, Accountants and Registered Auditors, Dun Laoghaire have audited the DRP Trust Accounts since 2002. The signed Audited Financial Statements and the Report of the Auditors for 2004 were furnished to the Charity Commissioners and to the Revenue Commissioners in June 2005.

(c) Eligible Charity for Tax Relief on Donations Received: the DRP applied to the Revenue Commissioners (Charities Section, Nenagh) during the year for approval as an “Eligible Charity” and this approval was obtained. This means that a donation of €500 a from private donor paying the higher rate of income tax will, when the tax is returned, result for the DRP in a total amount of EURO 862. In the case of self-assessed persons and Corporate Donations, the self-assessed person/Company (not the charity) is the beneficiary.

7. Annual Programme of Activities and Budget for 2006

In accordance with Article 12 of the DRP Constitution, the Committee considered its Annual Programme of Activities and Budget Estimates for the Year 2006. The Committee also reviewed its fund-raising strategy for the coming year. The main thrust of the Programme for 2006 will be to continue the various forms of assistance already under way as set out in this Report.

In general, the emphasis of the work of the DRP will be on the daily needs of asylum seekers/refugees in the greater Dun Laoghaire area and those participating in the PLUS Campaign. For those who move to other parts of Ireland or leave Ireland by way of deportation or voluntarily, the role of the DRP is limited by scarce resources. However we will do what we can where help is needed.

8. Thanks

Sincere and grateful thanks and gratitude to our many asylum seeker friends for allowing us to share their sad and happy times, who have shown courage in difficult situations, and who have responded with generosity and good humour to our requests for involvement in local events. We have learned much from you all!

We thank Marie, Aileen, Dervla, Jackie, Angela and the other staff of Southside Partnership for continued support on the ground in Kilmarnock House.

We thank the various official bodies for their assistance including the staff of the RIA and DLR County Council (especially Torry Schellhorn). Special thanks to Garda Paul Durkan and Garda Cian Long, Garda Ethnic Liaison Officers, Dun Laoghaire and Sergeant Kevin Spain, Bray, who have provided invaluable help; to the Churches/religious, to official and institutional funds, to business firms and to many private citizens. We are grateful to the Methodist Church Dun Laoghaire and to the DLCTC (especially Gerry and Catherine for great support) Many thanks also to Helen McCormack of the Health Promotion Unit of the HSE, and Dave Lawless, RAPID. Conor O Briain, Aisling Ryan, Albert Llussa, and Tunney O’Leary & Co. Solicitors, Tallaght have given generous and helpful assistance with legal matters. The Children’s Rights Alliance (thank you Maria Corbett) and the Churches Asylum Network assisted generously, particularly at the time of deportations. The Irish Refugee Council has constantly responded to our numerous requests for advice. Thanks to Integrating Ireland and Comhlamh for support throughout the year.

We are gratefully acknowledge Dublin Bus for support through the Community Support Programme and with bus tickets; to the cinemas and theatres that have provided free or subsidised admission tickets, and also the Loughlinstown and Monkstown Leisure Centres and Dalkey United. And there have been many others.

Finally, none of what has been achieved would have been possible without the generous, good humoured and unstinting support of our volunteers – both for the asylum seekers and each other.

Go raibh míle maith agaibh as ucht bhúr gcabhair agus bhúr mórchróí!

Mary King, Chairperson, 27th January 2006

ANNEX I. STATISTICS

	ASYLUM SEEKERS IN IRELAND	YEAR 1999	YEAR 2000	YEAR 2001	YEAR 2002	YEAR 2003	YEAR 2004	YEAR 2005
1.	<i>Number Claiming Asylum in Ireland</i>	7,724	10,983	10,325	11,634	7,900	4,766	4,323
2.	<i>Unaccompanied minors</i>	74	273	603	287	276	174	?
3.	<i>Granted refugee status(first instance + appeal)=Total</i>	(166+351)=517	(211+395)?=606	(456+478)=934	(893+1,097)=1,990	(343+829)=1,174	(430+702)=1,132	(455+511)=966
4.	<i>Granted 'leave to remain'*</i>	38	19	70	?	?	75	114 (to Nov)
5.	<i>Unaccompanied minors granted refugee status</i>	N/A	N/A	N/A	N/A	N/A	N/A	?
6.	<i>Refugee Family members reunited in Ireland</i>	78	69	162	358	270	576	893
7.	<i>Deportations</i>	6	187	365	521	590	599	393
8.	<i>Voluntary Assisted Returns</i>	37	248	356	506	762	611	336
9.	<i>Refused permission to land</i>	?	?	?	4,417	4,827	4,477	3732 (to Oct)
10.	<i>Returned to 'safe country of origin'</i>	Not apply	Not apply	Not apply	Not apply	Not apply	288	?
11.	<i>Deported under Accelerate Procedure (Nigeria)</i>	Not apply	Not apply	Not apply	Not apply	Not apply	77	?

