



# Pathways to Status for Unaccompanied Minors

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- International Protection under the International Protection Act 2015
- Irish Refugee Protection Programme (IRPP)
  - EU Relocation Decisions
  - Calais Special Project
  - Pledges made following search and rescue missions in the Mediterranean
  - Irish Refugee Protection Programme Humanitarian Admission Programme (IHAP)

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Number of applications for international protection received in respect of unaccompanied minors

<b>Year</b>	<b>No of Applications</b>	<b>Year</b>	<b>No of Applications</b>
<b>2012</b>	23	<b>2016</b>	34
<b>2013</b>	20	<b>2017</b>	29
<b>2014</b>	30	<b>2018</b>	15 (end Oct)
<b>2015</b>	33		

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## International Protection Act 2015

- In cases where it appears that a minor presenting at the border or within the State is not in the custody of any person the Immigration Officer/Officer of the Minister must notify Tusla.
- The Provisions of the Child Care Acts 1991-2013 and the Child and Family Agency Act 2013 apply thereafter.
- Upon referral to Tusla the unaccompanied minor is allocated a social worker who decides whether or not it is in the best interests of the child to make an application for international protection.
- The 2015 Act provides, for the first time, that the social worker is required to take account of legal advice when making this decision.

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## Protection Procedures for Unaccompanied Minors

- Specific procedures for caseworkers are in place and take into account any factors and circumstances relevant to vulnerable applicants including unaccompanied minors.
- These procedures were developed in line with international best practice, including the UNHCR's *Separated Children in Europe – A Statement of Good Practice and the EU Children First Programme*.
- A group of experienced interviewers received additional training, facilitated by the UNHCR to assist in working on cases involving unaccompanied minors.



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## European Communities (Reception Conditions) Regulations 2018

- The European Communities (Reception Conditions) Regulations 2018 which transpose the (recast) Reception Conditions Directive (2013/33/EU) into Irish law came into effect from 30 June 2018.
- For the first time the reception conditions provided to Unaccompanied Minors are placed on a statutory footing subject to EU scrutiny.
- The Directive provides that the best interests of the child must be a primary consideration when applying the Directive to minors.
- The Directive also includes important provisions relating to unaccompanied minors, such as the appointment of a representative, the provision of accommodation and family tracing.

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## EU Relocation Decisions

- Ireland voluntarily opted-in to the two EU Relocation Decisions to relocate international protection applicants from Italy and Greece.
- 1,022 applicants, including 6 unaccompanied minors were relocated from Greece under the Decisions
- Ireland's Relocation Programme concluded in March 2018.

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## EU Relocation Decisions

- Ireland indicated to Greece that we were willing to accept additional unaccompanied minors under the Decisions, however, this did not take place mainly due to
  - The difference in the definition of unaccompanied minors in Greece.
  - The majority of unaccompanied minors in Greece did not fall within the eligibility criteria under the Relocation Decisions.
- Relocation from Italy was not possible due to the refusal by the Italian authorities to allow for a security assessment on Italian soil.



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## Calais Special Project

- In November 2016, the Dáil passed an all-party motion committing Ireland to taking up to 200 unaccompanied minors from France who were previously resident in the migrant camp at Calais under the Irish Refugee Protection Programme.
- Following the adoption of all-party motion, the Minister for Children and Youth Affairs established the Calais Special Project with Tusla (The Child and Family Agency). The project was led operationally by their Separated Children Seeking Asylum team.
- Following 13 missions to France, a total of 41 young people ultimately expressed an interest and were assessed as suitable to come to Ireland under the programme.

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## Calais Special Project

- No child who expressed an interest in coming to Ireland was refused admission.
- All of these minors have arrived in Ireland, have been given programme refugee status under the International Protection Act 2015 and have been provided with the appropriate supports.
- The Calais Special Project has now been completed by Tusla and there will be no further placements in Ireland of young people from the now dismantled Calais camp.

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## Pledges made following search and rescue missions in the Mediterranean

- In a gesture of humanitarian assistance and solidarity, Ireland has responded positively to requests for assistance from Malta and Italy regarding the distribution of migrants rescued in the Mediterranean over the summer.
- Ireland relocated 26 migrants, including 4 unaccompanied minors, from the MV Lifeline disembarked in Malta.
- A further 16 migrants disembarked in Sicily arrived in Ireland on 7 November 2018 and have entered the protection process.

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## Pledges made following search and rescue missions in the Mediterranean

- The third group, 17 in total, were met by Irish officials in Sicily (22-25 October). Security assessment reports are currently awaited by An Garda Síochána. Subject to the result of the security assessments, these migrants are expected to be relocated from Italy to Ireland in December.

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## Irish Refugee Protection Programme Humanitarian Admissions Programme (IHAP)

- On 14 May, 2018, a new humanitarian admission programme under the Irish Refugee Protection Programme (IRPP) was launched.
- The IHAP operates under the Minister's discretionary powers and is expected to provide for the admission of vulnerable family members, including separated children, from the UNHCR's top ten refugee producing countries in the world.
- The first IHAP window for proposals closed on 30<sup>th</sup> June with a substantially larger number of proposals being received than was expected.



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## Irish Refugee Protection Programme Humanitarian Admissions Programme (IHAP)

- All of the proposals received have been acknowledged and administrative work is ongoing to evaluate the proposals. It is expected that the first positive decisions will issue shortly.
- The second window for proposals is due to be launched in December.
- All persons admitted under the programme will be granted Programme Refugee status under the International Protection Act 2015.