



Initial Observations of the Ombudsman for Children
on the
General Scheme of the International Protection Bill 2015

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1. Introduction

The Minister for Justice and Equality published the General Scheme of the International Protection Bill ('the General Scheme') on 25 March 2015 and subsequently forwarded the General Scheme to the Oireachtas Committee on Justice, Defence and Equality for pre-legislative scrutiny and public consultation.

The stated aim of the proposed legislation is to introduce a single procedure for the examination of applications for international protection (or asylum) in Ireland, incorporating eligibility for refugee status and eligibility for subsidiary protection status. This will also include the assessment of any other grounds being presented by the applicant for permission to remain in the State.

This submission is being made to the Minister for Justice and Equality and to the Oireachtas Committee on Justice, Defence and Equality following an invitation to the Ombudsman for Children from the Oireachtas Committee to make a submission and pursuant to Section 7 of the Ombudsman for Children Act 2002, which provides that the Ombudsman for Children may give advice on any matter relating to the rights and welfare of children, including the probable effect on children of the implementation of proposals for legislation.

The Ombudsman for Children's Office ('the Office') has a long-standing interest in and concern about matters affecting the rights and welfare of accompanied and unaccompanied children, who are amongst the most vulnerable children in the State and who face multiple barriers to the realisation of their rights.

The Ombudsman for Children welcomes the publication of the General Scheme of the International Protection Bill and its stated overall purpose to introduce a single application procedure for international protection applicants. Implementation of the legislation should mitigate some of the challenges faced by accompanied and unaccompanied children.

In preparing this submission, the Office has been guided by international standards and guidance in this area, in particular the UN Convention on the Rights of the Child. The submission provides initial observations on the General Scheme. The principal purpose of the observations and recommendations made is to propose a number of areas in which the legislation could be enhanced to better serve the interests of accompanied and unaccompanied children and to conform more fully with Ireland's international human rights obligations.

2. Providing for a Child Rights-Based Approach

In light of Ireland's international human rights obligations, the International Protection Bill needs to be drafted with a view to ensuring that provisions relating to accompanied and unaccompanied children reflect the principles and provisions of the UN Convention on the Rights of the Child (UNCRC) and relevant international guidance.

Article 3 and Article 12 are two general principles of the UNCRC:

- Article 3 provides that the best interests of the child must be a primary consideration in all actions concerning children.
- Article 12 states that children who are capable of forming a view have the right to express their views freely in all matters affecting them and that due weight must be given to their views in accordance with their age and maturity. It further provides that children must have the opportunity to be heard in any judicial or administrative proceedings affecting them, either directly or through a representative or an appropriate body.

In addition to being substantive rights, Articles 3 and 12 are also procedural rules, whereby respect for the child's best interests and views are recognised under international standards as being vital to the realisation of children's other rights. Furthermore, Articles 3 and 12 are interrelated: when seeking to make a determination about what is in a child's best interests, the views of the child should be heard and afforded due weight.

Providing for a child rights-based approach will require, *inter alia*, that provision for the best interests of the child to be treated as a primary consideration and provision for children to express their views freely and to have due weight afforded to those views need to be integrated appropriately as positive obligations in all relevant sections of the International Protection Bill.

Accordingly, while welcoming the inclusion of the best interests principle in Heads 23, 33 and as applied under Head 52 to Heads 47 to 51, this Office believes that the principle should underpin and drive all actions and decisions affecting children in the international protection process and that the Bill, once drafted, should ensure this. Similarly, this Office is of the view that there is scope to strengthen provision currently made in the General Scheme for children to express their views, including through making provision for the appointment of an independent guardian to provide advice, advocacy and support to unaccompanied minors (see part 5 of this submission).

In providing for a rights-based approach, it is important to ensure that professionals who have responsibilities towards and make decisions affecting children have the necessary knowledge and skills to fulfil their roles in a child-sensitive and rights-respecting manner. In this regard, this Office notes and concurs with the recommendation of the Working Group

on the Protection Process that: “The International Protection Bill 2015 should contain a provision requiring decision-makers who take decisions in relation to children and those who interview them to have received and continue to receive appropriate procedural and substantive training” (Working Group Report, at 3.210).

