



Office of the
Refugee Applications Commissioner

Annual Report 2004





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This is the first annual progress report on the implementation of the *Strategy Statement 2004-2006* of the Office of the Refugee Applications Commissioner.

The Strategy Statement which was published in 2004, sets challenging goals and objectives across the range of responsibilities and operations of the Office. This report details the progress made during 2004 in delivering on these goals and objectives.

During the year, the Office continued to work towards the elimination of the backlog of cases and reduced the number of cases on hands by almost 50%. We are continuing to implement prioritisation directives, and prioritised cases, which represent more than 40% of all new applications, are dealt with on a current basis, i.e. as they are received. I expect that by the middle of 2005 almost all cases will be processed within that time frame. The reduction in the case backlog is attributable to a number of factors: a reduction in the number of applications; legislative provision for prioritised cases; and more streamlined processes. We have also continued to invest heavily in the quality of determination training and specialised support services.

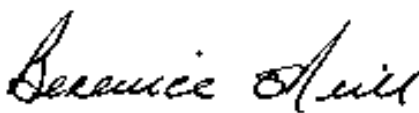
On the customer service front, the Customer Charter was published in 2004, two customer surveys were conducted and an extensive customer training programme was rolled out to staff. A Customer Service Action Plan developed during the year, and to be published in the first half of 2005, will map out our customer service policies up to 2008.

On the organisational side, ORAC continued to implement the civil service modernisation agenda. Achievements include the publication of *Corporate Plan 2004-2008*, development of the *Human Resource Strategy* and the further consolidation of the business planning and risk management processes.

To prepare for the introduction of upward feedback in the context of the Performance Management and Development System, much work was done in the latter half of the year in relation to an organisational climate survey conducted in January 2005. I am pleased to report that the survey outcome was most encouraging. In addition to a high response rate (80%), the results were very positive. I look forward to working with staff in developing responses to the survey findings and in continuing to improve both organisational and individual performance.

I would like to acknowledge the co-operation of the Department of Justice, Equality and Law Reform, the Refugee Appeals Tribunal, the Reception and Integration Agency and other state agencies and organisations involved in the asylum process. I would also like to acknowledge the continuing support given by the United Nations High Commissioner for Refugees (UNHCR) Representation in Ireland.

Finally, I would like to pay tribute to the staff of ORAC whose enthusiasm, commitment and professionalism have been responsible for the achievements described in this report.



Berenice O'Neill

Commissioner

The mission statement of the Office of the Refugee Applications Commissioner in accordance with the Refugee Act, 1996 is:

- (i) *to investigate applications from persons seeking a declaration for refugee status and to issue appropriate recommendations to the Minister for Justice, Equality and Law Reform,*

and

- (ii) *to investigate applications by refugees to allow family members to enter and reside in the State and report to the Minister for Justice, Equality and Law Reform on such applications,*

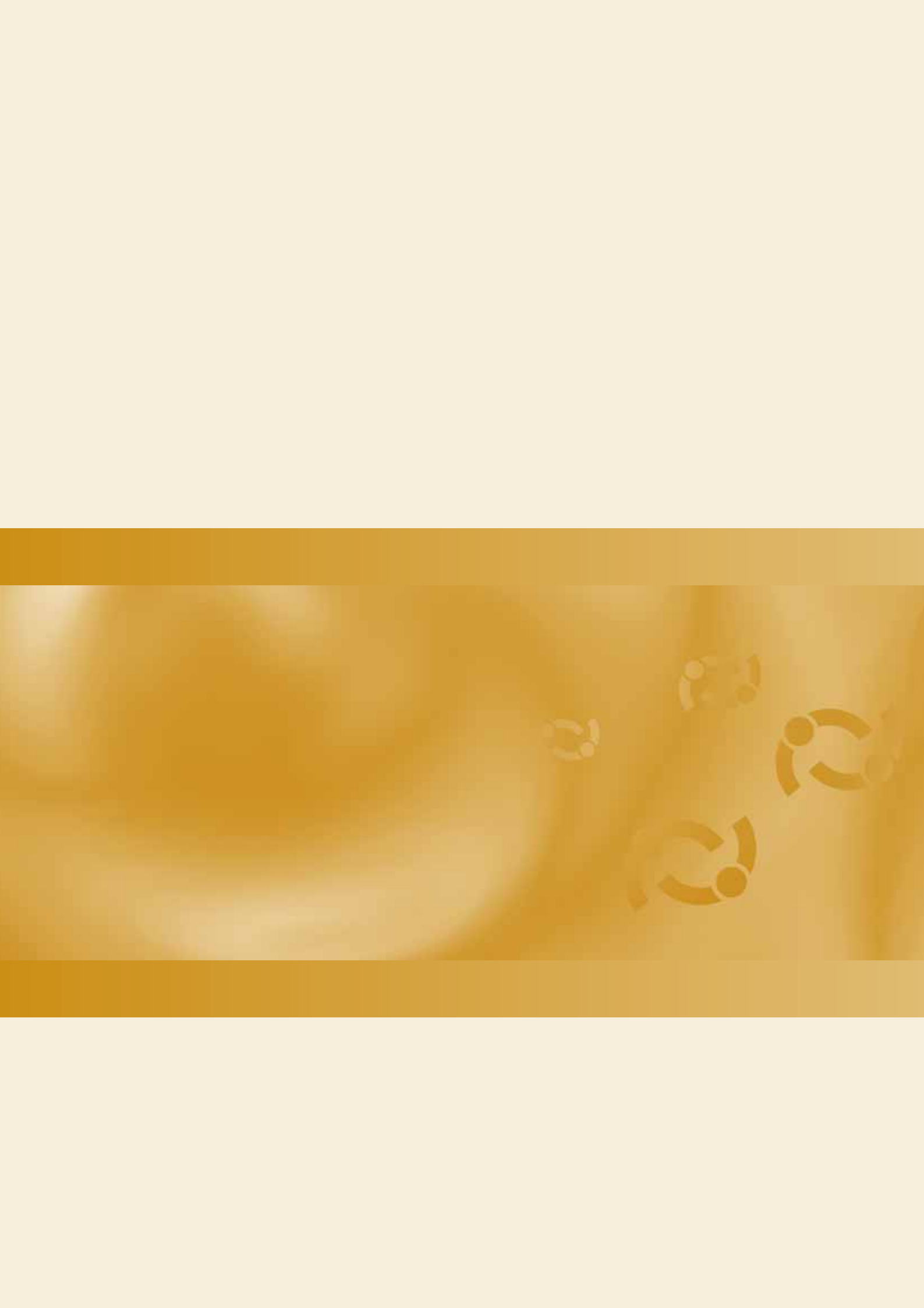
and in so doing, to provide a high quality service to our customers through the implementation of policies and procedures which are fair and open, treating all applicants with courtesy and sensitivity.

Who is an Asylum Seeker?

An asylum seeker is a person who seeks to be recognised as a refugee in accordance with the terms of the 1951 Geneva Convention relating to the status of refugees and the related 1967 Protocol, which provide the foundation for the international system of protection of refugees.

Definition of a Refugee

The definition of a refugee in Irish law is “a person who, owing to a 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 or her nationality and is unable or, owing to such fear, is unwilling to avail himself or herself of the protection of that country; or who, not having a nationality and being outside the country of his or her former habitual residence, is unable or, owing to such fear, is unwilling to return to it...”.



1

Introduction



Legal Framework

Under the Refugee Act, 1996 two independent statutory offices were established in November, 2000 to consider applications/appeals for refugee status and to make recommendations to the Minister on whether such status should be granted. These two offices are the Office of the Refugee Applications Commissioner (ORAC), which considers applications for a declaration as a refugee at first instance and the Refugee Appeals Tribunal which considers applications for a declaration at appeal stage.¹

The statutory functions of the Refugee Applications Commissioner are set out in the Refugee Act, 1996 as amended by the Immigration Act, 1999, the Illegal Immigrants (Trafficking) Act, 2000 and the Immigration Act, 2003. Throughout this report, the term "Refugee Act, 1996" means the "Refugee Act, 1996 (as amended)".

The Office also has regard to the following Statutory Instruments (S.I.) in the discharge of its business:

- S.I. No. 342 of 2000 – Refugee Act, 1996 (Appeals) Regulations, 2000.
- S.I. No. 343 of 2000 – Dublin Convention (Implementation) Order, 2000.
- S.I. No. 344 of 2000 – Refugee Act, 1996 (Places and Conditions of Detention) Regulations, 2000.
- S.I. No. 345 of 2000 – Refugee Act, 1996 (Application Form) Regulations, 2000.
- S.I. No. 346 of 2000 – Refugee Act, 1996 (Temporary Residence Certificate) Regulations, 2000.
- S.I. No. 415 of 2003 – Immigration Act, 2003 (Section 7) (Commencement) Order, 2003.
- S.I. No. 422 of 2003 – Refugee Act, 1996 (Safe Countries of Origin) Order, 2003.
- S.I. No. 423 of 2003 – Refugee Act, 1996 (Section 22) Order, 2003.
- S.I. No. 714 of 2004 – Refugee Act, 1996 (Safe Countries of Origin) Order, 2004.

Functions of the Refugee Applications Commissioner

The Refugee Act, 1996 states that the Refugee Applications Commissioner shall be independent in the exercise of his or her functions which are of a statutory and non-statutory nature. The key statutory responsibilities are:

- to investigate applications from those who seek a declaration for refugee status and to issue appropriate recommendations to the Minister for Justice, Equality and Law Reform on such applications,
and
- to investigate applications by refugees to allow family members to enter and reside in the State and report to the Minister for Justice, Equality and Law Reform on such applications.

Under the Act it is also the Commissioner's responsibility to:

- issue Temporary Residence Certificates to asylum seekers
- comply with any Ministerial directives concerning the prioritisation of certain categories of applicant
- direct the presentation of the Commissioner's case to the Refugee Appeals Tribunal where recommendations made by the Commissioner are appealed to the Tribunal
- furnish to the UNHCR, as well as relevant Government agencies, information as provided for in legislation.

While ultimately responsible for fulfilling these statutory functions under the Act, the Commissioner may delegate these functions to any member of her staff.

The Commissioner also has non-statutory functions. These include:

- ensuring that all applications for asylum at first stage are treated and processed in a fair, courteous and efficient manner

¹ A detailed description of the asylum process is available on ORAC's website (www.orac.ie).

- issuing directives on the practical application of the Refugee Act and on procedures and standards of work
- ensuring that adequate information on countries of origin of asylum seekers and international jurisprudence and practice in the area of asylum is available to staff
- participating in international fora on asylum related matters
- management of staff performance and training and development
- dealing with press queries
- preparation and management of the budget and Business Plan for the organisation.

Key Values of the Office

The key values that guide the work of the Office are:

- **Independence** – Independence of process and decision-making.
- **Fairness** – Fair procedures which are notified to asylum seekers.
- **Firmness** – Firmness in implementing statutory obligations.
- **Serving the key stakeholders** – Commitment to service to applicants and other stakeholders.
- **Commitment to Staff** – Recognising that staff are the most valuable resource of the Office and fostering an environment in which they can work effectively and develop their potential for the benefit of the Office specifically, and their career generally.
- **Commitment to excellence** – Performing work to a standard that will ensure high quality and timely outputs.
- **Openness** – Communicating with asylum seekers, the Minister for Justice, Equality and Law Reform, UNHCR, Non-Governmental Organisations and the public in a way which will instil confidence in the operation of the Office.
- **Efficiency in use of resources** – Ensuring efficiency in the use of available resources without compromising quality.

Funding and Staffing for the Office

Funding for the Office of the Refugee Applications Commissioner is provided by the State through the Department of Justice, Equality and Law Reform. The Act provides that “members of the staff of the Commissioner shall be Civil Servants within the meaning of the Civil Service Regulation Act, 1956”.

The Act also provides that “The Commissioner may delegate to any members of the staff of the Commissioner any of his or her functions under this Act...”. With the exception of Services staff, staff are designated authorised officers on appointment.

Organisational Management Structure

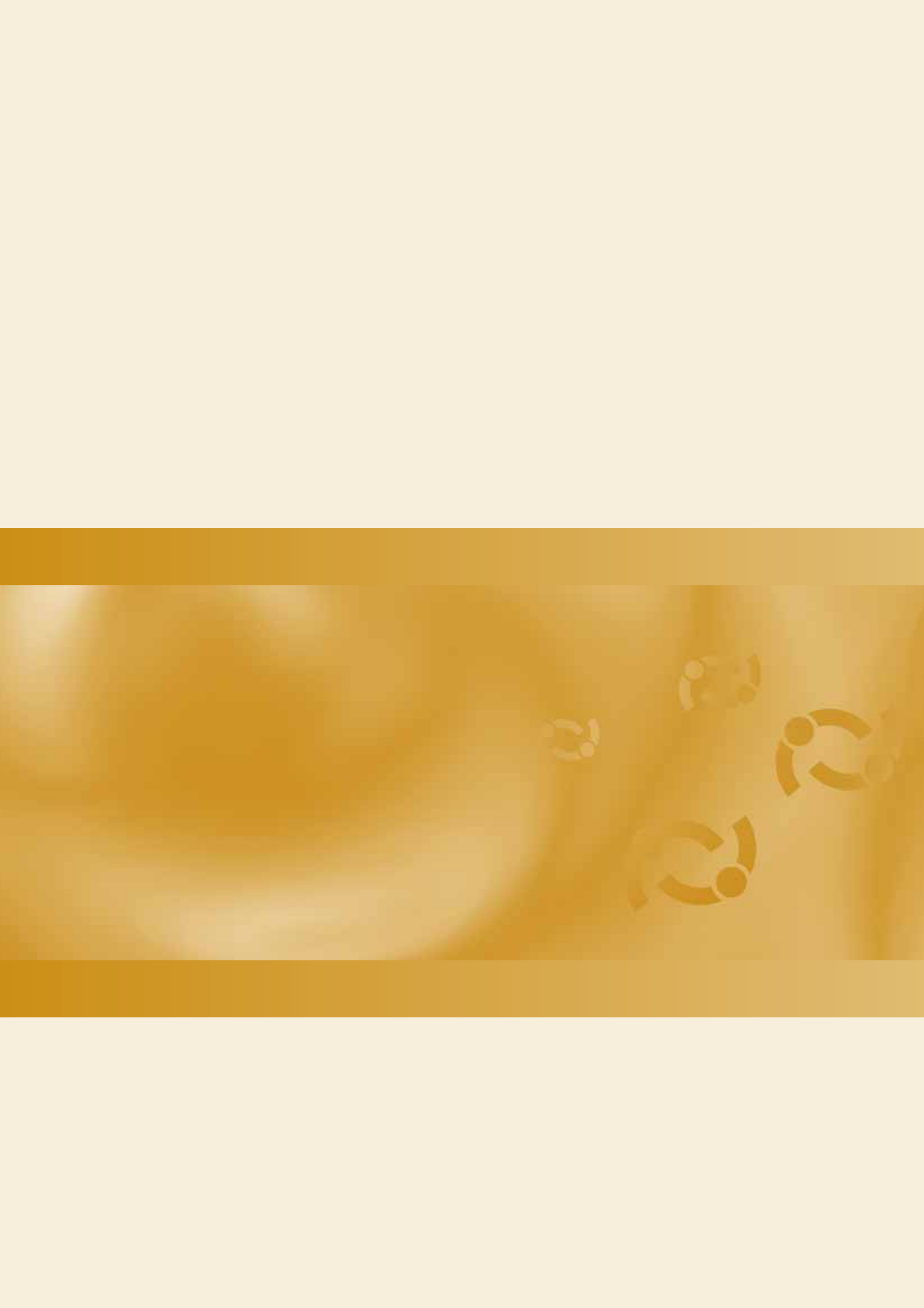
At the end of 2004 there were 252 staff in the Office. An organisation chart is attached at Appendix 1.

Reporting Requirements

The reporting requirements for the Commissioner as set out in the Act are as follows:

- to submit a report to the Minister for Justice, Equality and Law Reform on his/her activities not later than 3 months after the end of each year. The Minister will lay a copy of the Annual Report before each House of the Oireachtas.
- to provide to the Minister, on an ongoing basis, all necessary information to enable him/her to discharge his/her ministerial accountability and responsibility in relation to the Office.
- to keep all proper and usual accounts of all monies received or expended and all such special accounts (if any) as the Minister may direct.
- to submit these accounts to the Comptroller and Auditor General for audit on a date specified by the Minister. A copy or extracts from these accounts, together with the report of the Comptroller and Auditor General, will be furnished to the Minister who will bring both before each House of the Oireachtas.

(The Office of the Refugee Applications Commissioner receives an annual allocation of funds for which the Secretary General of the Department of Justice, Equality and Law Reform is the Accounting Officer and the accounts of ORAC are included in the annual Departmental accounts.)



2

Key Developments in 2004



Processing of Applications for Asylum

During the course of 2004, the number of applications received monthly by ORAC remained at the level to which it had fallen by end 2003, approximately 400 per month. This represents a significant decrease in annual applications from 11,634 in 2002 to 7,900 in 2003 and 4,766 in 2004.

By the end of 2004 the number of cases on hands had been reduced to 2,350, from the beginning of the year and since the establishment of the Office in November, 2000.

As a consequence of this progress, ORAC has been in a position to downsize its operation during the course of 2004 and it is expected that this process will continue during 2005.

Corporate Developments

In early 2004, ORAC published the *Corporate Plan 2004-2008* following an extensive consultation process in the organisation. The Plan was developed with a view to the Office leading the way forward as a highly professional organisation committed to providing high quality asylum determinations. Its developmental themes are: Efficiency and Effectiveness in the Decision-making Process; Quality Customer Service; Effective Communications; Development of Human Resource Management; and Effective Use of Information Technology. These themes will be elaborated on in strategy statements and business plans.

ORAC's *Strategy Statement 2004-2006* was also published during the first half of the year. It provides the Office with operational focus up to 2006, outlining clear goals and objectives over that period and describing the strategies for their achievement.

In line with ORAC's objective to provide a high standard of service while using resources efficiently, a formal system of Quality Assurance (QA) was introduced in the Case Processing Unit during the year. This involves individual checks to ensure quality and consistency of each refugee status determination made by ORAC. Subsequently, formal QA systems, based on the model adopted in the Case Processing Unit, were developed across the organisation. To further consolidate our work on QA, a QA Review group was set up to ensure quality and consistency in decision-making.

Customer Service Developments

ORAC's Customer Service Programme was further enhanced during 2004 through a number of initiatives. A revised *Customer Complaints Procedure* was developed in consultation with staff, the Partnership Committee, NGOs representing the interests of our main customers and Government agencies involved in the asylum process, and introduced in January 2004. A *Customer Charter*, developed in consultation with our internal and external customers was published in June. It sets out the basic standards of service which ORAC customers can expect.

ORAC conducted two customer surveys during the year. A direct survey of customer satisfaction was carried out which focused on customers' experience of ORAC's Reception Unit. The second survey which involved NGOs and representative groups was conducted towards the end of 2004. The responses in both surveys were extremely positive and reflect well on the service provided by ORAC staff.

In line with a commitment in the *Corporate Plan 2004-2008* and *Strategy Statement 2004-2006*, the *Customer Service Action Plan 2005-2008* was developed following broad consultation and will be published in early 2005.

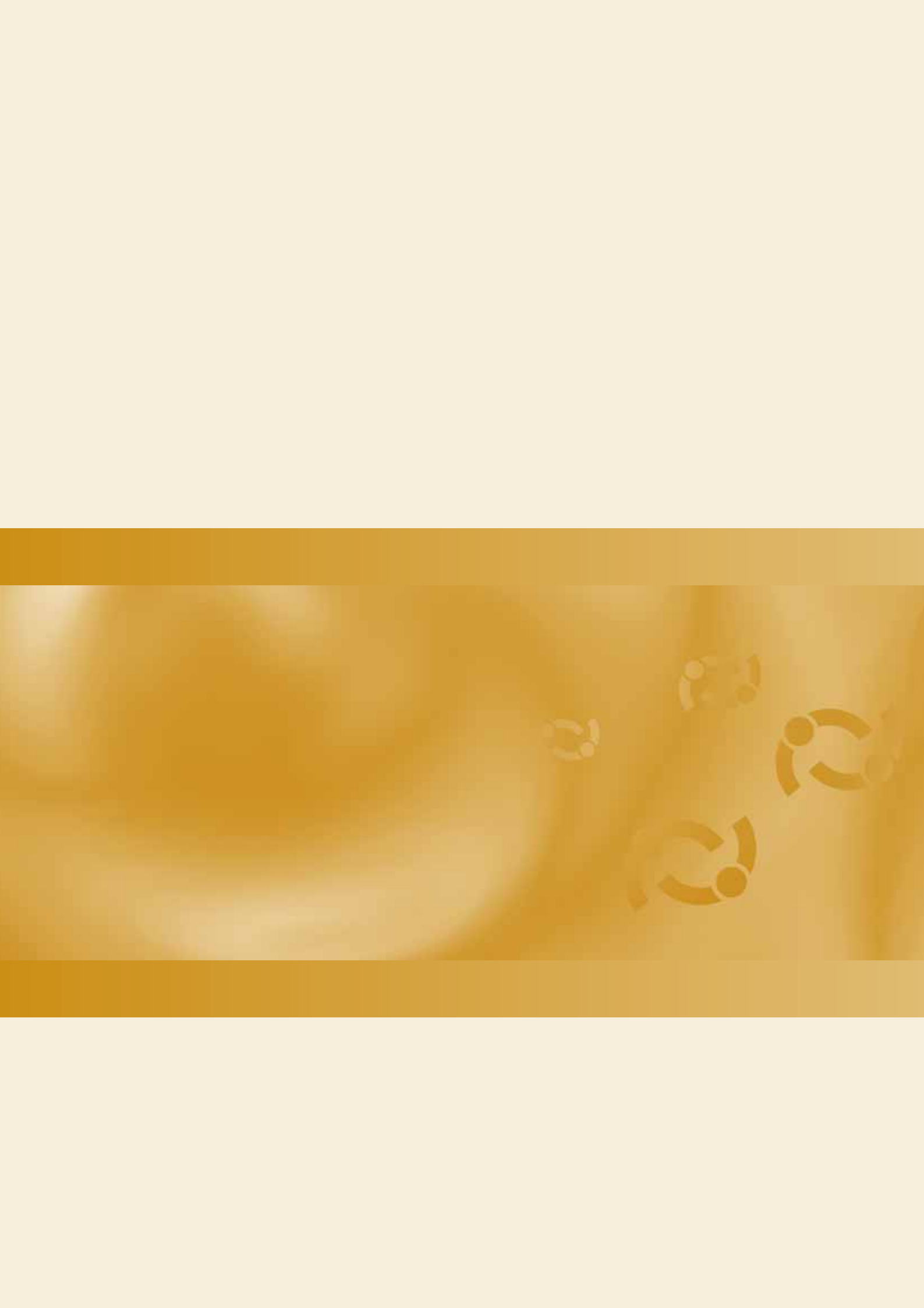
Human Resources

ORAC's first *Human Resource Strategy* was prepared during 2004. It is a key element of a programme of work to ensure that human resource management supports the achievement of strategic and business objectives contained in the *Corporate Plan 2004-2008* and the *Strategy Statement 2004-2006*.

In line with agreed procedures for developing PMDS and introducing upward feedback, ORAC started work on an organisational climate survey project during the year. The work included staff briefings and consultations on the survey to be conducted in January 2005. Responses to the survey results will be developed in consultation with staff and included in business plans.

Partnership

ORAC's formal partnership process entered its second year in 2004 and staff continued to show an interest in being involved in partnership structures and processes. The Partnership Committee, with the assistance of working groups established under its ambit, played a key role in several important organisational developments, including the development of an Equality Policy and Programme, an Internal Communications Strategy and the implementation of the Performance Awards Scheme.



3

Progress on 2004-2006

Strategy Statement High Level Goals



High Level Goal 1

To investigate applications for refugee status and for family reunification within minimum time frames.

Strategy Statement 2004-2006 Objectives

- *To achieve optimum productivity in processing applications for a declaration for refugee status and for family reunification, within minimum time frames and in the order of priority designated by the Minister for Justice, Equality and Law Reform.*
- *Address fully and effectively amendments to the Refugee Act.*

Progress on goal and objectives in 2004

- In 2004, cases on hands were reduced by almost 50% and stood at just over 2,350 cases at the end of the year. By the end of 2004, nearly 60% of all applications received during the year had already been completed.
- More than 40% of all new cases were processed under prioritised arrangements as a consequence of the legislative provisions introduced in 2003. Prioritised cases are scheduled for interview within 20 working days of their initial application (except where this is not possible for medical or other compelling reasons) and are finalised within 1-2 weeks thereafter. By the end of 2004, applications on hands from prioritised countries had reduced by 72%.

- During 2004, ORAC continued to implement amendments to the Act, together with the directives of the Minister for Justice, Equality and Law Reform relating to the prioritisation of applications being processed. In late 2004, the Minister made a further order under the Refugee Act, 1996 designating Croatia and South Africa as safe countries of origin, and directing the Commissioner to give priority to applications from those countries. ORAC put in place the necessary arrangements to give effect to the order.
- Processing times for all other cases were reduced during the year. The average time between completion of interview and notification of recommendation has been minimised to ensure that we continue our progress towards case finalisation within 4 weeks of interview. We also grouped together caseloads from certain countries, interviewing them over a shorter period and thereby achieving economies of scale. By the end of 2004, the Office was scheduling for interview in early 2005 applications made in the second half of 2004.
- ORAC finalised 33% more family reunification cases than in 2003 and reduced average processing times for such cases from six months in 2003 to under two months in 2004. This was assisted by on-going liaison between ORAC's Family Reunification Unit and the Department of Justice, Equality and Law Reform.
- Achieving greater efficiency in the utilisation of interviewing resources continued to be a focus for 2004. The non-attendance at interview by applicants has decreased sharply. By the end of 2004, excluding interviews postponed by ORAC, applicants attended in 72% of cases. This compares with an overall attendance rate of 66% for all interviews scheduled during 2003.

- The amendments to the Refugee Act which came into effect in 2003 have resulted in productivity benefits for the appeals stage of the process. In 2004, more than 40% of all negative decisions included findings which, in line with the provisions of the Refugee Act, resulted in an accelerated appeal without oral hearing. This led to a reduction in the number of oral appeal hearings to be serviced by ORAC. (See High Level Goal 3 for further details.)
- ORAC continued to develop strategies to maximise the efficiency of our services and enhance the supports available to caseworkers. In this regard, country briefing papers were developed in conjunction with the Dublin Office of UNHCR, on a number of countries, including DR Congo, Angola, Somalia, Cameroon, Sudan and Guinea.
- The work of the Case Processing Units and the efficient and effective implementation of legislative changes as they occurred was facilitated by high quality training, accessible country of origin information and the implementation of policies and procedures which standardise case processing. (See High Level Goal 2 for further details.) Productivity in the processing of applications improved as a result.
- Productivity was also enhanced by the improvement of caseworker access to Internet data by the Country Of Origin Information/Refugee Status Determination (COI/RSD) Support Unit. Also, a system was set up to coordinate and track COI queries from caseworkers. These are passed to the Refugee Documentation Centre for reply.
- In relation to cases which fell to be considered under the Dublin II Regulation, ORAC continued to ensure that cases identified by EURODAC were processed to determination stage as soon as possible within the required time limits set out in the Dublin II Regulation. In 2004 there were 243 determinations compared with 237 in 2003. As a proportion of cases, there was a significant increase (50%) in the number of cases which resulted in Dublin II Regulation determinations.
- In 2004, ORAC received 136 incoming requests to process or take back applications for asylum under the Regulation. This compares with 134 such requests in 2003.
- ORAC prioritised cases where the applicant is detained in prison. This prioritisation applied to both requests from Ireland to other Member States and incoming requests under the Dublin II Regulation from other Member States. There was a significant increase in the number of such cases, which had implications for resource allocation.
- During 2004, ORAC continued to liaise with other countries and agencies to achieve effective implementation of the Dublin II Regulation. Staff from ORAC attended the Dublin II Committee meeting of all EU states in February and October, 2004; visited the U.K. Third Country Unit to discuss issues of mutual concern and exchange Dublin II Regulation procedures as a quality assurance exercise; and exchanged information with the Austrian Dublin Unit on the operation of the Dublin II Regulation in both countries.

High Level Goal 2

To develop the highest standard of investigation and decision-making.

Strategy Statement 2004-2006 Objectives

- *To achieve a consistently high quality in the investigation of applications.*
- *To achieve a consistently high quality of decision-making.*
- *To have in place procedures which are fair and open.*

Progress on goal and objectives in 2004

- The Office continued to maintain its investment in high quality training, mentoring and other support structures in order to achieve a consistently high quality of investigation and decision-making. In that regard:
 - A review and evaluation of induction training modules was undertaken in 2004 through consultation with staff and resulted in some revisions to the modules.
 - Resource papers were reviewed and revised to reflect legislative amendments and emerging international and Irish jurisprudence and incorporated into training programmes in June and July 2004. Training dealt with the theoretical aspects of the papers and also involved practical workshops. The workshops were developed with input from Case Processing Unit, Presenting Unit, and the UNHCR and were facilitated by the Policy and Procedures Unit and the UNHCR.

