

**“Right to work for asylum seekers will promote and foster social and economic inclusion.”
(1st June 2017)**

Doras Luimní welcome the significant development in asylum seekers rights on Tuesday 29th May as Ireland’s Supreme Court unanimously finds the complete ban on employment for asylum seekers to be unconstitutional. The Court has been adjourned for six months to allow the legislature to respond.

Leonie Kerins, CEO of Doras Luimní said:

“The Supreme Court ruling could have profound consequences regarding the social and economic inclusion of people seeking asylum in Ireland going forward. We hope to see swift progress in the coming months to bring Ireland in line with the rest of the EU.

For the past 17 years, asylum seekers have been socially and economically excluded in Ireland under current legislation and the Direct Provision system.

Thousands of inspiring, skilled and capable people have been demotivated, depressed and deskilled as a result of State policies and in particular the ban on employment. It is time to ensure that Ireland will prevent further and future damage by putting human rights and dignity at the core of its policies.”

Kerins continued:

“As the legislature considers its response, we encourage an informed, forward-thinking and evidenced-based approach.

The “pull factor” argument referenced in the decision is often presented by Government to excuse current restrictions and conditions in the Direct Provision system. This argument is rooted in a belief that Ireland will see an increase in asylum applications if conditions, including work rights, are more favourable.

No research evidence supports the “pull factor” argument and forced migration is too complex a phenomenon to be explained by numbers alone. There is a combination of multiple contributing factors that cause people to flee their homes. Doras Luimní looks forward to participating in informed debate on this issue over the coming months as the Oireachtas considers how to proceed and respond.”

Doras Luimní call on our supporters to reach out to your political representatives, urging them to act quickly and effectively to bring about employment and integration opportunities for asylum seekers in Ireland.

ENDS

Notes:

- Ireland's policy of prohibiting asylum seekers from working is in stark contrast to almost all EU countries, where people are allowed to contribute and support themselves and their families. The only other EU country that bans employment for asylum seekers is Lithuania.
- Full Supreme Court ruling is available here: <http://www.courts.ie/Judgments.nsf/09859e7a3f34669680256ef3004a27de/bba87f6e90ea3c5d80258130004199fe?OpenDocument>
- 1996 Refugee Act first set out Ireland's ban on employment for asylum seekers, which was subsequently upheld in the International Protection Act 2015.
- Asylum applications increased in Ireland at a time when criticism and scrutiny of the conditions and failures of Direct Provision was at its peak from 2013 to 2015. From 2013 to 2014 asylum applications increased in Ireland by 50%. From 2014 to 2015 applications increased by 120%.
- Following the publication of the McMahon report and the subsequent reform process, asylum applications decreased by 30% in 2016. Detailed statistics on asylum applications in Ireland are available at ORAC here: [http://orac.ie/website/orac/oracwebsite.nsf/page/AJNR-AJED6J930229-en/\\$File/2016%2012%20ORAC%20Dec%20monthly%20stats%20book.pdf](http://orac.ie/website/orac/oracwebsite.nsf/page/AJNR-AJED6J930229-en/$File/2016%2012%20ORAC%20Dec%20monthly%20stats%20book.pdf)
- Human Rights in Ireland blog post for background to and analysis of right to work for asylum seekers: <http://humanrights.ie/economic-rights/asylum-seekers-and-the-right-to-work-the-supreme-court-decision/>
- The right to work was a recommendation in the McMahon report, published in June 2015 and available here: <http://www.justice.ie/en/JELR/Pages/PR15000389>
- The Department of Justice published a progress report on the implementation of the McMahon report recommendations, available here: <http://www.justice.ie/en/JELR/Pages/PR17000065>
- The EU Directive on Reception Conditions outlines the minimum standards for reception conditions of asylum seekers, including access to the labour market nine months after lodging an initial asylum application. Ireland has not opted in to this Directive: https://ec.europa.eu/home-affairs/what-we-do/policies/asylum/reception-conditions_en

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