**Task Force: Advocating a human rights approach to Migration/Refugees**

***National Context Fiche***

**Name: Robin Hanan**

**Country and Network: EAPN Ireland**

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1. **State of play on migration/asylum**

From the 1850s to the 1980s, Ireland was generally a country of high emigration, and this has returned since the economic collapse of 2008. From the 1920s to the 1950s, more than half of all children born in Ireland emigrated.

* **Asylum:** Ireland has resisted asylum seekers entering the country. More people are turned away at the borders than apply for asylum. Because of the Dublin Convention, we therefore have a low number of asylum seekers.
* **Programme refugees:** Ireland has a poor record on Convention or Programme refugees, having taken in small numbers, in tens not hundreds, from successive crises such as Hungary (1956), Vietnam (1980s), Chile (1970s), Bosnia, Kosovo, Somalia and Syria. Ireland has taken only 273 programme refugees from Syria and promised to take the same over the next year.
* **Migration**: During the economic boom, to 2008, Ireland attracted a large number of EU migrants, especially form Poland and the Baltic states. Non-EU migration, particularly from China, is increased or decreased depending on labour market conditions, by means of visa policy. Ireland also has a substantial number of posted workers, particularly from India, working for multinational companies in high tech sectors. An increasing number of cases of forced labour are coming to light, due to cooperation between NGOs and trade unions, and there are considerable numbers of undocumented workers, mostly stranded after their contracts, and therefore their work visas, end, facing exploitation.

1. **Policy responses**

Government response has been:

* **In the case of asylum seekers,** to try to prevent them entering and, when they enter the country, mostly using the Dublin Convention and carrier liability legislation and to make the asylum process as difficult as possible and life as uncomfortable as possible. The state has a very confrontational approach to proving a case for asylum, resulting in one of the lowest approval rates in Europe. On the other hand, the process of deportation is difficult and costly, so many people are simply left in limbo. Ireland is one of the few countries in Europe which has never had an ‘amnesty’ for asylum seekers.

Asylum seekers are excluded from all anti-poverty strategies because they are not considered to be legitimately resident in the country until their status is determined. Ireland has opted out of the EU Reception Directive and asylum seekers are kept in reception centres for up to ten years, not allowed to work or study, living on €19.10 per week. This ‘direct provision’ system of accommodation and subsistence has become a national scandal, but there is little national awareness of the deficiencies of the asylum, system itself. On leaving the system, there are almost no supports for newly recognised refugees and little account of the impact of institutionalisation in deskilling people. As a job seeker they are expected to be job ready and available for work but this is often the time when all the consequences of leaving home, losing social networks, losing status and trauma of what they experienced surfaces – now they have status. Those in social protection system are ignorant of this, dismiss the experience and often label it as the person being difficult or uncooperative. Many speak of this experience as being worse than direct provision – there is no real preparation for the move or recognition of a transition phase for those leaving the direct provision system who lack the social networks that we all use to operate our way in Irish Society.

* **In the case of programme refugees,** the policy has been to accept the absolute minimum number to comply with UNHCR and EU demands. On the other hand, Ireland has been an advocate or a more open EU response. Where programme refugees are accepted, integration supports are now quite good, including language and skills training.
* **In the case of EU migration,** Ireland (with UK and Sweden) was one of the first to open up to the ‘new 10’ countries in 2004, and the economy benefited enormously. The number of unemployed from EU countries has been kept low due to the ‘habitual residency provision’ which restricts benefits and services for people (including returned Irish emigrants) who have not been employed for a substantial length of time in the country, creating considerable hardship and dependence on employers.
* **In the case of non-EU migration**, the government has restricted numbers but has used visas, especially in relation to Chinese students, as a ‘safety valve’ in times of skills shortages. Transfers within multinationals have generally been facilitated

1. **General civil society response**

Some civil society responses have included:

* Legal work, both paid and voluntary, to uphold the rights of refugees and migrants. This includes asylum cases; visa issues; labour rights etc.
* Non-legal rights work with groups not supported by state services. This includes joint NGO/trade union work to support workers in particularly exploitative industries; support for asylum seekers; advice centres supporting rights etc.
* Most local community groups (grassroots NGOs) work with marginalised groups excluded from state services, including migrants and undocumented workers, providing support in education, training, artistic expression etc., as well as rights work
* In relation to the recent EU crisis, there have been a number of campaigns which have been supported by most civil society groups for Ireland to increase its quota of refugees, but these have not had a big public impact
* Similarly, most civil society organisations have supported campaigns for a more supportive reception system for asylum seekers, but again so far to little effect
* Civil society groups include some run by migrants and asylum seekers, some providing outreach from existing Irish indigenous base and a large number which are mixed, involving both groups

1. **How your organization and EAPN is responding/working with the issues.**

EAPN Ireland as a network has not taken a leading role in any of the issues above, but the main groups working for the rights of refugees, asylum seekers and migrants and those providing services at local and national level are active members.

Our main roles have been to act as a node for sharing information on campaigns and service work and to take up key policy issues from members in our own lobbying work.