# 10th Annual Irish Institute of New York Lecture Glucksman Ireland House, New York University 20<sup>th</sup> April, 2017 Sr. Stanislaus Kennedy



# Founder, The Immigrant Council of Ireland

As founder of the Immigrant Council of Ireland, I am happy to be able to talk to you today about what we have been experiencing in our work over the past 16 years.

The Immigrant Council of Ireland operates as an independent law centre and we identify gaps in legal provision and protection for immigrants to Ireland and try to ensure that policies on immigration promote the human rights of immigrants. We are committed to a rights-based approach in our work with immigrants, and we work with government departments and other organisations to ensure fair and transparent policies and practices.

# Global context

Globally, upwards of 60 million people are experiencing displacement, and migration has never, in our experience, been so much to the fore in public consciousness.

There have been flashpoints where migration processes have completely broken down, for example on Europe's borders. This is due to a complex humanitarian disaster that has at its core the tragic plight of men, women and children risking their lives for the opportunity of a better life or indeed a life at all. Cross-border migration, (whether of refugees who are forced to leave their country or of economic migrants who leave voluntarily), now accounts for over 3 percent of the global population.

Ongoing displacement crises and political upheavals have in some cases led to policy developments such as more rigorous border enforcement. We in the West are increasingly seeing international conflicts, growing authoritarianism and massive economic disparities across the globe, all of which are driving large numbers of people to leave their own countries.

Nowhere has this been felt more starkly than in Europe, which is the destination of choice for refugees and migrants from Africa and the Middle East. As a result, European governments are asked to reconcile the competing policy imperatives of controlling borders and managing entries while meeting protection obligations.

These developments have led to various reactions. The current administration in the United States, for example, has brought in severe restrictions on immigration from countries perceived to pose a threat to national security. In the United Kingdom, it does seem as if Brexit was driven by significant hostility to immigration and fears of loss of British identity.

Marine Le Penne, who is standing for election as president in France, has an election strategy that opposes immigration and questions the future viability of the European Union – with massive implications for the rights of migrants residing in the EU or trying to enter it.

There has been ongoing debate between liberal values (openness to immigration, positive attitudes towards diversity) and fears of globalisation and immigration. It appears that many people feel left behind by globalisation and do not feel the improvements in their lives promised if they would just weather the storm of many years of recession and austerity. Migration has become a scapegoat for people who feel alienated and disconnected in their own lives.

A recent EU-wide study shows that liberal values matter in decisions on, for example, gay marriage; but it seems that for some reason people do not bring those same values to bear when it comes to the issue of migration – even though the very same values about rights and human dignity ought also to apply in this area. It seems that fears of globalisation outweigh people's attachment to humane values and that anti-migration rhetoric is what people want to hear from their politicians.

The challenge for those of us working to establish rights, security, protection and integration for immigrants and their families is how to lessen the fears of people who have a growing sense of alienation and exclusion that they attribute to globalisation. We need to find effective ways to ensure that those who are migrating meet with a humane and human-rights informed reception, leading to integration and equality.

# In Ireland ...

Fortunately, public attitudes to migrants are not all negative. In Ireland in particular, there has never been a more positive and welcoming attitude to refugees and migrants. In all the years of our existence as an organisation we have never seen such a level of public good will towards refugees. We have been inundated over the past two years with offers to volunteer, offers to help with English language classes, offers even of a room in their house to give a refugee a home. This good will is driven by a humane response to scenes of boats capsizing in the Mediterranean and of men, women and children fleeing barrel bombs in Aleppo that people are seeing on their televisions.

The global phenomenon of migration has had a significant impact on Irish society. Historically a country of emigration, Ireland experienced unusual levels of inward migration between the 'boom years' of 1996 and 2008. The scale and pace of Ireland's transformation to a country of inward migration was remarkable. We now have 199 different nationalities in Ireland,, and we have changed from being a country of recession, unemployment and emigration, to one of diversity, vibrancy and growth.

