# ADMINISTRATIVE PRACTICE NOTE

# APPEALS BEFORE THE INTERNATIONAL PROTECTION APPEALS TRIBUNAL

## (Update – January 2026)

## Contents

1. Introduction ..... 2
2. Tribunal Sittings ..... 2
3. Communications with the Tribunal ..... 4
4. Initiating an Appeal to the Tribunal ..... 5
4.1. The Notice of Appeal ..... 5
4.2. Late Appeals ..... 6
4.3. Documents to be included with the Notice of Appeal ..... 7
4.4. Grounds of Appeal ..... 7
4.5. Request to hold an Oral Hearing ..... 7
4.5.1. Accelerated appeal procedures in certain cases ..... 7
4.5.2. Request for an Oral Hearing – non-accelerated appeals ..... 9
4.6. Specific requests for Procedural Supports ..... 9
4.7. Notification of date of Oral Hearing ..... 9
5. Statutory Provisions for According Priority to any Application ..... 10
6. Notice of Appeal pursuant to section 21 of the 2015 Act ..... 11
7. Notice of Appeal pursuant to section 22 of the 2015 Act ..... 11
8. Appeals pursuant to the European Union (Dublin System) Regulations, 2018 ..... 12
9. Appeals pursuant to the European Communities (Reception Conditions) Regulations 2018-2021 ..... 12
10. Taking Evidence on Oath or Affirmation ..... 13
11. Privacy and Recording of Hearings ..... 13
12. Submission of material / documentation to the Tribunal ..... 14
13. Use of Artificial Intelligence ..... 16
14. Adjournments and Postponements ..... 17
15. Correction of Errors or Omissions by the Tribunal ..... 17
16. Arrangements in Judicial Review Proceedings challenging Tribunal Decisions ..... 18

# 1. Introduction

The Chairperson of the International Protection Appeals Tribunal (hereinafter 'the Tribunal'), in furtherance of ensuring the efficiency of the functions of the Tribunal in accordance with fairness and natural justice, issues the following Administrative Practice Note ('APN').

This APN shall be read in conjunction with the provisions of the International Protection Act 2015 ('the 2015 Act'), the International Protection Act 2015 (Procedures and Periods for Appeal) Regulations 2017 ('the 2017 Regulations') and the International Protection Act 2015 (Procedures and Periods for Appeals)(Amendment) Regulations 2022 ('the 2022 Regulations'), and all Guidelines issued by the Chairperson pursuant to section 63(2) of the 2015 Act. In the case of any ambiguity or conflict, the legislation shall take precedence.

The previous versions of this APN, most recently published in October 2024, are hereby revoked.

This APN may be amended from time to time as the need arises, and appellants, their legal representatives and presenting officers for the Minister for Justice, Home Affairs and Migration are advised to keep themselves apprised of any changes, which will be noted in the *News* section of the Tribunal website.

By setting out this APN, the Tribunal expects that all parties appearing before the Tribunal will be aware of its procedures. All parties appearing before the Tribunal should be aware that a failure to comply with the provisions of this APN may lead to unnecessary delays in the processing and determining of appeals, and may be considered a failure to co-operate within the meaning of sections 27 and 45 of the 2015 Act.

In accordance with the Tribunal's values as set out in its Strategy Statement, the Tribunal is committed to treating all parties who appear before it with respect, dignity and consideration. The Tribunal expects the same standards of behaviour from all parties appearing before it.

# 2. Tribunal Sittings

Tribunal hearings currently take place either on-site at the International Protection Appeals Tribunal premises, which are located at 6/7 Hanover Street East, Dublin 2, D02 W320, or remotely by means of electronic communications technology (audio-video ('AV') link).

Pursuant to section 31(1)(a) and (5) of the Civil Law and Criminal Law (Miscellaneous Provisions) Act 2020 as amended, the Tribunal, as a 'designated body' is specifically enabled to hold hearings before it either in person or by way of remote hearing. In that regard, a Tribunal Member may, of their own volition, or following the making of representations by a

person concerned, be of the opinion that the hearing of a particular appeal remotely via AV link would be unfair to the person, or would otherwise be contrary to the interests of justice. Parties will be informed by the Tribunal whether their hearing will take place on-site or remotely by way of AV link.

All participants in the hearing are required to attend punctually to ensure that hearings can commence at the assigned time, whether the parties are attending on-site or remotely. Delays may impact adversely on other hearing participants and/ or other appeal hearings scheduled for the same day. Where an appellant fails, without reasonable cause, to attend a hearing at the date and time fixed for the hearing, the Tribunal will deem the appeal withdrawn pursuant to section 45(2) of the 2015 Act, unless the appellant, no later than 3 working days from that date, furnishes the Tribunal with an explanation for not attending the oral hearing which the Tribunal considers reasonable in the circumstances.

