



**Oifig an Choimisinéara Iarratais do Dhídeanaithe
Xafiiska Xubinguddiga Codsiyada Qaxootinimada**

Shuruucda (Badbaadinta Hoosaad) ee Midowga Yurub, 2013 (S.I. Lam. 426 ee 2013)

**Nidaamyada baaritaanka iyo go'aaminta codsiyada Badbaadinta Hoosaad
Qoraalka Warbixineed ee loogu talagalay Codsadeyaasha**

**Qoraalkan waxaa loola jeedaa oo keliya warbixin iyo hagiis. Ujeeddadiisu ma aha in uu
turjumaad sharciyeed ka bixiyo Shuruucdan.**

1. Horudhac.

- 1.1 Qoraalkan Warbixineed waxa uu adiga kuugu deeqayaa faahfaahinta sharciga lagu maamulo baaritaanka iyo go'aaminta codsiyada badbaadinta hoosaad (subsidiary protection) ee Dalka kaas oo ku jira Shuruucda (Badbaadinta Hoosaad) ee Midowga Yurub ee 2013 (S.I. Lam. 426 ee 2013) - ("Shuruucda 2013").
- 1.2 Shuruucda 2013 waxaa soo saaray Wasiirka Caddaaladda iyo Sinnaanta (Minister for Justice and Equality) ("Wasiirka") waxa ayna hirgaleen maalintii ay taariikhdu ahayd **14 Noofembar 2013** ("taariikhda bilowga").
- 1.3 Sida ay dhigayaan Shuruucda 2013, Xubinguddiga Codsiyada Qaxootinimada (Refugee Applications Commissioner), ("Xubinguddiga"), ayaa qaaday masuuliyadda ka shaqaynta codsiyada badbaadinta hoosaad.
- 1.4 Waxaa muhiim ah oo dan kuu ah in aad si taxaddar leh u akhrisato Qoraalkan Warbixineed si aad u hubiso in aad fahanto, marka la soo qaato:

- (i) Xuquuqdaada, waajibaadkaaga iyo masuuliyadahaaga muddada aad Ayrland joogto ee aad sugayso go'aanka kama dambays ah ee ku toosan codsashadaada badbaadinta hoosaad.
- (ii) Nidaamyada ku jira Shuruucda 2013 ee la raaci doono marka laga shaqaynayo codsashadaada badbaadinta hoosaad.
- (iii) Ahmiyadda ay leedahay in la addeeco xuduudda waqtiga ee kuu yaalla iyo shuruudaha kale ee ku xusan Shuruucda 2013 iyo in jawaab dhakhso ah laga bixiyo marxalad kastoo hawsha ka mid ah.

1.5 Haddii aad u baahan tahay warbixin dheeraad ah oo ku saabsan Shuruucda, maadaama ay shakhsi kasteba si gaar ah u qabtaan, waa in aad doonato talobixin sharciyeed.

2. Ujeeddada Shuruucda 2013.

2.1 Shuruucdani waxa ay ku deeqayaan nidaam lagu baaro laguna go'aamiyo codsiyada cusub ee badbaadinta hoosaad ee Dalka laga sameeyey maalintii ay taariikhdu ahayd 14 Noofembar 2013 ama ka dib.

2.2 Waxa ay weliba ku dabbakhmaan codsiyada hadda jira ee badbaadinta hoosaad ee loo dirtay Wasiirka Caddaaladda iyo Sinnaanta (Adeegga Qaadashada dhalashada iyo Haajiraadda ee Ayrland (Irish Naturalisation and Immigration Service)), ee aanan laga go'aan gaarin ka hor taariikhda bilowga ee Shuruucda 2013 laguna wareejiyey Xubinguddiga taariikhdaas ka dib si uu uga shaqeeyo.

3. Maxay Shuruucda 2013 daboolayaan?

Haddii aad tahay codsade cusub ee badbaadinta hoosaad:

3.1 Shuruucda 2013 waxa ay dhigayaan maalinta ay taariikhdu tahay 14 Noofembar 2013 iyo wixii ka dambeeya, in codsiyada badbaadinta hoosaad uu baari doono uuna ka go'aan gaari doono Xubinguddigu.

