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International migration in Ireland, 2012

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International Migration in Ireland, 2012¹

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Introduction

This working paper is based on the Irish report to the OECD Continuous Reporting System on Migration (the SOPEMI Expert Group). As such, the focus of the report is largely shaped by the reporting requirements for the preparation of the annual OECD *International Migration Outlook*. The principal reference year is 2011, although information relating to early-2012 is included where available and relevant. The Executive Summary which provides an overview of the main findings of the report, Section 2 discusses the main developments in migration and integration policy in Ireland in 2011. Section 3 reviews the statistics on inward and outward migration movements. Section 4 examines trends in the population, informed by Census 2011. Migration and the labour market are discussed in Section 5. The final section presents a review of Irish research on discrimination against immigrants, which is intended to contribute to a special focus on discrimination in the forthcoming *International Migration Outlook 2013*.

1. Executive Summary

The population of Ireland continued to increase during 2011, to an estimated 4,585,400 in April 2012. In the twelve months to April 2012, gross inward migration of 53,000 was offset by an estimated outflow of over 87,000, resulting in net outward migration of 34,400: the highest level of emigration for over two decades.

Immigration, which had declined to 42,000 in the twelve months to April 2010, increased somewhat to over 50,000 in each of the years to 2010-11 and 2011-12. Since 2009 and the onset of recession, returning Irish nationals have become the single largest component of inward migration, thus reverting to a long established trend that obtained prior to EU enlargement in 2004. Immigration from the EU New Member States (NMS) fell to about 10,000 in 2011 and 2012 – a sharp decrease from the peak in 2007 when 85,000 individuals migrated to Ireland from the NMS: almost half total net immigration in that year. In terms of age distribution, the decline in immigrant numbers can be observed in each age group, with those aged 25-44 years constituting almost half of the total inflow. Over a quarter of the gross inflow relates to young people aged 15-24, representing a decline in the share of this age group: during the peak years of immigration those aged 15-24 accounted for between 40% and 50% of all inward migration. About 15% of inward migrants in 2010 were children aged less than 15 years.

Migratory outflows have also increased in recent years, as returning immigrants have added their numbers to emigrating Irish nationals. Recent figures suggest that emigrants from Ireland now tend to travel to a diverse range of countries. There was strong emigration to the NMS in the first years of the recession, but this tapered off in 2011 and 2012. Emigration to the UK, the USA and the Rest of the World outside the EEA, picked up during the same time. Emigration of Irish nationals increased sharply in the twelve months to

2012 to over 46,000 individuals, which represented well over half of total emigration and a substantial increase over previous years. Citizens of the NMS accounted for about 17% of all outflows, a substantial reduction in their outflow in recent years particularly in the first two years of the recession. As the number of NMS citizens emigrating from Ireland substantially exceeds the number emigrating to these States, it suggests that many citizens of the NMS are migrating on to other destinations. The most recent estimates available show that 41% of emigrants in the year to April 2012 were in the 15-24 year age group, with another 45% of the gross outward movement relating to those aged between 25-44 years. There has also been some increase in the numbers of children aged less than 14 years emigrating, suggesting an increase in emigration of family units.

The Irish economy moved into recession in the first half of 2008, leading to a dramatic deterioration in labour market conditions. Gross National Product contracted by 3.5% in 2008 and by over 8% in 2009. There was some growth in GNP in 2010 (less than 1%), offset by further contraction of 2.5% in 2011.

Total employment fell by almost 15.5% between mid-2008 and mid-2012. Employment losses have been concentrated in construction and related sectors, but are nevertheless widespread across the private sector. Unemployment increased from less than 5% at the beginning of 2008 to 14.7% in the second quarter of 2012. Unemployment among non-Irish nationals was much higher, at almost 18%, than among natives, at less than 14%.

In 2011 there was a decrease of over a quarter in the number of employment permits issued year-on-year (from 7,271 in 2010 to 5,200 in 2011), mostly centred on renewals which saw a drop of almost half. While the overall number of employment permits fell during 2011, certain categories (green cards, intra-corporate transfers and training permits) saw overall increases year-on-year. Both new and overall green card permits rose by over 60% year-on-year, with intra-corporate transfers rising by just over 20% for the same categories. Intra-corporate transfer renewals also rose by 15.8% during the same period. Training permits showed a large increase in new and overall numbers (150% and 83.3% respectively), albeit from nominal numbers. Work permits saw the largest absolute fall from overall issuances in 3,429 in 2010 to 1,900 in 2011, with both new permits and renewals seeing a year-on-year decrease.

The number of Personal Public Service Numbers (PPSN) issued by the Irish Department of Social Protection to non-Irish nationals and used to access employment as well as social welfare entitlements fell from over 227,000 in 2006 to 68,000 in 2011.

During 2011 some 136,944 visa applications were received by the Irish authorities, mostly related to entry visas of which 91% were approved. The main country of nationality of persons applying for visas during 2011 was India (16%), Russia (13%) and China (11%).

There were 1,290 applications for asylum in Ireland in 2011, a decrease of a third on 2010 figures and slightly higher than 1996. This annual influx for 2011 represents about 2% of total gross inward migration in the twelve months to April 2012. There was a decrease of 28.7% in the number of appeals received by the Refugee Appeals Tribunal during 2011 in comparison to 2010. Nigeria continued to be the largest country of stated nationality by applicants for asylum (182, accounting for 14.1% of all applications during 2011) and appeal (20.3% of all cases).

During 2011 some 889 applications for subsidiary protection under the *European Communities (Eligibility for Protection) Regulations 2006* were received, a decrease of 39.4% on 2010 figures (1,466) and mainly relating to nationals of Nigeria (135 applications), Pakistan (98 applications) and the Democratic Republic of Congo (60 applications). A total of 13 grants took place during the year.

Some 2,349 applications for 'leave to remain' were submitted during 2011 with 1,968 persons granted permission to remain during the year. These include cases granted following their consideration under Section 3 of the *Immigration Act 1999 (as amended)* and the cases involving persons who claimed a link to the *Zambrano* judgment in their case to remain in the State. A 2011 European Court of Justice (ECJ) ruling on the *Zambrano* case saw both a change in policy of the Irish Government and much media discussion, particularly its impact on the State's policy in respect of the deportation of parents of Irish citizen children. Arising from this Judgement, the Department's Repatriation Division said it would examine all cases where a link to the Judgment had been identified to see if such cases meet the *Zambrano* criteria, and that where the criteria were met, 'all other things being equal', permission to remain in the State would be granted, for a specified period, of a nature as will enable such parents to work in the State without an employment permit or to set up in any legitimate business or profession without seeking the permission of the Minister. In July 2012 it was noted that of the cases before the Irish courts involving Irish citizen dependent children to which the Judgement applied (140 cases involving 134 applicants), 120 have had their Deportation Order revoked and have either been granted permission to reside in the State, or invited to make a visa application to re-enter the State, 97 cases have been settled and 764 parents have to date been granted Irish residency rights.

In 2011, Ireland continued to participate in the UNHCR-led Resettlement Programme for vulnerable refugees. Some 994 persons have been resettled in Ireland under this Programme since 2000 and during 2011, 45 persons were resettled, mainly from Sudan (23 persons), Eritrea (9 persons), Ethiopia (6 persons) and Iraq (6 persons). This includes the relocation of 9 persons, for resettlement purposes, from Malta to Ireland.

Applications for family reunification (family members or a civil partner) in respect of 501 persons with refugee status were received by Ireland during 2011, with approvals issued for 560 persons. In 2011, some 2,379 EU Treaty Rights applications from non-EEA nationals for residence permission on the basis of being a family member of an EU

national were received. A total of 10 applications (10 persons) by holders of subsidiary protection were also received, with 7 cases approved.

Looking at return from Ireland, during 2011 the number of deportation orders effected from Ireland (280) remained broadly stable. The main country of nationality of deportation orders effected in 2011 related to Nigeria (124 persons), Moldova (21 persons) and South Africa (21 persons). Some 2,543 persons were refused entry to Ireland at ports of entry and returned to the place from which they had come. A large increase (70.8%) took place year-on-year in the number of EU nationals (41 during 2011) transferred from Ireland on foot of an EU Removal Order under the *European Communities (Free Movement of Persons) Regulations 2006* and 2008. A total of 144 transfer orders were effected during 2011 under the Dublin Regulation, largely similar to 2010 when 142 transfers took place. A total of 475 persons were assisted to return home voluntarily during 2011, either via the International Organization for Migration (IOM) office in Dublin (402 persons) or via governmental administrative assistance (73 persons availing). The main country of nationality of persons assisted by both INIS and IOM was Brazil (15 and 93 persons respectively), Moldova (8 and 53 persons respectively), and Nigeria (7 persons and 28 persons respectively).

A total of 161,225 Certificates of Registration (referring to new registrations and renewals) were issued during 2011, similar to 2010 figures. The majority were issued under Stamp 4 (73,026), followed by Stamp 2 (41,718) and Stamp 3 (12,981) to nationals of India, Nigeria and Brazil. Notable decreases in Stamps issued under categories 1A, 6 as well as 1 and 3 took place, with notable increases under categories 5 continued as well as 2A and EUFAM.

The number of persons changing status during 2011 decreased by just over a quarter year-on-year (4,979). The majority changed from remunerated reasons (1,724), with 1,161 of that number to 'other' reasons. 1,752 persons changed from education reasons to other statuses and 1,445 persons changed from other reasons to a variety of statuses, mostly to remunerated activities.

A total of 27,000 applications for citizenship were received during 2011, with 16,150 applications decided during the year.

Regarding major policy developments during 2011, the published *Immigration, Residence and Protection Bill 2010*, which fell with the dissolution of the 30th Dáil (parliament) on 1 February 2011, was subsequently restored but remained unreacted by year-end. In 2012 the Minister for Justice and Equality announced his intention to republish the Bill towards the end of the year. The *Female Genital Mutilation Bill 2011* was introduced in January 2011 with the aim of prohibiting female genital mutilation and related offences (including an extra territorial aspect) and to act as a deterrent. The Bill was passed with amendments in March 2012 following much parliamentary discussion. The *Civil Law (Miscellaneous Provisions) Act 2011* was signed into law in

August 2011 and provides for a number of amendments to immigration and citizenship law including to provide for citizenship ceremonies, to take account of recognition in Irish law of civil partnerships in Irish law by the *Civil Partnership Act 2010* and to allow fees to be charged for naturalisation applications.

Ireland's first formal visa waiver programme was announced in May 2011 as a pilot¹ and as part of a Government Jobs Initiative with a view to promoting tourism from emerging markets. It was later extended in March 2012. It aims to provide for visa-free travel to Ireland for certain categories of persons (tourists, some business persons, sportspersons and academics) in possession of a valid U.K. visa and who are nationals of one of the countries covered by the Scheme,² have entered the UK on a UK 'C' General visa or been granted leave to remain in the UK for up to 180 days. Qualifying persons will be permitted to remain in Ireland for a maximum of 90 days or the duration remaining on their UK leave to remain if shorter. In March 2012 it was announced that the Programme would be extended for four years. Bosnia and Herzegovina were added to the existing list of 16 countries already covered, and fees for long-term residents from the countries covered by the Programme who live in the Schengen area are to be waived.³

In April 2012 two new immigration initiatives aimed at attracting non-EEA migrant entrepreneurs and investors became operational: an *Immigrant Investor Programme* and a *Start-Up Entrepreneur Programme*. The Immigrant Investor Programme provides for approved participants and 'immediate' family members to enter Ireland on multi-entry visas and to remain for an initial period of five years (generally) with permission renewable after two years. After this initial 5 years period, the investor will be free to apply for residence in 5 year tranches. The financial commitment will generally range from €500,000 for endowment-related investments to €2 million in the new Immigrant Investor low-interest bearing Government Bond. The level of investment in business entities where jobs are being created or saved will generally be €1 million. The Start-Up Entrepreneur Programme provides for a broadly similar residency for business development purposes for approved migrants with an innovative business idea for a 'High Potential Start Up' and with funding of €75,000. No job creation targets will be set at initial stage.

On 20 December 2011, Ireland and the UK signed a joint agreement reinforcing the Common Travel Area (CTA) between both countries. That same month, a memorandum was signed regarding the exchange of information such as fingerprint biometrics and biographical details, particularly from 'high risk' countries, as part of the visa issuing process. Visa application data, from nine specified countries (Bangladesh; China; Ghana;

¹ As a pilot until October 2012.

² Nationals of primarily 'emerging' markets are catered for under the Programme including Eastern Europe (Belarus, Montenegro, Russian Federation, Serbia, Turkey and Ukraine), Middle East (Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and the U.A.E.) and Asia (India, Kazakhstan, China and Uzbekistan).

³ To be reviewed after six months.

India; Iran; United Kingdom; Nigeria; Pakistan and Sri Lanka) will be automatically shared between the Irish Naturalisation and Immigration Service (INIS) and the UK Border Agency (UKBA).

During 2011 recruitment campaigns initiated by the Health Service Executive (HSE) took place in India and Pakistan for non-consultant hospital doctors, although difficulties regarding delays in subsequent registrations of doctors later made media headlines.

In July 2011 the *Qualifications and Quality Assurance (Education and Training) Bill 2011* was introduced, later enacted in July 2012. It provides for the amalgamation of responsibilities currently under the National Qualifications Authority of Ireland (NQAI), the Higher Education and Training Awards Council (HETAC) and the Further Education and Training Awards Council (FETAC).

Non-EEA national students who were registered to study in Ireland accounted for approximately a quarter (30,500) of all non-EEA nationals registered in the State in 2011, with the majority pursuing degree programmes (37%), language courses (22%) and further education non-degree courses (32%). A new immigration regime for international students took effect from 1 January 2011 and introduced a differentiated approach between 'Degree Programme' courses and those at the 'Language or Non Degree Programme' level as well as maximum periods of residence in the State on foot of a student permission according to type of course followed. In general, non-EEA student permission will be limited to 7 years in total for degree-level courses and 3 years for sub-degree level. Interim arrangements for current students affected by the change were provided for during the year at several intervals and for several categories and the *Third Level Graduate Work Scheme* for access to the labour market for students after graduation was extended to twelve months for those at level 8 or above of the National Framework of Qualifications and to six months for those with level 7 qualifications based on the Framework. A review by the Interdepartmental Committee on Student Immigration on access to the labour market by non-EEA students took place during 2011.

