IHREC Raises Concerns over Fundamental Rights breach risks in the International Protection Bill 2025

The Irish Human Rights and Equality Commission (IHREC) has expressed concerns over the International Protection Bill 2025, citing risks that it could undermine fundamental rights. The Commission's concerns are centered on the potential impact of the Bill on the human rights of individuals seeking international protection in Ireland. IHREC has highlighted several areas of the Bill that may infringe upon the rights of asylum seekers and refugees, including provisions related to detention, family reunification, and the appeals process.

IHREC's concerns are rooted in its mandate to protect and promote human rights and equality in Ireland. The Commission is urging caution and careful consideration of the Bill's provisions to ensure that they align with Ireland's obligations under international human rights law. The International Protection Bill 2025 aims to reform Ireland's international protection system, but IHREC believes that certain provisions may have unintended consequences that could undermine the rights of vulnerable individuals.

The Commission's concerns reflect a broader debate about the balance between immigration control and the protection of human rights. As the Bill progresses through the legislative process, IHREC's input is expected to play a significant role in shaping the final version of the legislation. The Commission's advocacy for a human rights-based approach to international protection is intended to ensure that Ireland's laws and policies are consistent with its international obligations and respect the dignity and rights of all individuals. Moe specifically IHREC is concerned on:

Access to Justice for Protection Applicants: The Bill proposes to replace legal advice at the initial stages of the asylum process with undefined ‘legal counselling’. IHREC warns that this would be a regressive step, as the new term is not defined and could deny applicants the confidential, independent legal advice they currently receive.

People seeking international protection – many of whom have experienced trauma and persecution – should not be left to navigate the most critical stage of the process without legal support they can trust. The State must continue to

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provide full legal advice, as it does currently and as the EU Pact permits.

Independence of Border Oversight Mechanism: Under the EU Pact, Member States must establish an Independent Monitoring Mechanism (IMM) for border procedures. However, the Bill gives the Minister for Justice powers to appoint, fund, and remove the proposed Chief Inspector of Border Procedures – raising serious doubts about their independence.

IHREC also notes that the Chief Inspector will lack investigative powers, including into cases of death or serious harm, and is therefore unlikely to meet the standards set by the EU's Fundamental Rights Agency.

A monitoring body that is appointed and controlled by the Minister, and that lacks basic investigatory powers, cannot be considered independent or effective.

Given these concerns, the Commission is currently reviewing whether it should participate in the proposed Advisory Board to the Chief Inspector, as envisioned in the draft legislation.

IHREC also flagged further serious concerns about how the Bill handles human rights issues such as detention, age assessments, vulnerability assessments, and supports for victims of trafficking.

With the 12 June 2026 deadline for implementing the EU Migration and Asylum Pact fast approaching, IHREC is urging the Government to revise the Bill to ensure it meets human rights and equality standards under national and international law.

Source(s)

- Irish Human rights and Equality Commission | Coimisiún na hÉireann um Chearta an Duine agus Comhionannas (15 October, 2025), [IHREC raises concerns over International Protection Bill 2025, risks undermining fundamental rights], https://www.ihrec.ie/news-press/ihrec-raises-concerns-over-international-protection-bill-2025-risks-undermining-fundamental-rights

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