

## International Protection Bill 2026

Dr. Caroline Sweeney and Rebecca Halpin, Senior Parliamentary Researchers (Law)

27 January 2026

### Bill Digest: Bill No. 6 of 2026

#### Abstract

The **International Protection Bill 2026** (the 'Bill') is intended to enable Ireland to fulfil its obligations under the **EU Migration and Asylum Pact** (the 'Pact'). Most of the Pact's provisions will be applicable in EU Member States by 12 June 2026. The Bill provides for significant changes to the existing international protection system in the State. It provides for the amendment and repeal of certain existing legislation in the area, including certain provisions of the **International Protection Act 2015, as amended**. This *Bill Digest* is accompanied by the following two supplementary L&RS *Briefing Papers* concerning the Bill:

- 'International Protection Bill 2026 – New procedures for international protection applications'; and
- 'International Protection Bill 2026 – Independent Monitoring Mechanism, Unaccompanied Minors, Age Assessments, Collection of Biometric Data for Eurodac, and Other Select Elements of the Bill with Human Rights Implications'.



## Library & Research Service

Email: [library.and.research@oireachtas.ie](mailto:library.and.research@oireachtas.ie)

### This L&RS publication may be cited as:

Oireachtas Library & Research Service, 2026. Bill Digest: International Protection Bill 2026, Bill No. 6 of 2026

### Legal Disclaimer

No liability is accepted to any person arising out of any reliance on the contents of this paper. Nothing herein constitutes professional advice of any kind. This document contains a general summary of developments and is not complete or definitive. It has been prepared for distribution to Members to aid them in their parliamentary duties. Some papers, such as a Bill Digest, are prepared at very short notice: they are produced in the time available between the publication of a Bill and its scheduling for second stage debate. Authors are available to discuss the contents of these papers with Members and their staff but not with members of the general public.

© Houses of the Oireachtas 2026

### Contact

Houses of the Oireachtas  
Leinster House  
Kildare Street  
Dublin 2  
D02 XR20

Tel: +353 (0)1 6183000

Twitter/X: @OireachtasNews

[www.oireachtas.ie](http://www.oireachtas.ie)



## Contents

Glossary and abbreviations .....	- 3 -
Introduction.....	- 5 -
Purpose of proposed legislation .....	- 6 -
Background.....	- 9 -
Existing Legal and Policy Context .....	- 9 -
Making an Asylum Claim and the Dublin III Regulation.....	- 10 -
Inadmissible Applications and Return Orders .....	- 10 -
Admissible Applications and Supports for Applicants .....	- 11 -
Right of Appeal to IPAT and Judicial Review.....	- 12 -
Voluntary Returns and Deportation Orders .....	- 12 -
Accelerated Procedure for Safe Countries of Origin .....	- 13 -
Legal Aid, Health Screening, Unaccompanied Minors and Vulnerability Checks.....	- 14 -
Reception Conditions.....	- 14 -
Data on IP Applications, Processing Times, Decisions and Deportations .....	- 20 -
Overview of the EU Migration and Asylum Pact (the ‘Pact’) .....	- 23 -
National Implementation Plan and Preparation for the Pact .....	- 24 -
General Scheme and Regulatory Impact Assessment.....	- 25 -
Legislative proposal .....	- 26 -
Principal Provisions of the Bill .....	- 27 -
Commencement, Secondary Legislation, Repeals and Transitional Provisions .....	- 28 -
Expenses .....	- 29 -
Service of Documents and Digitisation .....	- 29 -
Family Reunification .....	- 30 -
Material Reception Conditions .....	- 31 -
Other matters to be dealt with by Committee Stage Amendments.....	- 32 -
Pre-legislative Scrutiny (PLS) .....	- 33 -
Table of PLS recommendations .....	- 33 -

## Glossary and abbreviations

Table 1 Glossary and abbreviations

Term	Meaning
AMMR	Asylum and Migration Management Regulation
APR	Asylum Procedure Regulation
CEAS	Common European Asylum System
CFR	Charter of Fundamental Rights of the EU
CJEU	Court of Justice of the EU
Committee	Joint Committee on Justice, Home Affairs and Migration
Department / DJHAM	Department for Justice, Home Affairs and Migration
EAC	Emergency accommodation centre
EROC	Emergency reception and orientation centre
HIQA	Health Information and Quality Authority
IHREC	Irish Human Rights and Equality Commission
IP	International protection
IPAS	International Protection Accommodation Service
IPO	International Protection Office
LAB	Legal Aid Board
Minister	Minister for Justice, Home Affairs and Migration
NIP	Ireland's National Implementation Plan for the Pact
OCO	Office of the Ombudsman for Children
Pact	EU Migration and Asylum Pact
PfG	Programme for Government
PPSN	Personal Public Services Number
TFEU	Treaty on the Functioning of the EU
Tusla	Child and Family Agency
UAM	Unaccompanied minor
UNHCR	UN Refugee Agency
VA	Vulnerability assessment
1999 Act	<i>Immigration Act 1999, as amended</i>
2015 Act	<i>International Protection Act 2015, as amended</i>

Source: L&RS (2026)

## Key Definitions and Concepts

A **refugee** is a third-country national or stateless person who is outside their country of nationality or country of former habitual residence and 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 unable or unwilling to return to that country, and who is not excluded from being a refugee for any of the reasons set out in Article 12 of the Qualification Regulation ([Article 3\(5\), Qualification Regulation](#)).

A third-country national or stateless person who does not qualify as a refugee may be granted a **subsidiary protection** declaration enabling them to remain in the State if there are substantial grounds for believing that if they were returned to their country of origin/former habitual residence, they would face a real risk of suffering serious harm (as defined under [Article 15, Qualification Regulation](#)) and, owing to such risk, they are unable or unwilling to avail of the protection of their country of origin/former habitual residence. They must not be excluded from obtaining subsidiary protection under Article 17(1) and (2) of the Qualification Regulation ([Article 3\(6\), Qualification Regulation](#)).

An **asylum seeker/international protection applicant** is a person seeking international protection (refugee status or subsidiary protection) outside their country of origin/former habitual residence whose application has yet to be determined by the authorities.

Currently, under s. 49 of the *International Protection Act 2015*, as amended, where an asylum seeker is not granted a refugee declaration or a subsidiary protection declaration, the Minister for Justice, Home Affairs and Migration (the ‘Minister’) will then consider whether to afford the applicant **permission to remain** for a humanitarian or other compelling reason.

**Family reunification** refers to the provision made for individuals granted refugee status or subsidiary protection in the State to apply to the Minister for permission for certain close family members to be allowed to join them in Ireland.

A **programme refugee** is a refugee who is resettled in a third country pursuant to a refugee resettlement programme.

The **non-refoulement** principle is the cornerstone of international refugee law and provides that refugees and asylum seekers may not be expelled or returned to countries or territories where their lives or freedom would be threatened on account of their race, religion, nationality, membership of a particular social group or political opinion.

The term “**irregular migrant**” does not have a universally accepted definition under international law. It “is generally used to identify persons moving outside regular migration channels. The fact that they migrate irregularly does not relieve States from the obligation to protect their rights” ([International Organization for Migration](#)).

## Introduction

The [International Protection Bill 2026](#) (the ‘Bill’) was initiated on 22 January 2026 and is scheduled for Second Stage debate on Wednesday 28 January 2026 in Dáil Éireann.

The Bill is intended to enable Ireland to fulfil its obligations under the [EU Migration and Asylum Pact](#) (the ‘Pact’). Most of the Pact’s provisions will be applicable in EU Member States by 12 June 2026.<sup>1</sup> The Bill gives effect to a commitment in the Programme for Government (PfG) 2025, *Securing Ireland’s Future*, to introduce legislation to implement the Pact.<sup>2</sup> It provides for significant changes to the existing international protection system in the State, and the amendment and repeal of certain existing legislation in the area. It runs to 208 pages and is comprised of 234 sections (divided into 15 Parts) and two Schedules. It is accompanied by an [Explanatory Memorandum](#).

On 29 April 2025, the Minister for Justice, Home Affairs and Migration, Jim O’Callaghan T.D. (the ‘Minister’) secured Cabinet approval to publish the [General Scheme](#) of the Bill (the ‘General Scheme’).<sup>3</sup> In May 2025, Minister O’Callaghan forwarded the General Scheme to the Joint Committee on Justice, Home Affairs and Migration (the ‘Committee’) to perform pre-legislative scrutiny (PLS). The Committee published its [PLS Report](#), which contains 92 recommendations, in December 2025.

The Minister received cabinet approval to publish the Bill on [13 January 2026](#). He stated that the Bill “...will lead to the most significant reform of Irish asylum laws in the history of the State”.<sup>4</sup> The relevant press release indicates that the Bill’s core objective is “...to provide a fair, sustainable and efficient asylum procedure that is consistent with how asylum laws operate across the EU”.<sup>5</sup> The Minister stated that the relevant reforms “...will continue to ensure the rights of applicants, under EU and Irish law”.<sup>6</sup> Commenting on the Bill, the Minister of State with special responsibility for Migration, Colm Brophy TD, stated that:

“By strengthening convergence, clarity and consistency, it delivers a more streamlined, firm, fair and effective international protection system, in line with Ireland’s national and international obligations.”<sup>7</sup>

Upon the Bill’s publication, the Irish Human Rights and Equality Commission (IHREC) stated:

---

<sup>1</sup> Denmark will participate in some elements of the Pact. Denmark has an opt-out from EU asylum law under [Protocol 22 to the Treaty on the Functioning of the European Union \(TFEU\)](#). See: DRC Asylum, ‘EU Pact on migration and asylum’, available [here](#), accessed 21 January 2026. As explained in this Digest, Ireland has opted-in to eight of the Pact’s ten Acts and will align domestic legislation, in so far as is possible, with the remaining two Schengen measures.

<sup>2</sup> PfG (2025) pp. 122-125, available [here](#), accessed 11 January 2026.

<sup>3</sup> DJHAM, ‘Minister Jim O’Callaghan secures Cabinet approval for publication of the General Scheme of the International Protection Bill 2025’ (Press Release, 29 April 2025) available [here](#), accessed 11 January 2026.

<sup>4</sup> DJHAM, ‘Minister Jim O’Callaghan publishes International Protection Bill 2026’ (13 January 2026) available [here](#), accessed 21 January 2026.

<sup>5</sup> Ibid.

<sup>6</sup> Ibid.

<sup>7</sup> Ibid.

“While acknowledging that there is additional detail in the Bill since the General Scheme, the Commission warns that substantial gaps and ambiguities persist in areas that directly affect the rights and safety of international protection (IP) applicants, including vulnerable applicants such as children and victims of trafficking.”<sup>8</sup>

The Coalition on the EU Migration Pact, which is comprised of ten civil society organisations (the ‘Civil Society Coalition’),<sup>9</sup> raised “serious concerns” about:<sup>10</sup>

- provisions in the Bill allowing for detention of individuals, including children, at the State’s borders;
- proposals that could make it more difficult for beneficiaries of international protection to secure family reunification;
- the absence of a definition for legal counselling in the Bill, whilst stressing the need for proper legal advice and representation, particularly given that appeals to the proposed new appeals body will not be automatically suspensive for IP applicants; and
- the failure of the Bill to ensure sufficient protections for vulnerable applicants, including victims of trafficking and stateless persons.<sup>11</sup>

## Purpose of proposed legislation

As set out in its long title, the Bill’s purposes are to:

- give effect to Directive (EU) 2024/1346 (2024 Reception Conditions Directive (Recast)) and give further effect to:
  - Regulation (EU) 2024/1347 (Qualification Regulation),
  - Regulation (EU) 2024/1348 (Asylum Procedure Regulation),
  - Regulation (EU) 2024/1350 (Resettlement Framework Regulation),
  - Regulation (EU) 2024/1351 (Asylum and Migration Management Regulation),
  - Regulation (EU) 2024/1358 (Eurodac Regulation), and
  - Regulation (EU) 2024/1359 (Crisis and Force Majeure Regulation);<sup>12</sup>
- give further effect to the Convention on the Status of Refugees done at Geneva on 28 July 1951 (‘1951 Refugee Convention’) and the Protocol relating to the Status of Refugees done at New York on 31 January 1967 (‘1967 Protocol’);
- provide for the entry into, and presence in, the State of international protection applicants and the gathering of information from them;
- provide for the removal from the State of certain persons;

---

<sup>8</sup> IHREC, ‘Irish Human Rights and Equality Commission responds to International Protection Bill, warning key equality safeguards remain unclear’ (22 Jan. 2026) available [here](#), accessed 25 Jan. 2026.

<sup>9</sup> The Coalition members are: Nasc, Irish Council for Civil Liberties (ICCL), Oxfam Ireland, Immigrant Council of Ireland, Jesuit Refugee Service Ireland, Doras, Irish Penal Reform Trust, Irish Refugee Council, Spirasi (National Centre for Survivors of Torture), and Crosscare.

<sup>10</sup> Doras, ‘Civil society coalition slams new International Protection Bill published today’ (22 Jan. 2026) available [here](#), accessed 25 Jan. 2026.

<sup>11</sup> Ibid.

<sup>12</sup> These are seven of the ten EU legislative Acts that comprise the Pact.

- provide for the establishment of two bodies, An Binse um Achomhairc i dtaobh Tearmainn agus Filleadh (Tribunal for Asylum and Returns Appeals) and Oifig an Príomh-Chigire Níosanna Imeachta Teorann um Thearmann (Office of Chief Inspector of Asylum Border Procedures), and for their respective functions;
- provide for the amendment or repeal of certain provisions of relevant existing legislation, including the *International Protection Act 2015* (the ‘2015 Act’); and
- provide for related matters.

Given the length and complexity of the Bill, the L&RS has produced a *Bill Digest* and two *Briefing Papers* concerning the Bill. This **Bill Digest** examines the existing legal and policy context concerning Ireland’s international protection system, including reception conditions and proposals regarding family reunification. It is the intention of the Government to table amendments at Committee stage to address these two areas. The *Digest* also outlines the ten EU legislative Acts that together comprise the Pact, outlines the provisions of the Bill, and examines the extent to which the Committee’s PLS recommendations are reflected in the Bill, as initiated. The *Digest* should be read together with the following L&RS *Briefing Papers*:

- **‘International Protection Bill 2026 – New procedures for international protection applications’**. This Policy and Legislative *Briefing Paper* provides an overview of the primary procedural changes proposed by the Bill. It also provides a review of the new international protection application system, from the point of application to the reformed international protection appeals system.
- **‘International Protection Bill 2026 – Independent Monitoring Mechanism, Unaccompanied Minors, Age Assessments, Collection of Biometric Data for Eurodac, and Other Select Elements of the Bill with Human Rights Implications’**. This Policy and Legislative *Briefing Paper* examines some of the key areas where concerns were raised regarding the potential human rights implications of the Bill, including for international protection applicants who are unaccompanied minors.

The L&RS has also produced a **Bill Resource Page**, available [here](#) [internal access only]. Existing relevant L&RS resources are also set out on the following page.

The L&RS legislative analysis materials for this Bill do not purport to provide a full summary of the Bill, but instead seek to examine certain selected elements. In so doing, they focus on provisions that could be pivotal in shaping Ireland’s future international protection system, and which have been at the centre of significant debates during the PLS process.

It should be noted that the L&RS legislative materials for this Bill were prepared with a tight turnaround time as the Bill was published on the Oireachtas website during the week immediately preceding the date of the Second Stage debate in Dáil Éireann. Due to the limited time available and the complex nature of the Bill, it was not possible to examine all of the Bill’s principal provisions in detail.

**The L&RS has also already published the following relevant resources\*****International Protection Bill 2026**

A comprehensive Bill Resource page is available [here](#) [internal access only].

**Existing legal system governing international protection applicants and refugees:**

C. Sweeney, 'The international legal framework and refugees worldwide' (Note 1 of 3 Notes on Refugees in Ireland, the UK and Worldwide, L&RS 2023) available [here](#).

C. Sweeney, 'Refugees in Ireland' (Note 2 of 3 Notes on Refugees in Ireland, the UK and Worldwide, L&RS 2023) available [here](#).

C. Sweeney, 'Legal and Policy Developments at the EU Level' (Note 3 of 3 Notes on Refugees in Ireland, the UK and Worldwide, L&RS 2023) available [here](#).

C. Sweeney, 'Designation of UK as a Safe Third Country' (L&RS 2024) available [here](#).

R. Halpin, 'Temporary Protection: the activation of the Temporary Protection Directive in response to the crisis in Ukraine' (L&RS 2022) available [here](#).

**The EU Pact on Migration and Asylum:**

C. Sweeney, 'The EU Pact on Migration and Asylum: implications for Ireland', in Research Matters, Key Issues for the 34th Dáil and 27th Seanad (L&RS 2025) available [here](#).

C. Sweeney, 'L&RS Note: EU Migration and Asylum Pact' (L&RS 2024) available [here](#).

**\*all the above resources were last accessed on 25 January 2026.**

## Background

The Bill will provide for significant changes to Ireland's asylum system and the legislation underpinning it, most notably, the *International Protection Act 2015, as amended* (the '2015 Act').

