The NHRI played a leading role in striking down legislation absolutely prohibiting international protection applicants seeking employment. The state has opted-in to the EU’s Recast Directive adhering to minimum EU standards. The NHRI is keeping the implementation of the labour market access scheme under review to ensure that the right to access work is a right in practice, as well as one in principle.

Since 2014, the Irish NHRI has recommended that people seeking international protection in Ireland should have the right to work and earn a livelihood guaranteed under article 40.3.1 of the Irish Constitution. The denial of the right to work for people seeking asylum has a severe impact, particularly for those who have been in the process for lengthy periods of time.

Using its legislative scrutiny powers, the NHRI has consistently brought the issue before policy makers since 2014. In May 2017, it intervened as amicus curiae in the Supreme Court case "NHV", which found that the indefinite ban on asylum seekers' right to work was unconstitutional. In 2018, it has appeared before the Irish Parliament to press for Ireland's opt-in to the EU Recast Reception Conditions Directive on standards.

See more NHRI practices: ennhri.org/esr-in-europe