

AN IRELAND FOR ALL

POLICY PROPOSALS ON IMMIGRATION AND INTEGRATION

Labour Party Position Paper

*Adopted by Party Conference,
March 2024*

Labour 

OUR GUIDING PRINCIPLES

- That all migrants, in every step of their immigration process and regardless of nationality, religion, gender, race, ability, orientation or other characteristic should be treated with the same respect and with the same entitlement to basic human rights as Irish and EU citizens.
- Immigration policy and practice on refugee flows must take a humanitarian approach.
- Immigration brings major social, economic and cultural benefits as well as challenges to Ireland and it must be managed and regulated in a way that is beneficial to Irish people and migrant communities.
- Immigration policy needs to be supported by adequate resources for communities, our healthcare and education systems, legal services and policing, housing, and other public services along with a commitment to equality for all in housing, employment, and access to other public goods.

INTRODUCTION

The Labour Party is bringing forward our policy proposals on immigration and integration in recognition of the changes facing our world and our society. Migration has always existed, always will, and the political question Ireland faces is how we best manage it to ensure a well-functioning, regulated system. The Labour Party is determined we do it in line with our progressive values of solidarity, equality, and fairness.

People move for love, for work and for safety. They move to make a better life for themselves and their families. Most of us want the same things - good jobs, decent wages, and secure homes, and many of us know what it is like to have to move and leave our families.

Any discussion on migration in Ireland must be rooted in our history as a people who, for generations, have sought work and shelter across the world. Many Irish people still do. Nor can we forget that the Irish economy, and critical public services would grind to a halt without the immense contribution made by so many from a migrant background. In so many ways, our migrant communities have greatly enriched our society.

Ireland is now a diverse country. As the 2022 Census showed, just over one in eight

people living here are non-Irish citizens, with half of those from other EU countries, 13% from the UK, and the remainder from the rest of the world.

Our growing economy, and labour shortages in many key sectors has resulted in an increase in the number of employment permits issued. There has also been a substantial increase in the number of international students choosing Ireland as the location for their future education.

The war in Ukraine and the activation of the Temporary Protection Directive in March 2022 has seen Ireland rightly provide support to over 100,000 Ukrainians.

Global instability has also contributed to a substantial increase in the numbers seeking International Protection in Ireland, rising from 4,780 in 2019 to around 13,000 per year now. This however still leaves Ireland close to but below the European Union average. The Direct Provision system remains in place, despite a Programme for Government commitment to abolish it, and a 2021 White Paper that has been overtaken by events. Revised proposals are due later in 2024 for six new publicly owned accommodation centres.

Across Ireland, there has been a strong welcome for refugees, but many communities are targeted with misinformation and disinformation. This is exacerbated by a failure to properly plan and clearly communicate what is happening from Government and state agencies. There has been a very concerning increase in anti-immigrant sentiment, driven by small numbers of the far right seeking to exploit the issue for political purposes and attempts by some to root it in the housing crisis.

The sharp increase in the number of refugees, the failure of the State to source enough appropriate accommodation, and the aftermath of the November 2023 riot in Dublin has seen immigration rise as a concern for voters in public opinion polls.

The challenges facing communities across Irish society have arisen due to a mismatch between the government's slow provision of new homes and public services, at a time of increased demographic demand as our population grows, and as we all live longer. The State simply hasn't grown enough, nor planned properly for the many challenges facing our society. To take just two examples, we aren't building enough homes or training enough GPs or Gardaí to replace those retiring, and to keep pace with population change.

Those from migrant communities are making an essential contribution in keeping so many sectors within our society and economy running. Around one in five workers today were born outside Ireland. One third of whom are from countries outside the EEA and UK. There are 117 nationalities in our nursing and midwifery workforce. It is people from abroad who keep our health services running, bring skills and experience to leading Irish and multinational companies, provide public transport, work in our

information technology and care sectors to name just a few. They are our colleagues and add immeasurably to our workplaces and society.

