Beyond McMahon – unfinished work to further refugee integration

Enda O'Neill
Head of Office, UNHCR Ireland

Advisory Group on supports to persons in the International Protection Process
05 December 2019

UNHCR
The UN Refugee Agency

UNHCR

Role of UNHCR

- Created in 1950 in the aftermath of World War II – millions of Europeans displaced
- UN Agency with the mandate to promote solutions for and protect **refugees**, **asylum-seekers** and **stateless** people
- 'Guardian' of the 1951 Convention and its 1967 Protocol
- Presence in Ireland since 1998

UNHCR
The UN Refugee Agency

Role of UNHCR

- Promote the right to seek asylum and find refuge
- 3 Durable Solutions – **Repatriation**, **Resettlement**, **Local Integration**
- Also responsible for stateless persons (approx. 10 million)
- Staff of 16,803 in 134 countries, around 90% of whom are based in the field (not HQ)
- States are expected to **cooperate** with UNHCR in ensuring the rights of refugees are respected and protected

UNHCR
The UN Refugee Agency

UNHCR in Ireland

- **Training** with IPO, IPAT, Legal Aid Board, Border Management Unit, Tusla etc.
- **Quality assurance** mechanism at IPO and IPAT
- **Verification** requests - registration with UNHCR or UNRWA
- **Advocacy** on rights of refugees, asylum-seekers and stateless people
- **Guidance** to decision-makers and officials on national, EU and international law relating to refugees, asylum-seekers and stateless people
- **DP centre visits** and drafting of national standards
- **Family reunification** cases and IHAP
- Limited work on **individual cases** for persons of concern
- **Public information** and awareness raising

UNHCR
The UN Refugee Agency

UNHCR – Supervisory role

Examples of provisions in the International Protection Act 2015

- Copy of **preliminary interview** to UNHCR on request – S.13(5)
- Provision of **documents** to UNHCR on request – S.16(8)
- **Presence at personal interview or hearing** – S.35(6)(a) and S. 42(5)
- IPO and IPAT obligation to **consider any observations** by UNHCR – S.35(10) and S.46(1)(d)
- **Decisions** communicated to UNHCR (various)

UNHCR
The UN Refugee Agency

Global Trends

UNHCR
The UN Refugee Agency

Statistics for 2018 gathered by UNHCR from field offices and national asylum authorities.

Available online: unhcr.org

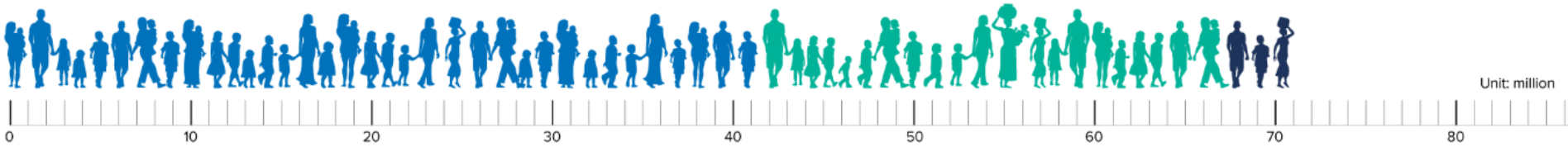
Global Trends 2018

First time in recorded history the number of displaced people around the world eclipsed 70 million.

UNHCR
The UN Refugee Agency

Global Trends 2018

70.8 million people forcibly displaced



Internally Displaced People
41.3 million

Refugees
25.9 million
20.4 million under UNHCR's mandate
5.5 million Palestinian refugees under UNRWA's mandate

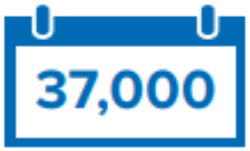
Asylum-seekers
3.5 million

UNHCR
The UN Refugee Agency

Global Trends 2018

13.6
MILLION
NEWLY DISPLACED

An estimated 13.6 million people were newly displaced due to conflict or persecution in 2018.
This included 10.8 million individuals displaced[2] within the borders of their own country and 2.8 million new refugees and new asylum-seekers.



NEW DISPLACEMENTS
EVERY DAY

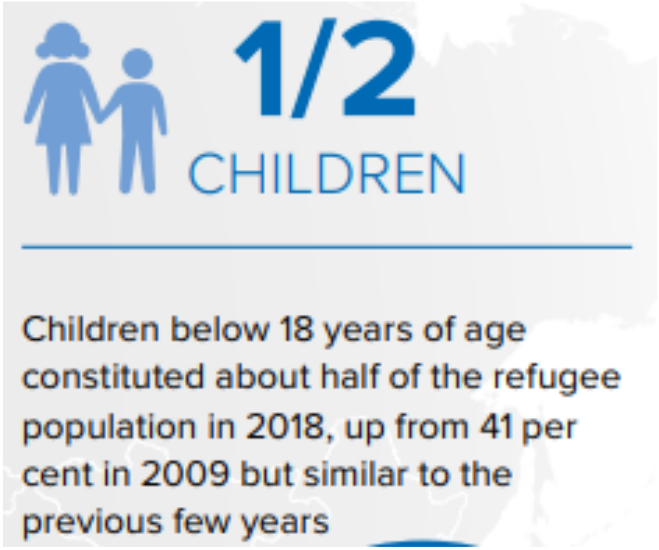
The number of new displacements was equivalent to an average of 37,000 people being forced to flee their homes every day in 2018.

2.9
MILLION
DISPLACED PEOPLE
RETURNED

During 2018, 2.9 million displaced people returned to their areas or countries of origin, including 2.3 million IDPs and nearly 600,000 refugees. Returns have not kept pace with the rate of new displacements.

UNHCR
The UN Refugee Agency

Global displacement 2018



UNHCR
The UN Refugee Agency

Where do refugees come from?