*includes asylum seekers and other categories e.g. overstay visas but excludes parents of Irish born children.

Some figures may be provisional, subject to change (e.g. unaccompanied minors) and different methods of calculation.

Sources: ORAC,RAT,DJELR (Annual Reports), ECRE. Final figures for 2005 not yet available at time of publication.

ANNEX II
MEMBERSHIP DRP TRUST & DRP ASSOCIATION COMMITTEE
AS ON 30/12/2005

TRUSTEES	COMMITTEE	OFFICE HELD
Mary King	Mary King	Chair
Niall Coleman	Niall Coleman	Secretary
Joan Dobbyn	Joan Dobbyn	
Maureen McCullagh	Maureen McCullagh	
Liam Ryder	Liam Ryder	
	Bonnie Brady	
	Brian Gallagher	
	Joan Gallagher	Record Secretary
	Lutete Masamba	
	Laura Peelo, Sr	
	Veronique Piales-Quinn	
	Saheed Saliu	Acting Treasurer
	Bridget Shannon Sr.	
	Abraham Abdul Wahid	
VOLUNTEERS (not Committee members) acting under the auspices of the DRP	Sarah Flynn Erik Goodbody David Hicks Jill Kenefick Dervla King Richard King Peggy Lawlor Sean O'Rian Eamon O Tuathail	

**ANNEX III
SUMMARY OF DRP ACCOUNTS FOR YEAR 2005
WITH LIST OF MAJOR DONORS**

<i>Date</i>	<i>Cheques &</i>	<i>Bank Fees</i>	<i>Insurance</i>	<i>Audit</i>	<i>Post/Stationery</i>	<i>Welfare</i>	<i>RIAGrant</i>	<i>Phone</i>	<i>RoomFee</i>
EURO	Bank Fees								
JAN 05	9,074.32	3,829.31	0.00	0.00	6.80	0.00	1,932.45	145.00	200.00
FEB 05	2,810.06	7.50	0.00	0.00	311.94	0.00	0.00	219.00	0.00
MAR 05	4,058.43	7.93	0.00	0.00	0.00	0.00	0.00	0.00	0.00
APR 05	1,720.67	0.00	0.00	0.00	24.07	0.00	0.00	190.00	0.00
MAY 05	3,244.55	10.75	0.00	423.00	50.25	0.00	0.00	110.00	200.00
JUN 05	3,316.27	6.18	0.00	0.00	4.80	20.00	0.00	240.00	0.00
JUL 2005	2,907.98	7.50	0.00	0.00	0.00	1,210.00	0.00	50.00	0.00
AUG 05	3,120.13	0.00	0.00	0.00	39.14	324.95	0.00	330.00	0.00
SEP 05	4,609.18	12.19	0.00	0.00	0.00	0.00	0.00	80.00	0.00
OCT 05	1,806.28	7.50	416.81	0.00	9.60	105.00	0.00	100.00	0.00
NOV 05	3,834.42	0.00	0.00	0.00	148.72	170.00	0.00	350.00	0.00
DEC 05	2,335.18	13.39	0.00	0.00	91.10	60.00	0.00	123.10	400.00
TOTAL	42,837.47	3,902.25	416.81	423.00	686.42	1,889.95	1,932.45	1,937.10	800.00
Adjusted									
	37,758.16	72.94	416.81	423.00	686.42	1,889.95	1,932.45	1,937.10	800.00

MAJOR DONORS 2005	
Atlantic Philanthropies*	
Bank of Ireland	
The Community Foundation for Ireland	
Cosgrave Developments*	
DLRCo.Council	
Dublin Bus	
Health Services Executive - East Coast	
The Ireland Fund	
Remax Garden Country Auctioneers, Wicklow	
Southside Partnership	
Treasury Holdings	
*CARRIED OVER FROM 2004	

**ANNEX IV
Definitions**

MJELR/DJELR: the Irish Government Minister (and Department) principally responsible for asylum questions is the Minister of Justice, Equality and Law Reform (and Department).