Many from a migrant background are also likely to be in low paying and precarious jobs and to be denied basic worker rights and entitlements or live in unsuitable accommodation. This can leave them more at risk of poverty and distant from mainstream society, without a social support network. There must be no downgrading of employment standards. There must be increased regulation and enforcement to counter exploitation and abuse, to protect the livelihoods of all workers, protect good employers from the bad, and strengthen social cohesion. In parallel, the value of our social contract must be protected, and long-standing inadequacies in public services addressed.

Our approach must also be conscious that there will be periods of predictable inward migration that can be appropriately planned for. The system will then also face periodic shocks due to international crises like we saw with the wars in Ukraine, Syria or Afghanistan that will result in sudden spikes in refugee flows that require rapid upscaling of policy responses and the deployment of further resources.

For too long the government has been responding haphazardly to emerging events, without adequate plans and resourcing. Our policy proposals have been developed to address these issues, and to clearly outline the position of the Labour Party.

STRUCTURE AND TERMINOLOGY

Part 1 of this policy paper outlines general policy recommendations under the following headings:

- 1.1 Foreign Policy and International Development.
- 1.2 European Solidarity.
- 1.3 Management of Migration.
- 1.4 Communications Strategy.
- 1.5 Pathways to Citizenship and Regularisation.
- 1.6 Integration into Irish Life.

A confusing number of terms and overlapping definitions can be used when discussing migration. Descriptions such as documented or undocumented, Irish resident card holder, asylum seeker or programme refugee are all used for various categories of people who move here. There are specific rights to work and reside in Ireland for EU, UK, EEA (EU plus Norway, Iceland, and Liechtenstein) and Swiss citizens. The second part of this policy document is mostly concerned with migration from outside those countries.

Part 2 makes specific policy recommendations using categories based on the reasons for people moving to Ireland as follows:

- 2.1 Migrant Workers and Employment Permits.
- 2.2 Student Visas.
- 2.3 Family Reunion.
- 2.4 Temporary Protection Status.
- 2.5 International Protection.
- 2.6 People Smuggling and Human Trafficking.

PART I:

GENERAL POLICY RECOMMENDATIONS

REASONS FOR MIGRATION

The Labour Party recognises that many people migrate to fulfil their safety, social and economic needs, to meet the needs of the Irish and wider European economy and because of family connections.

Migration has been studied for decades, and we know that most people will migrate to the least extent possible, to neighbouring regions or, if they must, across a border to a neighbouring country.

Migration to Ireland is not just refugees or people seeking a better life, a lot of it is explained by the large multinationals based here having global workforces, Irish public services actively recruiting workers from around the world, and international students coming to Ireland, not least because we are an English-speaking country.

Many people from outside the 'West' will also migrate because their skills are in demand in the EU and UK, and they will be paid more here. We must recognise the resulting brain drain from other countries raises ethical issues, but that remittances play a crucial role in supporting families and development.

However, migration can also be underpinned by global issues: war, exploitation, political instability, oppression, poverty, climate change, globalisation, and the failure to regulate the excesses of free-market capitalism.

Many of these causes have roots in historical imperial colonisation, and in the ongoing military and economic activity of both developed western powers, and emerging powers in a more multipolar world.

1.1 Foreign Policy and International Development

Enduring solutions will sadly not be found until the underlying reasons for forced migration are addressed, and movement will persist from those countries and regions affected. That is why Labour believes Ireland must use whatever influence it has in international fora to effect change in these areas.

Labour, as a party of the international movement of socialists and social democrats supports an ethical Irish foreign policy that pursues peace and sustainable development, is rights-based and respects international law, promotes human rights,

seeks to limit and address the impacts of climate change, and gives concrete expression to our ideals of international solidarity.

- This diplomatic mission must be central to any discussion or national policy on migration.
- Gives consideration of the impact on the societies of home countries from the movement to Ireland and the EU of so many skilled professionals such as nurses, doctors, IT professionals, craftspeople, scientists, and engineers.