### Existing Legal and Policy Context

At the international level, Ireland owes obligations to refugees and asylum seekers under customary international law<sup>13</sup> and as a State party to numerous international treaties, most notably, the *1951 Convention* and the *1967 Protocol*.

Ireland also has relevant obligations under EU law. Pursuant to Article 78 of the *Treaty on the Functioning of the EU* (TFEU), from 1999 onwards the EU developed a *Common European Asylum System* (CEAS) with a view to ensuring the fair and equal treatment of asylum seekers across the EU territory. Solidarity between EU Member States and the fair sharing of responsibility are core principles of the CEAS. Before the Pact's introduction, the CEAS was centred around the *Dublin III Regulation*. This Regulation determined the Member State responsible for examining an asylum application made within the EU territory, which was typically the Member State of first entry. Due to the operation of the *Dublin III Regulation*, frontline Member States at the EU's external borders, including Greece and Italy, faced a disproportionate burden. The system's shortcomings were brought to the fore when a global upsurge in armed conflict and repression prompted significantly more asylum seekers to seek refuge in the EU during the 2010s.<sup>14</sup> This in turn triggered a legislative and policy reform process at EU level, which culminated in the Pact's adoption in 2024.

The *2015 Act* is the main domestic statute regulating the application process for international protection applicants in Ireland. Other relevant primary legislation includes the *Immigration Act 1999, as amended*; the *Immigration Act 2003, as amended*; the *Immigration Act 2004, as amended*; the *Illegal Immigrants (Trafficking) Act 2000, as amended*; and the *European Convention on Human Rights Act 2003, as amended*.<sup>15</sup>

Under *sections 10* and *12* of the 2015 Act, certain persons are automatically excluded from being recognised as a refugee or eligible for subsidiary protection, including where there are serious reasons for considering that they committed, incited or otherwise participated in: a war crime, a crime against humanity or a crime against peace; committed a serious non-political crime outside the State; or have been guilty of acts that are contrary to the purposes and principles of the United Nations. Under section 12, an individual is also ineligible for

---

<sup>13</sup> Customary international law (CIL) derives from the general practices of States, which are accepted as being required by law. See: *Statute of the International Court of Justice*, Article 38(1)(b). CIL binds *all* States regardless of whether or not they have ratified a particular treaty.

<sup>14</sup> See, e.g., C. Sweeney, 'Legal and Policy Developments at the EU Level' (Note 3 of 3 Notes on Refugees in Ireland, the UK and Worldwide, L&RS 2023) pp. 8-10 available [here](#), accessed 22 Jan. 2026.

<sup>15</sup> For some relevant secondary legislation, see IPO, 'Legal Framework', available [here](#), accessed 22 January 2026.

subsidiary protection if they are considered to constitute a danger to the community or to the security of the State.

### Making an Asylum Claim and the Dublin III Regulation

An individual can seek asylum at an airport or port of entry in the State, or in the International Protection Office (IPO). In the former instance, the asylum seeker is required by the Border Management Unit or Garda National Immigration Bureau to undertake standard border entry checks (for example, against INTERPOL), the request for asylum is registered, and the asylum seeker is required to present themselves at the IPO on the next working day to lodge an international protection application.<sup>16</sup> Since 8 October 2025, the IPO processes applications at two locations in Dublin (Lower Mount Street and the Citywest Convention Centre).<sup>17</sup> Applicants attending the IPO make, register and lodge their asylum application on the same day. Under EU law, every asylum seeker aged 14 years or over must be fingerprinted and photographed.<sup>18</sup> Their details are checked against the Eurodac database, which helps to determine whether they have already applied for, or been granted, asylum elsewhere in the EU. An EU Member State that has agreed to the Dublin III Regulation (a 'Dublin State') may be requested by another Dublin State to take charge of or take back an application in certain circumstances.<sup>19</sup>

### Inadmissible Applications and Return Orders

Under section 21 of the 2015 Act, an application for international protection in Ireland will be deemed inadmissible where:

- another EU Member State has already granted the applicant refugee status or subsidiary protection; or
- the applicant has been recognised as a refugee by a non-EU Member State, being a 'first country of asylum', and can still avail of that protection or otherwise enjoys sufficient protection in that country, including against *refoulement*,<sup>20</sup> and will be readmitted to it; or
- the applicant arrived from a safe third country that is, in accordance with section 21(17), a safe third country for the applicant.

In March 2025, the Minister designated the UK as a safe third country, pursuant to his powers under section 72A(1) of the 2015 Act ([S.I. No. 73/2025 - International Protection Act 2015 \(Safe Third Country\) Order 2025](#)).<sup>21</sup> Subject to certain conditions, section 51A of the 2015 Act

---

<sup>16</sup> See, e.g., 'National Implementation Plan – Ireland: Implementation of the pact on Migration and Asylum' (2025) pp. 73-74, available [here](#), accessed 22 January 2026 [hereinafter 'NIP'].

<sup>17</sup> IPO, 'What's News', available [here](#), accessed 23 January 2026.

<sup>18</sup> Unaccompanied minors under 14 years are exempted from the requirement under EU law to be fingerprinted and photographed. For more information on screening; see, e.g., NIP, pp. 51-52, 55-58.

<sup>19</sup> The Dublin States are the EU Member States, Iceland, Switzerland, Norway and Liechtenstein. For more information, see: Caroline Sweeney, 'Refugees in Ireland' (Note 2 of 3 Notes on Refugees in Ireland, the UK and Worldwide, L&RS 2023) p.6, available [here](#); NIP, pp. 90-91.

<sup>20</sup> For an explanation of the *non-refoulement* principle, see Key Definitions and Concepts on p.4 of the *Digest*.

<sup>21</sup> For more information, see: Caroline Sweeney, 'Designation of UK as a Safe Third Country' (L&RS 2024) available [here](#), accessed 22 Jan. 2026.

requires the Minister to issue a return order where an application is found to be inadmissible by an international protection officer in the IPO<sup>22</sup> (as upheld by the [International Protection Appeals Tribunal](#) upon appeal, where applicable). In particular, the Minister's power to issue return orders is subject to the *non-refoulement* rule (see section 50A).

### Admissible Applications and Supports for Applicants

If an application is deemed admissible, applicants must complete a questionnaire in English. In recent years, a revised procedure was introduced whereby all questionnaires must be completed on-site at the IPO on the same day the application is lodged.<sup>23</sup> According to Ireland's [National Implementation Plan](#) for the Pact (NIP), applicants:

“...are supported by interpreters and/or cultural mediators in order to ensure that they fully understand the process and are provided with links to guidelines on same. Staff monitor indications of victims of trafficking as well as children accompanied by adults with whom they do not seem comfortable. Where necessary, appropriate referral processes are in place. Any young person who presents to make an application and who appears to be a minor is referred to Tusla [the Child and Family Agency] and does not complete an application. The young person is assessed as to whether they are eligible for Tusla's services and if they are, return at a later date when an application is made on their behalf by a staff member of Tusla.”<sup>24</sup>

Some stakeholders, such as the Irish Refugee Council, have raised concerns about the revised procedure, particularly as it requires vulnerable applicants to disclose sensitive information regarding previous traumatic experiences in a busy, open-plan waiting area at the IPO.<sup>25</sup> The Irish Refugee Council notes that this gives rise to a risk of re-traumatisation and raises significant concerns regarding applicants' right to privacy and protection of personal data. They also note that unless an applicant is accompanied to the IPO by a legal representative, they will be unable to access legal advice prior to submitting their questionnaire. They indicate that this can impact the overall assessment of the claim due to significant reliance being placed on the questionnaire during the applicant's later substantive interview. They also raised concerns regarding the quality of the interpretation services provided.<sup>26</sup> Furthermore, they suggested that cultural mediators are not always present to help applicants to complete their questionnaires and indicated that the role of cultural mediators is unclear.<sup>27</sup>

---

<sup>22</sup> [Section 74](#) of the 2015 Act permits the Minister to authorise international protection officers in the IPO to perform certain functions under the Act and stipulates that they shall be independent in the performance of these functions.

<sup>23</sup> Asylum Information Database (AIDA), 'Country Report Ireland: 2024' (May 2025) pp. 41-43, available [here](#), accessed 23 Jan. 2026. The Report was prepared by the Irish Refugee Council and edited by the European Council on Refugees and Exiles [hereinafter 'AIDA, 'Country Report Ireland' (2025)].

<sup>24</sup> NIP, p. 74.

<sup>25</sup> The concerns of the Irish Refugee Council outlined in this para. are taken from: AIDA, 'Country Report Ireland' (2025) pp. 41-43.

<sup>26</sup> Regarding interpretation services, see also: NIP, pp. 110-111.

<sup>27</sup> The concerns of the Irish Refugee Council outlined in this para. are taken from: AIDA, 'Country Report Ireland' (2025) pp. 41-43.

Having submitted the questionnaire, the applicant will be required to undergo a substantive interview at a later date with an international protection officer or a contracted IPO interviewer. The officer/interviewer assess each application on an individual basis and make a recommendation to the Minister that the applicant:

- i. should be given a refugee declaration;
- ii. should not be given a refugee declaration and should be given a subsidiary protection declaration; or
- iii. should be given neither a refugee declaration nor a subsidiary protection declaration.

In the third scenario, the Minister will then decide whether or not to grant the applicant **permission to remain** in the State for a humanitarian or other compelling reason, for example, family circumstances (section 49 of the 2015 Act).

### Right of Appeal to IPAT and Judicial Review

Applicants have a right of appeal to the **International Protection Appeals Tribunal** (IPAT) under Part 6 of the 2015 Act against a recommendation not to grant them refugee status or a recommendation that they should be granted neither refugee status nor a subsidiary protection declaration (section 41). IPAT may decide to affirm the recommendation or set it aside, in whole or in part (section 46). Applicants also have a right to submit an appeal to IPAT against: a decision to transfer them to another Dublin State under the EU (Dublin System) Regulations 2018; an inadmissibility decision (section 21), a decision by the Minister not to allow a subsequent application (section 22), and decisions regarding reception conditions for international protection applicants, including labour market access. Applicants must adhere to applicable timeframes for submitting appeals as set out in the 2015 Act.

A decision by the Minister not to grant permission to remain may not be appealed to IPAT. However, if there has been a material change in the applicant's circumstances since the Minister's initial refusal to grant permission to remain and IPAT's decision, the applicant may submit additional relevant information to the Minister (section 49). An unsuccessful applicant who has exhausted all available remedies may seek leave (permission) from the High Court to have an aspect of the administrative decision-making process judicially reviewed by the High Court. Return orders and deportation orders issued by the Minister are not subject to appeal before IPAT, but they are eligible for judicial review.

### Voluntary Returns and Deportation Orders

Subject to some exceptions,<sup>28</sup> where an applicant is refused a refugee declaration, a subsidiary protection declaration or permission to remain, they may elect to voluntarily return to their country of origin (section 48). If they fail to do so, subject to certain conditions including the prohibition of *refoulement*, the Minister will issue a deportation order under section 51 of the

---

<sup>28</sup> Where the person is considered to pose: (i) a danger to State security or; (ii) a danger to the community because they have been convicted of a serious offence; see section 48(6) of the 2015 Act.

2015 Act requiring the individual to leave the State within a specified period and thereafter remain outside it. Pursuant to section 51(4), a deportation order issued under section 51 is deemed to be a deportation order made under [section 3\(1\)](#) of the *Immigration Act 1999* (the '1999 Act'). Accordingly, the 1999 Act applies to the order (save as where otherwise stated in section 51). Section 3(11) of the 1999 Act permits the Minister, by order, to amend or revoke a deportation order. An international protection applicant may [submit an application under section 3\(11\)](#), including representations and supporting documentation setting out any new or changed circumstances that were not previously presented to the Minister.

### **Accelerated Procedure for Safe Countries of Origin**

In November 2022, a new procedure was [introduced by the IPO](#) pursuant to the [European Communities \(International Protection Procedures\) Regulations 2022](#) whose main purpose is to accelerate the application process, in particular, for applicants from designated 'safe countries of origin', with a view to reducing overall processing delays. A country may be designated as a safe country of origin where it can be shown that there is generally and consistently no persecution, no torture or inhuman or degrading treatment, or no threat of indiscriminate violence arising from armed conflict.<sup>29</sup> According to the IPO, prior to the introduction of the accelerated procedure in 2022, over 25 per cent of applications were made by asylum seekers from so-called safe countries of origin.<sup>30</sup> As of 4 December 2025, Ireland had designated fifteen countries as safe countries of origin: Albania, Bosnia and Herzegovina, North Macedonia, Georgia, Montenegro, Kosovo, Serbia, South Africa, Botswana, Algeria, Brazil, Egypt, India, Malawi and Morocco.<sup>31</sup>

The processing of international protection applications submitted by applicants from the two countries which provided the largest number of applicants in the previous three-month period are also accelerated under the existing accelerated procedure. Applicants under the accelerated procedure receive an interview date on the day of application and are meant to receive a first-instance decision within three months, and an accelerated appeal, where applicable.<sup>32</sup> The Asylum Procedure Regulation (APR), which Ireland has opted into, makes provision for the designation of safe countries of origin at EU level, whilst also allowing for individual EU Member States to designate additional countries at national level.<sup>33</sup>

---

<sup>29</sup> Dáil Debate, 'International Protection' (4 December 2025) available [here](#), accessed 22 Jan. 2026

<sup>30</sup> IPO, 'Frequently Asked Questions on the New Procedure', accessible [here](#), accessed 22 Jan. 2026.

<sup>31</sup> Dáil Debate, 'International Protection' (4 December 2025) available [here](#), accessed 22 Jan. 2026

<sup>32</sup> NIP, p. 13.

<sup>33</sup> Dáil Debate, 'International Protection' (4 December 2025) available [here](#), accessed 22 Jan. 2026

### Legal Aid, Health Screening, Unaccompanied Minors and Vulnerability Checks

Legal aid is available for applicants who register with the Legal Aid Board (LAB), an independent statutory body funded by the State, subject to a financial means test.<sup>34</sup> LAB can:

- provide legal assistance and advice in support of an application,
- assist in preparing for an interview and any written representations to the Minister,
- provide representation in any appeal to IPAT, and
- provide legal assistance in matters pertaining to reception conditions<sup>35</sup>

If an IPAT appeal is unsuccessful, the applicant may separately seek the assistance of a private practitioner to get advice about challenging the decision by way of judicial review in the High Court.<sup>36</sup> Some stakeholders, including the Irish Refugee Council, have raised concerns regarding opportunities for LAB to assist applicants in preparing their questionnaires, and regarding the adequacy of the funding provided to LAB.<sup>37</sup> More information regarding legal aid is included in the supplementary L&RS *Briefing Paper*, entitled, ‘International Protection Bill 2026 – New procedures for international protection applications’. More information regarding vulnerability assessments, provisions for unaccompanied minors (UAMs) and age assessments is included in the supplementary L&RS *Briefing Paper*, entitled, ‘International Protection Bill 2026 – Independent Monitoring Mechanism, Unaccompanied Minors, Age Assessments, Collection of Biometric Data for Eurodac, and Other Select Elements of the Bill with Human Rights Implications’.

### Reception Conditions

Under the EU’s 2013 [recast Reception Conditions Directive](#), applicants for international protection are entitled to access material reception conditions, including accommodation, food, clothing, health care, and education for minors, and must be allowed to work within nine months of making their application. The [European Communities \(Reception Conditions\) Regulations 2018](#) (S.I. No 230/2018) give effect to this Directive in Ireland. International protection applicants with no means of accommodating themselves are referred to the International Protection Accommodation Service (IPAS), which falls within the remit of DJHAM.<sup>38</sup> IPAS staff are co-located on site at the IPO to arrange for accommodation, where available, for applicants who have no means of accommodating themselves.<sup>39</sup> Staff from the Department of Social Protection are also on site<sup>40</sup> to support applicants with securing a Personal Public Services Number (PPSN) so that they can access a daily expenses allowance,

---

<sup>34</sup> Currently, the applicant’s income (less certain allowances) must be less than €18,000 per annum. A contribution of €10 must be paid for legal advice and €40 for representation, but both can be waived if an applicant lacks means to pay. See: AIDA, ‘Country Report Ireland’ (2025) pp. 42-43 and 54-55.

<sup>35</sup> See: AIDA, ‘Country Report Ireland’ (2025) pp. 42-43 and 54-55; NIP, pp. 57, 82 and 100.

<sup>36</sup> NIP, pp. 57, 82 and 100.

<sup>37</sup> AIDA, ‘Country Report Ireland’ (2025) pp. 42-43 and 54-55

<sup>38</sup> Responsibility passed to DJHAM from DCEDIY on 1 May 2025 further to a commitment in the PfG. See: Dáil Debate, ‘International Protection’ (7 May 2025) available [here](#), accessed 25 Jan. 2026.

<sup>39</sup> NIP, p. 74.