The issue of suspected marriages of convenience continued to attract much news and political debate during 2011, in particular following a 2011 case before the Irish courts, *Izmailovic & Anor v. The Commissioner of An Garda Síochána*,⁴ which found that 'marriages of convenience' are not unlawful in Irish law and the Gardaí are not empowered to prevent their solemnisation if they suspected it was for immigration purposes.

In June 2011, a package of measures aimed at reforming the processing of naturalisation applications was introduced by the Minister for Justice and Equality. Both a simplified form and faster processing time (six months) are provided for, as is the introduction of

⁴ *Izmailovic & Anor v. The Commissioner of An Garda Síochána* [2011] IEHC 32 (2011).

citizenship ceremonies. In addition, 'streamlined and accelerated' procedures for certain categories of applicants are outlined such as long-term residents and spouses of Irish citizens.

Amendments during 2011 to Administrative Arrangements for victims of trafficking included clarification on the scope of application of the Arrangements; application to persons under 18 years; clarification in relation to family reunification; clarification as to the process followed when a person is refused a declaration of refugee status; and new provisions allowing for an application or a change of status to be made. Two draft memoranda related to the trafficking area were prepared during 2011 involving Ireland and the U.K and Nigeria respectively.

2. Major Developments in Migration and Integration Policy

Government and Departmental Strategy Documents

The 2011 *Programme for Government Common Statement* by the Government of Ireland included a commitment to ‘promote policies which integrate minority ethnic groups in Ireland, and which promote social inclusion, equality, diversity and the participation of immigrants in the economic, social, political and cultural life of their communities’.⁵ Specific commitments included the exploration of a new agreement on visitor visas with the UK; allowing postgraduate students to be allowed to work in Ireland for a year after completion of studies, with ‘high-value’ research students allowed to bring their families to Ireland if staying for more than two years; the establishment of a DNA database which will be also used to ‘enhance’ EU cooperation in the area of asylum and immigration; the introduction of ‘comprehensive reforms’ of the immigration, residency and asylum systems including the setting out of rights and obligations in a ‘transparent’ way and creation of a statutory appeals system; the processing of citizenship applications within a ‘reasonable’ time; and the promotion of policies which seek to integrate minority ethnic groups in Ireland including the participation of immigrants in the ‘economic, social, political and cultural life of their communities’.⁶ Reference was also made to considering the transfer of passport services from the Department of Foreign Affairs to an ‘Independent Executive Agency’ under the aegis of the Department of Justice and Equality.

During 2011 the Department of Justice and Equality published a *Strategy Statement 2011-2014* in which they committed to focusing on providing ‘an immigration system with appropriate policies which meets the needs of a changing society and which facilitates to the greatest extent possible national economic development’ and to promote ‘equality and integration in Irish society in order to further economic growth, social inclusion and fairness’. Specific programme commitments included policies to support and facilitate the integration of legally-resident immigrants into Irish society via stakeholder consultation, a review of approaches to migrant integration and development of anti-racism and promotion of integration measures. Plans to develop the Irish immigration system to contribute to economic recovery included an increased number of tourists from countries covered by the Short-Stay Visa Waiver Programme with the UK; new residence permissions granted to entrepreneurs; and the General Permissions to Remain regime ‘tailored to maximise economic activity’. Key objectives in

⁵ Government of Ireland (2011). *Programme for Government 2011*. Available at http://www.taoiseach.gov.ie/eng/Publications/Publications_2011/Programme_for_Government_2011.pdf.

⁶ As summarised in Appendix II of the Department of Justice and Equality (2011). *Strategy Statement 2011-2014*. Available at www.justice.ie.

the area of asylum and immigration include maintaining the 'integrity' of the Common Travel Area (CTA); implementation of the proposed provisions in the Immigration, Residence and Protection Bill; and improved application processing such as for citizenship. The review of the *National Action Plan to Prevent and Combat Trafficking of Human Beings in Ireland 2009-2012* was planned for, with a new plan to be developed.⁷

Legislation

The *Immigration, Residence and Protection Bill 2010* was published in June 2010.⁸ The 2010 Bill lapsed with the dissolution of the 30th Dáil (parliament) on 1 February 2011. It was subsequently restored to the Order Paper by the Minister for Justice, Equality and Defence and by year-end was awaiting Committee Stage, however in 2012 the Minister for Justice and Equality announced his intention to republish Bill towards the end of the year.

The *Criminal Justice (Female Genital Mutilation) Act 2012* was introduced as a Bill in January 2011 with the aim of prohibiting female genital mutilation and related offences (including an extra territorial aspect) and to act as a deterrent. The Bill was subsequently passed with amendments in March 2012, following much parliamentary discussion. During discussions on the Bill, the Minister for Health, Dr. James Reilly, stated that the most up-to-date figures showed that some 3,183 women who had undergone female genital mutilation (FGM) were living in Ireland.⁹ The Minister noted that the definition of FGM in the Bill was based on the 'broad WHO definition [...] which includes type IV FGM' and that the Bill explicitly aimed to create an offence of removing a female from Ireland for the purpose of FGM. In addition, provisions for the protection of victims during legal proceedings were also included.

⁷ Department of Justice and Equality (2011). *Strategy Statement 2011-2014*. Available at www.justice.ie.

⁸ The Bill set out a legislative framework for the management of inward migration to Ireland, including a number of provisions in the area of irregular migration. It laid down a number of important principles governing the presence in the State of foreign nationals, including the obligation on a foreign national who is unlawfully in the State to leave. It set out statutory processes for applying for a visa, for entry to the State, for residence in the State and for deportation. It proposed to integrate the processes for dealing with applications for protection in the State and all other aspects of the desire of a protection applicant to remain in the State into a unified process. The Bill also contained provisions in relation to the powers of immigration officers, exchange of information, provision by carriers of advance passenger information, marriages of convenience, and special provisions on judicial review and requirements in relation to the departure of foreign nationals from the State. The Bill also laid down new rules relating to the suppression of migrant smuggling and trafficking in persons.

⁹ Quoting a study by the NGO AkiDwa. In a press release upon passing of the Bill in 2011, AkiDwa stated that it was estimated that 'there are more than 3,000 women and girls living in Ireland who have undergone FGM. Most are from Nigeria, Somalia, Sudan, Egypt, Kenya and Sierra Leone.' AkiDwa (28 March 2012). 'Migrant Women Welcome Passing of Bill on Female Genital Mutilation'. *Press Release*. Available at www.akidwa.ie.

The *Civil Law (Miscellaneous Provisions) Act 2011* was signed into law in August 2011 and provides for a number of amendments to immigration and citizenship law including to provide for citizenship ceremonies, to take account of recognition of civil partnerships in Irish law by the *Civil Partnership Act 2010* and to allow fees to be charged for naturalisation applications. Section 34 of the Act amends the *Immigration Act 2004* to take account of the decision of the High Court in *E.D. v. D.P.P. [2011] IEHC 110* which found that Section 12 of the *Immigration Act 2004* is inconsistent with Articles 38.1 and 40.4.1 of the Constitution. Section 11 of the 2004 Act is amended to require that non-nationals presenting at the border be in possession of a valid passport or other equivalent document. When requested to do so by an immigration officer, non-nationals are required to furnish their passport or identity document and such further information as the officer may require. Failure to comply with these obligations is an offence. The new section also creates a defence of reasonable cause for non-compliance. Section 12 is amended to require that every non-national in the State shall produce on demand by a Garda Síochána a valid passport or identity document. Again, failure to comply with this obligation is an offence, and a defence of reasonable cause for non-compliance is provided for. Section 19 is amended to allow for the charging of fees in respect of applications under the Immigration Acts.

Visa Waiver Programme

In May 2011 the Government announced Ireland's first formal visa waiver programme. The short-stay *Visa Waiver Programme* (commencing on 1 July 2011) was announced as part of a Government Jobs Initiative with a view to promoting tourism from emerging markets and to make Ireland 'very attractive for these visitors to the UK to consider Ireland as an "add-on" element to their planned holiday'.¹⁰ Launched as a pilot until the end of October 2012, the Programme was described as providing for visa-free travel to Ireland for persons in possession of a valid U.K. visa and who are either nationals of one of the countries covered by the scheme, have entered the UK on a UK 'C' General visa or been granted leave to remain in the UK for up to 180 days. In essence, eligible persons will not be required to have both an Irish and UK visa when entering Ireland after lawful entry to the UK. A valid entry stamp from the UK Border Agency will be required on the national's passport. Regarding the categories of persons covered, tourists, business persons (including 'C' long-term, multi-entry business visas), sportspersons and academics are included while holders of transit visas, long-term student visas and family reunification visas are not covered. Qualifying persons will be permitted to remain in Ireland for a maximum of 90 days or the duration remaining on their UK leave to remain

¹⁰ Irish Naturalisation and Immigration Service (11 May 2011). 'Alan Shatter TD, Minister for Justice, Equality and Defence announces Ireland's first formal Visa Waver Programme as an integral part of the Government's Job Initiative'. *Press Release*. Available at www.inis.gov.ie.

if shorter. Nationals of primarily 'emerging' markets are catered for under the Programme including Eastern Europe (Belarus, Montenegro, Russian Federation, Serbia, Turkey and Ukraine), Middle East (Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and the U.A.E.) and Asia (India, Kazakhstan, China and Uzbekistan).¹¹ At the time of announcement it was noted that Ireland had approved 30,000 applications for nationals of these countries during 2010. The INIS Information Note also highlighted that the Programme 'does not amount to a common UK and Irish visa regime' and that possession of an Irish visa does not allow similar visa-free entry to the UK.¹² Long-term nationals who are long-term legal residents in the U.K. will require a visa but without a fee stipulation.¹³ The *Immigration Act 2004 (Visas) (No. 2) Order 2011 (S.I. No. 345 of 2011)* subsequently gave effect to the Programme from 1 July 2011.¹⁴

In March 2012 it was announced that the Programme would be extended for four years. Bosnia and Herzegovina were added to the existing list of 16 countries already covered, and fees for long-term residents from the countries covered by the Programme who live in the Schengen area are to be waived.¹⁵ Upon announcement of the extension, it was noted that indicators of the pilot pointed towards a doubling of tourist groups from China in July-August 2011 in comparison to 2010, and the creation of a number of new operator and travel agent itineraries including 9 new tour operator itineraries from China, 10 new tour operator itineraries from India, 2 meetings and incentives groups included Ireland in their itineraries and 5 new tour operator itineraries from the Gulf region.¹⁶

Immigrant Investor Programme and Start-Up Entrepreneur Programme

In January 2012 two new immigration initiatives aimed at attracting non-EEA migrant entrepreneurs and investors were announced and became operational in mid-April 2012. Both Programmes would provide permission to reside in Ireland in return for an investment for the purpose of 'saving or creating jobs'. Both Programme applications are to be considered by an inter-departmental evaluation committee comprised of

¹¹ Irish Naturalisation and Immigration Service (2011). 'The Irish Short-Stay Visa Waiver Programme Information Note'. Available at www.inis.gov.ie.

¹² *Ibid.*

¹³ See Irish Naturalisation and Immigration Service (11 May 2011). 'Alan Shatter TD, Minister for Justice, Equality and Defence announces Ireland's first formal Visa Waiver Programme as an integral part of the Government's Job Initiative'. *Press Release*. Available at www.inis.gov.ie.

¹⁴ This S.I. was revoked in late 2012 and replaced with the *Immigration Act 2004 (Visas) Order 2012 (S.I. No. 417 of 2012)*.

¹⁵ To be reviewed after six months. Irish Naturalisation and Immigration Service (March 2012). 'Minister Shatter announces extension of Irish Short-stay Visa Waiver Programme'. *Press Release*. Available at www.inis.gov.ie.

¹⁶ Figures as provided by Tourism Ireland as part of Ministerial review of the pilot programme. See Irish Naturalisation and Immigration Service (March 2012). 'Minister Shatter announces extension of Irish Short-stay Visa Waiver Programme'. *Press Release*. Available at www.inis.gov.ie.

representatives of IDA Ireland, Enterprise Ireland, and Departments of Finance; Jobs, Enterprise and Innovation; Justice; Foreign Affairs and Trade; Health; other Government Departments as the need arises Applicants must be of good character and be able to support themselves while in Ireland.¹⁷

The *Immigrant Investor Programme* provides for approved participants and ‘immediate’ family members to enter Ireland on multi-entry visas and to remain for an initial period of five years (generally) with permission renewable after two years. After this initial 5 years period, the investor will be free to apply for residence in 5 year tranches. No minimum residence requirements are in effect excluding one visit to Ireland each year.¹⁸ The Programme listed forms of investments envisioned as including investments in specially created low-interest Government Bonds,¹⁹ capital investment in an Irish business in need of protection or creation of jobs,²⁰ possible purchase of property (including that held by the National Assets Management Agency)²¹ and endowments in the ‘cultural, sporting educational or health areas’.²² The financial commitment will generally range from €500,000 for endowment-related investments to €2 million in the new Immigrant Investor low-interest bearing Government Bond. The level of investment in business entities where jobs are being created or saved will generally be €1 million

¹⁷ Irish Naturalisation and Immigration Service (January 2012). ‘*Shatter announces two new initiatives: Immigrant Investor Programme and Start-up Entrepreneur Scheme*’. Press Release. Available at www.inis.gov.ie.

¹⁸ Irish Naturalisation and Immigration Service (2012) *Investor and Entrepreneur Schemes*. Available at <http://www.inis.gov.ie/en/INIS/Pages/New%20Programmes%20for%20Investors%20and%20Entrepreneur%20S>.

¹⁹ A minimum of €2,000,000 investment in a special low-interest 5 year immigrant investor bond. There will be one interest payment of 5.1% at the end of the 5 year investment period and this is equal to an annual equivalent interest rate of 1% (AER). Irish Naturalisation and Immigration Service (2012) *Investor and Entrepreneur Schemes*. Available at <http://www.inis.gov.ie/en/INIS/Pages/New%20Programmes%20for%20Investors%20and%20Entrepreneur%20S>.

²⁰ A minimum €1,000,000 aggregate investment into new or existing Irish businesses for a minimum of three years. Funding by the investor through the intermediary of a venture capital fund will be considered provided that it can be demonstrated that the net effect is at least equivalent to that of a direct investment. Irish Naturalisation and Immigration Service (2012) *Investor and Entrepreneur Schemes*. Available at <http://www.inis.gov.ie/en/INIS/Pages/New%20Programmes%20for%20Investors%20and%20Entrepreneur%20S>.