1.2 European Solidarity

As a member of the Party of European Socialists (PES), Labour recognises that we must work with our European sister parties to achieve a legal framework on migration that balances solidarity and responsibility for the effective and fair management of migration. For several years the PES and the S&D group in the European Parliament have called for a more progressive European migration and asylum system that stands by our values of international protection, upholds the right to asylum and that is based on solidarity between member states. We must also do so in a way that preserves the idea of a Social Europe and a strong welfare state. There is wide recognition that the EU must move away from crisis management, and further review will be needed in the years ahead, as all EU measures require compromise for adoption.

- As Ireland opts into parts of the Pact on Migration and Asylum it must be implemented to the highest possible human rights standards. The Pact will reform the EU's migration and asylum laws through a number of regulations and Commission recommendations but human rights, and the right to asylum must be protected.
- Ireland and the EU must invest more in our near abroad, in particular north and sub-saharan Africa, and the Middle East. We need a new EU Marshall Plan to assist countries develop their economies and governance.

1.3 Managing Integration, Migration and Asylum

The Labour Party is proposing the establishment of a new stand alone, fully resourced and staffed agency for Integration, Migration and Asylum modelled on the recent Portuguese reforms which saw their High Commission for Migration combined with functions from their Immigration and Border Service, known as AIMA.

This new agency would be responsible for coordinating a whole of government response and implementing major reforms to replace the Direct Provision system. A dedicated agency structure will bring focus and can remain under the responsibility of a senior Minister with other responsibilities. Many of the key challenges such as the

replacement of Direct Provision are significant and will require a multi-year approach. Ireland should also learn lessons from the previous work of the Portuguese High Commission for Migration which had a remit to oversee and coordinate all government activities related to migration and migrant communities and this is now integrated into AIMA.

Under Labour, the remit of this new Agency would include:

- The management of the International Protection system including accommodation, employment criteria, and social support for successful applicants, and the repatriation of unsuccessful applicants.
- The timely assessment of International Protection applications so that the processing of most applications does not take longer than three months.
- The direct public management of reception centres that allows for the independence and personal autonomy of all residents.
- Responsibility for the management of the Temporary Protection system including point of contact supports, temporary accommodation, liaising with other departments in relation to PPS numbers, medical cards, and other supports. Where hotels are used as a short- or long-term accommodation option, there must be provision for dual community use.
- Development and implementation of a clear, transparent communications strategy in relation to all immigration, across all media channels.
- Delivering on the recommendations of the Expert Advisory Group on ending Direct Provision and proposals outlined in the 2021 White Paper, many of which overlap with the policy proposals recommended here, and those in the recent Joint Oireachtas Committee report on Refugees and Integration.
- The organisation and funding of English language and civics classes for all immigrants who are not fluent in English, along with the option of Irish language classes.
- Providing required anti-racism and cultural awareness training for public servants including local authority staff and elected representatives.
- Undertaking socio-economic analyses and impact assessments in areas where there is a high proportion of migrants, to better inform the planning of public services.
- Collecting detailed data on immigration from a range of agencies and services to be able to identify areas of weakness, strength, discrimination, or other concern. A key focus should also be collection of data on housing needs.

- Overseeing research on the issues of migration and integration, with support from the ESRI and academia, including long term data gathering and analysis to inform strategic planning and investment. The Agency would also be responsible for gender proofing immigration and integration policies.
- Assessing annual additional employment needs, and management of a comprehensive database showing shortages in specific job fields. There should be a review and updating of this database at regular intervals, at least annually, to ensure it accurately reflects the labour needs of the Irish economy.
- The development of visa categories and criteria based on the labour market database.
- The processing of all visa applications including oversight of employment permits through DETE, student visas, and family reunification.
- The processing of all visa related issues arising out of employer breach of Irish employment law.
- The maintenance of a list of recognised colleges and schools that sponsor student visas and the regular inspection of such institutions to ensure compliance with visa requirements.

1.4 Communications Strategy

It is vital that the government, through a new Agency implements a clear and transparent communications strategy across all media channels both traditional, and digital, at every opportunity.

