



# ***DIRECT PROVISION ACTION GUIDE***



**AMNESTY  
INTERNATIONAL**



Ireland's Direct Provision system is a **human rights scandal**. People seeking asylum are trapped for years in inhumane conditions. People living in Direct Provision, and the organisations that support them, are demanding a new system. Stand with them and join us to call on the Irish Government to urgently create an alternative system, one that **respects the dignity and rights of people seeking asylum**.

Approaching the 20th anniversary of this inhumane system, we say Direct Provision has been #20yearsTooLong

## What is Direct Provision?

The Direct Provision system was launched in 2000 to provide housing, food and other basic necessities to people seeking asylum in Ireland. Direct Provision centres are hostels, hotels and other accommodation owned and run by private companies for profit, paid for by the Government. Direct Provision was designed as a short-term emergency measure. It has instead become a system where people are trapped in limbo for years, often in overcrowded conditions, without adequate facilities and supports. It is particularly harsh for children, and for vulnerable adults who have experienced trauma and even torture before arriving in Ireland. Centres are often in isolated locations far from local communities, and some lack facilities that allow people to cook for themselves.

Direct Provision has resulted in a generation of children being denied their human rights, with serious consequences for their mental and physical health and wellbeing. The Ombudsman for Children says: "Direct Provision is not a suitable long-term arrangement for anyone, particularly for children who are spending large proportions of their childhoods living in an institution."<sup>[1]</sup>

The Government has been making some improvements. For example, the Ombudsman and Ombudsman for Children can now consider complaints from Direct Provision residents. A limited right to work has been introduced for people seeking asylum who have been waiting more than nine months for a first decision on their asylum/protection claims. However, the restrictions on this right must be eased or lifted. People seeking asylum still face many barriers to gaining employment, such as opening a bank account or obtaining a driver's licence. The weekly allowance for people seeking asylum has been increased to €29.80 for children and €38.80 for adults, following a recommendation of the government-NGO Working Group on Direct Provision in 2015<sup>[2]</sup>. However, Direct Provision accommodation centres were not intended as long-term homes, and people continue to be trapped in inhumane conditions.

**Seeking asylum is a human right. Direct Provision causes harm and trauma and violates human rights. A new approach is urgently needed, one which fully respects, protects and fulfils the human rights of people seeking asylum in Ireland. This is an ongoing human rights scandal.**

[1] "20 years later Direct Provision, a temporary solution, continues – Ombudsman for Children", press release, 13 March 2019, at [www.oco.ie](http://www.oco.ie)

[2] McMahon Report 2015: <http://justice.ie/>

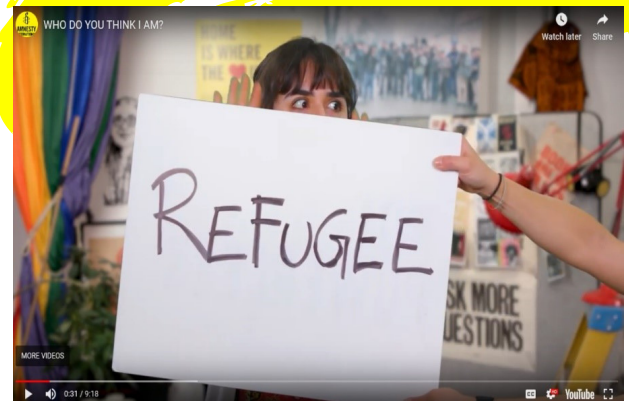
## Who is a person seeking asylum?

A person seeking asylum, also called an asylum-seeker, is someone who is looking for safety and protection in another country as a refugee, but hasn't yet been recognised as one. Some people don't meet the narrow 'refugee' definition but are also at risk of serious human rights abuses, and they can apply for what is called 'subsidiary protection'. The term that includes both groups is 'international protection seekers'.

Seeking asylum is a human right, which means everyone should be allowed to enter another country to seek asylum and be treated fairly and with dignity. People should have access to the UN Refugee Agency (UNHCR) if they need or want it. No one should be forced to return to a country where their life or safety would be at risk.

## Who is a refugee?

A refugee is a person who has fled their own country because they are at risk of serious human rights violations there, due to who they are or what they believe. Because their own Government cannot or will not protect them, they are forced to seek safety and protection in another country.



Watch this 9 minute video with Rania Ali, a refugee from Syria, who explains different terms, and debunks myths and lies about refugees that we often hear in the news and used by politicians to create fear.