<sup>40</sup> NIP, p. 74.

subject to an income assessment.<sup>41</sup> The daily expenses allowance is €38.80 per week per adult and €29.80 per week per child.<sup>42</sup> An increased rate of €113.80 per week per adult applies where a person is unaccommodated and on a waiting list for IPAS accommodation.<sup>43</sup> Applicants aren't entitled to standard social welfare as they are not considered to satisfy the habitual residence criterion.<sup>44</sup> They can work after six months if they have not received a first decision on their application.<sup>45</sup>

The Health Service Executive provides mainstreamed health services to applicants, and residents in IPAS accommodation centres are entitled to a medical card.<sup>46</sup> Applicants are entitled to receive information about their rights and obligations within the national reception system within 15 days of making their application. This information is provided in various languages through [the House Rules and Procedures booklet](#).<sup>47</sup> The Department of Education provides school places for applicants who are minors. They are entitled to free pre-school, primary and post-primary education on the same basis as nationals.<sup>48</sup> According to the NIP, education is provided to children within three months of their application being lodged.<sup>49</sup>

### Move to Stated-owned Accommodation for International Protection Applicants

In 1999, Ireland introduced a system of direct provision to accommodate international protection applicants, which was meant to be a temporary measure. Numerous Government-commissioned and independent reports criticised the system as unfit for purpose. These reports included the [2019 Report of the Joint Committee on Justice and Equality on Direct Provision and the International Protection Application Process](#), and the [2020 Report of the Advisory Group on the Provision of Support including Accommodation to Persons in the International Protection Process](#). In April 2021, the Office of the Ombudsman for Children (OCO) published the results of its investigation into the management of direct provision centres, emergency reception and orientation centres (EROCs), and emergency accommodation centres (EACs), including commercial hotels, used to house international protection applicants.<sup>50</sup> It identified systemic failures in the discharge of IPAS and Tusla's administrative functions with regard to direct provision centres, EROCs and EACs, which were having an adverse effect on child residents.<sup>51</sup>

---

<sup>41</sup> Dept of Social Protection, 'Daily Expenses Allowance' (updated 17 Dec. 2025) see [here](#), accessed 25 Jan. 2026.

<sup>42</sup> Dept of Social Protection, 'Daily Expenses Allowance' (updated 17 Dec. 2025) see [here](#), accessed 25 Jan. 2026.

<sup>43</sup> Dept of Social Protection, 'Daily Expenses Allowance' (updated 17 Dec. 2025) see [here](#), accessed 25 Jan. 2026..

<sup>44</sup> Dáil Éireann debate, 'Social Welfare Code' (24 Oct. 2023), available [here](#), accessed 25 Jan. 2026.

<sup>45</sup> DJHAM, 'About IPAS' (last updated 9 June 2025), available [here](#), accessed 25 Jan. 2026.

<sup>46</sup> For more info., see Dáil Debate, 'International Protection' (20 May 2025) available [here](#), accessed 25 Jan. 2026.

<sup>47</sup> NIP, p. 63.

<sup>48</sup> NIP, p. 64.

<sup>49</sup> NIP, p. 64.

<sup>50</sup> OCO, 'Safety and Welfare of Children in Direct Provision: an Investigation by the Ombudsman's for Children's Office' (2021), available [here](#), accessed 25 Jan. 2026 [hereinafter "OCO Special Report 2023"].

<sup>51</sup> *Ibid.*

The 2020 [Programme for Government, Our Shared Future](#), included a commitment to replace direct provision with a new system based on a not-for-profit approach. A [White Paper](#) to end direct provision was published by the then Government in 2021. It recognised that direct provision “...has proven expensive, inefficient, and ill-equipped to respond to shifting trends in international migration. More worryingly, it failed to respect the dignity and human rights of individuals...”. The proposed new model was based on a human rights-based approach and was meant to encourage integration, whilst supporting applicants to live independently. It was intended that it would be implemented on a phased basis between 2021 and 2024. However, in [January 2023](#), then [Minister for Children, Equality, Disability, Integration and Youth Roderic O’Gorman](#) indicated that this would be very difficult given the impact of the Ukraine conflict. According to the Central Statistics Office (CSO), as of 03 June 2025, 113,917 PPSNs had been issued to beneficiaries of temporary protection from Ukraine.<sup>52</sup> The CSO estimated that, of these, 70% (80,031) had activity in administrative data after 31 March 2025.<sup>53</sup> The NIP states that the “[White Paper] initiative was overtaken by the sudden influx of arrivals of both asylum seekers and displaced people from Ukraine, as well as the country’s general accommodation crisis. This obliged the Government to seek emergency solutions”.<sup>54</sup> It further indicates that:

“The State is currently in a contingency phase in its reception capacity, with normal capacity having been reached, and is using a mixture of national accommodation reception centres, emergency commercial accommodation including hotels, hostels and B&Bs and military style tented accommodation for a number of single male applicants. Special Emergency Accommodation operated by private, for-profit companies is also used to accommodate many separated and unaccompanied children due to a shortage of places in regulated settings.”<sup>55</sup>

A new [Comprehensive Accommodation Strategy for International Protection Applicants](#) was published in 2024. It notes that the present reception accommodation system was designed to cope with approximately 3,000 – 4,000 arrivals per year.<sup>56</sup> In the Strategy:

“It is proposed to scale up to the 35,000 capacity through a blended model of State owned accommodation, commercial accommodation, and temporary commercial emergency accommodation. At its core, the delivery of State owned Reception and Integration Centres and Accommodation Centres will form an integral part of the new model and will look to deliver 14,000 state owned permanent beds. A reliance on commercial providers will also continue into the short and medium term.”<sup>57</sup>

---

<sup>52</sup> CSO, ‘Arrivals from Ukraine in Ireland Series 16’ (3 July 2025) available [here](#), accessed 25 Jan. 2026.

<sup>53</sup> CSO, ‘Arrivals from Ukraine in Ireland Series 16’ (3 July 2025) available [here](#), accessed 25 Jan. 2026.

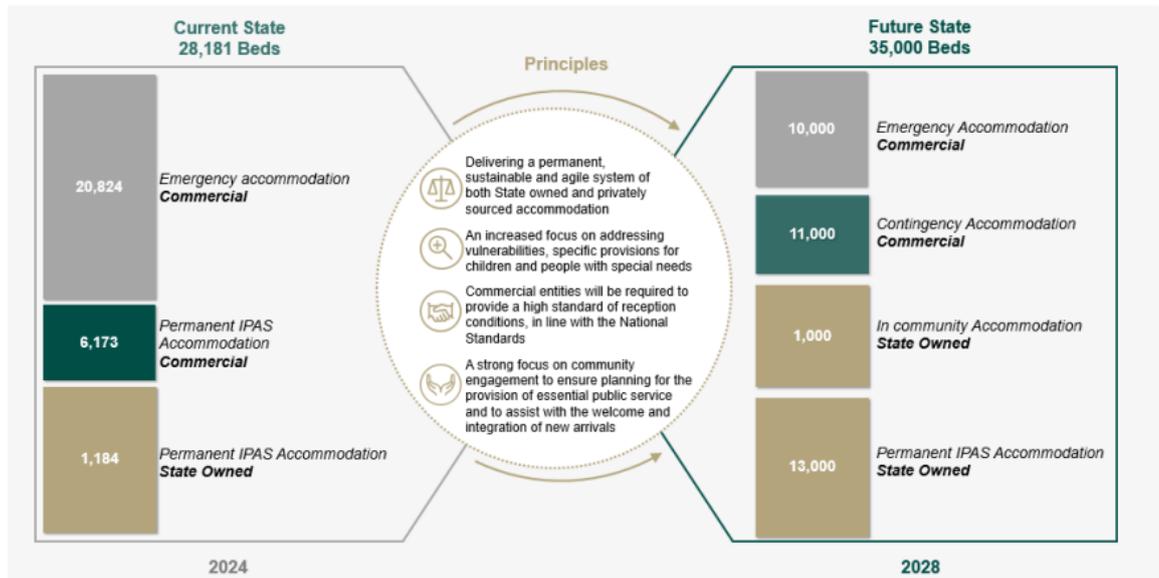
<sup>54</sup> NIP, p. 65.

<sup>55</sup> NIP, p. 65.

<sup>56</sup> ‘Comprehensive Accommodation Strategy for International Protection Applicants’ (2024) p. 1, available [here](#), accessed 25 Jan. 2026.

<sup>57</sup> ‘Comprehensive Accommodation Strategy for International Protection Applicants’ (2024) p. 4, available [here](#), accessed 25 Jan. 2026.

Figure 1: Current & Future International Protection Accommodation Portfolio Overview



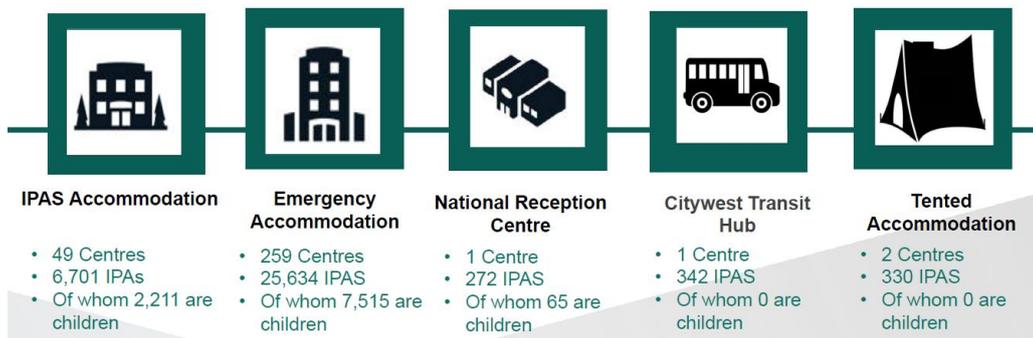
Source: DCEDIY Comprehensive Accommodation Strategy for IP Applicants (2024), p. 8

According to DJHAM, as of 11 January 2026, 33,279 applicants for international protection, including 9,791 children, were being accommodated in 312 centres, including 49 IPAS centres, 259 EACs, two tented accommodation centres, one national reception centre, and the Citywest transit hub.<sup>58</sup>

Figure 2: IPAS Accommodation Overview as of 11 January 2026

## Current IPAS Accommodation Overview

Total Centres 312 - Total IPAS 33,279 - Of whom Children 9,791



Source: DJHAM, 'IPAS Weekly Accommodation and Arrivals Statistics' (16 January 2025)<sup>59</sup>

<sup>58</sup> DJHAM, 'IPAS Weekly Accommodation and Arrivals Statistics' (16 January 2025) see [here](#), accessed 25 Jan. 2026.

<sup>59</sup> The Report indicates that the data is as at 11 January 2026 unless otherwise stated.

### Inspections of Accommodation Centres for International Protection Applicants

Since 2024, the Health Information and Quality Authority (HIQA) has conducted inspections of permanent IPAS centres pursuant to the [European Communities \(Reception Conditions\) \(Amendment\) Regulations 2023](#) (S.I. No. 649/2023). Inspections are conducted using the National Standards for accommodation offered to people in the protection process (the ‘National Standards’).<sup>60</sup> Forty-eight IPAS accommodation centres were inspected by HIQA in 2024, and 31 reports for IPAS accommodation centres were published in 2025.<sup>61</sup> HIQA does not conduct inspections of EACs as they are subject to separate contractual arrangements.<sup>62</sup> EACs can be inspected by IPAS and IPAS conducted 420 inspections of accommodation centres in 2025.<sup>63</sup> On 18 October 2023, the OCO published its first [Special Report](#) pursuant to [section 13\(7\)](#) of the *Ombudsman for Children Act 2002*.<sup>64</sup> It noted, amongst other things, that HIQA’s inspection mandate excluded EROCs and EACs as they were subject to separate contractual arrangements.<sup>65</sup> It indicated that the OCO could not be satisfied that a robust and adequately resourced quality assurance mechanism was in place, or would be put in place, for most children seeking international protection, which would be capable of monitoring complaints and child protection and welfare concerns.<sup>66</sup>

### Relevant Judgments

On 24 January 2023, IPAS announced that due to pressures on accommodation services, adult applicants for international protection could no longer be accommodated.<sup>67</sup> In April 2023, Mr. Justice Meenan ruled in the [High Court](#) that the failure by the Minister for Children, Equality, Disability, Integration and Youth to provide applicants with material reception conditions violates their right to human dignity under Article 1 of the Charter of Fundamental Rights (CFR). The applicant in the case had been given a supermarket voucher worth €28 and informed that accommodation would be provided once available. As a result, he was homeless for three weeks without State support. Justice Meenan held that “...even if accommodation facilities are overloaded alternative steps should be taken by the Minister which may include giving ‘financial allowances’ or referring persons, such as the applicant, to ‘bodies within the general public assistance system’ who will provide what the Minister does not.”<sup>68</sup>

---

<sup>60</sup> Re. the National Standards, see: 2019 Joint Committee Report, pp. 17-21, available [here](#), accessed 25 Jan. 2026.

<sup>61</sup> Dáil Éireann debate, ‘International Protection’ (13 Jan. 2026), available [here](#), accessed 25 Jan. 2026.

<sup>62</sup> OCO, ‘Special Report’ (2023), available [here](#), accessed 25 Jan. 2026.

<sup>63</sup> Dáil Éireann debate, ‘International Protection’ (13 Jan. 2026), available [here](#), accessed 25 Jan. 2026.

<sup>64</sup> S. 13(5) permits the Ombudsman to cause a special report to be laid before each House of the Oireachtas where inadequate measures are undertaken to implement her recommendations following an investigation under s. 13 (3).

<sup>65</sup> OCO, ‘Special Report’ (2023), available [here](#), accessed 25 Jan. 2026.

<sup>66</sup> *Ibid.*, p. 4.

<sup>67</sup> DOJ, ‘International Protection Modernisation Programme 2023-2024’ (2023) p. 15, available [here](#), accessed 25 Jan. 2026.

<sup>68</sup> IHREC, ‘Commission Welcomes Important Ruling in International Protection Case’ (21 April 2023) available [here](#), accessed 25 Jan. 2026. For the full judgment, see: *S.Y. v Minister for Children, Equality, Disability, Integration and Youth & ors* [2023] IEHC 187 available [here](#), accessed 25 Jan. 2026.

On 5 December 2023, the [Government advised](#) that it was unable to provide accommodation to all newly arrived asylum seekers due to a severe shortage of beds. It indicated that it would continue to prioritise housing families, and would provide unaccommodated applicants with tents, sleeping bags and drop-in day services, including hot showers, meals and laundry services, as well as a €75 top-up per week to the daily expenses allowance. In response, [IHREC, Amnesty International, the Irish Refugee Council and UNHCR \(the UN Refugee Agency\)](#) expressed concerns, including regarding the human rights implications of the announcement for applicants. On 1 August 2024, in proceedings initiated by the IHREC, against the State, Mr. Justice Barry O'Donnell in the High Court granted a declaration that:

“...[the State’s] failure to provide for the basic needs of newly arrived international protection applicants between 4 December 2023 and 10 May 2024, whether by way of the provision of accommodation, shelter, food and basic hygiene facilities or otherwise, is in breach of that class of persons rights pursuant to Article 1 of the Charter of Fundamental Rights of the European Union.”<sup>69</sup>

In a preliminary reference ruling on 1 August 2025, the Court of Justice of the EU (CJEU) responded to questions referred to it by the High Court arising from a case taken by two international protection applicants: an Afghan national and an Indian national. The CJEU’s findings are summarised below.<sup>70</sup>

- The CJEU found that Member States are required, under the [2013 recast Reception Conditions Directive](#), to guarantee IP applicants material reception conditions which ensure an adequate standard of living, whether through housing, financial aid, vouchers, or a combination thereof. Those conditions must cover basic needs, including appropriate accommodation, and safeguard the physical and mental health of the persons concerned.
- The CJEU found that a Member State which fails to cover the basic needs of an IP applicant who lacks means, even temporarily, is manifestly and gravely exceeding its discretion regarding the application of the [Directive](#), and this failure is capable of constituting a sufficiently serious infringement of EU law to trigger the Member State’s liability.
- The CJEU rejected a claim by the State that a situation of *force majeure* arising from the temporary exhaustion of the housing capacity normally available in Ireland for IP applicants, owing to a mass influx of third-country nationals following the invasion of Ukraine, could rule out the State’s liability for failing to provide material reception

---

<sup>69</sup> IHREC, ‘Commission welcomes significant judgment on the human rights of international protection applicants in landmark case’ (1 August 2024) available [here](#), accessed 25 Jan. 2026. For the full judgment, see: *Irish Human Rights and Equality Commission v Minister for Children, Equality, Disability, Integration and Youth & anor* [2024] IEHC 493, available [here](#), accessed 25 Jan. 2026.

<sup>70</sup> CJEU Press Release No 102/25 (1 August 2025) ‘Case C-97/24 | Minister for Children, Equality, Disability, Integration and Youth and Others’, available [here](#), accessed 25 Jan. 2026.

conditions covering the basic needs of applicants, as required under the Directive and in accordance with the State's obligation to respect human dignity under the CFR.

