

International Protection and Family Reunification in Ireland

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International Protection Act 2015

- ▶ Most significant reform to Ireland's international protection system in the last 2 decades.
- ▶ Introduction of the single application procedure.
- ▶ Aim is to achieve certainty at a much earlier stage for those who qualify for international protection - in turn, will provide for more timely family reunification.

Changes to family reunification under IP Act

- ▶ Family members - spouse/civil partner, children (if they are under 18 and unmarried) of the sponsor and parents/siblings of the sponsor (if the sponsor and siblings are under 18).
- ▶ Time limit of 12 months for application from date international protection granted.
- ▶ Removal of the Minister's discretionary permission for extended family members.

Why?

- ▶ To bring Ireland in line with EU norms under the EU Family Reunification Directive - however, no economic conditions imposed on sponsors.
- ▶ Bring an end to the previously open-ended process - more timely reunification of family members - time limit still more generous than 3 months under the EU Directive.
- ▶ Minister retains discretionary powers for extended family members under the INIS Non-EAA Policy Document on Family Reunification - can waive economic conditions for humanitarian reasons.

Provisions in other EU Member States

Under the EU Family Reunification Directive (2003/86/EC), Member States may impose conditions before allowing family reunification including:

- ▶ Requiring the sponsor to have adequate accommodation, sufficient resources and health insurance;
- ▶ Imposing a waiting period; and
- ▶ Asking third-country nationals to comply with integration measures before or after arrival.

Provisions in other EU Member States contd.

- ▶ *Germany* - new Regulation on family reunification in 2016 - introduced a 2 year suspension for persons granted subsidiary protection (SP).
- ▶ *Austria* - 3 year waiting period for SP beneficiaries introduced in June 2016.
- ▶ *Cyprus, Greece, Hungary* - no family reunification for persons granted SP.
- ▶ *Sweden* - introduced a temporary law in 2016, which removed right to family reunification for persons granted SP. Will remain in force until July 2019.

Seanad Private Members Bill

- ▶ *International Protection (Family Reunification) (Amendment) Bill 2017.*
- ▶ Reintroduce open-ended permission / right to reunification for extended family members (removed discretionary element from Refugee Act 1996).
- ▶ Government opposes the Bill - significant & unquantifiable impacts on housing, healthcare, education, welfare payments and other State supports. Refusal to grant money message.

FRHAP Programme

- ▶ *Family Reunification Humanitarian Admission Programme (FRHAP)* announced by Ministers on 14 November.
- ▶ Address the issue of family reunification for some immediate family members coming from established conflict zones that are outside the scope of the International Protection Act 2015.
- ▶ Operate under the discretionary powers of the Minister. Up to 530 vulnerable family members will benefit from reunification under the programme over the next two years.
- ▶ Aim is to have as many families benefit as possible - sponsors asked to prioritise a small number of family members for admission. To minimise impact on housing - priority may be given to sponsors who can meet the accommodation requirements of eligible family members.
- ▶ Further announcements expected in the coming weeks.

Irish Refugee Protection Programme

- ▶ Original resettlement commitment of 520 refugees within 2 year EU programme (2015-2017). To date, 785 refugees admitted from Lebanon (54% children). Additional 255 refugees to arrive in early 2018.
- ▶ New commitments for resettlement in 2018 & 2019 - 600 each year (largest pledges in a calendar year since national resettlement programme began in 2000).
- ▶ Reforms made to family reunification under the International Protection Act 2015 allows the State to respond to ongoing and future crises by way of resettlement and other forms of humanitarian admission.

Thank You! – Any Questions?