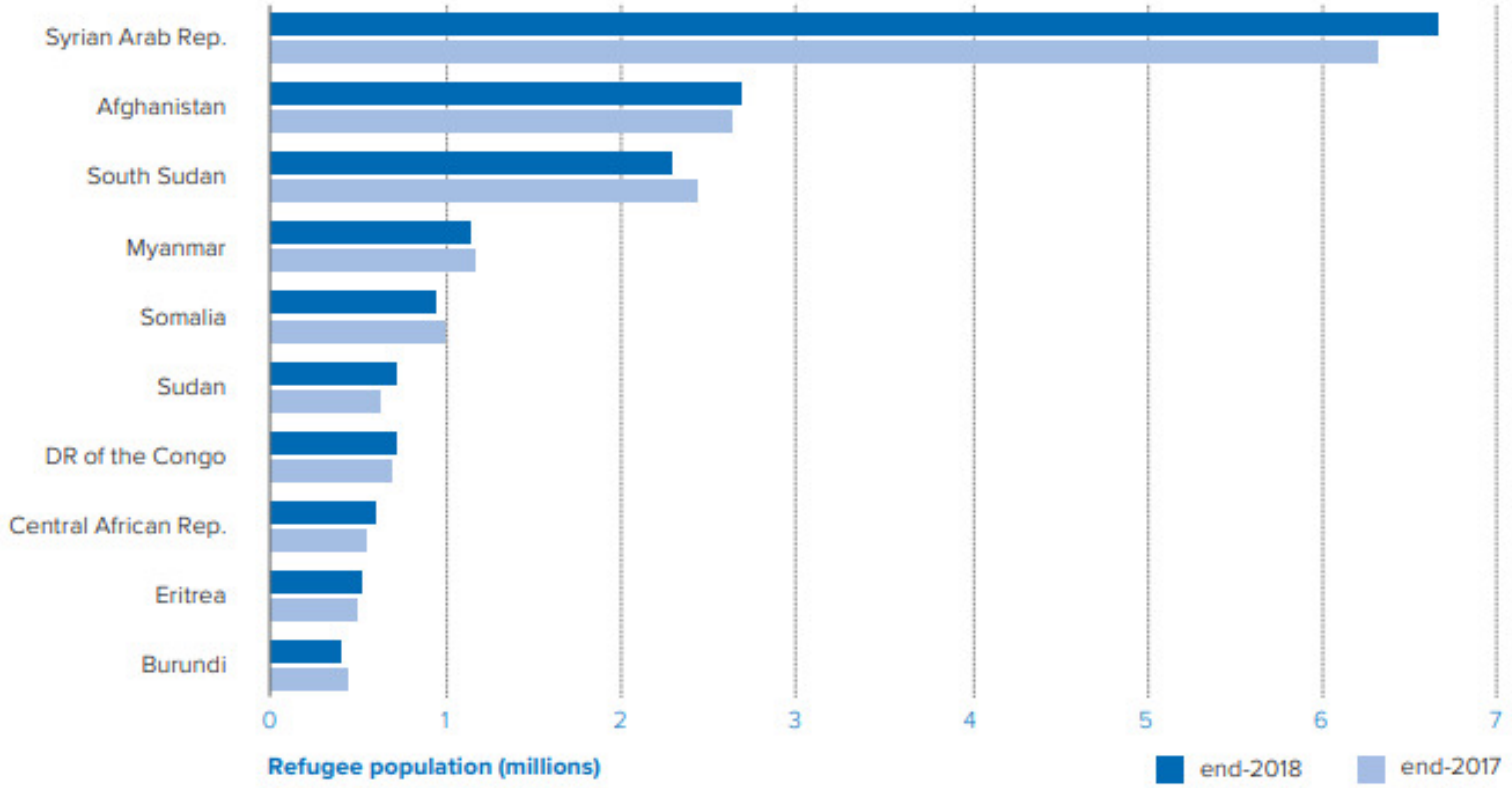
67%

Altogether, more than two thirds (67 per cent) of all refugees worldwide came from just five countries:

Syrian Arab Republic	6.7 million
Afghanistan	2.7 million
South Sudan	2.3 million
Myanmar	1.1 million
Somalia	0.9 million

UNHCR
The UN Refugee Agency

Where do refugees come from?



UNHCR
The UN Refugee Agency

Where are refugees being hosted?

3.7
MILLION PEOPLE

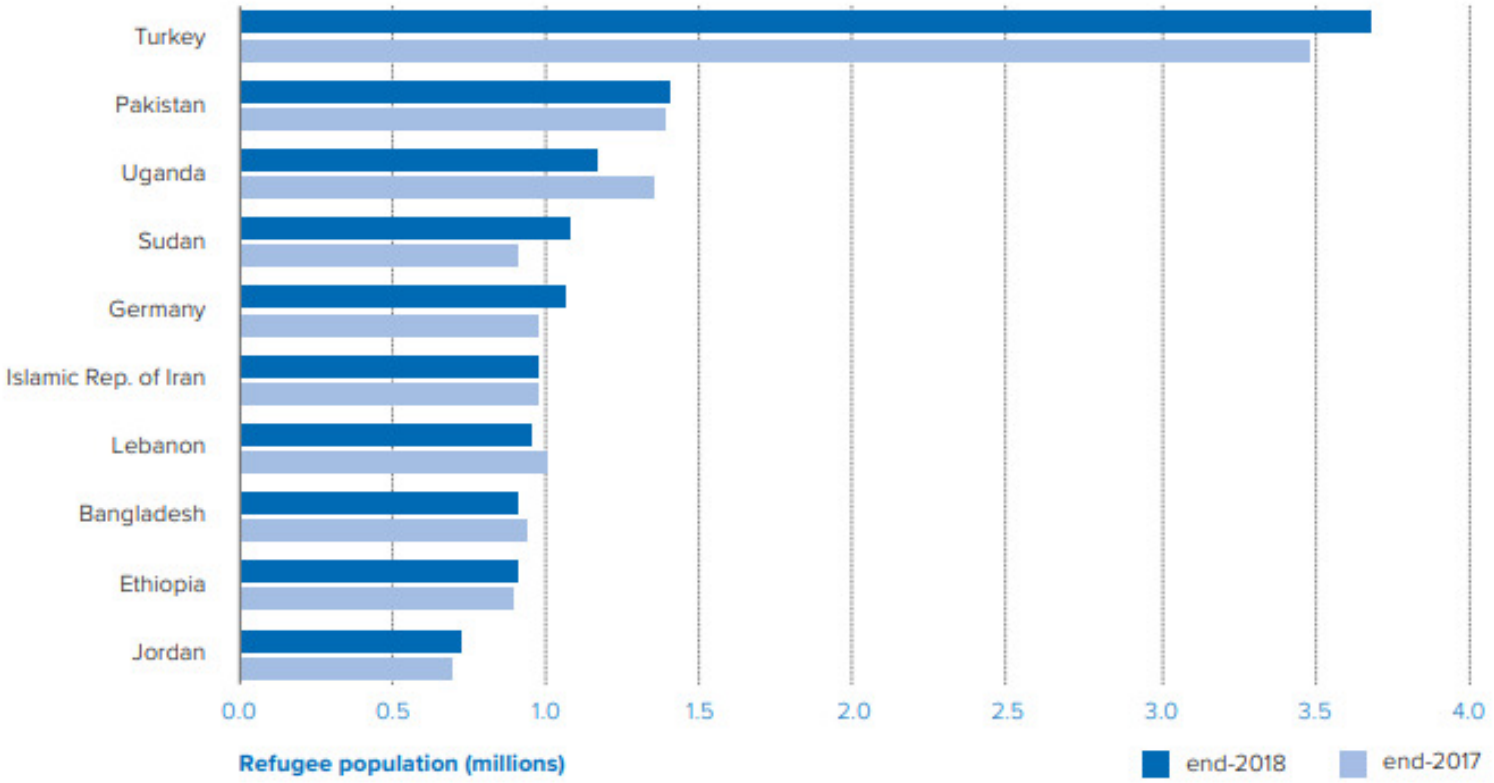
For the fifth consecutive year, Turkey hosted the largest number of refugees worldwide, with 3.7 million people. The main countries of asylum for refugees were:

Turkey	3.7 million
Pakistan	1.4 million
Uganda	1.2 million
Sudan	1.1 million
Germany	1.1 million

