



Universal Periodic Review
REVIEWING HUMAN RIGHTS IN IRELAND
Your Rights. Right Now.

Fact Sheet No. 18

Immigration & Asylum/Trafficking/ Domestic Workers

The increase in the number of refugees, asylum seekers and migrants in the European Union brings into sharp focus the need to ensure that Irish laws on international protection and migration are fit for purpose.

In December 2015, the Government enacted International Protection legislation, which introduced a single procedure mechanism for the determination of international protection applications in Ireland. However, the legislation has not yet been commenced. In addition, there are concerns that the provisions unduly restrict the current family reunification entitlements of recognised refugees in Ireland. There remains no legal framework for the reception conditions of asylum seekers. There is no formal stateless determination procedure in Irish law.

Despite commitments, more comprehensive reform has not progressed and there has been no legislative reform in the broader area of general immigration and residence procedures. The Irish system remains based on Ministerial discretion, and there is no system of independent appeals in either immigration or naturalisation applications.

Recommendations

Introduce a legal framework for reception conditions and reform the current system of Direct Provision, including granting asylum seekers access to the labour market

Undertake comprehensive immigration legislative reform, including giving greater protection to undocumented migrants

Introduce a stateless determination procedure

Publish a National Action Plan to Prevent and Combat Human Trafficking

Develop a comprehensive victim identification and protection procedure with the involvement of civil society for the early identification of victims of trafficking

Fully Implement the ILO Domestic Workers Convention

A regularisation scheme for undocumented migrants is under consideration but it is unclear what progress has been made.

The National Action Plan to Prevent and Combat Human Trafficking expired in 2012 and has not been replaced.

The draft of the National Action Plan to Prevent and Combat Human Trafficking does not refer to plans to develop policy or law regarding protection of victims of human trafficking, and such policy for the identification and protection of victims is required.

Ireland ratified the ILO Domestic Workers Convention, 2011 (No. 189) in 2015. However, many domestic workers still face severe exploitation.



Facts and Figures

It is estimated that there are between 20,000 and 26,000 undocumented migrants in Ireland.

About Your Rights. Right Now

Your Rights. Right Now is a coalition of 17 Irish NGOs, trade unions and civil society groups established by the Irish Council for Civil Liberties (ICCL) in 2010 to coordinate the civil society response to Ireland's first examination under the Universal Periodic Review. This group was re-convened in 2015 in advance of Ireland's second examination. The coalition conducted a number of general and thematic consultations and invited written submissions to inform its report which was submitted to the UN in September 2015.

Members of the coalition are:

- Age Action
- Educate Together
- Free Legal Advice Centres
- Gay and Lesbian Equality Network
- Immigrant Council of Ireland
- Irish Congress of Trade Unions
- Irish Council for Civil Liberties
- Irish Family Planning Association
- Irish Penal Reform Trust
- Irish Traveller Movement
- Mercy Law Resource Centre
- National Women's Council of Ireland
- NUI Galway, Centre for Disability Law and Policy
- Pavee Point Traveller and Roma Centre
- Transgender Equality Network Ireland
- Union of Students in Ireland
- Disability Federation of Ireland

For more information see www.rightsnow.ie