This Office recommends:

- **The International Protection Bill, once drafted, should ensure that the principle of treating the best interests of the child as a primary consideration in all actions concerning children and the principle of hearing and affording due weight to children’s views are appropriately integrated as positive obligations in all relevant sections of the Bill.**
- **The Bill should also create a requirement that professionals who have duties towards and make decisions affecting accompanied and unaccompanied children must have received and continue to receive appropriate training, including training on how to implement a child rights-based approach.**

3. Child-Specific Persecution

Head 6 of the General Scheme provides a statutory definition of persecution, which had been absent from the Refugee Act 1996. Included in the definition of persecution at Head 6(2)(f) is “acts of a gender-specific or child-specific nature.”

Having regard to:

- Article 3 of the UNCRC
- Paragraph 74 of General Comment No. 6
- Paragraph 8.7 of the 1997 Guidelines
- Paragraph 18 of the 2009 Guidelines
- Paragraph 20 of 2004 Directive
- Paragraphs 3.212 and 3.213 Working Group Report

This Office:

- welcomes the explicit recognition and inclusion of child-specific persecution under Head 6;
- notes that the UN Committee on the Rights of the Child has specified in its General Comment No. 6 that “[p]ersecution of the kin; under-age recruitment; trafficking of children for prostitution; and sexual exploitation or subjection to female genital mutilation, are some of the child-specific forms and manifestations of persecution which may justify the granting of refugee status if such acts are related to one of the 1951 Refugee Convention grounds” (para. 74).

This Office recommends:

- **Consideration should be given to providing further clarification in the Bill about what can constitute child-specific forms of persecution. Such clarification should take due account of the rights of the child as set out in the UNCRC.**

4. Vulnerable Persons and Children

Head 52 concerns the situation of vulnerable persons and children. It provides that in the application of Heads 47 (extension to qualified persons of certain rights), 48 (permission to reside in the State), 49 (travel document), 50 (permission to enter and reside for a member of family of a qualified person) and 51 (permission to reside for a member of family of a qualified person), due regard shall be had to:

- the specific situation of vulnerable persons, including accompanied or unaccompanied persons under the age of 18 years;
- the best interests of the child shall be a primary consideration in the application of Heads 47, 48, 49, 50 and 51 in relation to a child under the age of 18 years.

Taking into account:

- Article 3 UNCRC
- Paragraph 8.1 of the 1997 Guidelines
- Paragraph B1 of the Statement of Good Practice
- Article 20(3) of the 2004 Directive
- Article 13(4) of the 2001 Directive

This Office notes:

- While the recognition of the vulnerabilities of children is welcome, it currently extends only to those matters addressed under Part 8 of the Scheme.

The Office recommends:

- **Consideration should be given to extending the recognition at Head 52 of the specific situation of vulnerable persons, including accompanied and unaccompanied children, to the protection application process.**

5. Unaccompanied Minors

Reference is made to unaccompanied minors at various junctures in the General Scheme, including at:

- Head 12(4), which concerns the role of the Child and Family Agency in arranging for the appointment of an employee of the Agency or such other person as it may determine to make an application on behalf of a child under their care.
- Heads 14, which concerns notification to and care by the Child and Family Agency of an unaccompanied minor.
- Head 23, which concerns medical examination to determine the age of an unaccompanied minor.
- Head 33, which concerns the personal interview of an unaccompanied minor.

Taking into account:

- Articles 1, 3 and 12 of the UNCRC
- Paragraphs 7 to 10, paragraph 21 and paragraph 33 of General Comment No. 6
- Paragraph 64 of the Concluding Observations of the UN Committee on the Rights of the Child, 2006
- Paragraph 5.7 of the 1997 Guidelines
- Paragraph 214 of the UNHCR Handbook
- Paragraph D3 of the Statement of Good Practice
- Paragraph 14 and Articles 2(h) and 17 of the 2005 Directive
- the Ombudsman for Children's 2008 Advice and 2009 report on Separated Children

This Office notes that the General Scheme:

- does not incorporate an internationally recognised definition of 'unaccompanied minor';
- does not provide for the appointment of an appropriately trained, independent guardian to provide advice, advocacy and support to such children and, as such, to fulfil a role distinct from that of their social worker and legal representative.