Least developed countries hosted **33%** of global total

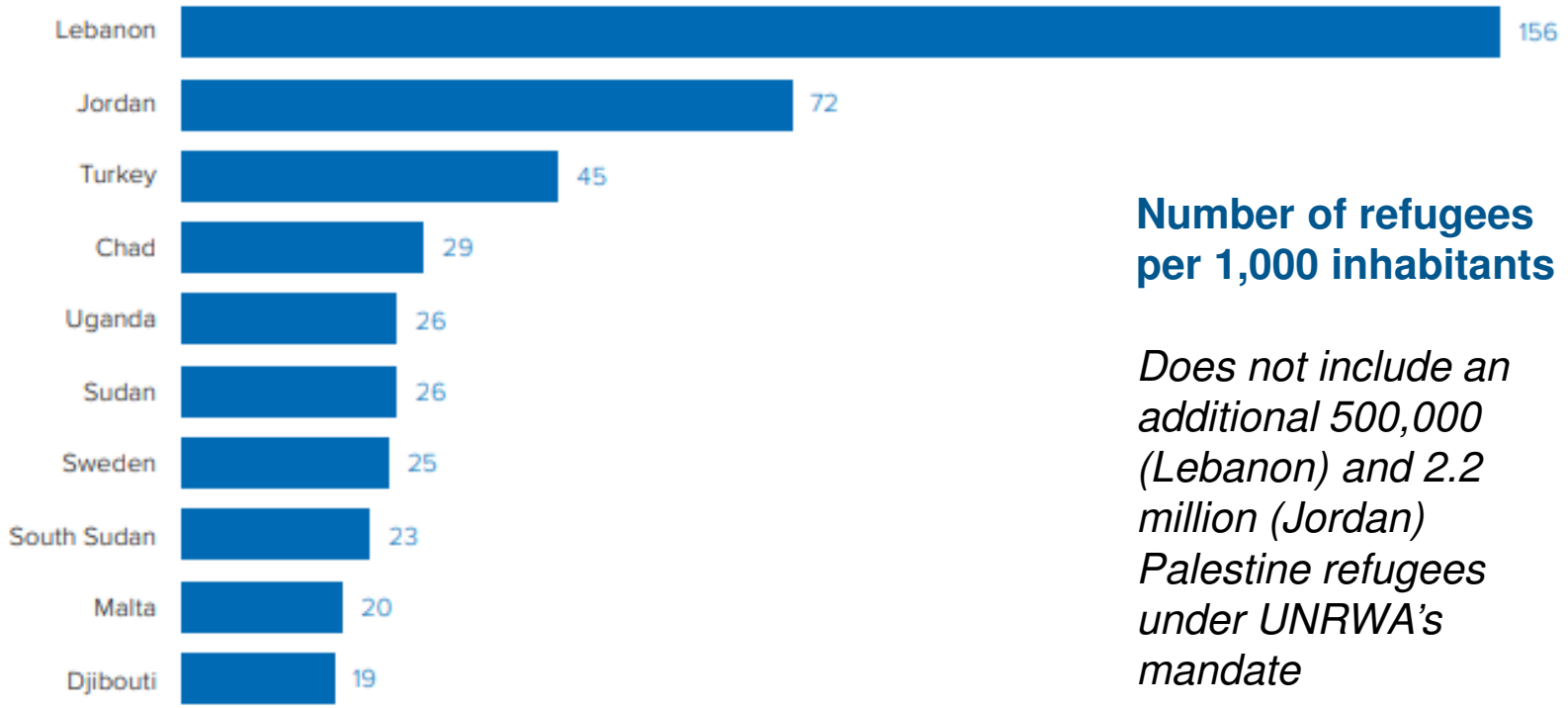
UNHCR
The UN Refugee Agency

Where are refugees being hosted?



UNHCR
The UN Refugee Agency

Where are refugees being hosted?



Number of refugees per 1,000 inhabitants

Does not include an additional 500,000 (Lebanon) and 2.2 million (Jordan) Palestine refugees under UNRWA's mandate

UNHCR
The UN Refugee Agency

Top 10 stats for 2018

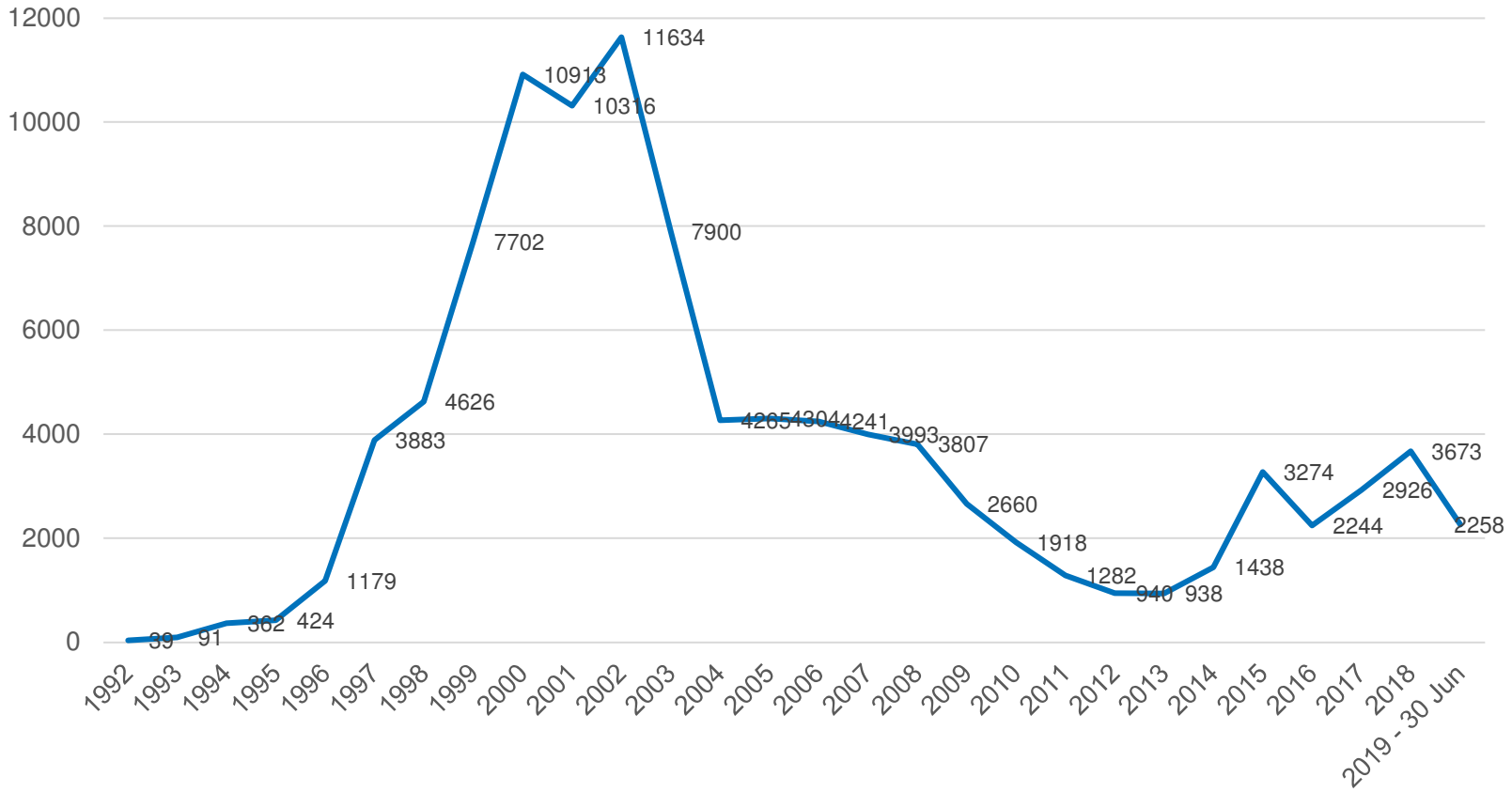
1) **70.8 million** people are forcibly displaced worldwide
2) In 2018, **13.6 million** people were **newly displaced**
3) **Children** make up about **50%** of the refugee population, up from 41% in 2009
4) In 2018, there were **37,000** new displacements **every day**
5) Nearly **4 in every 5 refugees** live in countries neighbouring the country they fled
6) More than **two-thirds** of all refugees come from just **5 countries**: Syria, Afghanistan, South Sudan, Myanmar, and Somalia
7) For the fourth consecutive year, **Turkey hosted the most** refugees worldwide (3.7 million)
8) At the end of 2018, **3.5 million** asylum seekers were awaiting decisions on their asylum applications
9) More than **111,000 unaccompanied and separated child** refugees were reported in 2018
10) **Every two seconds**, a person is forced to flee their home