²¹ Cited as a minimum of €1,000,000 mixed investment consisting of €500k in property and €500K in immigrant investor bonds in later guidelines. Irish Naturalisation and Immigration Service (2012) *Investor and Entrepreneur Schemes*. Available at <http://www.inis.gov.ie/en/INIS/Pages/New%20Programmes%20for%20Investors%20and%20Entrepreneur%20S>.

²² A once off endowment of a minimum of €500,000 to a public project benefiting the arts, sports, health, culture or education. Irish Naturalisation and Immigration Service (2012) *Investor and Entrepreneur Schemes*. Available at <http://www.inis.gov.ie/en/INIS/Pages/New%20Programmes%20for%20Investors%20and%20Entrepreneur%20S>.

and the Department will be guided by and reliant upon the advice and expertise of IDA Ireland and Enterprise Ireland in assessing individual proposals.²³

The *Start-Up Entrepreneur Programme* provides for residency for business development purposes for approved migrants with an innovative business idea for a 'High Potential Start Up'²⁴ and with funding of €75,000. No job creation targets will be set at initial stage. A similar residency permission of five years (an initial two years and following a review at that point to ensure the entrepreneur is continuing to progress with the business proposal a further period of 3 years will be granted). After this initial 5 years period, the investor will be free to apply for residence in 5 year tranches.²⁵

Immigration Permission for Religious Ministers and Lay Volunteers

Updated arrangements concerning immigration arrangements for religious ministers and lay volunteers came into effect from 1 January 2011.²⁶ Persons granted permission to enter Ireland as a religious minister or lay person on or after 1 January 2011 are now permitted to remain in Ireland for a maximum of three years and will be issued with a 'Stamp 3'²⁷ immigration permission. Employment in the general labour market is not permitted; the person must be self-sufficient; have private health insurance (either on a personal or group scheme basis); and not be considered as a possible threat to public security. In the case of religious ministers, family reunification may be possible on a case-by-case basis (in cases of a spouse/partner and child under 18 years of age, and where a child may attend a State school) and a possible extension of immigration permission may be possible.²⁸

²³ Irish Naturalisation and Immigration Service (January 2012). 'Shatter announces two new initiatives: Immigrant Investor Programme and Start-up Entrepreneur Scheme'. *Press Release*. Available at www.inis.gov.ie.

²⁴ Defined as introducing a new or innovative product or service to international markets; capable of creating 10 jobs in Ireland and realising €1 million in sales within three to four years of starting up; led by an experienced management team; headquartered and controlled in Ireland; and less than six years old. See Irish Naturalisation and Immigration Service (2012) *Investor and Entrepreneur Schemes*. Available at <http://www.inis.gov.ie/en/INIS/Pages/New%20Programmes%20for%20Investors%20and%20Entrepreneur>

²⁵ Irish Naturalisation and Immigration Service (2012) *Investor and Entrepreneur Schemes*. Available at <http://www.inis.gov.ie/en/INIS/Pages/New%20Programmes%20for%20Investors%20and%20Entrepreneur>

²⁶ Irish Naturalisation and Immigration Service (2010). *Ministers of Religion and Lay Volunteers*. Available at www.inis.gov.ie.

²⁷ Stamp 3 category means that a person is permitted to remain in Ireland on conditions that the holder does not enter employment, does not engage in any business or profession and does not remain later than a specified date.

²⁸ Irish Naturalisation and Immigration Service (2011). *Ministers of Religion and Lay Volunteers*. Available at www.inis.gov.ie.

Further Enhancement of the Common Travel Area

On 20 December 2011, Ireland and the UK signed a joint agreement reinforcing the Common Travel Area (CTA) between both countries and providing a 'platform for greater cooperation on immigration matters'.²⁹ It was issued 'in recognition of the protection of the Common Travel Area (CTA) arrangements' and as a commitment to 'a joint programme of work on measures to increase the security of the external Common Travel Area border.'³⁰ The statement aims to work towards 'joint standards for entry and ultimately enhanced electronic border systems' with which to identify persons with no legal right to enter the CTA before they arrive at the border. It aims to facilitate *legitimate travel within the CTA while preventing abuse of the common area and development of ways to challenge the 'credibility of visa and asylum applications where appropriate'*. It is also envisioned that the joint agreement will facilitate the return of unlawfully entering persons to their country of origin. It is intended that persons without a right to enter the CTA will be identified before they arrive at the border. The Agreement places a focus on visa information exchange between both countries, particularly with regard to 'high risk' countries and to include fingerprint biometrics and other biographical details. Development of an electronic border management system is planned as early as possible.³¹ In the context of the agreement it was noted that close cooperation so far with regard to an exchange of data provided in 1,700 visa applications lodged in Nigeria with UK immigration records had resulted in identification of over 200 persons who had a previous 'adverse UK immigration history'. Other data sharing had shown that 500 of a 1,500 failed asylum claim sample in Ireland had been known to the UK Border Agency. In December 2011 a memorandum was also signed regarding the exchange of information such as fingerprint biometrics and biographical details, particularly from 'high risk' countries, as part of the visa issuing process.³² This memorandum will have the effect that the visa application data, from nine specified countries, will be automatically shared between the Irish Naturalisation and Immigration Service (INIS) and the UK Border Agency (UKBA). The countries concerned are: Bangladesh; China; Ghana; India; Iran; United Kingdom; Nigeria; Pakistan and Sri Lanka.³³ This increased data sharing will take place under the domestic law and policy of each country, and both countries will roll out the exchange of biographic and biometric

²⁹ Irish Naturalisation and Immigration Service (20 December 2011). '[Ireland-UK Accord to Further Secure the Common Travel Area](http://www.inis.gov.ie)'. Press Release. Available at www.inis.gov.ie.

³⁰ Irish Naturalisation and Immigration Service (December 2011). 'Joint Statement by Mr. Damian Green, Minister of State for Immigration, the United Kingdom's Home Department and Mr. Alan Shatter, Minister for Justice and Equality, Ireland's Department of Justice and Equality Regarding Cooperation on Measures to Secure the External Common Travel Area Border'. Available at www.inis.gov.ie.

³¹ Irish Naturalisation and Immigration Service (December 2011). '[Ireland-UK Accord to Further Secure the Common Travel Area](http://www.inis.gov.ie)'. Press Release. Available at www.inis.gov.ie.

³² Department of Justice and Equality (20 December 2011). '[Ireland-UK Accord to Further Secure the Common Travel Area](http://www.justice.ie)'. Press Release. Available at www.justice.ie.

³³ Quinn, E. (2011). *Visa Policy as Migration Channel: Ireland*. Available at www.emn.ie.

visa data across overseas locations. Continued cooperation will also take place on establishing the immigration histories and identification of failed asylum seekers for the purpose of reaching final decisions in respect of such cases and, where appropriate, facilitating returns to countries of origin.

From July 2011, and on an 18 month trial basis, Ireland has recognised UK 'short term visit visas' under its Visa Waiver Programme for visa-required nationals of 16 countries who wish to travel from the UK to Ireland. Both countries also committed to cooperating 'to the fullest extent possible' to align their list of visa-required countries for travel to both jurisdictions and to review the standards for determination of visa applications for both countries. Exploration of the 'viability' of a Common Travel Area visit visa is also referenced.³⁴

Economic Policy

A number of developments related to economic migration occurred in recent years. Many of these developments, particularly with regard to employment permits holders, continued to have effect during 2011.

Administrative arrangements for eligible individuals who have been in possession of work permits for at least five years, or who have been made redundant, continued to be available during 2011 on a more mainstreamed basis. Initial arrangements for both groups were introduced in October 2009 and concerned persons working in Ireland in possession of a work permit or work authorisation (or combination of a work permit and a spousal/dependant permit) for at least five years and who have been made redundant. In November 2010 updated immigration arrangements concerning those eligible under the five year worker and redundancy policy were introduced with immediate effect,³⁵ and saw a consolidated set of policies introduced including a general scheme for current holders of work permits (including Spousal/Dependent permits) and work authorisations/visas for at least five consecutive years exempted from the requirement to hold a work permit on the next renewal of their immigration registration. Qualifying persons may work in any employment and will not be restricted to their current employer. In the case of redundancy, they are eligible to seek other

³⁴ Irish Naturalisation and Immigration Service (December 2011). 'Joint Statement by Mr. Damian Green, Minister of State for Immigration, The United Kingdom's Home Department and Mr. Alan Shatter, Minister for Justice and Equality, Ireland's Department of Justice and Equality Regarding Cooperation on Measures to Secure the External Common Travel Area Border'. Available at www.inis.gov.ie.

³⁵ Irish Naturalisation and Immigration Service (2010). 'Policy for 5 year workers and redundant workers'. Available at <http://www.inis.gov.ie/en/INIS/Pages/Policy%20for%205%20year%20workers%20and%20redundant%20workers>.

employment. Qualifying persons are issued with a 'Stamp 4'³⁶ immigration permission on a one-year renewable basis. This applies equally to those who are still in employment and to those with a work permit who, having completed five years work, have since been made redundant. In the case of persons working in Ireland on a work permit for less than five continuous years and who have become redundant involuntarily, and those with five or more years residency but not eligible for the aforementioned waiver, a six-month 'grace period' is available under which they can seek alternative work without requirement for a labour market needs to be applied.

Recruitment of Foreign Workers

Ireland has staged a number of recruitment campaigns for foreign workers in recent years – mostly medical personnel and since 2007 onwards. Campaigns for nursing staff ran in India and the Philippines and during 2011 recruitment campaigns initiated by the Health Service Executive (HSE) took place in India and Pakistan for non-consultant hospital doctors. This was in accordance with World Health Organization (WHO) guidelines on ethical recruitment.

The issue of recruitment and retention of non-EEA doctors attracted much media discussion during 2011. In June 2011 a newspaper report cited the Health Service Executive (HSE) as stating that it had 'found more than 420 experienced doctors during a recent trip to India and Pakistan who would be willing to come and work here if only they didn't have to jump through so many hoops to get on the medical register'.³⁷ It was noted in the same article that the Minister for Health was considering an option to make it easier for non-EU doctors to come to work in Ireland. A further article in September 2011 stated that a number of doctors recruited from India and Pakistan to address

³⁶ Persons who satisfy the eligibility criteria for this concession will be issued a Stamp 4 immigration permission for 1 year signifying the right to be present in Ireland and to be employed without a work permit. Terms and conditions include:

- Permissions granted may be renewed annually.
- Persons granted the permission are expected to work and to support themselves and any dependents and, if made redundant, the person concerned must seek new employment.
- The holder of this permission cannot become an undue burden on the State.
- The holder of this permission will be free to work in any employment and will no longer be limited to the current employer. Should they subsequently be made redundant they are free to seek other employment.
- It is not long term residence and it cannot be seen as any guarantee of permanent status.
- The Stamp 4 in this situation allows the person to establish a business or become self-employed.
- The concession is being made irrespective of whether the person is currently an applicant for Long Term Residence.

See

<http://www.inis.gov.ie/en/INIS/Pages/Policy%20for%205%20year%20workers%20and%20redundant%20workers>

³⁷ The Irish Times (21 June 2011). 'Health Agency Looks to Pakistan and India to Solve Doctor Shortage'. Available at www.irishtimes.com.

severe shortages in public hospitals had returned home due to delays in their Medical Council registration.³⁸

Recognition of Qualifications

Regarding the recognition of qualifications, the *Qualifications and Quality Assurance (Education and Training) Bill 2011* was introduced in July 2011 and enacted in July 2012. Seeking to provide for the establishment of a Qualifications and Quality Assurance Authority of Ireland, it provides for the amalgamation of responsibilities currently under the National Qualifications Authority of Ireland (NQAI), the Higher Education and Training Awards Council (HETAC) and the Further Education and Training Awards Council (FETAC). At present, the National Qualifications Authority of Ireland (NQAI) is responsible for the recognition of academic international qualifications via 'Qualifications Recognition – Ireland'.³⁹ An International Qualifications Database is maintained which contains information regarding foreign qualifications, education and training systems. It lists the foreign qualifications that have been processed to date by the NQAI and states the advice that has been issued regarding the comparability of the qualifications in Ireland. The NQAI has established a National Framework of Qualifications which facilitates the recognition process with each foreign qualification compared to an Irish qualification when recognised.⁴⁰ Professional qualifications are recognised via the relevant competent professional authority in Ireland.

Habitual Residence Condition

Much debate continued during 2011 regarding the implementation of a Habitual Residence Condition (HRC) regarding access to social welfare services with respect to both immigrants and returning Irish emigrants. The *Social Welfare and Pensions (No.2) Act 2009* of December 2009 introduced amendments to the Habitual Residence Condition regarding individuals either seeking or having been granted a protection status. Amendments specified that an individual must have a 'right to reside' in the State to satisfy the HRC and set forth which persons will be regarded as having a right to reside and which persons will not. Individuals who had applied for asylum or a protection status in Ireland could not be considered as habitually resident while awaiting a determination. Overall, an individual 'who does not have a right to reside in the State' should not be regarded as habitually resident. Criticism on these amendments centred on the exclusion of those within the asylum system.

³⁸ The Irish Times (14 September 2011). '*Indian and Pakistan Doctors Opt to Go Home*'. Available at www.irishtimes.com.

³⁹ www.qualificationsrecognition.ie.

⁴⁰ www.nfq.ie.

In response to much media and policy debate regarding the access of immigrants and returning emigrants to social welfare entitlements, in March 2011 it was noted that when the Deciding Officer made a decision regarding the HRC, particularly in the case of returning Irish emigrants, they considered 'the purpose of the return' including:

*'the applicant's stated intentions as to why he or she is returning; verified arrangements which have been made in regard to returning on a long-term basis, for example, transfer of financial accounts and any other assets; termination of residence based entitlements in the other country; assistance from Safe Home or a similar programme to enable Irish emigrants to return permanently; length and continuity of the previous residence in the State; the record of employment or self employment in another state; and whether he or she has maintained links with the previous residence and can be regarded as resuming his or her previous residence rather than starting a new period of residence'*⁴¹

Ireland's civil society Universal Periodic Review (UPR) stakeholder report, 'Your Rights. Right Now', was submitted to the UN on 21 March 2011 and outlined 36 recommendations for Ireland including the amending of section 15 of the *Social Welfare and Pensions Act 2009* to ensure that 'residency while awaiting a decision on protection or immigration status is taken into account for the purposes of habitual residence'. Inequality regarding receipt of Child Benefit by asylum seekers in receipt of payment prior to May 2004 and those after this date (when it was no longer applicable) was also highlighted.⁴²

Non-EEA Students

Non-EEA national students who were registered to study in Ireland accounted for approximately a quarter (30,500) of all non-EEA nationals registered in the State in 2011. The majority of persons within this number are pursuing degree programmes (37%), followed by language courses (22%), further education non-degree courses (32%) and other such as secondary school and accountancy training (9%).⁴³

A new immigration regime for international students took effect from 1 January 2011. A *New Immigration Regime for Full Time non-EEA Students*⁴⁴ report from the Interdepartmental Committee on Student Immigration in 2010 (in effect from 2011) contained more than 20 recommendations designed to 'reform the student immigration regime in a manner that is better integrated with Ireland's immigration policy generally

⁴¹ Dáil Debate Vol. 728 No. 7(30 March 2011).