For those attending on-site, all persons must report directly to the security desk immediately upon arrival at the Tribunal premises. The security officer and Tribunal Scheduling & Hearings Team will have a list of all expected parties and participants in each hearing, and will mark off names once those persons have arrived. Once they have identified themselves, legal representatives, appellants, witnesses and interpreters will proceed straight to the assigned hearing room. If an appellant or witness arrives before or after their legal representative, they will be brought to the waiting area before being escorted to the assigned hearing room. It is recommended that legal representatives arrange, where possible, to meet appellants and witnesses before they arrive at the building itself. It should be noted that there are limited consultation facilities currently available at the Tribunal premises and these will be allocated strictly on a “first come, first served” basis and are available only for short consultations.

The presenting officers for the Minister for Justice, Home Affairs and Migration must go to the assigned hearing room at the appointed time whether the hearing is on-site or remotely by way of AV link.

For those attending hearings remotely by way of AV link, all parties should log on to the hearing using the link which has been sent to them by the Tribunal in advance. All participants will also have been sent the Tribunal’s Technical Guidance to assist parties in logging in. It is recommended that appellants and their legal representatives ensure in advance that they are able to log into Webex, that they have a stable internet connection, and will not be overheard or disturbed during the hearing. It should be noted that Tribunal hearings are to be held in private in accordance with section 42(4) of the 2015 Act and the recording of hearings is not permitted.

The Tribunal Member will enter the hearing room, whether on-site or remotely by way of AV link, at the appointed time.

If any participant is more than 15 minutes late, this delay may necessitate a postponement of the hearing because of the consequent effect that the delay may have on any other hearings

scheduled for that day. Alternatively, the Tribunal may decide to proceed in the absence of the party who is late, unless this would be contrary to the principles of fairness and natural justice.

Only persons actively involved in hearings will be permitted to attend at a Tribunal hearing, whether on-site or remotely by way of AV link. **There are no child-care facilities at the Tribunal**.

Appellants and/or their legal representatives must have notified the Tribunal of all proposed witnesses, and all legal representatives who will attend, whether in the notice of appeal or otherwise in writing in advance of the hearing, regardless of whether the hearing is to take place on-site or remotely by way of AV link.

All parties to a hearing, whether attending on-site or remotely, are reminded of the necessity to behave appropriately, that is to dress appropriately and to refrain from eating, drinking (aside from water) and smoking or vaping. The Tribunal is committed to ensuring that its proceedings and all parties appearing before it are treated with respect and dignity.

Tribunal hearings currently take place on-site or remotely by way of AV link – Mondays to Fridays throughout the year (save for public holidays). Any changes to this policy will be posted on the *News* section of the Tribunal website following consultation with Tribunal stakeholders.

## 3. Communications with the Tribunal

The Tribunal's telephone number is **1800 201 458**. This service is available from 9.00am – 5.00pm, Monday to Friday.

Documentation may be submitted to the Tribunal by way of email to the following address: info@protectionappeals.ie. Documentation may also be submitted by way of registered post to the **International Protection Appeals Tribunal, 6/7 Hanover Street East, Dublin 2, D02 W320.**

Appellants and their legal representatives are reminded to ensure that, either in the relevant Notice of Appeal or in a Schedule accompanying such Notice of Appeal, they list all the documents that accompany the notification of recommendation / decisions issued to them by the International Protection Office, or any other body whose decision is the subject of the appeal, as well as all other documents and / or records, upon which it is proposed to rely for the purposes of the appeal, indicating clearly the relevance of any documentation submitted (or parts thereof) to the appeal. Further directions will be given in respect of each of the Tribunal's five jurisdictions below.

**All documents submitted directly to the Tribunal that are not in English or Irish must be accompanied by a translation by a certified translator**, and it should also be noted whether the documents are original or copy documents. If documents have been received by the appellant from their country of origin / country of former habitual residence, it is helpful if the envelope in which they were received is also submitted to the Tribunal.

All correspondence to the Tribunal must bear the relevant **Person ID number** and **Tribunal reference number**.

The Tribunal has moved to paperless files in an effort to further improve its productivity and efficiency. **It is therefore appreciated if submissions to the Tribunal are made via email to submissions@protectionappeals.ie** and an **automated read-receipt should be requested for any email sent to the Tribunal**. If such receipt is not received, a follow-up email should be sent.