- The CJEU also determined that such an event cannot be pleaded by a State to relieve it of its obligation to provide compensation to the persons concerned as this interpretation would deprive the system of its practical effect and compromise the effective judicial protection of applicants.

### 2025 Programme for Government

The 2025 PfG incorporates commitments in relation to reception conditions, including to:

1. Require IP applicants to contribute towards their accommodation costs.
2. Withdraw supports where applicants have failed to comply with the IP process, committed a serious breach of house rules or engaged in serious criminal behaviour.
3. Ensure applicants who have received a final negative decision are no longer entitled to Material Reception Conditions.
4. Further reduce the use of hotels for housing asylum seekers and utilise State lands to develop appropriate State-owned facilities.
5. Give greater lead-in time to the opening of new facilities, allowing for enhanced and effective local communication, and development of integration.
6. Ensure meaningful consultation with local communities and plan more effectively for delivery of increased public services.
7. Expand the Community Engagement Team to provide for detailed discussions with communities.<sup>71</sup>

### Data on IP Applications, Processing Times, Decisions and Deportations

According to the IPO, there were 13,162 international protection applications submitted in 2025, as compared with 18,852 applications in 2024,<sup>72</sup> 13,277 applications in 2023, and 13,649 in 2022.<sup>73</sup> In response to a parliamentary question (PQ) on 26 November 2025, the Minister advised that 87.58% of all international applications between 1 January and 21 November 2025 were made with the IPO, 11.77% were made at airports, 0.27% were made at ports, and 0.37% were recorded as 'other'.<sup>74</sup> Figure 3 below outlines the top five countries in terms of the nationality of international protection applicants in 2024 and 2025 respectively.

---

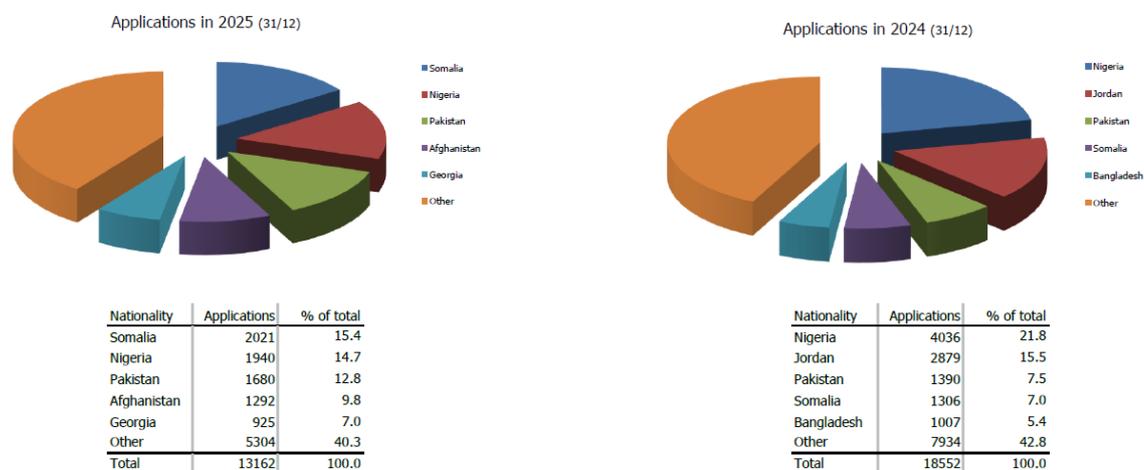
<sup>71</sup> PfG (2025) pp. 125-126, available [here](#), accessed 11 January 2026.

<sup>72</sup> This represented a 29.1% decrease in applications received in 2025 as compared with 2024. See: IPO, 'December 2025' statistics, available [here](#), accessed 22 Jan. 2026.

<sup>73</sup> IPO, 'December 2025' and 'December 2023' statistics, available [here](#) and [here](#), accessed 22 Jan. 2026.

<sup>74</sup> Dáil Éireann debate, 'International Protection' (26 Nov. 2025) available [here](#), accessed 22. Jan 2026.

Figure 3: Top five countries in terms of the nationality of IP applicants in 2024 and 2025



Source: IPO 2026

In 2025, the IPO delivered over 20,200 first instance decisions, compared to approximately 14,100 in 2024 and over 8,500 in 2023.<sup>75</sup> In 2025, IPAT issued decisions in nearly 6,300 appeals, as compared with approximately 3,100 in 2024 and approximately 1,700 in 2023.<sup>76</sup> In 2025, the median processing time for IPO first instance decisions was 14 months (four months for accelerated cases and 16 months for standard cases).<sup>77</sup> In 2025, the median processing time for appeals at IPAT was 12.5 months.<sup>78</sup>

Table 2: Outcome of first instance decisions on IP applications from 1 Jan. to 6 Oct. 2025

Outcome Type	No. with this Outcome	% of all Outcomes
Refusal	11,806	77%
Refugee Status Grant	2,284	15%
Subsidiary Protection Grant	276	2%
Permission to Remain Grant	222	1%
Withdrawal	419	3%
Inadmissible	325	2%
Total Outcomes	15,332	100%

Source: Dáil Éireann Debate, 9 October 2025<sup>79</sup>

<sup>75</sup> Dáil Éireann debate, 'International Protection' (13 Jan. 2026) available [here](#); Dáil Éireann debate, 'International Protection' (18 Dec. 2025) available [here](#), both accessed 22. Jan 2026. The latter indicates that figures are correct at time of issue and may be subject to data cleansing.

<sup>76</sup> Ibid.

<sup>77</sup> Dáil Éireann debate, 'International Protection' (13 Jan. 2026) available [here](#), accessed 22. Jan 2026.

<sup>78</sup> Dáil Éireann debate, 'International Protection' (13 Jan. 2026) available [here](#). The Minister has provided median processing times for: IP applications by Quarter from Q1 2020 to 12 Dec. 2025; IP applications under the accelerated procedure by Quarter from Q4 2022 to 12 Dec. 2025; and appeals to IPAT by Quarter from Q1 2020 to Q3 2025. See: Dáil Éireann debate, 'International Protection' (18 Dec. 2025) [here](#) [all accessed 22. Jan 2026].

<sup>79</sup> The source indicates that figures are correct at time of issue but may be subject to data cleansing.

In response to a PQ on 9 October 2025, the Minister indicated that, as of 21 September 2025, 74% of all IPO recommendations/decisions over the preceding 6-month period had resulted in an appeal to IPAT, as compared with a conversion rate of 56% in August 2024.<sup>80</sup>

Table 3: Appeal Decisions issued by IPAT from 1 Jan. to 28 Sept. 2025

Appeal Decision Type	No. with this Outcome	% of all Outcomes
Granted/Set Aside - Refugee Status (RS)	884	26%
Granted/Set Aside - Subsidiary Protection (SP)	87	3%
Refused/Affirmed – RS and SP	2,363	71%
Grand Total	3,334	100%

Source: [Dáil Éireann Debate, 9 October 2025](#)

The NIP attributes the decrease in the processing times to a number of factors, including an increase in staffing levels, the new accelerated procedure (explained above) and digital innovations.<sup>81</sup> Some civil society organisations have raised concerns that revised procedures aimed at enhancing efficiency, such as the requirement to complete the personal questionnaire on the same day as an IP application is lodged and the move to digitisation, could have negative human rights implications, particularly for vulnerable applicants.<sup>82</sup> In response to a PQ on 20 January 2026, the Minister indicated that 4,700 deportation orders were signed in 2025, as compared with 2,403 in 2024 and 857 in 2023.<sup>83</sup> He advised that in 2025, 2,111 people departed the State through mechanisms including voluntary returns and enforced deportation, as compared with 1,122 people in 2024 and 317 in 2023.<sup>84</sup> In 2025, six charter flight operations removed 205 people from the State, of whom 182 were individuals subject to deportation orders and 23 were EU citizens removed on grounds of criminality.<sup>85</sup>

<sup>80</sup> Dáil Éireann debate, 'Refugee Resettlement Programme' (9 Oct. 2025) available [here](#), accessed 22. Jan 2026.

<sup>81</sup> See, e.g., NIP, pp. 13 and 125.

<sup>82</sup> See previous discussion regarding the questionnaire, and discussion of s. 4 of the Bill below regarding digitisation.

<sup>83</sup> Dáil Éireann debate, 'International Protection' (20. Jan. 2026) available [here](#), accessed 22. Jan 2026.

<sup>84</sup> Dáil Éireann debate, 'International Protection' (20. Jan. 2026) available [here](#), accessed 22. Jan 2026.

<sup>85</sup> Dáil Éireann debate, 'International Protection' (20. Jan. 2026) available [here](#), accessed 22. Jan 2026.

## Overview of the EU Migration and Asylum Pact (the 'Pact')

The Pact is comprised of ten core legislative acts, as set out in Table 4 below.

Table 4: The Pact's Ten Core Legislative Acts

Title	Core Purpose	Date Act Applies	Ireland Opted-in?
<b>Asylum and Migration Management Regulation (AMMR)</b>	Replace Dublin III Regulation and establish a new solidarity mechanism between Member States.	1 July 2026	Yes
<b>Asylum Procedure Regulation (APR)</b>	Establish a common EU-wide procedure for deciding on asylum applications.	12 June 2026	Yes
<b>Eurodac Regulation</b>	Provide for the collection of additional biometric data from asylum seekers, including fingerprints from children aged six and above, and the creation of an asylum and migration database.	12 June 2026	Yes
<b>Crisis and Force Majeure Regulation</b>	Permit Member States to obtain derogations (temporary exemptions) from certain asylum obligations if they are in a crisis situation.	1 July 2026	Yes
<b>Qualification Regulation</b>	Provide for rights and obligations of beneficiaries of international protection.	1 July 2026	Yes
<b>2024 Reception Conditions Directive (Recast)</b>	Harmonise reception conditions across the EU territory and require Member States to develop a contingency plan in case they receive a disproportionate number of arrivals.	12 June 2026	Yes
<b>Resettlement Framework Regulation</b>	Enhance safe and legal pathways to the EU for asylum seekers and strengthen international partnerships with non-EU countries hosting large refugee populations.	June 2024	Yes
<b>Regulation creating EU Agency for Asylum</b>	Establish the EU Agency for Asylum (EUAA) to help Member States in applying EU asylum laws.	19 Jan 2022	Yes
<b>Return Border Procedure Regulation</b>	Establish a common return border procedure for returning unsuccessful applicants.	12 June 2026	No
<b>Screening Regulation</b>	Provide for uniform identity, health, vulnerability and security screening checks for certain categories of non-EU nationals.	12 June 2026	No

\* Source – L&RS. Colour code: Yellow = leg. required by application date; Green = Act already applies; Red = Ireland has not opted-in, but national legislation will be aligned with Act, as far as possible

In accordance with **Protocol 21** to the TFEU, Ireland may decide whether or not to opt-in to proposed EU legislative measures in the area of freedom, security and justice (which includes migration). Under Article 29.4.7° of the **1937 Constitution of Ireland**, the exercise of this opt-in power requires the approval of both Houses of the Oireachtas. In 2024, Ireland opted-in to all of the legislative acts comprising the Pact apart from the Return Border Procedure

Regulation and Screening Regulation.<sup>86</sup> Ireland cannot opt-in to these Regulations because they are Schengen measures and Ireland is not part of the Schengen area.<sup>87</sup> Nevertheless, the Government has undertaken to align national law with these measures insofar as is possible. The Bill is intended to enable the domestic implementation of the Pact's provisions by the relevant implementation deadline, which for most instruments is 12 June 2026.<sup>88</sup>

The Pact attracted mixed reactions at the domestic and international levels. Several human rights NGOs and refugee advocacy groups expressed concerns that it dilutes safeguards aimed at protecting fundamental rights and procedural guarantees for asylum seekers and is unlikely to achieve two of its core objectives, namely, reducing the disproportionate burden currently placed on frontline EU Member States and disincentivising secondary movements of asylum seekers across the EU territory.<sup>89</sup> Representatives of UNHCR stressed the importance of ensuring that the Pact is implemented with sufficient safeguards to ensure respect for human rights and in a "protection-sensitive" manner.<sup>90</sup> In April 2024, the then Irish Government indicated its belief that the Pact "produces a fair, sustainable and efficient asylum procedure in full compliance with fundamental rights".<sup>91</sup>

### National Implementation Plan and Preparation for the Pact

On 25 March 2025, the Government approved the submission of Ireland's **National Implementation Plan** for the Pact (NIP) to the European Commission.<sup>92</sup> The NIP sets out the State's proposed approach to implementing the legislative, technological and structural changes required to give effect to the Pact by the deadlines set out in Table 4. It identifies key deliverables, including:

"...new legislation and policies; efficient end-to-end processes; integrated IT systems; additional security measures; a new future operating model; dedicated infrastructure for processing and accommodation for applicants and appellants (including those pending repatriation)".<sup>93</sup>

The NIP is supplemented by a **brief** which summarises the key thematic areas covered in the Plan. According to the NIP, as part of the transition process, the IPO tripled, and IPAT doubled, their resources between 2022 and the end of 2024.<sup>94</sup>

---

<sup>86</sup> See [here](#), [here](#), [here](#) and [here](#) for relevant debates in Dáil Éireann concerning the motion to opt-in (18, 19, 25 and 26 June 2024) accessed 11 Jan. 2026.

<sup>87</sup> There are no internal border controls within the Schengen Area, which is comprised of the EU Member States, apart from Ireland and Cyprus, as well as Iceland, Norway, Switzerland and Liechtenstein.

<sup>88</sup> The Regulation creating the EU Agency for Asylum (EUAA) and the Resettlement Framework Regulation are already in effect; however, the Bill proposes to implement measures to give them further effect.

<sup>89</sup> See, e.g., Joint Committee on Justice debate (30 Apr 2024) available [here](#), accessed 11 Jan. 2026.

<sup>90</sup> Joint Committee on Justice debate (30 Apr 2024) available [here](#), accessed 11 Jan. 2026.

<sup>91</sup> Joint Committee on Justice debate (23 April 2024) available [here](#), accessed 12 Jan. 2026.

<sup>92</sup> DJHAM, 'Minister O'Callaghan receives government approval for the EU Asylum & Migration Pact National Implementation Plan' (Press Release, 25 March 2025, updated 12 April 2025) available [here](#), accessed 11 Jan. 2026.

<sup>93</sup> NIP, p. 12.

<sup>94</sup> NIP, p. 31.

In an answer to a Parliamentary Question on 13 November 2025, the Minister advised that, as of 9 October 2025, the IPO had 614 staff, an increase of 190 per cent since 2022, and 241 contracted case processing panel members. He also advised that IPAT's budget had increased by 95% since 2023, whilst its administrative staff had increased from 37, as of 1 January 2023, to 87, as of 9 October 2025. He indicated that, following new appointments on 9 October 2025, IPAT's whole-time members had increased from 3 to 8, whilst its part-time members had increased from 88 to 134. He also advised that the Department's International Protection and Integration Division, which provides accommodation in over 320 centres countrywide, had also increased its staff members in recent years in response to an increasing demand for services.

In an answer to a Parliamentary Question on 18 December 2025, the Minister advised that DJHAM had introduced the first phase of a gradual transition to a new accelerated, end-to-end process for international protection applicants, which mirrors elements of the future border procedure and screening measures to be introduced under the Pact, while still adhering to the 2015 Act. He indicated that this first transition phase had focused on accelerating the processing of applicants from three designated safe countries of origin: Georgia, India and Brazil. He advised that during the initial three months of the transition phase, 366 applicants were processed under the shorter timelines provided for under the border procedure. He advised that the second transition phase launched on 8 October 2025 and involved the addition of the remaining 12 designated safe countries of origin.

### General Scheme and Regulatory Impact Assessment

On 29 April 2025, Minister O'Callaghan secured Cabinet approval to publish the **General Scheme** of the International Protection Bill 2025 (the 'General Scheme').<sup>95</sup> In May 2025, the Minister forwarded the General Scheme to the Joint Committee on Justice, Home Affairs and Migration (the 'Committee') to perform pre-legislative scrutiny (PLS). The Committee published its **PLS Report**, which contains 92 recommendations, in December 2025.

The Department did not publish a separate document entitled 'Regulatory Impact Assessment' for the Bill. In email correspondence with the L&RS on 21 January 2026, a departmental official advised:

“As regards Regulatory Impact Assessment, the regulatory impacts of the Pact measures have been described in the National Implementation Plan submitted to the European Commission in March 2025 and subsequently published. The Bill gives effect to EU Regulations and a Directive which Ireland is obliged to implement.”

---

<sup>95</sup> DJHAM, 'Minister Jim O'Callaghan secures Cabinet approval for publication of the General Scheme of the International Protection Bill 2025' (Press Release, 29 April 2025) available [here](#), accessed 11 January 2026.