⁴² www.rightsnow.ie.

⁴³ Department of Justice and Equality (2012). *Annual Report 2011*. Available at www.justice.ie.

⁴⁴ Department of Justice and Law Reform (2010). *New Immigration Regime for Full Time Non-EEA Students*. Available at <http://www.inis.gov.ie/en/JELR/BookletA4.pdf/Files/BookletA4.pdf>.

while providing a stronger regulatory framework for the sustainable development of the international education sector'. These recommendations include the introduction of a differentiated approach as between 'Degree Programme' courses and those at the 'Language or Non Degree Programme' level, and the introduction of maximum periods of residence in the State on foot of a student permission according to type of course followed. In general, non-EEA student permission will be limited to seven years in total for degree-level courses and three years for sub-degree level.⁴⁵ Eligible education providers must be included on a State-administered 'Internationalisation Register'. Interim arrangements for current students affected by the change were also announced, including a six-month concession period applicable in cases for timed-out students to regularise their status.⁴⁶ Students who had exceeded their allowed duration of stay after 1 January 2011 were offered a number of options with language and non-degree students who had completed three years permitted to register only if they were commencing a non-language course at NFQ level 5 or 6 or a degree-level course. The seven year maximum time remains; students whose permission expired between 1 January and 30 September 2011 were entitled to a six month extension during which they would be allowed to work for 40 hours a week. In addition, they were permitted to apply for an employment permit or green card from within Ireland; degree-level students who had completed their seven years of residence were permitted to register only if starting their second year (or later) of a programme. They would also be allowed to complete the course; and in the case of students whose educational body had not met the criteria for the Internationalisation Register, who had exceed the three year time limit, and whose registration was due to expire prior to 1 July 2011, they were permitted to enrol for a course of this type for one year. Permission was granted in cases whereby the seven year time limit would not be exceeded.⁴⁷

Two subsequent extensions of permission were announced for certain categories of non-EEA students whose permission to remain in Ireland expired after 1 October 2011. INIS has stated that the purpose of the time extension was to enable such students to either regularise their status in Ireland or make arrangements to leave Ireland.⁴⁸ A three-month extension was offered for students legally resident in Ireland for seven years up to 1 January 2011 and who had either availed of the earlier six month extension and kept their permission up to date, or availed of the *Third Level Graduate*

⁴⁵ Except in cases where the course is at PhD level or a programme of study of long duration or where the Minister of Justice and Law Reform is satisfied that 'special circumstances exist'.

⁴⁶ Department of Justice and Law Reform (December 2010). 'Internationalisation Register New Arrangements to Apply from 01 January'. Available at www.inis.gov.ie.

⁴⁷ Irish Naturalisation and Immigration Service (2011). 'Special Extension of Residence for Timed-Out Students from 1 October 2011 – Notice of Special Extension of Residence for Timed-Out Students from 1 October 2011'. Available at www.inis.gov.ie.

⁴⁸ *Ibid.*

Scheme. The Irish Naturalisation and Immigration Service (INIS) published Guidelines for Non-EEA Students Registered in Ireland before 1 January 2011 during the year, in which it was noted that a six month ‘special extension of their permission’ would be provided to all ‘timed out students’ who had exceeded their permitted duration of stay under the new regime and whose current immigration permission would expire between 1 January 2011 and 30 September 2011. It is non-renewable and students will be permitted to work under the same terms as their academic holidays (40 hours per week) for the period. At the end of the time, the individual will be required to leave Ireland if they have not secured a different immigration permission.⁴⁹

The *Third Level Graduate Work Scheme* for access to the labour market for students after graduation was extended to twelve months for those at level 8 or above of the National Framework of Qualifications and to six months for those with level 7 qualifications based on the Framework.⁵⁰ An overall review by the Interdepartmental Committee on Student Immigration on access to the labour market by non-EEA students took place during 2011.

‘Marriages of Convenience’

The issue of suspected marriages of convenience continued to attract much news and political debate during 2011, in particular following a 2011 case before the Irish courts, *Izmailovic & Anor v. The Commissioner of An Garda Síochána*,⁵¹ which found that ‘marriages of convenience’ are not unlawful in Irish law and the Gardaí are not empowered to prevent their solemnisation if they suspected it was for immigration purposes.⁵²

In June, the Minister for Justice, Equality and Defence cited ‘serious concern’ about ‘highly irregular patterns of marriage in Ireland’ involving EU nationals exercising their freedom of movement and third country nationals. In a press release after a Justice and Home Affairs Council meeting in June, the Minister stated that ‘evidence is emerging in Ireland that this very fundamental right of all EU citizens is being abused by those seeking to circumvent proper immigration controls on entering the Union’, and provided an example of almost 400 applications for residence in Ireland by non EEA nationals on foot of their marriage to Latvian nationals during 2010. He noted that the predominant nationality of the third country nationals concerned was Pakistani, followed by

⁴⁹ Irish Naturalisation and Immigration Service (July 2011). *Guidelines for Non-EEA Students Registered in Ireland before 1 January 2011*. Available at www.inis.gov.ie.

⁵⁰ Irish Naturalisation and Immigration Service (January 2011). ‘New Immigration Regime for Full Time Non-EEA Students - Guidelines for Degree Programme Students’. Available at www.inis.gov.ie.

⁵¹ *Izmailovic & Anor v. The Commissioner of An Garda Síochána* [2011] IEHC 32 (2011).

⁵² Joyce, C. (2012). *Misuse of the Right to Family Reunification: Ireland*. Available at www.emn.ie and www.esri.ie. *Izmailovic & Anor v. The Commissioner of An Garda Síochána* [2011] IEHC 32 (2011)

Ukrainian and Indian to a 'lesser degree'. The Minister acknowledged the role of the Gardaí in dealing with this area and the increase in inter-disciplinary cooperation and provisions related to such marriages contained in the *Immigration, Residence and Protection Bill 2010*.⁵³ At the UN *Universal Periodic Review for Ireland*, the Government noted that it was aware of the difficulties which had arisen with regard to 'sham marriages' and noted cooperation between An Garda Síochána and authorities in other jurisdictions as well as providing comment on its active examination of the draft Immigration, Residence and Protection Bill 2010 in order to identify additional amendments which could be included to tackle the issue. It also stated that it believed a coordinated approach by EU Member States would be required in order to deal with the issue.

In January 2011 the then Minister for Justice, Equality and Defence stated that the introduction of biometric checks as part of the visa application procedure in Pakistan would be investigated on an urgent basis. This move would increase the traceability of the movement of Pakistani migrants and was prompted by the high instance of marriages between Pakistani nationals and EU partners from the Baltic States.⁵⁴

Integration Policies

The *Intercultural Education Strategy (2010-2015)*, the *Cultural Diversity and the Arts Strategy* (published in 2010), *An Garda Síochána Diversity Strategy and Implementation Plan (2009-2012)* and the *Intercultural Health Strategy (2007- 2016)* continued to be implemented throughout 2011. The 2011 *Programme for Government Common Statement* included a commitment to 'promote policies which integrate minority ethnic groups in Ireland, and which promote social inclusion, equality, diversity and the participation of immigrants in the economic, social, political and cultural life of their communities'.⁵⁵ Specific commitments included the promotion of policies which seek to integrate minority ethnic groups in Ireland including the participation of immigrants in the 'economic, social, political and cultural life of their communities'. Overall, during 2011 the Office for the Promotion of Migrant Integration (OPMI) paid grants of €181,994 to local authorities, €253,206 to sporting bodies and €806,675 to other national organisations.

⁵³ Irish Naturalisation and Immigration Service (9 June 2011). 'Sham marriages leading to abuses of EU freedom of movement rights'. *Press Release*. Available at www.inis.gov.ie.

⁵⁴ The Irish Times (8 January 2011). '*Biometric checks on Pakistani visas likely*'. Available at www.irishtimes.com.

⁵⁵ Government of Ireland (2011). *Programme for Government 2011*. Available at http://www.taoiseach.gov.ie/eng/Publications/Publications_2011/Programme_for_Government_2011.pdf.

Citizenship and Naturalisation

In June 2011 it was announced that a series of changes to the citizenship application process in Ireland was to take place to enable 'more efficient and streamlined processing times'. All applications are to receive a decision within six months (except in exceptional circumstances), and, noting the high level of applications which routinely had to be returned due to errors, introduced a simplified application form. The introduction of citizenship ceremonies was also provided for, and the first took place in Dublin on 24 June 2011.⁵⁶ Other changes announced during 2011 included accelerated checking procedures for certain categories of applicants (such as spouses of Irish citizens and recent grantees of long-term residency) in which similar checks may have already taken place.⁵⁷

The issue of processing times for applications for citizenship has attracted considerable debate in recent years, and received additional media reporting during 2011. In June 2011, the Minister for Justice, Equality and Defence stated that upon taking office in March of that year, approximately 22,000 citizenship applications were awaiting decisions. Of this number, approximately 17,000 had been waiting over six months, with an average waiting time of 26 months. During 2011 a total of 16,150 applications had been decided upon, in contrast to the previous year when 7,800 cases were decided.⁵⁸ The Department of Justice and Equality noted in its *Annual Report 2011* that as from mid-2012 all non-complex cases (referenced as 70% of all applications) will be completed within six months.⁵⁹

In a year-end review of 2011 activities, the Minister for Justice, Equality and Defence highlighted the completion of preparations for an English language and civics test for naturalisation applicants during 2012 as a key priority.⁶⁰ It was stated that this knowledge of language and understanding of how 'business is conducted in Ireland...must form an integral part of eligibility for naturalisation'.⁶¹

⁵⁶ Irish Naturalisation and Immigration Service (January 2012). 'Immigration in Ireland 2011 – a year-end snapshot – major changes and more to follow. Minister Shatter outlines plans for 2012'. *Press Release*. Available at www.inis.gov.ie.

⁵⁷ Irish Naturalisation and Immigration Service (June 2011). 'Minister Shatter introduces major changes to citizenship application processing regime'. *Press Release*. Available at www.inis.gov.ie.

⁵⁸ Department of Justice and Equality (2012). *Annual Report 2011*. Available at www.justice.ie.

⁵⁹ *Ibid.*

⁶⁰ Irish Naturalisation and Immigration Service (January 2012). 'Immigration in Ireland 2011 – a year-end snapshot – major changes and more to follow. Minister Shatter outlines plans for 2012'. *Press Release*. Available at www.inis.gov.ie

⁶¹ *Ibid.*

Changes to Counter-Trafficking Procedures

Amendments during 2011 to Administrative Arrangements for victims of trafficking⁶² included clarification on the scope of application of the Arrangements; application to persons under 18 years; clarification in relation to family reunification; clarification as to the process followed when a person is refused a declaration of refugee status; and new provisions allowing for an application or a change of status to be made.⁶³

Two draft memoranda related to the trafficking area were prepared during 2011. A Memorandum of Understanding between Ireland and the U.K was prepared to address the need to enhance collaboration on information sharing in the prevention of trafficking in human beings. This follows consultation during 2011 between representatives of the UK Serious Organised Crime Agency (SOCA), the Human Trafficking Investigation and Coordination Unit of An Garda Síochána (HTICU) and the Anti-Human Trafficking Unit of the Department of Justice and Equality. During 2011 consultation also took place between representatives of the Nigerian National Agency for the Prohibition of Traffic in Persons and Other Related Matters (NAPTIP), the Human Trafficking Investigation and Coordination Unit of An Garda Síochána (HTICU) and the Anti-Human Trafficking Unit, of the Department of Justice and Equality. A draft Memorandum of Understanding was then prepared on broad scale cooperation with Nigeria to combat human trafficking.⁶⁴

Zambrano Judgment

A 2011 European Court of Justice (ECJ) ruling saw both a change in policy of the Irish Government and much media discussion. The *Zambrano* ruling impacted the State's policy in respect of the deportation of parents of Irish citizen children. Arising from this Judgment, the Department's Repatriation Division said it examined all cases where a link to the Judgment had been identified to see if such cases meet the *Zambrano* criteria, and that where the criteria were met, '*all other things being equal*', permission to remain in the State would be granted, for a specified period, of a nature as will enable such parents to work in the State without an employment permit or to set up in any legitimate business or profession without seeking the permission of the Minister. In a

⁶² Administrative Arrangements for victims of trafficking set out the protections from removal, such as a 60 day period of recovery and reflection and renewable 6 month temporary residence permission in addition to other protections, available to suspected victims of human trafficking who have no legal permission to be present in the State. They were established in June 2008 to coincide with the commencement of the *Criminal Law (Human Trafficking) Act 2008* and were updated and republished in July 2010 and March 2011.

⁶³ The Administrative Arrangements were to be given legislative effect in the *Immigration, Residence and Protection Bill 2010*.

⁶⁴ Anti-Human Trafficking Unit, Department of Justice and Equality (May 2012).

statement released during 2011 INIS stated that the *Zambrano* judgment may be particularly relevant to three categories of third country nationals: parents of an Irish born citizen child or children who are awaiting a decision in their case under Section 3 of the *Immigration Act 1999 (as amended)*; parents of an Irish born citizen child or children who have current permission to remain in the State on the basis of Stamp 1, Stamp 2 or Stamp 3 conditions; and parents of an Irish born citizen child who have been deported or who have left the State on foot of a deportation order. In the latter case, the Department announced that applications for a visa would have to be processed via the non-Irish national applicants' country of origin, and that evidence of a 'clear link' to the *Zambrano* judgment would be required. It was also stated that DNA evidence of a biological link to an Irish citizen child or children may be requested. The Department said that exclusions would be provided for in the case of 'serious and/or persistent criminal offences.'⁶⁵

Readmission Agreements

Regarding readmission agreements, Ireland continued to participate in both an EU-Hong Kong readmission agreement and a bilateral agreement with Nigeria during 2011. While the *National Readmission Agreement* with Nigeria was concluded in 2001, it has not yet been fully ratified by Nigeria but it is reported that immigration authorities in both countries are acting "in the spirit" of the agreement which has since been "reviewed and agreed to be working well."⁶⁶ During 2011-12, Ireland indicated its intention to participate in a number of addition EU-level readmission agreements.