3.2 Taariikhdan laga bilaabo, codsiyada cusub ee badbaadinta hoosaad waxaa loo diran karaa Wasiirka Caddaaladda iyo Sinnaanta laakiin waa in lagu qorto Foomka Codsashada (Application Form) ee habboon oo lagu hagaajiyo Xubinguddiga.

Xubinguddiga ayaa markaa, sida ay dhigayaan Shuruucda 2013 iyo ka dib marka uu waraysi ka qaado codsadhaha badbaadinta hoosaad, soo diyaarin doona warbixin qoran oo ku saabsan baaritaanka codsashada. Xubinguddigu waxa uu Wasiirka Caddaaladda iyo Sinnaanta kala talin doonaa haddii codsaduhu uu yahay qof u qalma badbaadinta hoosaad.

Haddii aad tahay codsade hadda jira ee badbaadinta hoosaad oo codsashadiisa uusan Wasiirku ka go'aan gaarin:

- 3.3 Codsiyada badbaadinta hoosaad ee uusan Wasiirka Caddaaladda iyo Sinnaantu ka go'aan gaarin ka hor taariikhda bilowga ee Shuruucda 2013 waxaa loo wareejiyey Xubinguddiga si uu u baaro oo uu uga go'aan gaaro. Wasiirku waxa uu codsadeyaashaas dhammaantood ka wargelin doonaa nidaamyada cusub ee ku dabbakhmaha tixgelinta codsashadooda.
- 3.4 Dadkaasi uma baahna in ay codsasho cusub oo ku saabsan badbaadinta hoosaad u diraan Xubinguddiga laakiin waxa ay u diri karaan doodo dheeraad ah (fiiri baaragaraafka 7.5 ee hoose).

4. Waa maxay badbaadinta hoosaad?

- 4.1 Badbaadinta hoosaad waa badbaadinta loo oggolaado qofka laga muujiyey sababo muhiim ah oo lagu aaminsan yahay in qofka laga hadlayo, haddii lagu celiyo dalkiisii hooyo, uu halis dhab ah u geli doono in uu la kulmo waxyeeello daran isagoona aanay suurogal u ahayn ama, halistaas awgeed, aanan rabin in uu badbaadin waddankaas u doonto, oo aanan ka reebnayn u qalmista badbaadinta hoosaad.
- 4.2 Waxyeeellada daran waxaa loola jeedaa –
- (a) xukun dhimasho ama toogasho; ama
 - (b) jirdil ama habdhaqan ama ganaax waxashnimo ama sharaf ridis ah oo qof loogu geysto dalkiisii hooyo; ama
 - (c) hanjabaad xun oo shakhsi ahaaneed oo ku wajahan nolosha qof ra'yid ah ama qof kale sababta oo ah rabshadda aanan kalasooc lahayn ee ka mid ah xaaladda colaadda hub leh ee dalka dibaddiisa ama gudahiisa.

- 4.3 Haddii aad u qalanto badbaadinta hoosaad waxaa lagu oggolaan doonaa in aad Dalka joogto waxaanad u qalmi doontaa xuquuq iyo faa'iidooyin gaar ah. Xuquuqdaas iyo faa'iidooyinkaasi waxa ay ku xusan yihiin Shuruucda 2013.

