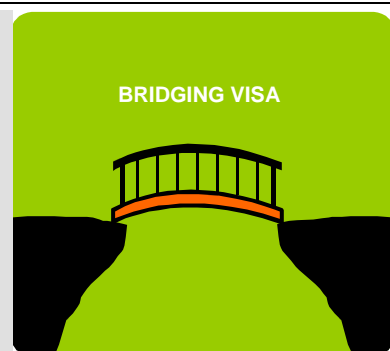


# THE BRIDGING VISA CAMPAIGN

## Protecting those who become undocumented for reasons beyond their control



### Campaign Goal

For the Department of Justice, Equality and Law Reform to provide a temporary 6-month residency stamp called a Bridging Visa for non-EU/EEA nationals who have entered Ireland lawfully but have become undocumented for reasons beyond their control.

### Background

There are significant numbers of migrant workers from outside the European Union who entered Ireland legally but have become undocumented for reasons beyond their control. For most non-EU migrants, legal or 'documented' status to live and work in Ireland is tied to the work permit which binds them to a specific employer and job i.e. a worker's legal permission to remain in Ireland is dependent on their staying with a particular employer. Work permits often come at considerable expense to migrant workers, some paying €5,000 - €10,000 to a recruiter.

Many individuals with work permits have found themselves in unexpected and dire circumstances such as being exploited or suddenly being made redundant. Others were told by their employers that a work permit is in place only to find that was never the case. Some arrived in Ireland to find that the job connected to their work permit never existed. In such situations, unless the person quickly finds another employer willing to apply for a new work permit, **they lose their legal status.** Those who were promised work permits which never materialised have discovered that they are already long-term undocumented. Once an individual's legal status is lost for a period of more than 90 days any new work permit application is denied.

### Living in the Shadows

Once undocumented and labelled as "illegal", individuals live under tremendous stress and fear. They are no longer permitted to work to support themselves financially. They are denied access to social benefits or essential health services even when they have paid taxes and made personal contributions (PRSI). Many become homeless. They could be issued with deportation proceedings at any moment. They become isolated from the community and cut off from visiting their families back home.

Workers without a legal status also become much more vulnerable to exploitation and mistreatment. Faced with few options many choose to stay in exploitive situations for fear of the risks associated with coming forward. Many who bring official complaints before an employment complaints body are forced to drop them because they are unable to support themselves. This current state of affairs is highly unjust.

### Urgent Action Needed

There is no official mechanism for such undocumented individuals to get back into the system. Some have been able to petition the Department of Justice, Equality and Law Reform for a temporary permission to remain in order to obtain a new work permit, but this is slow and torturous and can take up to 2 years or more. In addition there is no defined criteria or transparency regarding decisions.

MRCI's Bridging Visa Campaign Group is calling on the Minister for Justice to provide a humanitarian and pragmatic response in the form of a temporary six-month permission to remain or **Bridging Visa** with clearly defined criteria which would provide an opportunity for individuals to come out of the shadows and back on course to living and contributing to Irish society again. The ideal place to legislate for the Bridging Visa is in the upcoming Immigration Residence and Protection Bill.

### Mary's story

Mary, a single mother, came to Ireland from southern Africa in 1999 on a valid work permit in order support her son and his education. Working for a catering company in Dublin she suffered racial discrimination, exploitation and verbal abuse. After months of struggling to improve her work situation she was forced to leave the job and took a case against her employer. Mary won her case but because she left her job and was not able to quickly step into another one she lost her legal status to remain in Ireland. Although she arrived in Ireland legally, paid her taxes and social contributions and won a legal judgement against her employer, she has no access to health or social services, she is unable to work (even though she has an employer willing to give her a job) and she could be issued with a deportation order at any moment. She has lived in limbo for many years under constant stress and feels like a fugitive.

**“You are always living on edge and under great stress. When you hear a knock at the door you think that the Garda is coming to take you away. It’s really hard to live like that.”**  
- *Migrant worker from Belarus*

### **A Bridging Visa would allow migrant workers who have become undocumented for reasons beyond their control to:**

- have a new work permit application processed;
- access social benefits and services for which they have contributed;
- feel free to come forward and report exploitation and abuse without fear of deportation;
- have the opportunity to visit their families back in their home countries;
- get back into the system and on course to living and contributing to Irish society.

### **Irish undocumented in the United States and undocumented here in Ireland**

The Irish government is actively supporting a campaign to legalise and assist undocumented Irish workers in the US. The situation of undocumented workers in the US and Ireland is virtually the same. There is no reason why the Irish government should not extend the same level of understanding and effort to resolve the situation of the undocumented here in Ireland. To do otherwise is a gross contradiction and hypocritical.

*Excerpt from Irish Times report 5<sup>th</sup> March 2007*  
When graphic designer Deirdre Foy moved to New York from Dublin 11 years ago, she was just 24 and the world seemed to be at her feet. Sponsorship from a US company meant she could work legally, and when she decided to change jobs a few years later her new employer agreed to sponsor her too. It was not until she moved to a third job in 2001, a few months before September 11th, that things started to go wrong. The attacks that day spooked her employer and the job fell through, leaving Foy with no job and no legal status in the US. "It was about Christmas after 9/11 when I realised that everything was just a disaster," she said.

### **Bridging Visa Campaign Group**

MRCI’s Bridging Visa Campaign Group is made up primarily of migrant workers who have become undocumented for reasons beyond their control.

They have decided to come together to work for change. Some individuals are still undocumented and suffering the injustice of their situation and others who have been able to resolve their situation but feel strongly about ensuring that the kind of desperate situation that they were made to endure does not happen to other migrant workers in Ireland.

## **HOW TO HELP**

### **There is a genuine opportunity to include the provision for a Bridging Visa in the upcoming Immigration, Residence and Protection Bill.**

Those who have the power to introduce the Bridging Visa need some convincing of its benefits not just for undocumented migrant workers but also for the Irish State. The following are some things you can do to help.

- Contact the MRCI and join our information and action list to keep informed of upcoming actions and progress in the Bridging Visa Campaign. Email us at [info@mrci.ie](mailto:info@mrci.ie) or call 01-8897570 or check our website at [www.mrci.ie](http://www.mrci.ie).
- Tell political representatives in your area that the Bridging Visa should be introduced in the Immigration, Residency and Protection Bill.
- Write to the Minister for Justice Equality and Law Reform calling for the Bridging Visa.
- Circulate this leaflet to potential supporters.
- Identify employers who would be supportive of the idea. A lot of businesses and employers are not happy with actions of exploitative employers.
- If you have contact with undocumented workers support them to come together and get involved. The MRCI Bridging Visa Campaign Group meets regularly.
- If you are undocumented and interested in the Bridging Visa Campaign get in touch with us.
- Use media opportunities to raise awareness of the Bridging Visa and why it is needed.

### **About Migrant Rights Centre Ireland**

The MRCI is a national organisation concerned with the rights of migrant workers and their families. Established in 2001 to bridge a gap in support structures and information provision for migrant workers and their families, it has since evolved to become a national organisation concerned with: provision of supports to migrant workers and their families, empowering migrant workers through community work practice, achieving policy change.

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