UNHCR
The UN Refugee Agency

National Trends

UNHCR
The UN Refugee Agency

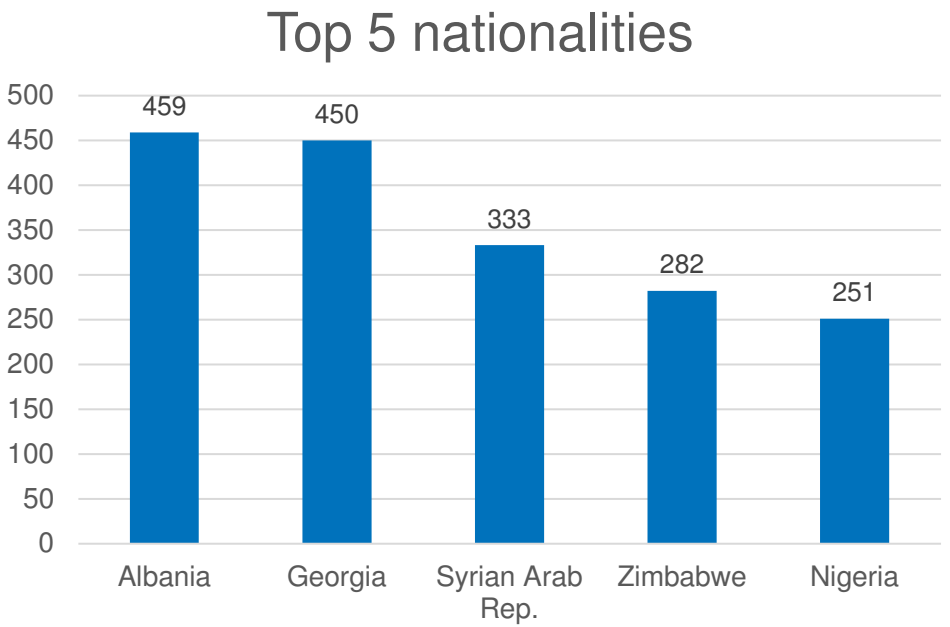
Applications in Ireland 1992 - 2018



UNHCR
The UN Refugee Agency

Applications in 2018

3,673 new applications for international protection in 2018



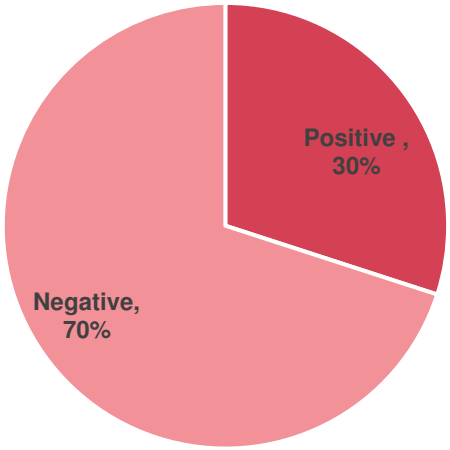
UNHCR
The UN Refugee Agency

IPO Recognition Rate* 2018

- Positive: 683 RS + 196 SP = **879 (30%)**
- Negative: **2,043 (70%)**

Excluding Syrian decisions,
the grant rate in 2018 was **19%**

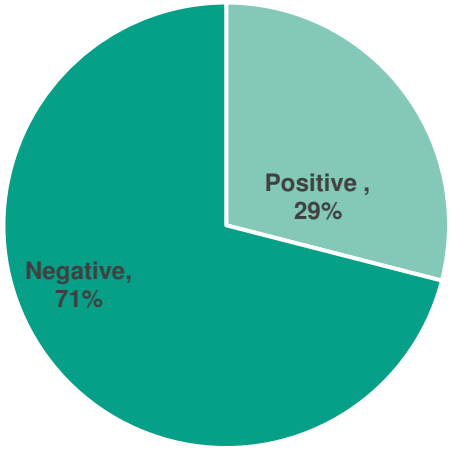
**Does not include PTR*



UNHCR
The UN Refugee Agency

IPAT Recognition Rate 2018

- Positive: 244 RS + 35 SP = 279 (29%)
- Negative: 674 (71%)



UNHCR
The UN Refugee Agency

2019 Recognition Rate – 1 Jan to 30 Jun

IPO

International Protection Recognition Rate for **first half of 2019**

- Positive decisions: 343 RS + 64 SP = 407
- Negative decisions: 1,081
- **Recognition rate = 27.4%**

IPAT

International Protection Recognition Rate for **first half of 2019**

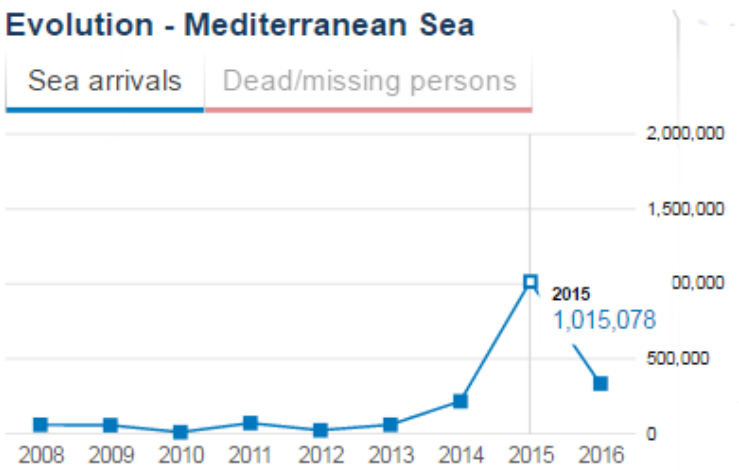
- Positive decisions: 193 RS + 30 SP = 223
- Negative decisions: 664
- **Recognition rate = 25.1%**

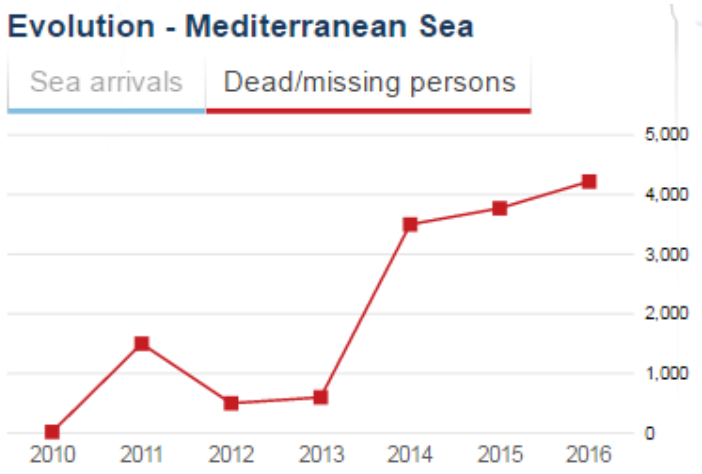
UNHCR
The UN Refugee Agency

European Context

European Context

- Persecution, conflict and poverty forced **over 1 million** people to flee to **Europe** in 2015 (1,015,078)
- **0.2%** of the population of the EU
- **Half** of those crossing the Mediterranean in 2015 were **Syrians** escaping the war at home.





UNHCR
The UN Refugee Agency

Mediterranean Situation – daily updates

Previous years	Arrivals *	Dead and missing
2018	141,475	2,277
2017	185,139	3,139
2016	373,652	5,096
2015	1,032,408	3,771
2014	225,455	3,538

* Arrivals include sea arrivals to Italy, Cyprus and Malta and both sea and land arrivals to Greece and Spain

90,817 sea arrivals and 1,221 dead or missing in 2019 (as of 02 Dec)

