

Opening Statement

MASI is the collective Movement of Asylum Seekers in Ireland, a platform for asylum seekers to join together in unity and purpose. As a group of people directly affected by the system of direct provision and as people who are currently undergoing the international protection application process, we, unlike experts and NGOs, are uniquely placed to offer direction to the Committee on Justice and Equality on these issues.

The content and recommendations in our submission are all directly informed by the experiences of members as asylum seekers; people who live every day of their lives under the dehumanising system of direct provision. The purpose of our submission is to gather together our collective experiences to inform the Justice Committee and to make a series of key proposals that will make the Irish State's asylum system compatible with minimum human rights standards.

- Human rights are not gifts bestowed by governments and institutions; they are rights and entitlements that we all possess by virtue of being human. People cannot be treated as 'less than' others and, indeed less than human, merely because of differences in nationality and citizenship. In May 2017, Supreme Court told the Department of Justice and Equality that as asylum seekers, we can rely on constitutional protections that affect us as human beings. That simply means fundamental human rights are not reserved for Irish, EU and other legally resident non-EU nationals in Ireland. And that an asylum seeker child does not have to be Irish for the best interest of the child to prevail. It cannot be in the best interest of the child to ban parents from working. There are children in Direct Provision forced to grow up in State sponsored poverty as their parents are unable to provide for their material needs. Many of them are too ashamed to tell their friends in school where they live. In a Direct Provision centre in Kildare, children dumped their sandwiches underneath their seats on the bus because they were too ashamed of carrying the same thing for lunch every day. A mother once told an Irish court that she had to sell sexual favours in order to support her child while living in Direct Provision.
- The asylum system must uphold and vindicate the fundamental human rights of all international protection applicants, including family rights, the right to privacy, the right to education, the right to work, the best interest of the child, vulnerable persons, LGBT rights, women's rights, the right to religious freedom. We receive so many texts from distressed asylum seekers. One such text was from a woman who was ostracised for having HIV. She had no privacy to take medication and as soon as roommates found out what the pills were for, people began gossiping about her. Another text we received was from a queer woman who was told by the International Protection Office that she was not credible thus her application for protection rejected. This means that the IPO believes she is lying about her sexual orientation and wants her to prove her sexual orientation. She is not the only LGBT+ applicant to be treated as such. That dehumanising practice of assuming asylum seekers are lying must stop.
- The role of the asylum system is to vindicate peoples' right to seek asylum and to live in safety in Ireland, not to dehumanise people.
- The rights of the child and the protection of children in the international protection system must be a priority of the asylum system. And unaccompanied minors who turn 18 before receiving a final decision on their asylum claim must be supported to live independently, and not be shipped off to Direct Provision centres.
- Deportations are brutal and dehumanising can have no part of an ethical and human rights centred approach to asylum and migration. A lot of the people who are taking

sleeping tablets in Direct Provision struggle to sleep for fear that the next letter in the post could be a deportation order. We also believe that no child born in Ireland, in the asylum system or undocumented, should ever be served with a deportation order. The Minister for Justice and Equality can, should, and must introduce a scheme to regularise undocumented people in Ireland with long term residency for all children born in the State to non-EU parents.

- People seeking protection in Ireland are entitled to live an independent life with their families in accommodation that upholds the rights to privacy, dignity, and integrity of the person. The warehousing of asylum seekers in Direct Provision centres across the country, without certainty of time for stay, amounts to effective incarceration as many asylum seekers are divorced from the social, economic and political life of the country in the same manner as prisoners in Mountjoy Prison.

Our key recommendations are:

- Legal Process: The process of seeking asylum is first and foremost a legal process so it is essential that people receive all necessary legal advice and that the system is orientated towards vindicating peoples' right to seek asylum and to live in safety.
- Work: The right to work must be immediate and unrestricted for all people seeking protection in Ireland.
- Reception: People should be accommodated in reception for no longer than three months before moving into housing in the community.
- Direct Provision: Direct provision should be abolished and people seeking asylum in Ireland should have access to the same housing supports via their local authorities as is the case for others.
- Full and tuition fee free access to education and training at all levels must be available to international protection applicants.

We are human beings like you. All we ask is that we be treated as such. The very fact that people have to ask the government to treat them humanely should shame all of you.