



DÁIL ÉIREANN

COMHSHOCRÚ IMIRCE AGUS TEARMAINN AN AONTAIS
EORPAIGH

EUROPEAN UNION MIGRATION AND ASYLUM PACT

Rith Dáil Éireann an Rún seo istigh ag an
gCruinniú de Dháil Éireann a bhí ann an 1ú lá
seo de Bhealtaine, 2024.

The within Resolution was passed by Dáil
Éireann at its Meeting on this 1st day of May,
2024.

Cathaoirleach Dháil Éireann

Le cur go dtí:

For transmission to: *An Taoiseach*

Go ndéanann Dáil Éireann:

a thabhairt dá haire:

- gur dúshlán don Eoraip ar gá freagairt Eorpach ina leith í an imirce, ar freagairt í ar chóir go mbeadh beartais chuimsitheacha i ndáil leis na gnéithe inmheánacha agus seachtracha den imirce ar áireamh inti, ina dtabharfaí lánurraim chuí do chearta bunúsacha faoin dlí Eorpach agus faoin dlí idirnáisiúnta;
- go bhfuil córas inimirce docht riailbhunaithe in Éirinn ina bhfuil rialacha ar bun agus ina gcuirtear rialacha i bhfeidhm;
- go ndéanann Comhshocrú Imirce agus Tearmainn an Aontais Eorpaigh cur chuige cuimsitheach nua a leagan amach maidir le himirce, ag tabhairt beartas i réimsí na himirce, an tearmainn, na lánpháirtíochta agus an bhainistithe teorainneacha le chéile;
- go bhfuil Éire ina comhalta den Chomhchóras Tearmainn Eorpach (CTE) cheana féin;
- go bhfuil sé aitheanta riamh anall gurb í an ghníomhaíocht chomhordaithe idir Ballstáit, nuair is féidir, an modh is éifeachtaí le déileáil le dúshlán thrasnáisiúnta maidir le himirce agus tearmann;
- go bhfuil sé d’aidhm ag Comhshocrú Imirce agus Tearmainn an Aontais Eorpaigh, trí bhearta reachtacha, CTE a athchóiriú chun beartas tearmainn agus imirce AE a chur i bhfeidhm tuilleadh, aghaidh a thabhairt ar roinnt mí-éifeachtaí i gcórais náisiúnta imirce agus tearmainn, sásra níos leithne le haghaidh dlúthpháirtíochta a bhunú, déileáil le mí-éifeachtaí i gcóras reatha AE maidir le daoine a bheith ag filleadh, agus sásraí a thabhairt isteach le dul i ngleic le cásanna géarchéime tromchúiseacha;
- go dtabharfaidh an Comhshocrú an deis d’Éirinn leas a bhaint as nósanna imeachta breisithe maidir le scagadh agus tearmann ar fud AE, feasacht níos fearr ó thaobh sonraí agus staid de, aistrithe feabhsaithe chuig Ballstáit atá freagrach, agus bealaí le

That Dáil Éireann:

notes that:

- migration is a European challenge that requires a European response, which should include comprehensive policies in relation to both the internal and external dimensions of migration, with full and due respect for fundamental rights under European Union (EU) and international law;
- Ireland has a firm rules-based immigration system where rules are in place and where rules are enforced;
- the European Union Asylum and Migration Pact sets out a comprehensive new approach to migration, bringing together policy in the areas of migration, asylum, integration and border management;
- Ireland is already a member of the Common European Asylum System (CEAS);
- it has always been recognised that coordinated action between member states, where possible, is the most effective way of dealing with the transnational challenges of migration and asylum;
- the EU Migration and Asylum Pact aims, through legislative measures, to reform the CEAS to further the implementation of EU asylum and migration policy, address some inefficiencies in national migration and asylum management systems, establish a broader mechanism for solidarity, deal with inefficiencies in the current EU returns system, and introduce mechanisms to address extreme crisis situations;
- the Pact will enable Ireland to benefit from enhanced screening and asylum procedures across the EU, greater data and situational awareness, improved transfers to member states responsible, and avenues to obtain support in