Local authorities, elected representatives, and community representatives in locations where international protection applicants will be housed need to be included early in the information sharing process. However, no one has a veto on where people can live.

Local communities should be clearly informed of the additional resources, funding and services that will be put in place to support refugees and international protection applicants, and the community itself, in advance of relocation.

This strategy should also contain a robust campaign to combat fears, stereotypes, tropes, or racism among the public in general and among public servants across all departments and services as well as public representatives on a national and local level. The National Action Plan against Racism must be fully resourced, and the long-awaited hate crime legislation passed into law.

The Labour Party would:

- Roll out dedicated information campaigns to inform communities of the positive aspects of migration, what actions the State is taking, and debunk myths and misinformation.

- Fully resource the National Action Plan against Racism and pass the long-awaited hate crime legislation.
- Introduce for a five-year period a National Migrant Forum, and increased resources for Local Authority community response forums and integration officers, with updated local integration strategies in each local authority and municipal district.
- In the long term provide avenues for integrating migrants into local authority SPCs, national forums and dialogue processes to achieve stronger interculturalism.
- Develop and invest in more community-based initiatives that include both migrants and Irish citizens to grow local social networks and social solidarity.
- Work with social partners – trade unions and employer groups – as well as civil society organisations to ensure migrants are supported in the workplace to tackle exploitation and know their rights.

1.5 Pathways to Citizenship and Regularisation

All those who attain the required reckonable residency to apply for naturalisation, and meet the criteria of self-sufficiency where relevant, should have a clearly documented path to citizenship. As a first step Labour would commence a review of this complex area to ensure all paths are aligned to this objective.

In other countries such as France there is a requirement for knowledge of the national language, history and culture. As part of the pathway to citizenship we propose that applicants would engage in formal but short courses by way of an introduction to Irish life and culture in order to assist with the integration process. This requirement for Ireland would be considered as part of Labour's proposed review of citizenship pathways.

The cost of becoming an Irish citizen should be the same for all but fees should be waived for children and victims of human trafficking. The cost for each application for naturalisation is currently €175. If successful, the follow-on cost for a certificate of naturalisation is €950 with a reduced rate of €200 for a child or widowed partner of an Irish citizen. There is no charge for refugees. We believe there is scope to reduce these fees in recognition of the contribution long term residents here will already have made to our society.

The national citizenship ceremonies introduced in 2011 have been very successful. We believe there should now be an option for these to take place on a county-basis so that new citizens can avoid prohibitive travel costs and create a more personal connection to local civic society.

The Labour Party was successful in 2021 in having the residency time for children born in Ireland to become qualified for citizenship reduced from five years to three, but we still want to go further over time to restore citizenship by birth. Our laws also need to recognise and provide for undocumented children, children of parents who live in Ireland on a student visa, and children in the asylum system. Children should be able to make their own independent applications for citizenship along with a process for children in the care of the state.

The regularisation scheme introduced in 2022 for undocumented migrants was successful but some people did not qualify, while others will continue to become undocumented. A pilot ongoing process should be introduced to ensure no one has to live undocumented long term in Ireland, with the numbers assessed on an annual basis. There should also be a review of residency rules and consideration given to opting into the Long-Term Residents Directive (recast) which is currently being negotiated.

Political participation is relatively open in Ireland as anyone resident here can run as a candidate and vote in local elections, but more can be done to encourage and support candidates from a migrant background. EU citizens can vote in the European elections. Voting rights in Dáil elections should be extended to all long-term residents living in Ireland for over five years. The Electoral Commission should launch a major voter registration drive for non-Irish citizens resident here.

The Labour Party would:

- Provide a clearly documented path to citizenship for all resident migrants and review the existing rules and options for a language and civics test.
- Reduce the cost of citizenship fees, waive these for children, and address the long waiting times for naturalisation. Waivers should also be in place for victims of human trafficking and other categories of vulnerable migrants.
- Ensure that every child born here has a pathway to Irish citizenship.
- For those for whom citizenship may not be an option or desire, visas should not have to be renewed annually and in person, and there should be a clear pathway to secure permanent residency.
- Introduce a pilot ongoing mechanism for undocumented people to regularise their immigration status with regular close monitoring.
- Review residency rules and consider opting into the Long-Term Residency Directive.
- Extend voting rights in Dáil elections for all long-term residents, living in Ireland for over five years, regardless of citizenship.

