DÁIL ÉIREANN

CÓIRÍOCHT D'IARRATASÓIRÍ AR CHOSAINT IDIRNÁISIÚNTA.

Rith Dáil Éireann an Rún seo istigh ag an gCruinniú de Dháil Éireann a bhí ann an 21ú lá seo de Mhárta, 2024.

ACCOMMODATION FOR INTERNATIONAL PROTECTION APPLICANTS.

The within Resolution was passed by Dáil Éireann at its Meeting on this 21st day of March, 2024.

Cathaoirleach Dháil Éireann

Le cur go dtí:

For transmission to: *An Taoiseach*

Go ndéanann Dáil Éireann:

a himní a chur in iúl:

— go bhfuil géarchéim dhaonchairdis agus sláinte poiblí ag géarú mar gheall ar mhainneachtain an Rialtais cóiríocht a sholáthar d'iarratasóirí ar thearmann;

— go bhfuil os cionn 1,200 iarratasóir ar chosaint idirnáisúnta gan chóiríocht in Éirinn anois;

— go bhfuil na céadta iarratasóirí ar chosaint idirnáisiúnta ag codladh i dtuairim agus 150 puball thart ar Shráid an Mhóta i lár Bhaile Átha Cliath;

— nach bhfuil aon leithris, ná uisce reatha ná saoráidí sláintíochta sa champa puball úd ar Shráid an Mhóta;

— gur tuairiscíodh cásanna galair cnis agus galair riospráide i measc na bhfear atá ina gcónaí gan dídean i bpubaill;

— go bhfuil na fir atá ag codladh amuigh á bhfágáil i gcúinsí atá míshláintíoch agus contúirteach, i mbaol aimsir anróiteach agus ionsaí foréigneach;

— gur cuireadh pubaill trí thine san áit chéanna in ionsaí coirloiscthe foréigneach ciníoch in 2023;

— i litir chuig an Irish Times an 13 Márta 2024, go ndúirt cláraitheoir na ngalar tógálach an Dr Ralph Hurley O'Dwyer go ndearna sé "cúram le roinnt seachtainí anuas d'fhir óga iomadúla, iarratasóirí ar chosaint idirnáisiúnta, a cuireadh san ospidéal le fadhbanna sláinte tromchúiseacha de dheasca bheith ag codladh amuigh faoin bhfuacht";

— go ndúirt an Dr Hurley O'Dwyer gur "gá sealanna fada, costasacha san ospidéal chun na fadhbanna sin a bhainistiú"; agus

— gur inis an Dr Angy Skuse, Stiúrthóir Leighis Safetynet Primary Care do RTÉ an 14 Márta 2024 go raibh an staid ina raibh cúrsaí ar Shráid an Mhóta "mídhaonnachtúil" agus go ndúirt sí gur chuir sí cóir leighis ar dhaoine ag an suíomh a raibh fadhbanna sláinte tromchúiseacha iomadúla acu;

That Dáil Éireann:

expresses concern that:

— a humanitarian and public health crisis is intensifying because of the failure of the Government to provide accommodation to asylum seekers;

— there are now more than 1,200 international protection applicants without accommodation in Ireland;

— hundreds of international protection applicants are sleeping in approximately 150 tents around Mount Street in central Dublin;

— there are no toilets, no running water and no sanitation facilities at this tent encampment on Mount Street;

— there have been reports of cases of skin disease and respiratory disease among the men living rough in tents;

— the men sleeping rough are being left in increasingly unsanitary and dangerous conditions, at risk of severe weather and violent attack;

— tents at the same location were set alight in a violent and racist arson attack in 2023;

— in a letter to the Irish Times on 13th March, 2024, infectious diseases registrar Dr Ralph Hurley O'Dwyer said that in recent weeks he has "looked after multiple young men, international protection applicants, hospitalised with serious medical conditions as a result of sleeping outside in the cold";

— Dr Hurley O'Dwyer said "the management of these conditions requires lengthy, costly hospital stays"; and

— on 14th March, 2024, Dr Angy Skuse, Medical Director of Safetynet Primary Care, told RTÉ the conditions on Mount Street were "inhumane" and said she had treated people at the site with multiple serious health issues;

a thabhairt dá haire:

— gur dhearbhaigh an Roinn Leanaí, Comhionannais, Míchumais, Lánpháirtíochta agus Óige do RTÉ an 18 Feabhra 2024 go raibh 2,151 áit leapa fholamh sa Chóiríocht um Chosaint Idirnáisiúnta agus go raibh 2,801 áit leapa fholamh i gcóiríocht a ndearnadh conradh ina taobh le haghaidh na nÚcránach;

— gur dhearbhaigh an Roinn don Irish Times an 14 Márta gur aimsíodh 500 leaba bhreise in iniúchadh ar an acmhainn chóiríochta éigeandála; agus

— gur thug an Roinn le fios freisin go raibh tuairim agus 2,500 "folúntas ionchasach" i measc na leapacha a ndearnadh conradh ina dtaobh le haghaidh na nÚcránach;

a thabhairt dá haire thairis sin:

— go ndearna an Rialtas, i mí Feabhra 2021, Páipéar Bán chun Deireadh a Chur le Soláthar Díreach agus chun Seirbhís Tacaíochta Cosanta Idirnáisiúnta Nua a Bhunú a fhoilsiú, a bhí faoi thionchar obair an Ghrúpa Chomhairligh maidir le Tacaíocht a Sholáthar lena n-áirítear Cóiríocht do Dhaoine sa phróiseas Cosanta Idirnáisiúnta faoi cheannas an Dr Catherine Day, a mhol sé cinn d'ionaid fáilte agus lánpháirtithe faoi stiúir an Stáit a sholáthar;

— go ndearna an Dr Day agus an Grúpa Comhairleach tuarascáil nuashonraithe a fhoilsiú i mí Iúil 2023 ag moladh athruithe a theastaigh ó foilsíodh Páipéar Bán 2021 dar theideal "Tuarascáil Uimh. 2 ón nGrúpa Comhairleach Seachtrach maidir le Deireadh a Chur le Soláthar Díreach", agus gur luaigh siad gur chóir sé cinn d'ionaid fáilte a sholáthar ar bhonn práinne;

— go ndúirt an Dr Day sa pháipéar nuashonraithe gur chóir trí ionad a sholáthar faoi dheireadh 2023 agus trí cinn eile faoi dheireadh 2024;

— nár soláthraíodh aon cheann de na hionaid fáilte agus lánpháirtithe faoi stiúir an Stáit sin go fóill; agus

notes that:

— on 18th February, 2024, the Department of Children, Equality, Disability, Integration and Youth confirmed to RTÉ that there were 2,151 vacant bed spaces in International Protection Accommodation and 2,801 vacant bed spaces in accommodation contracted for Ukrainians;

— on 14th March, 2024, the Department confirmed to the Irish Times that an audit of emergency accommodation capacity had found about 500 extra beds; and

— the Department also revealed there were about 2,500 "potential vacancies" among beds contracted for Ukrainians;

further notes that:

— in February 2021, the Government published a White Paper to End Direct Provision and to Establish a New International Protection Support Service, which was informed by the work of the Advisory Group on the Provision of Support including Accommodation to Persons in the International Protection process that was chaired by Dr Catherine Day, which recommended providing six State-run reception and integration centres;

— in July 2023, Dr Day and the Advisory Group published an updated report advising of changes required since the publication of the 2021 White Paper entitled "Report No. 2 from the External Advisory Group on Ending Direct Provision", and stated six reception centres should urgently be provided;

— in the updated paper, Dr Day said three centres should be delivered by the end of 2023 and a further three by the end of 2024;

— none of these State-run reception and integration centres have yet been provided; and

— go raibh tuairiscí sna meáin go bhféadfadh an Rialtas roghnú suíomhanna le haghaidh na n-ionad sin a chur siar go dtí tar éis na dtoghchán áitiúil i Meitheamh 2024;

a chomhaontú:

— go bhfuil oibleagáidí ar an Stát faoin dlí baile agus faoi dhlí an Aontais Eorpaigh (AE) "dálaí glactha ábhartha" a sholáthar d'iarratasóirí ar thearmann;

— go gcuimsíonn dálaí glactha ábhartha bunriachtanais chóiríochta, bhia, éadaí agus rochtain ar shaoráidí sláinteachais phearsanta;