It is the policy of the Tribunal to acknowledge receipt of all correspondence received. Where communications are sent to the Tribunal by post, proof of postage should be retained. If documents are hand delivered to the Tribunal, this should be followed up with an email to info@protectionappeals.ie to confirm that hand delivery took place and to request a formal communication thereof.

All correspondence relating to an appeal should be communicated via the Tribunal. **Legal representatives, appellants, witnesses, interpreters and presenting officers must not attempt to contact Tribunal Members directly.**

The Tribunal does not accept documentation submitted by way of fax. This is to ensure compliance with the Tribunal's obligations under the General Data Protection Regulation (EU) 2016 / 679 ('GDPR').

The Tribunal is aware of its responsibilities pursuant to GDPR legislation. Any person who becomes aware of a potential data breach in any document or email to or from the Tribunal is requested to notify the Tribunal immediately.

# 4. Initiating an Appeal to the Tribunal

## 4.1. The Notice of Appeal

Section 41(2)(b) of the 2015 Act requires an appeal to the Tribunal in respect of a claim for international protection to be brought by notice **in writing within the period prescribed and specifying, in writing, the grounds of appeal**.

The relevant Notices of Appeal are to be found in **Schedules 1, 1A, 2 and 3 to the 2017 Regulations (as amended)** and the prescribed time limits within which an appeal shall be brought to the Tribunal are set out at Regulation 3 of the 2017 Regulations.

Editable version of the statutory Notice of Appeal forms are available on the website of the Tribunal: https://www.protectionappeals.ie/appeal-forms/.

**The appellant must sign the Notice of Appeal**. Where the appellant has not signed the Notice of Appeal, it is invalid and will not be accepted by the Tribunal.

Moreover, **Grounds of Appeal** must be provided in writing at the time the Notice of Appeal is submitted.

## 4.2. Late Appeals

The position in relation to an appeal under the International Protection Act 2015 which has been lodged outside the prescribed time period is governed by the 2017 Regulations, and in particular Regulation 4 thereof. The process for acceptance of Dublin Transfer appeals is provided by Regulation 7 of the Dublin System Regulations 2018 (S.I. No. 62/2018) (see section 8 below) and that the process for acceptance of Reception conditions appeals is provided by Regulation 22 of the European Communities (Reception Conditions) Regulations 2018 (S.I. No. 230/2018) (see section 9 below).

While the Tribunal will consider a request for an extension of the prescribed period, in application of Regulation 4 of the Regulations, an applicant seeking such extension must demonstrate that there were **special circumstances as to why the Notice of Appeal was submitted after the prescribed period had expired**, and **the Tribunal must be satisfied that, in the circumstances concerned, it would be unjust not to extend the prescribed period**.

In the event that an appeal is submitted late and does not contain a request for an extension of time, the Tribunal will inform the applicant in writing that his or her appeal was received late and that the Tribunal intends to reject the appeal on that basis. An applicant may then, within 3 working days of receipt of a notice of the Tribunal's intention to reject the appeal, seek an extension of the prescribed period.

However, the onus is on the applicant to demonstrate:

1. that there were **special circumstances** as to why the Notice of Appeal was submitted late,

and

2. to **provide information** enabling the Tribunal to form a view whether, in those special circumstances, it would be unjust not to extend the time.

The Tribunal will not enter into further correspondence with applicants once a request under Regulation 4 has been received and **all reasons and relevant information, including documentary evidence, must be provided as part of the request when made**.

## 4.3. Documents to be included with the Notice of Appeal

Furthermore, Regulation 5(2) of the 2017 Regulations contains an obligation to include with the Notice of Appeal copies of the documents listed therein, except for any documents furnished by the Minister to the Tribunal pursuant to section 44 of the Act of 2015. Presenting officers are reminded to ensure that all documents referred to in the section 39 Report are before the Tribunal, and they are also requested to ensure that requests made by the Tribunal Member dealing with the appeal pursuant to section 44(2) or (3) of the 2015 Act have been addressed prior to the oral hearing.

Please note that the Tribunal does not have the facilities to view the contents of either USB sticks, similar devices or DVDs / CDs. The Tribunal does have limited access to YouTube videos, however the relevance and provenance of such material must be clearly stated to the Tribunal.

## 4.4. Grounds of Appeal

The grounds upon which an appellant seeks to rely must be specified in writing and should be pleaded with specificity, as per section 41(2)(b) of the 2015 Act.