Resource papers covered the following issues:

- Agents of persecution
 - Credibility
 - Dual nationality
 - Gender related persecution
 - Identity documentation
 - Persecution
 - Safe third country
 - The Internal Protection Alternative
- The format of the existing questionnaire was reviewed and evaluated in early 2004 with a view to making it easier to complete and more relevant to the investigation and determination process. This involved extensive consultation with Non-Governmental Organisations (NGOs). As a result, a new questionnaire was developed and has been available in 26 languages since April 2004.
 - Practical workshops on investigation and determination processes were developed and facilitated in co-operation with the UNHCR.
 - The Peer Support project continued. This involves the provision of psychological support training to caseworkers and unit managers by the Dublin Rape Crisis Centre, and the organisation and facilitation of peer support sessions. A review and evaluation of the project was carried out and the support training and peer support sessions resumed in 2004.
 - ORAC now has the capacity to deliver its own refugee status determination (RSD)/asylum issues training and ensures that diversity/equality issues are addressed appropriately. Four RSD courses were delivered in 2004. A half day course on asylum issues was also delivered to clerical and services staff.

- A team of ORAC trainers received training on racism and interculturalism awareness from the National Consultative Committee on Racism and Interculturalism (NCCRI). The team also received a course in trainer excellence and commenced interculturalism awareness training to the whole organisation. This training module was designed in consultation with the NCCRI. By the end of 2004, over two thirds of the organisation had received this training. Training will be provided to the remainder of the organisation in early 2005.
- ORAC continued to liaise with UNHCR with a view to improving procedures and preserving the integrity of the asylum process. In particular, meetings were held with UNHCR and other agencies to develop procedures regarding the provision of medicolegal reports.
- ORAC places particular emphasis on ensuring that applicants and other agencies or organisations involved in or assisting persons in the asylum process are fully informed of the exact details of each stage of the process. During the year, ORAC continued to ensure that applicants are made aware of their right to legal advice and the existence of other agencies or organisations which may be able to assist them.
- Case profiling continued to be carried out during the year. Profiling is undertaken as part of the preparation of each country briefing. It involves research into the files of applicants from the country in question and ensures that recurring and complex issues, relevant to ORAC's caseload, are addressed in briefing papers.
- Case conferences on key countries were used extensively throughout the year and covered, among others, Somalia, DR Congo, Angola, Cameroon, China, Iraq, Iran and Sudan.
- ORAC participated in the Refugee Documentation Centre (RDC) review and RDC IT Implementation Group. This involved providing assistance in the development of a web-enabled Country of Origin Information (COI) database for the RDC to enhance search facilities. This database became available at the end of October 2004 to all agencies involved in the asylum and immigration processes.
- Following research of existing quality assurance (QA) systems in Government Departments, State and non-State agencies, and refugee status determination bodies in other jurisdictions, a formal system of QA was introduced in the Case Processing Unit during the year. A draft QA checklist was developed through consultation with caseworkers and decision makers. This checklist shows individual checks conducted to ensure quality and consistency of each refugee status determination made by ORAC.
- A quality assurance/risk assessment monitoring group was also set up. Its purpose is to examine a number of application files which had completed the refugee status determination and appeal processes and had been overturned at appeal, and to report and make recommendations on any quality assurance issues arising. The group meets quarterly and prepares a report outlining its findings and recommendations. This is submitted to the Policy and Procedures Unit for consideration. Policies and/or procedures are revised, as necessary, to assure quality and consistency in decision-making. (Other units in ORAC have introduced QA systems based on the model in the Case Processing Unit.)
- With a view to ensuring the continued availability of a quality interpretation and translation service, ORAC developed guidelines regarding the provision of interpretation at interview and introduced quality assurance procedures in respect of the provision of our translation service.

Recognising that there are certain vulnerable groups in the asylum process with special needs, ORAC has put in place specific procedures to deal with applications from such groups.

- In relation to unaccompanied minors, ORAC has organised additional inter-agency specialised training to assist staff in working on cases involving unaccompanied minors. In particular, caseworkers were provided with specific training, in conjunction with other agencies, in interviewing and determining the applications of minors. Similar training was provided for Case Processing Unit managers. Specific training for caseworkers involved in interviewing very young children and determining their status was also provided.
- Under the Act, gender is included in the definition of "social group". ORAC's induction training addresses issues specific to female applicants and to the management of their claims and draws on the UNHCR guidelines as well as guidelines developed by the Canadian, US and UK authorities. In addition, all caseworkers and Presenting Officers have received advanced training on how to deal with gender specific issues.
- During the year, ORAC engaged in ongoing consultation and liaison with other agencies and bodies involved in the asylum process, including the Refugee Legal Service, Reception and Integration Agency, East Coast Area Health Board (to co-ordinate unaccompanied minor issues) and NGOs.
- ORAC continued to respond on an ongoing basis to queries from organisations, media and interested parties regarding various elements of its work.

High Level Goal 3

To contribute to the preservation of the integrity of the asylum process.

Strategy Statement 2004-2006 Objectives

- *To identify as quickly as possible, in a firm and fair manner, those applicants who come within the definition of refugee contained in section 2 of the Refugee Act, 1996.*
- *To detect and minimise abuse of the asylum process.*
- *To represent the Commissioner at appeal hearings at the Refugee Appeals Tribunal.*

Progress on goal and objectives in 2004

As set out under High Level Goal 2, a range of initiatives were introduced during the year to enable ORAC to identify as quickly as possible and in a fair manner, those applicants who come within the definition of a refugee contained in the Act. Such initiatives include: review of the questionnaire, improved country of origin information, advanced training in documentation recognition and validation procedures, prioritised scheduling and resource papers.

- Country of Origin Information supports the making of timely decisions. One indicator of the fairness and integrity of the asylum process is the confidence of the UNHCR in ORAC processes. In 2004, with the co-operation of the UNHCR, the Office prepared country briefings in relation to Angola, Cameroon, DR Congo, Georgia, Guinea, Somalia and Sudan. Country briefings include a sample series of questions which caseworkers may ask applicants regarding their country of origin and these assist a caseworker in confirming the nationality of the applicant and/or tribal and regional origins.
- A pilot language analysis (LA) system was introduced in ORAC in 2004. LA is designed to further assist decision-makers in establishing an applicant's nationality.
- The prioritisation of applications from safe countries of origin has ensured that applications from these countries are investigated and progressed through the asylum process. Such applications are typically issued with a decision within 5-6 weeks of application. This has assisted in the reduction of the backlog and in allocating more time and resources to the investigation of applications from countries with a refugee generating history.
- Applicants found not to be co-operating with the asylum process are subject to processing under the relevant provisions of the Refugee Act, 1996. ORAC has continued to operate the new provisions introduced under the Act in September 2003, whereby an asylum application from a person who does not attend for interview and fails to submit reasonable grounds for non-attendance is deemed to be withdrawn. The investigation of that application is terminated and a recommendation that it be refused a declaration for refugee status is forwarded to the Minister. Previously, a refusal would only be recommended following the applicant's second failure to attend without reasonable cause. Again, this allows for more effective processing of applications and minimises time allocated to applicants who do not wish to co-operate with the investigation of their claims.
- A further aid to detecting and minimising abuse of the asylum process is the EURODAC system which supplies the principal evidence in relation to previous asylum claims. Since January, 2003 all fingerprints are transmitted daily to a central fingerprint database in Luxembourg. Comparisons are carried out immediately and the result is usually relayed back electronically within 10-15 minutes. The operation of EURODAC has greatly enhanced the efficiency of the Dublin II Regulation.
- In accordance with the Refugee Act, the Commissioner is represented at hearings of the Refugee Appeals Tribunal by Presenting Officers. In 2004, the Refugee Appeals Tribunal scheduled 4,125 hearings, a weekly average of 87 over 47 weeks of hearings.
- Advanced training was provided to Presenting Officers which focused on the further development of presentation skills necessary for their role in the appeals process.
- The Refugee Act provides that the Refugee Appeals Tribunal may request further enquiries/ observations in relation to particular issues concerning cases and these are processed in the Presenting Unit. In 2004, the Presenting Unit dealt with 101 requests for further information under section 16(6) of the Act and with 2 requests for observations on grounds of appeal under section 16(7) of the Act. Where possible, such requests were dealt with within 2 weeks.

High Level Goal 4

To efficiently and effectively manage our organisation and its resources having particular regard to the development of our staff and the delivery of excellent customer services.

Strategy Statement 2004-2006 Objectives

- *Develop our strategic, business planning and individual performance planning frameworks to support optimum performance by the organisation.*
- *Manage human resources to meet the business needs of the organisation and the development needs of staff.*
- *Achieve high quality customer service delivery.*
- *Maximise use of information technology.*
- *Maximise efficient use of financial resources.*

Progress on goal and objectives in 2004

Business Planning

- In the first half of the year we published *Corporate Plan 2004-2008* following consultation with staff, management and the Partnership Committee. The purpose of the Plan was to enable ORAC "to deliver high quality refugee status determination through an organisation committed to continual improvement where people are valued". Its main themes are: Efficiency and Effectiveness in the Decision-making process; Quality Customer Service;

Effective Communications; Development of Human Resource Management; and Effective Use of Information Technology. The Plan will be elaborated on and implemented through strategy statements and business plans.

- ORAC's *Strategy Statement 2004-2006*, which was also published, was prepared in consultation with management, staff and the Partnership Committee. It provides the Office with operational focus up to 2006. It outlines clear goals and objectives over that period and describes the strategies for their achievement.
- Business planning plays a pivotal role in the management and implementation of the work of ORAC. This process is carried out in consultation with all staff to ensure a consistent and coherent approach to developing, managing and implementing our goals. In 2004, ORAC introduced risk management to our business planning process. Progress against business plans was formally reviewed on a quarterly basis by each unit. The management of risk was monitored on an on-going basis through quarterly reports submitted to the Management Committee. (See also High Level Goal 1.)
- A risk management group was established to monitor the management of risk throughout the organisation and to report on an on-going basis.
- A key aspect of the development of ORAC is the continued emphasis on a participatory approach to managing change and modernisation. As the partnership process has developed in ORAC it has dealt with functional, operational and strategic issues. In 2004, six working groups were established:
 - Internal Communications Working Group to examine methods of communication within the organisation. The findings of the group resulted in an Internal Communications Strategy. A review of the strategy will take place in 2005.
 - Equality Working Groups (phase 1 and 2) to consider the development and implementation of an Equality Policy and Programme for ORAC. In 2004, an Equality Policy and Programme was developed and a Disability Liaison Officer for ORAC was appointed.

- Corporate Social Responsibility (Local Community) Working Group to examine ORAC's responsibility to the immediate locality and how staff can contribute positively through consultation with the local community and/or their local representatives.
- Corporate Social Responsibility (Environmental) Working Group to examine how ORAC can contribute to environmental conservation within the organisation, including how ORAC can reduce waste.
- External Communications Working group to develop and implement an external communications strategy for the Office.
- The organisation's business planning function is supported by the Performance Management and Development System (PMDS), through individual role profiles. All atypically recruited personnel in ORAC were included in the PMDS process from 2004 and received the relevant training.

Human Resources/Training

- ORAC's first Human Resource Strategy was prepared during 2004 to enable the adoption of a more strategic approach to the future management of human resources and a strengthened link between the human resources and business planning functions. The document was developed through a partnership approach involving consultation with the Management Advisory Committee, all staff, the Partnership Committee, and the Department of Justice, Equality and Law Reform. As part of this consultation process, the draft Strategy was presented at a management meeting in October, 2004 where work groups considered the proposed objectives, strategies, actions, and performance indicators in detail and provided feedback. Implementation of the HR Strategy will commence in 2005.
- The staffing resources of the Office were kept under continuous review during the year at both unit and organisational level. A number of changes took place, including the reassignment of staff to meet changing demands as a result of legislative developments and changing application patterns and levels. During 2004, 37 posts were returned to the Department of Justice, Equality and Law Reform, bringing the total number of posts returned to 51.
- In October 2004, the Department of Justice, Equality and Law Reform engaged consultants to undertake a review of processing systems, procedures and processes and to make recommendations, where appropriate, in relation to the optimum deployment of staff and the most effective and efficient use of systems in the asylum, immigration and citizenship areas of the Department and in other agencies under the aegis of the Department, including ORAC, dealing with asylum, reception and integration matters. The review is expected to be completed in early 2005.
- In line with ORAC's commitment to the implementation of family friendly work practices, all applications for atypical working arrangements in ORAC have been approved.
- An analysis of organisational training needs was conducted during 2004, involving an analysis of training requested through the PMDS process and the identification by management of priority organisational training needs with a view to developing a training and development strategy. Following discussion at unit level, a list of organisational training needs was compiled which will inform the organisation's training plan for 2005.
- In 2004, 1,094 units of training were provided. A variety of training courses was provided for staff, including induction and advanced refugee status determination and casework specific induction, supervisory skills, facilitation skills, assertiveness and communications skills, stress management, induction training, PMDS, specialised IT training, first aid, time management and language training.

- During the year a number of "lunch and learn" sessions were arranged on topics such as the work of Repatriation Division of the Department of Justice, Equality and Law Reform and the Family Reunification Unit. A series of lunchtime talks was also arranged to mark 'European Week Against Racism'. Contributors included the NCCRI, the Irish Refugee Council, Islamic Cultural Centre of Ireland, SPIRASI, the Vincentian Refugee Centre and a number of refugees regarding their own experiences in Ireland. Anti-Racist Workplace Week in November was also marked with a lunchtime talk by a representative from the Chinese community.
- In the context of the ongoing implementation of the *Strategic Management Initiative*, one of the training initiatives undertaken in 2004 was the development and delivery of a personal, interpersonal and management skills training programme to Assistant Principal Officers.

Customer Service

- Focus in the area of customer service delivery in 2004 was to build on the foundations laid by the *Customer Service Action Plan* published in 2002.
 - In July, 2004 ORAC published the *Customer Charter*, which was developed in consultation with internal and external customers. The Charter was awarded the *Crystal Mark* by the Plain English Campaign. A summarised version was prepared in poster format for display in ORAC offices. It sets out the standards of service customers can expect from us and is currently available in six different languages.
 - A revised *Customer Complaints Procedure* was implemented in January, 2004. This procedure was developed in consultation with our staff, the Partnership Committee and NGOs representing the interests of our main customers and other Governmental agencies involved in the asylum process.
- Our *Customer Service Action Plan 2005-2008* will be published in early 2005. This document was developed in 2004 in consultation with internal and external customers. It sets out the actions to be taken during the life of this Plan to ensure that customer commitments are met, having regard to the 12 Principles of Quality Customer Service adopted by the Government for the Public Service in 1996. It also sets out how achievement of these goals will be measured and reported on in future Annual Reports.
- Two customer surveys were conducted during 2004. The first, in April/May, surveyed customers directly on their levels of satisfaction with the services provided by the Reception Unit. The response was overwhelmingly positive and reflects the commitment of our Reception Unit staff to providing a helpful, friendly and efficient service. In line with the *Customer Charter*, the second customer survey of 2004 targeted the members of ORAC's Customer Liaison Panel for Non-Governmental Organisations. It invited their views, and the views of any similar organisations under their aegis, on performance against the various commitments outlined in ORAC's Customer Charter since its publication. The main findings of both surveys can be found on ORAC's website (www.orac.ie).
- The Customer Service Centre (CSC) processed 31,299 enquiries from customers in 2004. Table A at Appendix 5 gives a breakdown of the categories of these queries. The Customer Service Centre is also responsible for all file movement and file copying in ORAC, as well as a range of other administrative tasks. Table B at Appendix 5 gives details of the volume of files photocopied and file movements handled by CSC in 2004.
- Consultants were engaged to conduct a business needs analysis and procurement process for the development of new case management, knowledge management and file location systems, as recommended in the High Level IT Strategy for the overall asylum area.

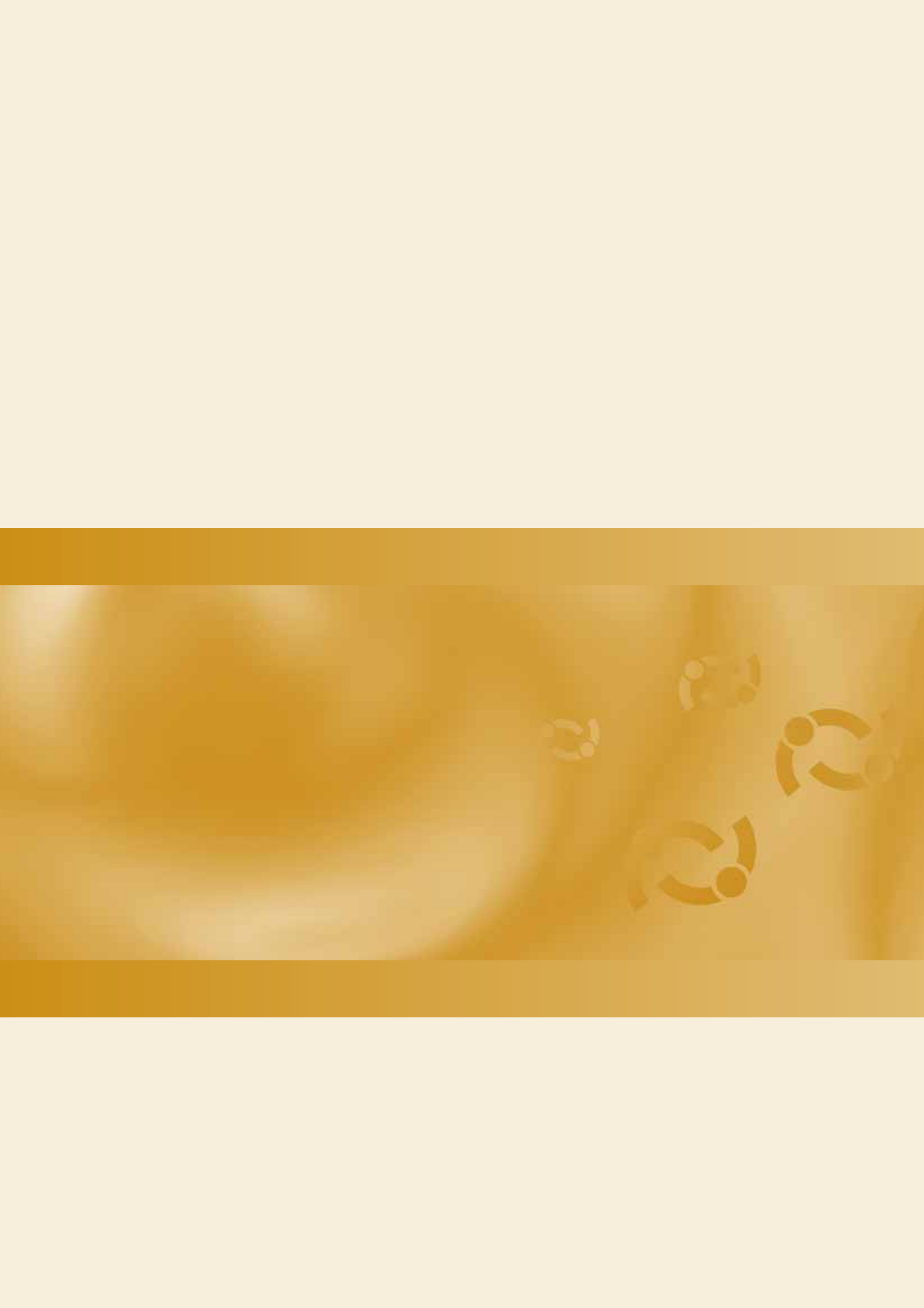
- Guidelines on file movement were developed during 2004 to ensure a consistent approach at organisational level. Consultants were engaged to review file scanning. The central finding of the consultants' report was that although the existing system of file copying is extremely successful, there is potential for savings in terms of efficiency and staff costs with the introduction of file scanning. A pilot project will be undertaken in early 2005 to further assess operational issues.
- With a view to ensuring the continued availability of a quality interpretation and translation service, ORAC developed guidelines regarding the provision of interpretation at interview and introduced quality assurance procedures in respect of the provision of our translation service.
- Ongoing liaison with the various other statutory bodies involved in the asylum process continued throughout 2004 on a wide range of issues, including customer service related matters. ORAC's Customer Liaison Panel for Non-Governmental Organisations met twice to discuss issues relating to customer service delivery, *Customer Charter*, *Customer Service Action Plan 2005-2008*, *Customer Complaints Procedure*, problems experienced by customers, etc. The observations of the Customer Liaison Panel and the various statutory bodies were sought in writing on a range of other matters and all of these bodies were kept informed throughout 2004 of changes and developments in ORAC.
- A review of all standard letters was undertaken in 2004 to ensure that they were written in simple English with the minimum use of legal and technical terms.
- All correspondence received during 2004 was recorded and monitored on ORAC's main correspondence tracking systems. A review of these systems was conducted in 2004 and proposals have been developed to further enhance them in conjunction with IT Unit. It is planned that appropriate awareness training on the revised systems will be delivered to all relevant staff in early 2005 and a recently developed procedures manual on the systems will be used to supplement the awareness training.

Information Technology

- The technology to support e-working for ORAC staff was put in place to reflect Government policy to promote e-working in the Civil Service.
- The performance and security of IT systems have been enhanced and improved as a result of several large scale systems upgrades affecting application software, server operating systems, security and virus protection which were completed during the year.
- A number of database development projects were undertaken, in particular the revision of the Dublin Unit and Statistics databases to better support the specialised needs of staff.
- In 2004, in compliance with the Health, Safety and Welfare at Work Act, 1989, an ergonomic assessment of every workstation in ORAC was carried out together with a general briefing on the principles and best practices involved in ergonomics.

Financial Resources

- A new Financial Management System (FMS) was introduced in ORAC and in other areas of the Department of Justice, Equality and Law Reform, as part of a Departmental initiative, with effect from July, 2004. The introduction of this system required ORAC to make adjustments to its purchasing and invoicing procedures with the establishment of a Central Processing Unit in the Department of Justice, Equality and Law Reform to track transactions through the purchase order, delivery and ultimate invoicing and payment stages of the process.
- ORAC's expenditure outturn for 2004 is set out in Appendix 6.
- In 2004, ORAC requested the Internal Audit Unit of the Department of Justice, Equality and Law Reform to examine its financial control mechanisms to ensure that they complied with the provisions of the *Mullarkey Report on the Accountability of Secretaries General and Accounting Officers*. This audit took place in November, 2004 and ORAC will implement any recommendations arising.

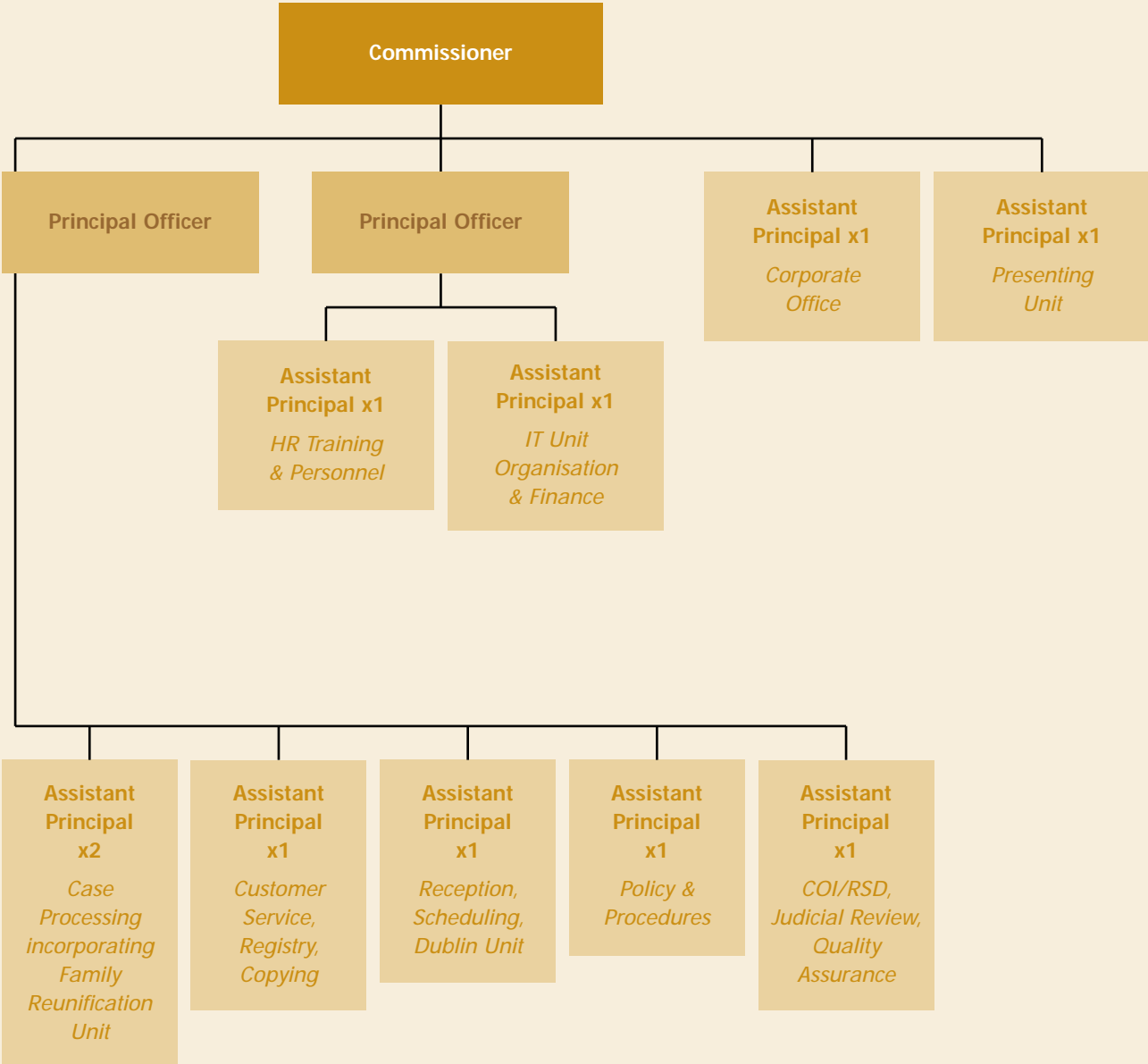


4

Appendices



Appendix 1 – Organisation Chart for the ORAC



Reception Unit

The Reception Unit is an integral part of the asylum process governing the acceptance and processing of asylum applications at first instance.

Scheduling Unit

The overall function of the Unit is to arrange the scheduling of interviews for asylum applicants, to arrange interpretation and translation services where required by applicants and to manage the Interview Waiting Area.

Dublin Unit

The Dublin Unit is responsible for the implementation in Ireland of the Dublin Convention and Council Regulation (EC) 343 of 2003. The Unit, in general, deals with requests to transfer applications for examination of asylum claims to other Dublin Convention states and deals with requests from other states to transfer applicants for asylum to this State.

Case Processing Units

Case Processing is the core function of ORAC and involves the investigation of claims for refugee status, on a case by case basis. The primary objective of the Case Processing Units is the fair, timely and efficient investigation of applications for declaration as a refugee and the making of legally robust recommendations on such applications. The investigation includes the individual interviewing of applicants, the objective research of the claims made and the making of recommendations as to whether an application should be 'granted' or 'refused'.

Family Reunification Unit

Family Reunification is a Unit within Case Processing Unit which examines applications made by refugees for permission for certain members of their family to be allowed to enter and reside in the State.

Judicial Review

The Judicial Review Unit prepares the ORAC response to applications for judicial review and to applications for leave to apply for judicial review of first instance recommendations and/or procedures. The Unit examines the application and prepares briefing material for counsel and, where our legal advisors consider it appropriate, swears responding affidavits. If a judicial review application discloses an error or omission which is material to the first instance recommendation the Unit will seek to reach a mutually agreeable settlement without delay.

Presenting Unit

The role of the Presenting Unit is to represent the Refugee Applications Commissioner at appeal hearings before the Refugee Appeals Tribunal, to respond at appeal hearings to the issues raised in the appellant's appeal and to assist the Member of Tribunal in reaching a fair and just recommendation. The Unit provides statutory responses under sections 16(6) and 16(7) of the Refugee Act, 1996.

Policy and Procedures Unit

The role of this Unit is to act as a central knowledge resource to lead the development and ongoing review of ORAC policy and procedures in relation to the management and investigation of claims and to co-ordinate and provide the appropriate training for staff in this regard.

COI/RSD Support Unit

The role of this Unit is to provide effective support to Case Processing and Presenting Units through developing ORAC's Country of Origin Information (COI), Quality Assurance and RSD guidance resources in line with developments in legislation, jurisprudence and international best practice.

Customer Service Centre

Customer Service Centre is responsible for the development and monitoring of customer service structures, the management of customer enquiries, liaison with other organisations (governmental and non-governmental) and file management and file copying.

Corporate Office

The role of the Corporate Office is to oversee the provision of quality administrative and secretarial support to the Refugee Applications Commissioner to enable her to discharge her statutory and non-statutory functions. The Office co-ordinates material in response to requests from, *inter-alia*, Government Departments/agencies and the media; prepares all corporate documents and is responsible for their circulation.

Human Resources Unit

The role of the Human Resources Unit is to focus on developing and implementing a strategic approach to HR Management. The Unit develops relevant HR policies and procedures for the organisation and has a locally appointed Equality and Disability Officer to ensure that all staff are aware of existing policies in relation to equal opportunities, disability and bullying and harassment. It also processes applications for family friendly schemes, transfer requests, special leave etc. and liaises with the Department in relation to staffing matters. It is also responsible for managing the Human Resources functions which have been devolved to ORAC from the Department of Justice, Equality and Law Reform (i.e. flexi-time, annual leave and special leave with pay).

HR Training Unit

HR Training has responsibility for co-ordinating, facilitating and delivering training to staff. The Unit works closely with other units and in-house trainers to ensure that the training needs are identified and that the training delivered meets organisational requirements by being relevant and job specific. It also has responsibility for operating the refund of fees scheme and maintains the PMDS and Training Databases.