The flow of inward migration to Ireland is now much slower, but there is still more inward than outward migration, and the vast majority of immigrants in Ireland are here legally, contributing to Irish society and supporting the growth of the Irish economy. Migration has contributed also to a steady increase in the overall population, which now stands at 4.67 million.

In addition to economic migrants we also have people here who are refugees or are seeking protection – in 2015 there were more than 1100 people in Ireland who are refugees, persons of refugee-like status or asylum seekers. Top nationalities are Pakistan, Nigeria, DRC, Somalia, Iraq, Zimbabwe, Albania, Algeria, Syria, Stateless.

# **Refugee Crisis in Europe**

There continue to be unprecedented increases in refugees globally and the need to find an effective response to both massive displacement and unmanaged migration is urgent. The EU promised 160,000 places for refugees, but by the end of 2016 only 19,000 places for relocation had been secured.

The number of people crossing the Mediterranean has been halved over the past year, but the number of documented deaths had increased to 4742 by mid December 2016, up by one third, as more people took the longer, more dangerous, North Africa to Italy route.

The Immigrant Council of Ireland lobbied and campaigned successfully for the Irish Navy to have a life-saving presence in the Mediterranean, resulting in Irish ships being sent to the Mediterranean and tens of thousands of lives being saved. This is a source of immense pride, for the Immigrant Council, for the Navy and for the Irish public.

Ireland has agreed to take more than its EU-required numbers of refugees from the Mediterranean crisis, but so far only 616 refugees have arrived. Ireland has recently appointed a Minister for Migration, and two of our government ministers recently visited camps in Greece to see conditions for themselves.

# Funding

Ireland has seen an explosion in volunteers travelling to Greece and northern France in recent years to assist on the ground. However, the work of achieving sustainable and long-term reform requires funding to develop structures, expertise and supportive services.

There is a pressing need for proper allocation of funding and political acceptance that this is an on-going issue in need of investment, and there is a very real danger that civil society groups may not be financially stable enough to provide quality expertise and advice to migrants.

# The narrative

Although the narrative around migration in ireland is different from that in the US, mainland Europe and the UK, where there is massive public unease and far-right politics is in the ascendant, there is always the danger that the international narrative could affect us in Ireland also and influence public opinionn here. The Immingrant Council of Ireland has a strong communication and media engagement strategy, and we see influencing public and political debate as core to our work.

# Integration

This year the Irish government launched its three-year Migrant Integration Strategy. The Immigrant Council was heavily involved in the consultation process and is centrally placed to deliver in areas such as civil and political participation, integration policy and strategy development, mentoring and leadership and anti-racism initiatives.

International experience suggests that successful integration for the newest arrivals will not be easy. Many refugees relocated to Ireland from Greece and elsewhere have high support needs, and extensive investments of political, financial, and intellectual capital will be needed.

The part that local communities can play in this regard is generally underestimated by the state. The Immigrant Council is currently in the process of developing an 'Integration Hub'. This will provide support and expertise to local and national partners working to help migrants to integrate and achieve their potential.

# Racism

Unfortunately, racist incidents are increasing in Ireland. Migrants we work with report harassment, violence and property damage, especially in the context of social housing. Racist attacks are not the daily experience of all, but for those who do experience it, racism and discrimination are severe barriers to integration and social cohesion. It is impossible to feel that Ireland is your home when the front windows of your house have been smashed and swastikas daubed on your front door.

The Immigrant Council is one of the few organisations in Ireland working to combat racism. We offer those who experience racial harassment an opportunity to report the incident and support in seeking redress. We document the issues for policy makers and legislators, and can use this information to frame and influence the debate.

We have had huge success working with the public transport industry in combatting racism and recently have carried out ground-breaking work with Muslim communities and are working with key influencers in the area of social housing.

We need to ensure robust hate crime legislation, which is presently lacking. The provision of information, advice and representation is also needed.

# Migrant Children

The number of migrant children displaced is a matter of real concern, especially the plight of unaccompanied minors. More than 600 children died trying to cross the Mediterranean in the first nine months of 2016.