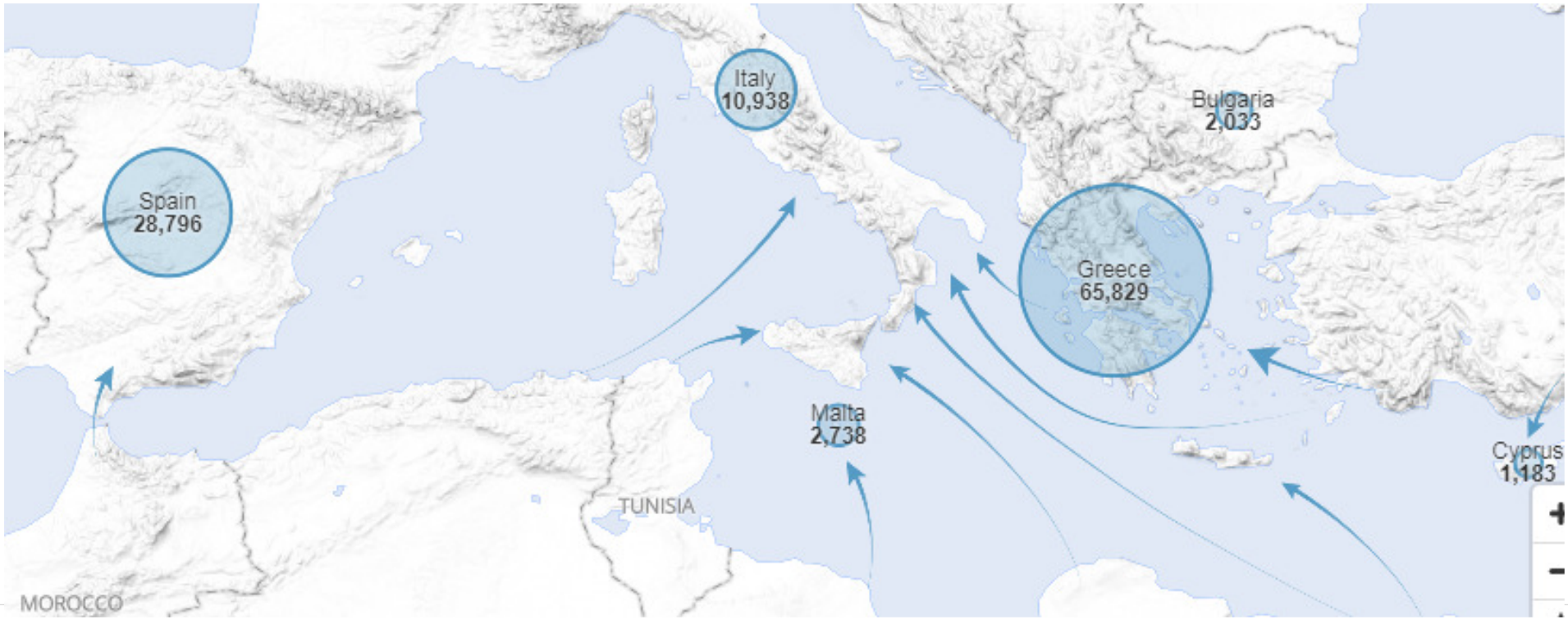
UNHCR
The UN Refugee Agency

Top nationalities of Mediterranean sea & land arrivals, Jan-Nov 2019

Country of origin	Population	
Afghanistan	20.8%	16,861
Syrian Arab Rep.	17.1%	13,813
Others	10.9%	8,815
Morocco	8.8%	7,149
Algeria	4.7%	3,815
Iraq	4.7%	3,781
Dem. Rep. of the Congo	4.1%	3,316
Tunisia	4.1%	3,300
Guinea	4.0%	3,259
Côte d'Ivoire	4.0%	3,203

UNHCR
The UN Refugee Agency

Mediterranean Situation – 02 Dec 2019



UNHCR
The UN Refugee Agency

EU Relocation & Resettlement

UNHCR
The UN Refugee Agency

General Principles of reception and accommodation phase

UNHCR
The UN Refugee Agency

General Principles of reception and accommodation phase

- UNHCR has repeatedly highlighted that adequate and dignified reception conditions are a crucial prerequisite of a fair asylum procedure.
- Reception standards for asylum-seekers must ensure that they are treated with dignity, humanity and sensitivity to their special situation and asylum-seekers must enjoy an adequate standard of living throughout the asylum procedure.

General Principles of reception and accommodation phase

- Reception arrangements must abide by international human rights law and standards
- Reception arrangements can be mutually beneficial where they are premised on the understanding that many asylum-seekers can attain a certain degree of self-reliance, if provided with the requisite opportunities.

UNHCR
The UN Refugee Agency

General Principles of reception and accommodation phase

- Reception centres may constitute an acceptable solution for a limited period following arrival however it is recommended that asylum-seekers should have access to and the means for alternative accommodation arrangements when, inter alia, the asylum procedure becomes protracted. It is also widely accepted that prolonged periods of stay in collective centres can lead to marginalization and dependency.

UNHCR
The UN Refugee Agency

Fast and Fair determination procedures

UNHCR
The UN Refugee Agency

Fast and Fair procedures

- The McMahon report made 173 recommendations across three broad themes: the Determination Process; Living Conditions in Accommodation Centres and Supports for Persons in the System. The recommendations were intended to be implemented as a package, in advance of the introduction of new comprehensive legislation, to address the biggest single issue identified in the report: the length of time protection applicants have to wait for a final decision on their claim.

Fast and Fair procedures

- The financial model developed with DPER to project the financial costs of implementing the report in full : “demonstrates conclusively that investing in decision-making not only will yield returns in reducing time spent in the system, but also makes financial sense. Each year that a person remains in the system gives rise to accommodation costs of €10,950 on average per applicant. The cost of decision-making is a fraction of this cost.” (Para 6.45)

UNHCR
The UN Refugee Agency

Fast and Fair procedures

- *UNHCR, Better Protecting Refugees in the EU and Globally: UNHCR's proposals to rebuild trust through better management, partnership and solidarity*
- *UNHCR Discussion Paper Fair and Fast - Accelerated and Simplified Procedures in the European Union*

UNHCR
The UN Refugee Agency

Fast and Fair procedures

- Efficient and streamlined asylum determination procedures can help to manage mixed arrivals of refugees and migrants. Asylum-seekers with manifestly well-founded or unfounded claims can be channelled into accelerated procedures.

Fast and Fair procedures

- UNHCR considers that cases from safe countries of origin may be channelled into accelerated procedures provided procedural safeguards are assured, including providing the applicant with all the necessary information, in an appropriate language, to be able to effectively challenge the presumption of safety, and to have access to legal aid, to a personal interview, and to an effective remedy with suspensive effect.

Fast and Fair procedures

- A triaging system can be implemented following a caseload analysis based on 1) country of origin and 2) risk profiles, leading to channeling into different case processing modalities for:
    - i. Manifestly well-founded claims;
    - ii. Manifestly unfounded claims;
    - iii. Regular procedures.

UNHCR
The UN Refugee Agency

Fast and Fair procedures

- For both manifestly well-founded and manifestly unfounded applications, elements of the assessment can be simplified, including through the use of:

  i. Pre-populated legal analyses;

  ii. Pre-populated country of origin analyses;

  iii. Caseload specific assessment forms;

  iv. Simplified interviews for manifestly well-founded claims.

UNHCR
The UN Refugee Agency

Fast and Fair procedures

- Persons identified at registration as vulnerable should not be channelled into the accelerated procedure open for manifestly unfounded claims.
- Access to information, interpretation, and legal assistance and representation should be provided from registration to removal following a final negative decision.
- In order to be both efficient and fair, it is essential that adequate capacity and resources be allocated to both the authorities tasked with registration and adjudication and to relevant support services (e.g. interpretation services) and legal aid providers.

UNHCR
The UN Refugee Agency

Fast and Fair procedures

- Switzerland example - Accelerated procedures applied for cases which can be quickly rejected but also those where a positive decision can be reached quickly (i.e. well-founded cases).
- If a case is deemed not to be appropriate for the accelerated procedure, the asylum-seeker will leave the federal reception centre and be assigned to a canton where the “extended procedure” will be applied.

UNHCR
The UN Refugee Agency

Ensuring quality in the determination process

UNHCR
The UN Refugee Agency

Quality process

- In seeking to expedite the determination process it's vital that the quality of the process not be compromised.
- The overarching policy objective should be to identify persons in need of international protection at the earliest stage possible (first instance) and as efficiently as possible.

UNHCR
The UN Refugee Agency

Quality process

Key considerations:

- Provision of accurate information about relevant processes and procedures, legal rights and obligations, and available services
- Provision of comprehensive and timely Early Legal Advice
- Early availability of counselling and MLRs for victims of torture

UNHCR
The UN Refugee Agency

Quality process

Key considerations:

- High quality interpretation services
- Reasonable access to asylum process (note recent move by IPO toward decentralised interviews)

See further Section E of McMahon Report p.99 onwards

UNHCR
The UN Refugee Agency

Quality process

Netherlands example: 8 day procedure

- The assessment of each asylum application in the regular procedure begins in the short asylum process of 8 days with the possibility to refer the case to the extended asylum procedure.
- A lawyer is appointed on day 1. Over the 8 days there are a number of interviews with the opportunity for the applicant's lawyer to provide advice, to review interview reports and make submissions.

UNHCR
The UN Refugee Agency

Preventing backlogs and contingency planning

UNHCR
The UN Refugee Agency

Preventing backlogs

McMahon recommendations:

- 3.360: an independent advisory board be established and given all the necessary flexibility to consider all matters related and relevant to the operation of the system
- 3.166: An annual review of the system be conducted with a view to making recommendations to guard against any future backlogs, e.g. failure to provide adequate resources to all decision-making bodies

UNHCR
The UN Refugee Agency

Assessment and planning

UNHCR has recommend the Commission, EU Agencies and EU Member States to develop a system for:

(1) identifying and analyzing **early warning signs,** and

(2) assessing their **capacity to respond** through registration, screening and reception.

