Oireachtas Committee on Justice, Home Affairs and Migration

Tuesday 21 October 2025

UNHCR Opening Statement

Ms. Maria Hennessy, Government Liaison Officer, UNHCR Ireland

Chairperson, members of the Committee,

May I start by thanking the Committee on Justice, Home Affairs and Migration for the invitation to address you today on UNHCR's observations on the General Scheme of the International Protection Bill 2025. The proposed Scheme will have a direct and lasting impact on the lives of people seeking international protection in Ireland. This is an opportunity to get it right - to establish a fair, efficient and predictable protection system that works well for refugees and Ireland.

UNHCR would like to focus on the following areas of concern:

1) **Legal Counselling and Representation**: The Scheme currently does not address legal counselling, the framework for which we understand is still under development. UNHCR recommends the inclusion of an explicit provision guaranteeing access to free legal assistance and representation for all applicants, at all stages of the asylum process. This is essential to ensure effective access to the asylum procedure, better quality decisions and reduce the volume of appeals, ultimately contributing to a more efficient and cost-effective procedure.

2) The establishment of a **Chief Inspectorate of Asylum Border Procedures** is a welcome development, and many of its proposed features align with UNHCR's recommendations. UNHCR recommends that its enforcement mechanisms are further strengthened to ensure that the Chief Inspectorate's recommendations lead to concrete action and are reported publicly to promote transparency, accountability and access to remedies. It is equally important that the Chief Inspectorate's operational autonomy and independence are fully guaranteed in law and practice.

3) UNHCR is concerned that several aspects of the proposed appeal procedure may infringe refugee's **access to effective remedies**. These include the short timeframes for lodging appeals (in some cases as little as 5 days), and the default practice of deciding appeals without oral hearings. Of particular concern is the absence of an automatic suspensive

effect for certain refusal decisions, including for persons in the asylum border procedure and certain inadmissibility determinations, which could lead to forced return of individuals who may be in need of international protection. UNHCR recommends that these provisions of the General Scheme be reviewed in lined with our observations to ensure respect for the principle of *non-refoulement* and the right to an effective remedy.

4) **Asylum Border Procedure:** While asylum border procedures can support a well-functioning protection system, they must fully uphold all legal safeguards. In UNHCR's view, such procedures are not suitable for unaccompanied children, trafficking and torture survivors and other vulnerable persons who should be explicitly exempted and channelled into the regular procedure. It is equally important that any restrictions of movement envisaged in the border procedure do not amount to *de facto* detention.

With those amendments and adequate resourcing, the Scheme has the potential to strengthen both the integrity and efficiency of the protection system. UNHCR stands ready to work with the government and members of the Oireachtas to transform the Irish protection system in a way which implements the EU Pact on Migration and Asylum but also reflects Ireland's obligations under international refugee and human rights law. Thank you for your attention and I look forward to an exchange with the Committee on these issues.