

⚡ 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 - May (301) and June '08 (329) - totalled 630.
(included are some 7 re-applications in May and 6 in June).

First Instance: Of 714 applications processed in May/June '08, some 53 applicants were recognized as refugees at *first instance*, some 637 applicants were refused and 45 applicants were returned to have their case processed in the EU country to which they first arrived. (cf. *Dublin Convention/Regulation*). Of some 180 applications processed under the *prioritized* category, two were recognized as refugees.

Appeal Stage: Of 366 *Substantive Appeals* processed in May/June '08, 38 appellants were recognized as refugees – that is, a refusal decision at *First Instance* was overturned. In the same period, an additional 30 applicants withdrew their appeal.

Top Countries of Origin of new asylum applicants in 2008, up to 30 June: Nigeria: 26%; Iraq: 6%; Pakistan & DR Congo: 5%; Somalia: 4%.

Backlog of unprocessed cases at 30 June '08: 4,682 (*First Instance*: 1,209; *Appeals*: 3,473)

Family Reunification: New applications in May/June '08 totalled 87 (involving 217 dependants). Some 44 applications (74 dependants) were processed to completion (ie. report sent to Min. Justice).

Separated Children (Unaccompanied Minors) - of 32 young people under 18 yrs. who came to Ireland in the 2 months, May/June '08 and were referred to the Separated Children's Unit/HSE, some 10 were reunited with family, 20 placed in care. (Of 3 'children who went missing from care in June '08', 2 'returned')

Direct Provision: At 20.07.08, 6,185 people were resident in 52 centres in 20 cos. (cap: 7,051) - 742 in Mosney; c.300 in Athlone, Cork (Kinsale Rd), Ballyhaunis; 200+ in 6 centres; 70-170 in 22 centres. While numbers of people applying for asylum have decreased, numbers resident in *Direct Provision* centres increase. At the same time, *Capacity & Occupancy* in *Self-Catering* facilities have decreased.

Self-Catering: 7 Centres (Dublin (4), Ballaghderreen, Dundalk, Mallow). Capacity: 654; Residents: 408

Reception Centres: (2) - Dublin (Stillorgan, Baleskin). Capacity: 459; Residents: 282.

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

INTERNATIONAL, EU and NATIONAL ISSUES

UN High Commission for Refugees Annual Report 2007 shows that numbers of refugees and Internally Displaced Persons (IDP) have increased for the second year in a row. The number of refugees under UNHCR's responsibility increased from 9.9 to 11.4 million and the number affected by internal displacement rose from 24.4 to 26 million. UN High Commissioner, Antonio Guterres, said that "a complex mix of global challenges could even threaten more forced displacement in the future", pointing to bad governance, rising food prices & climate-induced environmental degradation. **UN High Commissioner for Refugees** António Guterres, in July last, discussed asylum issues in the EU and beyond with European Commission (EC) Pres Barroso and Vice-Pres Barrot (responsible for Justice, Freedom and Security). Stressing the importance of UNHCR's partnership with the EU, he expressed concern that "the very strong focus on controlling the EU's external border is making it ever more difficult for people seeking asylum to reach Europe's territory and asylum procedures".

He called for practical measures to be taken to ensure that protection remains accessible to those who need it. He expressed hope that the draft *European Pact on Immigration and Asylum*, presented by the French Presidency of the EU, would support the construction of a "Europe of Asylum".
(ECRAN Update, 20.06 '08/18.07.08 www.ecre.org)

The United Nations Human Rights Committee, in its *Concluding Observations* following Ireland's recent examination (July '08) under the *International Covenant on Civil and Political Rights*, noted in relation to asylum/migration issues that the State should

