

⚡ Sanctuary ⚡

A bi-monthly newsletter on asylum, refugee and migrant matters from a religious perspective
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OVERVIEW

Asylum Applications for the two months, Nov (176) and Dec (161) 2009, totalled 337.

Applications for the year 2009 totalled 2,689 - the comparable figure for 2008 was 3,866.

First Instance: Of 3,910 applications processed in 2009, some 97 applicants were recognized as refugees at *first instance* and some 2,612 applicants were refused following interview. A further 797 refusals include negative decisions made on other grounds and cases withdrawn. Some 402 applicants were returned to the EU country where they first arrived to have their case processed there. (*Dublin Reg*)

Appeal Stage: Of 12,473 *Substantive Appeals* processed in 2009, 1,463 appellants were recognized as refugees (i.e. 13% of *First Instance* negative decisions appealed were overturned) - a further 952 appeals lodged were withdrawn before being processed. In 5,059 *Accelerated Appeals*, 197 (4%) of the initial negative decisions were overturned.

Top Countries of Origin of asylum applicants in '09: Nigeria: 21%; Pakistan: 10%; China: 7%; DR Congo: 4%; Zimbabwe: 3%.

Removals (deportations) - in the year up to 31 Dec '09, some 1,077 *Deportation Orders* were signed and 291 *Orders effected*. In the same period, *Voluntary Returns effected* numbered 539 (IOM: 405; Dept JusticeELR: 134) and some 659 persons were granted *Leave to Remain*.

Backlog of unprocessed cases at 31 Dec 2009: 2,781 (*First Instance*: 470; *Appeals*: 2,311)

Family Reunification (FR): New applications in '09 totalled 450 (with 912 dependants). Some 453 applications (917 dependants) were processed to completion (ie. report sent to Min. Justice).

FR applicants - top countries of origin in '09: Sudan: 15%; Iraq: 12%; Somalia: 11%; Nigeria: 9%; Zimbabwe: 5%; Cameroon: 5%; DR Congo: 5%.

Separated Children (Unaccompanied Minors) - Of some 12 separated children referred to the HSE, 1-31 Dec '09, 3 were re-united with family, 5 were placed in care of whom 4 were age re-assessed. Some 3 boys [Chinese, Nigerian, Pakistani - 1/16yrs; 2/17yrs] were classified as *Missing from Care*.

Direct Provision - 31/12'09; **Centres:** 48; **Residents:** 5,978, in 19 cos; 805 in Mosney; c.200-300 in 10 centres (Athlone, Ballyhaunis, Clondalkin, Cork x 2, Galway x 2, Knockalisheen, Monaghan, Sligo); 100-200 in 7 centres, and up to 100 persons in 30 centres.

Self-Catering: 4 Centres - Dublin, Ballaghaderreen, Dundalk, Mallow. **Capacity:** 412 people; **Residents:** 300.

Reception Centres (2) - Stillorgan and Baleskin. **Capacity:** 459; **Residents:** 216.

(Statistics: Dept of Justice, Equality and Law Reform and HSE Separated Children's Unit)

CHURCH

International Catholic Migration Commission (ICMC, Jan'10) highlights role of migrants in Haiti's post-disaster recovery: *As the poorest country in the Western Hemisphere, and with limited opportunities for work even prior to this latest disaster, a large number of Haitians have sought ... to provide for themselves and their families by migrating abroad in recent years. Many have made headlines in their attempts to leave the country in treacherous journeys by boat. Over 1.5 m. Haitian-born emigrant work abroad, sending more than 2 billion US to support their families. ICMC commends governments including Canada, France, the Dominican Rep & the US for their decisions to suspend deportations of Haitian emigrants found in an irregular migration situation, and asks governments to expand access for Haitians to legal employment and public services as a humane, practical response to the tremendous challenges faced by the Haitian government and local community.* Cf. www.icmc.org

INTERNATIONAL, EU and NATIONAL ISSUES

European Refugee Fund 2009 Call for Applications: *Pobal*, on behalf of the Office of the Minister for Integration, invites applications for funding to support

reception and integration actions under the European Refugee Fund (ERF)

integration of third-country nationals under the European Integration Fund (EIF)

The ERF and EIF are part of the 'Solidarity and Management of Migration Flows' General Programme of the European Commission.

Closing date for applications - Fri, 26 Feb 2010, 5pm.