[www.youtube.com/watch?time\\_continue=94&v=fjaVxsnwmaU](https://www.youtube.com/watch?time_continue=94&v=fjaVxsnwmaU)

## Who is a migrant?

A migrant moves from one country to another, often to find work. There may also be other reasons such as wanting to join relatives, or to escape natural disasters. Some move because they want to, while others feel forced to leave because of poverty or other serious problems. People can migrate 'regularly', which means they have official permission to stay in a country, or 'irregularly', which means they don't yet have this permission. Whatever their status, all migrants are entitled to have their human rights protected.

## Human Rights

Refugees and asylum-seekers' rights are protected by international law, regardless of how and why they arrive in a country. They have the same rights as all other human beings, plus special protections including:

- The Universal Declaration of Human Rights (Article 14), which states that everyone has the right to seek and enjoy asylum from persecution in other countries.
- The 1951 UN Refugee Convention, which protects refugees from being returned to countries where they risk being persecuted.

# Some of the key human rights issues

## Right to housing and to live with dignity

The living conditions in many Direct Provision centres deny people their right to adequate housing and to live with dignity. The problems include overcrowding, limited living space, isolation from the wider Irish community, lack of privacy, lack of recreational facilities, and inadequate facilities for children, e.g. for homework and play. Many people who receive refugee status or permission to remain in Ireland cannot leave the Direct Provision system, due to the general shortage in affordable and available housing.

## Children's Rights

The significant impact on children's rights and wellbeing caused by living in such institutionalised environments for long periods of time is very concerning. Children and young people in Direct Provision experience social exclusion due to lack of money to be able to participate in social and community activities, and the physical isolation of many centres, and other restrictions that are a daily reality. Ireland has obligations to children under the United Nations Convention on the Rights of the Child (UNCRC) and these cannot be fulfilled in the Direct Provision system.

## Physical and mental health

People seeking asylum have a right to the highest possible standards of health and wellbeing, however the issues we have just highlighted can cause serious negative impacts. Many Direct Provision centres are far from local towns, amenities and communities, which can further people's sense of isolation and hopelessness. The system is particularly inhumane for vulnerable people, for example those who have mental health problems, or who are victims of trafficking, violence or torture. Institutionalised living can exacerbate trauma and make it impossible for full rehabilitation to take place. LGBTI people may be at particular risk and require specialised supports not available near many centres. Women, girls and other people who can become pregnant can face barriers in accessing the reproductive healthcare they need when they need it.

## The legal process

The process to apply for international protection should be fair, effective and timely, however many people still face long delays. This is part of the reason people spend so many years in Direct Provision. The resources are still not in place to make the legal system efficient, and people seeking asylum do not have access to free, independent and adequate legal advice and assistance at all stages of the process. There is a particular lack of access to legal advice early in the process, including at the initial interview and to complete the application forms.

# ACT NOW

People seeking asylum in Ireland have to live in an inhumane system. Everyday they, and groups that support them, are demanding a new system that respects their rights and dignity. Despite living in precarious circumstances in Direct Provision, people seeking asylum demonstrate resilience and dignity in their struggle to claim their rights.

Stand with them.

**Sign the Petition.** Copy and sign the petition included below, and post to Amnesty International Ireland. These signatures will be handed to the Minister for Justice and Equality, Charlie Flanagan. The Minister has overall responsibility for asylum and international protection matters.

**Talk to people** you know about the issues facing people in Direct Provision and share the petition with them

**Share the petition on social media** and let people know why you think this is a human rights scandal. Example message:

*20 years is too long for Direct Provision, a system that is not human rights compliant, to be in existence. I am calling for change @CharlieFlanagan #20YearsTooLong #IWelcome*

Tag the Minister and Department of Justice on Twitter: @DeptJusticeIRL / @CharlieFlanagan  
Communication guidelines included below.

**Write a letter to Minister Charlie Flanagan** and explain why you are concerned about the human rights concerns in Direct Provision, and that you urgently call on the Government to act. You can use the sample letter provided below, or follow these guidelines to write your own letter!

## Post letters to our offices, or to:

### Address:

Minister for Justice and Equality Charlie Flanagan,  
Department of Justice and Equality, 51 St Stephen's Green, Dublin 2

### Email:

minister@justice.ie

## Guidelines for letter-writing and communication

1. Include the date, an official salutation, and include your mailing address so that they can respond.
2. Keep your letter brief and to the point and make your reason for contacting them clear.
3. Politely but firmly, without using aggressive language, state the specific action (ask or demand) you want the official to take and request a time specific response.
4. At the end of the letter thank the official, ask for a response and sign off.