The Office recommends:

- **The Bill should incorporate an internationally recognised definition of 'unaccompanied minor'.**
- **The Bill should provide for the appointment of an independent guardian to unaccompanied minors, where the role of such a guardian is to advise, advocate and represent the child throughout the process. In this regard, the Bill should provide for clarity in relation to core duties of an independent guardian vis à vis other key professionals, including social workers of the Child and Family Agency.**

6. Applications for International Protection

Head 12 of the General Scheme concerns applications for international protection:

- Head 12(1)(b) provides that a person over the age of 18 years may make an application for international protection on behalf of another person who is under the age of 18 years, and who is the responsibility of, and under the care and protection of, that person.
- Head 12(3) provides that an adult who makes an application on his/her own behalf shall be deemed to make an application on behalf of any dependent child of him or her who is present in the State at the time of the making of the application, is born in the State while the person concerned is an applicant, or enters the State while the person concerned is an applicant.
- Head 12(4) reflects section 8(5)(b) of the Refugee Act 1996 in providing that, where necessary, the Child and Family Agency, shall arrange for the appointment of an employee of the Agency or such other person as it may determine to make an application on behalf of a child under their care.

Taking into consideration:

- the status of the child as an individual rights-holder under the UNCRC
- Paragraphs 182-188 of the UNHCR Handbook
- Articles 6(3) and 6(4) of the 2005 Directive
- Part 6 of the Ombudsman for Children's 2008 Advice
- the situation of unregistered children as highlighted in paragraphs 3.265 and 3.266 of the Working Group Report

This Office notes that the General Scheme:

- does not provide for a mechanism to enable an accompanied child to make an application in his/her own right or for separate consideration to be given to a child within a family application;
- does not provide a clear indication as to who it is envisaged may make an application on behalf of children in the care of the Child and Family Agency.

This Office recommends:

- **The Bill should have regard to the recommendation of the Working Group on the Protection Process in respect of unregistered children, namely that “where an accompanied child has not made an application/has not been included in a protection application by their parent/guardian, the law should ... provide that the child be deemed to be an applicant for protection.”**
- **The Bill should permit an accompanied child to make an application in his/her own right, as appropriate, having regard to the particular circumstances of the case and the best interests of the child concerned.**

- **The Bill should provide for separate consideration of a child in cases where the child is part of a family application and where such separate consideration is or may be in the child's best interests.**
- **The Bill should provide a clearer indication as regards who may be appointed to make an application on behalf of a child in the care of the Child and Family Agency.**

7. Ambiguity as to Age

The matter of cases where there is ambiguity as to the age of accompanied and unaccompanied children is addressed under several Heads in the General Scheme:

- Head 14, which concerns unaccompanied minors seeking international protection, provides that in cases where it appears that a person seeking to make an application for international protection, or who is the subject of a preliminary interview, is under the age of 18 years, the Child and Family Agency shall be notified and it “shall be presumed that the person concerned is a child”, with a consequence that legislation concerning the care and welfare of persons under 18 years will apply.
- Head 18, which deals with the taking of fingerprints, inverts the operation of a presumption to the extent that Head 18(3) provides that, in cases where an authorised officer, an immigration officer or a member of An Garda Síochána “has reasonable grounds for believing that the person is not under the age of 14 years, the provisions of subhead (2) shall apply as if he or she has attained the age of 14 years”.
- Head 19, which concerns the detention of an applicant, also inverts the presumption, whereby Head 19(7) provides that where an immigration officer or a member of An Garda Síochána “has reasonable grounds for believing that the person is not under the age of 18 years, the provisions of subheads (1) and (5) shall apply as if he or she has attained the age of 18 years”.
- Head 23 concerns the use of a medical examination to determine the age of an unaccompanied minor in cases where doubt exists in respect of an applicant’s age. It provides that, where the Minister is of the opinion that such doubt exists, the Minister may arrange for the use of a medical examination to determine the age of the applicant.

Having regard to:

- Article 3 of the UNCRC
- Paragraph 31(A) of General Comment No.6
- Paragraph D5.3 of the Statement of Good Practice
- Part 3 of the Ombudsman for Children’s 2008 Advice

This Office notes:

- inconsistencies within the General Scheme of the Bill as regards the operation of a presumption that a person is a child or, in the case of Head 18, that a person is under 14 years, in cases where there is ambiguity as to the person’s age;
- the inversion of this presumption under Head 19 is contrary to international standards and fails to afford such persons the protections and consideration that should be afforded to children under 18 years of age;
- the implicit presumption that an applicant is a child under Head 23 through the provision at 23(5) that the best interests of the child shall be treated as a primary consideration in the operation of this Head.

The provisions at Head 18(3) and Head 19(7) are dealt with in parts 9 and 10 respectively of this submission.