UNHCR
The UN Refugee Agency

Stand-by capacity

- National contingency plans should include provision of stand-by capacity to respond quickly to large-scale arrivals of refugees and migrants.
- This would be supported with the development of a stand-by **service assistance package** with the necessary technical and human resources committed in advance, as well as standby **rosters of experts**.

UNHCR
The UN Refugee Agency

Short term measures

- All necessary resources should be allocated to the relevant determination bodies so that overall processing times for asylum applications can be reduced
- The current procurement and consultation model for the provision of new accommodation centres should be reviewed and must be fit for purpose in order to eliminate the use of emergency accommodation as a matter of urgency.

UNHCR
The UN Refugee Agency

Returns and Alternative Migration Options

UNHCR
The UN Refugee Agency

Return Arrangements

- An effective migration management system provides outcomes for all persons travelling within mixed movements including persons who are not refugees. This group includes persons found not to be in need of international protection and without compelling humanitarian reasons to stay in the host country ("unsuccessful asylum-seekers") as well as persons who have never sought asylum. Persons who have withdrawn their asylum claims and who wish to return to their countries of origin also fall into this group.

UNHCR
The UN Refugee Agency

Integrity of Protection Process

- Providing effective and efficient outcomes to persons who are not refugees is essential to maintain credible asylum systems and prevent irregular onward movement.
- Demonstrating that misuse of the asylum system cannot function as a “back door” alternative to regular migration also serves as a strategy to deter irregular migration and to reduce incentives for human smuggling and trafficking.

UNHCR
The UN Refugee Agency

Integrity of Protection Process

- As soon as unsuccessful asylum-seekers are served with deportation orders, they should be transferred to a different housing facility in order to avoid possible difficulties for community life in the centre.

Voluntary Return

- Sustainability of return is best guaranteed if individuals who do not have a right to stay in a host country return home voluntarily.
- Voluntariness ensures that the return takes place in a safe and dignified manner. It is also cost-effective for the returning State.

Voluntary Return

- Enhanced outreach, awareness raising, and counselling, including by the International Organization for Migration (IOM), could facilitate greater access to assisted voluntary return.
- McMahon Report 3.312 Recommendation: “Swift implementation of an adequately resourced single procedure to deliver quality decisions within a 12 month time frame which will create the conditions whereby Assisted Voluntary Return is more likely to be availed of.”

UNHCR
The UN Refugee Agency

Forced Return

- Forced returns should be considered only after:

  (1) rejection in a fair procedure,

  (2) consideration of assisted voluntary return, and

  (3) absent compelling humanitarian or statelessness related considerations.

Regularisation

- Regularization can be beneficial for both the individual as well as the host country. It may prevent the marginalization and exploitation of individuals in an irregular situation, particularly those who cannot be removed from the territory for practical or humanitarian reasons.
- In addition, the host country usually benefits economically from regularizing its irregular labour force, as regularized migrants pay taxes and social contributions.

UNHCR
The UN Refugee Agency

Regularisation

McMahon Report Recommendation (3.330):

“Persons who are five years or more in the system, who have an unenforced deportation order for 24 months and who have cooperated with the authorities, and taking into account relevant public policy issues, consideration should be given on a case by case basis to applying the principles and solutions outlined at para. 3.134”

UNHCR
The UN Refugee Agency

Regularisation

Conditions of 3.134:

a) that they confirm their identity, or if unable to do so, that they swear a declaration as to their identity and that they have no other identities;

b) that they cooperate with the State with the review of their case;

c) that the person has not been evading deportation;

d) that they pose no threat to public order or national security and that they have not been involved in criminal activity.

UNHCR
The UN Refugee Agency

McMahon Report implementation and reform of the system

UNHCR
The UN Refugee Agency

McMahon reform process

- June 2018: The reception and accommodation system was placed on a statutory footing setting out for the first time clear rights and entitlements (S.I. 230 of 2018)
- The International Protection Appeals Tribunal now has an expanded jurisdiction to consider ten different appeal types under the Reception Conditions Regulation, including with respect to decisions to refuse to grant or to renew a labour market access permission, decisions to reduce or withdraw reception conditions and decisions to reduce or withdraw the daily expenses allowance

UNHCR
The UN Refugee Agency

McMahon reform process

- **Financial allowances** have been increased: an increase to the daily expenses allowance (formerly the DP allowance) for asylum-seekers living in SP centres to €29.80 per week for children and €38.80 per week for adults, from 25 March 2019. The direct provision *allowance* was introduced in 2000 at the weekly rate of IR£15 (*€19.10*) per adult and IR£7.50 (€9.60) per child.

UNHCR
The UN Refugee Agency

McMahon reform process

- A relatively unfettered system of ***access to the labour market*** after 9 months has been introduced (note however practical barriers and legacy cases)
- Ancillary benefits: enhances an asylum-seeker's dignity and self- respect and integration prospects as well as alleviating social and economic exclusion, the loss of skills and vulnerability to exploitation

UNHCR
The UN Refugee Agency

McMahon reform process

- In the context of return, the right to work can increase a failed asylum-seeker's chances of successful reintegration
- Access to the labour market may allow for access to further education or training (FET) or third level courses that have an employment, vocational or workplace-training component. Asylum seekers may also qualify for family income supplement as a result.
- *Is it time to review implementation/consider a shorter period?*

UNHCR
The UN Refugee Agency

McMahon reform process

- A ***new independent complaints mechanisms***
- Since April 2017, asylum-seekers living in DP have had recourse to the Office of the Ombudsman and the Office of the Ombudsman for Children.
- The introduction of independent living arrangements, self-catering facilities, communal kitchens and other ***structural changes*** have also led to significant improvements in many centres.

UNHCR
The UN Refugee Agency

McMahon reform process

- Recent tenders require centres to facilitate the “independent living” model
- *Should the points based shopping system be reviewed?*
- An alternative model could facilitate smaller centres
- Using local shops could facilitate greater autonomy and improve community relations.

UNHCR
The UN Refugee Agency

McMahon reform process

BUT not all recommendations implemented

Time to review?:

- Establish an adequately resourced system of early legal advice with associated quality mechanisms and controls
- Opt-in to all EU instruments of CEAS

UNHCR
The UN Refugee Agency

McMahon reform process

- Improved standards, training and regulation around the use of interpreters
- Improved data collection and use of statistics
- Improved IPAT governance structures
- Include persons awaiting a decision in the protection process in the national integration strategy.

UNHCR
The UN Refugee Agency

Standards and the need for independent inspections

UNHCR
The UN Refugee Agency

Standards

- McMahon Report Recommendation (4.226) to develop standards and establish an inspectorate.
- Intended to address lack of consistency in standards from one centre to another and to drive improvements.
- Inspectorate to be independent of IPAS and “conducted by persons who do not hold line management or commissioning responsibility for the services.”

UNHCR
The UN Refugee Agency

Standards

- Inspection reports to be public, as is currently the practice, but to be much wider in scope than just physical conditions in centres.
- “The Inspectorate, based on its overall findings, should separately make regular reports to the Minister on general matters relating to the welfare of residents in Direct Provision centres.”

UNHCR
The UN Refugee Agency

Standards

- Standards Advisory Group (SAG) convened on 6 February 2017
- Minimum standards already established by Reception Conditions Directive
- EASO operational standards and indicators considered. SAG Decided to develop standards following McMahon recommendations over and above minimum standards
- Approach informed by HIQA standard setting process

UNHCR
The UN Refugee Agency

Standards

- Standards apply to all service providers subcontracted by IPAS to operate and manage centres
- They adopt a '***person centred' approach***, which emphasises the rights, dignity, privacy and diversity of each asylum-seeker.
- Themes 1 and 2 focus on governance, accountability, leadership and workforce.