## Legislative proposal

The [International Protection Bill 2026](#) contains 234 sections (15 Parts) and two Schedules, as outlined below:

- **Part 1: Preliminary and General**
  - Preliminary and General (ss. 1-6)
  - Designation of Determining Authority, conduct of examinations and application of certain concepts (first country of asylum, safe third country, and safe country of origin) (ss. 7-13)
- **Part 2: Eurodac and Screening**
  - **Ch. 1 Eurodac** - taking, transmission and management of data; designated person; offence of processing data in Eurodac contrary to Art. 1 (ss. 14-19)
  - **Ch. 2 Screening** - designation of screening centre, obligations and search of applicant, arrest and detention, information for applicant and screening form, preliminary health and preliminary vulnerability assessments, guarantees for minors, role of cultural mediator, and termination of screening (ss. 20-33)
- **Part 3: Application for International Protection**
  - Making, registration and lodgement of application (ss. 34-39)
  - Appointment of representatives for unaccompanied minors (ss. 40-50)
  - Age assessments (ss. 51-60)
  - Consequences of making application (ss. 61-65)
  - Withdrawal of application (ss. 66-67) and subsequent application (s. 68)
- **Part 4: Asylum and Migration Management**
  - Preliminary and General (ss. 69-72)
  - Determination of Member State responsible (ss. 73-77)
  - Transfers (ss. 78-87)
  - Procedures where State is Member State responsible (ss. 88-89)
- **Part 5: Examination of Applications for International Protection**
  - Medical examination for indications of past persecution or serious harm (s. 90)
  - Examination procedure (ss. 91-92) and Personal Interviews (ss. 93-97)
  - Decisions on applications (ss. 98-114)
  - Special procedures (accelerated examination procedure) (ss. 115-116)
  - Asylum Border Procedure (ss. 117-127)
- **Part 6: Appeals to Tribunal**
  - Definitions, appeals, examination, oral hearings, decisions, duration of appeals, withdrawal and deemed withdrawal of appeals, right to remain pending appeal and effect of judicial review on right to remain (ss. 128-140)
- **Part 7: Content of International Protection** (ss. 141-150)
- **Part 8: Voluntary Return and Withdrawal of International Protection** (ss. 151-153)
- **Part 9: Returns**
  - **Return decisions** – inadmissible, unfounded, withdrawn applications; entry ban notice; first country of asylum or safe third country return decision, requirements on subjects of decisions, arrest and detention (ss. 154-163)

- **Return border procedure** – requirements on subjects of procedure, designated centre, refusal of authorisation to enter state, arrest and detention, and cessation of return border procedure (ss. 164-169)
- **Miscellaneous** – power to enter premises, issue of travel documents, review of detention under Part 9 (ss. 170-172)
- **Part 10: Humanitarian Admission Framework, Programme Refugees, Temporary Protection and Crisis and Force Majeure** (ss. 173-174)
- **Part 11: Tribunal**
  - Definitions (s. 175) and Establishment (ss. 176-177)
  - Tribunal: functions, composition, Chief Appeals Officer, appeals officers, staff and Director of Tribunal (ss. 178-188)
  - Reporting (ss. 189-191)
- **Part 12: Chief Inspector of Asylum Border Procedures**
  - Definitions (s. 192) and establishment (ss. 193-194)
  - Appointment, functions and staff (ss. 195-200)
  - Governance and accountability – establishment, role and membership of Advisory Board; Annual Report of Chief Inspector and accountability to Oireachtas Committees (ss. 201-206)
  - Complaints and inspections of designated asylum border facilities, recording and handling of complaints, formal investigation (ss. 207-210)
  - Misc. - offences under Part 12 and unauthorised disclosures (ss. 210-212)
- **Part 13: Miscellaneous Provisions**
  - Contracts for services (s. 213)
  - Prohibition on publication or broadcast of certain information (s. 214)
  - Designation of safe countries of origin and safe third countries (ss. 215-216)
  - Prioritisation of appeals and requests to remain (s. 217)
  - Contingency Plan (s. 218)
- **Part 14: Transitional Provisions**
  - Application of 2026 Act to certain applications (s. 219)
  - Transitional provisions relating to repeals under s. 5 (s. 220)
  - Amendment of certain provisions of 2015 Act (ss. 221, 224-226)
  - Continued application and effect of 2015 Act (s. 222)
  - Internal protection (s. 223)
- **Part 15: Amendments to Other Acts of Oireachtas (ss. 227-234)**

**Schedules 1 and 2**, for convenience of reference, set out the text of **the 1951 Refugee Convention** and the text of **the 1967 Protocol** respectively. These two treaties are referred to collectively in the Bill as the Geneva Convention (see section 2, Interpretation).

## Principal Provisions of the Bill

This part of the *Digest* examines some the provisions of the Bill concerning commencement, repeals, transitional arrangements, expenses and the service of documents. It also discusses some of the areas where the Minister proposes to bring forward amendments at Committee

Stage. The principal provisions of the Bill are examined in the more detail in the following supplementary L&RS *Briefing Papers*:

- **‘International Protection Bill 2026 – New procedures for international protection applications’**. This Policy and Legislative *Briefing Paper* provides an overview of the primary procedural changes proposed by the Bill. It also provides a review of the new international protection application system, from the point of application to the reformed international protection appeals system.
- **‘International Protection Bill 2026 – Independent Monitoring Mechanism, Unaccompanied Minors, Age Assessments, Collection of Biometric Data for Eurodac, and Other Select Elements of the Bill with Human Rights Implications’**. This Policy and Legislative *Briefing Paper* examines some of the key areas where concerns were raised regarding the potential human rights implications of the Bill, including for international protection applicants who are unaccompanied minors.

### Commencement, Secondary Legislation, Repeals and Transitional Provisions

**Section 1** of the Bill provides that the Bill, if enacted, will come into operation by way of Ministerial order or orders. It allows for different Parts of the Bill, and different provisions of these Parts, to be commenced on different days and at particular times on such days. Section 1 also provides for the repeal by way of Ministerial order or orders of different enactments, or provisions of enactments, effected by section 5 of the Bill. As explained in the NIP, statutory instruments made under the 2015 Act will need to be revoked with transitional arrangements to ensure that they continue to apply in respect of international protection applications submitted before the Bill, if enacted, becomes applicable.<sup>96</sup>

**Section 5** of the Bill provides for the repeal of the following provisions of the 2015 Act:

- Part 2 (Qualification for International Protection, ss. 7-12)
- section 15 (application for international protection)
- section 22 (subsequent application)
- section 29 (international protection needs arising sur place<sup>97</sup>)
- section 30 (actors of persecution or serious harm)
- section 31 (actors of protection)
- section 52 (revocation of refugee declaration or subsidiary protection declaration)
- section 59 (programme refugees)
- Part 8 (Content of International Protection, ss. 53-58)

**Section 3** of the Bill permits the Minister to make regulations providing for any matter referred to in the Bill as prescribed or to be prescribed. As indicated in the NIP, supplementary

---

<sup>96</sup> NIP, p. 38, available [here](#), accessed 22 January 2026.

<sup>97</sup> Sur place international protection needs are needs that arise after the person seeking protection leaves their country of nationality or habitual residence.

statutory instruments will be required to enable the implementation of the Pact's instruments at the domestic level by the relevant implementation deadlines, as outlined above.

**Part 14** of the Bill contains transitional provisions. If the Bill is enacted, the 2015 Act will continue to apply to applications for international protection lodged before 12 June 2026 and, the Bill's provisions will apply in respect of applications lodged from 12 June 2026. According to the NIP, with a view to facilitating the co-existence of both processes during the transitional period, the State is committed to reducing cases in the current asylum process to less than 10,000 by 12 June 2026.<sup>98</sup> The NIP also indicates that IPAT will be wound down from 12 June 2026 onwards, as the legacy caseload diminishes. It indicates that “[s]taff will then be redeployed based on the need to appropriately balance the resourcing of the new systems to process at speed while continuing to clear legacy cases at an appropriate pace”.<sup>99</sup>

### Expenses

According to **section 6** of the Bill, the expenses incurred by the Minister in the administration of the Bill, if enacted, shall, subject to the sanction of the Minister for Public Expenditure, Infrastructure, Public Service Reform and Digitalisation, be paid out of moneys provided by the Oireachtas. To help implement the Pact, Ireland is receiving **€66.9 million** in EU funding for the 2021-2027 period, comprised of €45.1 million from the Asylum, Migration and Integration Fund (AMIF) and €21.8 million from the Internal Security Fund (ISF).<sup>100</sup> Ireland also received technical support **under the Technical Support Instrument** to assist with preparing the NIP.<sup>101</sup> Part 6 of the NIP provides relevant information concerning costing and procurement in relation to the implementation of the Pact.

### Service of Documents and Digitisation

As explained in the **Explanatory Memorandum**, **section 4** of the Bill “...provides for the service of notices or other documents under this Bill and includes provisions for service by electronic means.” In the NIP, the Government attributes the recent reduction in median processing times for applications in part to digital innovations, including the creation of over 20,000 electronic case files and the introduction of a new online digital portal where applicants can create accounts and receive documentation regarding their cases.<sup>102</sup> Applications are now submitted using digital devices at the IPO, with the assistance of IPO staff, if necessary.<sup>103</sup> The IPO also introduced online interviews on a trial basis in August 2024.<sup>104</sup> According to the NIP,

---

<sup>98</sup> NIP, p. 124.

<sup>99</sup> NIP, p. 49.

<sup>100</sup> European Commission, ‘Ireland will participate in the EU Pact on Migration and Asylum’ (31 July 2024) available [here](#), accessed 25 Jan. 2026.

<sup>101</sup> European Commission Rep. in Ireland, ‘Ireland to receive technical support for the preparation of the National Implementation Plans for the Pact on Migration and Asylum’ (1 August 2024) available [here](#), accessed 25 Jan. 2026.

<sup>102</sup> See, e.g., NIP, p. 14.

<sup>103</sup> IPO, ‘What’s New’, available [here](#), accessed 23 Jan. 2026.

<sup>104</sup> IPO, ‘What’s New’, available [here](#), accessed 23 Jan. 2026.

these digital innovations will also assist with the delivery of the Pact's requirements.<sup>105</sup> At the same time, during the PLS process some stakeholders cautioned that whilst digital access can have advantages, it also has limitations. They asserted that it presumes digital literacy, may not necessarily facilitate the right to reasonable accommodations for applicants with disabilities, may present practical challenges for applicants in precarious living situations such as accessing the internet, and may be inappropriate for certain vulnerable applicants.<sup>106</sup>

### Family Reunification

Currently, family reunification is provided for under [section 56 of the 2015 Act](#). It allows people granted international protection status to apply for certain family members to join them in the State, provided that certain criteria are satisfied. On 26 November 2025, a revised [Family Reunification Policy](#) was published and the Minister announced proposed reforms to existing family reunification policies, which he indicated had been developed with the Minister of State with special responsibility for Migration, Colm Brophy TD.<sup>107</sup> The reforms include proposed legislative changes to ensure that family reunification for individuals with international protection status will only be granted where the applicant has sufficient resources to support family members. They also propose that an applicant will be ineligible to apply for family reunification if they are in receipt of certain social welfare payments within three years of the granting of their protection or owe a debt to the State.<sup>108</sup>

The Bill, as initiated, omits substantive provisions concerning family reunification. The DJHAM press release announcing cabinet approval to publish the Bill (the '13 January 2026 DJHAM Press Release') advises the following regarding family reunification:

"The Minister and the Attorney General are developing provisions for inclusion in the Bill to give effect to the proposals, approved by Government on 26 November 2025, that adults who are beneficiaries of international protection will not be entitled to seek family reunification for a period of three years following their grant of international protection.

They must also demonstrate that they are financially self-sufficient. This will be assessed by reference to appropriate income thresholds to be prescribed by the Minister. They will also have to show financial self-sufficiency and not be in receipt of certain social welfare payments or owe money relating to International Protection Accommodation Services (IPAS) payments."<sup>109</sup>

---

<sup>105</sup> See, e.g., NIP, p. 125.

<sup>106</sup> See, e.g., submissions by [IHREC](#), the [Civil Society Coalition](#), and [Nasc](#), accessed 23 January 2026.

<sup>107</sup> DJHAM, 'Minister Jim O'Callaghan receives government approval to strengthen migration legislation and introduce new rules on asylum and citizenship & Minister Jim O'Callaghan and Minister Colm Brophy publishes Family Reunification Review' (26 Nov. 2025, updated 8 Dec. 2025) available [here](#), accessed 25 Jan. 2026.

<sup>108</sup> DJHAM, 'Minister Jim O'Callaghan receives government approval to strengthen migration legislation and introduce new rules on asylum and citizenship & Minister Jim O'Callaghan and Minister Colm Brophy publishes Family Reunification Review' (26 Nov. 2025, updated 8 Dec. 2025) available [here](#), accessed 25 Jan. 2026.

<sup>109</sup> DJHAM, 'Minister Jim O'Callaghan publishes International Protection Bill 2026' (13 January 2026) available [here](#), accessed 21 January 2026.

The Government has indicated that the proposals are intended to align the State more closely with certain EU Member States, without identifying the other Member States concerned.<sup>110</sup> A number of opposition parties have described the proposals as “deeply troubling”.<sup>111</sup> The CEO of the Irish Refugee Council, Nick Henderson, described the proposals as cruel.<sup>112</sup> Nasc expressed “deep concern” and noted that the right to respect for family life is protected under domestic and international law.<sup>113</sup>

### Material Reception Conditions

The 13 January 2026 DJHAM Press Release indicates that the Minister also proposes to bring forward amendments at Committee Stage to address material reception conditions, restrictions of movement, detention, special reception needs and labour market access, as required by the [2024 Reception Conditions Directive](#) (Recast).<sup>114</sup> As noted above, Ireland has opted-in to this Directive, which will replace the 2013 recast Reception Conditions Directive.

During the PLS process, several stakeholders, for example, The Bar of Ireland, IHREC, Tusla and UNHCR, highlighted the absence of substantive information in the General Scheme regarding how the State intends to transpose the 2024 Reception Conditions Directive (Recast) and give effect to its obligations thereunder.<sup>115</sup> For example, Tusla called for more clarity regarding the provision of accommodation to meet the material reception needs of UAMs.<sup>116</sup> Some stakeholders noted that, under the General Scheme, the General Inspector is not explicitly made responsible for monitoring the provision of reception conditions. This is still the case under the Bill, as initiated. Some stakeholders highlighted existing problems with the provision of reception conditions in the State, as discussed previously. In its submission, the [Civil Society Coalition](#) recommended that HIQA continue to be mandated to inspect accommodation centres against the National Standards. Based on past experience, Safetynet Primary Care recommended the inclusion of formal mechanisms in the legislation enabling accommodation staff to raise concerns about residents’ medical needs before residents are transferred at short notice to other accommodation centres.<sup>117</sup>

---

<sup>110</sup> DJHAM, ‘Minister Jim O’Callaghan receives government approval to strengthen migration legislation and introduce new rules on asylum and citizenship & Minister Jim O’Callaghan and Minister Colm Brophy publishes Family Reunification Review’ (26 Nov. 2025, updated 8 Dec. 2025) available [here](#), accessed 25 Jan. 2026.

<sup>111</sup> Sandra Hurley and Harry Manning, ‘Proposed family reunification changes ‘troubling’, says Opposition’ (*RTÉ News*, 13 Jan. 2026) available [here](#), accessed 25 Jan. 2026.

<sup>112</sup> Irish Legal News, ‘Landmark asylum law reform proposals published’ (14 Jan. 2026) available [here](#), accessed 25 Jan. 2026.

<sup>113</sup> Doras, ‘Civil society coalition slams new International Protection Bill published today’ (22 Jan. 2026) available [here](#), accessed 25 Jan. 2026.

<sup>114</sup> DJHAM, ‘Minister Jim O’Callaghan publishes International Protection Bill 2026’ (13 January 2026) available [here](#), accessed 21 January 2026.

<sup>115</sup> ‘Transcripts of the PLS hearings concerning the General Scheme of the International Protection Bill held on 14 October 2025 and 21 October 2025’, available [here](#) and [here](#), accessed 25 January 2026.

<sup>116</sup> ‘Transcript of the PLS hearing concerning the General Scheme of the International Protection Bill held on 14 October 2025’, available [here](#), accessed 25 January 2026.

<sup>117</sup> ‘Transcript of the PLS hearing concerning the General Scheme of the International Protection Bill held on 21 October 2025’, available [here](#), accessed 25 January 2026.

Article 23(2) of the 2024 Reception Conditions Directive (Recast) provides for new circumstances in which the State can reduce reception conditions, provided that it is justified and proportionate. It also allows for a withdrawal of reception conditions where an individual has seriously or repeatedly breached the rules of an accommodation centre or behaved in a violent or threatening manner in the centre. The [Civil Society Coalition](#) stressed the need for provision to ensure that any decision to withdraw or reduce reception conditions be objective, impartial, reasoned and proportionate. It also called for applicants to have a right of access to an effective mechanism to appeal any such decision and for any such decision to have suspensive effect whilst the appeal is ongoing. In their submission as part of the PLS process, [Safetynet Primary Care](#) expressed concern that currently, when someone is issued with a Deportation Order, they are no longer entitled to use their Medical Card or use the generic Medical Card for prescribing medication for IP applicants. Safetynet Primary Care explained that this results in some affected persons being unable to get their medication, which can include lifesaving medication such as insulin.