- tacaíocht a fháil i gcásanna brú nó géarchéime i ndáil le himirce;
- gur léiriú é an Comhshocrú ar fhorbairt dhearfach i rannpháirtíocht na hÉireann i CTE, rud a chinnteoidh córas níos tapúla, níos cothromaí agus níos láidre;
 - gur mó is dócha, mura roghnaíonn Éire a bheith páirteach sa Chomhshocrú agus má leanann sí d'oiriú faoi na córais láithreacha, go mbeidh tóir níos mó ar Éirinn mar cheann scríbe do dhaoine a bheidh ag lorg cosanta, rud a d'fhagfadh go mbeadh níos mó daoine sa chóras fáiltithe ar feadh tréimhsí ama níos faide;
 - gur ghlac Parlaimint na hEorpa le gnéithe uile an Chomhshocráithe an 10 Aibreán, agus go bhfuiltear ag súil go nglacfaidh an Chomhairle Eorpach go hoifigiúil leis an gComhshocrú i mí Bealtaine 2024, agus go mbeidh sé infheidhmithe ina iomláine ar fud AE dhá bhliain ina dhiaidh sin, thart ar mhí an Mheithimh, 2026;
 - go dtabharfar isteach, trí roghnú a bheith páirteach sa Chomhshocrú, próisis nua agus bhreistithe scagtha, tearmainn agus fáiltithe, le hamlínte éigeantacha agus béim níos mó ar dhaoine a bheith ag filleadh; agus
 - go ndéanfar cinneadh céadchéime i gcás 70 - 80 faoin gcéad d'iarratais taobh istigh de thrí mhí agus go ndéanfar iad don chuid eile díobh taobh istigh de shé mhí, rud a laghdóidh an méid ama a chaitheann iarratasóirí i lóistín arna sholáthar ag an Stát;
 - go dtabharfaidh an Comhshocrú córas nua isteach leis an mBallstát atá freagrach as iarratas ar chosaint idirnáisiúnta a iniúchadh a aithint, agus go gceadóidh sé sin leibhéal níos airde aistrithe chun na tíre sin agus go mbogfaidh iarratasóirí ó Bhallstát amháin go dtí Ballstát eile;
 - go gcinnteoidh an Comhshocrú go bhfaighidh na daoine sin atá i dteideal cosaint idirnáisiúnta a fháil cinneadh tapa agus go ndiúltofar do na daoine sin nach bhfuil i dteideal an chéanna;
 - go mbunóidh an Rialachán maidir le
- situations of migratory pressure or crisis;
- the Pact represents a positive development in Ireland's participation in the CEAS which will ensure a faster, fairer and more robust asylum system;
 - not opting-in to the Pact and continuing to operate under existing systems will likely result in Ireland becoming a more attractive destination for individuals seeking protection, which would mean more people in the reception system for longer periods of time;
 - the European Parliament approved all of the Pact elements on 10th April, and it is expected that the Pact will be formally adopted by the European Council in May 2024, becoming fully applicable across the EU two years after, around June 2026;
 - opting-in to the Pact will introduce new and enhanced screening, asylum and reception processes, with mandatory timelines and a greater emphasis on returns; and
 - 70 - 80 per cent of applications will receive a first instance decision within three months and the remainder within six months, which will lead to a reduction in the time applicants spend in State-provided accommodation;
 - the Pact will introduce a new system to identify the member state responsible for examining an international protection application, and that will enable greater levels of transfers to that country where applicants move from one member state to another;
 - the Pact will ensure that those who are entitled to international protection will get a swift decision and that those not entitled will be refused;
 - the Asylum Migration and Management

Bainistiú Tearmainn agus Imirce (RBTI), ceann de na bearta atá sa Chomhshocrú, sásra éigeantach dlúthpháirtíochta chun cuidiú le Ballstáit atá faoi bhrú i ndáil le himirce, agus gurb ionann an stór dlúthpháirtíochta faoi láthair agus 30,000 duine a athlonnó nó €600,000,000 de ranníocaí airgid ó na Ballstáit uile ar bhonn bliantúil;

- go bhféadfaidh go mbeidh an comhthiomsú dlúthpháirtíochta faoin Rialachán maidir le Bainistiú Tearmainn agus Imirce faoi réir a athbhreithnithe sa todhchaí ar mhodh togra ón gCoimisiún Eorpach le haghaidh Gníomh Cur Chun Feidhme ón gComhairle nach foláir do thromlach na mBallstát vótáil air sular féidir é a athbhreithniú;
- gur mór iad na contúirtí straitéiseacha a thiocfaidh mura mbeidh Éire páirteach sa Chomhshocrú, mar go mbeidh tionchar mór ag na leasuithe ar nósanna imeachta reatha na mBallstát maidir le cosaint, agus má dhéanann Éire cinneadh gan bheith páirteach ann, beidh de thoradh ar í do leanúint de bheith ag oibriú faoi chórais láithreacha na hÉireann go gcuirfear bac ar Éirinn rochtain a fháil ar shásraí dlúthpháirtíochta agus comhroinnte dualgas;
- nach dtabharfaimid aon cheannasacht uainn do AE má roghnaímid a bheith páirteach i mbearta an Chomhshocráithe;
- gur léir go bhfuil inniúlacht ag AE i réimse an tearmainn agus na himirce faoi Chonradh Liospóin, ar thacaigh an pobal leis sa Reifreann ar an 28ú Leasú ar an mBunreacht; agus
- gur cheadaigh an Chomh-Aireacht an 27 Márta 2024 Éire a bheith páirteach i seacht mbeart de chuid an Chomhshocráithe, agus go ndéanfar tairiscintí lena gceadófar Éire roghnú a bheith páirteach sna seacht mbeart a chur faoi bhráid na Dála agus an tSeanaid i mBealtaine 2024, chun go ndéanfar díospóireacht orthu agus go gceadófar iad de réir Airteagal 29.7.4^o de Bhunreacht na hÉireann;