UNHCR
The UN Refugee Agency

Standards

- Theme 3 focuses on planning and preparedness
- Themes 4 to 9 focus on the physical conditions in centres, health and well-being as well as the supports and services available to asylum-seekers.
- Theme 10 is dedicated to the special reception needs of asylum-seekers

Standards

- Public consultation on draft standards launched 16 Aug 2018
- Final standards published 15 Aug 2019
- Department PR: “The Standards will be legally binding and subject to monitoring by January 2021.”

UNHCR
The UN Refugee Agency

Standards

Paragraph 16 of introduction outlines further steps to be actioned by Dept of Justice and Equality covering:

- Development of “What this means for you as a resident” to be distributed to residents
- Compliance by way of contract for services BUT not included in recent round of tenders
- Establishment of an independent inspectorate

UNHCR
The UN Refugee Agency

Vulnerability assessments and catering for special reception needs

UNHCR
The UN Refugee Agency

Special reception needs

According to 2007 European Commission Report, the identification of vulnerable asylum-seekers is a core element without which the provisions of the Reception Conditions Directive aimed at special treatment of these persons will lose any meaning

UNHCR
The UN Refugee Agency

Special reception needs

Regulation 8 of the European Communities (Reception Conditions) Regulations 2018:

(1) The Minister—

(a) shall within 30 working days … and

(b) may at any stage after the expiry of the period referred to in subparagraph (a), where he or she considers it necessary to do so, assess—

(i) whether a recipient is a recipient with special reception needs, and

(ii) if so, the nature of his or her special reception needs.

Special reception needs

(2) The Minister for Health and the Health Service Executive shall provide the Minister with such assistance as is necessary for the performance by him or her of his or her functions under paragraph (1).

Special reception needs

“recipient with special reception needs” means a recipient who is vulnerable and who has been assessed, in accordance with Regulation 8, as being in need of special guarantees in order to benefit from his or her entitlements, and to comply with his or her obligations, under these Regulations;”

Special reception needs

“(5) A reference in these Regulations to a vulnerable person includes a reference to a person who is a minor, an unaccompanied minor, a person with a disability, an elderly person, a pregnant woman, a single parent of a minor, a victim of human trafficking, a person with a serious illness, a person with a mental disorder, and a person who has been subjected to torture, rape or other form of serious psychological, physical or sexual violence.”

Special reception needs

National standards replicates this definition and “may also include:

- An accompanied child,
- An “aged out minor” or an age disputed minor,
- A nursing mother,
- The main carer of a dependent child, older person or a person with a disability,
- A person at risk of domestic, sexual or gender based violence.

UNHCR
The UN Refugee Agency

Special reception needs

- A person experiencing family violence, exploitation or abuse.
- A person at risk of violence due to their sexual orientation and/or gender identity (LGBTI+: lesbian, gay, bisexual, transgender or intersex persons).
- A person at risk of suicide.
- A person with substance addiction.
- A victim of trafficking in persons.

UNHCR
The UN Refugee Agency

Special reception needs

“This is not an exhaustive list and vulnerability is best assessed using a person-centred and holistic approach. A person’s level of vulnerability and corresponding need for additional support is not fixed and may change in differing circumstances and over time. Some people will not be identified as falling within the above list but may still be assessed to have a special reception need.”

UNHCR
The UN Refugee Agency

Special reception needs

Regulation 7: Designation of accommodation centre:

“(4) Where the recipient concerned is a vulnerable recipient, the Minister, in designating an accommodation centre under paragraph (1), shall, in addition to the matters specified in paragraph (2), take account of any special reception needs of the recipient, assessed in accordance with Regulation 8.”

UNHCR
The UN Refugee Agency

Special reception needs

Regulation 18: Right to health care:

“The Minister for Health shall ensure that a recipient has access to—

(a) emergency health care,

(b) such health care as is necessary for the treatment of serious illnesses and mental disorders,

(c) such other health care as is necessary to maintain his or her health, and

(d) where the recipient is vulnerable, such mental health care as is appropriate, having regard to his or her special reception needs.”

UNHCR
The UN Refugee Agency

Special reception needs

- Current state of implementation unclear
- Commitment given this week at UN CERD re. revised process to be introduced next year
- Initial interview at IPO, special reception needs assessed?
- Comprehensive health screening usually occurs at Medical Centre at Balseskin Reception Centre
- *Next steps?*

UNHCR
The UN Refugee Agency

Special reception needs

- **Standard 10.4:** The service provider must make available a dedicated Reception Officer, who is suitably trained to support all residents' especially those people with special reception needs both inside the accommodation centre and with outside agencies.
- Must have appropriate qualifications (a QQI level 7 social care background or equivalent) and skills to identify and respond to residents with special reception needs

UNHCR
The UN Refugee Agency

Special reception needs

- **Standard 10.1:** The service provider must ensure that any special reception needs notified to them by the Department of Justice and Equality are incorporated into the provision of accommodation and associated services for the resident.
- **Standard 10.2:** All staff must be enabled to identify and respond to emerging and identified needs for residents.

UNHCR
The UN Refugee Agency

IPAS – policy setting and oversight functions

UNHCR
The UN Refugee Agency

Policy setting and oversight

Regulation 7 of the European Communities (Reception Conditions) Regulations 2018:

- The Minister is responsible for dispersal decisions, i.e. to “designate a premises to be the accommodation centre at which the material reception conditions shall be made available to a recipient.”

UNHCR
The UN Refugee Agency

Policy setting and oversight

Must take into account:

“(a) where family members of the recipient are recipients and are present in the territory of the State, the maintenance, with the agreement of the recipient and family members concerned, of possible family unity,

(b) gender and age-specific concerns;

(c) the public interest;

(d) public order;

(e) where applicable, the efficient processing and effective monitoring of the recipient’s application for international protection.”

UNHCR
The UN Refugee Agency

Policy setting and oversight

“(4) Where the recipient concerned is a vulnerable recipient, the Minister, in designating an accommodation centre under paragraph (1), shall, in addition to the matters specified in paragraph (2), take account of any special reception needs of the recipient, assessed in accordance with Regulation 8.”

Policy setting and oversight

During the process of the development of the standards the Standards Advisory Group identified additional policies which it felt were required to complement the standards:

- A Policy and Procedure Manual for Reception Officers (see indicator 10.4.3)
- A policy on dispersals, transfers and withdrawal of and re-admission to accommodation

UNHCR
The UN Refugee Agency

Policy setting and oversight

- A policy on drug and alcohol abuse (see indicator 9.1.18)
- A policy on anti-racism
- A policy on the use of volunteers
- A policy on visitor access
- A policy on adverse events

UNHCR
The UN Refugee Agency

Policy setting and oversight

- The Standards document makes a number of references to policies to be developed by service providers. It is recommended that IPAS take a proactive role in providing guidance and support around this process in order to ensure quality and consistency in this work

UNHCR
The UN Refugee Agency

Policy setting and oversight

These include:

- A Child Safeguarding Statement and a Child Protection Policy (see indicator 1.2.11)
- A policy on non-retaliation as regards to complaints (see indicator 1.2.15)
- A policy on confidentiality (see indicator 1.3.4)

UNHCR
The UN Refugee Agency

Policy setting and oversight

Existing policies which would benefit from review:

- Policy on sexual and gender based violence
- Code of Practice for persons working in accommodation centres
- Infant Breastfeeding Guidelines
- Accommodation of Aged Out Minors

UNHCR
The UN Refugee Agency

Policy setting and oversight

In light of the expectations on IPAS in terms of its core functions, general oversight and policy setting functions, it is worth reviewing:

- Are roles and responsibilities clearly defined?
- Are they appropriately resourced to do this work?
- Are the requirements on service providers in terms of staff qualifications, training, support etc. matched by those with oversight functions?
- Should more secondee positions or other arrangements be put in place to fill any identified gaps?

UNHCR
The UN Refugee Agency

Integration Policy

UNHCR
The UN Refugee Agency

Integration Policy

Migrant Integration Strategy:

- Integration is defined in current Irish policy as the ‘ability to participate to the extent that a person needs and wishes in all of the major components of society without having to relinquish his or her own cultural identity’
- “As a two-way process, integration involves change for Irish society and institutions so that the benefits of greater diversity can be fully realised.”