Asylum Seeker: An asylum seeker is a person who has applied for asylum in the State under the terms of the Refugee Act (1996), an Act that translates into Irish law the United Nations Geneva Convention (1951) on the Status of Refugees and Protocol (1967). As to restrictions and benefits, an asylum seeker may not seek or enter employment, carry on any business, trade or profession, leave the

State, change address without permission, but is entitled to accommodation and board, legal aid, medical and some other social services. Minors have the right to free education. Adult asylum seekers are not entitled to free third level education or training.

Refugee: A refugee under Irish law is a person who “owing to a well-founded fear of being persecuted for reasons of race, religious, 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 a fear, is unwilling to avail him/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 a fear, is unwilling to return to it...” (i.e. the same definition as in the UN Geneva Convention). The general and loosely used term “political refugee” sums up the position quite well. The narrow Convention definition, thus, rules out other categories of persons who may well have good reasons for fleeing from their countries such as victims of famine or natural disaster – unless they *also* have a well-founded fear of persecution for one of the reasons in the definition. Such refugees, being admitted under the Geneva Convention, are often known as “Convention Refugees”. There are also “Programme Refugees”, admitted under the UNHCR Resettlement Programme e.g. from former Yugoslavia.

Asylum Determination Process: an asylum seeker i.e. person seeking a declaration as a refugee under Irish law must go through a determination process which is made up of

-at first instance by the **Refugee Applications Commissioner (ORAC)**;

-at appeal (if such an appeal is made) by the **Refugee Appeals Tribunal (RAT)**;

-and finally based on the recommendation of the Refugee Applications Commissioner/ Refugee Appeals Tribunal a decision is taken by the **MJELR** to declare the applicant to be a refugee or to refuse to give the applicant a declaration.

The Refugee Applications Commissioner (ORAC) and the Refugee Appeals Tribunal (RAT) are independent statutory offices under the Refugee Act 1996 (as amended);

Dublin II Regulation: this provides an agreed way for determining which of the EU States is responsible for examining a refugee application. The regulation seeks to guarantee for applicants that one Member State will process their application. It guards against on the one hand “refugees in orbit” where no member State will take responsibility and on the other hand “country shopping” by applicants. Applications must be made in the first EU country in which the applicant arrives and applicants who have passed through the border of one State or have made their first application in one State and then make an application in another State may be returned to the first State.

Refugee (or Asylum) Status: a refugee with “status” in Ireland is the general description for a person to whom the MJELR has given a declaration in writing stating that the person in question is a refugee. Such a person is entitled to almost all the same rights as an Irish citizen.

Leave to Remain: Under the Immigration Act 1999 (Section 3) the MJELR may decide to grant “permission to remain” in the State to an unsuccessful asylum seeker in respect of whom an order to deport has been issued, (and only *after* the issue of such an order) on various grounds including ‘humanitarian considerations’. If leave to remain is granted, it does *not* give the same rights as in the case of refugee status e.g. family reunion. It includes the right to work but is subject to review every one or two years. The MJELR also has the power under Section 17 (6) of the Refugee Act 1996 to grant leave to remain to unsuccessful asylum seekers but this section does not appear to have been used. Section 17 (7) says that an unsuccessful asylum applicant may not make a further application without the consent of the Minister and this clause can be used as a legal basis for requesting such applicants to be re-admitted to the asylum process e.g. after provision of “new evidence”.

Residency: In the present Report, refugees with status and those with leave to remain are referred to as persons “with residency”.

Subsidiary (or Complementary) Protection: this is an internationally recognised form of protection for persons who do not qualify as refugees under the UN Convention definition but are otherwise in need of international protection, based on protection principles in international human rights instruments such as the European Convention on Human Rights, UN Convention against Torture etc. Such protection is granted by several EU States and is currently under discussion at the EU level. Such a distinct subsidiary protection system does not yet exist under Irish law but the question is raised in the DJRLR Discussion Document on Immigration and Residence of April 2005.

Temporary Protection: is granted for displaced persons often in the event of a massive inflow.