⁶⁵ Irish Naturalisation and Immigration Service (2011). *European Court of Justice Judgment in the Zambrano case*. Available at <http://www.inis.gov.ie/en/INIS/Pages/WP11000037>.

⁶⁶ Dail Eireann Parliamentary Question No. 289, 31 March 2009.

3. Migration Movements

Revised estimates of population and migration by nationality in Ireland for the years 2007-2011 were recently published in the Central Statistics Office (CSO), 'Population and Migration Estimates, April 2012', in line with the results of the 2011 Census. The population estimate for 2011 was revised upwards by 90,600, (almost 2% of the total population) with smaller adjustments for 2007-2010. As a result of the revised population estimates, gross inward flows have been revised upwards by 109,600 for the years 2007-2011, while emigration was also revised up by 23,100.

Table 1: Gross and Net Migration Flows, 1987-2012

<i>Year (ending April)</i>	<i>Outward</i>	<i>Inward 1,000s</i>	<i>Net</i>
1987	40.2	17.2	-23.0
1988	61.1	19.2	-41.9
1989	70.6	26.7	-43.9
1990	56.3	33.3	-22.9
1991	35.3	33.3	-2.0
1992	33.4	40.7	7.4
1993	35.1	34.7	-0.4
1994	34.8	30.1	-4.7
1995	33.1	31.2	-1.9
1996	31.2	39.2	8.0
1997	25.3	44.5	19.2
1998	28.6	46.0	17.4
1999	31.5	48.9	17.3
2000	26.6	52.6	26.0
2001	26.2	59.0	32.8
2002	25.6	66.9	41.3
2003	29.3	60.0	30.7
2004	26.5	58.5	32.0
2005	29.4	84.6	55.1
2006	36.0	107.8	71.8
2007	46.3	151.1	104.8
2008	49.2	113.5	64.3
2009	72.0	73.7	1.6
2010	69.2	41.8	-27.5
2011	80.6	53.3	-27.4
2012	87.1	52.7	-34.4

Source: Central Statistics Office (various years), *Population and Migration Estimates*. Available at www.cso.ie.

Inward migration increased until 2007 and has since declined. The gross migratory inflow increased from around 20,000-25,000 per annum in the late 1980s to over 50,000 per annum after 2000 and to over 150,000 in the year to April 2007, before declining with the deterioration in the labour market to 42,000 in the year to April 2010 and then increasing somewhat to over 50,000 in each of the years to 2010-11 and 2011-12.

3.1 Inward Migration

Table 2: Estimated Immigration by Nationality, 1996 – 2012

	Irish	UK	EU Old 13	EU NMS	Rest of World	Total
<i>12 months to:</i>				<i>1,000's</i>		
1996	17.7	8.3	5.0	0.0	8.2	39.2
2001	26.3	9.0	6.5	0.0	17.3	59.0
2004	16.7	7.4	13.3	0.0	21.1	58.5
2005	18.5	8.9	9.3	34.1	13.7	84.6
2006	18.9	9.9	12.7	49.9	16.4	107.8
2007	30.7	4.3	11.8	85.3	19.0	151.1
2008	23.8	6.8	9.6	54.7	18.6	113.5
2009	23.0	3.9	11.5	21.1	14.1	73.7
2010	17.9	2.5	6.2	9.3	6.0	41.8
2011 ¹	19.6	4.1	7.1	10.1	12.4	53.3
2012 ²	20.6	2.2	7.2	10.4	12.4	52.7
				%		
1996	45.2	21.2	12.8	0.0	20.9	100.0
2001	44.6	15.3	11.0	0.0	29.3	100.0
2004	28.5	12.6	22.7	0.0	36.1	100.0
2005	21.9	10.5	11.0	40.3	16.2	100.0
2006	17.5	9.2	11.8	46.3	15.2	100.0
2007	18.3	5.4	9.5	48.1	16.2	100.0
2008	19.3	8.4	10.3	40.2	15.2	100.0
2009	32.1	7.7	15.0	23.6	12.6	100.0
2010	43.2	7.8	14.0	18.8	16.4	100.0
2011 ¹	40.4	6.1	13.7	21.3	19.1	100.0
2012 ²	42.8	6.0	14.8	22.2	14.4	100.0

Notes: ¹ Census of Population; ² Preliminary

Source: Central Statistics Office (various years). *Population and Migration Estimates*.

Available at www.cso.ie.

In 2007, at the peak of the inward migration flow, 85,000 individuals migrated to Ireland from the new EU Member States (NMS), almost half total net immigration in that year. Immigration from the NMS fell to about 10,000 in 2011 and 2012. Since 2009, with the onset of recession, returning Irish have become the single largest component of inward migration, thus returning to a long established trend that obtained prior to EU enlargement in 2004.

In terms of age distribution, the decline in immigrant numbers can be observed in each age group. Those aged 25-44 years currently constitute almost half of the total inflow. Over a quarter of the gross inflow relates to young people aged 15-24 years and this represents a decline in the share of this age group: during the peak years of immigration those aged 15-24 accounted for between 40% and 50% of all inward migration. About 15% of inward migrants in 2010 were children aged less than 15 years.

Table 3: Estimated Immigration Flows classified by Age, 1991-2012

End April	0-14	15-24	25-44	45-64	65+	Total
1,000s						
1991	5.2	9.3	14.6	2.5	1.7	33.3
1996	6.6	10.9	16.9	3.6	1.2	39.2
2001	7.9	16.4	29.5	4.3	0.8	59.0
2002	7.0	19.8	35.2	4.2	0.8	66.9
2003	7.3	17.5	28.8	5.1	1.3	60.0
2004	6.1	18.7	28.8	4.2	0.7	58.5
2005	8.0	24.2	44.8	6.1	1.2	84.6
2006	11.5	31.6	57.2	6.1	1.4	107.8
2007	11.4	61.4	65.8	10.1	2.4	151.1
2008	13.9	50.0	38.8	7.2	3.6	113.5
2009	4.5	37.2	26.4	3.3	2.3	73.7
2010	1.8	17.3	18.8	2.0	1.9	41.8
2011 ¹	6.1	14.6	26.9	4.3	1.3	53.3
2012 ²	7.9	14.6	25.6	4.1	0.6	52.7
Males						
1991	2.7	4.5	8.0	1.4	0.9	17.6
1996	3.1	4.2	8.7	2.2	0.6	18.8
2001	4.1	6.6	16.3	2.5	0.5	30.1
2006	5.5	16.4	34.0	3.7	0.7	60.3
2007	5.3	28.9	38.1	6.0	1.7	80.0
2008	6.6	23.3	18.0	4.2	1.7	53.9
2009	2.2	18.6	13.0	1.6	1.4	36.8
2010	1.4	7.6	9.9	0.8	0.7	20.4
2011 ¹	3.1	6.4	13.6	2.2	0.7	26.0
2012 ²	3.2	6.0	13.3	1.9	0.5	25.0
Females						
1991	2.6	4.8	6.5	1.1	0.8	15.8
1996	3.6	6.7	8.1	1.3	0.6	20.4
2001	3.8	9.8	13.2	1.8	0.3	29.0
2006	6.0	15.2	23.2	2.4	0.7	47.5
2007	6.1	32.5	27.7	4.1	0.7	71.1
2008	7.3	26.7	20.7	3.0	1.8	59.5
2009	2.3	18.6	13.4	1.7	0.9	36.8
2010	0.5	9.7	8.8	1.3	1.1	21.4
2011 ¹	3.0	8.2	13.3	2.1	0.7	27.2
2012 ²	4.6	8.6	12.3	2.2	0.1	27.8

Notes: ¹ Census of Population; ² Preliminary

Source: Central Statistics Office (various years). *Population and Migration Estimates*. Available at www.cso.ie.

Other Indicators of Immigration

PPSN Allocations

Table 4: Personal Public Service Numbers Issued by Nationality, 2003-2011

	Irish	Non-Irish National	Total
		<i>1,000s</i>	
2003	109.1	82.5	191.6
2004	95.4	124.6	220.0
2005	85.6	185.6	271.2
2006	84.7	227.2	311.9
2007	90.2	215.4	305.6
2008	93.0	154.3	247.3
2009	86.7	79.2	165.9
2010	85.1	69.6	154.2
2011	85.2	67.8	153.0
2012 ¹	62.4	55.2	117.6

Source: www.welfare.ie.

¹ January-October only.

The Irish Department of Social Protection issues Personal Public Service Numbers (PPSN) which are necessary for employment. The number of such PPSNs issued to non-Irish nationals increased from 82,500 in 2003 to over 227,000 in 2006, and then fell to 154,000 in 2008 and 68,000 in 2011.

An analysis by the Central Statistics Office that compares PPSN allocations and employer end-of-year (P45) returns to the Revenue Commissioners for non-Irish nationals reveals the extent to which those allocated PPS numbers took up and retained insurable employment over time.⁶⁷ The analysis shows that employment activity in 2009 had fallen below 50% for all nationality groups. Only one-third of those allocated a PPSN in 2004 showed employment activity in 2009. Moreover, reflecting the employment crisis, in 2009 no cohort showed an employment rate higher than 38%; this latter rate related to those who had been allocated as PPSN in 2008.

Among nationals of the NMS, the employment rate started off very high (79%) in 2004 and fell off more slowly than in respect of other nationalities. Nevertheless, just 44% of NMS nationals allocated PPSNs in 2004 were economically active in 2009, compared to the average of 33% for all nationalities.

⁶⁷ Central Statistics Office (2011). *Foreign Nationals: PPSN Allocations and Employment, 2009*. Available at www.cso.ie.

Visas

During 2011, some 136,944 visa applications were received by Ireland.⁶⁸ A total of 83,437 applications were for entry visas, with 53,507 applications for re-entry visas which are issued to nationals of visa required countries who are legally present in Ireland and wish to leave temporarily (holidays, business, visit relatives etc.) and to re-enter the State.⁶⁹ Some 91% of all applications for entry visas were approved. The main country of nationality of persons applying for visas during 2011 was India (16%), Russia (13%), China (11%), Nigeria (7%) and Turkey (5%).⁷⁰

As of March 2010 Ireland began collecting biometric data in the form of fingerprints as part of the visa application process. This process initially began in Nigeria and is expected to extend to other locations at a later date. All visa applicants aged six years and over and who are residing in Nigeria (irrespective of nationality) must present in person to one of the Ireland Visa Application Centres (VAC) in Abuja or Lagos.

Inflows of Workers from Non-EEA Countries

It is possible to derive information on the trends in the numbers of non-EEA nationals⁷¹ entering the country to take up employment by analysing the annual figures for the numbers of employment permits issued and renewed by the Department of Jobs, Enterprise and Innovation. This programme is based on the provisions of the *Employment Permits Act 2003* and, since January 2007, the *Employment Permits Act 2006*.⁷² Work and employment permits apply to all engagements for financial gain involving non-EEA citizens, including those of short duration. The system is employer-led. The application must relate to a specific job and to a named individual. In the period leading up to EU enlargement on 1 May 2004, the Department of Jobs, Enterprise and Innovation, in accordance with the *EU Accession Treaty*, encouraged employers to source their potential work permit requirements from the EU-25 countries.⁷³

⁶⁸ Department of Justice and Equality (2012). *Annual Report 2011*. Available at www.justice.ie.

⁶⁹ Irish Naturalisation and Immigration Service (May 2012).

⁷⁰ Department of Justice and Equality (2012). *Annual Report 2011*. Available at www.justice.ie.

⁷¹ EU citizens and citizens of Norway, Iceland and Liechtenstein do not require Employment Permits in order to take up employment in Ireland.

⁷² It was previously based on the *Aliens Act 1935*.

⁷³ Post-Accession in 2007, Ireland initially applied transitional arrangements and continued to require Bulgarian and Romanian nationals to hold an employment permit to access the Irish labour market (excluding self-employed and economically self-sufficient persons and students). In July 2012 it was announced that such restrictions would cease with effect from 1 January 2012.

Table 5: Employment Permits Issued and Renewed, 1993-2011

Year	Permits Issued	Permits Renewed	Total Permits Issued (including Group Permits)
2011	3,184	2,016	5,200
2010	3,394	3,877	7,271
2009	4,024	3,938	7,962
2008	8,481	5,086	13,567
2007	10,147	13,457	23,604
2006	8,254	16,600	24,854
2005	8,166	18,970	27,136
2004	10,821	23,246	34,067
2003	22,512	25,039	47,551
2002	23,759	16,562	40,321
2001	29,951	6,485	36,436
2000	15,735	2,271	18,006
1999	4,597	1,653	6,250
1998	3,830	1,886	5,716

Source: Department of Jobs, Enterprise and Innovation. Available at www.enterprise.gov.ie.

Until this century the number of workers entering the country with employment permits was small, and did not change very much over the years. Many of those involved tended to be skilled and working in multinational enterprises, in the medical sphere or in a self-employed capacity in the catering area. However, as Table 5 shows, the number of permits increased rapidly from over 6,000 in 1999 to nearly 50,000 in 2003. Following EU enlargement in 2004, and the implementation of the new policy of meeting most Irish labour market demand from within the EU, the number of permits dropped steadily. The decline was particularly dramatic from 2007 (23,604) to 2009 (7,900) when the most dramatic fall occurred in respect of renewals of work permits. There was a decrease of over a quarter in the number of permits issued year-on-year in 2011 (28.5%), mostly centred on renewals which saw a drop of almost half year-on-year (48.0%).

Table 6 above shows a breakdown of employment permits issued between 2009 and 2011. While the overall number of employment permits fell during 2011, certain categories (green cards, intra-corporate transfers and training permits) saw overall increases year-on-year. Of note, all of these categories had seen a decrease between 2009 and 2010 in overall permit numbers. Both new and overall green card permits rose by over 60% year-on-year, with intra-corporate transfers rising by just over 20% for the same categories. Intra-corporate transfer renewals also rose by 15.9% year-on-year.