- continue to reinforce measures to combat *human trafficking*, in particular by reducing demand; ensure the protection and rehabilitation of victims of trafficking; ensure that *permission to remain* in

the State is not dependent on the cooperation of victims in the prosecution of alleged traffickers; consider ratifying the Protocol to prevent, suppress and *punish trafficking* in persons,
- review its *detention policy* re asylum-seekers & give priority to alternative forms of accommodation.
- ensure that the principle of the *best interests of the child* is given due consideration in all decisions concerning unaccompanied and separated children
- amend the Immigration, Residence and Protection Bill 2008 to *outlaw summary removal* and ensure that asylum-seekers have full access to *early and free legal representation*
- introduce an *independent appeals procedure* to review all immigration-related decisions - with both adverse decisions under this procedure and judicial review having suspensive effect
<http://ent.groundspring.org/EmailNow/pub.php?module=URLTracker&cmd=track&j=224112307&u=2342173>

European Court of Justice (ECJ) finds Ireland in breach of Spousal Rights - 25 July 2008.

The ECJ has ...upheld the rights of EU citizens and their non-EU spouses who wish to live together in Ireland and found the State in breach of EU law... Irish legislation currently requires that an EU national and their spouse must have resided together in another EU Member State before coming here. ... "The freedom of movement provisions in the EU Treaty contain one of the most fundamental rights of EU nationals in the EU ..." In fact, the Court went even further and held that "EU nationals and their family members must be able to benefit from the provisions of the 'Free Movement Directive' irrespective of when and where their marriage took place and of how the national of a non-EU country entered the host Member State. (Press Release: Immigrant Council of Ireland – 25.07.08)

RESOURCES

Employment for People from Immigrant Communities (EPIC) - a free programme, open to all adults from EU countries entitled to work in Ireland and those from non-EU States with Stamp 4.

Next course: 5 Aug '08, Oblate Centre, Tyrconnell Rd, Inchicore, D 8. Cf www.activelink.ie/ce/active.php?id=2210

Joseph Rowntree Charitable Trust aims to fund work which will contribute to the development of a just and peaceful society in Ireland. Closing date for applications: 26 Aug '08 - www.josephrowntree.org.uk

UN Day for Eradication of Poverty - 17 Oct, '08, 11am, Famine Memorial, Custom House Quay, D.2.

Info - 17october@eircom.net; 01 8558191; ATD Fourth World, 31 Mountjoy Sq, D.1

Saint Fin Barre's Cathedral Immigrant Support Committee - conference exploring theology, immigration and asylum. *Speakers:* Rev Prof. Michael Conway, *Maynooth* and Rev Dr Annes Nel, *Dutch Reformed Church of South Africa, Bangor, N Ireland* - Thurs 13 Nov '08, 10am - 4pm, Clarion Hotel, Lapps Quay, Cork. Register, by 15 Sept '08 – Email: revnigeldunne@eircom.net or Tel 021 4963387

Active Citizenship/Voter Education Workshops that are participative, informative and enjoyable in view of Local/European Elections 2009... Contact Vincentian Partnership for Social Justice, 53, Ozanam House, Mountjoy Sq, D.I. Email: info@vpsj.ie - Tel 01 8780425; www.vote.ie

Sold (Walker, £5.99), a novel by Patricia McCormick, of particular interest re separated children/human smuggling/trafficking issues - story of a 13 yr old Nepalese girl coerced into leaving her native village for an Indian brothel. Her gentle memories of mother & home underscore the exploitation she suffers.

Oireachtas Watch - *Jesuit Centre for Faith and Justice* - www.jcfj.ie/pqs - database of answers to written Parliamentary Questions posed in the 30th Dail to Minister for Justice, Equality and Law Reform - over 1,200 entries currently, on topics including Asylum, Immigration and Human Rights.

TO PONDER

Many families, or one or more of their members, migrate because they cannot live with dignity in their own country or society. People get employment in jobs that cause mobility, to support themselves and their families. Especially undocumented or irregular migrants leave their country without their whole family, with the intention of sending remittances back home. Since they are all a resource to the societies where they work, in spite of their legal status, it is their due to have their problem of temporary or prolonged family separation addressed. This can be done first by encouraging reunification with their families in their host countries. However, receiving countries are restricting this process more and more, and family de-unification will have long-term effects.

Pontifical Council for Pastoral Care of Migrants, XV111 Plenary Session, Rome, May 2008

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