Organisation/Finance Unit

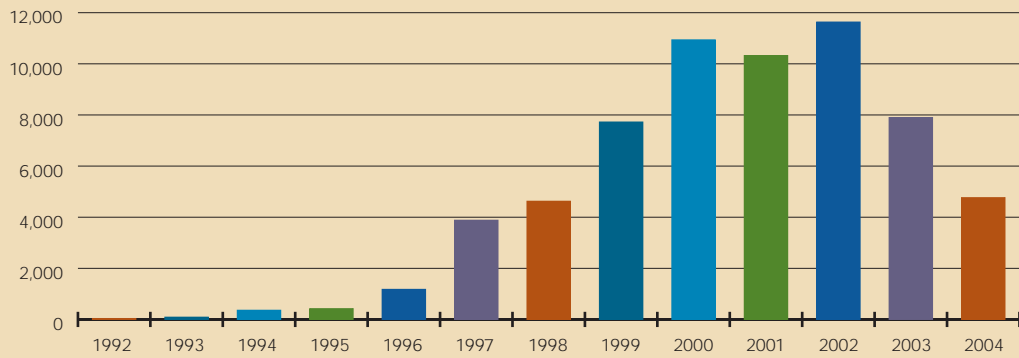
The Organisation and Finance Unit is primarily responsible for financial management and control, health and safety and the provision of essential support services (e.g. accommodation, equipment, supplies) to other ORAC units.

IT/Management Information Unit

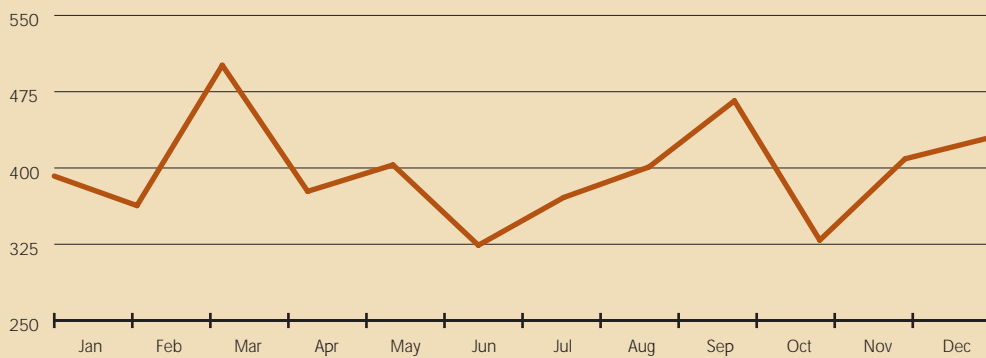
The IT and Management Information Unit is responsible for the procurement, maintenance and development of all IT and fixed line telecommunications equipment, systems, software and infrastructure for ORAC. The Unit is also responsible for the compilation and circulation of statistics and management information and provides technical support and training on a range of IT issues.

Appendix 3 – Applications/Processing Statistics

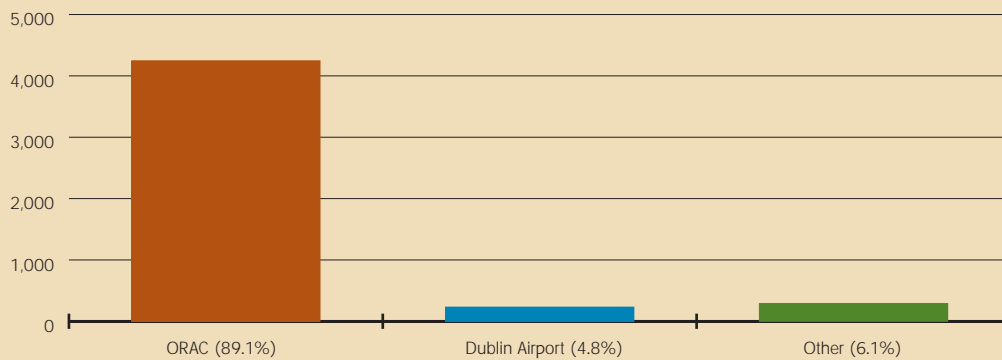
Number of Applications per Year from 1992 to 2004



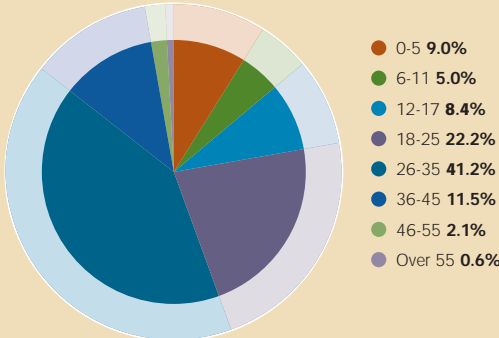
Applications Received by Month from 01/01/04 to 31/12/04



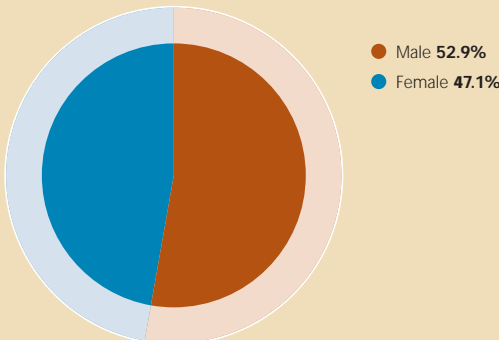
Places of Applications 2004



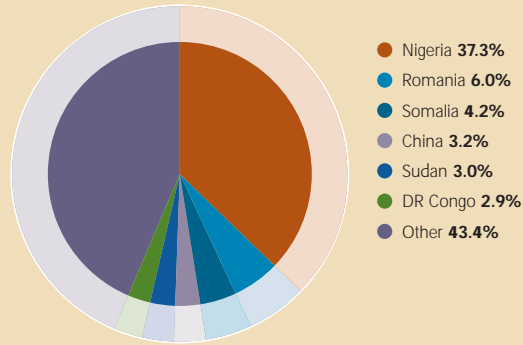
Age Stated by Applicants 2004



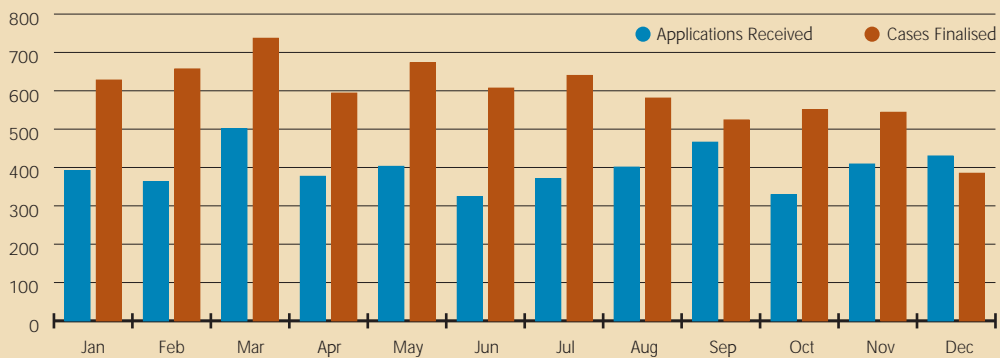
Gender Breakdown 2004



Top Six Stated Countries of Origin 2004

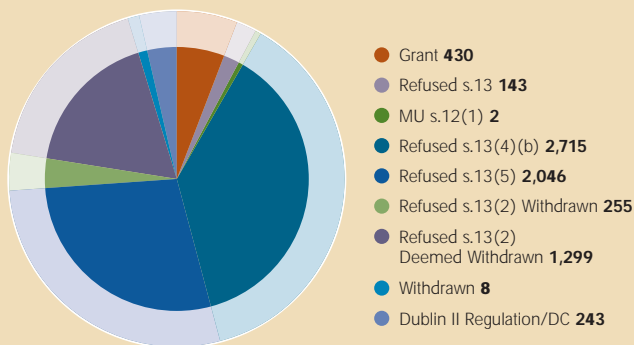


Comparison of Applications Received and Cases Finalised 2004



Month	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual Total
Applications Received	392	363	501	377	403	324	371	401	466	329	409	430	4,766
Cases Finalised	628	657	737	594	673	607	640	581	524	551	544	385	7,121

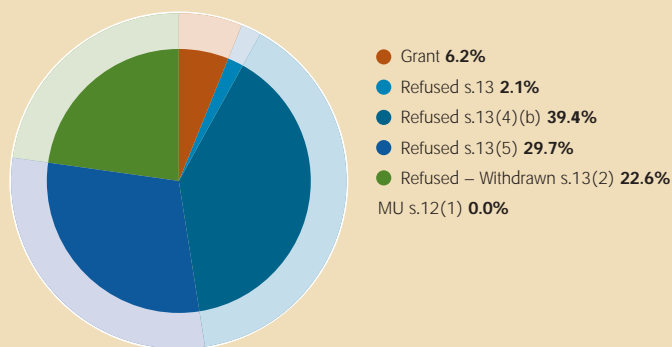
Cases Finalised 2004



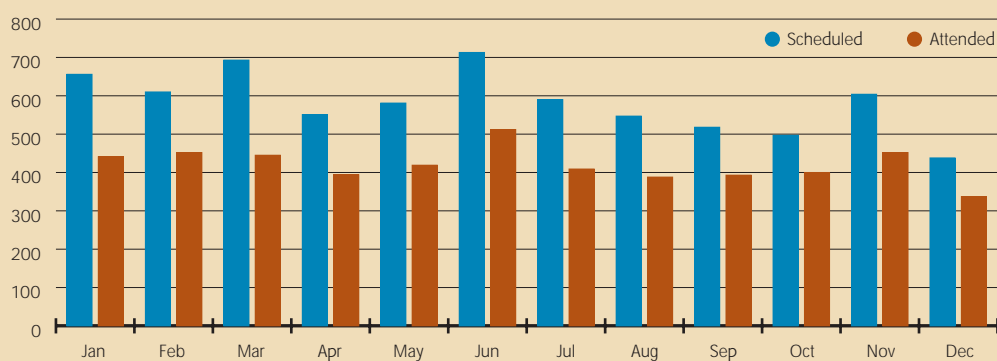
Grant:	<i>The Commissioner has made a recommendation that the applicant be granted refugee status.</i>
Refused s.13(4)(b):	<i>The Commissioner has made a recommendation that the applicant should not be granted refugee status (under the provisions of the Act applicable after September 15, 2003). An appeal to the Tribunal must be taken within 15 days.</i>
Refused s.13(2):	<i>The Commissioner has made a recommendation that the applicant should not be granted refugee status where an application has been withdrawn or deemed to be withdrawn (under the provisions of the Act applicable after September 15, 2003). No appeal to the Tribunal is possible.</i>
Refused s.13(5):	<i>The Commissioner has made a recommendation that the applicant should not be granted refugee status and has included in her report a finding under section 13(6) (under the provisions of the Act applicable after September 15, 2003). An appeal to the Tribunal must be taken within 10 days.</i>
Dublin II Regulation/DC Determination:	<i>Where it is established that the applicant's claim for refugee status should be determined in another Dublin II Regulation/Dublin Convention country.</i>
Refuse s.13:	<i>The Commissioner has made a recommendation that the applicant should not be granted refugee status (under the provisions of the Act which existed prior to September 15, 2003).</i>
MU s.12(1):	<i>The Commissioner has made a recommendation that the applicant is deemed "manifestly unfounded" under the provisions of section 12(4) of the Act as existed prior to September 15, 2003.</i>
Withdrawn:	<i>Where the applicant has withdrawn their application for refugee status (under the provisions of the Act which existed prior to September 15, 2003).</i>

Appendix 3 – Applications/Processing Statistics

Recommendations Issued 2004



Interviews Scheduled and Attended 2004

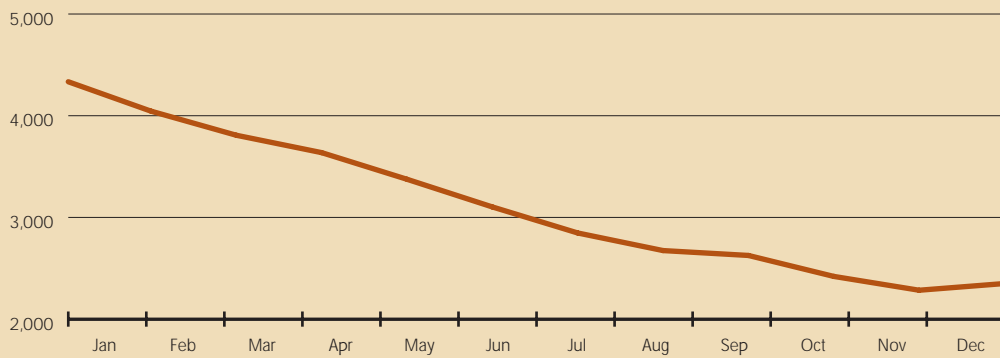


Month	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total
Scheduled	656	610	693	551	581	713	590	547	518	497	604	438	6,998
Attended	441	452	445	394	419	512	409	388	393	399	452	337	5,041
* % Attended	74	78	68	77	76	78	73	79	82	87	83	84	72

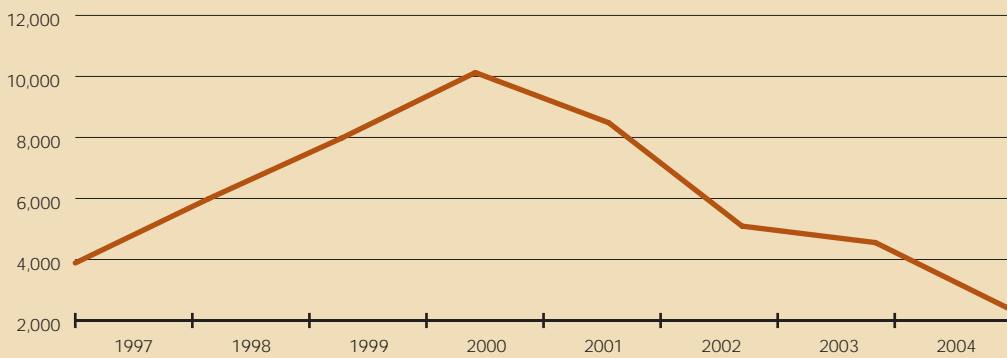
* Applicants' attendance rate excluding interviews postponed by ORAC.

Appendix 3 – Applications/Processing Statistics

Applications Outstanding as at 01/01/04 to 31/12/04

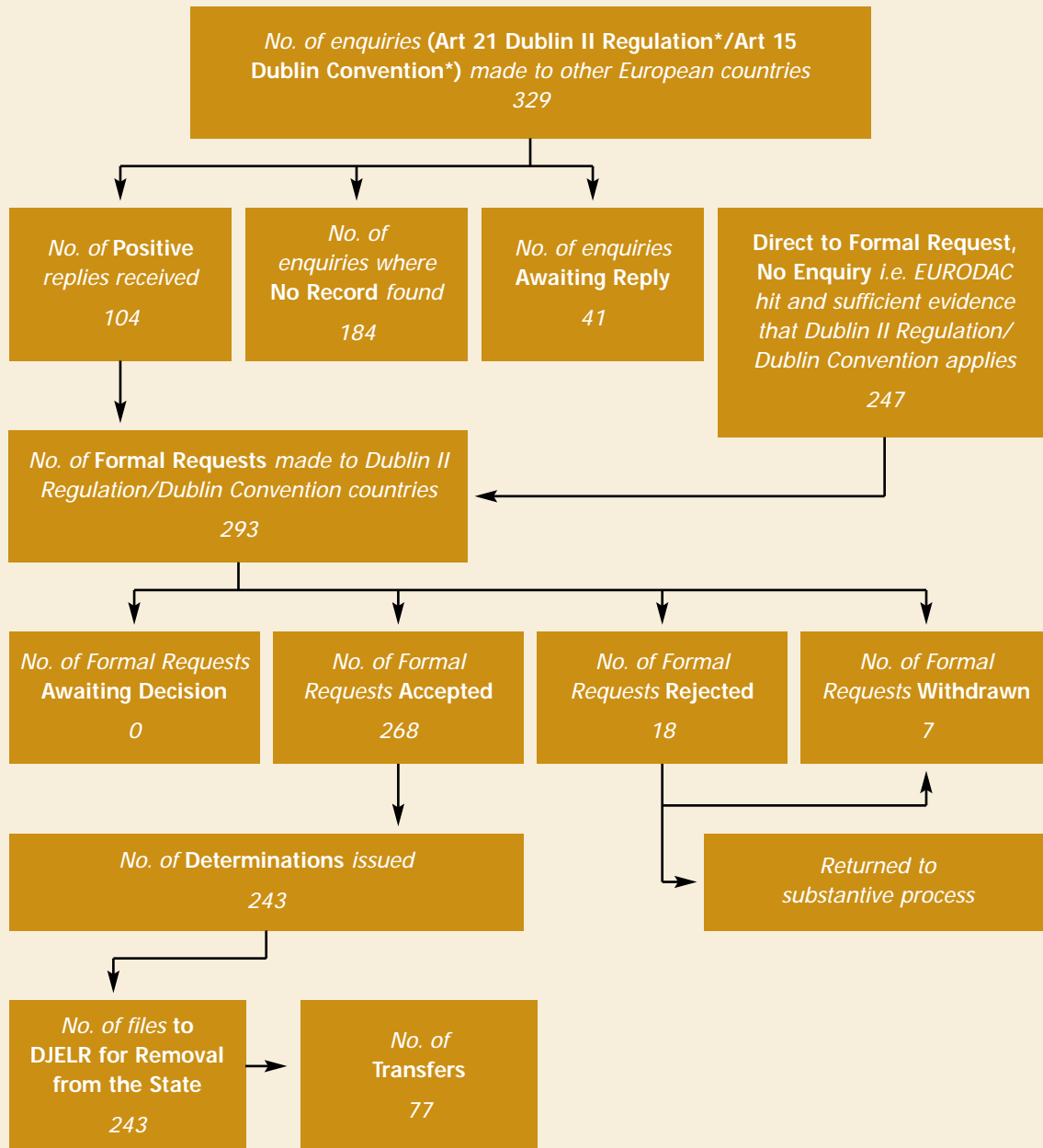


Applications Outstanding as at End of Year 1997 to 2004



Appendix 4 – Dublin II Regulation/Dublin Convention Statistics

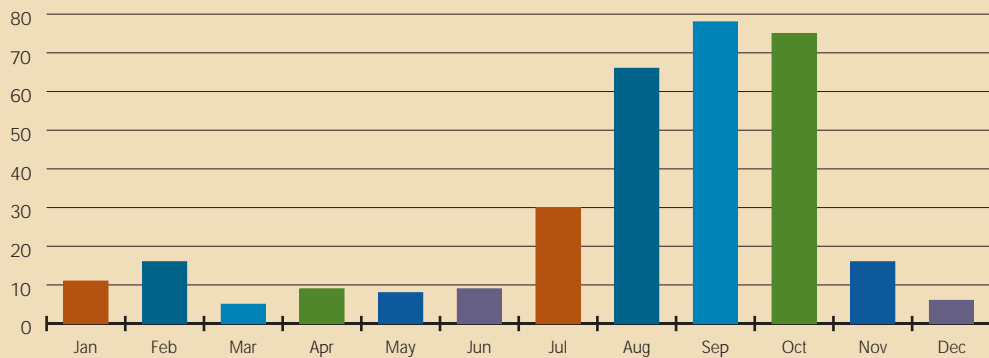
Statistics for the Dublin II Regulation/Dublin Convention for the period 01/01/2004 to 31/12/2004



* Enquiries to other Member States are made under Article 21 Dublin II Regulation/Article 15 Dublin Convention. The enquiries are made to ascertain if the requested state has any information on the applicant.

Article 21 (Article 15 – Dublin Convention) – Enquiries to Other Dublin II Regulation/Dublin Convention Countries – 2004

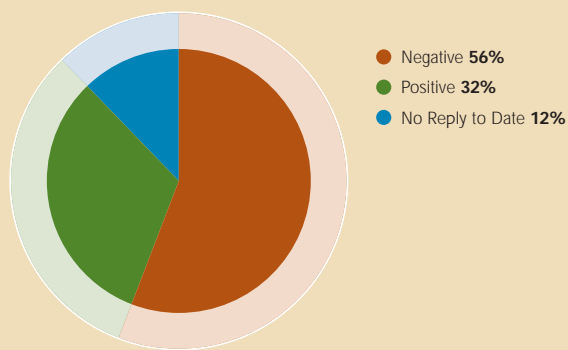
Article 21 Enquiries to Dublin II Regulation/Dublin Convention Countries (Article 15 Dublin Convention) – 2004



Article 21 Enquiries to Dublin II Regulation Countries – 2004 (Article 15 Dublin Convention)

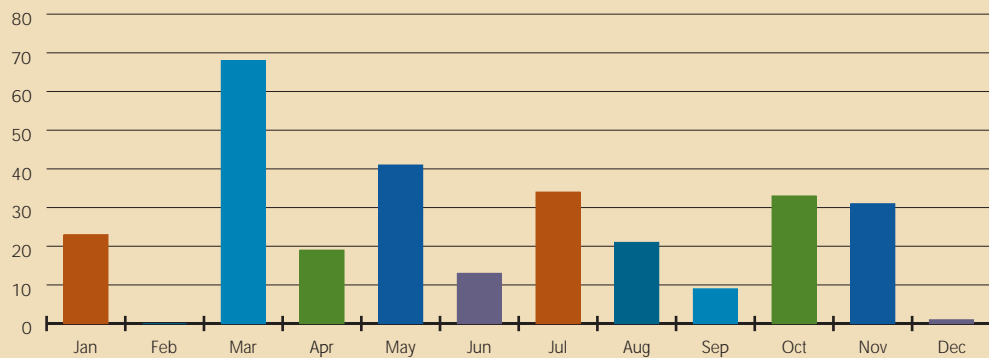
Month	Jan	Feb	Mar	Apr	May	June	July	Aug	Sep	Oct	Nov	Dec	Total
<i>Requests</i>													
<i>2004</i>	11	16	5	9	8	9	30	66	78	75	16	6	329

Replies to Article 21s (Article 15s Issued)



Formal Requests to Other Dublin II Regulation/ Dublin Convention Countries – 2004

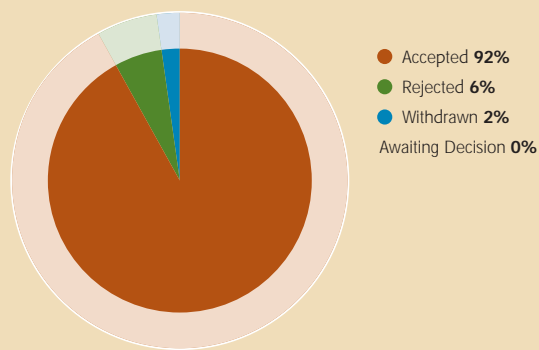
Formal Requests to Dublin II Regulation/ Dublin Convention Countries – 2004



Formal Requests to Other Dublin II Regulation/Dublin Convention Countries – 2004

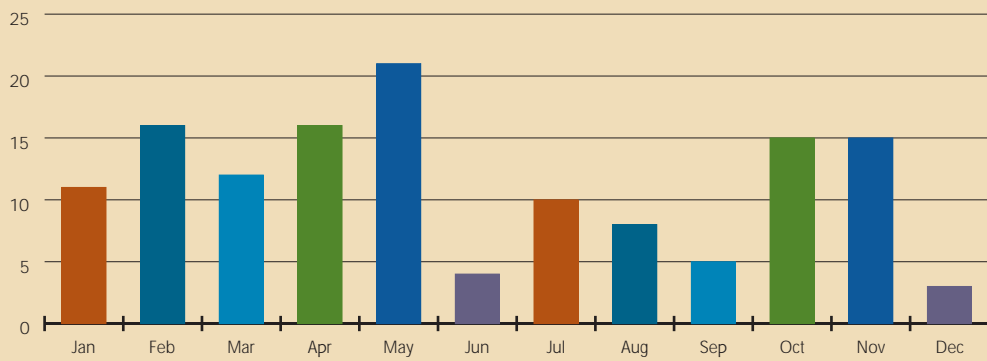
Month	Jan	Feb	Mar	Apr	May	June	July	Aug	Sep	Oct	Nov	Dec	Total
<i>Requests</i>													
<i>2004</i>	23	–	68	19	41	13	34	21	9	33	31	1	293

Replies to Formal Requests Issued – 2004



Formal Requests received from Other Dublin II Regulation/ Dublin Convention Countries – 2004

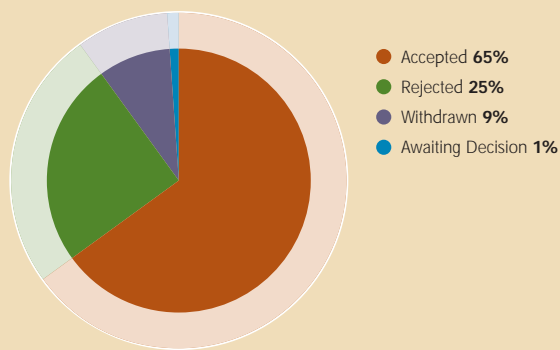
Formal Requests received from Dublin II Regulation/
Dublin Convention Countries – 2004



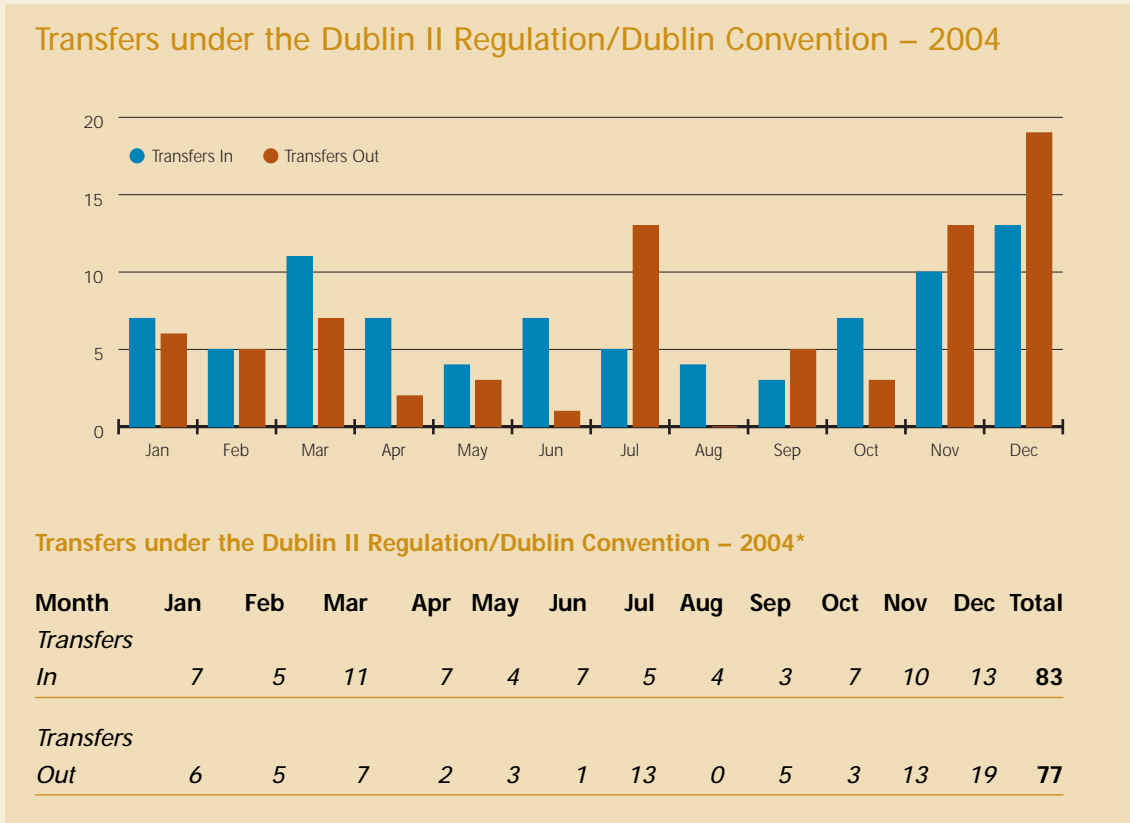
Formal Requests received from Other Dublin II Regulation/Dublin Convention Countries – 2004

Month	Jan	Feb	Mar	Apr	May	June	July	Aug	Sep	Oct	Nov	Dec	Total
<i>Requests</i>													
<i>2004</i>	11	16	12	16	21	4	10	8	5	15	15	3	136

Replies to Formal Requests Received – 2004



Transfers Under the Dublin II Regulation/ Dublin Convention by Number and Month – 2004



* It should be noted that the above transfer figures refer to the transfers effected in 2004 and include Dublin Convention cases which were determined in 2003.

Appendix 5 – Information on queries handled by Customer Service Centre in 2004

Table A

Category	No. Processed
<i>Letters and Faxes</i>	<i>23,064</i>
<i>Phone Enquiries</i>	<i>4,607</i>
<i>E-mail Enquiries*</i>	<i>3,628</i>
Total	31,299

* E-mail enquiries received includes 2,904 requests for photographs and 724 requests received via ORAC mail.

Table B

Category	No. Processed
<i>Files Copied</i>	<i>6,721</i>
<i>File movement transactions</i>	<i>21,680</i>
Total	28,401

Note: The total number in relation to files copied refers to the number of actual files photocopied but does not reflect the fact that in the majority of cases four copies of each file are produced.