UN Committee on the Elimination of Racial Discrimination (CERD) - it is expected that Ireland's Combined 3rd and 4th Reports to the UN (*on* <http://www.integration.ie> or <http://www.ria.gov.ie/integration/CERD>) will be examined in Geneva in March 2011. The NGO Alliance Against Racism (NAAR) sub-group has met to begin plans for the preparation of a Shadow Report for Sept next. As in 2004, work on the Shadow Report is being co-ordinated by Marian Tannam, Dominican Justice Office - justiceop@eircom.net

Decision-makers must be explicit in rejecting rights-based arguments - In granting an application for judicial review, the Supreme Court (21 Jan 2010) was critical of the failure of the then minister for justice, Michael McDowell, to give any reason for his decision to make a deportation order in the case of an asylum applicant (in Irl since 1999) who had invoked a fear of being subjected to female genital mutilation (FGM) if sent back to Nigeria. Lawyers for the applicant argued that in cases where fundamental human rights were at stake, the administrative decision should be subjected to particularly close scrutiny to ensure that these rights were not infringed. There was no evidence, they claimed, in the minister's decision that this had been done. The decision places an obligation on the minister for justice, and other decision-makers, to weigh up arguments that fundamental rights are at stake, and give reasons for rejecting them.

Cf CAROL COULTER, Irish Times, 22 Jan '01

Irish Human Rights Commission & Northern Ireland Human Rights Commission have launched a consultation process on the protection of the human rights of migrant workers on the island of Ireland. Both Commissions want to encourage organisations to take part in the consultation and to outline what are the current challenges experienced by migrant workers so as to strengthen the case for ratification in both jurisdictions of the Migrant Workers' Convention. Consultation papers are on www.ihrcc.ie & www.nihrc.org

Closing date for responses - 26 Feb 2010

Integration and Social Inclusion Centre of Ireland (ISICI) - the *Refugee Information Service* and *Integrating Ireland* have combined to form ISICI (1st/2nd Floors, 18 Dame Street, Dublin 2; wale.mogaji@ris.ie).

EMBRACE Newsletter, Autumn/Winter 2009/2010, *Building a Welcoming Community* (www.embraceni.org), draws attention to how the tightening of immigration legislation increases the likelihood of people having to rely on smugglers and people traffickers. It refers to reports that gangmasters have been exploiting the different labour regulations on both sides of the Border and, also, that migrant workers are often unaware that when they cross the Border their status becomes irregular.

RESOURCES

Basic Listening Skills – 2- day course, 6 & 20 Feb, 2010, 10am - 4pm, for organizations/individuals working with the immigrant community - organized by *Cois Tine*; facilitated by Clare Dunne, Psychology Dept, UCC.

To book: coistine@sma.ie; 021 4557760

Building Social Europe – from Crisis to Opportunity - Conference, organized by European Anti-Poverty Network (EAPN) in Croke Park, Fri, 19 Feb, 9.30-5.15.

Details: www.eapn.ie

Migration and Identity: Towards an Inclusive Citizenship Regime in Ireland - Migration & Identity Think-In, organised by Immigrant Council of Ireland, UCD, 23 Feb '10. cf. admin@immigrantcouncil.ie

From World Mission to Interreligious Witness: Visioning Ecumenics in the 21st Century, an international conference, Trinity College, Dublin, 16-18 June 2010, organised *inter alia* by the Irish School of Ecumenics. Cf: www.ecumenics.ie/research/visioning-21st-century-ecumenism/2010-conference/

TO PONDER

(from the response of an asylum applicant to the question - *Can you tell me what it (asylum process) was like?*)

The first thing was that you had to write down your story. They gave you a pink form to write down what had happened to you. This was the grounds for your asylum application. Your whole life, you had to fit it onto one sheet of paper. There was a black line around the edge of the sheet, a border, and if you wrote outside the line then your application would not be valid. They only gave you enough space to write down the very saddest things that had happened to you. That was the worst part. Because if you cannot read the beautiful things that have happened in someone's life, why should you care about their sadness? Do you see? That is why people do not like us refugees.

From the novel, *the other hand*, Chris Cleave, Hodder and Stoughton, 2009, pp 315-316

For further info on items in this newsletter, contact Sr. Joan Roddy, Refugee & Migrant Project Director
SANCTUARY can now be accessed at www.catholicbishops.ie/refugees