1.6 Integration into Irish Life

Throughout this policy paper we outline a number of integration proposals. To date the government has failed to provide adequate supports to both communities and

migrants, and often only in reaction to events rather than through proactive policies. Migrants have much to offer Ireland – economically, socially and culturally – and they should have the opportunity to integrate into the life of the country they have chosen as their home, while at the same time retaining their own ethnic identity. Our objective is an intercultural Ireland where people of different cultures are united in a more equal society.

Education and Training

To support integration and to ensure that migrants are not disadvantaged economically or socially the Agency, in collaboration with the Department of Education, the Department of Further and Higher Education, Education and Training Boards, professional bodies and other stakeholders should:

- Provide English as a language teaching courses throughout Ireland for migrants who are less than fluent in English. These courses should be required for all migrants to ensure a basic level of fluency, and should be fully funded and staffed by professional language teachers. Irish should also be offered as an option.
- Civics and cultural classes should be provided for all categories of migrants. These classes would focus on orienting new immigrants to Ireland’s political, health, education, legal and social systems. These must be sensitive to diversity while seeking to educate new residents about Irish law, social and cultural norms. The aim of these classes is to assist new residents in their adjustment to Irish life and encourage participation at both community and national levels.
- These introductory classes should also provide content on the right to vote and information on basic employment rights including how to join a trade union.
- Professional bodies should liaise with education providers to provide any additional training to the existing professional qualifications of migrants, and to orient them to ways in which Irish practice differs from practices in their home country.

Housing, Community Infrastructure and Services

Central to developing integrated local communities is access to affordable and social housing, and far right actors want to use government failures to drive negative narratives on migration. Less migration would stagnate our economy and reduce our ability to address deficits in infrastructure and services. More housing will improve conditions for everyone. Labour has separately outlined comprehensive policies on housing, where we need to build at least 50,000 new homes a year.

Addressing deficits in local community infrastructure and services, alongside a community development approach that engages and builds the participation of people on issues of concern to them, must also be central to our integration efforts. Across the

country, Labour public representatives have worked with their local communities, and other likeminded representatives to welcome refugees and migrants. Through these collaborative approaches concerns can be addressed and social cohesion strengthened.

Labour would:

- Implement our housing policies and raise building targets to deliver at least 50,000 new homes a year.
- Invest in community services including education, public transport, community health care and GP practices.
- Adopt community development approaches to address local issues of concern and support the establishment of local welcome committees.

Other integration measures Labour would implement include:

- A HSE National Integration Office in recognition of the high numbers of staff it hires from abroad.
- A HSE strategy for the provision of healthcare to migrants and diverse ethnicities. Those in International Protection should be offered health screening and mental health supports along with culturally appropriate care plans.
- As recommended by the Immigrant Council of Ireland, the Zaragoza+ indicators should form the basis for our approach to measuring the impact of integration measures, along with the collation of housing data to inform future policy decisions. The indicators cover a broad range of areas within employment, education, social cohesion, active citizenship and a welcoming society. The data points range from employment rate to property ownership and voter turnout among many others.
- Increased participation of migrants in our political and electoral system, as stakeholders, voters and candidates, so that our political representatives are reflective of our society, and that the concerns of new Irish citizens and residents are heard in the political system.
- Ensure financial and administrative supports are put in place for local welcome initiatives and community integration projects.
- Experience shows the enterprising and innovative spirit of migrants. The network of Local Enterprise Offices and Partnership and LEADER programmes should be tasked with developing new programmes to help migrants develop business ideas and to become employers.

