



Statement to Justice Committee

Safe Passage: A New Approach to the Refugee Crisis – Humanitarian Admission for families fleeing conflict

Firstly, I want to take this opportunity to thank the Chairman Caoimhghín Ó Caoláin, all of the Deputies and Senators, and the Clerks of the Justice Committee for inviting us here today to speak about our proposal for a humanitarian admission programme for families fleeing conflict.

Nasc is the Irish word for 'link'. We work to link migrants, refugees, asylum seekers and ethnic minorities living in Ireland with their rights. We do this by offering a free legal service and advocacy in the areas of immigration, protection and social welfare law.

One of the key focuses of Nasc's work is reuniting families. Over the past 16 years, Nasc has worked with thousands of individuals and families seeking to bring family members to safety in Ireland. In the past two years alone, we have helped reunite over 137 families, rescuing men, women and children from war, violence and persecution. As a result, we have developed expert knowledge of the issues and barriers people are facing when seeking to bring family members to Ireland.

We have all seen the images on the news or on our social media of people in rickety boats trying desperately to get to the safety of Europe's shores. Families living in hovels or makeshift tents, freezing and starving while they wait for Europe to do something to protect them. We have seen countless images of drowned children, injured children, starving children, children on their own, children at risk. Recent events in Calais are unfortunately just a particularly dire example of this.

We are rightly horrified by these images. And the majority of us want to do something to help. That is a testament to our humanity, our goodness and our belief that we can make a difference. It is a tribute to who we are and the Ireland our ancestors fought to make a reality a century ago.

But the reality is that most of us do not know what we can do. And the Government's response to date, to take 4,000 refugees and asylum seekers over two years - and indeed the most recent commitment to take 200 unaccompanied minors from Calais, while commendable, is simply not enough to account for the millions who are displaced worldwide, or the thousands of children that now live in risk throughout Europe. And it does not even begin to account for those who have been forced to remain in conflict zones – Aleppo, Mosul, Yemen, South Sudan, Eritrea.

Syrians and other refugees and naturalised citizens living in Ireland also see those images, and despair. It is the country of their birth lying in ruins. They still have family – sometimes close family (spouses, children),



sometimes extended family (parents, siblings, nieces and nephews, cousins), fighting for survival that they desperately want to bring here to safety. Just imagine for one moment that those images we see daily were our country and our children.

In the last few years, in the midst of devastating civil war in Syria, Nasc has been working to secure family reunification for many Syrians living in Ireland – some are refugees, some migrant workers, some naturalised Irish citizens. Many of these people are willing and able to provide for their family members when they arrive, so that they will not become a burden on the State. And yet, we are seeing significant delays and refusals in the processing of visa applications, in the offering of travel documents, and in the use of positive discretion to include extended family members.

The failure to positively exercise the exceptional discretion that is currently embedded in both the Refugee Act, 1996 and the Family Reunification Guidelines is a fundamental failure of the Irish government to act on its humanitarian capacities and offer a safe and legal route for people to flee conflict zones and be reunited with family members here in Ireland.

To illustrate the lack of humanitarian or exceptional discretion being used by the Irish Naturalisation and Immigration Service (INIS) in some of their decision making, a letter from INIS issued in 2015 to one of our clients, a well-established and highly experienced professional here, refused his application for a visa for his parents, despite his father being in the late stages of Alzheimer's, questioning the degree of destruction in Syria, stating: "It is noted that central Damascus has been relatively unscathed by the war in Syria."

Another client's refusal was based on his failure to show the financial dependency of his two brothers – for example, records of money transfers to bank accounts in Syria. However, his brothers, like many in Syria and throughout the world, do not have bank accounts. And even if they did, most banks no longer process money transfers to Syria, and even if money does arrive it is likely to be confiscated by the Assad Government.

We have many more stories like these.

Importantly, the imminent commencement of the International Protection Act, 2015 will effectively remove that exceptional discretion for extended family members. So once that Act has been fully commenced – which we are told will happen within the next few weeks – refugees and those with subsidiary protection in Ireland will no longer have the right to have anyone but their close family members (previously married spouses and minor children) join them here in safety.

A safety net is urgently required. Nasc has a pragmatic, cost effective and durable solution that will provide a humanitarian safety net, to bring families together in a safe a legal way, to remove the need for people to undertake dangerous sea or land crossings, and stop the traffickers who profit from this human misery. It also provides an opportunity for Irish communities to finally do something positive to



support those fleeing conflict, by sponsoring a family reunification application and supporting a family in need.

We are calling on the Government to grant safe passage to reunite families by:

1. Introducing a humanitarian admission programme for extended family members, taking the learnings from the 2014 Syrian Humanitarian Admission Programme to develop a more enhanced and functional scheme;
2. Taking a greater humanitarian approach to decision making in visa applications emanating from family members who are displaced or living in conflict zones;
3. Giving the Irish community an opportunity to sponsor families fleeing conflict, on the lines of successful sponsorship programmes in Canada and Germany, where evaluations show high levels of integration and participation outcomes for sponsored individuals.

This is the basic outline of our proposal. It is designed to complement the Government-agreed resettlement and relocation quotas to address the current humanitarian crisis, and can go some way to filling our as yet unfulfilled commitments under the Irish Refugee Protection Programme.

Given the current global climate, the rise of extremism in both the West and the 'developing' world, we must take every opportunity (to paraphrase Michelle Obama) to 'go high when they go low', to do what is right because it is right and not just because it is politically expedient. To not just react with partial and ad hoc bandages but to act positively and decisively with stable, sustainable and durable solutions. Actions that mark Ireland out as a leader in championing inclusion when they want exclusion, tolerance when they want hatred and human rights when they want authoritarianism. This is our chance to offer something that will help bring families together in safety, out of conflict, not just now but into the future.

Thank you again for the opportunity to present our ideas and expertise to you. We would be very happy to discuss the proposal in more depth with you, and welcome any questions.

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