The Office recommends:

- **The Bill, once drafted, should make explicit and consistent provision for the operation of a presumption that a person is a child in cases where there is ambiguity as to age, with the corresponding protections afforded to such persons in accordance with international standards.**
- **Head 23 should provide that, in cases where doubt remains as to the age of an applicant following a medical examination, the presumption that the applicant is under the age of 18 will apply.**

8. Age Assessment

Head 23 of the General Scheme concerns the use of a medical examination to determine the age of an unaccompanied minor. A number of issues arise under this Head in addition to the matter of ambiguity as to age, which is addressed in part 7 above.

Taking into account:

- Article 3 of the UNCRC
- Paragraph 5.11 of the 1997 Guidelines
- Section D5 of the Statement of Good Practice
- Articles 17(5) and 17(5)(c) of the 2005 Directive

This Office welcomes:

- the requirement at Head 23(2) for a medical examination to be the least invasive and to be performed by qualified medical professionals with full respect for the applicant's dignity;
- the requirement at Head 23(4) for the Minister to ensure that an applicant is provided with information as regards a possible medical examination to determine the age of the applicant;
- the explicit requirement at Head 23(5) for the best interests of the child to be a primary consideration in the application of Head 23.

This Office notes that:

- Head 23(1) provides limited detail as regards grounds for doubt as to age and the status of a medical examination;
- the requirement of the consent of an applicant in order for a medical examination to be performed is not stated at Head 23(2) as clearly as it might be;
- Head 23 does not include a provision equivalent to Article 17(5) of the 2005 Directive, whereby a decision to reject an application from an unaccompanied minor who has refused to undergo a medical examination shall not be based solely on that refusal;
- Head 23 does not include a provision equivalent to 17(5)(c) of the 2005 Directive, whereby refusal of an unaccompanied minor to undergo a medical examination shall not prevent the determining authority from taking a decision on his/her application.

The Office recommends:

- **The Bill should provide that a medical examination shall be performed only:**
 - **where there are serious grounds for doubt, taking into account factors including psychological maturity as well as the physical appearance of the applicant;**

- where such an examination is necessary, proportionate and a measure of last resort following the failure of other approaches to establish an applicant's age.
- The Bill could benefit from a more clearly stated requirement for the consent of an applicant in order for a medical examination to be performed.
- Consideration should be given to including a requirement that, in addition to being undertaken by qualified medical professionals, an assessment should be carried out by a multidisciplinary group of professionals with appropriate expertise and familiarity with the applicant's ethnic and cultural background.
- The requirement at Head 23(4) regarding the provision of information to the applicant might be strengthened by requiring that information is provided in a manner that takes due account of the applicant's capacity and language.
- Consideration should be given to including a provision in this proposed section of the Bill that:
 - a decision to reject an application from an unaccompanied minor who has refused to undergo a medical examination for the purposes of age assessment shall not be based solely on that refusal;
 - refusal by an unaccompanied minor to undergo a medical examination shall not prevent the determining authority from taking a decision on the application.

9. Taking of Fingerprints

Head 18 of the General Scheme concerns the taking of fingerprints.

Taking into consideration:

- Articles 2, 3 and 16 of the UNCRC
- Paragraph 29 of General Comment No.6
- Article 22 of the 2005 Directive
- Part 8 of the Ombudsman for Children's Advice of 2008

This Office notes:

- Unlike the requirement at Head 23(4) to provide information to an applicant about a possible medical examination, Head 18 does not make any provision as regards providing information to applicants in relation to the taking of fingerprints.
- Head 18 does not provide for a requirement of privacy or non-disclosure in respect of personal data generated as a consequence of an applicant's fingerprints being taken.
- Head 18 makes no reference to the importance of respecting and protecting the physical integrity of an applicant.
- Head 18 requires the presence of a parent or another adult taking responsibility for the child in order for the fingerprints of a child under 14 years of age to be taken. The presence of a parent or another adult taking responsibility for the child is not required in the case of a child who has attained the age of 14 or who an authorised officer, an immigration officer or a member of An Garda Síochána has reasonable grounds to believe has attained the age of 14 years. Taking into account the rights and best interests of children as provided for under the UNCRC, including the child's right to non-discrimination, this Office would query the different treatment afforded to children under 14 years and children aged 14 years or over.