PART 2: SPECIFIC CATEGORIES OF MIGRANTS

2.1 Migrant Workers and Employment Permits

There are currently nine categories of employment permits, and these are issued by the Department of Enterprise, Trade and Employment (DETE). When successful, and if living outside Ireland, a visa must be secured. After arrival a person must register and will have an Irish Residence Permit granted.

The Employment Permits Bill 2022 is currently progressing through the Oireachtas. The Labour Party has tabled several amendments to strengthen this legislation.

Labour Proposals on the Employment Permit (Work Visa) System:

- The criteria for issuing employment permits must be reviewed and updated at least annually to ensure the permit and visa system serves the needs of the labour market in a timely manner and is not undermining existing terms and conditions.
- Criteria must be closely based on the categories of workers in short supply in Ireland at any given time, and where shortages are likely to persist.
- Key sectors seeking employment permits should demonstrate a commitment to engaging with the industrial relations machinery of the state, and to increasing the level of collective bargaining in the workforce.
- Recipients of employment permits should be able and assisted to speak basic English. This will also help avoid exploitation by bad employers. Some categories of workers require fluency in English.
- The permit system must ensure that migrant workers are not paid less than Irish workers in the same job categories.
- We oppose the introduction of seasonal permits which are being forced through by the Government and will seek the publication of the list of employers availing of these.
- The cost of renewing an employment permit should be reasonable. The cost of the Irish Residence Permit card is extortionate and should be reduced in line with other public identity cards. The current €300 fee is an additional tax on migrants.
- Every recipient of an employment permit should be provided with information, independent of their employer, about the right to join a trade union, and their employment rights in Ireland, along with contact details for ICTU and the WRC.

- Recipients of employment permits should be able to access health care on the same basis as those with residency status.
- Noting the recent number of IP applications from countries in the EU Accession process, most of which have now been designated as safe countries, a strategy for advertising employment permits in these jurisdictions should be adopted.

Labour Proposals on Conditions of Employment:

- Once granted, employment permits should not be tied indefinitely to specific employers, and after 12 months should be transferable. If the employer contravenes Irish labour law, migrant workers should have the right to seek alternative employment in the same field. The new Agency should facilitate this with a well-developed mechanism to review individual cases and take appropriate action in relation to the employers who contravene employment law.
- Such employers found to breach employment, wages or equality legislation should face effective, proportionate, and dissuasive penalties including being banned from sponsoring employment permits in the future.
- After two years, holders of employment permits should have full access to the labour market, as currently exists for critical skills permits. This will reduce exploitation rather than tying workers to the same employer for five years.
- If housing is offered as part of the job, it should not be forfeited if the worker leaves the employer due to the employer's breach of Irish employment law.
- If housing is provided by the employer, a migrant worker who changes employer due to breaches of Irish labour law, the worker should be given a minimum of six months to find alternative accommodation. During that period, the worker will pay reasonable market rent to the employer and be able to live in the existing accommodation without harassment or intimidation.
- A dedicated programme of WRC Inspectors should be resourced to protect migrant workers from work-based discrimination especially those vulnerable to exploitation and racism because of visa status and the nature of their work that may include isolation, long and/or irregular hours in a household.

Number of Employment Permits:

- The number of employment permits issued annually should be balanced between the genuine needs of the labour market and the employer's ability to ensure suitable accommodation.
- Data should be collected on the living standards, poverty rates and housing conditions of migrants to inform policy responses.
- Detailed statistics on earnings should be collected to ensure there is no undermining of established salary levels.

2.2 Student Visas

There has been a welcome increase in the number of international students choosing Ireland as a location for their future education, especially post-Brexit as the only English-speaking country in the EU. This brings many benefits for Ireland. However, we are concerned that student visa holders are open to exploitation through insecure employment, and platform work such as food delivery, and that this will maintain an economy with a disproportionate number of low paid positions.