### **Other matters to be dealt with by Committee Stage Amendments**

The 13 January 2026 DJHAM Press Release also indicates that the Minister proposes to bring forward amendments at Committee Stage to address legal counselling, legal advice and legal aid, and matters relating to data sharing.<sup>118</sup> Several relevant stakeholders expressed significant concerns regarding the absence of a clear definition for legal counselling in the General Scheme during the PLS process.<sup>119</sup> For example, during the PLS hearing on 21 October 2025, Patricia Brazil, representing The Bar of Ireland, stated:

“We strongly urge that only practitioners recognised under Irish law may advise or represent applicants at every stage, from screening to appeal, and that existing restrictions on legal practitioner participation be removed in line with international obligations.”<sup>120</sup>

---

<sup>118</sup> DJHAM, ‘Minister Jim O’Callaghan publishes International Protection Bill 2026’ (13 January 2026) available [here](#), accessed 21 January 2026.

<sup>119</sup> See, e.g., ‘Transcript of the PLS hearing concerning the General Scheme of the International Protection Bill held on 21 October 2025’, available [here](#), accessed 25 January 2026.

<sup>120</sup> ‘Transcript of the PLS hearing concerning the General Scheme of the International Protection Bill held on 21 October 2025’, available [here](#), accessed 25 January 2026.

## Pre-legislative Scrutiny (PLS)

The Joint Committee on Justice, Home Affairs and Migration (the ‘Committee’) undertook pre-legislative scrutiny (PLS) of the General Scheme of the Bill. On 14 October and 21 October 2025, the Committee convened public hearings with representatives of the following stakeholders: Doras, Tusla, IHREC, the OCO, Children's Rights Alliance (CRA), UNHCR, Safetynet Primary Care, Nasc, The Bar of Ireland, and the Irish Refugee Council. The Committee also received written submissions from these stakeholders, as well as David Leonard BL, the Law Society of Ireland, and the Irish Red Cross.<sup>121</sup> Representatives of the Department were present at the public hearings to provide clarification on issues raised by Committee members (see [here](#) and [here](#) for transcripts of the hearings).

The Committee published their [PLS Report](#) in December 2025, which included 92 recommendations. It notes that the following key issues were highlighted in multiple submissions received: (i) detention, (ii) legal counselling and legal representation, (iii) appeals, (iv) unaccompanied minors, and (v) conduct of age assessments. Whilst welcoming certain aspects of the legislative proposals, the Committee raised concerns regarding:

- the failure of the General Scheme to recognise the unique challenges arising from Ireland’s participation in the Common Travel Area with Britain;
- significant gaps in the General Scheme, such as the placeholder Heads for Legal Counselling, Age Assessments and Alternatives to Detention;
- the provisions around reception and detention of international protection applicants, the conduct of age assessments, and the independence of the Chief Inspector;
- the ability of the State to meet its commitments under the Pact and the potential for infringements proceedings and hefty fines if it fails to do so; and
- the impact of the proposed legislation on the Civil Legal Aid Scheme and Tusla.

## Table of PLS recommendations

This section seeks to assess the extent to which the Committee’s recommendations have been addressed in the Bill, as presented for Second Stage. To do this, a traffic light system is used by the L&RS, indicating whether a key issue is accepted and reflected in the Bill, whether a consistent or unclear approach is used, whether the recommendation has not been accepted or is not reflected in the Bill. Where relevant, an additional categorisation is used for recommendations that were not implemented in the Bill, but where additional considerations are present. This traffic light approach represents the L&RS’s own, independent analysis of the Bill, and a key to this dashboard is shown in below.

---

<sup>121</sup> Joint Committee on Justice, Home Affairs and Migration, Report on Pre-Legislative Scrutiny of the General Scheme of the International Protection Bill 2025’ (December 2025) p. 23, available [here](#), accessed 26 Jan. 2026.

Table 5: Key to traffic light dashboard comparing the Bill as published with Committee PLS recommendations

L&RS categorisation of the Department's response in the Bill to the Committee's key issue	Traffic light dashboard used in Table summary of PLS recommendations to highlight impact of the Committee's PLS conclusion
Key issue has clearly been accepted and is reflected in the Bill	
The Bill may be described as adopting an approach consistent with the key issue or the impact of the key issue is unclear	
Key issue has not been accepted or implemented in the Bill	
Recommendation has not been implemented in the Bill, but additional considerations are present	

Source: [L&RS 2026](#)

Table 6: Traffic light dashboard comparing the International Protection Bill 2026 as published with the recommendations included in the Committee’s PLS Report (December 2025)

PLS recommendation as per Committee report	L&RS Categorisation	Department Commentary on whether addressed (in whole or in part) in the Bill
<p><b>1. The Committee recommends</b> that opting out of the majority of the EU. Migration and Asylum Pact is reconsidered in light of changing migration landscape within the Common Travel Area and the unique position of Ireland as a member state of the EU which shares a common travel area with a state outside of the EU and therefore outside of the EU Migration and Asylum Pact.</p>		<p>The Migration and Asylum Pact and the International Protection Bill 2026 introduce faster processing of asylum claims with a much more efficient decision-making system. Faster processing will mean that applicants spend less time in IPAS accommodation, and it will significantly reduce the cost of the asylum system to the State. Faster decision-making will also mean that successful applicants will be granted international protection sooner, and those whose applications are refused can be returned to their country of origin sooner. Having a common system across the EU makes sure that all applicants are treated the same in every Member State with no incentive to move from one to another. If Ireland had not opted into the Pact, it is likely that the State would face higher levels of secondary movement, slower processing and a less efficient returns system. This would result in applicants staying in the system for much longer, at much greater cost to the State, in terms of the provision of accommodation and other supports. It is for these reasons that the Government and both Houses of the Oireachtas gave approval in accordance with the Constitution for Ireland to opt in to the Pact measures. It would not be legally possible to seek to opt out of measures that Ireland has opted into and is now legally required to implement like every other Member State.</p>

PLS recommendation as per Committee report	L&RS Categorisation	Department Commentary on whether addressed (in whole or in part) in the Bill
<p><b>2. The Committee recommends</b> that age-disputed minors should be presumed to be under 18 in the context of the provisions under Head 7 while awaiting an age assessment by the responsible authority while ensuring that those who are in fact adults are not placed in juvenile facilities due to the serious child protection risks that this could present.</p>		<p>Section 15 of the Bill provides for the taking of data and transmission of data to Eurodac (Head 7 of the General Scheme). Section 15(9) provides that for the purposes of section 15 and subject to the conclusion of any age assessment, a person shall be considered to be a minor where there is uncertainty as to whether or not the person is under 18 years of age, and there is no supporting proof of the person's age available. The recommendation is further addressed by Chapter 2 Part 3 which provides for a representative to be appointed for an applicant who claims to be, or appears to be, an unaccompanied minor. The reception arrangements for age-disputed minors relate to provisions in the Reception Conditions Directive. The transposition of the Reception Conditions Directive will be addressed by amendments to the Bill to be brought forward in the Houses and associated statutory instruments.</p>
<p><b>3. The Committee recommends</b> that private and confidential spaces are provided for the purpose of taking biometric data under Head 7.</p>		<p>This is an operational matter that is not intended to be provided for in the Bill.</p>
<p><b>4. The Committee recommends</b> that Head 7, which deals with biometric data, should include a specific provision on the best interests of the child when taking biometric data from those under the age of 18.<sup>122</sup></p>		<p>Article 14(1) of the Eurodac Regulation requires that the best interests of the child shall be a primary consideration in the application of the regulation. The Eurodac Regulation is directly applicable to Irish law. Therefore, this is not a matter which needs to be provided for explicitly in the Bill.</p>

<sup>122</sup> Section 29(1) of the Bill, provides that the best interests of the child shall be a primary consideration in the carrying out of procedures in respect of a minor under Part 2.

PLS recommendation as per Committee report	L&RS Categorisation	Department Commentary on whether addressed (in whole or in part) in the Bill
<p><b>5. The Committee recommends</b> that Heads 7, 8 and 9 be amended to ensure that a failure to comply with a request for biometric data does not render the individual's application implicitly withdrawn, nor does it result in de facto detention.</p>		<p>Implicit withdrawal for failure to comply with a request for biometric data is provided for in Article 41(1)(b) of the Asylum Procedures Regulation, which has direct effect in the State, whether it is provided for in the Bill or not. As such, this recommendation cannot be given effect in the Bill.</p>
<p><b>6. The Committee recommends</b> that Head 10 be amended to provide for adequate standards of living and reception conditions for screening centres, and all accommodation provided during the international protection process, outlining required on-site supports and facilities, and are regularly monitored and reported on.</p>		<p>This recommendation relates to provisions that are required under the Reception Conditions Directive. The transposition of the Reception Conditions Directive will be addressed by amendments to the Bill to be brought forward in the Houses and associated statutory instruments.</p>
<p><b>7. The Committee recommends</b> that due diligence, vetting and beneficial ownership checks be required in respect of any company or organisation which seeks to secure a contract for the provision of accommodation or services for those in the international protection system.</p>		<p>This is an operational matter that is not intended to be provided for in the Bill.</p>
<p><b>8. The committee recognising the profiteering which has existed to date recommends</b> that the amount paid per bed per day for accommodation in the international protection system is capped.</p>		<p>This is an operational matter that is not intended to be provided for in the Bill.</p>

PLS recommendation as per Committee report	L&RS Categorisation	Department Commentary on whether addressed (in whole or in part) in the Bill
<p><b>9. The Committee recommends</b> that Head 10 be amended to ensure the designated screening centres are adequately resourced, ensure access to healthcare, allow access to organisations who can provide culturally appropriate and trauma informed services, and are staffed by personnel with specialised expertise.</p>		<p>The Reception Conditions Directive requires that applicants have access to healthcare and where special reception needs are identified, access to appropriate services to meet those needs. It also requires that appropriate service providers can have access to centres, including screening centres, where applicants are accommodated. The transposition of the Reception Conditions Directive will be addressed by amendments to the Bill to be brought forward in the Houses and associated statutory instruments.</p>
<p><b>10. The Committee recommends</b> that the screening process should provide for a full vulnerability assessment, as opposed to the vulnerability check provided for in Head 13, and that a mechanism for ongoing vulnerability assessments throughout all stages of the process is included in the General Scheme.</p>		<p>This recommendation relates to the requirement for the assessment of special reception needs which arises under the Reception Conditions Directive. The transposition of the Reception Conditions Directive will be addressed by amendments to the Bill to be brought forward in the Houses and associated statutory instruments.</p>
<p><b>11. The Committee recommends</b> that Heads 15 and 48 be amended to include a clear definition of the role, function, and limitations of cultural mediators, and that it be clarified that cultural mediators must not assume the roles of interpreters or legal representatives.</p>		<p>The policy intention of the definition of cultural mediators provided for in section 2 of the Bill is for the definition to be broad enough so that the assistance of cultural mediators may be obtained as necessary. It is not envisaged that cultural mediators will provide legal advice or representation, but this does not need to be explicitly provided for in the Bill.</p>
<p><b>12. The Committee recommends</b> that Heads 15 and 48 be amended to set out minimum qualifications, training requirements, and ethical standards for any person acting as a cultural mediator, including safeguarding protocols and independence guarantees.</p>		<p>The International Organisation for Migration, a United Nations-related organisation has a contractual relationship with the Department of Justice, Home Affairs and Migration for the provision of cultural mediators. It is not intended to make detailed provision for these matters in the Bill.</p>

PLS recommendation as per Committee report	L&RS Categorisation	Department Commentary on whether addressed (in whole or in part) in the Bill
<p><b>13. The Committee recommends</b> that Head 16 (3) be amended to specify that any accommodation rules must be clearly defined, accessible, available in multiple languages and formats that are able to meet the needs of individual applicants, and applied uniformly across all forms of accommodation, including emergency centres.</p>		<p>This recommendation relates to a requirement of the Reception Conditions Directive. The transposition of the Reception Conditions Directive will be addressed by amendments to the Bill to be brought forward in the Houses and associated statutory instruments.</p>
<p><b>14. The Committee recommends</b> that Head 16 (3) be amended so that accommodation rules are developed and periodically reviewed in consultation with applicants, civil society organisations, and relevant stakeholders, and that accommodation rules should also include a right of appeal against any findings of non-compliance with centre rules and an independent complaints mechanism through which residents can challenge enforcement practices or raise issues.</p>		<p>This recommendation relates to a requirement of the Reception Conditions Directive. The transposition of the Reception Conditions Directive will be addressed by amendments to the Bill to be brought forward in the Houses and associated statutory instruments.</p>
<p><b>15. The Committee recommends</b> that “acute medical care” as referenced in Head 18 (1) is clearly defined in the legislation or related guidance, and confirmed that it includes mental health and trauma-related needs, and that a provision is also made for essential medical care.</p>		<p>This recommendation relates to requirements of the Reception Conditions Directive. The transposition of the Reception Conditions Directive will be addressed by amendments to the Bill to be brought forward in the Houses and associated statutory instruments.</p>

PLS recommendation as per Committee report	L&RS Categorisation	Department Commentary on whether addressed (in whole or in part) in the Bill
<p><b>16. The Committee recommends</b> that Head 18 (2) be amended to ensure that medical screening is not limited to a one-time check and that follow-up assessments are permitted where appropriate, as screening for health concerns must be flexible, accessible, and capable of adapting to an applicant's evolving needs, particularly in the case of delayed or non-visible conditions.</p>		<p>This recommendation relates to a requirement of the Reception Conditions Directive. The transposition of the Reception Conditions Directive will be addressed by amendments to the Bill to be brought forward in the Houses and associated statutory instruments.</p>
<p><b>17. The Committee recommends</b> that the phrase 'access' in Head 18 (3) is replaced by 'timely and meaningful access', to address transport, childcare, and financial barriers.</p>		<p>Matters relating to the provision of health care and access to health care are provided for in the Reception Conditions Directive. The transposition of the Reception Conditions Directive will be addressed by amendments to the Bill to be brought forward in the Houses and associated statutory instruments.</p>
<p><b>18. The Committee recommends</b> that Head 18 be amended to provide a requirement for informed consent before sharing medical information with authorities, except where required under existing public health legislation, or if necessary for immediate medical emergencies.</p>		<p>Provisions relating to data sharing, with necessary safeguards, will be addressed by amendments to the Bill to be brought forward in the Houses and associated statutory instruments.</p>
<p><b>19. The Committee recommends</b> that Head 18 be amended to ensure applicants are provided with information on the health check including on their right to refuse, with their informed consent confirmed before a preliminary health check is carried out.</p>		<p>This recommendation has been accepted and has been provided for in sections 27(6) and 27(9) of the Bill.</p>

PLS recommendation as per Committee report	L&RS Categorisation	Department Commentary on whether addressed (in whole or in part) in the Bill
<p><b>20. The Committee recommends</b> that the General Scheme contains a provision ensuring that applicants, including those subject to return, can access medical services and treatments at all stages of the procedure, and that life-sustaining medications, emergency care, maternity care and healthcare for communicable diseases be guaranteed for individuals subject to deportation orders, and that a care coordination plan is in place before they have left the country.</p>		<p>This recommendation, in so far as it relates to applicants who have not received a final decision on their application, relates to a requirement of the Reception Conditions Directive. The transposition of the Reception Conditions Directive will be addressed by amendments to the Bill to be brought forward in the Houses and associated statutory instruments.</p>
<p><b>21. The Committee recommends</b> that Head 19 be amended to clarify that vulnerability screening must be an ongoing and adaptable process, allowing for repeated assessments where necessary, and that applicants or their legal representatives should have a statutory mechanism to request further assessments if new vulnerabilities emerge.</p>		<p>This recommendation relates to a requirement of the Reception Conditions Directive, specifically the requirements for the assessment of special reception needs which arise under Article 25 of the Directive. The transposition of the Reception Conditions Directive will be addressed by amendments to the Bill to be brought forward in the Houses and associated statutory instruments.</p>
<p><b>22. The Committee recommends</b> that Head 19 be revised to introduce safeguards, including a requirement that applicants be informed of the purpose and consequences of a vulnerability check in a language they understand and in a manner that is accessible to the individual.<sup>123</sup></p>		<p>The provision of information to applicants about procedures under the Bill is addressed by section 26 (Provision of information to applicant) of the Bill.</p>

---

<sup>123</sup> The provision of the information referred to in PLS Recommendation 22 is not explicitly provided for in section 26.