Profile of Pay Expenditure for the Office of the Refugee Applications Commissioner: 1st January - 31st December 2004

The pay figure for the Office of the Refugee Applications Commissioner is amalgamated with the Reception & Integration Agency, the Refugee Appeals Tribunal, Ministerial Decisions Unit, Immigration and Asylum Policy Units of the Department of Justice, Equality and Law Reform under Subhead D.1 of Justice Vote 19.

The outturn for pay for Subhead D.1 of the Department of Justice, Equality & Law Reform was €21,461,817.07*.

Profile of Non-Pay Expenditure for the Office of the Refugee Applications Commissioner: 1st January - 31st December 2004

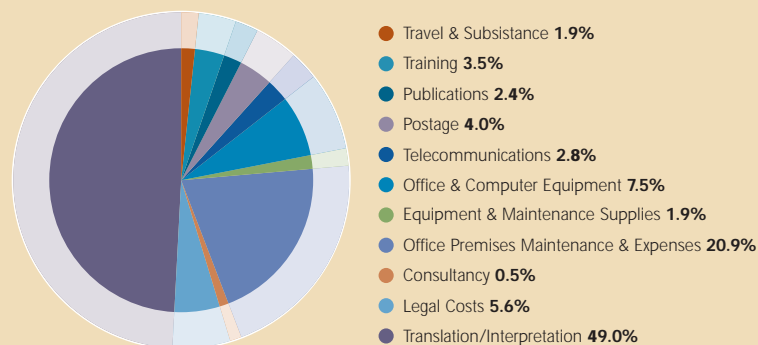
Breakdown of Non-Pay Expenditure

Description	Amount
Travel & Subsistence	€58,750.25
Training	€109,968.00
Miscellaneous**	€4,074.61
Conference Expenses**	€7,449.87
Refreshments**	€7,127.35
Exceptional Performance Award**	€8,495.40
Publications	€74,474.22
Postage	€124,108.66
Telecommunications	€88,481.34
Office & Computer Equipment	€226,800.18
Equipment & Maintenance Supplies	€57,275.38
Office Premises Maintenance & Expenses	€634,094.13
Furniture & Fittings**	€2,632.77
Consultancy	€16,372.39
Library & Legal Research**	€8,373.65
Legal Costs	€171,001.83
Translation/Interpretation	€1,538,088.89
Total*	€3,137,568.92

* As provided by Finance Branch, Department of Justice, Equality & Law Reform 2nd February 2005.

** The totals in respect of these item codes are too small to represent on the pie chart below.

ORAC 2004 Non-Pay Expenditure



Country of Origin Information (COI)

Country of Origin Information (COI) consists of many types of information such as legislation, news reports, maps, official documents, e.g. passports, work permits. It is used as an aid to determining the substance of applications for Declarations for Refugee Status.

Declaration for Refugee Status

As referred to in section 17 of the Act, where the Minister gives to the applicant concerned, following a recommendation by the Refugee Applications Commissioner, or following a decision of the Refugee Appeals Tribunal to set aside the recommendation of the Commissioner, a statement in writing that he/she is a refugee.

Dublin II

The Dublin II Regulation which came into operation on 1 September, 2003 replaces the Dublin Convention. This Regulation provides a mechanism for determining which Dublin II Regulation country is responsible for examining an application for refugee status. All EU member states are bound by the Regulation with the exception of Denmark who will continue to operate the Dublin Convention with all member states. Iceland and Norway also operate the Regulation.

Dublin Convention

The Dublin Convention provides a mechanism for determining the Convention country responsible for considering an application for asylum. The Convention was signed in Dublin on 15 June, 1990 by the member states of the European Community. All fifteen member states of the European Union have ratified the Dublin Convention. In addition, Iceland and Norway ratified the Dublin Convention in April 2001.

EURASIL (European Union Network for asylum practitioners/ Réseau de l'UE pour les praticiens de l'asile)

A forum for asylum practitioners in the EU to exchange information on asylum issues such as refugee status determination systems and country of origin information systems.

EURODAC

A system for the electronic exchange of fingerprints between EU member states (with the exception of Denmark), together with Iceland and Norway. Fingerprints are transmitted daily to a central database in Luxembourg.

Refugee Legal Service

The Refugee Legal Service is a service offered by the Legal Aid Board which provides legal services to applicants seeking declarations for refugee status.

Temporary Residence Certificate

The Temporary Residence Certificate, provided for under section 9(3)(a) of the Refugee Act, 1996, is a card given to applicants which holds their photo, name, fingerprint and other identification data.

UN Convention

The UN Convention signed in 1951 is an international instrument to define the legal status of refugees. The Convention relating to the Status of Refugees was adopted by a Conference of Plenipotentiaries of the UN on 28 July, 1951, and entered into force on 21 April, 1954. The principles contained in the 1951 Convention formed the basis of Irish refugee legislation.

United Nations High Commissioner for Refugees (UNHCR)

The Office of the United Nations High Commissioner for Refugees (UNHCR) was established as of 1 January 1951. The 1951 Convention specifically notes that the United Nations High Commissioner for Refugees is charged with the task of supervising international conventions providing for the protection of Refugees, and ensuring the effective co-ordination of measures taken to deal with this problem in co-operation with the various states.



Office of the Refugee Applications Commissioner

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Email: oracmail@orac.ie

Website: www.orac.ie



Oifig an
Choimisinéara Iarratais do Dhídeanaithe

Tuarascáil Bhliantúil 2004





Tuarascáil Bhliantúil 2004



An Clár

Réamhrá Leis an gCoimisinéir Iarratais do Dhídeanaithe	3
Ráiteas Bunchuspóra	4
Cé is Iarrthóir Tearmainn Ann?	5
An Sainmhíniú ar Dhídeanaí	5
Cuid 1 – Réamhrá	7
Cuid 2 – Forbairtí Ríthábhachtacha i 2004	11
Cuid 3 – Dul chun Cinn ar Chuspóirí Ardleibhéil Ráiteas Straitéise 2004-2006	15
<i>Cuspóir Ardleibhéil 1</i>	<i>16</i>
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Seo é an chéad tuarascáil bhliantúil ar dhul chun cinn maidir le cur chun feidhme Ráiteas Straitéise 2004-2006 Oifig an Choimisinéara Iarratais do Dhídeanaithe.

Sa Ráiteas Straitéise, a foilsíodh sa bhliain 2004, leagtar amach cuspóirí agus aidhmeanna dúshlánacha thar raon freagrachtaí agus oibríochtaí na hOifige. Tugtar mionsonraí sa tuarascáil seo ar an dul chun cinn a rinneadh le linn 2004 maidir le seachadadh na gcuspóirí agus na n-aidhmeanna sin.

Le linn na bliana, leanamar orainn ag iarraidh an riaráiste cásanna a ghlanadh agus laghdaíomar líon na gcásanna idir lámha de 50%, geall leis. Táimid ag leanúint ar aghaidh ag cur ordachán tosaíochta i bhfeidhm agus pléitear le cásanna tosaíochta – sin breis is 40% de na hiarratais nua go léir – ar bhonn reatha .i. de réir mar a thagann siad isteach. Táim ag súil go ndéanfar beagnach gach cás nua a phróiseáil laistigh den chreat ama sin faoi lár na bliana 2005. Tá cúiseanna éagsúla leis an laghdú ar an riaráiste cásanna: laghdú ar líon na n-iarratas; foráil reachtach i gcomhair cásanna tosaíochta; agus próisis atá níos saineagraithe. Leanamar orainn freisin ag infheistiú go trom i gcaighdeán na hoiliúna maidir le cinnti agus maidir le sainseirbhísí tacaíochta.

Maidir le seirbhís do chustaiméirí, foilsíodh Cairt Chustaiméirí sa bhliain 2004, seoladh dhá shuirbhé custaiméirí agus cuireadh tús le clár leathan oiliúna custaiméirí don fhoireann. Le Plean Gníomhaíochta Seirbhíse do Chustaiméirí a forbraíodh le linn na bliana agus a fhoilseofar sa chéad leath de 2005, leagfar amach ár mbeartais maidir le seirbhís do chustaiméirí le linn na tréimhse go dtí 2008.

Ó thaobh na heagraíochta de, lean an Oifig ar aghaidh le cur i bhfeidhm chlár nua-aimsirithe na státseirbhíse. Ar na nithe a baineadh amach ina leith sin, bhí foilsíú *Phlean Corparáide 2004-2008*, forbairt na straitéise daonacmhainní agus na próisis pleanála gnó agus bainistíochta priacail a bhunú tuilleadh.

Chun ullmhúchán a dhéanamh le haghaidh aiseolais aníos i gcomhthéacs an Chórais Bainistíochta agus Forbartha Feidhmíochta, rinneadh obair go leor sa leath deiridh den bhliain i ndáil le suirbhé aeráide eagraíochta a rinneadh, Eanáir 2005. Tá áthas orm a thuairisciú gur mór an spreagadh é toradh an tsuirbhé. I dteannta ráta ard freagartha (80%), bhí na torthaí an-dearfach. Táim ag súil le bheith ag obair leis an bhfoireann chun freagraí a fhorbairt ar thátail an tsuirbhé agus chun leanúint orainn ag cur feabhas ar fheidhmíocht na heagraíochta agus an duine aonair.

Ba mhaith liom aitheantas a thabhairt do chomhoibriú na Roinne Dlí agus Cirt, Comhionannais agus Athchóirithe Dlí, an Bhinse Achomhairc do Dhídeanaithe, na Gníomhaireachta um Ghlacadh agus Lánpháirtíú agus na ngníomhaireachtaí agus eagraíochtaí eile stáit atá ag plé leis an bpróiseas tearmainn. Ina theannta sin, ba mhaith liom tacaíocht leanúnach Ionadaíocht Ard-Choimisinéir na Náisiún Aontaithe um Dhídeanaithe in Éirinn a aithint.

Mar fhocal scoir, ba mhaith liom ár mbuíochas a chur in iúl d'fhoireann na hOifige arb iad a ndíograis, a dtiomantas agus a ngairmiúlacht is cúis le baint amach na nithe a thuairiscítear sa tuarascáil seo.

Bernice O'Neill

An Coimisinéir

Is é Ráiteas Bunchuspóra Oifig an Choimisinéara Iarratais do Dhídeanaithe de réir Acht na nDídeanaithe, 1996 ná:

(i) *imscrúdú a dhéanamh ar iarratais ó dhaoine atá ag lorg dearbhú um stádas dídeanaí agus moltaí cuí a eisiúint don Aire Dlí agus Cirt, Comhionannais agus Athchóirithe Dlí,*

agus

(ii) *imscrúdú a dhéanamh ar iarratais ó dhídeanaithe go gceadófaí do dhaoine ina dteaghlach teacht isteach sa Stát agus cónaí ann agus tuairisciú don Aire Dlí agus Cirt, Comhionannais agus Athchóirithe Dlí ar na hiarratais sin,*

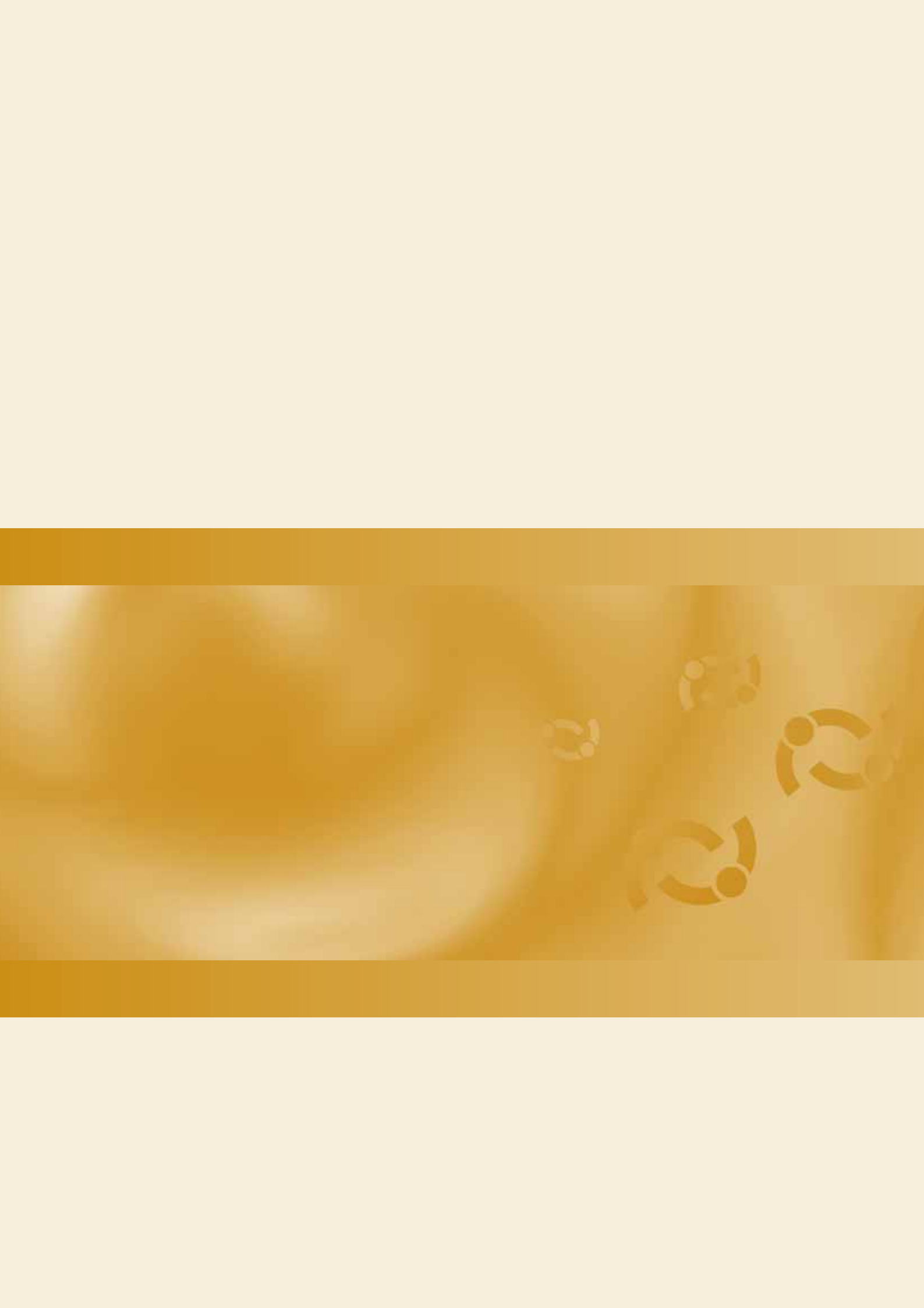
agus, á dhéanamh sin dúinn, seirbhís ardcháilíochta a sholáthar dár gcustaiméirí trí bheartais agus nósanna imeachta a chur chun feidhme atá cóir agus oscailte agus caitheamh le gach iarratasóir le cúirtéis agus tuiscint.

Cé is Iarrthóir Tearmainn ann?

Séard is iarrthóir tearmainn ann ná duine a iarrann go n-aithneofar é nó í mar dhídeanaí de réir théarmaí Choinbhinsiún na Ginéive 1951 a bhaineann le stádas dídeanaithe agus de réir Phrótacal gaolmhar 1967, lena soláthraítear an bonn le haghaidh an chórais idirnáisiúnta chun dídeanaithe a chosaint.

Sainmhíniú ar Dhídeanaí

Is é an sainmhíniú ar dhídeanaí i ndlí na hÉireann ná duine atá, de dheasca eagla a bhfuil bonn léi go ndéanfar géarleanúint a imirt air nó uirthi ar chúiseanna cine, creidimh nó náisiúntachta, nó ar chúiseanna comhaltas grúpa sóisialach ar leith nó tuairimí polaitíochta a bheith aige nó aici, lasmuigh de thír a náisiúntachta agus nach bhfuil sé nó sí in ann nó, de bharr na heagla sin, nach bhfuil sé nó sí toilteanach leas a bhaint as cosaint na tíre sin; nó duine, nach bhfuil náisiúntacht aige nó aici agus atá lasmuigh de thír a iarghnáthchónaithe nó a hiarghnáthchónaithe, nach bhfuil in ann nó, de bharr na heagla sin, nach bhfuil toilteanach filleadh uirthi..



1

Réamhrá



An Creat Dlíthiúil

Faoi Acht na nDídeanaithe, 1996, bunaíodh dhá oifig reachtúla neamhspleácha, Samhain 2000, chun breithniú a dhéanamh ar iarratais/achomhairc le haghaidh stádas dídeanaí agus chun moltaí a dhéanamh don Aire i dtaobh ar chóir an stádas sin a dheonú. Is iad an dá oifig sin ná Oifig an Choimisinéara Iarratais do Dhídeanaithe, a bhreithníonn iarratais ar dhearbhu mar dhídeanaí don chéad chéim agus an Binse Achomhairc do Dhídeanaithe, a bhreithníonn iarratais ar dhearbhu ag céim an achomhairc.¹

Tá feidhmeanna reachtúla an Choimisinéara Iarratais do Dhídeanaithe leagtha amach in Acht na nDídeanaithe, 1996 (arna leasú leis an Acht Inimirce, 1999, leis an Acht um Inimircigh Neamhdhleathacha (Gáinneáil), 2000, agus leis an Acht Inimirce, 2003). Sa tuarascáil seo, ciallaíonn an téarma "Acht na nDídeanaithe, 1996" "Acht na nDídeanaithe, 1996 (arna leasú)".

Ina theannta sin, bíonn aird ag an Oifig ar na hIonstraimí Reachtúla (IR) seo a leanas le linn dí a gnó a sheoladh:

- I.R. Uimh. 342 de 2000 – Na Rialacháin um Acht na nDídeanaithe, 1996 (Achomhairc), 2000.
- I.R. Uimh. 343 de 2000 – An tOrdú um Choinbhinsiún Bhaile Átha Cliath (Cur i nGníomh) Order, 2000.
- I.R. Uimh. 344 de 2000 – Na Rialacháin um Acht na nDídeanaithe, 1996 (Ionaid agus Dálaí Coinneála), 2000.
- I.R. Uimh. 345 de 2000 – Na Rialacháin um Acht na nDídeanaithe, 1996 (Foirm Iarratais), 2000.
- I.R. Uimh. 346 de 2000 – Na Rialacháin um Acht na nDídeanaithe, 1996 (Deimhniú Cónaithe Sealadach), 2000.
- I.R. Uimh. 415 de 2003 – Na Rialacháin um an Acht Inimirce 2003 (Alt 7) (Tosach Feidhme), 2003.
- I.R. Uimh. 422 de 2003 – An tOrdú um Acht na nDídeanaithe 1996 (Tiortha Tionscnaimh Sábháilte), 2003.
- I.R. Uimh. 423 de 2003 – An tOrdú um Acht na nDídeanaithe 1996 (Alt 22), 2003.
- I.R. Uimh. 714 de 2004 – An tOrdú um Acht na nDídeanaithe 1996 (Tiortha Tionscnaimh Sábháilte), 2004.

Feidhmeanna an Choimisinéara Iarratais do Dhídeanaithe

Deirtear in Acht na nDídeanaithe, 1996, go mbeidh an Coimisinéir Iarratais do Dhídeanaithe neamhspleách i bhfeidhmiú a chuid nó a cuid feidhmeanna, ar feidhmeanna idir reachtúil agus neamhreachtúil iad. Is iad na freagrachtaí ríthábhachtacha reachtúla ná:

- imscrúdú a dhéanamh ar iarratais uathusan atá ag lorg dearbhú ar stádas dídeanaí agus moltaí cuí a eisiúint don Aire Dlí agus Cirt, Comhionannais agus Athchóirithe Dlí ar na hiarratais sin, agus
- imscrúdú a dhéanamh ar iarratais ag dídeanaithe go ligfí do dhaoine ina dteaghlach teacht isteach sa Stát agus cónaí ann, agus tuairisciú don Aire Dlí agus Cirt, Comhionannais agus Athchóirithe Dlí ar na hiarratais sin.

Faoin Acht, is é freagracht an Choimisinéara freisin:

- Deimhniú Cónaithe Sealadacha a eisiúint d'iarthóirí tearmainn
- cloí le haon ordacháin ón Aire maidir le tosaíocht catagóirí áirithe iarrthóra
- cur i láthair chás an Choimisinéara leis an mBinse Achomhairc do Dhídeanaithe a threorú i gcás go ndéantar achomharc chun an Bhinse in aghaidh moltaí arna ndéanamh ag an gCoimisinéir
- faisnéis, a ndéantar foráil ina leith i reachtaíocht, a sholáthar d'Ard-Choimisinéir na Náisiún Aontaithe um Dhídeanaithe, agus do ghníomhaireachtaí cuí Rialtais.

Cé gur ar an gCoimisinéir atá an fhreagracht dheiridh as na feidhmeanna reachtúla sin a chomhlíonadh faoin Acht, féadfaidh an Coimisinéir na feidhmeanna sin a tharmligean chuig comhalta foirne.

Tá feidhmeanna neamhreachtúla ag an gCoimisinéir freisin. Orthu sin, tá:

- a chinntiú maidir le gach iarratas ar thearmann ag an gcéad chéim go ndéantar iad a phróiseáil agus go bpléitear leo go cothrom, go cúirtéiseach agus go héifeachtach

¹ Tá cur síos mionsonraithe ar phróiseas an tearmainn le fáil ar shuíomh idirlín na hOifige (www.orac.ie).

- ordacháin a eisiúint ar fheidhmiú praiticiúil Acht na nDídeanaithe agus ar nósanna imeachta agus caighdeáin oibre
- a chinntiú go bhfuil faisnéis leordhóthanach ar thiortha tionscnaimh iarrthóirí tearmainn agus ar an dlí-eolaíocht agus ar an gcleachtas idirnáisiúnta i réimse an tearmainn ar fáil don fhoireann
- páirt a ghlacadh i bhfóiraim idirnáisiúnta ar nithe a bhaineann le tearmann
- bainistiú a dhéanamh ar fheidhmíocht, agus ar oiliúint agus forbairt, na foirne
- plé le fiosruithe ón bpreas
- ullmhúchán agus bainistiú an bhuiséid agus Phlean Gnó na heagraíochta.

Luachanna Ríthábhachtacha na hOifige

Is iad na luachanna ríthábhachtacha lena dtreoraítear obair na hOifige ná:

- **Neamhspleáchas** – Neamhspleáchas maidir le próis agus cinnteoireacht.
- **Cothrom na Féinne** – Nósanna imeachta cothroma a chuirtear in iúl d’iarrthóirí tearmainn.
- **Daingne** – Daingne maidir le cur chun feidhme oibleagáidí reachtúla.
- **Freastal ar na príomhscairshealbhóirí** – Tiomantas i leith seirbhíse d’iarratasóirí agus do scairshealbhóirí eile.
- **Tiomantas don fhoireann** – A aithint gurb iad an fhoireann an acmhainn is luachmhaire atá ag an Oifig agus timpeallacht a chothú inar féidir leo obair éifeachtach a dhéanamh agus an gealladh atá iontu féin a fhorbairt chun leas na hOifige go sonrach agus chun leas a saoi oibre féin i gcoitinne.
- **Tiomantas don sárchaighdeán** – Obair a dhéanamh ar chaighdeán a chinnteoidh ardcháilíocht agus torthaí tráthúla.
- **Oscailteacht** – Cumarsáid a dhéanamh le hiarrthóirí tearmainn, leis an Aire Dlí agus Cirt, Comhionannais agus Athchóirithe Dlí, le hArd-Choimisinéir na Náisiún Aontaithe um Dhídeanaithe, le heagraíochtaí neamhrialtasacha, agus leis an bpobal ar shlí a spreagann iontaoibh as oibriú na hOifige.
- **Éifeachtacht maidir le húsáid acmhainní** – A chinntiú go mbaintear úsáid éifeachtach as na hacmhainní atá ar fáil gan cur isteach ar chaighdeáin.

Maoiniú agus Foireann don Oifig

Is é an Stát, tríd an Roinn Dlí agus Cirt, Comhionannais agus Athchóirithe Dlí, a chuireann an maoiniú ar fáil le haghaidh na hOifige. Foráiltear san Acht gur “Státseirbhísigh de réir bhri Acht Rialuithe na Stát-Sheirbhíse, 1956, a bheidh sna comhaltaí d’fhoireann an Choimisinéara.”

Foráiltear san Acht freisin go bhféadfaidh “an Coimisinéir aon cheann dá fheidhmeanna nó dá feidhmeanna faoin Acht seo... a tharmligean chuig aon chomhaltaí d’fhoireann an Choimisinéara”. Seachas foireann na seirbhísí, is oifigigh údaraithe ainmnithe ar ceapachán iad an fhoireann.

Struchtúr Bainistíochta Eagraíochta

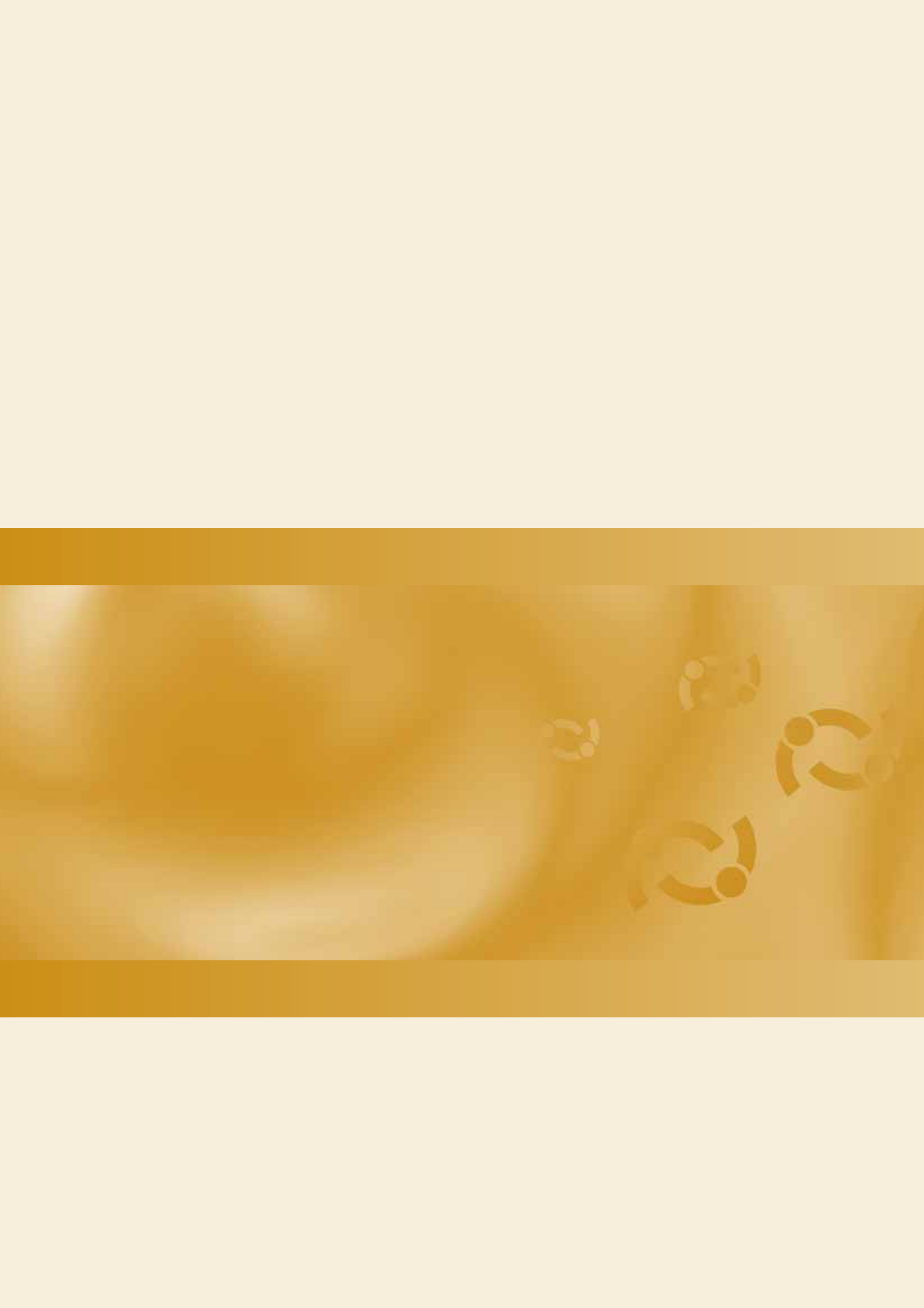
I ndeireadh 2004, bhí 252 duine ar fhoireann na hOifige. Tá cairt eagraíochta le fáil i bhFoscibhinn 1.

Ceanglais Tuairiscithe

Is iad ceanglais tuairiscithe an Choimisinéara, de réir an Achta, na cinn seo a leanas:

- tuarascáil a chur faoi bhráid an Aire Dlí agus Cirt, Comhionannais agus Athchóirithe Dlí ar a chuid nó a cuid gníomhaíochtaí tráth nach déanaí ná trí mhí tar éis deireadh gach bliana. Leagfaidh an tAire cóip den Tuarascáil Bhliantúil os comhair gach Tí de Thithe an Oireachtais.
- an fhaisnéis chuí go léir a sholáthar don Aire, ar bhonn leanúnach, chun a chur ar a chumas nó ar a cumas cuntasacht agus freagracht an Aire a fheidhmiú i ndáil leis an Oifig.
- gach cuntas is cuí agus is gnách a choimeád ar an airgead uile a gheofar nó a chaitear agus gach cuntas speisialta (más ann) a threoróidh an tAire.
- na cuntais sin a chur faoi bhráid an Ard-Reachtair Cuntas agus Ciste lena n-iniúchadh ar dháta a shonróidh an tAire. Cuirfear cóip de na cuntais sin nó sliocht astu ar fáil don Aire agus cuirfidh seisean nó sise an dá ní sin faoi bhráid gach Tí de Thithe an Oireachtais.