This Office recommends that:

- **The Bill should include a requirement that applicants, including child applicants, be given information regarding the taking of their fingerprints. In the case of persons under 18 years, this information should be provided in an accessible, age-appropriate manner.**
- **Further clarification is merited at Head 18(5) as regards how fingerprint records will be stored and who will have access to these records.**
- **Consideration should be given to making provision in the Bill as regards the need to respect and protect the physical integrity of all applicants.**

- **The requirement that a parent or another adult taking responsibility for a child must be present in order for the fingerprints of a child under the age of 14 to be taken should be extended to all children under the age of 18 years.**

10. Detention of an Applicant

Head 19 of the General Scheme concerns the detention of an applicant. Head 19 provides:

- at 19(1) for the circumstances in which an applicant may be arrested and detained;
- at 19(6) that the provisions regarding the detention of an applicant shall not apply to a person who is under the age of 18 years;
- at 19(7) that the provisions of subheads (1) to (5) shall apply in cases where an immigration officer or a member of An Garda Síochána has reasonable grounds for believing that the person is not under 18 years of age;
- at 19(8) that an immigration officer or a member of An Garda Síochána must notify the Child and Family Agency without delay that an unmarried person under the age of 18 years is in the custody of another person who has been detained under the provisions of Head 19.

Taking account of:

- Articles 3, 9 and 37(b) of the UNCRC
- Paragraphs 61 – 63 of General Comment No. 6
- Paragraphs 7.6 and 7.7 of the 1997 Guidelines
- Paragraph D6 of The Statement of Good Practice
- Part 4 of the Ombudsman for Children's 2008 Advice

This Office notes:

- By inverting the presumption that a person is a child in cases where there is ambiguity as to the person's age, 19(7) is contrary to international standards and generates a risk that a person under the age of 18 could be arrested and detained.
- There is a lack of clarity as to what will happen to a child and the principles that will govern decisions made about a child in the event that the Child and Family Agency is notified pursuant to Head 19(8).

The Office recommends:

- **Head 19(7) should either be deleted or, alternatively, replaced by a provision that makes express provision for the operation of a presumption that a person is a child in cases where there is doubt as to the person's age.**
- **The Bill should provide for clarity as to what will happen to a child who is in the custody of another person who has been detained pursuant to Head 19(8) and provide for decisions affecting a child in these circumstances to be made in accordance with his/her best interests.**

11. Personal Interviews and Oral Hearings

Head 32A concerns personal interviews of applicants:

- Head 32A(3)(a) provides that the Minister shall ensure that the person who conducts the interview is sufficiently competent to take account of the personal or general circumstances surrounding the application, including the applicant's cultural origin or vulnerability, in so far as it is possible to do so.
- Head 32A(8)(b) provides that the personal interview may be dispensed with where the Minister is of the opinion that where the applicant is under the age of 18 years, he or she is of such an age and degree of maturity that an interview would not usefully advance the examination.

Head 33 concerns personal interviews of applicants who are unaccompanied minors and provides, *inter alia*, that:

- the Minister shall take the best interests of the child to be a primary consideration as regards ensuring that a person appointed by the Child and Family Agency has the opportunity to inform the child about the personal interview and is permitted to be present at the personal interview;
- the person who conducts the personal interview and the person who prepares the report, together with the determination of the Minister, has "the necessary knowledge of the special needs of minors".

Head 38 concerns oral hearings for the purpose of an appeal, whereby Head 38(3) provides that an appeal may be determined without an oral hearing except where otherwise provided.

In view of:

- Articles 3, 12 and 13 of the UNCRC
- Paragraphs 20 and 27 of General Comment No. 6
- Paragraph 8.6 of the 1997 Guidelines
- Articles 12(3) and 12(5) of the 2005 Directive

This Office:

- welcomes Head 32A(8)(b) and Head 32A(9), which appears to provide that the final determination of an application will not be adversely affected by the absence of a personal interview;
- further welcomes that specific provision is made for applicants who are unaccompanied minors at Head 33;

- wishes to reiterate the importance of providing for children's right to express their views freely and to have their views taken into account in accordance with their age and maturity, including for the purposes of determining what is their best interests;
- notes that, unlike Head 32A(8), Head 38(3) does not provide for reasons why an oral hearing may be dispensed with, including on the grounds of the age and maturity of an applicant under 18 years.

The Office recommends:

- **Consideration should be given to making more detailed provision for a child-sensitive approach to personal interviews and oral hearings that will take account of, *inter alia*, the age, capacity, language and gender of a child and take place in conditions and using methods that facilitate a child to express his/her views freely.**
- **Consideration should also be given to providing in the Bill for reasons why an appeal may be determined without an oral hearing.**

12. Family Reunification

Head 50 provides for permission to enter and reside in the State for family members of qualified persons (sponsors). Head 51 provides for the grant of permission to reside in the State for family members who are already in the State, whether lawfully or unlawfully. A definition of family member is provided for at Head 50(8).