Any Notice of Appeal which does not specify the legal and factual grounds upon which the appeal is based will be invalid and **will not be accepted** by the Tribunal.

Specific procedural requirements, such as gender and dialect, must be identified in the Notice of Appeal. These issues, as well as the legal and factual grounds of appeal advanced may be relevant when the Registrar is assigning files to members pursuant to section 67(2) of the 2015 Act.

## 4.5. Request to hold an Oral Hearing

### 4.5.1. Accelerated appeal procedures in certain cases

Appellants in respect of whom an International Protection Officer's report contains any of the findings referred to in section 39(4) of the 2015 Act, i.e.

a) that the applicant, in submitting his or her application and in presenting the grounds of his or her application in his or her preliminary interview or personal interview or at any time before the conclusion of the examination, has raised only issues that are not relevant or are of minimal relevance to his or her eligibility for international protection;
b) that the applicant has made inconsistent, contradictory, improbable or insufficient representations which make his or her claim to be eligible for international protection clearly unconvincing;
c) that the applicant has failed without reasonable cause to make his or her application as soon as reasonably practicable having had opportunity to do so;
d) that the applicant, for a reason referred to in section 32, is not in need of international protection;
e) that the applicant's country of origin is a safe country of origin,

**shall**, in accordance with section 43(b) of the 2015 Act, have their appeals determined by the Tribunal **without an oral hearing**, unless the Tribunal considers it is not in the interests of justice to do so.

The Notice of Appeal for the submission of appeals falling under the accelerated appeal procedures pursuant to section 43 of the 2015 Act is contained in Schedule 2 of the International Protection Act 2015 (Procedures and Periods for Appeals)(amendment) Regulation 2022 (S.I. No. 542 of 2022). Should an appellant whose appeal falls under the accelerated procedures be of the view that in their case an oral hearing is necessary, they should set in their **Notice of Appeal Form 1A** any reasons why they are of the view that it is in the interests of justice that an oral hearing be held in their case.

Appellants are advised that, in accelerated appeals pursuant to section 43 of the 2015 Act, where there is no automatic entitlement to an oral hearing on request, the determination as to whether, exceptionally, an oral hearing is necessary in the interest of justice is a matter for the Tribunal Member dealing with the appeal.

Any submissions as to why an oral hearing is deemed necessary by an appellant must be clearly made at the time the Notice of Appeal is submitted and while any such submissions will be taken into consideration, parties should not expect the Tribunal to engage on correspondence on the issue. In other words, **in the case of an accelerated appeal**, the Tribunal may determine, without further notice, that an oral hearing is not required and, while the refusal of same will be addressed in the final decision of the Tribunal, **the Tribunal might not contact the appellant / their legal representative between the acceptance of the appeal and the issuing of the decision** on the appeal for international protection.

The Tribunal considers that what is required is that an appellant must have an opportunity to make his or her case. Whether an oral hearing is required in the interests of justice will depend on the nature of the case made (see: *VJ & anor v Minister for Justice and Equality and Ors* [2019] IESC 75, unreported, Supreme Court, 31 October 2019).

### 4.5.2. Request for an Oral Hearing – non-accelerated appeals

Appellants whose appeals do not fall to be determined under the accelerated appeal procedures are required to indicate in the Notice of Appeal whether they wish the Tribunal to hold an oral hearing as per section 41(2)(b) of the 2015 Act. Where such request has been made, the Tribunal is obliged by section 42(1)(a) of the 2015 Act, to hold an oral hearing. The Tribunal also holds an oral hearing if it, based on consideration by the Member to whom the appeal has been assigned, is of the opinion that it is in the interests of justice to do so (section 42(1)(b)).

If an appellant does not request an oral hearing and the Tribunal is not of the opinion that it is necessary in the interests of justice to hold an oral hearing, an appeal may be determined without an oral hearing (section 42(3)). In other words, while an appellant may prefer to proceed without an oral hearing, they may still be required to attend an oral hearing if the Tribunal Member to whom their appeal has been assigned is of the opinion that an oral hearing is necessary to carry out their functions as an effective remedy pursuant to Article 39 of Council Directive 2005/85/EC on minimum standards on procedures in Member States for granting and withdrawing refugee status.

## 4.6. Specific requests for Procedural Supports

Specific details in relation to the necessity for an interpreter should be set out in the Notice of Appeal, i.e. the **language** and*, where relevant,* the **dialect** required to ensure appropriate communication between the appellant and / or witness and the Tribunal at the hearing.

Please note in that regard that the communication need not necessarily take place in the language preferred by the appellant or witness if there is another language, including English, which they may reasonably be supposed to understand and in which they are able to communicate.