(Faigheann Oifig an Choimisinéara Iarratais do Dhídeanaithe leithroinnt bhliantúil cistí arb é nó í Ard-Rúnaí na Roinne Dlí agus Cirt, Comhionannais agus Athchóirithe Dlí an tOifigeach Cuntasíochta ina leith agus áirítear cuntais na hOifige i gcuntais bhliantúla na Roinne.)



2

Forbairtí Ríthábhachtacha i 2004



Iarratais ar Thearmann a Phróiseáil

Le linn 2004, d'fhan líon na n-iarratas a fuair an Oifig in aghaidh na míosa ag an leibhéal a raibh sé tar éis titim chuige faoi dheireadh 2003, timpeall ar 400 in aghaidh na míosa. Laghdú suntasach a bhí ansin ar na hiarratais in aghaidh na bliana ó 11,634 sa bhliain 2002 go dtí 7,900 sa bhliain 2003 agus 4,766 sa bhliain 2004.

Tá an laghdú sin ar líon na n-iarratas tar éis cabhrú go mór leis an Oifig dul chun cinn a dhéanamh chun an riaráiste cásanna a ghlanadh. Faoi dheireadh 2004, bhí líon na gcásanna idir lámha laghdaithe go dtí 2,350, ón bhfigiúr a bhí ann i dtús na bliana agus ón bhfigiúr a bhí ann tráth bhunú na hOifige, Samhain 2000. Anois, pléitear le cásanna tosaíochta, arb ionann iad agus 40% de na cásanna nua ar fad, ar bhonn reatha .i. de réir mar a fhaightear iad agus tá an eagraíocht de réir na sprice chun an cuspóir céanna a bhaint amach do na cásanna go léir, geall leis, faoi lár 2005.

De bharr an dul chun cinn sin, cuireadh ar chumas na hOifige a chuid oibríochtaí a laghdú le linn 2004 agus meastar go leanfar leis an bpróiseas sin le linn 2005.

Forbairtí Corparáideacha

Go luath sa bhliain 2004, d'fhoilsigh an *Oifig Plean Corparáideach 2004-2008* tar éis próiseas leathan comhairliúcháin a sheoladh san eagraíocht. Forbraíodh an Plean chun go dtaispeánfadh an eagraíocht an tslí ar aghaidh mar eagraíocht ardghairmiúil atá tiomanta do chinntí ardchaighdeáin tearmainn a sholáthar. Is iad na téamaí forbartha atá ag an Oifig ná: Éifeachtacht agus Éifeachtúlacht sa Phróiseas Cinnteoireachta; Seirbhís Ardcháilíochta do Chustaiméirí; Cumarsáid Éifeachtach; Bainistíocht Daonacmhainní a Fhorbairt; agus Úsáid Éifeachtach na Teicneolaíochta Faisnéise. Déanfar an plé ar na téamaí sin a leathnú amach i ráitis straitéiseacha agus i bpleananna gnó amach anseo.

Ina theannta sin, foilsíodh *Plean Straitéise 2004-2006* na hOifige le linn an chéad leath den bhliain. Leis an bplean sin, soláthraítear fócas oibríochtúil go dtí 2006, leagtar amach cuspóirí agus aidhmeanna soiléire don tréimhse sin agus cuirtear síos ar straitéisí chun iad a bhaint amach.

De réir chuspóir na hOifige ardchaighdeán seirbhíse a sholáthar agus úsáid éifeachtach a bhaint as acmhainní, tugadh isteach córas foirmeálta maidir le Cinntiú Cáilíochta (CC) san Aonad Próiseála Cásanna le linn na bliana. Séard atá i gceist leis sin seiceálacha aonair a dhéanamh chun cáilíocht agus comhsheasmhacht gach cinnidh um stádas dídeanaí a dhéanann an Oifig a chinntiú. As a aithle sin, forbraíodh córais fhoirmeálta ar fud na heagraíochta maidir le Cinntiú Cáilíochta, bunaithe ar an tsamhail a cuireadh i bhfeidhm san Aonad Próiseála Cásanna. D'fhonear ár gcuid oibre ar Chinntiú Cáilíochta a bhunú tuilleadh, bunaíodh Buíon Athbhreithnithe um Chinntiú Cáilíochta chun cáilíocht agus comhsheasmhacht sa chinnteoireacht a chinntiú.

Forbairtí sa tSeirbhís do Chustaiméirí

Cuireadh tuilleadh leis an gClár Seirbhíse do Chustaiméirí ag an Oifig le linn 2004 trí thionscnaimh éagsúla a dhéanamh. Forbraíodh *Nós Imeachta Gearán* i gcomhar leis an bhfoireann, leis an gCoiste Comhpháirtíochta, le heagraíochtaí neamhrialtasacha atá ionadaíoch dár bpríomhchustaiméirí agus gníomhaireachtaí Rialtais atá gníomhach sa phróiseas tearmainn, agus tugadh isteach é, Eanáir 2004. Foilsíodh *Chairt Chustaiméirí*, a forbraíodh i gcomhar lenár gcustaiméirí inmheánacha agus seachtracha, mí an Mheithimh. Leagtar amach sa Chairt na bunchaighdeáin seirbhíse ar féidir do chustaiméirí na hOifige a bheith ag súil leo.

Sheol an Oifig dhá shuirbhé custaiméirí le linn na bliana. Seoladh suirbhé díreach ar shásamh custaiméirí lenár díriodh ar thaithe custaiméirí ar an Aonad um Ghlacadh san Oifig. Seoladh an dara suirbhé, a raibh eagraíochtaí neamhrialtasacha agus buíonta ionadaíocha páirteach ann, i dtreo dheireadh 2004. Bhí na freagraí sa dá shuirbhé an-dearfach ar fad agus is léiriú maith iad ar an tseirbhís a chuireann foireann na hOifige ar fáil.

De réir ár ngealltanais sa *Plean Corparáideach 2004-2008* agus sa *Ráiteas Straitéise 2004-2006*, forbraíodh Plean Gníomhaíochta *Seirbhíse do Chustaiméirí 2005-2008* tar éis comhairliúcháin forleathan a dhéanamh, agus foilseofar an plean sin go luath sa bhliain 2005.

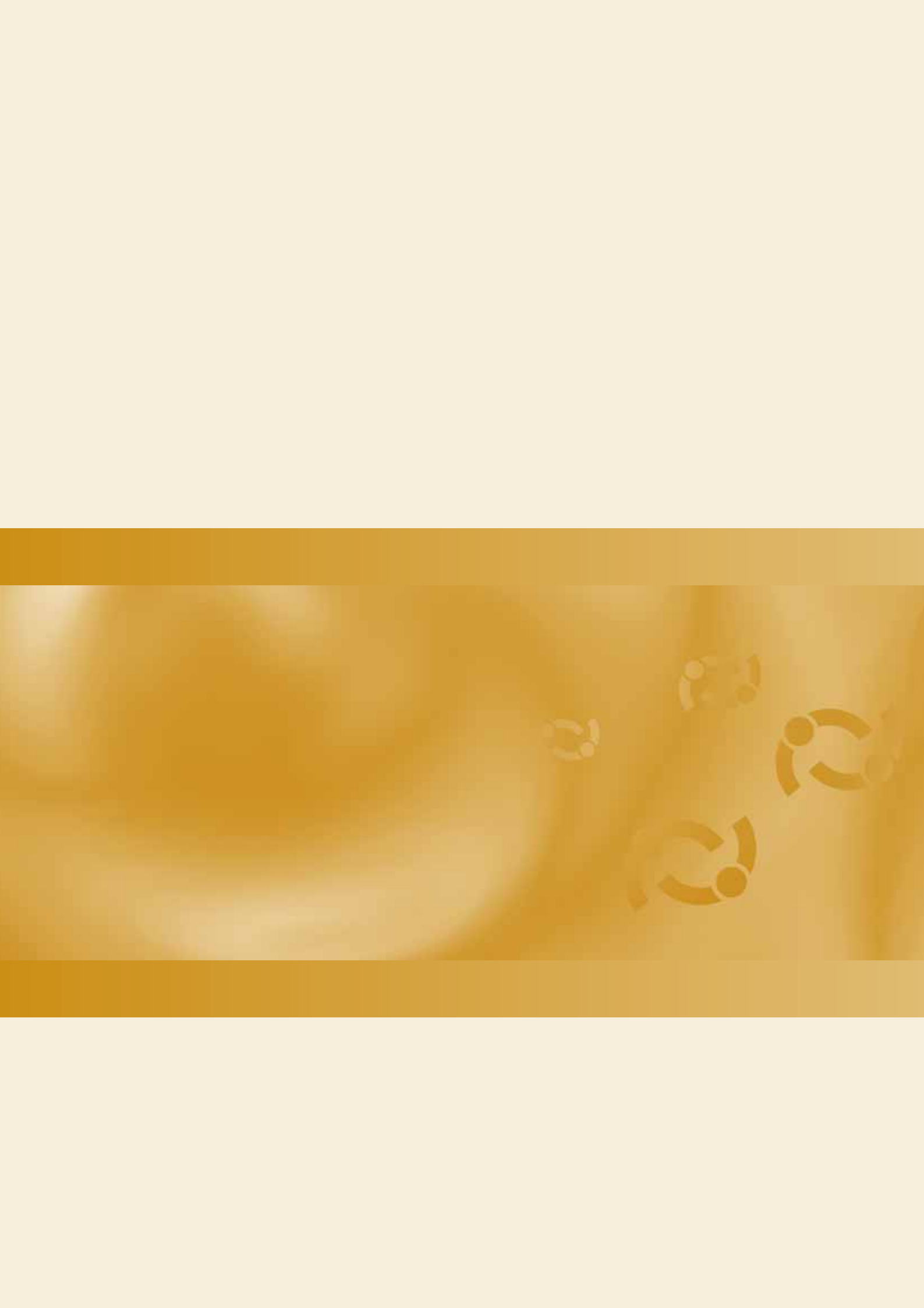
Daonacmhainní

Réitíodh an chéad *Straitéis Daonacmhainní* de chuid na hOifige le linn 2004. Is eilimint ríthábhachtach de chlár oibre é sin chun a chinntiú go dtacaíonn bainistiú na daonacmhainní lena bhfuil bainte amach sa *Phlean Corparáideach 2004-2008* agus sa *Ráiteas Straitéise 2004-2006*.

De réir nósanna imeachta comhaontaithe chun CBFF a fhorbairt agus an t-aiseolas aníos a fhorbairt, chuir an Oifig tús leis an obair ar shuirbhé aeráide eagraíochta le linn na bliana. San áireamh ansin, bhí cruinnithe faisnéise agus comhairliúcháin leis an bhfoireann maidir leis an suirbhé atá le stiúru Eanáir 2005. Déanfar an fhreagairt do na torthaí suirbhé a fhorbairt i gcomhar leis an bhfoireann agus cuirfear san áireamh iad sna pleananna gnó.

Comhpháirtíocht

Bhí próiseas foirmeálta comhpháirtíochta na hOifige ar siúl don dara bliain sa bhliain 2004 agus léirigh an fhoireann suim i gcónaí i rannpháirtíocht sna struchtúir agus sna próisis chomhpháirtíochta. Bhí ról ríthábhachtach ag an gCoiste Comhpháirtíochta, le cúnaimh na mbuionta oibre a bunaíodh faoi, i roinnt forbairtí tábhachtacha eagraíochtúla, ar a n-áirítear Beartas agus Clár Comhionannais a fhorbairt, Straitéis Cumarsáide inmheánaí agus cur chun feidhme Scéim Dámhachtainí Feidhmíochta.



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Dul chun Cinn maidir le Cuspóirí Ardleibhéil Ráiteas Straitéise 2004-2006



Cuspóir Ardleibhéil 1

Imscrúdú ar iarratais ar stádas dídeanaí agus athaontú teaghlaigh laistigh de chreata ama.

Cuspóirí Ráiteas Straitéise 2004-2006

- D'fhonn táirgiúlacht uasta a bhaint amach i bpróiseáil iarratas ar dhearbhu maidir le stádas dídeanaí agus athaontú teaghlaigh, laistigh de chreata fosta ama agus san ord tosaíochta atá leagtha amach ag an Aire Dlí agus Cirt, Comhionannais agus Athchóirithe Dlí
- Aghaidh a thabhairt go hiomlán agus go héifeachtach ar leasuithe ar Acht na nDídeanaithe.

Dul chun cinn ar chuspóirí agus aidhmeanna sa bhliain 2004

- Sa bhliain 2004, laghdaiodh líon na gcásanna idir lámha de 50%, geall leis, rud a d'fhág go raibh beagán os cionn 2,350 de na cásanna sin ann i ndeireadh na bliana. Faoi dheireadh 2004, bhí beagnach 60% de na hiarratais go léir a fuarthas le linn na bliana críochnaithe cheana féin.
- Rinneadh os cionn 40% de na cásanna nua go léir a phróiseáil de réir socruithe tosaíochta de bharr na bhforálacha reachtacha a tugadh isteach sa bhliain 2003. Déantar cásanna tosaíochta a sceidealú le haghaidh agallaimh laistigh de 20 lá oibre tar éis an iarratais tosaigh (ach amháin nuair nach féidir sin a dhéanamh ar chúiseanna liachta nó ar chúiseanna troma eile) agus críochnaítear iad laistigh de 1-2 sheachtain ina dhiaidh sin. Faoi dheireadh 2004, bhí líon na n-iarratas idir lámha ó thíortha tosaíochta laghdaithe de 72%.

- Le linn 2004, lean an Oifig ar aghaidh ag cur leasuithe ar an Acht i bhfeidhm, maille le hordacháin ón Aire Dlí agus Cirt, Comhionannais agus Athchóirithe Dlí a bhain le tosaíochtaí a leagan amach do na hiarratais a bhí á bpróiseáil. Go déanach sa bhliain 2004, rinne an tAire ordú eile faoi Acht na nDídeanaithe, 1996, lenar ainmníodh an Chróit agus an Afraic Theas mar thíortha sábháilte tionscnaimh, agus lenar treoraíodh don Choimisinéir tosaíocht a thabhairt d'iarratais ó na tíortha sin. Chuir an Oifig na socruithe riachtanacha i bhfeidhm chun éifeacht a thabhairt don ordú.

- Laghdaíodh na hamanna do phróiseáil na gcásanna eile go léir le linn na bliana. Tá íoslághdú déanta ar an meán-am idir cur i gcrích an agallaimh agus cur in iúl an mholta d'fhonn a chinntiú go leanfaidh ár ndul chun cinn ar aghaidh i dtreo chur i gcrích cásanna laistigh de 4 seachtaine ón agallamh. Ina theannta sin, chuireamar ualaí cásanna as tíortha áirithe le chéile, chuir agallamh orthu i rith tréimhse níos giorra, agus bhain amach barainneachtaí an mhórsála. Faoi dheireadh 2004, bhí an Oifig ag sceidealú le haghaidh agallamh luath-iarratais de chuid 2005 a rinneadh sa dara leath den bhliain 2004.

- Chuir an Oifig críoch le 33% breise de chásanna athaontaithe teaghlaigh sa bhliain 2003 agus laghdaigh na meán-amanna próiseála do na cásanna sin ó sé mhí sa bhliain 2003 go dtí faoi bhun dhá mhí sa bhliain 2004. Ba chabhair ón taobh sin de an tadhall leanúnach idir Aonad Athaontaithe Teaghlaigh na hOifige agus an Roinn Dlí agus Cirt, Comhionannais agus Athchóirithe Dlí.

- Díriodh i gcónaí sa bhliain 2004 ar éifeachtúlacht níos fearr a bhaint amach in úsáid acmhainní agallóireachta. Tá laghdú mór tagtha ar neamhláithreacht iarratasóirí ag agallaimh. Faoi dheireadh 2004, gan cásanna a chuir an Oifig féin siar a áireamh, d'fhreastail iarratasóirí i 72% de na cásanna – sin comparáid le ráta iomlán freastail 66% do na hagallaimh go léir le linn 2003.

- De bharr na leasuithe ar Acht na nDídeanaithe, a tháinig i bhfeidhm sa bhliain 2003, tá tairbhe ó thaobh na táirgiúlachta de bainte amach do céim an achomhairc den phróiseas. Sa bhliain 2004, bhí tátail, a raibh achomharc luathaithe gan éisteacht bhéil de thoradh orthu, san áireamh i mbeis is 40% de na cinní diúltacha de réir fhorálacha Acht na nDídeanaithe. D'fhág sé sin go raibh laghdú ar líon na n-éisteachtaí béil a bhí le seirbhísiú ag an Oifig. (Féach Cuspóir Ardleibhéil 3 chun tuilleadh mionsonraí a fháil.)
- Lean an Oifig ar aghaidh ag forbairt straitéisí chun éifeachtúlacht ár gcuid seirbhísí a uasmhéadú agus cur leis na tacaí atá ar fáil do na cásoibrithe. Ón taobh sin de, forbraíodh páipéir faisnéise tíre, i gcomhar le hOifig Bhaile Átha Cliath Ard-Choimisinéir na Náisiún Aontaithe um Dhídeanaithe, ar roinnt tíortha ar a n-áirítear PD an Chongó, Angóla, an tSomáil, Camarún, an tSúdáin agus an Ghuine.
- Leis an oiliúint ardchaighdeáin, leis an bhfaisnéis inrochtana faoin tír tionscnaimh, agus le cur i bhfeidhm beartas agus nósanna imeachta ar mhaithe le caighdeánú ar phróiseáil na gcásanna, éascaíodh obair na nAonad Próiseála Cásanna agus cur i bhfeidhm éifeachtach agus éifeachtúil na n-athruithe reachtúla de réir mar a tharla siad. (Féach Cuspóir Ardleibhéil 2 chun tuilleadh mionsonraí a fháil). Tháinig feabhas ar an táirgiúlacht i bpróiseáil na gcásanna dá bharr sin.
- Tháinig feabhas ar an táirgiúlacht freisin le feabhsú rochtain na gcásoibrithe ar shonraí Idirlín tríd an Aonad Tacaíochta Tíre Tionscnaimh/Cinntí Stádas Dídeanaí. Ina theannta sin, cuireadh córas ar bun chun comhordú agus rianadh a dhéanamh ar fhiosruithe Tíre Tionscnaimh ó chásoibrithe. Cuirtear iad sin chuig an Ionad Doiciméad Dídeanaithe le haghaidh freagra.
- I ndáil le cásanna a raibh breithniú le déanamh orthu faoi Rialachán Bhaile Átha Cliath II a bhaint amach, leanamar orainn ag cinntiú go ndearnadh cásanna a aithníodh faoi EURODAC a phróiseáil go dtí céim an chinnidh a luaithe ab fhéidir laistigh de na teorainneacha ama a bhí i gceist faoi Rialachán Bhaile Átha Cliath II. Sa bhliain 2004, bhí 243 chinneadh ann i gcomparáid le 237 sa bhliain 2003. Mar chéatadán de chásanna, bhí méadú suntasach (50%) ar an líon cásanna ar tugadh cinní Rialachán Bhaile Átha Cliath II ina leith.
- Sa bhliain 2004, fuair an Oifig 136 iarraidh isteach chun iarratais ar thearmann a phróiseáil nó a thógáil ar ais faoin Rialachán. Comparáid leis sin is ea go raibh 134 de na hiarrataí sin ann sa bhliain 2003.
- Thug an Oifig tosaíocht do chásanna a raibh an t-iarratasóir faoi choimeád i bpríosún. Bhain an tosaíocht sin le hiarrataí ag Éirinn ar Bhallstáit eile agus le hiarrataí isteach faoi Rialachán Bhaile Átha Cliath II ó Bhallstáit eile. Tharla méadú suntasach ar líon na gcásanna sin, rud a raibh ciallachais ag baint leis maidir le leithroinnt acmhainní.
- Le linn 2004, leanamar orainn ag tadhall le tíortha eile agus le gníomhaireachtaí eile chun cur i bhfeidhm éifeachtach Rialachán Bhaile Átha Cliath II. D'fhreastail foireann de chuid na hOifige ar chruinniú de Choiste Bhaile Átha Cliath II de na Ballstáit AE uile, Feabhra agus Deireadh Fómhair, 2004; thugadar cuairt ar Aonad Tríú Tír na Ríochta Aontaithe chun plé a dhéanamh ar shaincheisteanna ar ábhar diospóireachta iad don dá stát agus ar nósanna imeachta Rialachán Bhaile Átha Cliath II mar chleachtadh chun cáilíocht a chinntiú; agus rinneamar faisnéis a mhalartú le hAonad Bhaile Átha Cliath na hOstaire maidir le hoibriú Rialachán Bhaile Átha Cliath sa dá thír.

Cuspóir Ardleibhéil 2

An caighdeán is airde a fhorbairt maidir le himscrúdú agus cinnteoireacht.

Cuspóirí Ráiteas Straitéise 2004-2006

- Ardchaighdeán seasmhach a bhaint amach in imscrúdú iarratas.
- Ardchaighdeán seasmhach a bhaint amach sa chinnteoireacht.
- Nósanna imeachta atá oscailte agus cothrom a bheith in úsáid..

Dul chun cinn ar chuspóirí agus aidhmeanna sa bhliain 2004

- Lean an Oifig ar aghaidh lena hinfheistíocht san oiliúint, san obair oide agus i struchtúir eile tacaíochta ar ardchaighdeán d'fhonn ardchálíocht sheasmhach a bhaint amach san imscrúdú agus sa chinnteoireacht. Ón taobh sin de:
 - Tugadh faoi athbhreithniú agus measúnú ar mhodúil oiliúna ionductaithe sa bhliain 2004 trí chomhairliúchán leis an bhfoireann agus cuireadh athbhreithnithe áirithe i bhfeidhm ar na modúil dá bharr sin.
 - Rinneadh athbhreithniú agus athdhréachtú ar pháipéir acmhainne chun leasuithe reachtaíochta agus an dlí-eolaíocht idirnáisiúnta agus Éireannach a d'fhorbair ar na mallaibh a chur san áireamh agus áiríodh iad sin sna cláracha oiliúna, Meitheamh agus Iúil 2004. Bhain an oiliúint leis na gnéithe teoiriciúla de na páipéir agus bhí saotharlanna praiticiúla i gceist freisin. Rinneadh na saotharlanna a fhorbairt le hionchur ón Aonad Próiseála Cásanna, ón Aonad um Chur i Láthair agus ó Ard-Choimisinéir na Náisiún Aontaithe um

Dhídeanaithe agus rinne an tAonad Beartais agus Nósanna Imeachta agus Ard-Choimisinéir na Náisiún Aontaithe um Dhídeanaithe éascaitheoireacht orthu sin. Chlúdaigh na páipéir acmhainne na saincheisteanna seo a leanas:

- Gníomhairí géarleanúna
 - Inchreidteacht
 - Dé-náisiúntacht
 - Géarleanúint ar bhonn inscne
 - Doiciméid chéannachta
 - Géarleanúint
 - Tríú tír atá slán
 - An Rogha Cosanta Inmheánach
- Rinneadh leagan amach an cheistneora reatha a athbhreithniú agus a mheasúnú go luath sa bhliain 2004 d'fhonn é a dhéanamh níos éasca é a chomhlánú agus é a fhágáil níos cuí ó thaobh an phróisis imscrúdaithe agus cinnteoireachta de. Rinneadh comhairliúchán forleathan le heagraíochtaí neamhrialtasacha. Dá bharr sin, dréachtaíodh ceistneoir nua agus tá sé sin ar fáil i 26 theanga ó mhí Aibreáin 2004.
 - Forbraíodh saotharlanna praiticiúla ar na próisis imscrúdaithe agus cinnteoireachta i gcomhar le hArd-Choimisinéir na Náisiún Aontaithe um Dhídeanaithe.
 - Lean tionscadal An Taca Comhghleacaí ar aghaidh. Mar chuid de sin, chuir Ionad Géarchéime Éignithe Bhaile Átha Cliath oiliúint tacaíochta siceolaíche ar fáil do chásobrithe agus do bhainisteoirí aonaid, agus eagraíodh agus éascaíodh seisiún tacaíochta comhghleacaí. Cuireadh athbhreithniú agus athmheasúnú ar an tionscadal ar bun agus athchromadh ar na seisiúin oiliúna agus taca comhghleacaí sa bhliain 2004.
 - Tá d'acmhainn ag an Oifig anois a cuid oiliúna féin a sholáthar ar shaincheisteanna a bhaineann le cinnteoireacht stádais dídeanaí agus tearmann, agus cinntimid go dtugtar aghaidh go cuí ar shaincheisteanna éagsúlachta/cothromaíochta. Seachadadh ceithre chúrsa sa chinnteoireacht stádais dídeanaí sa bhliain 2004. Ina theannta sin, rinneadh cúrsa leathlae ar shaincheisteanna tearmainn a sheachadadh don fhoireann cléireachais agus seirbhísí.

- Fuair foireann oiliúnóirí de chuid na hOifige oiliúint ar an gcinióchas agus ar an bhfeasacht idirchultúrachais ón gCoiste Náisiúnta Comhairliúcháin um Chiníochas agus Idirchultúrachas (NCCRI). Ina theannta sin, fuair an fhoireann cúrsa sa tsárchállocht oiliúnóra agus thosaigh ar oiliúint idirchultúrachais a thabhairt don eagraíocht go léir. Dearadh an modúl oiliúna sin i gcomhar leis an gCoiste Náisiúnta Comhairliúcháin ar Chiníochas agus Idirchultúrachas. Faoi dheireadh 2004, bhí os cionn an dá thrian den eagraíocht tar éis an oiliúint seo a fháil. Cuirfear oiliúint ar fáil don chuid eile den eagraíocht go luath sa bhliain 2005.
- Lean an Oifig ar aghaidh i mbun tadhail le hArd-Choimisinéir na Náisiún Aontaithe um Dhídeanaithe d'fhonn feabhas a chur ar na nósanna imeachta agus iontaofacht an phróisis tearmainn a chaomhnú. Go háirithe, eagraíodh cruinnithe le hArd-Choimisinéir na Náisiún Aontaithe um Dhídeanaithe agus le gníomhaireachtaí eile chun nósanna imeachta a fhorbairt maidir le tuarascálacha liachtdhlíthiúla a sholáthar.
- Leagann an Oifig béim ar leith ar a chinntiú go bhfuil iarratasóirí agus gníomhaireachtaí eile atá ag plé le daoine sa phróiseas tearmainn, nó ag cabhrú leo go hiomlán, ar an eolas faoi na mionsonraí cruinne ag gach céim den phróiseas. I rith na bliana, leanamar orainn á chinntiú go gcuirtear iarratasóirí ar an eolas faoin gceart atá acu comhairle dlí a fháil agus faoi ghníomhaireachtaí nó eagraíochtaí eile a bheith ann a d'fhéadfadh cabhrú leo.
- Leanadh ar aghaidh leis an bpróifiliú cásanna i rith na bliana. Déantar an próifiliú mar chuid den ullmhúchán faisnéise i leith gach tíre. Séard a bhíonn i gceist ann taighde a dhéanamh ar chomhaid iarratasóirí ón tír a bheidh i gceist agus cinntítear leis go dtugtar aghaidh ar shaincheisteanna casta a bhíonn ann arís agus arís eile agus a bhaineann le hualach cásanna na hOifige.
- Baineadh leas go forleathan i rith na bliana as cáschomhdhálacha ar thíortha ríthábhachtacha agus clúdaíodh, i measc tíortha eile, an tSomáil, PD an Chongó, Angóla, Camarún, an tSín, an Iaráic, an Iaráin agus an tSudáin.
- Ghlac an Oifig páirt san athbhreithniú ar an Ionad Doiciméad Dídeanaithe agus sa Bhuíon Athbhreithnithe Teicneolaíochta Faisnéise don aonad sin. Séard a bhí i gceist ansin ná cúnaimh a thabhairt Bunachar Faisnéise Tíre Tionscnaimh (FTT) ar bhonn lionra a fhorbairt don Aonad Doiciméad Dídeanaithe chun feabhas a chur ar na háiseanna cuardaigh. Cuireadh an bunachar sin ar fáil do na gníomhaireachtaí go léir atá páirteach sna próisis tearmainn agus inimirce, Deireadh Fómhair 2004.
- Tar éis taighde a dhéanamh ar na córais Cinntiú Cállochta atá sna Ranna Rialtais, sna gníomhaireachtaí Stáit agus sna gníomhaireachtaí eile, agus sna comhlachtaí cinnteoireachta stádais dídeanaí i ndlínsí eile faoi láthair, tugadh isteach córas foirmeálta Cinntiú Cállochta san Aonad Próiseála Cásanna i rith na bliana. Réitíodh dréachtsheicliosta Cinntiú Cállochta tar éis comhairliúcháin le cásoibrithe agus cinnteoirí. Taispeántar ar an seicliosta sin na seiceanna aonair a dhéantar chun cállocht agus seasmhacht a chinntiú i ngach cinneadh stádais dídeanaí a dhéanann an Oifig.
- Bunaíodh buíon measúnachta um chinntiú cállochta/measúnú prícaeil freisin. Ba é an chúis a bhí leis sin ná scrúdú a dhéanamh ar roinnt comhad iarratais a bhí tar éis teacht trí na próisis chinnteoireachta stádais dídeanaí agus achomhairc agus ar athraíodh iad ag an achomharc, agus tuairiscí agus moltaí a dhéanamh i dtaobh saincheisteanna cinntiú cállochta a thiocthadh chun cinn. Cruinníonn an bhuíon gach ráithe agus ullmhaíonn siad tuarascáil lena leagtar amach a gcuid tátal agus a gcuid moltaí. Cuirtear an tuarascáil sin faoi bhráid an Aonaid Beartais agus Nósanna Imeachta lena bhreithniú ansin. Déantar beartais agus/nó nósanna imeachta a athbhreithniú de réir mar is gá chun cállocht agus seasmhacht sa chinnteoireacht a chinntiú. (Tá aonaid eile san Oifig tar éis córais Cinntiú Cállochta a thabhairt isteach bunaithe ar an tsamhail san Aonad Próiseála Cásanna).
- D'fhonn a chinntiú go mbeidh fáil leanúnach ar sheirbhís ateangaireachta agus aistriúcháin ar ardchaighdeán, tá treoirilinte réitithe ag an Oifig i ndáil le soláthar ateangaireachta ag agallaimh agus tá nósanna imeachta cállochta tugtha isteach acu i ndáil le soláthar seirbhíse aistriúcháin.