PLS recommendation as per Committee report	L&RS Categorisation	Department Commentary on whether addressed (in whole or in part) in the Bill
<p><b>23. The Committee recommends</b> that if due efforts to complete preliminary health and vulnerability checks have not been made within seven days, applicants should be considered potentially vulnerable and therefore be exempt from the Border Procedure.</p>		<p>It is not intended to give effect to this recommendation as there is no basis in the Asylum Procedures Regulation providing for this. Section 122 of the Bill provides for safeguards in relation to application of the asylum border procedure to applicants in need of special procedural guarantees.</p>
<p><b>24. The Committee recommends</b> that, regarding health implications of the transfer of applicants, the General Scheme be amended to:</p> <ul style="list-style-type: none"> <li>• prohibit short notice transfers for people with significant ongoing medical need,</li> <li>• require a minimum of 14 days' notice when transfers are necessary for medical cases,</li> <li>• create formal mechanisms for accommodation staff to raise medical concerns, and</li> <li>• ensure medical records and care coordination before transfers occur.</li> </ul>		<p>The Reception Conditions Directive provides for safeguards with respect to the health of applicants, and the consideration of special reception needs, where an applicant's accommodation is to be changed. The transposition of the Reception Conditions Directive will be addressed by amendments to the Bill to be brought forward in the Houses and associated statutory instruments. However, the specificity envisaged by this recommendation may not be suitable to be fully provided for in the Bill. This recommendation will be considered carefully for the purposes of operational practice. The detailed arrangements for the transfer of applicants are operational matters that are not intended to be provided for in the Bill.</p>
<p><b>25. The Committee recommends</b> that the General Scheme provides for the establishment of a State-funded medico-legal assessment service with dedicated practitioners trained in the Istanbul Protocol methodology, ensuring nationwide availability, with the target of ensuring medico-legal reports are available within four to six weeks of request.</p>		<p>Section 90 of the Bill provides that the Determining Authority may request a medical examination for indications of past persecution or serious harm. Under section 90(3), the medical examination shall be free of charge for the applicant and be paid for from public funds. The detailed arrangements for the commissioning of medical assessments are operational matters that are not intended to be provided for in the Bill.</p>

PLS recommendation as per Committee report	L&RS Categorisation	Department Commentary on whether addressed (in whole or in part) in the Bill
<p><b>26. The Committee recommends</b> that all necessary measures should be taken to ensure that no individual applicant is rendered stateless.</p>		<p>Under the Asylum Procedures Regulation, a ‘stateless person’ means a person who is not considered to be a national by any State under the operation of its law. The provisions of the Bill will not have the effect of rendering any individual applicant stateless.</p>
<p><b>27. The Committee recommends</b> that Head 20 explicitly prohibits the detention of children, including unaccompanied children, and prohibits children from entering the Border Procedure.</p>		<p>Section 24 (Arrest and detention (Part 2)) of the Bill provides for the arrest and detention of an applicant who continually fails to comply with a direction or a requirement to travel to a screening centre. An applicant may be detained only until such time as their identity or nationality is determined or verified. Where a minor is in the custody of an applicant who is detained under section 24, or is an unaccompanied minor, section 24 provides for the detention of the minor in exceptional circumstances, as a measure of last resort and for the shortest possible period of time. Section 125 (Exceptions to the asylum border procedure) provides that the only circumstances in which the asylum border procedure may apply to an unaccompanied minor are where he or she is deemed a danger to national security or public order.</p>
<p><b>28. The Committee recommends</b> that the General Scheme includes a requirement that the best interests of the child be a primary consideration in the implementation of the provisions of the General Scheme in each section relevant to children, in line with EU law and European and international children’s rights standards.</p>		<p>The Bill provides that the best interests of the child shall be a primary consideration for the purposes of Part 2, Part 3 Chapter 2, Part 3, Chapter 3, and Part 7. This recommendation also relates to requirements which arise under the Reception Conditions Directive. The transposition of the Reception Conditions Directive will be addressed by amendments to the Bill to be brought forward in the Houses and associated statutory instruments.</p>

PLS recommendation as per Committee report	L&RS Categorisation	Department Commentary on whether addressed (in whole or in part) in the Bill
<p><b>29. The Committee recommends</b> that a provision stating that the best interests of the child shall be a primary consideration be included in Head 20 which deals with Guarantees for Minors in the screening process, and Head 50 which deals with Guarantees for Minors when international protection applications are being assessed.</p>		<p>The Bill provides that the best interests of the child shall be a primary consideration for the purposes of Part 2, Part 3 Chapter 2, Part 3, Chapter 3, and Part 7. This recommendation also relates to requirements which arise under the Reception Conditions Directive. The transposition of the Reception Conditions Directive will be addressed by amendments to the Bill to be brought forward in the Houses and associated statutory instruments.</p>
<p><b>30. The Committee recommends</b> that the General Scheme ensures that children, at all stages of the international protection process, have a right to education, play, and recreation.</p>		<p>This recommendation relates to requirements under the Reception Conditions Directive, specifically Article 16 and Article 26(3). The transposition of the Reception Conditions Directive will be addressed by amendments to the Bill to be brought forward in the Houses and associated statutory instruments.</p>
<p><b>31. The Committee recommends</b> that the General Scheme provides for children to be accommodated according to their age, maturity and needs, at all stages of the international protection process, and that such facilities are adequate and avoid a city setting where possible.</p>		<p>This recommendation relates to requirements under the Reception Conditions Directive, specifically Article 26(2). The transposition of the Reception Conditions Directive will be addressed by amendments to the Bill to be brought forward in the Houses and associated statutory instruments. The detailed arrangements for the accommodation of minors are operational matters that are not intended to be provided for in the Bill.</p>

PLS recommendation as per Committee report	L&RS Categorisation	Department Commentary on whether addressed (in whole or in part) in the Bill
<p><b>32. The Committee recommends</b> that children aged over 16 be placed in small group home environments, and that they must not be treated as ‘de facto’ adults and placed in adult reception centre settings.</p>		<p>This recommendation relates to requirements under the Reception Conditions Directive, specifically Article 26(2). The transposition of the Reception Conditions Directive will be addressed by amendments to the Bill to be brought forward in the Houses and associated statutory instruments. The detailed arrangements for the accommodation of minors are operational matters that are not intended to be provided for in the Bill.</p>
<p><b>33. The Committee recommends</b> that Head 26 includes a requirement for notification to, and involvement of, the Child and Family Agency where an adult who is not a parent, legal guardian, or family member within the expanded definition proposed by the EU Pact seeks to make an application on behalf of a minor.<sup>124</sup></p>		<p>Section 42 of the Bill (Requirement to notify the competent authority) will provide for various notifications to be made where an unaccompanied minor applies for international protection.</p>
<p><b>34. The Committee recommends</b> that Head 26 ensures that any application on behalf of a minor includes an assessment of the child’s best interests and appropriate legal representation.</p>		<p>The provisions of section 35 of the Bill (Application on behalf of minor) relate to the initial expression of a wish for the minor to receive international protection. As such, the question of assessment of a child’s best interests or provision of legal representation do not arise at that point in the procedure.</p>

---

<sup>124</sup> Section 35 appears to be the more relevant provision of the Bill for the purposes of this PLS recommendation.

PLS recommendation as per Committee report	L&RS Categorisation	Department Commentary on whether addressed (in whole or in part) in the Bill
<p><b>35. The Committee recommends</b> that Head 47 (5) be amended to provide that where a substantive interview is omitted, the applicant and their legal representative must be notified in writing, including the reasons for the decision, and that the applicant must be afforded the opportunity to submit written observations or alternative forms of evidence.</p>		<p>This recommendation has been accepted and has been provided for in section 93(5) of the Bill.</p>
<p><b>36. The Committee recommends</b> that Head 48 (6) (b) and (6) (c) be deleted, as it poses an unnecessary restriction on the professional capacity of a legal practitioner, fair procedures, and an applicant's right to be heard.</p>		<p>Article 13(13) of the Asylum Procedures Regulation provides that "Member States may stipulate in national law that, where a legal adviser participates in the personal interview, the legal adviser may only intervene at the end of the personal interview." A policy decision was taken to include this stipulation in section 96 the Bill. Other provisions ensure that applicants have the opportunity to present the grounds for their application in a comprehensive manner and ensure fair procedures in the conduct of the interview.</p>

PLS recommendation as per Committee report	L&RS Categorisation	Department Commentary on whether addressed (in whole or in part) in the Bill
<p><b>37. The Committee recommends</b> that Head 48 be amended to require that all interviewers receive standardised, accredited training in trauma-informed interviewing, cultural sensitivity, and legal procedures relevant to international protection.</p>		<p>This is already in place operationally: international protection officers and panel members receive mandatory training from UNHCR and EUAA and routinely take part in information sessions provided by NGOs, including SPIRASI and Dublin Rape Crisis Centre. The specific training arrangements are operational matters that are not intended to be provided for in the Bill. Section 94(8) of the Bill provides that the Determining Authority shall ensure that the person conducting the interview is competent to take account of the personal and general circumstances surrounding the application, including the situation prevailing in the applicant's country of origin, and the applicant's cultural origin, age, gender, gender identity, sexual orientation, vulnerability and special procedural needs.</p>
<p><b>38. The Committee recommends</b> that Head 48 (10) be amended to clarify that fitness-to-interview determinations require assessment by medical practitioners with expertise in trauma and mental health, not just general medical practitioners.</p>		<p>Section 93(6) provides for cases where there is doubt as to the fitness or ability of the applicant to be interviewed. It is not intended to limit or specify the categories of medical professionals who may be consulted under this provision.</p>

PLS recommendation as per Committee report	L&RS Categorisation	Department Commentary on whether addressed (in whole or in part) in the Bill
<p><b>39. The Committee recommends</b> that Head 67 includes a discretionary provision allowing the Second Instance Body (SIB) to accept late appeals where there is good cause for delay, particularly in cases involving vulnerability, procedural obstacles, or lack of legal assistance.</p>		<p>Consideration has been given to the provisions relating to the periods of time within which applicants may submit appeals. Under the General Scheme, it was proposed that applicants would have five days to submit appeals that were rejected on the merits of the claim. This timeframe has been extended in the Bill to one month for standard applications, and 10 days for applications subject to the accelerated or border procedures. This affords more time to applicants in the circumstances described in this recommendation.</p>
<p><b>40. The Committee recommends</b> that Head 67 specifies that the appeal period only begins once the applicant has received a full copy of the decision and the reasons for it in a language they can reasonably be expected to understand.</p>		<p>Section 98 (Decision on applications for international protection and notification of decision) provides for decisions and notifications of decisions (a “section 98 notice”) in respect of applications for international protection. This section sets out to whom a decision and notification must be delivered and the form a decision and notification must take. Section 129 (Appeals) of the Bill clearly provides that the appeal period runs from the date of receipt by an applicant of a section 98 notification.</p>
<p><b>41. The Committee recommends</b> that the time to provide notice of appeal under Head 67 should be increased to at least three weeks.</p>		<p>This has been considered and has been addressed by section 129 (Appeals) of the Bill. For standard applications, the period to provide notice of appeal has been extended to one month.</p>
<p><b>42. The Committee recommends</b> the insertion of saver clauses in Head 91 (6) (d) and Head 91 (10) for cases of domestic violence, divorce, death, or departure of the sponsor, in line with Article 13 of Directive 2004/38/EC.</p>		<p>The Minister for Justice, Home Affairs and Migration is developing provisions on family reunification to be brought forward at Committee Stage.</p>

PLS recommendation as per Committee report	L&RS Categorisation	Department Commentary on whether addressed (in whole or in part) in the Bill
<p><b>43. The Committee recommends</b> the provision of Ministerial discretion to extend deadlines under Head 91 (9) and (11) based on humanitarian grounds, exceptional circumstances, or <i>force majeure</i>.</p>		<p>The Minister for Justice, Home Affairs and Migration is developing provisions on family reunification to be brought forward at Committee Stage.</p>
<p><b>44. The Committee recommends</b> that Head 91 (12) (a) (i) be broadened to reflect the expanded definition of family proposed by the EU Pact, including siblings and unmarried partners, and families formed in transit and those where one partner is not the biological parent of the child/children.</p>		<p>The Minister for Justice, Home Affairs and Migration is developing provisions on family reunification to be brought forward at Committee Stage.</p>
<p><b>45. The Committee recommends</b> that Part 11 be reviewed to ensure the SIB's institutional independence and that arrangements for its governance meet the requirements of external independence under EU law, and that consideration should be given to instead establishing the SIB under the administration and management of the Courts Service.</p>		<p>There is no intention to establish the Tribunal for Asylum and Returns Appeals under the management of the Courts Service. However, provisions have been included in Part 11 of the Bill to reinforce the independence of the Tribunal including the inclusion of a provision for the Chief Appeals Officer to be appointed and removed by Government.</p>

PLS recommendation as per Committee report	L&RS Categorisation	Department Commentary on whether addressed (in whole or in part) in the Bill
<p><b>46. The Committee recommends</b> that Part 11 and/or Part 13 ensures that children accompanied by their family will not be deported while waiting for an appeal decision, as this is contrary to their best interests.</p>		<p>Section 130 (Right to remain pending appeal) provides applicants with the right to remain within the State during the period in which they may make an appeal and whilst pending the outcome of an appeal. Provision is made for the circumstances in which applicants shall not have the right to remain in the State, subject to certain exceptions where an applicant is an unaccompanied minor. Section 131 (Request to Tribunal to be allowed to remain pending appeal) provides for the mechanism whereby an applicant may request permission to remain in the State pending the conclusion of an appeal by the Tribunal. Such a request must be submitted within 10 days of the notice of the decision under appeal, during which time the applicant may remain in the State. These provisions are in accordance with Article 68 of the Asylum Procedures Regulation, which does not envisage specific exemptions for accompanied minors.</p>
<p><b>47. The Committee recommends</b> that Part 12 be amended to exempt the following categories of applicants from the Asylum Border Procedure: unaccompanied and separated children, victims of trauma or trafficking and persons with disabilities, and persons with serious medical issues, including mental health issues.</p>		<p>Exemptions from the asylum border procedure are provided for in section 122 (Application of special procedures to applicants in need of special procedural guarantees) and 125 (Exceptions to asylum border procedure) of the Bill. Under section 125, the only circumstances in which the asylum border procedure may apply to an unaccompanied minor are where he or she is deemed a danger to national security or public order.</p>

PLS recommendation as per Committee report	L&RS Categorisation	Department Commentary on whether addressed (in whole or in part) in the Bill
<p><b>48. The Committee recommends</b> that Part 12 allows applicants who arrive without travel documents or with forged documents to be provided with reasonable opportunity to explain their circumstances before a decision is made on the application of the Asylum Border Procedure, and that specialised staff support this determination process.</p>		<p>Section 115(1)(c) of the Bill provides an applicant with the full opportunity to show good cause as to why the procedure should not be applied in cases where the applicant has arrived without travel document or has provided false documents. The staffing arrangements to support this process are operational matters that are not intended to be provided for in the Bill.</p>
<p><b>49. The Committee recommends</b> ensuring within Part 12 that the Asylum Border Procedure is implemented in a protection-sensitive manner and does not lead to <i>de facto</i> detention.</p>		<p>Issues relating to the detention of applicants relate to requirements under the Reception Conditions Directive. The transposition of the Reception Conditions Directive will be addressed by amendments to the Bill to be brought forward in the Houses and associated statutory instruments.</p>
<p><b>50. The Committee recommends</b> that a clear provision be made under Head 110 that exempts age-disputed minors from the Asylum Border Procedure while awaiting an age assessment.</p>		<p>Section 125 (Exceptions to asylum border procedure) sets out the circumstances in which the asylum border procedure will cease to be applied to an applicant. Section 125(2) provides that where there is doubt as to the applicant's age, an age assessment shall promptly be carried out.</p>
<p><b>51. The Committee recommends</b> that Head 111 adheres to the requirement in the EU Pact that Member States ensure that families with children reside in reception facilities in the Border Procedure that are appropriate to their needs after assessing the best interests of the child, and that such facilities ensure a standard of living adequate for the child's physical, mental, spiritual, moral and social development.</p>		<p>Section 126(2) of the Bill provides that the Minister shall ensure that families with minors reside in reception facilities appropriate to their needs after assessing the best interests of the child, and shall ensure a standard of living adequate for the minor's physical, mental, spiritual, moral and social development, in full respect of the requirements of Chapter IV of the Reception Conditions Directive.</p>

PLS recommendation as per Committee report	L&RS Categorisation	Department Commentary on whether addressed (in whole or in part) in the Bill
<p><b>52. The Committee recommends</b> that Head 115 be amended to ensure that, as the General Scheme proposes detention may be imposed as a measure of last resort, the unavailability of adequate facilities does not constitute a last resort, and that the ‘individual assessment’ provided for is clarified in the Head.</p>		<p>This recommendation relates to requirements under the Reception Conditions Directive, in particular under Article 10. The transposition of the Reception Conditions Directive will be addressed by amendments to the Bill to be brought forward in the Houses and associated statutory instruments.</p>
<p><b>53. The Committee recommends</b> that Head 122 explicitly prohibits the detention of children, including unaccompanied children.</p>		<p>This recommendation relates to requirements under the Reception Conditions Directive, in particular under Article 13. The transposition of the Reception Conditions Directive will be addressed by amendments to the Bill to be brought forward in the Houses and associated statutory instruments.</p>
<p><b>54. The Committee recommends</b> that detention should only be used as a last resort and only when there is reasonable suspicion that an individual has committed an arrestable offence.</p>		<p>Detention arrangements will give effect to the requirements of the Reception Conditions Directive. Provisions will be introduced which allow for detention on the grounds listed in Article 10(4) of the Reception Conditions Directive and which require that detention should only be used as a last resort. The transposition of the Reception Conditions Directive will be addressed by amendments to the Bill to be brought forward in the Houses and associated statutory instruments.</p>
<p><b>55. The Committee recommends</b> that the principle of family unity be applied at all times, particularly where movement is restricted.</p>		<p>This recommendation relates to requirements under the Reception Conditions Directive. The transposition of the Reception Conditions Directive will be addressed by amendments to the Bill to be brought forward in the Houses and associated statutory instruments.</p>