Any other particular requirements should also be set out in the Notice of Appeal, e.g. an appellant with hearing difficulties, mobility difficulties, or a request for a Tribunal Member and / or interpreter and / or presenting officer to be of a particular gender.

Every effort will be made to accommodate reasonable requests of this nature, which should be made as soon as possible in advance of the hearing of an appeal.

## 4.7. Notification of date of Oral Hearing

Regulation 6(1) of the 2017 Regulations, as amended by the 2022 Regulations, provides for notice of the date of an oral hearing to be sent to an appellant, his or her legal representatives and a copy of same to the Minister not less than 20 working days prior to the hearing date itself (in relation to appeals falling under section 42 of the 2015 Act) and not less than 10

working days prior to the hearing date (in relation to appeals to be determined by way of accelerated procedures pursuant to section 43 of the 2015 Act).

This notice period may be shortened on agreement between all parties, as provided for in Regulation 6(3) of the 2017 Regulations.

## 5. Statutory Provisions for According Priority to any Application

Section 63(5) of the 2015 Act provides that the Chairperson (a) may accord priority to an appeal when he or she is of the opinion that it is in the interests of justice to do so, and (b) that the Chairperson shall accord priority to an appeal that is the subject of a request by the Minister for Justice, Home Affairs and Migration under section 73(1), following a consultation with the Minister in this latter category**.**

In this regard, the Minister has requested that the Tribunal prioritise appeals from nationals of the countries listed in S.I. No. 121/2018, S.I. No. 32 of 2024 and S.I. No. 327 of 2024, those being:

- **Albania,**
- **Bosnia and Herzegovina,**
- **North Macedonia,**
- **Georgia,**
- **Montenegro,**
- **Kosovo,**
- **Serbia,**
- **South Africa,**
- **Botswana,**
- **Algeria,**
- **Brazil,**
- **Egypt,**
- **India,**
- **Malawi**, and
- **Morocco**.

Furthermore, the Minister for Justice, Home Affairs and Migration has determined that, in addition to the prioritisation and acceleration of international protection applications from

safe countries of origin under section 73(2)(k) and section 73A of the International Protection Act 2015, as amended by the European Communities (International Protection Procedures) Regulations 2023 (S.I. 541 of 2022), it would be expedient to prioritise and accelerate the processing of applicants from the top two countries of origin with the highest number of applications in the previous three months, in accordance with section 73(2)(1) of the Act.

It is also open to an appellant before the Tribunal to seek prioritisation of the hearing of their appeal, and such a request will be facilitated where, in the opinion of the Chairperson, it is in the interests of justice to do so. Any such prioritisation requests must set out in detail the grounds on which it is claimed that it is in the interest of justice to accord priority to a particular appeal and any such grounds should be supported by documentary evidence.

The Tribunal's prioritisation policy is reflected in Chairperson's Guideline No. 2025/1 on Assigning and Re-Assigning Appeals to Members of the Tribunal by the Registrar.

## 6. Notice of Appeal pursuant to section 21 of the 2015 Act

Section 21 of the 2015 Act deals with applications for international protection that have been deemed inadmissible by an International Protection Officer. An appeal to the Tribunal against a recommendation that an application be determined to be inadmissible will take place without an oral hearing (Section 21(7)(a) of the 2015 Act). For that reason, appellants are advised to submit in a timely manner, together with the Notice of Appeal (Schedule 2 to the 2017 Regulations), all documentation upon which they wish the Tribunal to rely.

While the Tribunal may seek further information in appeals of this type, an appellant should not expect that there will in fact be any communication between the Tribunal and an appellant from the time the Notice of Appeal and any supporting documentation or submissions are lodged until the time the decision is made.

## 7. Notice of Appeal pursuant to section 22 of the 2015 Act

Section 22 of the 2015 Act deals with subsequent applications. An appeal to the Tribunal against a recommendation by an International Protection Officer that the Minister for Justice, Home Affairs and Migration refuses to give consent to the making of a subsequent application will take place without an oral hearing (section 22(9)(a) of the 2015 Act). Appellants are advised to submit all relevant material for the consideration of the Tribunal in a timely manner, together with the Notice of Appeal (Schedule 3 of the 2017 Regulations).

While the Tribunal may seek further information in appeals of this type, an appellant should not expect that there will in fact be any communication between the Tribunal and an

appellant from the time the Notice of Appeal and any supporting documentation or submissions are lodged until the time the decision is made.