UNHCR
The UN Refugee Agency

Integration Policy

Who is covered by the strategy:

- “EEA and non-EEA nationals, including economic migrants, refugees and those with legal status to remain in Ireland. They will have differing needs depending on their situation.”
- “Persons recognised as refugees and persons given permission to remain on other grounds also need support to facilitate their successful integration.”

UNHCR
The UN Refugee Agency

Integration Policy

Key principles outlined in the strategy :

- “A partnership approach between Government and non-Governmental organisations.
- A clear public policy focus that avoids the creation of parallel societies, communities and urban ghettoes, i.e. mainstream public services are expected, by Government, to be designed and delivered in ways that include immigrants, as an integral part of the community they serve.

Integration Policy

- A commitment to effective local delivery mechanisms that align services to migrants with those for indigenous communities.
- A focus on the role of local authorities, sporting bodies, faith-based groups and political parties in building integrated communities and the plans to target funding in these areas.”

UNHCR
The UN Refugee Agency

Integration Policy

Key aims of the strategy:

- The basic values of Irish society are respected by all.
- Migrants are enabled and expected to participate in economic life – in employment and self-employment.
- Migrants interact with the host community and participate with them in cultural, sporting and other activities while preserving also their own traditions as they wish.

UNHCR
The UN Refugee Agency

Integration Policy

- Migrants have language skills sufficient to enable them to participate in economic life and in the wider society.
- Migrants have a knowledge of Ireland, its history and culture.
- Migrants, and particularly their children, benefit fully from the education system.

UNHCR
The UN Refugee Agency

Integration Policy

- Migrants are enabled to celebrate their national, ethnic, cultural and religious identities, subject to the law.
- Migrants participate in politics and public life as provided for by law.
- Positive action measures are undertaken where appropriate to address the specific needs of migrant groups.
- Migrants get support to access and navigate public services.

Integration Policy

EU Policy - Zaragoza indicators:

- In order to achieve better comparability among EU Member States; the 2010 Zaragoza declaration agreed on a set of common indicators which were further developed in the study Indicators of immigrant integration — a pilot study of 2011.

	Employment	Education	Social Inclusion	Active Citizenship	Welcoming Society
Zaragoza indicators	Employment rate	Highest educational attainment	At-risk-of-poverty (and social exclusion)	Naturalisation rate	Perceived experience of discrimination (survey)*
	Unemployment rate	Tertiary attainment	Income	Share of long-term residence	Trust in public institutions (survey)*
	Activity rate	Early school leaving	Self-reported health status (controlling for age)	Share of elected representatives (research)*	Sense of belonging (survey)*
	Self-employment	Low-achievers (PISA)	Property ownership	Voter turnout (research)*	
	Over-qualification	Language skills of non-native speakers (LFS module)**			

Integration Policy

EU Commission report (March 2013) 'Using EU indicators of immigrant integration':

- "there is a relationship between outcomes and the channel of migration"
- "Channel of migration" is listed as one of the most relevant variables for migrant integration policy.

UNHCR
The UN Refugee Agency

Integration Policy

UNHCR research report “Towards a New Beginning: Refugee Integration in Ireland (2014)”:

- highlighted Active Citizenship, Housing, Employment, Access to Information, and Social Inclusion as significant policy areas in the Irish context
- made a number of recommendations under each heading

UNHCR
The UN Refugee Agency

Integration Policy

- One of the primary conclusions from the research was that refugees and asylum-seekers in Ireland face specific barriers to integration requiring targeted responses to their needs.
- Long periods spent in direct provision, for example, can lead to wide gaps in employment records, while a lack of documentation can hinder the recognition of qualifications by employers.

UNHCR
The UN Refugee Agency

Integration Policy

ESRI's Report - Data for monitoring integration: Gaps, challenges and opportunities:

- highlights that at present there is no information collected on refugee outcomes in Ireland
- "It is therefore impossible to detect what are known as 'scarring' effects, whereby time spent in the international protection system has adverse effects on integration outcomes later in the life course."

UNHCR
The UN Refugee Agency

Integration Policy

- *What is the role of integration policy in the reception and accommodation system for asylum seekers?*
- Only one action in the strategy is specifically directed towards refugees and asylum seekers (No. 55 re. youth work funding).

Applying a Theory of Change

UNHCR
The UN Refugee Agency

Theory of Change

- Theory of Change is essentially a comprehensive description and illustration of how and why a desired change is expected to happen in a particular context.
- It works by identifying the desired long-term goals and then works back from these to identify all the conditions (outcomes) that must be in place (and how these related to one another causally) for the goals to occur. These are all mapped out in an Outcomes Framework

(Centre for Theory of Change)

UNHCR
The UN Refugee Agency

Theory of Change

Home Office Indicators of Integration framework 2019 third edition:

- “The indicators can be used with a theory of change methodology to establish goals (the 14 high level integration domains), where assumptions made about causality involved in reaching these goals and the appropriate outcome indicators are clearly stated, allowing progress against the goals to be measured and causal relationships to be re-thought where they are no longer supported by the evidence”

UNHCR
The UN Refugee Agency

Figure 1: New Indicators of Integration Framework (Home Office, 2019a).

Markers and means	Social connections	Facilitators	Foundation
Work	Bridges	Lanuage	Responsibilities and Rights
Housing	Bonds	Culture	
Education	Links	ICT	
Health and Social Care		Safety	
Leisure		Stability	

As each IoI has been accompanied by a set of individual outcomes in the Framework (Home Office, 2019a), the same indicators can be adapted to measure the outcomes and outputs from the ToC for Integration.

UNHCR
The UN Refugee Agency

Step 1	**Problem** A ToC begins with a problem definition which recognises that lack of integration among some segments of society is a reality and constrains their capabilities to access resources, services and contribute to society.
Step 2	**Barriers** The barriers in a ToC outline key obstacles to effective integration practices.
Step 3	**Interventions & Strategies** Several examples of interventions, good national and local practices are provided in a ToC. Interventions and strategies fall into two categories: mainstreamed at all levels and targeted to promote particular aspects of integration or address specific inclusion gaps.
Step 4	**Outputs** Each domain-related block of outputs is influenced by each of the interventions leading to them.

UNHCR
The UN Refugee Agency

Step 5

Assumptions

The ToC is underpinned by assumptions made, based on research, about how outcomes can be achieved and how the contextual and enviornmental factors may impact on the achievement of outcomes.

The assumptions in any intervention explain why an organisation believes an intervention can work.

Step 6

Outcomes

Each outcome represents an integrative domain proposed in the new Iol framework.

The causal arrows between outcomes show that every box of outcome can affect any other outcome box.

The complex inter-linkages between outcomes will be further defined by the systematic collection of data using the Iol.

Step 7

Impact

All outcomes in a ToC, supported and influenced by each other, lead to impact - an adequate integration of all members of society regardless of their background who live, work, learn and socialise together, based on shared rights, responsibilities and opportunities.

UNHCR
The UN Refugee Agency

Applying integration policy to applicants for international protection

Factors to consider:

- Monitoring and evaluation frameworks
- Urban/rural settings of centres
- Remoteness of centre, transport links, practical access to a local community
- Availability of services, including health services
- Availability of integration supports, language training facilities and education classes
- Access to cultural, sporting and recreational activities

UNHCR
The UN Refugee Agency

Applying integration policy to applicants for international protection

- Dispersal policy
- Presence of NGOs, legal aid providers, and established community of the asylum-seekers' national or ethnic group
- The possibilities for harmonious relations between the asylum seekers and the surrounding communities
- Scale/size of centre – are services predominantly delivered on site (e.g. Mosney) or in the community?

UNHCR
The UN Refugee Agency

Applying integration policy to applicants for international protection

- Availability of reception arrangements which facilitate living independently in the community, in smaller group homes, or in private accommodation
- Length of time in the process
- Is the applicant in a prioritized or accelerated processing stream?
- Does the applicant have the right to work? If so, are they accommodated in an area where work is available of the kind that they are likely to be able to access?

UNHCR
The UN Refugee Agency

Questions

UNHCR
The UN Refugee Agency