

News Item

The Immigration, Residence and Protection Bill

UNICEF Ireland calls on the Irish Government to ensure the Immigration, Residence and Protection legislation protects all children equally

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Melanie Verwoerd, Executive Director of UNICEF Ireland, today (9th April 2008) opened University College Cork's conference on Children and Migration. Welcoming the opportunity to speak at the conference, Ms. Verwoerd emphasised how this event was highlighting an issue of grave concern to UNICEF.

Her keynote address entitled "Children on the Move" is relevant in Ireland at the moment given the growing concern over the introduction of the Immigration, Residence and Protection Bill (IRP Bill).

Opening the conference, Ms. Verwoerd stressed the urgency to re-address the Bill and ensure all children's rights are protected equally. *"All migrant children should be treated as children first and migrants second. The IRP Bill is a unique and historic opportunity for the Irish Government to adhere to the UN Convention on the Rights of the Child (CRC). As the Bill currently stands there could be serious violations of the convention, which are of concern to UNICEF Ireland,"* warned Ms. Verwoerd.

Ms. Verwoerd emphasised the Irish Government's responsibility for ensuring that all children, physically within the jurisdiction of the State, are guaranteed fulfilment of their rights as outlined in the CRC.

She highlighted five critical issues that UNICEF Ireland have identified as potential violations of the CRC and must be re-addressed as a matter of priority to ensure that the best interest of 'every child' is the primary consideration.

1. Every child has the right to apply for protection

Section 73 (13) of the Bill indicates that children will automatically be incorporated into their parents' application for protection. It needs to be clearly stated in the Bill that every child will get the right to apply for protection.

2. Separated children need protection

The IRP Bill fails to incorporate new provisions for the protection of separated children. This is an opportunity to introduce a new provision, in line with Ireland's obligation under the CRC, which will address issues such as; identification, age assessment, registration, family tracing, guardianship, treatment and care.

3. No child should be detained

The new Bill indicates that a person can be detained at every stage of the protection process. UNICEF Ireland is strongly opposed to the detention of children during their protection application and believes that alternative measure should be sought.

4. No families should be separated

There is a lack of clarity regarding the care of children whose parents are detained.

5. Suspected trafficked children deserve protection

There is currently no specific provision for the protection of suspected trafficked children. Specific provisions relating to the protection of suspected trafficked children are needed to ensure that there is an explicit recognition of the right of trafficked children to seek international protection and to have access to free legal aid.

"The best interests of each, individual child must be the primary consideration. In order for this to be achieved it is essential that the highlighted issues are revised," stressed Ms.Verwoerd.

She concluded her address by reiterating that there is now a window of opportunity to ensure that the IRP Bill ensures all children are protected: *"Migration has been a reality for thousands of Irish families for generations. This is our chance to ensure that we protect the rights of children everywhere, and adhere to international conventions set up to protect every single child."*

ENDS

Note to Editors:

Melanie Verwoerd, UNICEF Ireland Executive Director is available for further comment and interview

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