## 8. Appeals pursuant to the European Union (Dublin System) Regulations, 2018

The appeals procedure pursuant to the European Union (Dublin System) Regulations, 2018 (hereinafter 'the Dublin System Regulations'), S.I. No. 62 of 2018, is to be found at Regulation 6 of those Regulations, with late appeals covered at Regulation 7. In that regard the prescribed period for making an appeal is 10 working days from the sending to the applicant of the notification under Regulation 5(2).

The appeal against a transfer decision made by an International Protection Officer is an appeal in fact and in law. The issue to be considered by the Tribunal is that of the transfer of the appellant to another Member State of the European Union or a state that participates in the EU Regulation by virtue of an agreement with the European Union. Therefore, submissions should deal with matters arising under the Dublin System Regulations and Regulation (EU) 604 / 2013 (hereinafter 'the Dublin III Regulation').

Pursuant to Regulation 6(2)(b) of the Dublin System Regulations, the Notice of Appeal (available on the Tribunal website) shall specify the grounds of appeal, and indicate whether the appellant wishes the Tribunal to hold an oral hearing for the purpose of the appeal.

If an extension of time to make the appeal is necessary, the appropriate section on the Notice of Appeal must be completed in addition to the grounds of appeal.

In common with all appeals to the Tribunal, particularised substantive grounds of appeal are required and the Notice of Appeal must be signed by the appellant.

## 9. Appeals pursuant to the European Communities (Reception Conditions) Regulations 2018-2021

The Tribunal may determine appeals pursuant to Regulation 21 of the European Communities (Reception Conditions) Regulations 2018 (hereinafter 'the 2018 Reception Conditions Regulations') against a decision of a review officer which has been made under Regulation 20.

An appeal against a decision of a review officer under Regulation 20 must be made within 10 working days of the date of the notice of the decision. Late appeals are dealt with in Regulation 22. All first level appeals and / or reviews must have been exhausted before an appeal to the Tribunal is lodged pursuant to Regulation 21.

Copies of all documents referred to in the appeal must be submitted with the Notice of Appeal by the Appellant or his / her legal representative (Schedule 7 of the Reception Conditions Regulations, late appeals must also include the Notice at Schedule 8). In particular, the **decision of the review officer** which is the subject of the appeal must be submitted to the Tribunal **by the appellant**.

The appellant must sign both the Schedule 7 Notice of Appeal and (where applicable) the Schedule 8 Application for an extension of time within which to bring the appeal. As the decision should issue within 15 working days of receipt of the Notice of Appeal, time is of the essence in the submission of documentation and the appeal will be determined on the material submitted by the Appellant. If all documentation is not received with the Notice of Appeal as provided for in Regulation 21(2)(b), the appeal will not be regarded as a valid appeal.

## 10. Taking Evidence on Oath or Affirmation

Pursuant to section 42(8)(d) of the 2015 Act, and in line with the Chairperson's Guideline 2022/1 on Taking Evidence from Appellants and other Witnesses, the Tribunal may require all persons (over the age of 14) giving evidence before it to give that evidence *on oath*. Appellants and other witnesses whom the Tribunal requires to give evidence in this manner will be given the opportunity to *affirm* if they are a non-believer or if the taking of an oath is incompatible with the person's belief.

The following religious texts are available in the Tribunal premises: Old Testament Bible, New Testament Bible, Quran. In the case of remote hearings by way of AV link, appellants and other witnesses may take the oath on the appropriate e-book.

It should be noted, and legal representatives are requested to inform their clients appearing before the Tribunal accordingly, that proceedings before the Tribunal are 'judicial or other proceedings' to which the provisions of the Criminal Justice (Perjury and Related Offences) Act 2021 apply.

## 11. Privacy and Recording of Hearings

It should be noted that, in accordance with section 42(4) of the 2015 Act, oral **hearings before the Tribunal are held in private**. This applies to hearings conducted remotely by way of AV link in the same way as it does to hearings conducted on-site at the Tribunal premises.

In that regard, section 31(5A) of the Civil Law and Criminal Law (Miscellaneous Provisions) Act 2020 (as amended) provides that a person who,

(a) with the intention of frustrating the participation by a person in a remote hearing, **interferes with or obstructs the electronic communications technology** employed in the relevant hearing, or

(b) **makes**, without the permission of the Tribunal, **any recording of the remote hearing**, shall be guilty of an offence and shall be liable – (i) on summary conviction, to a class A fine or to imprisonment for a term not exceeding 12 months, or both, or (ii) on conviction on indictment, to a fine not exceeding €50,000 or to imprisonment for a term not exceeding 3 years, or both.