Table 6: Employment Permits, 2009-2011

Year	Type of Permit	New	Renewal	Total
2011		3,179	2,012	5,191
	Work Permit	1,353	547	1,900
	Green Card	910	0	910
	Intra-company Transfer (ICT)	320	80	400
	Spousal/Dependant	586	1,384	1,970
	Training	10	1	11
2010		3,541	3,935	7,476
	Work Permit	2,011	1,418	3,429
	Green Card	561	1	562
	Intra-Company Transfer (ICT)	263	69	332
	Spousal/Dependant	702	2,445	3,147
	Training	4	2	6
2009		3,832	3,842	7,674
	Work Permit	2,043	2,169	4,212
	Green Card	727	2	729
	Intra-Company Transfer (ICT)	286	91	377
	Spousal/Dependent	764	1,576	2,340
	Training	12	4	16

Source: Department of Department of Jobs, Enterprise and Innovation.

Note: Totals may be different to published figures.

Training permits showed a large increase in new and overall numbers (150% and 83.3% respectively), albeit from a low base. Work permits saw the largest absolute fall from overall issuances in 3,429 in 2010 to 1,900 in 2011, with both new permits and renewals seeing a year-on-year decrease (of 32.7% and 61.4% respectively). They cover occupations offering a salary of €30,000 or less per annum, and are targeted at workers mainly in skilled and low-skilled sectors. Permits under the *Spousal/Dependant Scheme* also fell in large actual numbers with a decrease from 3,147 in 2010 to 1,970 during 2011. From 1 June 2009, the *Spousal/Dependant Scheme* was restricted to only apply to the spouses and dependants of Green Cards Holders and holders of Hosting Agreements.

Table 7: Employment Permits Issued and Renewed by Country of Nationality, 2003-2010 (Major Sending Countries)

	2003	2004	2007	2008	2009	2010	2011		
							<i>New</i>	<i>Renewals</i>	<i>Total</i>
Australia	1149	908	808	410	193	96	45	14	59
Bangladesh	1038	1009	666	277	180	86	26	15	41
Brazil	1554	1512	1173	601	297	344	55	107	162
Canada	304	269	348	212	135	100	79	11	90
China	1593	1284	1188	661	411	318	165	88	253
Croatia	235	141	112	56	24	27	9	8	17
Egypt	277	257	171	79	39	27	15	5	20
India	1030	1253	4069	3334	1788	1998	974	672	1646
Israel	22	19	175	100	26	17	32	7	39
Japan	209	235	208	65	50	39	30	6	36
Malaysia	1030	886	797	549	462	272	156	26	182
Mexico	49	39	125	30	14	11	9	2	11
Moldova	1043	849	534	208	123	90	12	34	46
New Zealand	658	550	484	224	127	62	35	13	48
Nigeria	84	60	138	151	57	59	28	19	47
Pakistan	830	846	813	362	194	166	63	50	113
Philippines	4042	4301	3885	2210	1426	1223	203	550	753
Romania	2527	2113	120	126	196	771	313	14	327
Russian Federation	1091	0	404	172	70	71	50	17	67
South Africa	2468	2031	1461	752	406	201	64	58	122
Sri Lanka	155	144	187	84	55	43	8	9	17
Thailand	549	507	486	235	146	91	30	27	57
Turkey	466	1191	222	108	43	56	48	12	60
Ukraine	2866	2137	1412	487	248	209	49	51	100
United States of America	961	927	1209	867	553	382	426	69	495
Zimbabwe	262	251	216	111	45	37	8	11	19
Total	47551	34067	23604	13567	7962	7271	3184	2016	5200

Source: Department of Jobs, Enterprise and Innovation. Available at www.enterprise.gov.ie.

Table 7 shows the number of employment permit holders from 2003 to 2011 in respect of the citizens of different countries with substantial numbers of permits.⁷⁴ With the exception of Israel, Mexico (which saw no change), Turkey and the USA, the number of employment permits issued to citizens of every other country in the table declined between 2010 and 2011. Looking at an increase in the actual number of permits, the USA showed the largest increase with a jump of 29.6% year-on-year from 382 to 495. The majority of these issued during 2011 (86.1%) represent new permits.

Refugees and Asylum Seekers

The number of persons entering Ireland as asylum seekers or persons seeking refugee status has declined quite rapidly in recent years following legislative and administrative changes taken to cope with the huge increase in the number of applicants from less than 40 in 1992 to a peak of 11,600 in 2002 (Table 8). This number fell sharply in subsequent years with a fall of about 60% (or 7,000) between 2002 and 2005. There were 1,290 applications for asylum in Ireland in 2011, slightly higher than 1996 figures and a decrease of a third (33.5%) on 2010 figures. This annual influx for 2011 represents about 2% of the estimate of total gross inward migration in the year to April 2012.

Table 8: Asylum Seekers 1992-2011

Year	Number of Applications
2011	1,290
2010	1,939
2009	2,689
2008	3,866
2007	3,985
2006	4,314
2005	4,323
2004	4,766
2003	7,900
2002	11,634
2001	10,325
2000	10,938
1999	7,724
1998	4,626
1997	3,883
1996	1,179
1995	424
1994	362
1993	91
1992	39

Source: Office of the Refugee Applications Commissioner. Available at <http://www.orac.ie>

⁷⁴ The table distinguishes all countries for which the 2007 inflow exceeded 100.

Previous SOPEMI reports have noted important recent developments that may have influenced the decrease in applications for asylum, including provisions within the *Immigration Act 2003* for carrier liability for bringing an undocumented immigrant into the state, for fingerprinting of all asylum applicants, for an increased duty on applicants to co-operate with the asylum process, for the designation of safe countries of origin and for an accelerated procedure for certain categories of applications deemed to warrant prioritisation.⁷⁵ Another possible recent legislative change which may have affected the flow of asylum seekers may be the resolution of the issue relating to the citizenship of Irish-born children via changes to the *Irish Nationality and Citizenship Act, 2004* which provides that any person born in Ireland after 1st January 2005 to non-Irish parents will not be entitled to be an Irish citizen unless one of the parents was lawfully resident in Ireland for at least three out of the four years preceding the child's birth.

Table 9 shows that in 2011 Nigeria continued to be largest country of stated nationality by applicants for asylum (182) and accounting for 14.1% of all applications. In contrast, during 2007 and 2008, over a quarter of asylum applicants were of stated Nigerian nationality (at 1,028 and 1,009 respectively). From 2007 to 2011, nationals of China, Nigeria and Pakistan are present in the top five nationality breakdowns.

Table 9: Applications for Asylum by Main Country of Nationality 2007 – 2011

Ranking	2007	2008	2009	2010	2011
1 st	Nigeria 1,028	Nigeria 1,009	Nigeria 570	Nigeria 387	Nigeria 182
2 nd	Iraq 285	Pakistan 237	Pakistan 257	China 228	Pakistan 175
3 rd	China 259	Iraq 203	China 194	Pakistan 200	China 142
4 th	Pakistan 185	Georgia 181	DR Congo 102	DR Congo 71	DR Congo 70
5 th	Georgia 174	China 180	Zimbabwe 91	Afghanistan 69	Afghanistan 67
6 th	Sudan 158	DR Congo 173	Georgia 88	Ghana 57	Zimbabwe 66
7 th	DR Congo 151	Moldova 141	Moldova 86	Cameroon 56	
8 th	Somalia 145	Somalia 141	Somalia 84	Moldova 56	
9 th	Moldova 133	Sudan 126	Ghana 82	Georgia 53	
10 th	Eritrea 112	Zimbabwe 114	Iraq 76	South Africa 53	
All others	1,355	1,361	1,059	709	588
Total	3,985	3,866	2,689	1,939	1,290

Source: Office of the Refugee Applications Commissioner (ORAC). Available at www.orac.ie.

Table 10 shows on overall decrease of 28.7% in the number of appeals received by the Refugee Appeals Tribunal year-on-year during 2011. The largest increase (30.1%) relates to those received under the substantive and substantive 15 days procedure.

⁷⁵ These and other provisions of this Act were discussed in earlier reports, in particular the report for SOPEMI for 2003. As of March 2010, Nigeria was removed from the list of priority countries.

Table 10: Asylum Appeals Received by Type 2010 and 2011

Procedure	2010	2011	% Change
Substantive/ Substantive 15 Day	917	641	-30.1%
Accelerated	541	386	-28.7%
Dublin Regulation	94	79	-16.0%
Total	1,552	1,106	-28.7%

Source: Table cited in Refugee Appeals Tribunal (2012). *Annual Report 2011*. Available at www.refappeal.ie.

Table 11 shows that during 2011, Nigeria continued to be the main stated country of nationality for applicants for appeal and accounting for 20.3% of all cases. In 2007 and 2008, over a third of appeals related to Nigerian nationals. From 2007 to 2011, nationals of Nigeria and Pakistan are present in the top five nationality breakdowns.

Table 11: Total Asylum Appeals Received by Main Country of Origin 2007- 2011

Ranking	2007		2008		2009		2010		2011	
1 st	Nigeria	968	Nigeria	1,021	Nigeria	575	Nigeria	330	Nigeria	225
2 nd	Georgia	151	DR Congo	186	Pakistan	249	Pakistan	160	Pakistan	156
3 rd	Pakistan	125	Pakistan	167	DR Congo	133	Somalia	71	DR Congo	80
4 th	DR Congo	122	Sudan	111	Georgia	129	Afghanistan	70	Zimbabwe	67
5 th	Iraq	105	Georgia	107	Somalia	122	Ghana	62	Afghanistan	54
6 th	Somalia	101	Zimbabwe	88	Zimbabwe	118	Cameroon	56	Cameroon	36
7 th	Sudan	81	Iraq	87	Ghana	108	Georgia	51	South Africa	35
8 th	Afghanistan	69	Afghanistan	85	Iraq	96	DR Congo	50	Ghana	30
9 th	Zimbabwe	69	Moldova	77	Moldova	87	Bangladesh	46	Algeria	27
10 th	Ghana	62	Ghana	69	Sudan	76	Sudan	40	Bangladesh	25
	Moldova	62								
All Others		934		1,072		1,021		612		372
Total	Total	2,849	Total	3,070	Total	2,714	Total	1,548	Total	1,106

Source: Refugee Appeals Tribunal, various Annual Reports. Available at www.refappeal.ie.

Note: Rounding takes place.

During 2011, some 77.7% of asylum applications were made at the Office of the Refugee Applications Commissioner (ORAC) and 15.7% were made at a port of entry (airport).

Some 1,834 cases were finalised by ORAC during 2011, with a total of 238 first instance applications remained outstanding at year end. A total of 243 determinations were made under the Dublin Regulation.⁷⁶

A total of 1,378 appeals were completed by the Refugee Appeals Tribunal during the year, including cases relating to the Dublin Regulation. Some 921 cases were finalised under substantive 15 day appeals, 369 under accelerated appeals and 88 related to appeals under the Dublin Regulation under new and older procedures during 2011.⁷⁷ Some 99% of recommendations made by the Refugee Applications Commissioner under manifestly unfounded and accelerated decisions were affirmed during 2011 (relating to 6 positive cases), and some 94% of all recommendations relating to decisions under the Dublin Convention/Regulation were upheld (relating to 5 positive cases).⁷⁸

Regarding the judicial review of cases, at the end of 2011 some 238 cases related to ORAC were on hand. The Office received 79 new legal challenges during the year.⁷⁹ A total of 234 applications for judicial review against decisions of the Refugee Appeals Tribunal were filed during the year.⁸⁰

The Office of the Refugee Applications Commissioner received some 26 applications for asylum from unaccompanied minors during 2011.

Some 61 positive recommendations were made at first instance during 2011, with 71 appeals granted at second instance. The refugee recognition rate in Ireland during the year was 4.9%.

Table 12 provides estimated refugee recognition rates for the period 2004 to 2010 based on published statistics from the Office of the Refugee Applications Commissioner (ORAC) and the Refugee Appeals Tribunal (RAT). These rates are calculated on the basis of the total number of recommendations or decisions that refugee status should be granted at first instance and appeal in any given year as a percentage of the total number of recommendations or decisions made at first instance or appeal in that year. The problem of double counting cases persists. The number of persons who are granted refugee status in Ireland in accordance with provisions set forth in the *1951 UN Convention Relating to the Status of Refugees* tends to be comparatively small.

⁷⁶ Office of the Refugee Applications Commissioner (February 2012). *Monthly Statistical Report December 2011*. Available at www.orac.ie.

⁷⁷ Refugee Appeals Tribunal (2012). *Annual Report 2012*. Available at www.refappeal.ie.

⁷⁸ *Ibid.*

⁷⁹ Office of the Refugee Applications Commissioner (2012). *Annual Report 2011*. Available at www.orac.ie.

⁸⁰ Refugee Appeals Tribunal (2012). *Annual Report 2011*. Available at www.refappeal.ie.

Calculation of refugee recognition rates that take adequate account of first instance and appeal stages are inherently problematic because they involve the comparison of annual numbers of applications and decisions, and the latter can relate to applications over a number of years.

Table 12: Refugee Recognition Rate, 2004-2011

	2004	2005	2006	2007	2008	2009	2010	2011
Total ORAC Recommendations	6,878	5,243	4,244	3,808	3,932	3,263	1,787	1,447
Total RAT Completed Appeals	6,305	4,029	1,950	1,878	2,568	3,586	2,870	1,290
Positive ORAC Recommendations	430	455	397	376	295	98	24	61
“Positive” RAT Decisions*	717	514	251	203	293	268	129	71
Total Decisions/Recommendations	13,183	9,272	6,194	5,686	6,494	6,849	4,657	2,737
Total Positive Decisions/Recommendations	1,147	969	648	579	588	366	153	132
Recognition Rate ORAC	6.3%	8.7%	9.4%	9.9%	7.5%	3.0%	1.3%	4.2%
Recognition Rate RAT	11.4%	12.8%	12.9%	10.8%	11.4%	7.5%	4.5%	5.5%
Overall Recognition Rate	8.7%	10.5%	10.5%	10.2%	9.0%	5.3%	3.4%	4.9%

Source: Derived from Office of the Refugee Applications Commissioner statistics available at www.orac.ie; Refugee Appeals Tribunal statistics available at www.refappeal.ie. Data related to EU Dublin Regulation cases are excluded, including cases deemed withdrawn under Section 22(8) of The *Refugee Act 1996 (as amended)* for 2009-2011 data.

* Recommendations issued by the Refugee Appeals Tribunal to the Minister for Justice and Equality to overturn the decision of the Refugee Applications Commissioner are counted as “positive decisions”.

Other Categories of Permission to Remain in the State

Regarding applications for subsidiary protection under the *European Communities (Eligibility for Protection) Regulations 2006*, during 2011 some 889 applications for subsidiary protection in Ireland were received, a decrease of 39.4% on 2010 figures (1,466). The majority of 2011 cases related to nationals of Nigeria (135 applications), Pakistan (98 applications), Democratic Republic of Congo (60 applications), Afghanistan (53 applications) and Somalia (39 applications). A total of 13 grants took place during the year.