The Labour Party believes that:

- Student visas should be issued only to students enrolled in state recognised and accredited institutions.
- A student visa should include the right to work part-time but this should be closely monitored to avoid exploitation. Participating schools and colleges should be required to keep attendance records annually for overseas students.
- The Stamp 1G graduate 'stay back' visa should be extended by one year to keep skills in the economy longer but also so we remain competitive with the UK for attracting students from abroad.
- Participating schools and colleges must ensure that their students are treated fairly.
- Attendance records should be part of any application to renew the student's visa.
- Recipients of student visas should access health care on the same basis as Irish residents and provide for their own accommodation.

2.3 Family Reunion

Documented migrants have the right to reunification with their immediate family though it is restricted, and many cannot reunite for several years. We believe everyone should have the right to have their family with them when coming to work and live in Ireland and Labour would review current policies in this area. The children, spouses/ life partners of immigrants with long-term (more than one year) work visas may apply for visas to accompany the primary permit holder. There is a specific gender dimension to family reunion that must be addressed as it is most often women who are unable to work on restrictive family visas.

The Labour Party believes that:

- There should be immediate family reunion rights for all legally resident migrants in full time employment once the primary permit holder can demonstrate their ability to support and house their immediate family members.
- Adult family members should have the right to work, at a minimum, in part-time employment so we would review existing rules that apply to ensure equal and fair

treatment. In particular, Stamp 3 dependent family members of permit holders have limited access to employment and education often for many years and this should be reviewed with a view towards improvement, based on international models.

- Student visa holders should have the right to reunification with their spouses/ life partners and children for the duration of the student visa and must be able to demonstrate their ability to house and support family members coming to Ireland.

2.4 Temporary Protected Status

Ireland has provided support to over 100,000 Ukrainians, a third of whom are children and young people under 20. We support the extension of the TPD while the war in Ukraine continues.

The Labour Party believes that:

- Beneficiaries of temporary protection status should have access to State provided accommodation for three months, and up to six months of their stay if required, with supported transition into the housing system.
- During this time supports around job seeking, accommodation, intensive English and culture should be provided by the state in an accessible location as previously outlined.
- They should have an immediate right to work, and a temporary medical card. When they find employment, they should then be allocated medical cards on the usual basis.
- There should be access to third level for all school leavers on the same basis as Irish residents.
- In advance of temporary protection status ending a path to residency should be offered, with the right to apply for residency or work visas to remain in Ireland if they choose not to return to their home country on the same labour market basis as other work permits.
- Recognition of qualifications from their home country should be fast-tracked with conversion courses or exams where necessary, with safeguards to protect against poorer quality qualifications.

2.5 International Protection

A refugee is someone who has had to leave their country of origin because of “a well-founded fear of persecution because of reasons including their race, religion, nationality, membership of a particular social group or political opinion”.

Ireland is a signatory to the 1951 United Nations Convention Relating to the Status of Refugees, which obliges the State to provide protection to people fleeing their country for the reasons above.

An asylum-seeker is a person who has made an application to be a refugee and is referred to as an International Protection (IP) applicant.

When someone makes an application for asylum in Ireland, we must examine that application. The applicant may then be declared a refugee, or their application may be rejected.

Subsidiary protection may be granted if a person does not qualify as a refugee but where there is a risk of serious harm if returned to their country.

Permission to remain may also be granted by the Minister for Justice based on individual circumstances.

Safe/Unsafe Countries:

There has been recent commentary and controversy about the numbers seeking International Protection, with a focus on countries that may be deemed safe. The Minister for Justice may declare a safe country of origin on the basis that there is generally no persecution, no torture or inhuman or degrading treatment or no threat of violence from an armed conflict. When this applies, applications will be subject to an accelerated application procedure and a decision made within 90 days. For any person fleeing one of those 'safe' countries this designation will of course be subjective and contingent to their own circumstances. Everyone has a right to claim asylum.

Countries that are deemed safe may for example still have oppressive political systems, fail to uphold human rights, or suppress ethnic and cultural minorities. These applicants may also be eligible for subsidiary protection.

The Labour Party is particularly concerned at the impact of such designations on vulnerable groups, including women and girls, members of the LGBTQI+ community, and those from ethnic minorities.