## 12. Submission of material / documentation to the Tribunal

In accordance with Regulation 6(4) and (5) of the 2017 Regulations, as amended by the 2022 Regulations, all material to be relied on by a party before the Tribunal in an international protection appeal where there is an oral hearing must be submitted not later than 10 working days prior to an oral hearing. Where in relation to appeals falling under the accelerated procedures pursuant to section 43 of the 2015 Act, the Tribunal has determined that it is necessary in the interest of justice to hold an oral hearing, any additional documents must be lodged with the Tribunal no later than 5 working days prior to the date fixed for the oral hearing.

These provisions apply to both the appellants and their legal representatives and to officers of the Minister or another person nominated by the Minister to be present at and participate in the hearing.

Moreover, in accordance with Regulation 6(5), as amended by the 2022 Regulations, **the Tribunal shall not consent to a party lodging additional documents in an international protection appeal where there is an oral hearing following the expiry of the prescribed period** unless:

(a) the documents concerned are **relevant and of probative value**;
(b) the documents concerned provide **new evidence or information**; **and**
(c) the party concerned, **with reasonable effort**, **could not have lodged the documents concerned** prior to 10 working days (5 working days in relation to appeals falling under the accelerated appeals procedures pursuant to section 43 of the 2015 Act) **before the date fixed for the oral hearing**.

In accordance with Regulation 6(4), the late submission of documents may only be permitted with the written consent of the Tribunal, or on the direction of the Tribunal.

As stated already, it should be clearly noted whether documents are original or copy documents, and all documents to be relied upon should be submitted in English or Irish or with an English translation of same.

All written submissions setting out and elaborating on the grounds of appeal in all international protection appeals should be submitted in **electronic Word format**. This will facilitate the Tribunal Member in the finalising of their decision and co-operation with this request is greatly appreciated.

In ease of both the Appellant and the Tribunal, it is recommended that submissions address as relevant those matters within its jurisdiction, which the Tribunal will address:

(i) Introduction, to include chronology;
(ii) Nationality;
(iii) Factual background and identification of those facts which the Appellant believes to be material;
(iv) Nature of persecution / serious harm feared;
(v) Convention ground or nexus;
(vi) Objective evidential basis of the future risk of persecution;
(vii) State protection;
(viii) Internal protection alternative;
(ix) Grounds upon which serious harm, in the context of subsidiary protection, is feared;
(x) State protection and / or IPA if different from above;
(xi) Exclusion (if relevant)
(xii) Submissions addressing *de novo* arguments which may not have been addressed at first instance (if applicable);
(xiii) Conclusion.

When drafting submissions, presenting officers may address the issues which are of concern to their role pursuant to section 42(6)(b) of the 2015 Act.

Written submissions in the context of other types of appeal will vary according to the nature of the appeal, but should address all relevant legal issues within the Tribunal's jurisdiction.

Country information (hereinafter referred to as 'COI'), where possible, is to be submitted **in electronic format** only in all appeals. If COI is referenced in written submissions, a hyperlink to that document online should be inserted. **The exact portion of the COI on which the Appellant relies should be cited** (page number, paragraph number) **and the relevance to the appeal of that portion of the COI should be set out clearly.**

The Tribunal would find it of great assistance if an **index in soft copy Word format** of all documentation and COI submitted by an appellant to the Tribunal with full titles and dates of each document, were emailed to the Tribunal no later than 10 working days before the oral hearing.

If the appeal is to proceed without an oral hearing, the documentation and index should be submitted with the Notice of Appeal. While the Tribunal **may** seek further information in appeals of this type, an appellant should not expect that there will in fact be any communication between by the Tribunal to them from the time the Notice of Appeal is lodged until the time the decision is made.

## 13. Use of Artificial Intelligence

Legal practitioners' attention is drawn to their obligations under Regulation 2024/1689, the EU Artificial Intelligence Act (hereinafter referred to as 'EU AI Act'), which came into effect from 2 February 2025.

Among the wide-ranging obligations contained in the EU AI Act is Article 4, which outlines that deployers of AI systems shall take measures to ensure, to their best extent, a sufficient level of AI literacy of their staff and other persons dealing with the operation and use of AI systems on their behalf, taking into account their technical knowledge, experience, education and training and the context the AI systems are to be used in, and considering the persons or groups of persons on whom the AI systems are to be used.

Recital 20 of the EU AI Act emphasises the important role AI literacy plays in fostering a culture of responsible AI use. The Act requires all organisations using AI systems to take measures to ensure that the knowledge and skills of their personnel are sufficient. This requirement does not only apply to high-risk AI systems, but it extends to any legal practice that deploys AI.