PLS recommendation as per Committee report	L&RS Categorisation	Department Commentary on whether addressed (in whole or in part) in the Bill
<p><b>56. The Committee recommends</b> the exclusion of mainstream prisons from the list of acceptable detention centres for immigration purposes under Head 122.</p>		<p>This recommendation relates to requirements under the Reception Conditions Directive. The requirements for detention centres will be aligned with the requirements of the Reception Conditions Directive. The transposition of the Reception Conditions Directive will be addressed by amendments to the Bill to be brought forward in the Houses and associated statutory instruments.</p>
<p><b>57. The Committee recommends</b> that Head 122 be amended to ensure organisations working on their behalf, family members, legal advisers and other persons concerned have the ability to communicate with and visit detained applicants in conditions which respect privacy.</p>		<p>This recommendation relates to requirements under the Reception Conditions Directive. The requirements for individuals and organisations to have access to detention centres will be aligned with the requirements of the Reception Conditions Directive. The transposition of the Reception Conditions Directive will be addressed by amendments to the Bill to be brought forward in the Houses and associated statutory instruments.</p>

PLS recommendation as per Committee report	L&RS Categorisation	Department Commentary on whether addressed (in whole or in part) in the Bill
<p><b>58. The Committee recommends</b> that the General Scheme includes explicit healthcare standards for any detention facilities provided for, and that a new Head is added under Part 14 to:</p> <ul style="list-style-type: none"> <li>• establish minimum healthcare standards,</li> <li>• ensure access to registered medical practitioners, including mental health professionals,</li> <li>• provide for independent medical assessments,</li> <li>• guarantee the continuity of medication when moving to/from detention,</li> <li>• protect medical confidentiality from detention/immigration staff,</li> <li>• provide for trauma-informed care protocols, and</li> <li>• ensure clear medical exemptions from detention (survivors of trauma/torture, pregnancy, mental illness, physical conditions).</li> </ul>		<p>This recommendation relates to requirements under the Reception Conditions Directive. The requirements for the provision of services to applicants in detention will be aligned with the requirements outlined in the Reception Conditions Directive. The transposition of the Reception Conditions Directive will be addressed by amendments to the Bill to be brought forward in the Houses and associated statutory instruments.</p>

PLS recommendation as per Committee report	L&RS Categorisation	Department Commentary on whether addressed (in whole or in part) in the Bill
<p><b>59. The Committee recommends</b> that Head 122 be amended to ensure that any designated detention centres are adequately resourced, ensure access to healthcare, allow access to organisations such as Safetynet Primary Care who can provide culturally appropriate and trauma informed services, and are staffed by personnel with specialised expertise.</p>		<p>This recommendation relates to requirements under the Reception Conditions Directive. The requirements for the provision of services to applicants in detention will be aligned with the requirements outlined in the Reception Conditions Directive. The transposition of the Reception Conditions Directive will be addressed by amendments to the Bill to be brought forward in the Houses and associated statutory instruments.</p>
<p><b>60. The Committee recommends</b> that under no circumstance should any designated asylum border facilities or detention facilities be operated by private entities. These facilities instead should be operated and maintained by the State.</p>		<p>This recommendation relates to requirements which fall under the Reception Conditions Directive. The transposition of the Reception Conditions Directive will be addressed by amendments to the Bill to be brought forward in the Houses and associated statutory instruments. This is an operational matter that is not intended to be provided for in the Bill.</p>
<p><b>61. The Committee recommends</b> that the General Scheme be amended to provide a guarantee that free legal assistance will be available to applicants in detention.</p>		<p>This recommendation relates to requirements which fall under the Reception Conditions Directive. The transposition of the Reception Conditions Directive will be addressed by amendments to the Bill to be brought forward in the Houses and associated statutory instruments.</p>
<p><b>62. The Committee recommends</b> that detention facilities and accommodation facilities are adequately resourced and are located in an area that ensures access to healthcare and health promotion by organisations such as Safetynet Primary Care.</p>		<p>This is an operational matter that is not intended to be provided for in the Bill.</p>

PLS recommendation as per Committee report	L&RS Categorisation	Department Commentary on whether addressed (in whole or in part) in the Bill
<p><b>63. The Committee recommends</b> that any site or location being considered for a detention facilities or accommodation facility should be subject to a human rights assessment.</p>		<p>This is an operational matter that is not intended to be provided for in the Bill.</p>
<p><b>64. The Committee recommends</b> that Head 115(1) be amended so that it sets out the criteria for the individual assessment would be used to ascertain if detention may be imposed for applications under the border procedure.</p>		<p>This recommendation relates to requirements which fall under the Reception Conditions Directive. The transposition of the Reception Conditions Directive will be addressed by amendments to the Bill to be brought forward in the Houses and associated statutory instruments.</p>
<p><b>65. The Committee recommends</b> that Head YY (alternative to detention) establishes clear guidelines and processes for appeal for those who have been placed in detention for the reason that less coercive measures cannot be applied.</p>		<p>This recommendation relates to requirements which fall under the Reception Conditions Directive. The transposition of the Reception Conditions Directive will be addressed by amendments to the Bill to be brought forward in the Houses and associated statutory instruments.</p>
<p><b>66. The Committee recommends</b> that Part 15 be amended to provide for an independent monitoring mechanism that is independent from Government, empowered to investigate all allegations of rights violations, adequately resourced in an independent manner, and as recommended and prescribed by European Union Agency for Fundamental Rights.</p>		<p>These recommendations have been carefully considered. The Bill provides for the Chief Inspector to be both appointed and removed by Government, rather than by the Minister. The Chief Inspector will have the power to investigate allegations of human rights violations arising from inspections of the Chief Inspector and from complaints from applicants and their legal representatives (if applicable). Regard has been in the drafting of Part 12 of the Bill had to the Fundamental Rights Agency's guidance.</p>
<p><b>67. The Committee recommends</b> that the International Protection Bill should be enacted at the same time as the full ratification of the Optional Protocol on the Convention Against Torture (OPCAT).</p>		<p>Ratification of OPCAT is outside the scope of this Bill.</p>

PLS recommendation as per Committee report	L&RS Categorisation	Department Commentary on whether addressed (in whole or in part) in the Bill
<p><b>68. The Committee recommends</b> that Head 125 be amended to comply with the requirements under the Screening Regulation to monitor compliance with EU and international law, including the Charter of Fundamental Rights, in particular as regard access to the Asylum Border Procedure, the principle of non-refoulement and the best interests of the child.<sup>125</sup></p>		<p>The functions of the Chief Inspector are set out in section 198 of the Bill, which specifically refers to the Screening Regulation and Asylum Procedures Regulation.</p>
<p><b>69. The Committee recommends</b> that the General Scheme includes a provision to ensure that the Chief Inspector has the power to refer cases for the initiation of civil or criminal justice proceedings for failure to respect or enforce fundamental rights.<sup>126</sup></p>		<p>This is provided for in section 210 (Other actions by Chief Inspector following formal investigation) of the Bill.</p>
<p><b>70. The Committee recommends</b> that Head 129 be amended to include as members of the Advisory Board a non-governmental organisation, an immigration/asylum law expert that specialises in child rights, and representatives with lived experience of the international protection process.</p>		<p>This recommendation has been considered, but it is not proposed to expand the membership of the Advisory Board in the Bill. It should be noted that the Ombudsman for Children is a named member of the Advisory Board.</p>

<sup>125</sup> The Chief Inspector's monitoring functions appear to be restricted under section 198 of the Bill to designated asylum border facilities as defined under section 192.

<sup>126</sup> Section 210 of the Bill expressly requires the Chief Inspector to inform AGS if it becomes aware of a suspected criminal offence during a formal investigation. However, Part 12 does not make provision for the Chief Inspector to initiate civil proceedings for failure to respect or ensure fundamental rights.

PLS recommendation as per Committee report	L&RS Categorisation	Department Commentary on whether addressed (in whole or in part) in the Bill
<p><b>71. The Committee recommends</b> that the mandate of HIQA to monitor compliance of accommodation centres with the national standards is expanded to include all accommodation centres operating under the new reception system from June 2026.</p>		<p>This recommendation relates to requirements under the Reception Conditions Directive. The transposition of the Reception Conditions Directive will be addressed by amendments to the Bill to be brought forward in the Houses and associated statutory instruments.</p>
<p><b>72. The Committee recommends</b> that Head 141 includes a provision to protect the unaccompanied minor against all forms and risks of violence and exploitation, and a provision to support unaccompanied minors to enrol in education and access healthcare services.</p>		<p>This recommendation relates to requirements under the Reception Conditions Directive. The transposition of the Reception Conditions Directive will be addressed by amendments to the Bill to be brought forward in the Houses and associated statutory instruments.</p>
<p><b>73. The Committee recommends</b> that Head 141 (13) be amended to reduce the maximum number of unaccompanied minors a representative or provisional representative shall act for.</p>		<p>The maximum number of 30 unaccompanied minors specified in section 43 of the Bill is in line with the maximum number provided for in the Pact instruments. This retains operational flexibility but does not preclude operational practice from reducing the number of unaccompanied minors that a representative or provisional representative may be appointed for.</p>
<p><b>74. The Committee recommends</b> that Head 141 be amended to ensure that legal advisers can assist an unaccompanied child in cooperation with the appointed representative.</p>		<p>The Bill does not preclude an unaccompanied minor for whom a representative has been appointed from accessing legal advice.</p>
<p><b>75. The Committee recommends</b> that a medical assessment should only be used for the purpose of determining an applicant's age, and carried out by the appropriate bodies, and only as a last resort.</p>		<p>This is provided for by section 52(3)(b) and section 54 of the Bill.</p>

PLS recommendation as per Committee report	L&RS Categorisation	Department Commentary on whether addressed (in whole or in part) in the Bill
<p><b>76. The Committee recommends</b> that the following safeguards when carrying out age assessments should be included in the General Scheme:</p> <ul style="list-style-type: none"> <li>□ the multidisciplinary age assessment procedure is undertaken and carried out by qualified professionals,</li> <li>□ the assessment of age shall not be based solely on the applicant’s physical appearance or behaviour, and</li> <li>□ if the results of the age assessment are inconclusive the applicant shall be assumed to be a child but that safeguarding of children should be paramount to ensure that no adult is placed in accommodation with children as a result of an inconclusive age assessment.</li> </ul>		<p>This has been provided for in Chapter 3, Part 3 of the Bill.</p>
<p><b>77. The Committee recommends</b> that age assessments should be conducted where there is a multidisciplinary procedure in place.</p>		<p>This has been provided for in Chapter 3, Part 3 of the Bill.</p>
<p><b>78. The Committee recommends</b> that when carrying out age assessments, the least invasive option must always be followed, and the individual’s privacy and dignity must be respected at all times.</p>		<p>This has been provided for in Chapter 3, Part 3 of the Bill.</p>
<p><b>79. The Committee recommends</b> the inclusion of a provision for an independent appeal on initial age assessment determinations as well as provisions to support the applicant to make the appeal, including with legal assistance.</p>		<p>Section 56 of the Bill provides that an unaccompanied minor may request a further age assessment following the initial age assessment.</p>

PLS recommendation as per Committee report	L&RS Categorisation	Department Commentary on whether addressed (in whole or in part) in the Bill
<p><b>80. The Committee recommends</b> the inclusion of a provision for the results of both the determination of the age assessment and an independent appeal to be communicated to the individual both verbally in a language they understand and in writing.</p>		<p>Sections 53, 54 and 56 of the Bill provide for the notification of the results of the age assessment and any further age assessment to the applicant in a language the applicant understands or is reasonably supposed to understand.</p>
<p><b>81. The Committee recommends</b> that age assessments should take place in a prompt manner according to the UN Committee on the Rights of the Child and the Council of Europe.</p>		<p>Section 52 of the Bill provides that an age assessment may be carried out at any point in the procedure.</p>
<p><b>82. The Committee recommends</b> that the General Scheme includes an explicit provision guaranteeing access to free legal assistance and representation by a qualified legal practitioner for all applicants including children at all stages of the asylum process including any appeal stage or should an applicant be detained.</p>		<p>Amendments relating to legal advice and legal representation will be brought forward as the Bill proceeds through the Houses.</p>
<p><b>83. The Committee recommends</b> that, where the General Scheme provides for “legal counselling”, this should be defined as legal advice, a professionally regulated role, carried out only by qualified professionals registered with the appropriate legal authority.</p>		<p>Amendments relating to legal counselling will be brought forward as the Bill proceeds through the Houses. The provision of legal counselling to applicants for international protection is required by the 2024 Asylum Procedures Regulation and the 2024 Asylum and Migration Management Regulation. It is important to note that legal counselling as provided for in the Pact measures will be provided to applicants in addition to any legal assistance and representation that applicants may obtain. The Pact measures do not require legal counselling to be provided only by qualified lawyers.</p>

PLS recommendation as per Committee report	L&RS Categorisation	Department Commentary on whether addressed (in whole or in part) in the Bill
<p><b>84. The Committee recommends</b> that “legal counselling” be provided as an additional service to assist applicants in lodging their application for international protection. It should not under any circumstances be provided in place of, or in the absence of legal advice or services as defined in statute by a person other than those recognised under section 2 of the Legal Services and Regulation Act 2015.</p>		<p>Amendments relating to legal counselling will be brought forward as the Bill proceeds through the Houses. The provision of legal counselling to applicants for international protection is required by the 2024 Asylum Procedures Regulation and the 2024 Asylum and Migration Management Regulation. It is important to note that legal counselling as provided for in the Pact measures will be provided to applicants in addition to any legal assistance and representation that applicants may obtain. The Pact measures do not require legal counselling to be provided only by qualified lawyers.</p>
<p><b>85. The Committee recommends</b> that the Legal Aid Board is provided with significantly more resources and capacity to ensure it can meet the demands for legal advice and representation by June 2026 to deal with the expedited timeframes.</p>		<p>This recommendation is beyond the scope of this Bill.</p>
<p><b>86. The Committee recommends</b> that the General Scheme provides for all applicants to be informed of their right to legal assistance in a language they understand.</p>		<p>This recommendation will be considered further in relation to in the amendments relating to legal counselling.</p>
<p><b>87. The Committee recommends</b> ratification of the Council of Europe Convention for the Protection of the Profession of Lawyer.</p>		<p>This recommendation is beyond the scope of this Bill.</p>
<p><b>88. The Committee recommends</b> that the General Scheme sets out explicitly and in detail the alternatives to detention that are referenced by way of placeholder Head YY.</p>		<p>This recommendation relates to requirements under the Reception Conditions Directive. The transposition of the Reception Conditions Directive will be addressed by amendments to be brought forward in the Houses and associated statutory instruments.</p>

PLS recommendation as per Committee report	L&RS Categorisation	Department Commentary on whether addressed (in whole or in part) in the Bill
<p><b>89. The Committee recommends</b> that the General Scheme be amended so that Guardian Ad Litem services may take on a representative role for children, unaccompanied and age-disputed minors.</p>		<p>While the requirements for each role have some similarities, there are differences between the role of representative for unaccompanied minors and the role of Guardian Ad Litem. Consideration is ongoing in relation to the operational arrangements for the provision of representatives for unaccompanied minors.</p>
<p><b>90. The Committee recommends</b> that facilities established for the purpose of Screening and Border Procedures are located in an area that does not limit the applicant's ability to access legal assistance, attend appointments, maintain family connections or participate in community life.</p>		<p>This is an operational matter that is not intended to be provided for in the Bill.</p>
<p><b>91. The Committee recommends</b> that the principle of equity of care between unaccompanied children seeking international protection and Irish resident children must continue, and that consideration should not be given to reducing the rights of unaccompanied children in the General Scheme.</p>		<p>The Pact measures include extensive safeguards for unaccompanied minors seeking international protection, and it is not the intention that the care entitlements for such children will be reduced.</p>
<p><b>92. The Committee recommends</b> that the best interests of the child shall be a primary consideration for the competent authorities in the General Scheme, when applying Article 22 of the Asylum Procedures Regulation, Article 13 of the Screening Regulation, Article 26 of the Reception Conditions Directive, Article 14 of the Eurodac Regulation, Article 23 of the Asylum and Migration Management Regulation, and Article 20 of the Qualification Directive.</p>		<p>The Bill provides that the best interests of the child shall be a primary consideration for the purposes of Part 2, Part 3 Chapter 2, Part 3, Chapter 3, and Part 7.</p>

Source: [L&RS \(2026\)](#) prepared based on PLS Report, the Bill and commentary from DJHAM