Ag aithint dúinn go bhfuil aicmí áirithe soghonta sa phróiseas tearmainn a bhfuil sainriachtanais acu, tá an Oifig tar éis nósanna imeachta sonracha a chur ar bun chun plé le hiarratais ó na daoine sin.

- Maidir le mionaoisigh gan tionlacan, tá an Oifig tar éis sainoiliúint bhreise idirghníomhaireachta a eagrú chun cabhrú leis an bhfoireann atá ag obair ar chásanna a bhaineann le mionaoisigh gan tionlacan. Go háirithe, cuireadh oiliúint shonrach ar chásobrithe, i gcomhar le gníomhaireachtaí eile, maidir le hagallaimh a chur ar dhaoine agus a n-iarratais a chinneadh. Cuirtear oiliúint den sórt céanna ar fáil do bhainisteoirí Aonaid Próiseála Cásanna. Ina theannta sin, cuireadh oiliúint shonrach ar fáil do chásobrithe a bhíonn ag cur agallaimh ar leanaí an-óga agus ag cinneadh a stádais.
- Faoin Acht, cuirtear inscne san áireamh sa mhíniú ar "aicme shóisialta". In oiliúint ionduchtúcháin na hOifige, tugtar aghaidh ar shaincheisteanna a bhaineann go háirithe le hiarratasóirí baininne agus le bainistiú a n-éileamh, agus baintear feidhm as treoirlínte Ard-Choimisinéir na Náisiún Aontaithe um Dhídeanaithe chomh maith le treoirlínte a réitigh údarais Cheanada, na Stát Aontaithe agus na Ríochta Aontaithe. Ina theannta sin, tá réamhoiliúint faighte ag na cásobrithe agus ag na hoifigigh chur i láthair go léir i dtaobh conas plé le saincheisteanna a bhaineann go háirithe le hinscne.
- I rith na bliana, bhí comhairliúchán agus tadhall leanúnach ar siúl ag an Oifig le gníomhaireachtaí agus comhlachtaí eile a bhfuil baint acu leis an bpróiseas tearmainn, ar a n-áirítear an tSeirbhís Dlí do Dhídeanaithe, an Ghníomhaireacht um Ghlacadh agus Lánpháirtíú, Bord Sláinte Limistéar Chósta an Oirthir (chun comhordú a dhéanamh ar shaincheisteanna a bhaineann le mionaoisigh gan tionlacan) agus eagraíochtaí neamhrialtasacha.
- Lean an Oifig ar aghaidh ag freagairt go leanúnach d'fhiosruithe ó eagraíochtaí, ó na meáin agus ó pháirtithe leasmhara i dtaobh gnéithe éagsúla dár gcuid oibre.

Cuspóir Ardleibhéil 3

Ról a imirt chun iontaofacht an chórais tearmainn a chaomhnú.

Cuspóirí Ráiteas Straitéise 2004-2006

- Na hiarratasóirí sin a thagann faoin míniú ar dhídeanaí in alt 2 d'Acht na nDídeanaithe, 1996, a aithint go tapaidh, ar shlí dhaingean chothrom.
- Mi-úsáid an phróisis tearmainn a bhrath agus a íoslaghdú.
- Feidhmiú thar ceann an Choimisinéara ag éisteachtaí de chuid an Bhinse Achomhairc do Dhídeanaithe.

Dul chun cinn ar chuspóirí agus aidhmeanna sa bhliain 2004

De réir mar a leagtar amach faoi Chuspóir Ardleibhéil 2, tugadh isteach raon tionscnamh le linn na bliana chun é a chur ar chumas na hOifige na hiarratasóirí sin a thagann faoin míniú ar dhídeanaí san Acht a aithint a luaithe is féidir agus ar shlí chothrom. Ar na tionscnaimh sin, tá: athbhreithniú ar an gceistneoir, faisnéis fheabhsaithe faoin tír tionscnaimh, oiliúint fhorbartha in aithint doiciméad agus nósanna imeachta bailíochta, sceidealú tosaíochta agus páipéir acmhainne.

- Is taca í an Fhaisnéis Tíre Tionscnaimh a chabhraíonn chun cinntí tráthúla a dhéanamh. Táscaire amháin ar chothromaíocht agus iontaofacht an phróisis tearmainn is ea an mhúinín atá ag Ard-Choimisinéir na Náisiún Aontaithe um Dhídeanaithe as próisis na hOifige. Sa bhliain 2004, le comhoibriú Ard-Choimisinéir na Náisiún Aontaithe um Dhídeanaithe, réitigh an Oifig faisnéiseáin tíre i ndáil le hAngóla, Camarún, PD an Chongó, an tSeoirsia, an Ghuine, an tSomáil agus an tSúdáin. Séard a bhíonn san áireamh i bhfaisnéiseáin tíre ná sraith shamplach ceisteanna a fhéadfaidh cásoibrithe a chur ar iarratasóirí i dtaobh a dtíre tionscnaimh agus cabhraíonn na ceisteanna sin leis na cásoibrithe maidir le náisiúntacht agus/nó bunadh treibhe nó réigiúin iarratasóra a dhearbhu.
- Tugadh isteach córas trialach anailise teanga (AT) san Oifig i 2004. Dearadh an AT chun tuilleadh cúnaimh a thabhairt do chinnteoirí maidir le náisiúntacht iarratasóra a shuíomh.
- Leis an tosaíocht a thugtar d'iarratasóirí as tíortha tionscnaimh sábháilte, tá sé cinntithe go ndéantar iarratais ó na tíortha sin a imscrúdú agus a phróiseáil tríd an gcóras tearmainn. Is gnách go n-eisítear cinneadh ar na hiarratais sin laistigh de 5-6 seachtaine den iarratas. Tá sé sin tar éis cuidiú an riaráiste a laghdú agus am agus acmhainní a shaoradh chun iarratais ó thíortha a bhfuil cúlra dídeanaí acu a imscrúdú.
- Maidir le hiarratasóirí a bhfaightear nach bhfuil siad ag comhoibriú leis an bpróiseas tearmainn, tá siadsan faoi réir a bpróiseála faoi fhorálacha iomchuí Acht na nDídeanaithe, 1996. Lean an Oifig ar aghaidh ag oibriú na bhforálacha nua a tugadh isteach faoin Acht, Meán Fómhair 2003, lena bhforáiltear go bhfuil iarratas ar thearmann tarraingthe siar ag duine nach bhfreastalaíonn ar agallamh agus nach gcuireann cúiseanna leordhóthanacha ar fáil as an neamhfhreastal sin. Déantar an t-imscrúdú ar an iarratas sin a fhoirceannadh agus cuirtear moladh ar aghaidh chuig an Aire go ndiúltófar dearbhú stádais dídeanaí sa chás sin. Go dtí seo, ní dhéanfaí diúltú a mholadh ach amháin tar éis don iarratasóir neamhfhreastal gan chúis leordhóthanach a dhéanamh faoi dhó. Arís, cuireann sé sin ar ár gcumas próiseáil níos éifeachtaí a dhéanamh ar iarratais agus íoslaghdaíonn an t-am a leithroinntear ar iarratasóirí nach mian leo comhoibriú leis an imscrúdú ar a n-éileamh.
- Áis eile chun cabhrú mí-úsáid an phróisis tearmainn a bhrath agus a íoslaghdú is ea córas EURODAC lena soláthraítear an phríomhfhianaise i ndáil le héilimh ar thearmann a rinneadh roimhe seo. Ó mhí Eanáir 2003 i leith, déantar na méarloirg uile a aistriú in aghaidh an lae go dtí bunachar lárnach méarlorg i Lucsamburg. Déantar comparáid láithreach bonn agus is gnách go gcuirtear an toradh ar ais go leictreonach in imeacht 10-15 nóiméad. Tá oibriú EURODAC tar éis cur go mór le héifeachtúlacht Rialachán Bhaile Átha Cliath II.
- De réir Acht na nDídeanaithe, déanann Oifigigh Chur i Láthair ionadaíocht don Choimisinéir ag éisteachtaí den Bhinse Achomhairc do Dhídeanaithe. Sa bhliain 2004, rinne an Binse Achomhairc do Dhídeanaithe sceidealú ar 4,125 de chruinnithe – sin meánlíon seachtaine 87 i rith 47 seachtaine d'éisteachtaí.
- Cuireadh ardtreanáil ar fáil do oifigeoirí an Aonad Láithriúcháin, a bhí dírithe ar fhorbairt scileanna cur-i-lathair, atá riachtanach chun a bpáirt sa phróiseas athbhreithnithe a chomhlíonadh.
- Foráiltear in Acht na nDídeanaithe go bhféadfaidh an Binse Achomhairc do Dhídeanaithe a iarraidh go ndéanfaí tuilleadh fiosruithe nó go soláthrófaí tuilleadh tuairimí i ndáil le saincheisteanna áirithe a bhaineann le cásanna agus is san Aonad um Chur i Láthair a dhéantar na nithe sin a phróiseáil. Sa bhliain 2004, phléigh an tAonad Cur i Láthair le 101 d'iarrataí ar fhaisnéis bhreise faoi alt 16(6) den Acht agus le 2 iarraidh ar thuairimí faoi fhorais achomhairc faoi alt 16(7) den Acht. Nuair ab fhéidir, pléadh leis na hiarrataí sin laistigh de dhá sheachtain.

Cuspóir Ardleibhéil 4

Bainistiú éifeachtach agus éifeachtúil a dhéanamh ar ár n-eagraíocht agus ar a cuid acmhainní, ag féachaint go háirithe d'fhorbairt na foirne agus do sheachadadh sársheirbhísí do chustaiméirí.

Cuspóirí Ráiteas Straitéise 2004-2006

- *Ár gcreata straitéiseacha, pleanála gnó agus feidhmíochta aonair a fhorbairt chun tacú le huasfeidhmíocht ag an eagraíocht.*
- *Daonacmhainní a bhainistiú chun freastal ar riachtanais ghnó na heagraíochta agus ar riachtanais forbartha na foirne.*
- *Seachadadh seirbhísí ardcháilíochta do chustaiméirí a bhaint amach.*
- *Úsáid uasta a bhaint as an teicneolaíocht faisnéise.*
- *Úsáid éifeachtach acmhainní airgeadais a uasmhéadú.*

Dul chun cinn ar chuspóirí agus aidhmeanna sa bhliain 2004

Pleanáil Gnó

- Sa chéad chuid den bhliain, d'fhoilsíomar *Plean Corparáideach 2004-2008* tar éis comhairliúcháin leis an bhfoireann, leis an mbainistíocht agus leis an gCoiste Comhpháirtíochta. Ba é cuspóir an phlean ná a chur ar chumas na hOifige "cinnteoireacht ardchaighdeáin stádas dídeanaí

a sheachadadh trí eagraíocht atá tiomanta don fheabhas leanúnach agus a leagann luach le daoine". Is iad na príomhthéamaí ann: Éifeacht agus Éifeachtúlacht sa Phróiseas Cinnteoireachta; Seirbhís Cáilíochta do Chustaiméirí; Cumarsáid Éifeachtach; Bainistiú Daonacmhainní a Fhorbairt; agus Úsáid Éifeachtach na Teicneolaíochta Faisnéise. Cuirfear leis an bPlean agus cuirfear i bhfeidhm é trí ráitis straitéise agus pleananna gnó.

- Réitíodh *Ráiteas Straitéise 2004-2006* na hOifige, a foilsíodh freisin, i gcomhar leis an mbainistíocht, leis an bhfoireann agus leis an gCoiste Comhpháirtíochta. Leis an tuarascáil sin, cuirtear ar chumas na hOifige diriú go heagraíochtúil ar a gnó suas go dtí an bhliain 2006. Leagtar amach ann cuspóirí agus aidhmeanna soiléire don tréimhse sin agus cuirtear síos ar na straitéisí atá ceaptha chun iad a bhaint amach.
- Bionn ról fíorthábhachtach ag an bpleanáil gnó i mbainistiú agus cur chun feidhme obair na hOifige. Déantar an próiseas sin a sheoladh i gcomhar leis an bhfoireann go léir chun cur chuige seasmhach agus soiléir a chinntiú maidir le forbairt, bainistiú agus cur chun feidhme ár gcuid cuspóirí. Sa bhliain 2004, thug an Oifig bainistiú príacal isteach sa phróiseas pleanála gnó againn. Rinne gach aonad athbhreithniú ar an dul chun cinn leis na pleananna gnó ar bhonn ráithiúil. Rinneadh maoirseoireacht ar an mbainistiú príacal go leanúnach trí thuarascálacha ráithiúla a cuireadh faoi bhráid an Choiste Bainistíochta. (Féach freisin Cuspóir Ardleibhéil 1).
- Bunaíodh buíon bainistíochta príacal chun maoirseoireacht a dhéanamh ar bhainistiú príacal ar fud na heagraíochta agus chun tuairisciú go leanúnach.
- Gné ríthábhachtach d'fhorbairt na hOifige is ea an bhéim leanúnach a leagtar ar chur chuige rannpháirteach i mbainistiú an athraithe agus sa nua-aimsiríú. De réir mar a d'fhorbairt próiseas na comhpháirtíochta san Oifig, táthar tar éis dul i ngleic le saincheistanna feidhme, oibriochta agus straitéise. Sa bhliain 2004, bunaíodh sé bhuíon oibre:
 - Buíon Oibre Cumarsáide Inmheánaí chun scrúdú a dhéanamh ar mhodhanna cumarsáide laistigh den eagraíocht. Bhí Straitéis Cumarsáide Inmheánaí mar thoradh ar thátail na buíne sin. Déanfar athbhreithniú ar an straitéis le linn 2005.

- Buíonta Oibre Comhionannais (céim 1 agus 2) chun breithniú a dhéanamh ar fhorbairt agus cur chun feidhme Beartais agus Cláir Comhionannais don Oifig. Sa bhliain 2004, rinneadh Beartas agus Clár Comhionannais a fhorbairt agus ceapadh Oifigeach Tadhail Michumais don Oifig.
- Buíon Oibre Freagrachta Sóisialta Corparáidí (Pobal Áitiúil) chun scrúdú a dhéanamh ar fhreagracht na hOifige don chomharsanacht máguaird agus ar conas is féidir leis an bhfoireann cion dearfach a dhéanamh trí chomhairliúchán leis an bpobal áitiúil agus/nó lena gcuid ionadaithe áitiúla.
- Buíon Oibre Freagrachta Sóisialta (Comhshaoil) chun scrúdú a dhéanamh ar conas is féidir leis an Oifig cion a dhéanamh i ndáil le caomhnú comhshaoil laistigh den eagraíocht, ar a n-áirítear conas is féidir leis an Oifig dramhail a laghdú.
- Buíon Oibre Cumarsáide Seachtraí chun straitéis cumarsáide seachtraí don Oifig a fhorbairt agus a chur chun feidhme.
- Tacaítear le feidhm pleanála gnó na heagraíochta leis an gCóras Bainistíochta agus Forbartha Feidhmíochta (CBFF), trí ról-phróifíleacha aonair. Rinneadh gach duine d'fhoireann na hOifige a earcaíodh go haitipiciúil a áireamh sa phróiseas CBFF ó 2004 ar aghaidh agus fuairadar an oiliúint chuif.

Daonacmhainní/Oiliúint

- Réitíodh an chéad Straitéis Daonacmhainní de chuid na hOifige le linn 2004 chun é a chur ar chumas na hOifige cur chuige níos straitéisí a ghlacadh i ndáil le bainistiú daonacmhainní sa todhchaí agus chun an nasc a neartú idir na feidhmeanna daonacmhainní agus pleanála gnó. Forbraíodh an doiciméad trí chur chuige comhpháirtíochta a raibh comhairliúchán i gceist ann leis an gCoiste Comhairleach Bainistíochta, leis an bhfoireann, leis an gCoiste Comhpháirtíochta agus leis an Roinn Dlí agus Cirt, Comhionannais agus Athchóirithe Dlí. Mar chuid den phróiseas comhairliúcháin, cuireadh an dréacht Straitéis i láthair ag cruinniú bainistíochta, Deireadh Fómhair 2004, tráth a rinne buíonta oibre breithniú mion ar na cuspóirí, straitéisí, gníomhartha agus táscairí feidhmíochta a bhí beartaithe agus thug aiseolas. Cuirfear tús le cur chun feidhme na Straitéise Daonacmhainní sa bhliain 2005.
- Coimeádadh acmhainní foirne na hOifige faoi athbhreithniú leanúnach i rith na bliana sna haonaid agus ar fud na heagraíochta. Cuireadh roinnt athruithe i bhfeidhm, ar a n-áirítear athshannadh foirne chun freastal ar éilimh atá ag athrú mar thoradh ar fhorbairtí reachtaíochta agus ar phatrúin agus leibhéil iarratais atá ag athrú freisin. Le linn 2004, cuireadh 37 bpost ar ais chuig an Roinn Dlí agus Cirt, Comhionannais agus Athchóirithe Dlí, rud a fhágann líon na bpost a cuireadh ar ais ag 51.
- Deireadh Fómhair 2004, d'fhostaigh an Roinn Dlí agus Cirt, Comhionannais agus Athchóirithe Dlí sainchomhairleoirí chun athbhreithniú a dhéanamh ar chórais, nósanna imeachta agus próiseanna próiseála agus chun moltaí a dhéanamh, i gcás gur cuí, i ndáil le lonnú uasta foirne agus i ndáil leis an úsáid is éifeachtaí agus is éifeachtúla agus is féidir a bhaint as córais i réimsí an tearmainn, na hinimirce agus na saoránachta sa Roinn agus i ngníomhaireachtaí eile faoi choimirce na Roinne, ar a n-áirítear an Oifig seo, a bhíonn ag plé le ceisteanna tearmainn, glactha agus lánpháirtithe. Táthar ag súil go ndéanfar an t-athbhreithniú a chríochnú go luath sa bhliain 2005.
- De réir thiomantas na hOifige do chur chun feidhme cleachtas oibre a oireann don teaghlach, tá ceadú déanta ar gach iarratas ar shocrú aitiipiciúil oibre san Oifig.
- Rinneadh anailís ar na riachtanais oiliúna eagraíochtúla le linn 2004, agus mar chuid den anailís sin rinneadh anailís ar an oiliúint a lorgaíodh tríd an bpróiseas CBFF agus d'aithin an bhainistíocht na riachtanais tosaíochta oiliúna d'fhonn straitéis oiliúna agus forbartha a fhorbairt. Tar éis díospóireacht a dhéanamh ar leibhéal an aonaid, tiomsaíodh liosta de riachtanais oiliúna na heagraíochta agus beidh plean oiliúna na heagraíochta don bhliain 2005 bunaithe air sin.
- Sa bhliain 2004, soláthraíodh 1,094 'aonad oiliúna'. Cuireadh cúrsaí éagsúla oiliúna ar fáil don fhoireann, ar a n-áirítear ionduchtúchán, agus ionduchtúchan ar ardchinniteoireacht stádais dídeanaí agus ar chásobair, scileanna maoirseoireachta, scileanna áisitheoireachta, scileanna treallúis agus cumarsáide, bainistiú strus, oiliúint ionduchtúcháin, CBFF, sainoiliúint teicneolaíochta faisnéise, garchabhair, bainistíocht ama agus oiliúint teangacha.

- Le linn na bliana, eagraíodh roinnt seisiún "lón agus foghlaim" ar obair Rannóg Athdhúichithe na Roinne Dlí agus Cirt, Comhionannais agus Athchóirithe Dlí, agus ar obair an Aonaid Athaontaithe Teaghligh mar shamplaí. Eagraíodh sraith cainteanna ag am lóin chun comóradh a dhéanamh ar 'An tSeachtain Eorpach in aghaidh an Chiníochais'. Ar na cainteoirí, bhí NCCRI, Comhairle Dídeanaithe na hÉireann, Ionad Cultúir Ioslamach na hÉireann, SPIRASI, Ionad Dídeanaithe na nUinseannach, agus roinnt dídeanaithe a bhí ag caint ar a saol féin in Éirinn. Ina theannta sin, comóradh an tSeachtain Frithchiníochais san Ionad Oibre, mí na Samhna, le caint ag am lóin le hionadaí de chuid an phobail Shínigh in Éirinn.
- I gcomhthéacs chur i bhfeidhm leanúnach an *Tionscnaimh Bainistíochta Straitéisi*, bhí forbairt agus seachadadh cláir oiliúna scileanna pearsanta, idirphearsanta agus bainistíochta do Phríomhoifigigh Chúnta ar cheann de na tionscnaimh oiliúna a eagraíodh sa bhliain 2004.

Seirbhís do Chustaiméirí

- Diríodh i réimse sheachadadh na seirbhíse do chustaiméirí sa bhliain 2004 ar thógáil ar an mbunsraith a leagadh síos sa Phlean *Gníomhaíochta Seirbhíse do Chustaiméirí* a foilsíodh sa bhliain 2002.
 - Mí Iúil 2004, d'fhoilsigh an Oifig *Cairt Chustaiméirí*, a forbraíodh i gcomhar le custaiméirí, idir inmheánach agus seachtrach. Bhronn Feachtas an Bhéarla Neamhchasta an *Crystal Mark* ar an gCairt. Réitíodh leagan achoimreach i leagan amach póstaer lena thaispeáint in oifig de chuid na heagraíochta. Leagtar amach ansin na caighdeáin seirbhíse ar féidir do chustaiméirí a bheith ag súil leo uainne agus tá sé ar fáil faoi láthair i sé theanga éagsúla.
 - Cuireadh *Nós Imeachta Gearán Custaiméirí* leasaithe i bhfeidhm, Eanáir 2004. Réitíodh an nós imeachta sin i gcomhar leis an bhfoireann, leis an gCoiste Comhpháirtíochta agus le heagraíochtaí neamhrialtasacha atá ionadaíoch do leasanna ár bpríomhchustaiméirí, agus eagraíochtaí eile Rialtais a bhíonn ag plé leis an bpróiseas tearmainn.

- Foilseofar an *Plean Gníomhaíochta Seirbhíse do Chustaiméirí 2005-2008* go luath sa bhliain 2005. Réitíodh an doiciméad sin sa bhliain 2004 i gcomhar le custaiméirí, idir inmheánach agus seachtrach. Leagtar amach ann na bearta atá le déanamh le linn ré an Phlean chun a chinntiú go bhfreastalaítear ar ghealltanais do chustaiméirí, ag féachaint do na 12 Phrionsabal Seirbhíse Ardcháilíochta ar ghlac an Rialtas leo don tSeirbhís Phoiblí sa bhliain 1996. Leagtar amach ann freisin conas a dhéanfar baint amach na gcuspóirí sin a thomhas agus a thuirisciú sna Tuarascálacha Bliantúla sa todhchaí.
- Seoladh dhá shuirbhé custaiméirí le linn 2004. Sa chéad cheann, Aibreán/Bealtaine, rinneadh suirbhé díreach ar chustaiméirí i ndáil lena leibhéil sásaimh leis na seirbhísí a sholáthraíonn an tAonad um Ghlacadh. Bhí na freagraí an-dearfach ar fad agus is léiriú iad ar thiomantas an Aonaid um Ghlacadh seirbhís chabhraitheach, chairdiúil agus éifeachtach a sholáthar. De réir na *Cairte Custaiméirí*, diríodh sa dara suirbhé custaiméara i 2004 ar chomhaltai Phainéal Idirchaidrimh Custaiméara na hOifige le haghaidh Eagraíochtaí Neamhrialtasacha. Tugadh cuireadh dóibh a dtuairimí agus tuairimí eagraíochtaí dá samhail faoina gcoimírce a chur in iúl maidir le feidhmíocht ar thiomantais áirithe a leagadh amach i gCairt Chustaiméirí na hOifige ó foilsíodh í. Is féidir príomhtháil an tsuirbhé a fháil ar shuíomh idirlin na hOifige (www.orac.ie).
- Rinne an tIonad Seirbhíse do Chustaiméirí próiseáil ar 31,299 fiosrú le linn 2004. Tugtar scagadh i dTábla A i bhFoscábhinn 5 ar na catagóirí sna fiosruithe sin. Tá an tIonad Seirbhíse do Chustaiméirí freagrach freisin as gluaiseacht agus cóipeáil na gcomhad uile san Oifig, chomh maith le raon cionta oibre riaracháin eile. I dTábla B i bhFoscábhinn 5, tugtar mionsonraí ar líon agus méid na gcomhad a fótachóipeáladh agus a bogadh san Oifig le linn 2004.
- Fostaíodh sainchomhairleoirí chun anailís riachtanas gnó agus próiseas sainfhála a sheoladh chun córais nua cásbhainistíochta, bainistíochta eolais agus rochtana comhad, mar a moladh sa Straitéis Ardleibhéil Teicneolaíochta Faisnéise don réimse iomlán tearmainn, a fhorbairt.

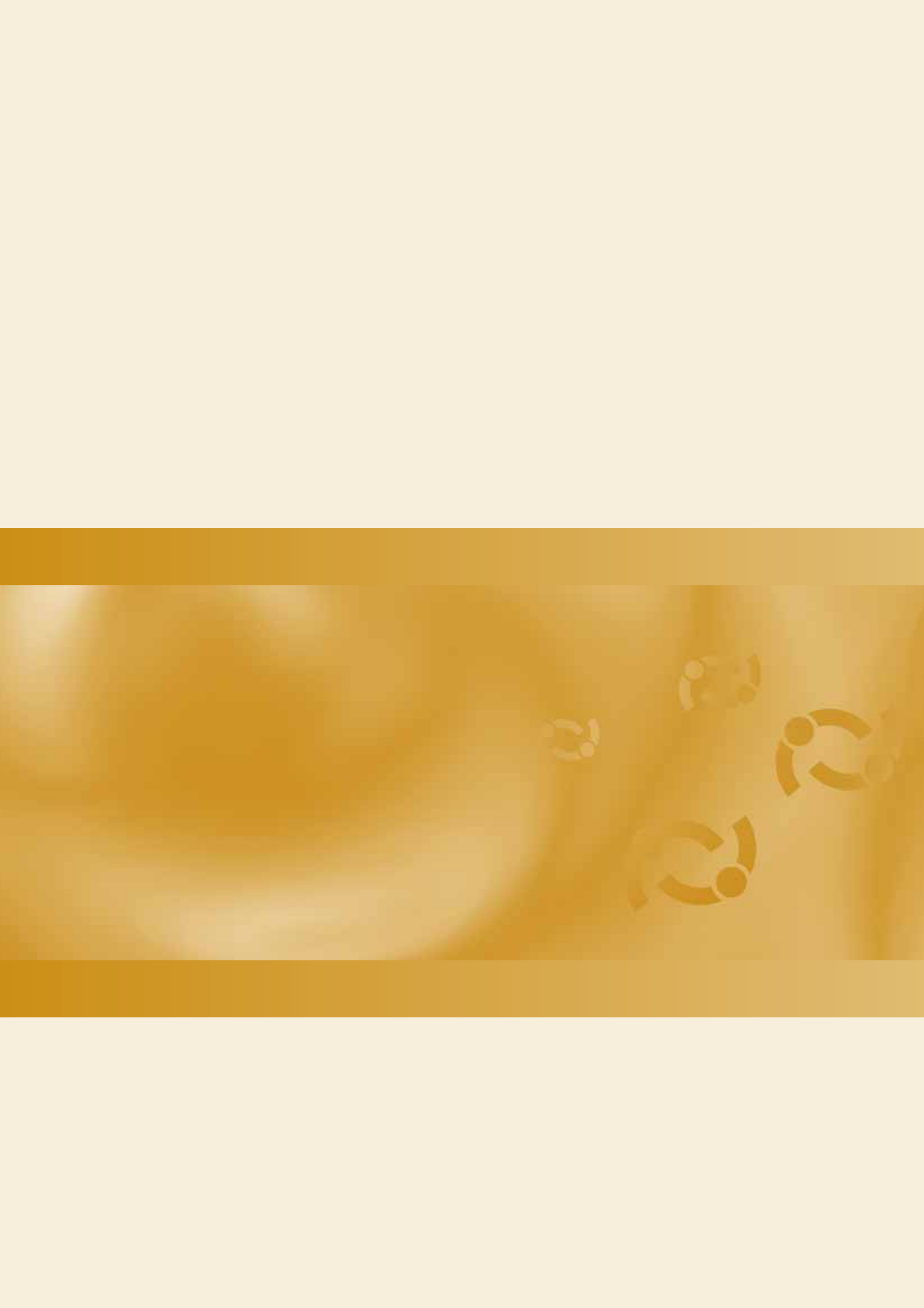
- Réitíodh treoirínte ar ghluaiseacht comhad le linn 2004 d'fhonn cur chuige seasmhach a chinntiú ar fud na heagraíochta. Fostaíodh sainchomhairleoirí chun athbhreithniú a dhéanamh ar scanadh comhad. Ba é an príomhtháta i dtuarascáil na sainchomhairleoirí ná, cé go bhfuil rath ar an gcóras reatha chun comhaid a chóipeáil, go bhféadfaí coigilt a dhéanamh ó thaobh éifeachtúlachta agus costais foirne de ach scanadh comhad a thabhairt isteach. Cuirfear tionscadal trialach ar bun go luath sa bhliain 2005 chun saincheisteanna oibríochta a mheasúnú tuilleadh.
- D'fhonn a chinntiú go mbeidh fáil i gcónaí ar sheirbhís ardchaighdeání ateangaireachta agus aistriúcháin, réitigh an Oifig treoirínte i ndáil le hateangaireacht a sholáthar ag agallaimh agus thug isteach nósanna imeachta maidir le cinntiú cáilíochta i ndáil lenár seirbhís aistriúcháin a sholáthar.
- Lean an tadhall leanúnach leis na comhlachtaí reachtúla éagsúla eile a bhíonn ag plé leis an bpróiseas tearmainn ar aghaidh le linn 2004 ar raon leathan saincheisteanna, ar a n-áirítear nithe a bhaineann le seirbhís do chustaiméirí. Bhí dhá chruinniú ag Painéal Idirchaidrimh Custaiméara na hOifige le haghaidh Eagraíochtaí Neamhrialtasacha chun saincheisteanna a phlé a bhaineann le seachadadh seirbhíse do chustaiméirí – *Cairt Chustaiméirí, Plean Gníomhaíochta Seirbhíse do Chustaiméirí 2005-2008, Nós Imeachta Gearán Custaiméirí*, fadhbanna a bhíonn ag custaiméirí, srl. Lorgaíodh tuairimí an Phainéil Idirchaidrimh Custaiméara agus na gcomhlachtaí reachtúla éagsúla i scríbhinn ar raon nithe eile agus coimeádadh na comhlachtaí sin go léir ar an eolas le linn 2004 i dtaobh athruithe agus forbairtí san Oifig.
- Rinneadh athbhreithniú ar gach litir chaighdeánach sa bhliain 2004 chun a chinntiú gur i mBéarla neamhchasta a scríobhadh iad, gan ach an méid is gá de théarmaí dlíthiúla agus teicniúla a bheith iontu.
- Rinneadh an comhfhreagras go léir a fuarthas le linn 2004 a thaifeadadh agus a mhaoirsiú ar phríomhchórais rianta comhfhreagrais na hOifige. Seoladh athbhreithniú ar na córais sin i 2004 agus réitíodh moltaí chun iad a fheabhsú tuilleadh i gcomhar leis an Aonad Teicneolaíochta Faisnéise. Tá sé beartaithe go ndéanfar oiliúint feasachta chuí ar na córais athbhreithnithe a sheachadadh don fhoireann chuí go léir go luath sa bhliain 2005 agus bainfear leas as lámhleabhar nós imeachta ar na córais, a réitíodh le déanaí, chun cur leis an oiliúint feasachta.

