

“Doras welcomes significant developments on right to work and reception conditions for asylum seekers”

3rd July 2018

The Government has introduced new measures that will allow eligible asylum seekers the right to work, as part of wider efforts to bring Ireland in-line with EU standards.

Leonie Kerins, CEO of Doras Luimní, said: *“Doras welcome this significant development on the right to work and Ireland’s opt-in to the EU Directive on Reception Conditions, which marks an important step forward in securing basic rights for people seeking asylum.”*

We commend the Government for introducing broad access to the labour market, and in particular, for not limiting the sectors in which people may seek to apply for employment. This marks a significant shift in policy and will positively impact on individuals, families and communities across Ireland.”

Until recently, Ireland was one of only two EU countries to have a complete ban on employment for asylum seekers. In February 2018, Ireland’s ban on employment was declared unconstitutional which prompted the Government to take steps towards transposing the EU Directive on Reception Conditions.

Kerins added *“The right to work has been an important advocacy issue for Doras for almost 20 years and is one of the greatest challenges expressed by the people with whom we work. We acknowledge the courage and determination of the Burmese man and long-term resident of Direct Provision, who took this historic case to the Supreme Court, which helped to change the lives of people seeking asylum in Ireland going forward.”*

While Doras broadly welcome the positive developments, we are disappointed that access to the labour market is not being retrospectively applied. Long-term residents of Direct Provision and people who are appealing first instance decisions will not have a right to work under these new measures.

Kerins commented *“Long-term residents of Direct Provision, who have suffered as a result of the unconstitutional ban on employment, will continue to be excluded and will not benefit from this successful Supreme Court case. Though these new measures mark an important step forward, Doras will continue to advocate for broader and less-restricted access going forward.”*

Furthermore, the reduction or withdrawal of the Direct Provision allowance through means-testing may pose challenges for residents and we hope that the Government will put the necessary supports in place to assist people to effectively transition from Direct Provision to independent living.

Doras will be hosting information sessions for residents of Direct Provision in the Limerick region on eligibility details and the application process in July and August 2018. If you or someone you know requires advice on accessing the labour market, please contact the Doras Advice and Information Centre at Central Buildings, 51a O’Connell Street.

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Notes

- On 27th June 2018, the Department of Justice and Equality announced new measures for access to the Irish labour market for international protection applicants, as part of the transposition of the [EU \(recast\) Reception Conditions Directive](#).
- From 2nd July 2018, eligible international protection applicants can apply for permission to work directly to the [Immigration Naturalisation and Immigration Service \(INIS\)](#).
- Eligibility criteria for access to the market is limited to international protection applicants who have not received first instance decision nine months following their application.
- The decision to opt-into the EU Directive on Receptions Conditions followed the [Supreme Court ruling](#) on a case taken by a Burmese national and long-term resident of Direct Provision in January 2017.
- Doras provide advice and legal information to asylum seekers, refugees and people from other migrant backgrounds at the Advice and Information Centre at Central Buildings, 51a O'Connell Street, Limerick. For more information, please visit www.dorasluimni.org