During 2011, some 2,349 applications for 'leave to remain' were submitted.⁸¹ A total of 1,968 persons were granted permission to remain during the year including cases granted following their consideration under Section 3 of the *Immigration Act 1999 (as amended)* and the cases involving persons who claimed a link to the *Zambrano* judgment in their case to remain in the State.⁸² In a review of the first 16 months of Government published in 2012, the Minister for Justice, Equality and Defence noted that Departmental officials had examined 'all cases before the courts (140 involving 134 applicants) involving Irish citizen dependent children to which the *Zambrano* judgement (which concerns only children born prior to the 2005 Citizenship Referendum)' applies, and of the applicants '120 have had their Deportation Order revoked and have either been granted permission to reside in the State, or invited to make a Visa application to re-enter the State'. In addition, a total of '97 cases have been settled', and '764 parents have to date been granted Irish residency rights'.⁸³

In 2011, Ireland continued to participate in the UNHCR-led Resettlement Programme for vulnerable refugees. Some 994 persons have been resettled in Ireland under this Programme since 2000. During 2011, 45 persons were resettled from Eritrea (9 persons), Ethiopia (6 persons), Iraq (6 persons), Morocco (1 person) and Sudan (23 persons).⁸⁴ This includes the relocation of 9 persons, for resettlement purposes, from Malta to Ireland.⁸⁵

During 2011 some 53 cases of alleged human trafficking involving 57 persons were reported to An Garda Síochána. Of this number, 37 persons were alleged victims of sexual exploitation; 13 were alleged victims of labour exploitation; two persons were alleged victims of both sexual and labour exploitation; and 5 were victims of uncategorised exploitation. The majority of referred alleged cases of human trafficking

⁸¹ With regard to the request for the number of leave to remain applications made in 2011, what has become colloquially known as 'an application for leave to remain' is the submission of written representations to the Minister for Justice and Equality in response to a notification of intention to deport issued under Section 3 of the *Immigration Act 1999 (as amended)*. Such notifications are issued to failed asylum seekers and to other illegal immigrants who have no legal basis to remain in the State. In 2011, 2,349 such notifications were issued in the asylum and non-asylum areas. It may be deduced from those notifications that at least 2,349 new 'leave to remain' cases were generated in that year. All such cases, with the exception of those where subsidiary protection is granted to an applicant, have to be considered under the various headings set out in Section 3 (6) of the *Immigration Act 1999 (as amended)* regardless of whether or not written representations are submitted.

⁸² Department of Justice and Equality (November 2012).

⁸³ Department of Justice and Equality (July 2012). *Alan Shatter, TD, Minister for Justice, Equality and Defence reports on work done during first 12 months of Government*. Available at www.justice.ie.

⁸⁴ This refers to country of stated nationality.

⁸⁵ Information as received from the Office for the Promotion for Migrant Integration. Cited as 24 Sudanese persons residing in Tunisia, 10 persons under international protection in Malta and two medical cases (relating to 10 persons) in the Department of Justice and Equality (2012). *Annual Report 2011*. Available at www.justice.ie.

related to persons from Africa, (23 cases from Western Africa, 3 from Southern Africa, 2 from North Africa and 1 from East Africa) and Europe (9 cases from EU countries excluding Ireland, 6 from Ireland and 2 from non-EU European countries). Some 8 cases related to persons from Asia and 3 from Latin America. During 2011, some 53 investigations relating to 57 persons involving allegations of trafficking in human beings were launched by An Garda Síochána. Of this number, 32 cases referred to on-going investigations. Some 6 cases saw no or insufficient evidence of an offence having occurred in Ireland. A further 6 cases saw investigations on-going in regard to other offences. Some 4 cases went before the Courts in Ireland, with 3 cases sent to the Director of Public Prosecutions (DPP). One case resulted in a conviction related to trafficking in human beings obtained under the *Criminal Law (Sexual Offences) Act, 1993* and in 1 case the claim of trafficking was withdrawn. Some 4 convictions took place during 2011 with regard to offences relating to the trafficking of human beings in Ireland.

Family Reunification

Applications for family reunification in respect of 501 persons with refugee status were received by the Irish Naturalisation and Immigration Service (INIS) during 2011, with approvals issued for 560 persons. Family reunification for some 233 persons was refused during the year. Applications for 260 persons were withdrawn or deactivated.⁸⁶ Overall, ORAC notes that some 244 applications for family reunification were made by declared refugees during 2011. The main countries of nationality of applications were Somalia, Nigeria, Iraq, Sudan and Afghanistan. A total of 244 cases were commenced and by year end some 284 cases had been completed and some 126 cases remained outstanding.⁸⁷

In 2011, some 2,379 EU Treaty Rights applications from non-EEA nationals for residence permission on the basis of being a family member of an EU national were received. The top five applicant nationalities were Pakistan (15%), Nigeria (10%), Brazil (10%), India (5%) and South Africa (4%).⁸⁸

A total of 10 applications (representing 10 persons) for family reunification by holders of subsidiary protection⁸⁹ in Ireland were received by INIS during 2011. Seven cases were approved.⁹⁰

⁸⁶ Irish Naturalisation and Immigration Service (May 2012).

⁸⁷ Office of the Refugee Applications Commissioner (May 2011)

⁸⁸ Department of Justice and Equality (2012). *Annual Report 2011*. Available at www.justice.ie.

⁸⁹ As provided for under the *European Communities (Eligibility for Protection) Regulations, 2006*.

⁹⁰ Irish Naturalisation and Immigration Service (September 2012).

3.2 Outward Migration

With the recession, emigration has increased, to over 87,000 in the 12 months to April 2011. This outflow is the highest level of emigration for over two decades.

Table 13: Estimated Emigration Flows by Country of Destination, 1991-2012

End April	UK	Rest of EU 15	EU 12 NMS	USA	Other	Total
Persons			1,000s			
1996	14.1	5.1	--	5.2	6.8	31.2
2001	7.8	5.6	--	3.4	9.5	26.2
2003	8.6	6.5	--	2.8	11.4	29.3
2004	7.1	5	--	3.9	10.5	26.5
2005	7.9	4.9	0.8	3.3	12.7	29.4
2006	8.8	5.7	2.3	3.3	15.8	36.0
2007	11.1	3.5	7.7	3.1	20.8	46.3
2008	7.6	7.8	10.1	2.4	21.3	49.2
2009	13.2	7.4	25.2	4.1	22.2	72.0
2010	15.3	11.9	14.6	2.9	24.5	69.2
2011 ¹	20.0	13.9	10.4	4.7	31.7	80.6
2112 ²	19.0	14.4	9.6	8.6	35.6	87.1
Males						
1996	6.7	2.2	--	2.7	3.6	15.3
2001	3.4	2	--	2	5.2	12.6
2006	4.5	2.4	1.0	1.6	9.3	18.7
2007	5.3	1.5	4.7	1.8	12.5	25.7
2008	3.9	3.2	6.5	1.8	14.2	29.6
2009	8.0	3.0	16.0	2.2	12.6	41.9
2010	8.8	5.4	9.0	2.1	15.2	40.6
2011 ¹	11.1	7.0	4.9	2.6	16.2	41.9
2012 ²	10.8	7.1	5.0	4.7	21.3	48.9
Females						
1996	7.4	2.8	--	2.5	3.2	15.9
2001	4.4	3.6	--	1.5	4.3	13.6
2006	4.4	3.3	1.4	1.7	6.6	17.3
2007	5.9	2.1	3.0	1.4	8.3	20.6
2008	3.7	4.6	3.6	0.6	7.1	19.6
2009	5.1	4.4	9.2	1.8	9.6	30.1
2010	6.4	6.5	5.6	0.8	9.3	28.7
2011 ¹	8.9	6.8	5.4	2.1	15.5	38.8
2012 ²	8.2	7.3	4.6	3.9	14.2	38.2

Notes: ¹ Census of Population; ² Preliminary.

Source: Central Statistics Office (various years). *Population and Migration Estimates*. www.cso.ie.

Destination and Nationality of Emigrants

Recent figures suggest that emigrants from Ireland (who are no longer all of Irish nationality) now tend to travel to a diverse range of countries. Table 13 shows that there was strong emigration to the new EU member states in the first years of the recession, but this tapered off in 2011 and 2012, while emigration to the UK, the USA and the Rest of the World outside the EEA, picked up.

Table 14: Estimated Emigration by Nationality, 2006-2012

	2006	2007	2008	2009	2010	2011	2012
	<i>1,000s</i>						
Irish	15.3	12.3	13.1	19.2	28.9	42.0	46.5
UK	2.2	3.7	3.7	3.9	3.0	4.6	3.5
Rest of EU15	5.1	8.9	6.0	7.4	9.0	10.2	11.2
EU12 NMS	7.2	12.6	17.2	30.5	19.0	13.9	14.8
Rest of world	6.2	8.2	9.0	11.0	9.3	9.9	11.1
Total	36.0	46.3	49.2	72.0	69.2	80.6	87.1
	<i>%</i>						
Irish	42.5	26.6	26.6	26.7	41.8	52.1	53.4
UK	6.1	8.0	7.5	5.4	4.3	5.7	4.0
Rest of EU15	14.2	19.2	12.2	10.3	13.0	12.7	12.9
EU12 NMS	20.0	27.2	35.0	42.4	27.5	17.2	17.0
Rest of world	17.2	17.7	18.3	15.3	13.4	12.3	12.7
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0

Source: Central Statistics Office (2012). *Population and Migration Estimates, April 2012*. Available at www.cso.ie.

Unfortunately we do not know how much of the non-Irish national emigration reported in Table 12 represents return migration. However, Table 14, showing outward migration by nationality, provides some information on this. In the twelve months to 2012, emigration of Irish nationals increased sharply to over 46,000 individuals, which represented well over half of total emigration. This represents a substantial increase over previous years. Citizens of the EU New Member States (NMS) accounted for about 17% of all outflows. This was a substantial reduction in the outflow of new Member State nationals, who emigrated in large numbers in the first two years of the recession. Given that the number of NMS citizens emigrating from Ireland substantially exceeds the number emigrating to these States, it suggests that many citizens of the NMS are migrating on to other destinations.

Table 15: Estimated Emigration Flows classified by Age, 1991-2012

End April	0-14	15-24	25-44	45-64	65+	Total
Persons			1,000s			
1991	4.6	19.9	10.5	0.4	0.0	35.3
1996	0.9	21.4	8.1	0.7	0.0	31.2
2001	0.0	21.2	4.4	0.0	0.7	26.2
2002	2.5	18.7	3.1	0.1	1.2	25.6
2003	0.9	17.0	8.8	1.3	1.2	29.3
2004	1.5	14.1	9.2	1.3	0.4	26.5
2005	2.1	14.3	10.6	1.5	0.9	29.4
2006	2.2	15.9	14.1	2.1	1.7	36.0
2007	1.4	18.2	21.2	3.0	2.5	46.3
2008	1.6	17.8	24.0	2.9	3.0	49.2
2009	2.4	27.9	37.5	3.1	1.2	72.0
2010	2.0	26.7	36.5	2.9	1.1	69.2
2011 ¹	5.3	34.5	31.3	6.1	3.4	80.6
2012 ²	4.9	35.8	39.5	5.6	1.2	87.1
Males						
1991	2.3	9.5	5.8	0.1	0.0	17.6
1996	0.4	9.8	5.1	0.0	0.0	15.3
2001	0.0	9.9	2.4	0.0	0.4	12.6
2006	1.1	8.0	7.6	1.2	0.8	18.7
2007	0.6	8.9	12.8	2.0	1.5	25.7
2008	0.8	9.7	14.9	2.2	2.0	29.6
2009	1.1	17.1	22.0	1.2	0.4	41.9
2010	1.0	13.7	23.0	2.4	0.5	40.6
2011 ¹	2.5	15.9	17.9	3.1	2.4	41.9
2012 ²	2.3	17.4	24.7	3.8	0.6	48.9
Females						
1991	2.3	10.4	4.7	0.3	0.0	17.7
1996	0.6	11.7	3.0	0.7	0.0	15.9
2001	0.0	11.3	2.0	0.0	0.3	13.6
2006	1.1	7.9	6.5	0.9	0.9	17.3
2007	0.8	9.3	8.4	1.1	1.0	20.6
2008	0.8	8.1	9.1	0.6	1.0	19.6
2009	1.3	10.8	15.5	1.8	0.8	30.1
2010	1.1	13.0	13.5	0.5	0.6	28.7
2011 ¹	2.7	18.6	13.3	3.1	1.0	38.8
2012 ²	2.6	18.4	14.8	1.8	0.6	38.2

Notes: ¹ Census of Population; ² Preliminary

Source: Central Statistics Office (various years). *Population and Migration Estimates*. Available at www.cso.ie.

Age of Emigrants

Irish emigration has always tended to apply predominantly to young people, even though when economic conditions in Ireland are depressed, it can extend to the older age groups. The most recent estimates available show that 41% of emigrants in the year to April 2012 were in the 15-24 year age group, and another 45% of the gross outward movement relates to those aged between 25 and 44 years. There has also been some increase in the numbers of children aged less than 14 years emigrating, suggesting an increase in emigration of family units.

Return Migration

During 2011 a total of 280 deportation orders were effected from Ireland under Section 3 of the *Immigration Act 1999*, a decrease of 4.1% on 2010 comparable figures when 292 such movements took place. The main country of nationality of deportation orders effected in 2011 related to Nigeria (124 persons), Moldova (21 persons), South Africa (21 persons), Georgia (18 persons) and Pakistan (18 persons).⁹¹

Some 2,543 persons were refused entry to Ireland at ports of entry and returned to the place from which they had come.⁹²

Some 41 EU nationals were transferred from Ireland on foot of an EU Removal Order under the *European Communities (Free Movement of Persons) Regulations 2006 and 2008*.⁹³ This represents an increase of 70.8% on 2010 figures when 24 persons were removed.

A total of 144 transfer orders were effected during 2011 under the Dublin Regulation, largely similar to 2010 when 142 transfers took place.⁹⁴

Some 475 persons were assisted to return home voluntarily during 2011,⁹⁵ either via the International Organization for Migration (IOM) office in Dublin (402 persons) or via

⁹¹ Irish Naturalisation and Immigration Service (INIS). Section 3(1) of the *Immigration Act 1999* provides that, subject to, inter alia, the prohibition of non-refoulement, the Minister for Justice and Equality may require a non-Irish national to leave the State and 'to remain thereafter' out of the State. There is no provision allowing the Minister to make a deportation order of a finite duration.