5. Yaa u qalma badbaadinta hoosaad?

- 5.1 Adigoo Dalka jooga marka aad codsashadaada dirato, waxa aad u qalmaysaa badbaadinta hoosaad sida ku toosan Shuruucda 2013 haddii:
- (a) aadan ahayn qof dhalasho ka haysta Dal Xubin ka ah Midowga Yurub,
 - (b) lagu diiday in qaxootinimada laguugu aqoonsado dalka Ayreland,
 - (c) lagu muujiyey sababo muhiim ah oo lagu aaminsan yahay, haddii lagugu celiyo dalkaagii hooyo, in aad halis dhab ah u geli doonto in aad la kulanto waxyeello daran adigoona aanay suurogal kuu ahayn ama, halistaas awgeed, aanan rabin in aad badbaadin waddankaas u doonato, oo
 - (d) aadan ka reebnayn u qalmista.
- 5.2 Waxa aad ka reebnaan doontaa u qalmista badbaadinta hoosaad sida ku toosan Shuruucda 2013 haddii ay jiraan sababo dhab ah oo loogu arko in –
- (a) aad geysatay dembi qalalaase ah, dembi gaboodfal, ama dembi bini aadanimo, sida ku qayaxan qodobbada caalamiga ah ee loo soo saaray si loogu macneeyo dembiyada noocaas ah;
 - (b) aad geysatay dembi daran;
 - (c) lagugu xukumay falal liddi ku ah ujeedooyinka iyo mabaadii'da Qaramada Midoobay sida ku xusan Horudhaca iyo Qodobbada 1 iyo 2 ee Xeerka qoran ee Qaramada Midoobay, ama
 - (d) aad khatar gelinayso bulshada ama amniga Dalka.
- 5.3 Waxa aad weliba ka reebnaan doontaa u qalmista badbaadinta hoosaad haddii:
- (i) ay jiraan sababo dhab ah oo loogu arko in aad qaban qaabisay ama si kale uga qayb qaadatay fulinta dembi ama fal ku xusan baaragaraafka 5.2 (a) ilaa (d),
 - (ii) aad dalkaagii hooyo uga timid oo keliya si aad uga badbaaddo ciqaabyo kaga yimid dembi ama dembiyo (kuwaas oo laakiin aanan ahayn dembi ama

habdhaqan ku taxan baaragaraafka 5.2 (a) ilaa (d)) aad geysatay ka hor intii aadan Dalka soo gelin halkaas oo dembiyada noocaas ah lagaaga saari lahaa ciqaabmarin xabsi ah haddii aad iyaga Dalka gudhiisa ka geysatay.

6. Yaa Dalka ka dalban kara badbaadinta hoosaad?

6.1 Iyadoo ku xiran Shuruucda 2013, codsashada badbaadinta hoosaad waxaa soo diran kara qof

- (i) Dalka jooga, oo
- (ii) loo diiday in qaxootinimada loogu aqoonsado dalka Ayreland.

6.2 Haddii Wasiirku uu ku go'aan gaaro in uusan adiga ku siinin aqoonsashada qaxootinimada, waxaa lagu soo diri doonaa ogaysiin qoran oo lagu sheegayo in codsashadaada aqoonsashada qaxootinimada lagu diiday.

6.3 Ogaysiinta waxaa ku jiri doona Qoraal Warbixineed oo ku saabsan badbaadinta hoosaad iyo Foom Codsasho. Haddii aad u aragto in aad u qalmi karto badbaadinta hoosaad, waa in aad foomka soo buuxiso oo aad Xubinguddiga ugu soo celiso 15 maalmood oo shaqo gudahood ka dib marka ogaysiinta lagu soo diro.

7. Sidee ayuu Xubinguddiga Codsiyada Qaxootinimadu u baari doonaa codsashadayda badbaadinta hoosaad?

7.1 Codsashadaada badbaadinta hoosaad waxaa baari doona oo ka go'aan gaari doona Xubinguddiga sida ku toosan Shuruucda 2013.

7.2 Sida ay dhigayaan nidaamyada cusub ee la adeegsado marka laga shaqaynayo codsiyada badbaadinta hoosaad, waxaa lagaaga baahan doonaa in aad u timaaddo waraysi ku saabsan codsashadaada. Ujeeddada waraysigu waxa ay tahay in la soo ogaado faahfaahinta dhammaystiran ee dalbashadaada badbaadinta hoosaad.