**On the 20 November for Universal Children's Day stand with children and young people who are being denied their rights in Direct Provision.**

**Organise a solidarity event or action**, such as a gathering with food (e.g. a solidarity dinner, solidarity music session, or a solidarity Tea and Coffee meetup!). The idea is to invite your group or school, members of various communities, and people from a local Direct Provision centre (if possible), to come together in solidarity. Have a welcome statement and display, and some photos or show a video. It is important not to give the impression that Amnesty International will be able to assist with individual cases. You and your group can communicate your solidarity, and campaign for human rights for everyone living in Direct Provision.

Host a **panel discussion or talk** with local groups and organisations and invite guest speakers.

Do you have a **school newsletter or college paper**? If so, why not write an article on Direct Provision and what you, as Amnesty activists stand for.

We will keep you posted on any upcoming **marches and protests about Direct Provision**. Join Amnesty and march with us to demand a human rights compliant system for people seeking asylum in Ireland.

**Do a photo action**. Print pictures of your group with cards saying '20YearsTooLong' or 'We stand with people in Direct Provision'.

**Take part in a street action**. Use props and placards to highlight the Human Rights abuses in Direct Provision or to show that you stand in solidarity with people in Direct Provision.

**Get Creative!** Write messages of solidarity in chalk or create posters to put around your area, school or college with information on Direct Provision. Make sure that you have permission to put up posters!

**Share what you are doing with Amnesty International Ireland**, use the hashtag #20YearsTooLong and tag @AmnestyIreland and @ActAmnesty on Twitter and Instagram.

**Continue to be the welcome you want Ireland to be known for**. Challenge racism and unfounded fears about migration and refugees. Find out what you can do in our Welcoming Communities toolkit. [www.amnesty.ie/wp-content/uploads/2018/06/Welcoming-Communities.pdf](http://www.amnesty.ie/wp-content/uploads/2018/06/Welcoming-Communities.pdf)



## Organisations and Groups

There are many groups and organisations at the local level doing tremendous work to welcome newcomers to Ireland. The following is a non-exhaustive list of some of the larger, national groups and organisations.

- o Doras Luimní <http://dorasluimni.org/>
- o Immigrant Council of Ireland <https://www.immigrantcouncil.ie/>
- o Irish Refugee Council <http://www.irishrefugeecouncil.ie/>
- o Jesuit Refugee Service Ireland <https://jrs.ie/>
- o MASI – The Movement of Asylum Seekers in Ireland <http://www.masi.ie/>
- o Migrant Rights Centre Ireland <https://www.mrci.ie/>
- o Nasc, the Migrant and Refugee Rights Centre <http://www.nascireland.org/>
- o New Communities Partnership <https://www.newcommunities.ie/>
- o Places of Sanctuary Ireland <http://ireland.cityofsanctuary.org/>
- o RAMSI – Refugee and Migrant Solidarity Ireland <https://www.ramsi.info/>

Dear Minister,

I write to express my concern at the ongoing failures of the Direct Provision system for the reception and accommodation of asylum/protection seekers. While acknowledging recent improvements and reforms, it is clear this system still fails to meet Ireland's human rights obligations.

I urge the Irish Government to work in consultation with stakeholders, including rights holders directly affected by the system, to develop an alternative to Direct Provision that fully complies with international human rights standards. This new approach must:

- Respect, protect and fulfil the rights of asylum/protection seekers to adequate housing, and an adequate standard of living for themselves and their families;
- Safeguard their right to physical and mental health, and their right to private and family life;
- Ensure support services are available, acceptable and appropriate to the needs of all individuals, including children, families, survivors of torture, and other vulnerable persons.

In the interim, I call on the Irish Government to urgently:

- Introduce vulnerability assessments for torture victims and other vulnerable persons, and ensure decisions are informed by individual needs and vulnerabilities in relation to proximity to necessary and appropriate services and supports;
- Ensure timely and effective access to medical, psychological, rehabilitation, legal and social services and supports;
- Ensure effective access to the right to work and access to the labour market, for the widest number of asylum/protection applicants;
- Guarantee the right to prompt, fair and effective determination of claims for international protection, by ensuring high quality decision-making in the international protection process, and the provision of legal advice and assistance to asylum/protection seekers at all stages of the protection process.

Yours sincerely,

## Contact Information

### For any questions please contact:

Louise Conway  
Youth Activism Officer  
[lconway@amnesty.ie](mailto:lconway@amnesty.ie)  
01 863 8345 / 086 852 8710

### Post petitions to:

Amnesty International Ireland  
Séan MacBride House  
48 Fleet Street  
D02 T883