Teicneolaíocht Faisnéise

- Cuireadh an teicneolaíocht ar bun chun tacú le ríomhobair d'fhoireann na hOifige chun beartas an Rialtais a leanúint i dtaobh ríomhobair a chur chun cinn sa Státseirbhís.
- Tá curtha le feidhmíocht agus slándáil na gcóras teicneolaíochta faisnéise agus tá feabhas curtha orthu de bharr roinnt uasghráduithe mórsála córas, a cuireadh i gcrích i rith na bliana agus a bhaineann le bog-earraí feidhmiúcháin, córais oibríochta friothálaí, cosaint slándála agus víoras.
- Cuireadh roinnt tionscadal forbartha bunachair ar bun, go háirithe athbhreithniú bunachar Aonad Bhaile Átha Cliath agus an Bunachar Staidrimh chun tacú tuilleadh le sainriachtanais na foirne.
- Sa bhliain 2004, i gcomhlíonadh an Achta um Shábháilteacht, Sláinte, agus Leas ag an Obair, 1989, rinneadh measúnú earganómach ar gach stáisiún oibre san Oifig chomh maith le faisnéisiú ginearálta ar na príonsabail agus na cleachtais is fearr a bhaineann le hearganómacht.

Acmhainní Airgeadais

- Tugadh Córas Bainistíochta Airgeadais (CBA) nua isteach san Oifig agus i réimsí eile den Roinn Dlí agus Cirt, Comhionannais agus Athchóirithe Dlí mar chuid de thionscnamh Roinne, le héifeacht amháil ó Iúil 2004. Chun an córas sin a thabhairt isteach, b'éigean don Oifig coigeartuithe a dhéanamh ar a córas ceannacháin agus sonrasc agus bunaíodh Lár-Aonad Próiseála sa Roinn Dlí agus Cirt, Comhionannais agus Athchóirithe Dlí chun idirbhearta a rianadh trí na céimeanna ceannacháin, seachadta, sonrasc agus íocaíochta den phróiseas.
- Tá leagan amach caiteachais na hOifige don bhliain 2004 leagtha amach i bhFoscscríbhinn 4.
- Sa bhliain 2004, d'iarr an Oifig ar an Aonad Iniúcháireachta Inmheánaí den Roinn Dlí agus Cirt, Comhionannais agus Athchóirithe Dlí scrúdú a dhéanamh ar a sásraí rialaithe airgeadais chun a chinntiú go rabhadar de réir fhorálacha *Thuarascáil Uí Mhaoilearca ar Chuntasacht Ard-Rúnaithe agus Oifigeach Cuntasaíochta*. Tharla an t-iniúchadh sin, Samhain 2004, agus cuirfidh an Oifig na moltaí a eascraíonn as an tuarascáil sin i bhfeidhm.

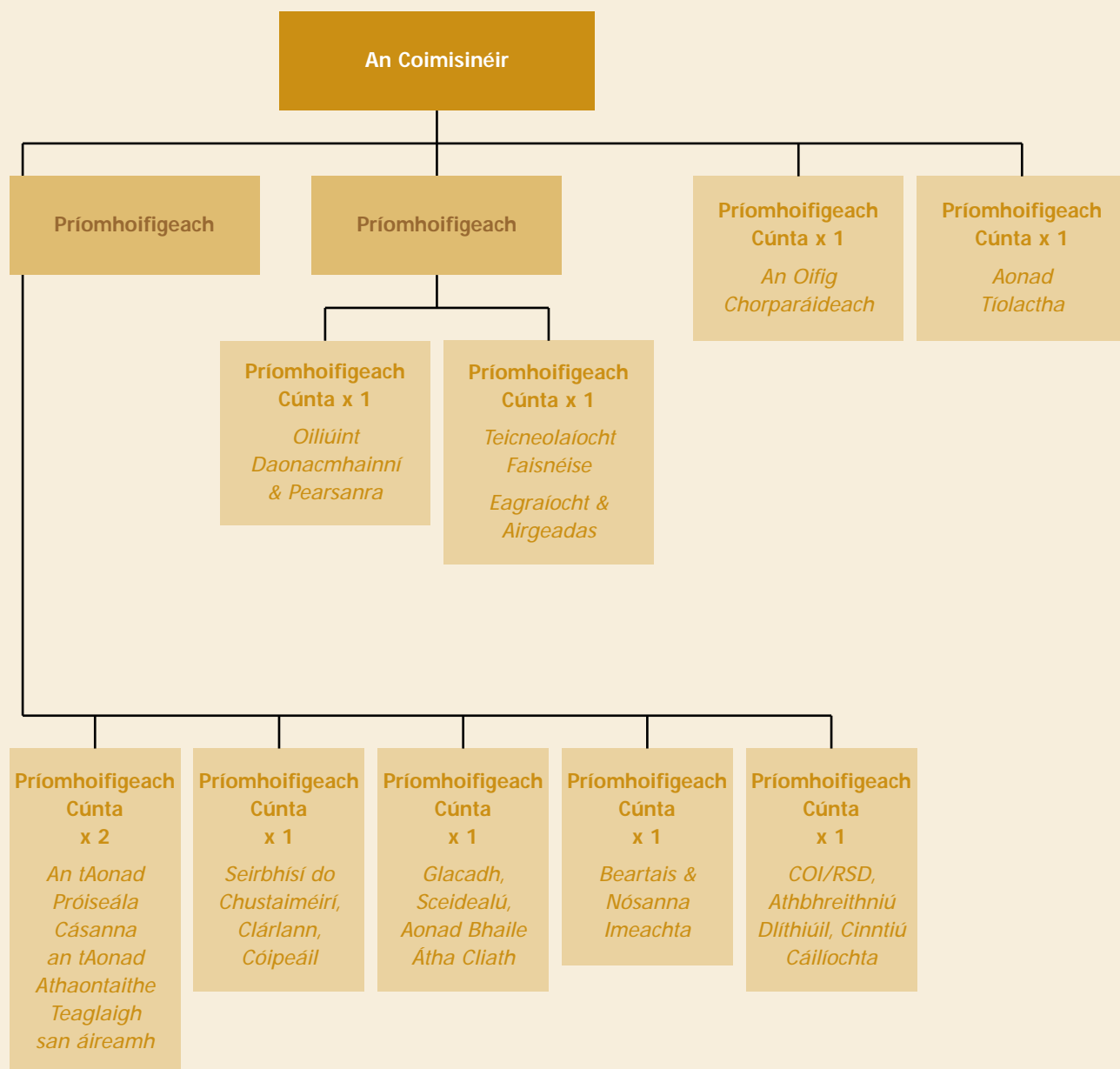


4

Foscúbhinní



Foscábhinn 1 – Cairt Eagraíochta Oifig an Choimisinéara Iarratais do Dhídeanaithe



An tAonad um Ghlacadh

Dlúthchuid den phróiseas tearmainn lena rialaitear glacadh agus próiseáil iarratais ar thearmann ag an gcéad chéim is ea an tAonad um Ghlacadh.

An tAonad Sceidealaithe

Is é feidhm fhoriomlán an Aonaid seo ná agallaimh a sceidealú le haghaidh iarratasóirí ar thearmann, seirbhísí ateanngaireachta agus aistriúcháin a shocrú i gcás go bhfuil siad ag teastáil ó iarratasóirí, agus bainistiú a dhéanamh ar an Limistéar Feithimh Agallamh.

Aonad Bhaile Átha Cliath

Tá Aonad Bhaile Átha Cliath freagrach as Coinbhinsiún Bhaile Átha Cliath agus Rialachán 343 de 2003 ón gComhairle a chur chun feidhme in Éirinn. Pléann an tAonad i gcoitinne le hiarrataí chun iarratais ar scrúdú éilimh ar thearmann a aistriú go dtí stáit eile de chuid Choimbhinsiún Bhaile Átha Cliath agus pléann sé le hiarrataí ó stáit eile go n-aistrefaí iarratasóirí ar thearmann ó stáit eile go dtí an Stát seo.

Aonaid Próiseála Cásanna

Is é Próiseáil Cásanna an bhunfeidhm atá ag an Oifig agus baineann sé sin le himscrúdú a dhéanamh ar éilimh ar stádas dídeanaí, ar bhonn cás iar gcás. Is é príomhchuspóir na nAonaid Próiseála Cásanna ná imscrúdú tráthúil, cothrom agus éifeachtach a dhéanamh ar iarratais ar dhearbhu mar dhídeanaí agus moltaí atá láidir ó thaobh dlí de a dhéanamh i leith na n-iarratas sin. San áireamh san imscrúdú sin, bíonn agallaimh ar iarratasóirí, taighde oibiachtúil ar na héilimh atá déanta agus moltaí a dhéanamh i dtaobh ar chóir an t-iarratas a 'dheonú' nó a 'dhiúltú'.

An tAonad Athaontaithe Teaghligh

Is Aonad é an tAonad Athaontaithe Teaghligh laistigh den Aonad Próiseála Cásanna a scrúdaíonn iarratais arna ndéanamh ag dídeanaíthe go gceadófaí do dhaoine áirithe ina dteaghlach teacht isteach sa Stát agus cónaí ann.

Athbhreithniú Dlíthiúil

Réitíonn an tAonad Athbhreithnithe Dhlíthiúil freagra na hOifige ar iarratais ar athbhreithniú dlíthiúil agus ar iarratais ar chead chun iarratas a dhéanamh ar athbhreithniú dlíthiúil ar mholtaí agus/nó nósanna imeachta chéad chéime. Scrúdaíonn an tAonad an t-iarratas agus réitíonn ábhar faisnéise do na habhcóidí agus, i gcás gur cuí lenár gcomhairleoirí dlí é, mionnaíonn siad mionnscribhinní freagarthacha. Má léiríonn athbhreithniú dlíthiúil earráid nó neamhghníomh atá ábhartha do mholadh chéad chéime an Aonaid, déanfaidh an tAonad iarracht teacht ar shocrú comhshásúil gan mhoill.

An tAonad um Chur i Láthair

Is é ról an Aonaid um Chur i Láthair ná ionadaíocht a dhéanamh thar ceann an Choimisinéara Iarratais do Dhídeanaíthe ag éisteachtaí achomhairc os comhair an Bhinse Achomhairc do Dhídeanaíthe, freagairt ag éisteachtaí achomhairc do na saincheisteanna a ardaítear in achomharc an achomharcóra, agus cabhrú leis an gComhalta Binse teacht ar mholadh cothrom agus cóir. Soláthraíonn an tAonad freagraí reachtúla faoi ailt 16(6) agus 16(7) d'Acht na nDídeanaíthe, 1996.

An tAonad Beartais agus Nósanna Imeachta

Is é ról an Aonaid seo ná feidhmiú mar lár-acmhainn eolais chun treoir a thabhairt maidir le forbairt agus athbhreithniú leanúnach ar bheartas agus nós imeachta na hOifige i ndáil le bainistiú agus imscrúdú éileamh, agus an oiliúint chuí don fhoireann a sholáthar agus a chomhordú ón taobh sin de.

An tAonad Tacaíochta Tíre Tionscnaimh/RSD

Is é ról an Aonaid seo ná tacaíocht éifeachtach a sholáthar do na hAonaid Próiseála Cásanna agus na hAonaid um Chur i Láthair trí fhorbairt a dhéanamh ar Fhaisnéis Tíre Tionscnaimh na hOifige, Cinntiú Cáilíochta agus acmhainní treoraíochta RSD de réir na bhforbairtí sa reachtaíocht, sa dlí-eolaíocht agus sa chleachtas idirnáisiúnta is fearr.

An tIonad Seirbhíse do Chustaiméirí

Tá an tIonad Seirbhíse do Chustaiméirí freagrach as forbairt agus maoirseoireacht a dhéanamh ar struchtúir seirbhíse do chustaiméirí, tadhall le heagraíochtaí eile (idir rialtasach agus neamhrialtasach) agus bainistiú comhad agus cóipeáil comhad.

An Oifig Chorparáideach

Is é ról na hOifige Corparáidí maoirsiú a dhéanamh ar sholáthar na tacaíochta ardchaighdeáin riaracháin agus rúnaíochta don Choimisinéir Iarratais do Dhéanaithe chun a chur ar a cumas a feidhmeanna reachtúla agus neamhreachtúla a chomhlíonadh. Déanann an Oifig seo comhordú ar ábhar, mar fhreagra ar iarrataí ó, *inter-alia*, Ranna agus gníomhaireachtaí Rialtais agus na meáin; réitíonn na doiciméid chorparáideacha uile agus tá freagrach as iad a dháileadh.

An tAonad Daonacmhainní

Is é ról an Aonaid Daonacmhainní ná diriú ar chur chuige straitéiseach a fhorbairt agus a chur chun feidhme i ndáil le bainistiú daonacmhainní. Forbraíonn an tAonad beartais agus nósanna imeachta cuí daonacmhainní le haghaidh na heagraíochta agus tá Oifigeach Comhionannais agus Míchumais, a ceapadh go háitiúil, aige chun a chinntiú go bhfuil an fhoireann uile ar an eolas faoi bheartais reatha i ndáil le deiseanna fostaíochta, míchumas, agus maistíneacht agus ciapadh. Ina theannta sin, déanann sé próiseáil ar iarratais ar scéimeanna a oireann don teaghlach, iarrataí ar aistriú, saoire speisialta, srl. agus déanann tadhall leis an Roinn i ndáil le cúrsaí foirne. Tá sé freagrach freisin as bainistiú a dhéanamh ar na feidhmeanna Daonacmhainní a cineadh chuig an Oifig ón Roinn Dlí agus Cirt, Comhionannais agus Athchóirithe Dlí (i. am solúbtha, saoire bhliantúil agus saoire speisialta le pá).

An tAonad Oiliúna Daonacmhainní

Tá freagracht ar an Aonad Oiliúna Daonacmhainní as oiliúint a chomhordú, a éascú agus a sheachadadh don fhoireann. Oibríonn an tAonad go dlúth le hAonaid eile agus le hoiliúnóirí inmheánacha d'fhonn a chinntiú go ndéantar na riachtanais oiliúna a aithint agus go bhfuil an oiliúint a dhéantar a sheachadadh de réir na riachtanas eagraíochtúil toisc go bhfuil sí cuí agus dírithe ar an bpost. Tá freagracht air freisin as an scéim aisiocáíochta táilli a oibriú agus coimeádann sé na Bunachair CBFF agus Oiliúna chun dáta.

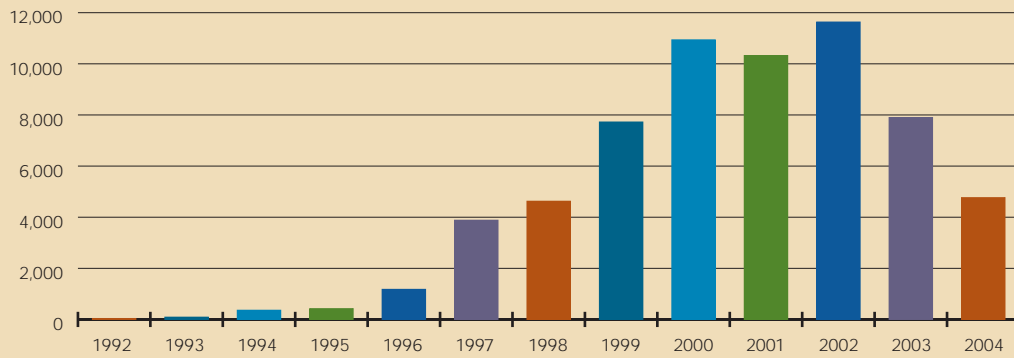
An tAonad Eagraíochta agus Airgeadais

Tá an tAonad Eagraíochta agus Airgeadais freagrach go príomha as bainistiú agus rialú airgeadais, sláinte agus sábháilteacht agus as seirbhísi riachtanacha tacaíochta a sholáthar (e.g. cóiríocht, trealamh, soláthairtí, srl) d'Aonaid eile den Oifig.

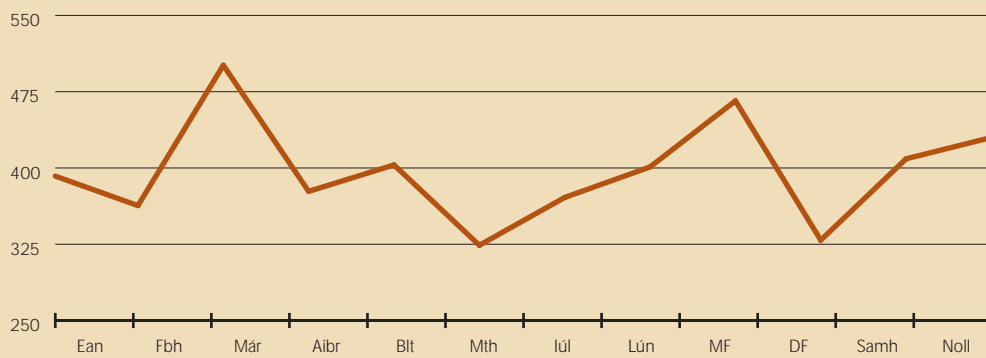
An tAonad Teicneolaíochta Faisnéise/Faisnéise Bainistíochta

Tá an tAonad Teicneolaíochta Faisnéise/Faisnéise Bainistíochta freagrach as sainfháil, cothabháil agus forbairt an trealaimh, na gcóras, na mbog-earraí agus an bhonneagair teicneolaíochta faisnéise agus teileachumarsáide líne socraithe uile don Oifig. Tá an tAonad freagrach freisin as tiomsú agus dáileadh an staidrimh agus na faisnéise bainistíochta agus soláthraíonn tacaíocht theicniúil agus oiliúint ar raon saincheisteanna teicneolaíochta faisnéise.

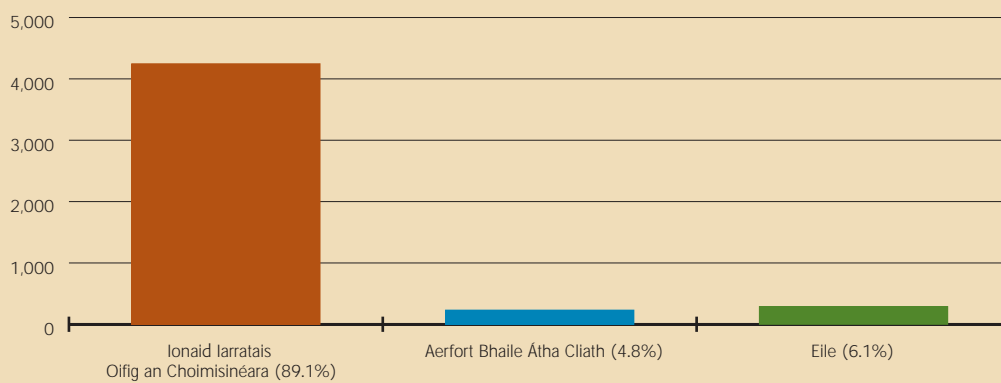
An Líon Iarratas in Aghaidh na Bliana ó 1992 go 2004



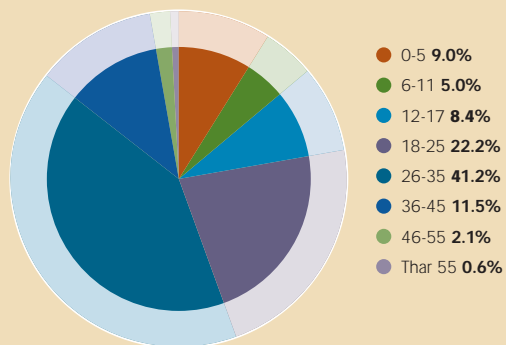
Iarratais a Fuarthas de Réir Míosa ó 01/01/04 go 31/12/04



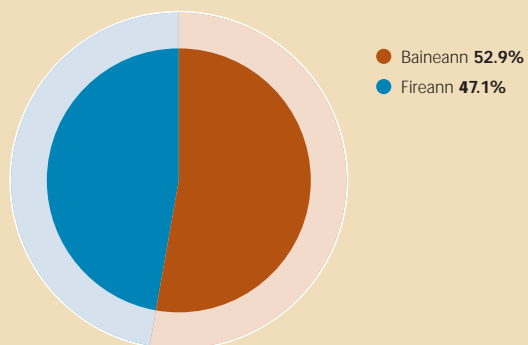
Áiteanna a Rinneadh na hIarratais 2004



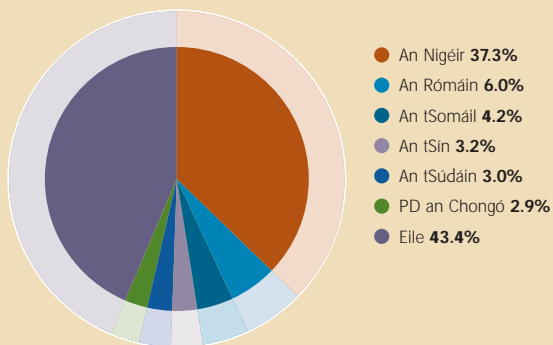
Aois a Thug Iarratasóirí 2004



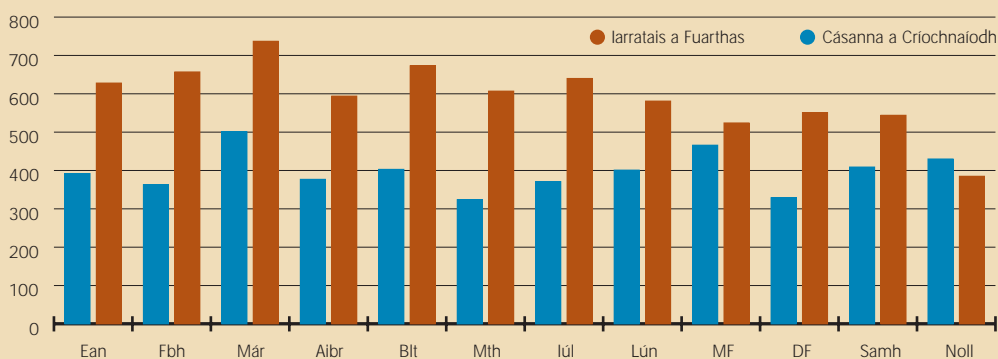
Scagadh Inscne 2004



Na Sé Thír Thionscnaimh a Luadh 2004

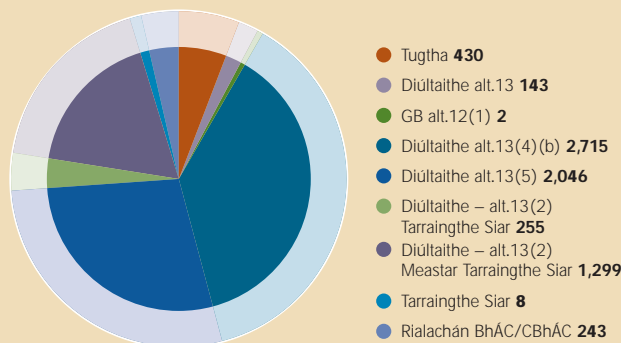


Comparaíd idir Iarratais a Fuarthas agus Cásanna a Críochnaíodh 2004



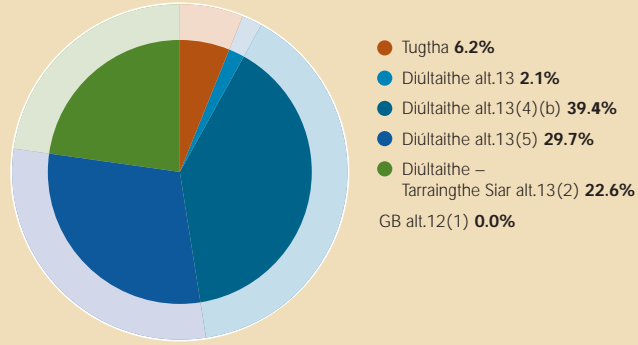
Mí	Bhliantúil												Iomlán
	Ean	Fbh	Már	Aibr	Blt	Mth	Iúil	Lún	MF	DF	Samh	Noll	
<i>Iarratais a Fuarthas</i>	392	363	501	377	403	324	371	401	466	329	409	430	4,766
<i>Cásanna a Críochnaíodh</i>	628	657	737	594	673	607	640	581	524	551	544	385	7,121

Cásanna a Críochnaíodh 2004

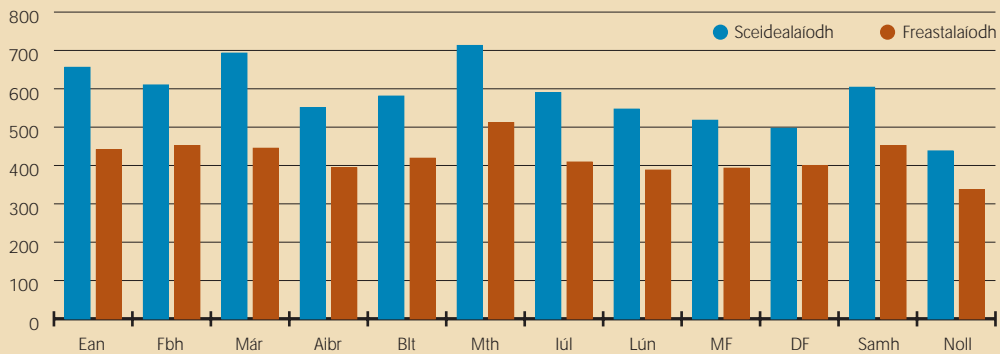


- Tugtha:** Tá an Coimisinéir tar éis moladh a dhéanamh go dtabharfar stádas dídeanaí don iarratasóir.
- Diúltaithe alt.13(4)(b):** Tá an Coimisinéir tar éis moladh a dhéanamh nach dtabharfaí stádas dídeanaí don iarratasóir (faoi fhorálacha an Achta is infheidhme tar éis 15 Meán Fómhair 2003). Ní mór achomharc a dhéanamh chun an Bhinse laistigh de 15 lá.
- Diúltaithe alt.13(2):** Tá an Coimisinéir tar éis moladh a dhéanamh nach dtabharfaí stádas dídeanaí don iarratasóir i gcás gur tarraingíodh iarratas siar nó gur measadh é a bheith tarraingthe siar (faoi fhorálacha an Achta is infheidhme tar éis 15 Meán Fómhair 2003). Ní raibh aon achomharc chun an Bhinse i gceist.
- Diúltaithe alt.13(5):** Tá an Coimisinéir tar éis moladh a dhéanamh nach dtabharfaí stádas dídeanaí don iarratasóir agus tá tátal áirithe ina tuarascáil aici faoi alt 13(6) (faoi fhorálacha an Achta is infheidhme tar éis 15 Meán Fómhair 2003). Ní mór achomharc a dhéanamh chun an Bhinse laistigh de 10 lá.
- Rialachán BhÁC/CBhÁC:** I gcás go suitear gur chóir éileamh an iarratasóra ar stádas dídeanaí a chinneadh i dtír eile Rialachán Bhaile Átha Cliath/Choinbhinsiún Bhaile Átha Cliath.
- Diúltaithe alt.13:** Tá an Coimisinéir tar éis moladh a dhéanamh nach dtabharfaí stádas dídeanaí don iarratasóir (faoi fhorálacha an Achta is infheidhme tar éis 15 Meán Fómhair 2003).
- GB s.12(1):** Tá an Coimisinéir tar éis moladh a dhéanamh go meastar "gur follasach go bhfuil an t-iarratas gan bhunús" faoi fhorálacha alt 12(4) den Acht faoi mar a bhí sé roimh 15 Meán Fómhair 2003.
- Tarraingthe Siar:** I gcás go bhfuil an t-iarratasóir tar éis an t-iarratas ar stádas dídeanaí a tharraingt siar (faoi fhorálacha an Achta faoi mar a bhí sé roimh 15 Meán Fómhair 2003).