Regulation (AMMR), one of the measures contained in the Pact, will establish a mandatory solidarity mechanism to assist member states under migratory pressure, and the solidarity pool currently consists of 30,000 relocations or €600,000,000 in financial contributions from all member states on an annual basis;

- the solidarity pool under the AMMR may be subject to revision in the future by way of a European Commission proposal for a Council Implementing Act which must be voted upon by a majority of member states before it can be revised;
- the strategic risks of not opting-in to the Pact are significant, as the reforms will greatly impact the current protection procedures of member states, should Ireland decide not to opt-in, continuing to operate under existing Irish systems will result in Ireland being precluded from accessing solidarity and burden sharing mechanisms;
- the question of ceding sovereignty to the EU by opting into the Pact measures does not arise;
- the EU clearly has competence in the area of asylum and migration under the Lisbon Treaty, which was endorsed by the people in the Referendum on the 28th Amendment of the Constitution; and
- Cabinet approved opting-in to seven measures of the Pact on 27th March, 2024, and that motions approving an opt-in to the seven measures will be put before the Dáil and the Seanad in May 2024, for debate and approval in accordance with Article 29.7.4^o of the Constitution of Ireland;

a thabhairt dá haire thairis sin:

- gur ceart bunúsach faoi Choinbhinsiún na Náisiún Aontaithe (NA) i dTaobh Stádas Dídeanaithe, 1951 agus faoi Phrótacal 1967 a ghabhann leis agus faoi Chairt an Aontais Eorpaigh um Chearta Bunúsacha tearmann a lorg;
- go bhfuil ceart gach duine chun tearmann a lorg i dtír shábháilte cumhdaithe i nDearbhú Uilechoiteann Chearta an Duine ag na Náisiún Aontaithe;
- gur gá dul chun cinn breise a dhéanamh chun aghaidh a thabhairt ar bhunchúiseanna na himirce neamhrialta chun daoine do dhul ar thuras bhaolacha chun AE a shroicheadh a dhíspreagadh, chun cailliúint saoil a chosc agus chun brú ar acmhainneachtaí glactha ar fud Ballstáit de AE a laghdú;
- go bhfuil gá le cur chuige uile-Rialtais laistigh de Bhallstáit de AE agus d'fhorais de AE araon chun aghaidh a thabhairt go héifeachtach ar na dúshlán a éiríonn as an imirce neamhrialta; agus
- go seasaimidne, Éire, go láidir lenár dtiomantas chun cearta bunúsacha na ndaoine sin a bhfuil gá acu le cosaint idirnáisiúnta a urramú agus tacú leis an gcéanna, i gcomhlíonadh iomlán ár n-oibleagáidí faoin dlí inmheánach, faoi dhlí AE agus faoin dlí idirnáisiúnta;

a thabhairt dá haire thairis sin:

- go bhfuil méadú suntasach tagtha ar an bpróiseáil atáthar a dhéanamh ar iarratais san Oifig um Chosaint Idirnáisiúnta, is líon iarratas a d'ardaigh ó 4,404 iarratas in 2021, go dtí 8,409 n-iarratas in 2023, agus 14,000 iarratas leagtha síos ina sprioc in 2024;
- gur tugadh isteach próiseáil luathaithe i mí na Samhna 2022, arb é an toradh a bhí air gur laghdaigh ar an líon iarratas ó na tíortha sábháilte sainainmnithe sin de 50 faoin gcéad ó tugadh isteach í;
- go bhfuil próiseáil luathaithe leathnaithe amach tuilleadh ó rinneadh dhá thír eile a shainainmniú mar thíortha sábháilte go

also notes that:

- seeking asylum is a fundamental right under the 1951 United Nations (UN) Convention Relating to the Status of Refugees and its 1967 Protocol and the Charter of Fundamental Rights of the European Union;
- every person's right to seek asylum in a safe country is enshrined in the UN Universal Declaration of Human Rights;
- further progress is needed to address the root causes of irregular migration in order to deter people from undertaking perilous journeys to reach the EU, to prevent loss of life and to reduce pressure on reception capacities across member states of the EU;
- a whole-of-Government approach is needed within both EU member states and EU institutions, to effectively address the challenges posed by irregular migration; and
- Ireland stands firm in our commitment to respecting and upholding the fundamental rights of those in need of international protection, in full compliance with our obligations under domestic, EU and international law;

further notes:

- the significant increase in processing in the International Protection Office, rising from 4,404 in 2021, to 8,409 in 2023, with a target of 14,000 in 2024;
- the introduction of accelerated processing in November 2022, which has resulted in the number of applications from those designated safe countries dropping by 50 per cent since it was introduced;
- the further expansion of accelerated processing with the designation of two further countries as safe in early 2024;

luath in 2024;

- go bhfuil an tír óna bhfuil an líon is airde iarratas ag teacht á háireamh i bpróiseáil luathaithe ó Aibreán 2024 amach;
 - go bhfuil bearta á ndéanamh chun an líon daoine a thagann gan doiciméid chéannachta a laghdú, agus gur taifeadadh laghdú 34 faoin gcéad a bheith tagtha ar an líon sin;
 - go bhfuil athbhreithniú á dhéanamh ar na fíneálacha a ghearrtar ar aerlínte;
 - go bhfuil oibríochtaí ar siúl i gcónaí in aerfort Bhaile Átha Cliath d'fhonn a aithint go tapa cé hiad na daoine atá ag teacht isteach go neamhrialta in Éirinn; agus
 - go bhfuil rialuithe víosaí tugtha isteach i roinnt tíortha breise agus go bhfuil athbhreithniú á dhéanamh ar thíortha eile; agus
- the inclusion of the country which has the highest number of applications in accelerated processing as of April 2024;
 - the steps being taken to reduce the numbers arriving without documents, with a 34 per cent reduction recorded;
 - the review of airline fines which is underway;
 - that operations continue to run in Dublin airport with a view to swiftly identifying irregular arrivals into Ireland; and
 - the introduction of visa controls in a number of additional countries with further countries under review; and

a iarraidh ar an Rialtas:

- leanúint de bheith ag comhoibriú leis an gCoimisiún Eorpach agus leis an gComhairle Eorpach chun a chinntiú go n-éireoidh le cur i ngníomh Chomhshocrú Imirce agus Tearmainn an Aontais Eorpaigh, ach a nglacfar é;
 - leanúint d'obair leis an gCoimisiún Eorpach agus leis an gComhairle Eorpach chun an cur chuige cuimsitheach i leith beartas imirce a fhorbairt agus a fhorbairt tuilleadh, a n-áireofar ann gníomh méadaithe maidir leis an ngné sheachtrach le hais cur chuige níos comhchuibhithe i leith gnéithe inmheánacha, i gcomhlíonadh iomlán prionsabail agus luachanna de chuid AE, dhlí AE agus an dlí idirnáisiúnta, agus é sin le hurraim chuí do chearta bunúsacha;
 - cabhrú le Pleananna Gníomhaíochta ag AE i leith tríú tíortha tosaíochta a fhorbairt agus a chur i ngníomh ar fud gach bealaigh imirce chun aghaidh a thabhairt go héifeachtach ar bhunchúiseanna na himirce;
 - leanúint de bheith ag plé le Ballstáit de AE agus le forais de AE chun rannpháirtíocht chomhordaithe le tíortha tionscnaimh
- calls on the Government to:
- continue to cooperate with the European Commission and the European Council to ensure successful implementation of the EU Asylum and Migration Pact, once it is adopted;
 - continue to work with the European Commission and the European Council, to develop and further develop the comprehensive approach to migration policy, which includes increased action in the external dimension alongside a more harmonised approach to internal aspects, in full compliance with EU principles and values, EU and international law, and with due respect for fundamental rights;
 - contribute to the development and implementation of EU Action Plans for priority third countries across all migratory routes, to effectively address the root causes of migration;
 - continue to engage with EU member states and EU institutions, to ensure coordinated engagement with countries of

agus trasdula a áirithiú d'fhonn comhpháirtíochtaí a rachaidh chun tairbhe don dá thaobh a fhorbairt chun imirce shábháilte, rialta agus ordúil a chur chun cinn;

- cabhrú le forbairt feasachta níos mó i dtaobh cásanna de shreabha imirce agus treochtaí imirce isteach in AE agus taobh istigh de araon, agus i dtaobh acmhainneachtaí glactha sna Ballstáit; agus
- leanúint de bheith i dteagmháil go dearfa le Rialtas na Ríochta Aontaithe, chun mí-úsáid an Chomhlimistéir Taistil a chosc.

origin and transit, with a view to developing mutually beneficial partnerships to promote safe, regular and orderly migration;

- contribute to the development of greater situational awareness of migratory flows and trends both into and within the EU, as well as reception capacities in member states; and
- continue to engage constructively with the Government of the United Kingdom, to prevent abuse of the Common Travel Area.