7.3 Codsaduhu waa in uu u yimaaddo waraysi lagu qabanayo Xafiiska Xubinguddiga Codsiyada Qaxootinimada taariikhda iyo saacadda waraysiga loo dhigo. Haddii codsaduhu uu u iman waayo waraysiga loo qorsheeyey waxaa laga soo qaadi karaa in uu codsashadiisa ka noqday (fiiri baaragaraafka 8.2).

- 7.4 Codsaduhu waxa uu Xubinguddiga u diran karaa doodo qoran oo ku saabsan arrin kastoo muhiim u ah baaritaanka codsashada waxa uuna Xubinguddigu tixgelin doonaa doodaha loo soo diro ka hor ama muddada waraysiga sida ay dhigayaan Shuruuca 2013. Waxaa weliba doodo soo diri kara Xubinguddiga Sare ee Qaxootida ee Qaramada Midoobay (United Nations High Commissioner for Refugees) iyo cidda kalee ku lug leh.
- 7.5 Haddii aad tahay codsade hadda jira ee badbaadinta hoosaad oo aanan codsashadiisa laga go'aan gaarin xilliga bilowga Shuruuca 2013, waxaa lagaa codsanayaa in aad eegato dukumeentiga Xeerasha hagista ee la socda warqadda kaaga timid Adeegga Qaadashada dhalashada iyo Haajiraadda ee Ayrland kaas oo ku saabsan doodaha dheeraad ah xataa dukumeentiyada loo soo diri karo Xubinguddiga.
- 7.6 Mar kastoo loogu baahdo si loo hubiyo in wadaxiriir hagaagsan la yeesho muddada waraysiga, Xubinguddigu waxa uu diyaarin doonaa turjumaan.

Qeexidda nidaamyada codsashada lagaga shaqeeyo

- 7.7 Waxaa halkan lagu qeexayaa nidaamyada lagaga shaqeeyo codsiyada badbaadinta hoosaad.
- (i) Xubinguddigu waxa uu kuu qaban qaabin doonaa in lagaa qaado waraysi ku saabsan codsashadaada.
 - (ii) Waraysiga ka dib, waxaa la qori doonaa warbixin ku saabsan natiijooyinka baaritaanka codsashadaada waxa uuna Xubinguddigu Wasiirka Caddaaladda iyo Sinnaanta kala talin doonaa haddii aad tahay qof u qalma badbaadinta hoosaad.
 - (iii) Haddii ay dhacdo in taladaasi ay adiga kuu xun tahay, waxa aad xaq u yeelan doontaa in aad talada ka qaadata rafcaan aad u dirato Maxkamadda gaarka ah ee Rafcaannada Qaxootinimada (Refugee Appeals Tribunal) (“Maxkamadda gaarka ah”) 15 maalmood oo shaqo gudahood ka dib marka lagu soo diro ogaysiinta ku saabsan talada kuu xun ee Xubinguddiga. Maxkamadda gaarka ah waxa ay qaban doontaa dhegeysi oraah ah marka uu codsaduhu taas ku

codsado ogaysiintiisa rafcaan qaadashada; haddii kale, waxaa laga yaabaa in rafcaanka laga go'aan gaaro iyadoon la qabanin dhegeysiga oraah ah.

- (iv) Marka la raaco talada Xubinguddiga ama go'aanka Maxkamadda gaarka ah, sida ku toosan Shuruucda 2013 Wasiirku waxa uu adiga ku siin doonaa ama kuu diidi doonaa aqoonsashada badbaadinta hoosaad sida habboon.

7.8 Haddii ay dhacdo in codsashadaada badbaadinta hoosaad uu Wasiirku diido, waxaa lagu soo diri doonaa ogaysiin qoran oo lagu sheegayo in:

- (a) codsashadaada badbaadinta hoosaad la diiday;
- (b) ay dhammaatay muddada aad xaq u lahayd in aad Dalka joogto;
- (c) Wasiirku uu ku talinayo in uu soo saaro amar masaafurin sida uu dhigayo qodobka 3aad ee Sharciga Haajiraadda ee 1999 (Immigration Act 1999) kaas oo kaaga baahan in aad Dalka ka baxdo; oo
- (d) aad fursad u haysato in aad Wasiirka doodo ugu dirato 15 maalmood oo shaqo gudahood adigoo qeexaya sababta ay u habboon tahay in lagu oggolaado in aad Dalka sii joogto.