Moltaí a Eisíodh 2004



Agallaimh a Sceidealáíodh agus ar Freastalaíodh Orthu 2004

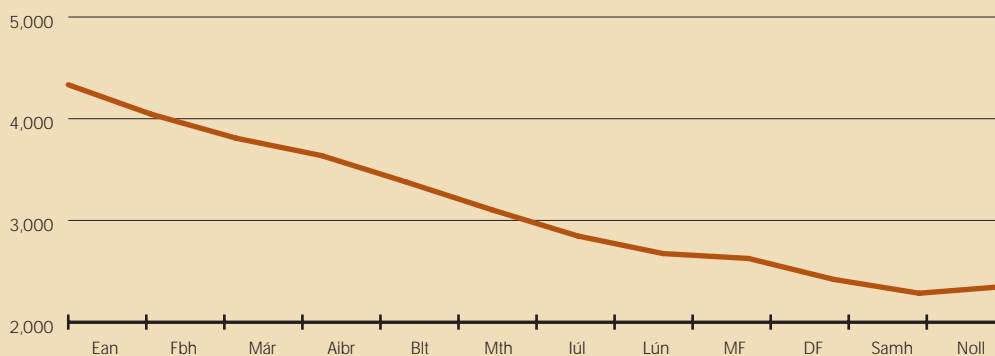


Mí	Bhliantúil												Iomlán
	Eanáir	Febrúair	Márta	Aibreán	Bealtaine	Míun	Iúil	Lúnasa	Meán Fómhair	Dé Fómhair	Samhain	Nollaig	
Arna Sceidealadh	656	610	693	551	581	713	590	547	518	497	604	438	6,998
Ar a d'Fhreastal	441	452	445	394	419	512	409	388	393	399	452	337	5,041
* % a d'Fhreastal	74	78	68	77	76	78	73	79	82	87	83	84	72

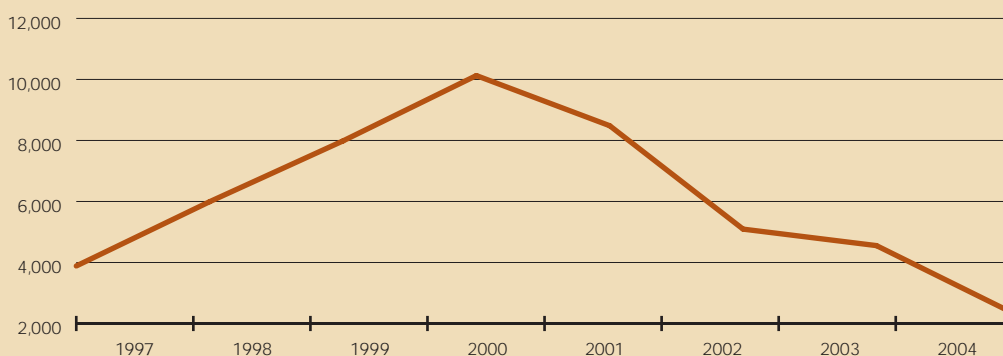
* Ráta freastail na n-iarratasóirí gan agallaimh a chuir an Oifig ar ceal a áireamh.

Foscúbhinn 3 – Iarratais/Próiseáil Staidrimh

Iarratais fós le réiteach amhail ar 01/01/04 go 31/12/04

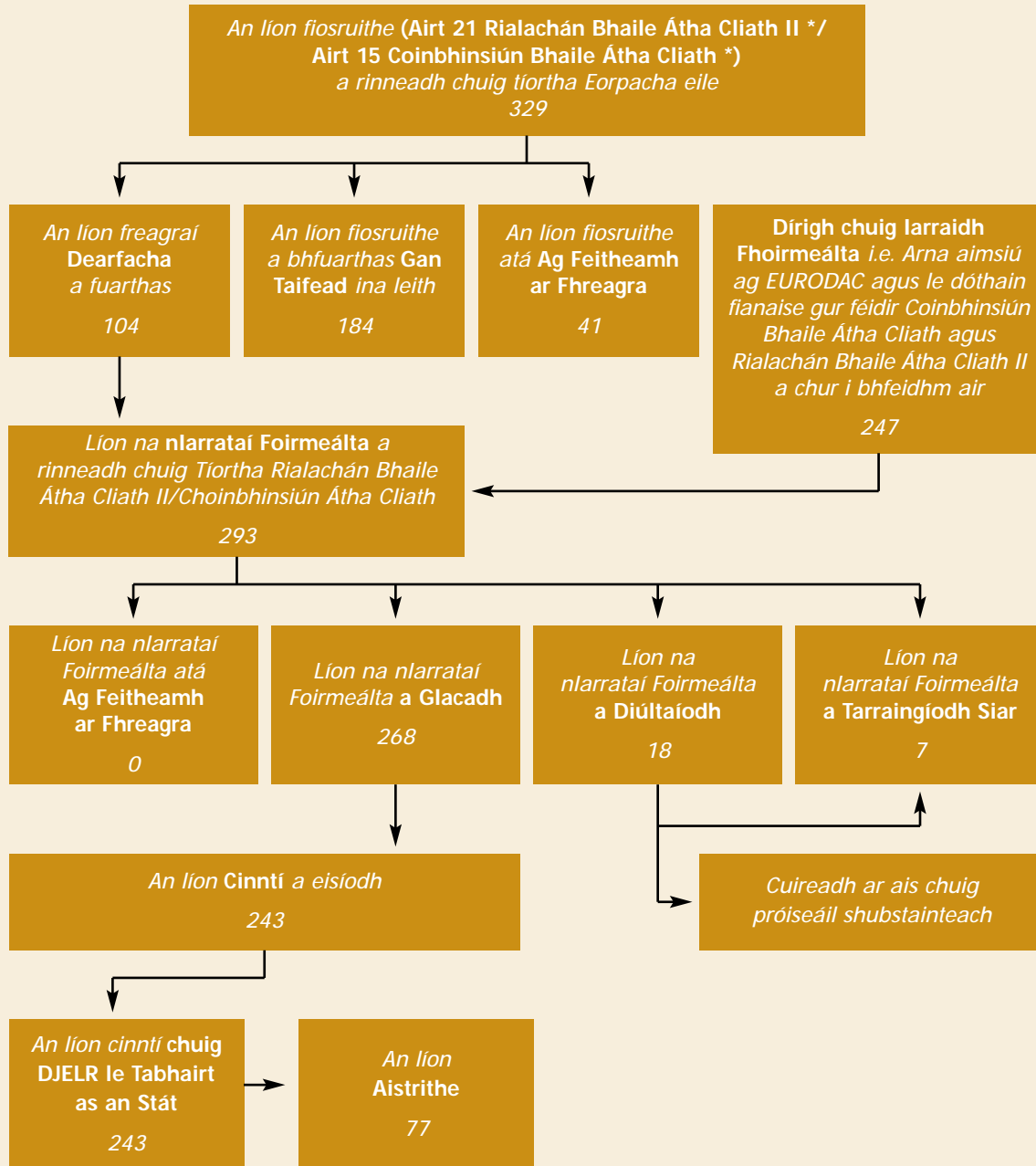


Iarratais fós le réiteach amhail ag deireadh na bliana ó 1997 go 2004



Foscúbhinn 4 – Rialachán Bhaile Átha Cliath II/ Staidreamh Choinbhinsiún Bhaile Átha Cliath

Staidreamh do Rialachán Bhaile Átha Cliath II/Choinbhinsiún Bhaile Átha Cliath don tréimhse 01/01/2004 go 31/12/2004

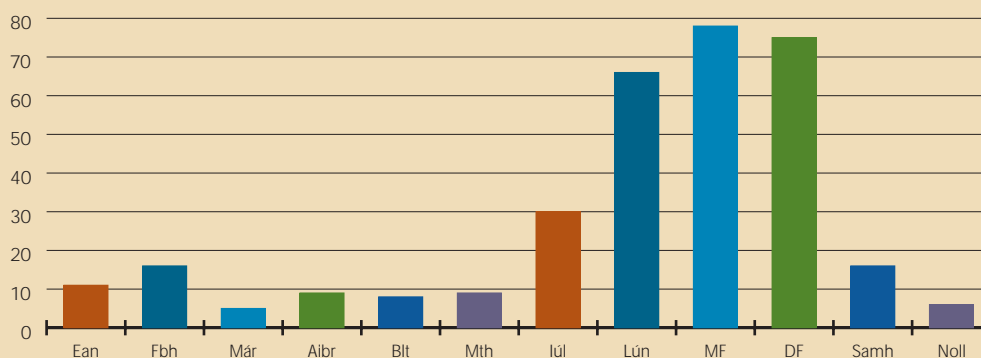


* Déantar fiosruithe chuig aon Bhallstát eile faoi Airteagal 21 Rialachán Bhaile Átha Cliath II/Airteagal 15 Coinbhinsiún Bhaile Átha Cliath. Déantar na fiosruithe chun a fháil amach an bhfuil aon fhaisnéis ag an stát iarrtha faoi iarratasóir.

Foscúbhinn 4 – Rialachán Bhaile Átha Cliath II/ Staidreamh Choinbhinsiún Bhaile Átha Cliath

Airteagal 21 (Airteagal 15 – Coinbhinsiún Bhaile Átha Cliath) –
Fiosruithe chuig Tíortha Eile Rialachán Bhaile Átha Cliath II/
Choinbhinsiún Bhaile Átha Cliath – 2004

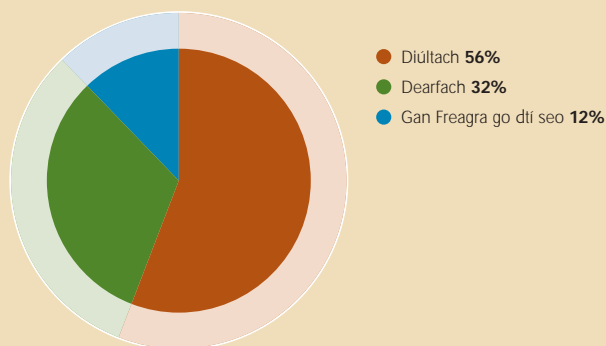
Airteagal 21 Fiosruithe chuig Tíortha Rialachán Bhaile Átha Cliath II/
Choinbhinsiún Bhaile Átha Cliath (Airteagal 15 Coinbhinsiún
Bhaile Átha Cliath) – 2004



Airteagal 21 Fiosruithe chuig Tíortha Rialachán Bhaile Átha Cliath II – 2004
(Airteagal 15 Coinbhinsiún Bhaile Átha Cliath)

Mí	Ean	Fbh	Már	Aibr	Blt	Mth	Iúil	Lún	MF	DF	Samh	Noll	Iomlán
<i>larrataí</i>													
<i>2004</i>	11	16	5	9	8	9	30	66	78	75	16	6	329

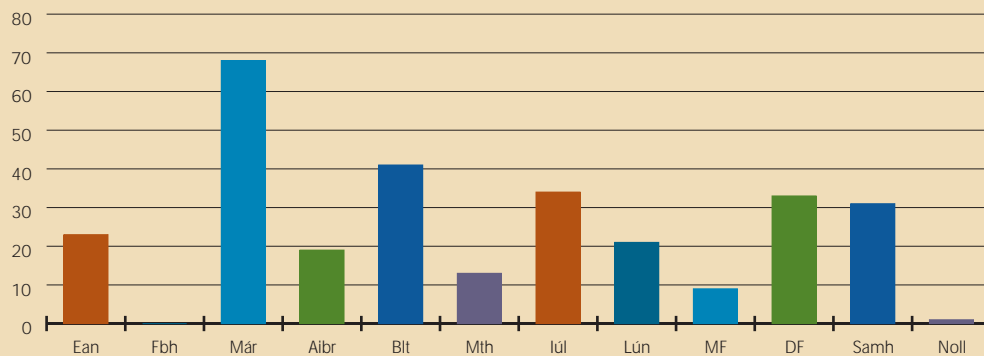
Freagraí ar 'Airteagail 21' ('Airteagail 15' Eisithe)



Foscúbhinn 4 – Rialachán Bhaile Átha Cliath II/ Staidreamh Choinbhinsiún Bhaile Átha Cliath

Iarrataí Foirmeálta chuig Tíortha Eile Rialachán Bhaile Átha Cliath II/ Choinbhinsiún Bhaile Átha Cliath – 2004

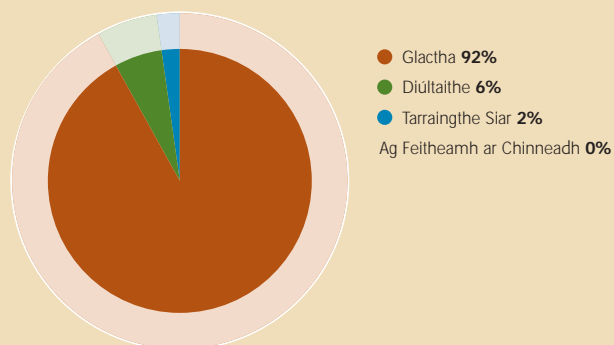
Iarrataí Foirmeálta chuig Tíortha Eile Rialachán Bhaile Átha Cliath II/ Choinbhinsiún Bhaile Átha Cliath – 2004



Iarrataí Foirmeálta chuig Tíortha Eile Rialachán Bhaile Átha Cliath II/ Choinbhinsiún Bhaile Átha Cliath – 2004

Mí	Eanáir	Febrúair	Márta	Aibreán	Bealtaine	Míun	Iúil	Lúnasa	Meán Fómhair	Dé Fómhair	Samhain	Nollaig	Iomlán
<i>Iarrataí</i>													
2004	23	–	68	19	41	13	34	21	9	33	31	1	293

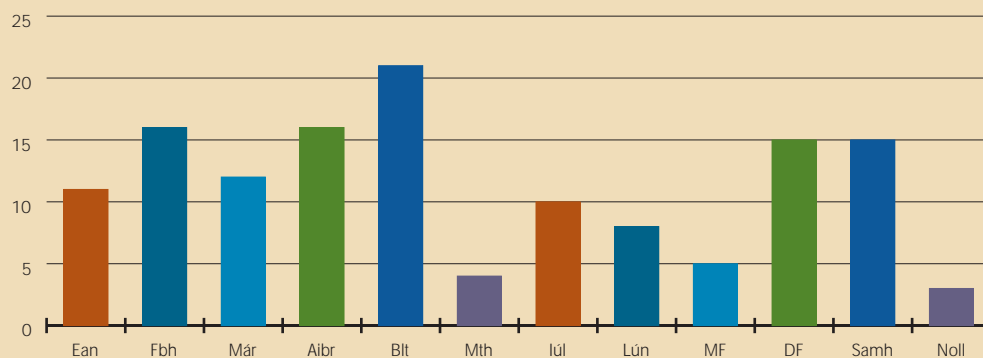
Freagraí ar Iarrataí Foirmeálta a Eisíodh – 2004



Foscúbhinn 4 – Rialachán Bhaile Átha Cliath II/ Staidreamh Choinbhinsiún Bhaile Átha Cliath

Iarrataí Foirmeálta a fuarthas ó Thíortha Eile Rialachán Bhaile Átha Cliath II/ Choinbhinsiún Bhaile Átha Cliath – 2004

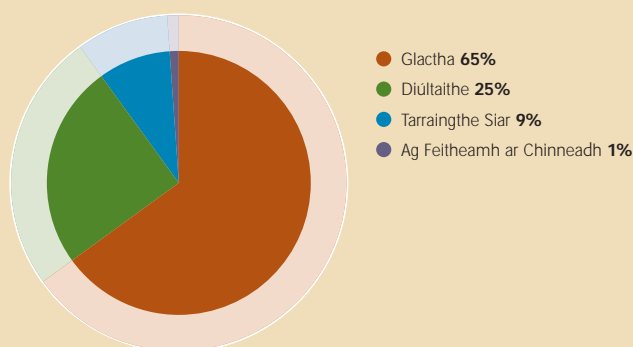
Iarrataí Foirmeálta a fuarthas ó Thíortha Rialachán Bhaile Átha Cliath II/ Choinbhinsiún Bhaile Átha Cliath – 2004



Iarrataí Foirmeálta a fuarthas ó Thíortha Eile Rialachán Bhaile Átha Cliath II/ Choinbhinsiún Bhaile Átha Cliath – 2004

Mí	Ean	Fbh	Már	Aibr	Blt	Mth	Iúil	Lún	MF	DF	Samh	Noll	Iomlán
<i>Iarrataí</i>													
2004	11	16	12	16	21	4	10	8	5	15	15	3	136

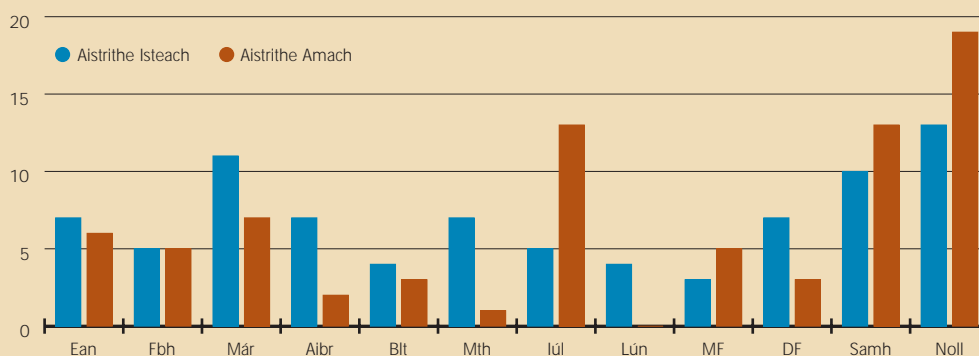
Freagraí ar Iarrataí Foirmeálta a Fuarthas – 2004



Foscúbhinn 4 – Rialachán Bhaile Átha Cliath II/ Staidreamh Choinbhinsiún Bhaile Átha Cliath

Aistrithe faoi Rialachán Bhaile Átha Cliath II/ Choinbhinsiún Bhaile Átha Cliath de réir Uimhreach agus Míosa – 2004

Aistrithe faoi Rialachán Bhaile Átha Cliath II/ Choinbhinsiún Bhaile Átha Cliath – 2004



Aistrithe faoi Rialachán Bhaile Átha Cliath II/Choinbhinsiún Bhaile Átha Cliath – 2004 *

Mí	Ean	Fbh	Már	Aibr	Blt	Mth	Iúil	Lún	MF	DF	Samh	Noll	Iomlán
<i>Aistrithe Isteach</i>	7	5	11	7	4	7	5	4	3	7	10	13	83
<i>Aistrithe Amach</i>	6	5	7	2	3	1	13	0	5	3	13	19	77

* Is cóir a nótaíl gur tagairt iad na figúirí aistrithe thuas d'aistrithe a tharla sa bhliain 2004 agus go bhfoláionn siad cásanna Choinbhinsiún Bhaile Átha Cliath a cinneadh sa bhliain 2003.

Foscúbhinn 5 – Fiosruithe leis an Ionad Seirbhísí do Chustaiméirí i 2004

Tábla A

Catagóir	Líon a Próiseáladh
<i>Litreacha agus Facsanna</i>	<i>23,064</i>
<i>Fiosruithe Gutháin</i>	<i>4,607</i>
<i>Fiosruithe Ríomhphoist*</i>	<i>3,628</i>
iomlán	31,299

* Áirítear ar na fiosruithe ríomhphoist a fuarthas 2,904 iarraidh ar ghrianghrafanna agus 724 iarraidh a fuarthas trí phostas na hOifige.

Tábla B

Catagóir	Líon a Próiseáladh
<i>Comhaid a Cóipeáladh</i>	<i>6,721</i>
<i>Idirbhearta Gluaiseachta Comhad</i>	<i>21,680</i>
iomlán	28,401

Nóta: Is tagairt é an líon iomlán i dtaca le comhaid a cóipeáladh do líon iarbhír na gcomhad a fótachóipeáladh ach ní léiríú é go ndéantar ceithre chóip de gach comhad i bhformhór na gcásanna.

Próifíl ar Chaiteachas ar Phá d'Oifig an Choimisinéara Iarratais do Dhídeanaithe: 1 Eanáir - 31 Nollaig 2004

Tá an figiúr pá d'Oifig an Choimisinéara Iarratais do Dhídeanaithe comhnasctha leis an nGníomhaireacht um Ghlacadh agus Lanpháirtithe, leis an mBinse um Achomhairc do Dhídeanaithe, leis an Aonad um Chinntí Aire, leis na hAonaid Inimrice agus Tearmainn sa Roinn Dlí agus Cirt, Comhionannais agus Athchóirithe Dlí faoi Fhocheanteideal D.1 den Vóta Dlí agus Cirt 19.

Ba é an t-astoradh pá don Fhocheanteideal D.1 de chuid na Roinne Dlí agus Cirt, Comhionannais agus Athchóirithe Dlí ná €21,461,817.07*.

Próifíl ar an gCaiteachas Neamh-Phá d'Oifig an Choimisinéara um Iarratais do Dhídeanaithe: 1 Eanáir - 31 Nollaig 2004

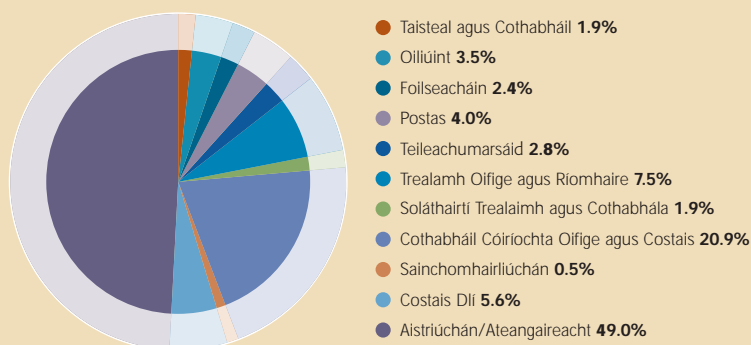
Scagadh ar an gCaiteachas Neamh-Phá

Tuairisc	Méid
Taisteal & Cothabháil	€58,750.25
Oiliúint	€109,968.00
Ilghnéitheach**	€4,074.61
Costais Chomhdhála**	€7,449.87
Sóláistí**	€7,127.35
Dámhachtain Sárfheidhmíochta**	€8,495.40
Foilseacháin	€74,474.22
Postas	€124,108.66
Teileachumarsáid	€88,481.34
Trealamh Oifige agus Riomhaire	€226,800.18
Soláthairtí Trealaimh agus Cothabhála	€57,275.38
Cothabháil Cóiríochta Oifige agus Costais	€634,094.13
Troscán agus Feisteáin**	€2,632.77
Sainchomhairliúchán	€16,372.39
Leabharlann agus Taighde Dlí**	€8,373.65
Costais Dlí	€171,001.83
Aistriúchán/Ateangaireacht	€1,538,088.89
Iomlán*	€3,137,568.92

* Mar a sholáthair an Brainse Airgeadais, An Roinn Dlí agus Cirt, Comhionannais agus Athchóirithe Dlí 2 Feabhra 2005.

** Tá na hiomláin do na cóid míreanna sin ró-bheag chun iad a thaispeáint ar an bpíchart thíos.

Caiteachas Neamh-Phá na hOifige 2004



Faisnéis Tíre Tionscnaimh

Bíonn cineálacha iomadúla faisnéise san áireamh san Fhaisnéis Tíre Tionscnaimh – reachtaíocht, tuarascálacha nuachta, léarscáileanna, doiciméid oifigiúla e.g. pasanna, ceadanna oibre, srl. Úsáidtear an fhaisnéis mar chabhair chun cinneadh a ghlacadh maidir le substaint na n-iarratas ar Dhearbhú Stádais Dídeanaí.

Dearbhú Stádais Dídeanaí

Faoi mar a thagraítear dó in alt 17 den Acht, áit a dtugann an tAire ráiteas i scríbhinn don iarratasóir a bheidh i gceist, tar éis moladh a fháil ón gCoimisinéir Iarratais do Dhídeanaithe, nó tar éis cinneadh de chuid an Bhinse Achomhairc do Dhídeanaithe moladh de chuid an Choimisinéara a dhíchur, á rá gur dídeanaí é nó í.

Baile Átha Cliath II

Tagann Rialachán Bhaile Átha Cliath II, a tháinig i bhfeidhm an 1 Meán Fómhair 2003, in ionad Choinbhinsiún Bhaile Átha Cliath. Leis an Rialachán sin, soláthraítear sásra chun cinneadh a dhéanamh i dtaobh cé acu tír Rialachán Bhaile Átha Cliath II atá freagrach as scrúdú a dhéanamh ar iarratas ar stádas dídeanaí. Tá ceangal ar gach Ballstát den Aontas Eorpach leis an Rialachán ach amháin an Danmhairg a leanfaidh ar aghaidh ag oibriú Choinbhinsiún Bhaile Átha Cliath leis na ballstáit go léir. Oibríonn an Íoslainn agus an Iorua an Rialachán freisin.

Coinbhinsiún Bhaile Átha Cliath

Le Coinbhinsiún Bhaile Átha Cliath, soláthraítear sásra chun cinneadh a dhéanamh i dtaobh cad í an tír Choinbhinsiúin atá freagrach as breithniú a dhéanamh ar iarratas ar thearmann. Shínigh Ballstáit an Chomhphobail Eorpaigh an Coinbhinsiún i mBaile Átha Cliath an 15 Meitheamh 1990. Tá na cúig bhallstát go léir san Aontas Eorpach tar éis Coinbhinsiún Bhaile Átha Cliath a dhaingniú. Ina theannta sin, dhaingnigh an Íoslainn agus an Iorua Coinbhinsiún Bhaile Átha Cliath, Aibreán 2001.

EURASIL (Gréasán an Aontais Eorpaigh do chleachtóirí tearmainn/ Réseau de l'UE pour les praticiens de l'asile)

Is fóram é seo do chleachtóirí tearmainn san Aontas Eorpach chun faisnéis a mhalartú ar shaincheisteanna tearmainn – córais chun stádas dídeanaí a chinneadh agus córais tíre tionscnaimh, mar shamplaí.

EURODAC

Córas chun méarloig a mhalartú go leictreonach idir ballstáit de chuid an Aontais Eorpaigh (ach amháin an Danmhairg), i dteannta na hÍoslainne agus na hIorua. Déantar méarloig a aistriú in aghaidh an lae go dtí bunachar lárnach i Lucsamburg.

An tSeirbhís Dlí do Dhídeanaithe

Is seirbhís í an tSeirbhís Dlí do Dhídeanaithe a sholáthraíonn an Bord Cúnaimh Dhlíthiúil agus cuireann sí seirbhísí dlíthiúla ar fáil d'iarratasóirí atá ag lorg stádais dídeanaí.

Deimhniú Cónaithe Sealadach

Séard atá sa Deimhniú Cónaithe Sealadach, dá ndéantar foráil faoi alt 9(3)(a) d'Acht na nDídeanaithe, 1996, ná cárta a thugtar d'iaratasóirí agus a bhfuil a ngrianghraf, a n-ainm, a méarlorg agus sonraí céannachta eile ar taispeáint air.

Coinbhinsiún na Náisiún Aontaithe

Is ionstraim idirnáisiúnta é Coinbhinsiún na Náisiún Aontaithe a síníodh sa bhliain 1951 chun stádas dlíthiúil dídeanaí a shainmhíniú. Ghlac Comhdháil Lánchumhachtach de chuid na Náisiún Aontaithe an Coinbhinsiún a bhaineann le Stádas Dídeanaí an 28 Iúil 1951, agus tháinig sé i bhfeidhm an 21 Aibreán 1954. Tá reachtaíocht na hÉireann i ndáil le dídeanaithe bunaithe ar na prionsabail i gCoinbhinsiún 1951.

Ard-Choimisinéir na Náisiún Aontaithe um Dhídeanaithe (UNHCR)

Bunaíodh Oifig Ard-Choimisinéir na Náisiún Aontaithe um Dhídeanaithe amháil ar 1 Eanáir 1951. Nótáiltear go sonracha i gCoinbhinsiún 1951 go bhfuil de chúram ar Ard-Choimisinéir na Náisiún Aontaithe um Dhídeanaithe maóirsiú a dhéanamh ar choinbhinsiún idirnáisiúnta lena ndéantar foráil maidir le cosaint a sholáthar le haghaidh dídeanaithe, agus a chinntiú go ndéantar comhordú éifeachtach ar na bearta a dhéantar chun dul i ngleic leis an bhfadhb sin i gcomhar leis na stáit éagsúla.



Oifig an Choimisinéara Iarratais do Dhídeanaithe

79-83 Sráid an Mhóta Íochtarach, Baile Átha Cliath 2

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