— gur chinn an Ard-Chúirt, i mí Aibreáin 2023, go raibh mainneachtain an Stáit na dálaí glactha ábhartha a sholáthar d'iarratasóir ar chosaint idirnáisiúnta neamhdhleathach;

— gur chinn an Ard-Chúirt arís, i mí na Nollag 2023, go bhfuil dualgas doshéanta ar an Stát dálaí glactha ábhartha a sholáthar; agus

— sa bhreithiúnas a thug sé, i mí na Nollag 2023, go ndúirt an Breitheamh Ferriter:

"Faoi dhlí an AE (arna thraschur go dlí na hÉireann), tá oibleagáid leanúnach, shainordaitheach ar an Stát bunriachtanais a sholáthar d'iarratasóirí ar chosaint idirnáisiúnta, lena n-áirítear cóiríocht gan bhriseadh ón uair a dhéanann daoine cáilithe iarratas ar chosaint idirnáisiúnta"; agus

a iarradh ar an Rialtas:

— a chomhaontú go bhfuil a mhainneachtain dálaí glactha ábhartha a sholáthar d'iarratasóirí ar chosaint idirnáisiúnta neamhdhleathach;

— a iniúchadh ar Sheirbhísí Cóiríochta do Chosaint Idirnáisiúnta agus ar chóiríocht d'Úcránaigh a fhoilsiú ina sainaithneofar na suíomhanna ina bhfuil leapacha folmha, cá fhad atá siad folamh agus an chúis go bhfuil siad folamh;

— a mhíniú cén fáth nár cuireadh iniúchadh ar leapacha folmha i gcrích go dtí lár mhí an Mhárta, nuair atá an Stát ag

— there have been media reports that the Government may defer identifying locations for these centres until after the local elections in June 2024;

agrees that:

— the State has domestic and European Union (EU) law obligations to provide "material reception conditions" for asylum seekers;

— material reception conditions include the basic needs of accommodation, food, clothing and access to personal hygiene facilities;

— in April 2023, the High Court found the State's failure to provide these material reception conditions, to an international protection applicant, was unlawful;

— in December 2023, the High Court again found the State had a clear duty to provide material reception conditions; and

— in his judgment, in December 2023, Mr Justice Ferriter said:

"[A]s a matter of EU law (as transposed into Irish law) the State remains under a continuing, mandatory obligation to provide international protection applicants with basic needs including accommodation on an uninterrupted basis from the point at which qualifying persons apply for international protection"; and

calls on the Government to:

— agree that its failure to provide material reception conditions to international protection applicants is unlawful;

— publish its audit of International Protection Accommodation Services and Ukrainian accommodation, identifying locations where beds are vacant, how long they have been vacant and the reason for the vacancy;

— explain why an audit of vacant beds was only completed in mid-March, when the State has been failing in its duty to provide

mainneachtain ina chuid dualgais cóiríocht a sholáthar le mórán míonna anuas;

— an Páipéar Bán athleasaithe a fhoilsiú ar a bhfuil an tAire Leanaí, Comhionannais, Míchumais, Lánpháirtíochta agus Óige ag obair agus ina leagtar amach an plean gearrthéarma, meántéarma agus fadtéarma chun déileáil le cóiríocht d'iarratasóirí ar thearmann;

— dlús a chur le pleananna chun sé ionad glactha agus lánpháirtíochta faoi stiúir an Stáit a sholáthar;

— a chinntiú go bhfuil acmhainní leordhóthanacha ann don chóras cosanta idirnáisiúnta ionas go bhfaigheann iarratasóirí breitheanna ar mhodh tráthúil éifeachtúil; agus

— a chinntiú go mbíonn rialuithe sainfhála leordhóthanacha agus trédhearcacht fheabhsaithe ann nuair a bhíonn conarthaí á mbronnadh do chóiríocht arna maoiniú ag an Stáit d'iarratasóirí ar thearmann.

accommodation for many months;

— publish the revised White Paper the Minister for Children, Equality, Disability, Integration and Youth is working on which details its short-, medium- and long-term plan to deal with accommodation for asylum seekers;

— expedite plans to provide six State-run reception and integration centres;

— ensure the international protection system is adequately resourced so applicants receive decisions in a timely and efficient manner; and

— ensure there are adequate procurement controls and enhanced transparency when contracts for State-funded accommodation for asylum seekers are being awarded.