Failure to comply with AI literacy provisions can have significant consequences, including – but not limited to – fines, litigation, reputational damage and a loss of client trust. Even if outputs are derived from generative AI tools, this does not absolve legal practitioners of their professional responsibility.

All legal representatives are responsible for the accuracy of the material they put before the Tribunal. Barristers and solicitors have a professional obligation that extends to taking reasonable steps to satisfy themselves of the accuracy and reliability of material, including citations, which they put before the Tribunal.

Tribunal Members may request confirmation that legal professionals have independently verified the accuracy of any research or case citations generated using AI if they have any concerns regarding the materials provided to the Tribunal. Similarly, for unrepresented parties, if it appears that AI may have been used to prepare submissions or other documents by an unrepresented party, the Tribunal Member may inquire whether AI has been used and in what manner and may ask what checks for accuracy have been undertaken.

Information provided by an AI tool may be inaccurate, incomplete, misleading or out-of-date. Legal practitioners are required to ensure that all materials submitted to the Tribunal are checked before they are submitted to the Tribunal to ensure that they are accurate, appropriate and authoritative. Where any such materials have been prepared using AI tools, even in part, it **must be disclosed** to the Tribunal that AI tools have been used in preparation of the submissions.

## 14. Adjournments and Postponements

The issue of adjournments and postponements in relation to international protection appeals and appeals pursuant to the Dublin Regulations where there is an oral hearing is addressed in Regulation 9 of the 2017 Regulations and the Chairperson's Guideline 2018/2 on Adjournments and Postponements of Appeal Hearings.

Any request for a postponement shall be made in writing, and the Tribunal may grant an application for a postponement where it is satisfied that it is in the interests of justice to do so.

If an appellant seeks a postponement of an appeal before the Tribunal because of pending judicial review proceedings, his or her appeal will typically only be postponed if there is a relevant Court Order in place.

If an application for a postponement is made on medical grounds, medical certification of same may be sought.

## 15. Correction of Errors or Omissions by the Tribunal

Pursuant to Regulation 10(1) of the 2017 Regulations, the Tribunal is empowered to 'correct any error or omission' in any decision made by it under the 2015 Act. While the Tribunal may correct errors or omissions in a decision, it is not authorised to set aside a decision in full and to hold a rehearing after the decision has been made (see: *N.D. (Albania) v IPAT & anor*, [2020] IEHC 451, 22 September 2020).

Appellants and their legal representatives are encouraged to contact the Tribunal should they be of the view that a matter in a decision issued by the Tribunal requires correction by way of application of this limited 'slip rule'.

## 16. Arrangements in Judicial Review Proceedings challenging Tribunal Decisions

The Chairperson of the International Protection Appeals Tribunal, noting that the Tribunal is statutorily independent in the performance of all of its functions, pursuant to section 61 of the International Protection Act 2015 (as amended), and noting that the Minister for Justice, Home Affairs and Migration is the *legitimus contradictor* in judicial review proceedings challenging Tribunal decisions, requests Applicants involved in such proceedings to serve the Tribunal directly, separately and independently from the Minister for Justice, Home Affairs and Migration, with all pleadings for all judicial review proceedings in which the Tribunal is named as a respondent or notice party.

Reflecting its position as a 'court or tribunal' in EU law, the Tribunal will not normally participate in proceedings challenging its decisions, but may decide to do so, in particular, should judicial review proceedings involve an allegation of *mala fides* or other personal impropriety on the part of a division of the Tribunal or a challenge to procedures adopted by the institution of the Tribunal.

**The Tribunal kindly requests that it be served electronically at the following email address:**

**Judicial_Review@protectionappeals.ie**

*The Tribunal can also be served via post to:*

The International Protection Appeals Tribunal,
6/7 Hanover Street East,
Dublin,
D02 W320.

**The Tribunal requests that all Applicants who have taken judicial review proceedings arising from a Tribunal decision keep the Tribunal informed of the progress of such proceedings and notify the Tribunal of any consequential orders and/or settlement agreements.**

**The Tribunal also requests that Applicants who obtain an Order from the Superior Courts staying the progressing of an Appeal before the Tribunal, or who have received leave in respect of same, notify the Tribunal that such Order or leave has been obtained at their earliest convenience.**

This will enable the Tribunal to efficiently and expeditiously take further action, where necessary.

**Applicants are requested to follow these procedures from 12 January 2026.**

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