8. MUHIIM: Miyaan ka noqon karaa codsashadayda badbaadinta hoosaad ama miyaa laga soo qaadi karaa in codsashada laga noqday?

8.1 Codsaduhu waxa uu codsashadiisa badbaadinta hoosaad ka noqon karaa isaga oo ogaysiinta ka noqoshada u diraya Xubinguddiga.

8.2 Haddii codsaduhu uu u iman waayo waraysiga loo qorsheeyey ee uu Xubinguddiga la leeyahay markaa, haddii codsaduhu, ugu badnaan 3 maalmood oo shaqo gudahood taariikhdaas ka dib, uu Xubinguddiga ugu keeni waayo sharraxaad uu ka bixinayo maqnaanshaha taas oo uu Xubinguddigu u arko mid macquul ah marka xaaladda la eego, waxaa laga soo qaadi doonaa in uu codsashadiisa ka noqday sida ku toosan Shuruucda 2013.

8.3 Marka ay Xubinguddiga u muuqato in codsaduhu:

- (i) uusan ka soo baxayn waajibka ka saaran in uu caawiyo Xubinguddiga muddada uu wado baaritaanka codsashadiisa, ama

(ii) uusan ka soo baxayn waajibka ka saaran in uu bixiyo macluumaadka muhiim u ah codsashadiisa aqoonsashada badbaadinta hoosaad, ama marka Wasiirku uu Xubinguddiga ka wargeliyo in uu isagu u arko in codsaduhu uu jebinayo waajibka ka saaran

(iii) in uusan Dalka ka bixin ama isku dayin in uu ka baxo isaga oo aanan rukhsad ka haysan Wasiirka, ama

(iv) in uu Xubinguddiga islamarka suurogal ah ka wargeliyo cinwaankiisa iyo isbeddelka ku yimaadda cinwaankiisa,

Xubinguddigu waxa uu codsadhaha u diri doonaa ogaysiin qoran oo uu codsadhaha ugu baaqayo in uu qoraal ku soo tilmaamo 15 maalmood oo shaqo gudahood ka dib marka ogaysiinta loo diro haddii uu rabo in uu sii wado codsashadiisa oo, haddii codsaduhu uu tilmaanbixinta noocaas ah ku keeni waayo waqtiga xaddidan ee loo qabtay, waxaa laga soo qaadi doonaa in uu ka noqday codsashadiisa aqoonsashada badbaadinta hoosaad sida ku toosan Shuruucda 2013. Warbixinta uu Xubinguddigu ka soo saaro codsashadaas waxaa ka mid noqon doonta talo uu ku sheegayo in codsadhaha laga hadlayo aanan loo aqoonsan in uu yahay qof u qalma badbaadinta hoosaad.

8.4 Marka laga noqdo codsashada badbaadinta hoosaad ama laga soo qaado in laga noqday, ma jiro rafcaan loo diran karo Maxkamadda gaarka ah ee Rafcaannada Qaxootinimada.

9. Helitaanka macluumaadka ku saabsan hawsha badbaadinta hoosaad

9.1 Shuruucda 2013 waxaa si dhammaystiran looga heli karaa bogga internetka ee Xubinguddiga Codsiyada Qaxootinimada oo ah <http://www.ORAC.ie>.

9.2 Qoraalkan Warbixineed waxaa lagu heli karaa dhowr luqadood isagoo ku yaalla bogga internetka ee Xubinguddiga Codsiyada Qaxootinimada.

