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Mr Leo VARADKAR

Taoiseach, Prime Minister of Ireland

Mr Roderic O'GORMAN

Minister for Children, Equality, Disability, Integration and Youth of Ireland

Mr Darragh O'BRIEN

Minister for Housing, Local Government and Heritage of Ireland

Strasbourg, 17 May 2023

Dear Prime Minister, dear Ministers,

I am writing to you in relation to the continued challenges faced by international protection applicants with respect to adequate reception and accommodation in Ireland.

I highly appreciate the generous welcome extended to close to 80,000 Ukrainian beneficiaries of temporary protection, of whom some 60,000 have been provided with different forms of accommodation. However, I understand that the reception conditions for international protection applicants have been inadequate since the summer of 2022, as Ireland, like other European countries, has recorded an increase in arrivals. Since the beginning of September 2022, international protection applicants are reported to have been periodically turned away by the responsible International Protection Accommodation Service (IPAS), citing a shortfall in availability.

I am concerned by the decision taken at the beginning of 2023 to offer emergency accommodation only to international protection applicants with children, reportedly leaving over 900 applicants, including some whose age has been disputed and who may be minors, in a situation of street homelessness. While I am aware that this decision was taken in exceptional circumstances and with the intention of offering shelter to all applicants as soon as it became available, the exposure of often traumatised and vulnerable individuals to cold, rain, hunger, and distress has serious consequences for their human rights, notably the right to health. It may very well also fall short of the minimum standards under Article 3 of the European Convention on Human Rights.

I note that the High Court [declared](#) on 21 April 2023 that the State's failure to provide accommodation, food and basic hygiene facilities to a newly-arrived international protection applicant from Afghanistan was unlawful, breaching the applicant's right to dignity under the EU Charter of Fundamental Rights and his entitlement to material reception conditions under the EU Reception Conditions Directive, as given effect in Irish law by the EU (Reception Conditions) Regulations 2018. I further note the clear advice by the High Court that ongoing efforts to secure accommodation within an emergency context do not absolve the government of its obligations and that the provision of the applicant with a voucher and a referral to private charity organisations is not an adequate response.

In view of the above, I would be grateful if you could inform me of the steps that the Irish authorities envisage taking to address the unmet needs of over 500 international protection applicants who remain without shelter.

Looking ahead, I believe that the current situation warrants a reconsideration of some of the more structural shortcomings of the international protection system, including in relation to the system of Direct Provision, which remains in operation despite plans for its termination. In this context, I am concerned about the reported differences in treatment afforded to people fleeing the war in Ukraine and those fleeing war and atrocities elsewhere, even where the latter are provided with accommodation. While I welcome the fact that Ukrainian beneficiaries of temporary protection are usually moved into more permanent and

independent types of accommodation after a few days, I understand that international protection applicants with children tend to be housed in inadequate and overcrowded transit conditions for extended periods of time.

I welcome the allocation of further funding by the government to the IPAS in early March 2023 to refurbish available buildings and create new emergency accommodation centres. However, the measure appears to fall short of a comprehensive resolution to the crisis at hand. Close inter-departmental coordination would seem to be required, for instance, to facilitate the timely transition from emergency shelter into affordable, longer-term housing opportunities for recipients of international protection.

I am aware that the extreme shortage of available accommodation for newly-arriving asylum seekers occurs against the background of a broader housing crisis that has been affecting a growing number of Irish families. The significant scarcity of affordable housing and resulting record levels of homelessness, which is a phenomenon that I also observe in other Council of Europe member states, are a great concern and doubtlessly a matter of high priority for the government.

In my view, the scale and complexity of the prevailing reception and accommodation crisis in Ireland therefore calls for a determined, whole-of-government approach, as the responsible Department for Children, Equality, Disability, Integration and Youth, owing to its limited capacities along with a broad range of functions, is not in the position to address all the issues that appear relevant to secure a holistic response alone.

I therefore encourage you to continue working towards a more sustainable system of reception that firmly places the accommodation of refugees and asylum seekers within the context of the broader housing policy development and implementation. This, beyond helping secure safe and dignified reception conditions for all international protection applicants, would also reduce the risk of sudden capacity problems that result from the inevitable fluctuations in asylum applications that come with contemporary global developments.

While I am aware of the magnitude of the task, a sustainable government response to the needs of international protection applicants as part of the measures required to boost the availability of affordable housing in Ireland may also help relieve the sense of agitation and fear among the public. This growing unease may be contributing to the nascent anti-refugee sentiment across the country which has led to a number of worrying incidents, including very recently.

I look forward to continuing our constructive dialogue on this and other topics.

Your sincerely,

A handwritten signature in black ink, appearing to read 'Dunja Mijatović', with a stylized flourish at the end.

Dunja Mijatović