The Courts/Judicial Review

Under the Illegal Immigrants Trafficking Act 2000, (Section 5), the validity of decisions reached under the refugee application determination process may be questioned by way of an application for Judicial Review. Such judicial reviews are primarily concerned with how the recommendation was reached i.e. with the procedures used rather than with the substance. Usually the remedies being sought are either the quashing of a decision or an instruction for specific action such as the Refugee Applications Commissioner to re-interview. Most judicial reviews seek to establish if the stated procedures are carried out in accordance with the law and constitutional and natural justice.

Burden of Proof, Safe Countries of Origin/Prioritised Countries: The Immigration Act 2003 - amending the Refugee Act 1996 – allows the MJELR to designate certain countries as “*safe countries of origin*”. Such a country must be a party to and “generally comply with” obligations under the main international human rights instruments (e.g. UN Convention against Torture and UN Covenant on Civil and Political Rights) and must have a democratic political system, an independent judiciary and be governed by the rule of law. An asylum applicant who is a national of or who has the right of residence in such a country is presumed *not* to be a refugee unless s/he can show reasonable grounds for the contention that s/he is a refugee i.e. the burden of proof is on the applicant. Moreover, appeals from applicants from those countries are dealt with by RAT on the basis of papers (*without oral hearing*) alone. The MJELR has designated 14 countries (the 10 new EU members plus Bulgaria, Croatia, Romania and South Africa) as *safe countries of origin*.

Under the same Act, the Minister may, also, direct ORAC/RAT to accord *priority (fast tracking)* to certain classes of applications. The arrangements cover four of the countries designated as *safe countries of origin* (namely Bulgaria, Romania, Croatia and South Africa), as well as Nigeria which though not designated a *safe country* is the highest single source country of asylum applications in Ireland.

Since 25 January 2005, all new applications from these countries have been prioritised, with the result that by end December such applications were being processed by ORAC within 16 working days and by RAT within 14 working days. Applicants in this category are housed in dedicated accommodation. While the acceleration of processing is to be welcomed, the Irish Refugee Council has warned against “unjustifiable fast-tracking without the guarantee of a full hearing”.

Reception and Integration Agency – RIA – is a non-statutory agency of the MJELR with responsibility for accommodation of asylum seekers, in particular under the *dispersal* and *direct provision* system. The DJELR has over 60 accommodation centres spread over 25 countries. Special provisions exist as regards unaccompanied minors. See also par. 2 in the Report.

Separated Children/Unaccompanied Minors/ “Aged Out” Minors: under the Refugee Act (as amended) a child under 18 years of age who has arrived at the Irish frontiers or entered the State and is not in the custody of any person must be referred to the Health Services Executive and thereupon the provisions of the Child Care Act, 1991 apply. Separated children (referred to also as ‘unaccompanied minors’ e.g. by the EU and UNHCR) may apply for asylum in the same way as adults. In Ireland the tendency has been to concentrate such minors in the greater Dublin area with a small number elsewhere. Adolescents who are 18 and over are referred to as “aged out” minors and are considered legally as adults. See also Section 2 in the Report.

Temporary Residence Certificate: the identification card for asylum seekers issued by the DJELR.

Habitual Residence Condition: applicants for all social welfare benefits must since 1 May 2004 show that they are habitually resident in the State. The presumption is that the applicant is not so resident unless the contrary can be shown. This causes delays.

Refugee Legal Service: this service offered by the Legal Aid Board as set up under the Civil Legal Aid Act 1995 provides free legal advice for applicants for asylum and for refugees and is officially funded. If at the end of the determination process an applicant is unsuccessful, s/he may not avail of this service and must seek help from a solicitor, which will mean the payment of legal fees.

Office of the United Nations High Commissioner for Refugees – UNHCR: the UN agency that is responsible for overseeing UN conventions providing for the protection of refugees. The head office is in Geneva but there is a branch office in Dublin

European Union Law on Asylum: the EU is making progress towards a common European Asylum system. However, as Ireland and the UK are not parties to the “Schengen Acquis” (abolition of checks on common EU borders, common EU visa system etc.), the Irish Government is bound only by such common policies on asylum and immigration as it chooses to implement. The common travel area between the UK and the Irish Republic means that Irish and British policy on asylum and immigration are in general similar.

(NB. The above explanations are meant as a guide and not as legal definitions. For further information please see the useful Overview of Refugee Law by the Irish Refugee Council).