10. Macluumaadka kale

10.1 Waxa aad xaq u leedahay in aad la tashato looyar waxa aanad isticmaali kartaa oo aad adeegsan kartaa Adeegga Sharciyeed ee Qaxootida (Refugee Legal Service) (RLS)

adigoo gargaar ka doonanaya codsashadaada badbaadinta hoosaad. Adeegga RLS waa urur madaxbannaan oo loo aasaasay si uu adeeg sharciyeed oo qarsoodi ah ugu deeqo dadka Ayrland ka dalbanaya badbaadin. Adeegga RLS waxa uu kuugu deeqi doonaa talobixin sharciyeed iyo gargaar uu kaa siiyo codsashadaada. Haddii kale, waxaa kuu furan in aad isticmaasho adeegyada looyar khaas kuu ah adiga oo kharashkiisa iska bixinaya. Waxa aad weliba xaq u leedahay in aad la tashato Xubinguddiga Sare ee Qaxootida ee Qaramada Midoobay.

10.2 Waxaa kuu furan in aad Dalka sii joogto ilaa go'aan kama dambays ah laga gaarayo codsashadaada badbaadinta hoosaad. Wasiirku waxa uu codsadeyaasha hadda jira ugu deeqi doonaa warqad taas loogu sheegayo. Codsadeyaasha cusub waxa ay warqaddaas ka heli doonaan Xubinguddiga.

10.3 Waa in aad eegato Shuruucda 2013 si aad uga firiso arrimaha kale ee la xiriira nidaamka la adeegsado ee aanan lagu soo hadal qaadin Qoraalkan Warbixineed iyo faahfaahinta xuquuqda iyo faa'iidooyinka u yaalla qofka u qalma badbaadinta hoosaad ee isaga loo soo saaray aqoonsashada badbaadinta hoosaad.

Ogaysiinta loogu talagalay codsadeyaasha hadda jira ee badbaadinta hoosaad ee codsiyadooda uusan ka go'aan gaarin Wasiirku taariikhda bilowga

10.4 Haddii xilliga bilowga Shuruucda 2013, aad diratay codsi ku saabsan badbaadinta hoosaad oo aanan weli go'aan lagaaga soo dirin codsashadaada waa in aad ogaato waxyaabaha soo socda:

- Xubinguddigu waxa uu kula soo xiriiri doonaa waqtiga habboon si uu kuugu qaban qaabiyo waraysigaaga, markaa uma baahnid in aad la xiriirto xafiiska ORAC, toos ahaan ama si aan toos ahayn, oo
- haba yaraatee halis uguma jirtid in lagu masaafuriyo muddada la baarayo codsashadaada badbaadinta hoosaad.

14 Noofembar 2013

XOOGAA MACLUUMAAD XIRIIR AH

Office of the Refugee Applications Commissioner (Xafiiska Xubinguddiga Codsiyada Qaxootinimada)

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79-83 Lower Mount Street,
Dublin 2.

Telefoonka: 01 6028000
Lam Sicirka wicista ee gudaha: 1890 202 418
Bogga internetka: www.orac.ie
E- mail: oracmail@orac.ie

Refugee Appeals Tribunal (Maxkamadda gaarka ah ee Rafcaannada Qaxootinimada)

6/7 Hanover Street East,
Dublin 2.

Telefoonka: 01 4748400
Lam Sicirka wicista ee gudaha: 1890 201 458
Bogga internetka: www.refappeal.ie
E-mail: info@refappeal.ie

Refugee Legal Service (Adeegga Sharciyeed ee Qaxootida)

Refugee Legal Service Law Centre (Xarunta Sharciga ee Adeegga Sharciyeed ee Qaxootida) -
Smithfield,
48/49 North Brunswick Street,
Georges Lane,
Dublin 7.

Telefoonka: 01 646 9600.
Bogga internetka: www.legalaidboard.ie
Email: lawcentresmithfield@legalaidboard.ie

International Organisation for Migration (Ururka Caalamiga ah ee Haajiraadda)

116 Lower Baggot Street,
Dublin 2.

Telefoonka bilaash ah: 1800 406 406
Telefoonka: 01 6760655
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United Nations High Commissioner for Refugees (Xubinguddiga Sare ee Qaxootida ee Qaramada Midoobay)

Suite 4,
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