Taking into account:

- Articles 2 and 10 of the UNCRC
- Paragraph 185 of the Handbook
- Articles 2(h) and 23(5) of the 2004 Directive
- the Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010

This Office notes:

- The definition of ‘family members’ who may benefit from the principle of family unity as provided for by Head 50 does not take full account of the diversity of family types. Examples of categories of family members who will be excluded from this process include the child of the spouse, civil partner or cohabitant of the sponsor and close relatives of the child, including grandparents, who lived together as part of the family.
- The definition also does not take account of circumstances where a child is in the care of a non-relative and the quality of the relationship is equivalent to a family.

The Office recommends:

- **The Bill, once drafted, should ensure that appropriate recognition is given to diversity of family types and to non-relative relationships equivalent to a family. The definition of ‘family member’ under Head 50(8) should be amended accordingly.**

13. Prioritisation

Head 67 provides that subject to the need for fairness and efficiency the Minister may, where he or she considers it necessary or expedient to do so, accord priority to any application.

With regard to:

- Article 3 of the UNCRC
- Paragraph 70 of General Comment No. 6
- Paragraph 8.1 of the 1997 Guidelines
- Paragraph 66 of the 2009 Guidelines

This Office notes:

- the absence of an express reference in the General Scheme that, where appropriate, the Minister may prioritise children's protection applications, with reference to the age of the applicant or his/her status as an unaccompanied minor.

The Office recommends:

- **The Bill should ensure that the Minister may prioritise cases, as appropriate, by reference to the age of an applicant or his/her status as an unaccompanied minor.**

List of Abbreviations

UNCRC	United Nations Convention on the Rights of the Child Ratified by Ireland in 1992	1989
General Comment No. 6	United Nations Committee on the Rights of the Child General Comment No. 6: Treatment of Unaccompanied and Separated Children outside their Country of Origin	2005
UN Concluding Observations 2006	United Nations Committee on the Rights of the Child; Concluding Observations: Ireland	2006
UNHCR Handbook	United Nations High Commissioner for Refugees <i>Handbook and Guidelines on Procedures and Criteria for Determining Refugee Status under the 1951 Convention and the 1967 Protocol relating to the Status of Refugees</i>	2011
1994 Guidelines	United Nations High Commissioner for Refugees <i>Refugee Children: Guidelines on Protection and Care</i> , 1994	1994
1997 Guidelines	United Nations High Commissioner for Refugees <i>Guidelines on Policies and Procedures in dealing with Unaccompanied Children Seeking Asylum</i>	1997
2009 Guidelines	United Nations High Commissioner for Refugees <i>Guidelines on International Protection No. 8: Child Asylum Claims Under Articles 1(A)2 And 1(F) of the 1951 Convention and/or 1967 Protocol Relating To The Status Of Refugees</i>	2009
2001 Directive	COUNCIL DIRECTIVE 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof	2001
2004 Directive	COUNCIL DIRECTIVE 2004/83/EC of 29 April 2004 on minimum standards for the qualification and status of third country nationals or stateless persons as refugees or as persons who otherwise need international protection and the content of the protection granted	2004
2005 Directive	COUNCIL DIRECTIVE 2005/85/EC of 1 December 2005 on minimum standards on procedures in Member States for granting and withdrawing refugee status	2005
Statement of Good Practice	Separated Children in Europe Programme Statement of Good Practice	2004

2008 Advice	Advice of the Ombudsman for Children on the Immigration, Residence and Protection Bill	2008
2009 Report on Separated Children	Separated Children living in Ireland. A Report by the Ombudsman for Children's Office	2009
Working Group Report	Working Group to Report to Government on Improvements to the Protection Process, including Direct Provision and Supports to Asylum Seekers. Final Report. June 2015	2015

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COUNCIL DIRECTIVE 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof 2001

<http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32001L0055&from=EN>

COUNCIL DIRECTIVE 2004/83/EC of 29 April 2004 on minimum standards for the qualification and status of third country nationals or stateless persons as refugees or as

persons who otherwise need international protection and the content of the protection granted

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32004L0083:en:HTML>

COUNCIL DIRECTIVE 2005/85/EC of 1 December 2005 on minimum standards on procedures in Member States for granting and withdrawing refugee status

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<http://www.oco.ie/about-us/ombudsman-for-children-act/>

Advice of the Ombudsman for Children on the Immigration, Residence and Protection Bill 2008 (March 2008)

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Separated Children living in Ireland. A Report by the Ombudsman for Children's Office (November 2009)

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