IHREC warns significant human rights concerns remain as International Protection Bill passes final legislative stages

The Irish Human Rights and Equality Commission has responded to the International Protection Bill 2026 completing its final Oireachtas stages. The Commission recognises that there have been a number of important amendments made to the Bill during Oireachtas debates, but has cautioned that significant human rights concerns remain.

The International Protection Bill 2025 is intended to transpose the EU Migration and Asylum Pact into Irish law by June 2026. In February 2026, the Commission raised serious concerns that the Bill omitted key safeguards, in particular for vulnerable groups such as children and victims of trafficking and restricted access to justice.

The Commission recommended, among other measures, the use of detention as an absolute last resort, early access to legal advice and representation, and enhanced protections for vulnerable applicants. These recommendations were either required or permitted by the Pact.

Today the Commission welcomed a number of amendments which have been made as the Bill progressed through the Houses of the Oireachtas, which are in line with some of our recommendations. A number of the amendments respond to the issues raised by the Commission and provide greater clarity and protections in the new asylum system being implemented.

Amendments that address IHREC recommendations include:

- The introduction of a definition of legal counselling, broadly in line with EU requirements.
- Minister to take into account the special reception needs of applicants in deciding where to accommodate them. Applicants with special reception needs include disabled people, pregnant women and victims of trafficking.
- Provision for needs to be assessed at later stages, recognising that vulnerability can become apparent over time. It can take time for applicants who has experienced a trauma to disclose.

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- Unaccompanied minors to be housed in accommodation suitable to their needs, staffed by properly trained personnel.

Concerning amendments include:

- New powers to detain applicants in order to establish elements of their claims.
- The absence of legal advice and representation at first instance, with access only guaranteed at appeal stage. Limiting legal assistance at the earliest stage risks undermining access to justice, weakening decision-making, and increasing the likelihood of legal challenges.
- Amendments to family reunification, that proport to restrict to the right to family reunification of refugees.

According to the Commission, the Minister's current proposed approach to family reunification:

- Fails to recognise unmarried or unregistered partners, particularly affecting LGBTI+ people fleeing countries where such relationships are criminalised.
- Imposes barriers including waiting periods and financial requirements that delay or prevent families from being reunited.

Source(s)

- Irish Human rights and Equality Commission | Coimisiún na hÉireann um Chearta an Duine agus Comhionannas (15 April, 2026), [Significant human rights concerns remain as International Protection Bill passes final Oireachtas stages], https://www.ihrec.ie/news-press/significant-human-rights-concerns-remain-as-international-protection-bill-passes-final-oireachtas-stages

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