The best way to address any implied abuse of the IP process is to adequately resource the processing system so that applications can be quickly dealt with, and status either granted, or refused, leading to repatriation. The Labour Party has also called for the waiting period until an IP applicant is allowed to work to be reduced from six to three months. This also provides an incentive to the Department to speed up processing times.

The Labour Party calls for:

- An efficient processing system for International Protection applications to reduce waiting times.
- Guarantees that the processing system recognises the specific challenges facing those from vulnerable groups including women and girls, members of the LGBTQI+ community, and ethnic minorities at risk of persecution.

Repatriation: All deportation orders should be followed through in a timely fashion as provided for under the law, but IP applicants must be given time and support to make their case, and appeal to the International Protection Appeals Tribunal if necessary and as the law and due process allows. The new Agency should publish regular statistical updates on the number of cases being processed, the outcomes, and the status of unsuccessful cases to maintain confidence and transparency in the system.

General Recommendations:

- There should be designated Community Garda contacts in areas accommodating IP applicants to support onboarding and provide ongoing support.
- IP applicants have a right to health care and education on the same basis as Irish residents.
- Dedicated mental health and trauma-informed supports and other targeted health interventions should be made available to applicants in recognition of their own individual circumstances.
- They should have the right to seek employment three months after arrival. If employed and availing of state provided accommodation the person should pay a differential social rent on the same basis as local authority tenants.
- The government should provide own door housing for IP applicants in gender sensitive and culturally appropriate accommodation that takes into account the right to safety, privacy, and autonomy in areas such as cooking, laundry, and religious worship. Once their application has been processed and the applicant has the right to remain in Ireland, they should have up to one year to find their own accommodation.
- We recognise that failures in government policy have led to an over-reliance on commercial hotel beds to accommodate IP applicants.
- As previously outlined the recommendations of the Expert Advisory Group and the proposals from the 2021 White Paper should be implemented.

2.6 People Smuggling and Human Trafficking

There will always be people smugglers and criminal gangs who seek to exploit the hopes and desires of people desperate for a better way of life. We must be conscious when reforming our immigration system that there will always be a tension in the system - that unscrupulous actors will try to use any avenue to make profit through the illegal trafficking of people.

Victims of human trafficking, especially women and girls are incredibly vulnerable, undocumented, and likely totally disconnected from their usual support networks. There is no excuse for this crime, and our criminal justice system must adopt a comprehensive

strategy for identifying any gangs seeking to exploit vulnerable migrants, and ensure they are stopped, caught, and prosecuted. In situations where a migrant woman is in Ireland dependent on their partner's visa, if she has to leave due to violence, she should not have to return to her country of origin and should have access to a visa in her own right. Other measures needed include:

- Implementation of the third National Action Plan to Combat Human Trafficking.
- As a priority, introduce a national referral mechanism to support victims of trafficking to come forward.
- Provide increased resources to support women and girls trafficked for sexual exploitation, including enough refuge spaces to meet Ireland's commitments under the Istanbul convention.
- Ensure migrant women who leave their partners due to violence are not left only with the option of returning to their country of origin.
- Introduce more proactive workplace inspections to identify forced labour.

CONCLUSION

The State needs to ensure that the systems and processes we have in place to manage economic migration, our refugee response, and support integration are properly resourced and adaptable to manage the needs of our economy and society and meet our international obligations.

With the right resourcing and government commitment the State can and must balance the humanitarian and moral obligation to accept refugees with the availability of housing and safeguarding of the fabric and cohesion of local communities. It is a core duty of the State to properly plan, and ensure it is quickly able to process applications and provide appropriate accommodation, while also meeting the needs of communities. The new Agency we propose must operate the system fairly and transparently.

A well-managed and fair system of migration, with adequately resourced integration measures is now essential for Ireland.

These proposals outlined by the Labour Party are a first step to securing that political and social goal. It will however require constant review and further reforms, and most importantly, a better managed State that makes the right political choices now to avoid damaging consequences later.



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