

Asylum Seeker

An asylum seeker is a person who seeks to be recognised as a refugee under the terms of the 1951 Refugee Convention relating to the Status of Refugees as defined in Section 2 of the Refugee Act, 1996, as amended.

Seeking Recognition as a Refugee (Asylum Seeking)

A Refugee is defined under the 1951 United Nations Refugee Convention as

a person who 'owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable, or owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it'

Those who seek recognition as refugees are termed 'asylum seekers' whilst their claim for asylum is processed. This process can take some time. Asylum seekers generally have very few rights and entitlements.

For more information on the Asylum Process, click [here](#)

Asylum Seekers who made an asylum claim in Ireland after 10th April 2000:

Since 10th April 2000 all asylum seekers who have made a claim in Ireland have been initially housed in a Reception Centre in Dublin. They may stay there for up to two weeks. After this time they will be housed in a full board accommodation centre. Full board means accommodation and all meals. They also receive €19.10 per adult and €9.60 Direct Provision Allowance per child. This scheme is known as Dispersal and Direct Provision.

Asylum-seekers that refuse to stay in full-board centres are not entitled to a rent supplement or assistance with other basic expenses.

At present there are a couple of exceptions to the application to the Dispersal / Direct Provision regulations, they concern; 'reunification' with an immediate family member (i.e. a newly arrived asylum-seeker may be reunited with a spouse or partner already in rented accommodation) and those with an extreme medical condition. Since the 1st April 2003 asylum seekers can no longer apply for a Rent Supplement.

If you are an asylum seeker who has arrived since 10th April 2000 these are your entitlements.

Rights and Entitlements

Employment

You are not entitled to work - penalties for working illegally are a fine of €634.87 and/or one month in jail.

FAS

You are not entitled to register with FAS or to go on FAS courses.

Social Welfare

If you are in Direct Provision accommodation you should receive €19.10 per week (€9.60 per child) Direct Provision Allowance. If you move out of Direct Provision you can apply to your local Community Welfare Officer for the reduced Supplementary Welfare Allowance of €19.10 (€9.60 per child). All applicants are from the 1 May 2004 required to satisfy the Habitual Residence Condition in order to qualify for the payment of Supplementary Welfare Allowance.

Important: all applicants from the 1 May 2004 are required to satisfy the Habitual Residence Condition in order to qualify for the payment of Child Benefit.

For more information on Habitual Residence Condition [click here](#).

You are entitled to apply for 'Exceptional Needs Payments' from the local Community Welfare Officer for extra essential outlays e.g. equipment for a new baby. Each application is taken on a case-by-case basis so there is no guarantee of payment.

Medical

You are entitled to the medical card and free medical care. You can ask your Community Welfare Officer for a form.

Medical units are assigned to the Dublin reception centres. Before you are dispersed you can agree to be tested for infectious diseases such as T.B. and diphtheria.

Accommodation

Whilst your claim is being processed you will be given a place to live outside Dublin in a full-board centre (i.e. three meals a day and accommodation). You are not entitled to Rent Supplement and are obliged to stay at the full-board centre until a decision is made on your asylum application. If your circumstances change, e.g. you or your spouse becomes ill you should talk to the Reception and Integration Agency (RIA) about the possibility of being transferred to self catering accommodation, however there is very little self catering accommodation available and so there is

no guarantee of getting a transfer.

Education

All children under the age of 18 have the right to primary and secondary education. All children under the age of 16 must attend school.

You are not entitled to places in State funded third level education, post leaving certificate courses (PLC), Vocational Training Opportunities Scheme (VTOS) and FAS courses.

You can do part time English language classes and other part time courses (e.g. computer courses) provided by voluntary groups. Under the Back to Education Scheme Initiative, asylum seekers are entitled to attend classes which provide language and literacy support, these classes are run through the VEC colleges which are located all over Ireland, and are free of charge. To find out about courses in your area you should contact the VEC college in your region, or the local Citizens Information Centre.

Travel

You are not entitled to leave the State without the permission of the Minister for Justice – penalties for leaving or attempting to leave the State without permission are a fine of €634.87 and/or one month in jail.

Citizenship

You cannot apply for citizenship.