Children who migrate are particularly vulnerable. Children who do not have parents on whose status they can rely are not formally catered for under Irish immigration law or administrative arrangements. We see this daily in our work.

Asylum applications can take as long as five years in Ireland, and people in this process must live in state-provided hostels (known as 'direct provision'). Parents in this situation have no permission to work and earn a living. Long-term institutional living for adults and children can and often does lead to mental health issues for both adults and children. There are currently 1400 children living in such hostels in Irelad.

In December 2016 the Immigrant Council launched the largest and most comprehensive piece of research on the situation of children from a migrant background ever undertaken. It is available on our website.

# Access to Justice

Ireland's migrant population experiences barriers when accessing justice and achieving their rights in the immigration system. There are high levels of bureaucracy, discretion, refusals and lack of clarity in the system. A delay in legislative reform is creating difficulties for many migrants trying to navigate the Irish system. Existing State provision is inadequate, and the situation is expected to get worse, as funding is decreasing.

New legislation in the area of International Protection is currently being implemented. This legislation is more restrictive, especially in the area of family reunification; there are also serious delays in the system, and powers of detention are increased.

Provision of legal information, advice and representation is more important than ever, and this provision comes mostly from non-state organisations such as ourselves.

# Human Trafficking

Irish authorities identified 78 suspected trafficking victims, including 22 children, in 2015. The experience of trafficked people included sexual trafficking, forced labour and forced criminal activities. Ireland is both a destination and a source country for women, men, and children subjected to human trafficking. Foreign trafficking victims identified in Ireland are from Africa, Asia, and Eastern Europe.

As migrant women present so highly in the Irish sex trade, the Immigrant Council is key to ensure legislative progress in the area of sexual exploitation. We, as a lead partner in the Turn Off The Red Light Campaign, have recently secured the passing into Irish law of legislation which criminalises the purchase of sex in Ireland and decriminalises those who are in situations of prostitution and trafficking.

# **Immigration-related Detention**

The Immigrant Council is also concerned that people who may be entitled to asylum are not being given permission to land. In 2015–16, a total of 5946 non-nationals were refused leave to land.

# Homelessness

Homelessness among people of a migrant background is increasingly visible in Ireland. In the past, it was mainly people who were unsuccessful in their application for asylum and other undocumented migrants who came to the attentionn of the homeless agencies. Nowadays EU nationals make up significant numbers on the Irish streets. Often these are single men who migrated here to work, but did not find employment or did not bring sufficient resources to tide them over.

# To conclude ...

The current global migration situation may look like a new phenomenon, but in reality it has been building for decades. Civil war in Syria has been a contributory factor, but before that were the wars in Afghanistan and Iraq; human rights abuses, economic disparity and lack of opportunity, along with endemic mismanagement, corruption and exploitation in various countries. Climate change has been taking the livelihoods of borderline impoverished people away on the wind like dust. A confluence of catastrophes has caused the situation to spill over into its present form.

People who are fleeing are doing so out of desperation and what they are meeting is a selective, narrow and restrictive vision of migration. To date, migration has been 'manageable', but things are changing, and if we do not come up with a new global vision, we will continue to be firefighting; thousands will die every year seeking to enter other countries; millions, billions will be spent to little avail and thousands of little refugee toddlers will be wash up on shores all over the world.

We have to expand and strengthen legal migration channels, and we simply must invest in integration if we want to secure the future. We need a sustainable response built on a respect for human rights and dignity. This does not have to mean 'open borders', but it does require a more open vision of migration that understands that people are more mobile now than at any other point in human history. This mobility and interconnectedness will increase into the future. We need to try and imagine the future, a future that we can work towards. Will we still be building fences and walls 50 years from now and pulling bodies from the Mediterranean? Will we still be trying to come up with more inventive ways to push people back?

Or will we be treating each other with dignity and humanity?

World events are unpredictable and under the control of countries where we have no influence, but how we repond to them is up to us.