

INFOSHEET

APPLICATION FOR ASYLUM/ REFUGEE STATUS IN IRELAND

Background

In Ireland, an application for asylum/ refugee status can be **made upon arrival** – at the airport or seaport – where you will have an initial interview. You can also make an application after you have arrived in Ireland at the **Office of the Refugee Applications Commissioner (ORAC)** in Dublin.

Application process

You will be given an application form to complete, which will ask you to give details of why you are applying for asylum and why you cannot return to your country of origin. It is important that you give a full account of the reasons for you applying for refugee status as this will be used by ORAC in making a decision on your case.

This document must be returned to ORAC within two weeks of making your application.

You can make a separate application for any children you have or you can choose to include them in the same application, as appropriate.

You will also have an initial interview to find out the reasons why you left your country of origin and why the application is being made. You will have access to an interpreter if required. You will be asked questions about the details you provided in the application form. At the end of the interview, the interview notes will be read back to you and you will be asked to confirm that they are correct. You should request a copy of your interview notes.

A **refugee** is defined as:

“a person who, owing to a well-founded fear of being persecuted, for reasons of race, religion, 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 fear is unwilling to avail himself or 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 fear, is unwilling to return to it” (Section 2 of the Refugee Act 1996).

Office of the Refugee Applications Commission (ORAC)

79-83 Lower Mount St.
Dublin 2
Ireland

Tel: +353 1 602 8000
Fax: +353 1 602 8122
email: oracmail@orac.ie

Public Office
08.45 to 16.00 Mon - Fri

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Legal Assistance

You can register with the Refugee Legal Service or with a private legal representative to obtain advice on the asylum application process.

Finger Printing

You will be fingerprinted to help in establishing your identity and so that personal information may be shared with other EU countries. If you have previously made an asylum application in another country, then the 'Dublin II Regulation'¹ (see here for explanation of terms) may apply and the other country may become responsible for your asylum application.

Documents

You will be asked to submit any original travel documents in your possession and originals of all identity documents, birth and marriage certificates in your possession.

Accommodation

After applying for asylum, you will be accommodated in a centre for asylum seekers, where you will be provided with three meals each day as well as an allowance of €19.10 per week. This accommodation system is known as Direct Provision.

For more information on the asylum application process, visit www.orac.ie or contact the Refugee Legal Service at the details listed here: [RLS contact details](#)

What happens after you have submitted your application?

The Commissioner will make a decision on your application and will inform you whether or not you meet the definition of a refugee.

If the Commissioner recommends that you be declared a refugee, you will then receive a letter from the Irish Naturalisation and Immigration Service setting out your rights.

¹ The Dublin II Regulation is a piece of EU legislation. Its aim is to establish which country in the EU is responsible for processing a claim of asylum where the asylum seeker. The country that is generally responsible for processing the claim is the first EU country in which the asylum seeker arrives. A system called Eurodac takes fingerprint records of asylum seekers as they arrive in the EU. If an asylum seeker's fingerprint appears to have been recorded somewhere before in the EU, then the asylum seeker is liable to be returned to that country.

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If the Commissioner does not recommend that you be declared a refugee you will receive a letter informing you of this decision.

Can I appeal the decision?

You will have either 10 or 15 working days from the date of the letter to appeal this decision to the Refugee Appeals Tribunal, if you wish to do so.

You should contact the Refugee Legal Service or your private legal representative immediately if you receive a letter of refusal from ORAC and in order to make an appeal to the Refugee Appeals Tribunal (RAT). Appeals may be made in writing or by oral hearing.

If you receive a positive decision on your appeal to the Refugee Appeals Tribunal (RAT), you will be granted refugee status. If you receive a negative decision then you can challenge this decision by making an application for Judicial Review in the High Court.

If you receive a negative decision from RAT or have had an unsuccessful Judicial Review, you will receive letter informing you of the intent to deport you. It is important that you contact the Refugee Legal Service or your private legal representative on receipt of the letter.

You will have four further options as follow:

1. Leave the State before the Minister makes a deportation order
2. Consent to a deportation order
3. Apply for subsidiary protection* (within 15 working days)
4. Make representations for leave to remain* in the state (within 15 working days)

Subsidiary Protection protects people who do not qualify for refugee status but who are at risk of suffering serious harm in their country of origin. The Irish government introduced new procedures for applying for Subsidiary protection in 2014. (See Subsidiary Protection InfoSheet)

Leave to remain is a status which may be granted at the discretion of the Minister for Justice to persons who are not deemed eligible for refugee status or subsidiary protection but who are permitted to remain lawfully in Ireland on humanitarian grounds or for some other compelling reason.