⁹² Department of Justice and Equality (2012). *Annual Report 2011*. Available at www.justice.ie.

⁹³ *Ibid.*

⁹⁴ *Ibid.*

⁹⁵ *Ibid.*

governmental administrative assistance (73 persons availing). The main country of nationality of persons assisted by both INIS and IOM was Brazil (15 persons and 93 persons respectively), Moldova (8 persons and 53 persons respectively), Nigeria (7 persons and 28 persons respectively), Georgia (1 person and 32 persons respectively) and South Africa (0 persons and 28 persons respectively).⁹⁶

⁹⁶ Irish Naturalisation and Immigration Service (May 2012).

4. Population Trends

Overall Trends

The history of population and migration trends in Ireland since the early part of the nineteenth century has been outlined in earlier SOPEMI Reports. Tables 16 and 17 show historical population and migration statistics extending back to the middle of the last century. Table 17 provides annual average figures for the components of population change for intercensal periods over the time span from 1871 to 2012. This shows how both net migration and the natural increase in the population have influenced long-term demographic changes in Ireland.

The population of Ireland continued to increase during 2011, to an estimated 4,585,400 in April 2012. As noted in Section 3, the population estimate derived from the 2011 Census was about 90,600 greater than previously estimated. This under-estimate of the population has been attributed mainly to underestimation of inward migration. As a result of the revised population estimates, gross inward flows have been revised upwards by 109,600 for the years 2007-2011, while emigration was also revised up by 23,100.

Table 1 shows annual gross and net migration, between 1987 and 2012.⁹⁷ This period was characterised by considerable volatility in regard to migration flows. There were substantial population losses due to emigration in the late 1980s: the annual outflow peaked at over 70,000 in 1989. However the position stabilised in the early 1990s when migration inflows and outflows were more or less in balance. Inward migration grew steadily since the mid-1990s, to well over 150,000 per annum in 2007. However, in the context of the economic crisis, immigration declined to 42,000 in the twelve months to April 2010 but increased slightly to over 52,000 in the twelve months to April 2012. Migratory outflows have also increased in recent years, as returning immigrants have added their numbers to emigrating Irish nationals. In the twelve months to April 2012, the inflow of 53,000 was offset by an estimated outflow of over 87,000, resulting in net outward migration of 34,400.

⁹⁷ Migration and population data are estimated for twelve month periods to April of each year.

Table 16: Population of Ireland (Republic) Since 1841

<i>Year</i>	<i>Population</i>
	<i>1,000s</i>
1841 ¹	6,529
1851 ¹	5,112
1861	4,402
1871	4,053
1881	3,870
1891	3,469
1901	3,222
1911	3,140
1926	2,972
1936	2,968
1946	2,955
1951	2,961
1961	2,818
1971	2,978
1981	3,443
1986	3,541
1991	3,526
1992	3,555
1993	3,574
1994	3,586
1995	3,601
1996	3,626
1997	3,664
1998	3,703
1999	3,742
2000	3,790
2001	3,847
2002	3,917
2003	3,979
2004	4,044
2005	4,131
2006	4,233
2007	4,376
2008	4,485
2009	4,533
2010	4,555
2011 ²	4,575
2012 ³	4,585

Notes: ¹ Armed Forces excluded ² Census of Population ³ Preliminary

Sources: Data from 1841 to 1981 are from previous reports; Data from 1981 to 2005 are from the Central Statistics Office website, Population Estimates: <http://www.cso.ie>. Data for 2006-2012 is from (CSO (2012). *Population and Migration Estimates April 2012*).

Table 17: Components of Population Change in Intercensal Periods 1871-2006

<i>Intercensal Period</i>	<i>Population Change</i>	<i>Natural Increase</i>	<i>Net</i>
		<i>(i.e. births less deaths)</i>	<i>Migration</i>
<i>Annual Averages</i>			
1871-1881	-18	32	-50
1881-1891	-40	20	-60
1891-1901	-25	15	-40
1901-1911	-8	18	-26
1911-1926	-11	16	-27
1926-1936	0	16	0
1936-1946	0	17	-19
1946-1951	1	26	-24
1951-1961	-14	27	-41
1961-1971	16	29	-13
1971-1981	47	36	10
1981-1991	8	29	-21
1991-1996	20	18	2
1996-2002	49	23	26
2002-2006	81	45	48

Source: Central Statistics Office (various years). Census. Available at www.cso.ie.

Foreign Nationals in Ireland

The number of foreign residents in Ireland peaked in 2008 at over 575,000, or 12.8% of the total population. Census data indicate that the number of non-Irish nationals almost doubled to 430,000 between 2002 and 2006, and that in 2006 non-Irish nationals accounted for about 10% of the total population, up from 6% in 2002. Of these, over 276,000 were nationals of other EU countries and almost 140,000 had come from outside the EU25. This compares to a total of 224,000 non-Irish nationals in 2002, of which 133,000 came from other EU15 countries and 90,000 from outside the EU. UK citizens accounted for most non-Irish nationals in Ireland (112,500) in 2006, and while their numbers remained stable over the following 5 years, their share fell. This was mainly due to the influx of nationals of the new EU member states – 10 countries following the 2004 EU Enlargement,⁹⁸ and a further 2⁹⁹ following the 2007 Enlargement. There were 133,000 nationals of the new EU member states in 2006 (accounting for 3% of the total population) and 230,000 in 2012 (5% of the population).

⁹⁸ Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia.

⁹⁹ Bulgaria and Romania

Table 18: Total Population 2006 to 2012 Classified by Nationality

	2006	2008	2010	2012
	<i>1,000s</i>			
Irish	3802.4	3909.5	3994.7	4035
Total Non-Irish	430.6	575.6	560.0	550.4
UK	115.5	117.9	115.9	113
Old EU 13	43.8	50.8	52.4	45.5
EU New Member States	132.5	247.7	233	229.4
Rest of World	138.8	159.2	158.7	162.5
Total Population	4232.9	4485.1	4554.8	4585.4
	<i>%</i>			
Irish	89.8	87.2	87.7	88.0
Total Non-Irish	10.2	12.8	12.3	12.0
UK	2.7	2.6	2.5	2.5
Old EU 13	1.0	1.1	1.2	1.0
EU New Member States	3.1	5.5	5.1	5.0
Rest of World	3.3	3.5	3.5	3.5
Total Population	100.0	100.0	100.0	100.0

Source: Central Statistics Office (2012). *Population and Migration Estimates, April 2012*. Available at www.cso.ie.

Additional information on the stock of immigrants can be derived from data on Certificates of Registration. A Certificate of Registration is issued by the Garda National Immigration Bureau (GNIB) to lawfully resident non-EEA nationals who expect to stay in the State for more than three months. It verifies that the person has registered with their registration officer. The Certificate of Registration contains the person's photo, registration number, relevant immigration stamp, and an expiry date. A Certificate of Registration card contains one of a number of different immigration stamps.

Table 19: Certificates of Registration 2010 and 2011

Stamp	Category	2010	2011	% change
1	Issued to non-EEA nationals who have an employment permit or business permission.	15,542	11,759	-24.3
1A	Issued to non-EEA nationals permitted to remain in Ireland for the purpose of full time training with a named body until a specified date. Other employment is not allowed.	708	397	-43.9
2	Issued to non-EEA national students who are permitted to work under certain conditions.	41,415	41,718	-0.7
2A	Issued to non-EEA national students who are not permitted to work.	4,045	4,791	18.4
3	Issued to non-EEA nationals who are not permitted to work.	16,601	12,981	-21.8
4	Issued to people who are permitted to work without needing an employment permit or business permission: Non-EU EEA nationals; Spouses and dependants of Irish and EEA nationals; People who have permission to remain on the basis of parentage of an Irish child; Convention and Programme refugees; People granted leave to remain; Non-EEA nationals on intra-company transfer; Temporary registered doctors; Non-EEA nationals who have working visas or work authorisations.	73,297	73,026	-0.4
4 EU FAM	Issued to non-EEA national family members of EU citizens who have exercised their right to move to and live in Ireland under the <i>European Communities (Free Movement of Persons) Regulations 2006</i> . People holding this stamp are permitted to work without needing an employment permit or business permission, and they can apply for a residence card under the 2006 Regulations.	6,794	7,964	17.2
5	Issued to non-EEA nationals who have lived in Ireland for at least eight years and who have been permitted by the Minister for Justice, Equality and Law Reform to remain in Ireland without condition as to time. Holders of this stamp do not need an employment permit or business permission in order to work.	1,138	1,516	33.2
6	Can be placed on the foreign passport of an Irish citizen who has dual citizenship, and who wants their entitlement to remain in Ireland to be endorsed on their foreign passport.	51	35	-31.4
Unrecorded		2,807	7,038	150.7
A		-	-	-
B		-	-	-
Total		162,398	161,225	-0.7

Source: Department of Justice and Equality (various years).

In 2011 a total of 161,225 Certificates of Registration (referring to new registrations and renewals) were issued, representing a slight decrease of 0.7% on comparable figures for 2010 when 162,398 Certificates were issued. Looking at Certificates issued by category during 2011, the majority were issued under Stamp 4 with 73,026 issued. A total of 41,718 were issued under Stamp 2; 12,981 under Stamp 3; 11,759 under Stamp 1; 7,964 under Stamp 4 EUFAM; 7,038 were Unrecorded; 4,791 under Stamp 2A; 1,516 under Stamp 5; 397 under Stamp 1A; and 35 under Stamp 6.¹⁰⁰ In 2011, notable decreases in Stamps issued under categories 1A, 6 as well as 1 and 3 took place, with notable increases in Stamps issued under categories 5 continued as well as 2A and EUFAM.

Table 20 shows country of origin data for the 10 largest groups of Certificates of Registration in 2010 and 2011. All countries were present in main nationality groupings for both years.

Table 20: Certificates of Registration by Nationality, 2010 and 2011

2010		2011	
<i>Country of Origin</i>	<i>Number Registered</i>	<i>Country of Origin</i>	<i>Number Registered</i>
1 st India	18,356	India	17,582
2 nd China	15,324	Nigeria	14,771
3 rd Nigeria	15,124	Brazil	14,380
4 th Philippines	12,303	China	14,116
5 th America	11,798	Philippines	11,988
6 th Brazil	11,717	America	11,777
7 th Pakistan	7,437	Pakistan	7,608
8 th South Africa	5,288	South Africa	4,767
9 th Malaysia	4,670	Malaysia	4,569
10 th Mauritius	4,425	Mauritius	3,777

Source: Department of Justice and Equality (various years).

¹⁰⁰ *Ibid.*

Change of Immigration Status

Table 21: Change of Immigration Status, 2011

<i>From Reason</i>	<i>To Reason</i>	<i>Family Reasons</i>	<i>Education Reasons</i>	<i>Remunerated Activities Reasons</i>	<i>Other Reasons</i>
<i>Family Reasons</i>			12	15	31
<i>Education Reasons</i>		941		376	435
<i>Remunerated Activities Reasons</i>		377	186		1,161
<i>Other Reasons</i>		490	223	732	

Source: Eurostat.

Table 21 shows changes in immigration status during 2011. A total of 4,979 persons changed status during the year – a decrease of 26.6% on comparable figures for 2010 when 6,786 status changes occurred. A total of 58 persons changed from family reasons to other statuses (the majority – 31 – to other reasons); 1,752 persons changes from education reasons to other statuses (mainly to family reasons); 1,724 persons changes from remunerated reasons (the majority – 1,161 – to other reasons); and 1,445 persons changed from other reasons to a variety of statuses, mostly to remunerated activities.

Naturalisation

A total of 27,000 applications for citizenship were received during 2011, with 16,150 applications decided during the year.¹⁰¹

¹⁰¹ Department of Justice and Equality (2012). *Annual Report 2011*. Available at www.justice.ie.

5. The Labour Market

Labour Market Trends

The Irish economy moved into recession in the first half of 2008, leading to a dramatic deterioration in labour market conditions. Gross National Product contracted by 3.5% in 2008 and by over 8% in 2009. There was some growth in GNP in 2010 (less than 1%), offset by further contraction of 2.5% in 2011.¹⁰²

Total employment fell by almost 174,000 (8.2%) in the 12 months between Quarter 2 2008 and Quarter 2 2009, another 79,000 in the following 12 months to Q2 2010, and another 70,000 over the following two years to Q2 2012. This represented a cumulative decline in employment of almost 15.5% over the four years. Unemployment increased from less than 5% at the beginning of 2008 to 12% of the labour force in Quarter 2, 2009 and 14.7% in Q2 2012.

Table 22 shows annual figures for employment, unemployment and net external migration over an extended period from 1983 to 2012. The time series suggests a strong association between Irish migration patterns and economic conditions, particularly in the labour market. For example, the global downturn that occurred in the early 1980s had a particularly severe impact on the Irish economy, resulting in the country languishing in recession until well into the second half of the decade.¹⁰³ By 1986 the unemployment rate had reached over 17%. This created a sharp divergence in labour market conditions between Ireland and other countries, particularly the UK, which led to a sharp rise in emigration. The net outflows were substantial at the end of the decade - almost 45,000 in 1988/89, or 13.0 per thousand of the population.

This position stabilised in the early 1990s. Unemployment decreased and the net migratory balance hovered close to zero. The emigration option was less attractive because of less favourable labour market conditions abroad. As a result, the pressure of labour force expansion caused unemployment in Ireland to rise. This position was compounded by a sizeable return flow of former emigrants. Even though employment did not actually decline in Ireland during this period, by April 1993 the unemployment rate had increased again to nearly 16%, compared with 13% in 1990.

The economic circumstances in Ireland in the period 1995-2000 improved. GNP growth averaged almost 9% and, as Table 22 shows, the estimated increase in total

¹⁰² Duffy, D., Durkan, J., and Casey, E. (2012). *Quarterly Economic Commentary, Autumn 2012*. Available at www.esri.ie.

¹⁰³ Earlier SOPEMI reports contain more detailed descriptions of these events.

employment in the same period totalled 389,000, or over 5% on an annual average basis. Even though the labour force continued to expand throughout this period, this occurred at a much slower pace, and by April 2000 the unemployment rate had fallen to 4.3%.

Table 22: Annual Estimates of Total Numbers at Work, Unemployed and Net Migration, 1983-2011

<i>Year</i>	<i>At Work</i>	<i>Unemployed</i>	<i>Labour Force</i>	<i>Unemployment Rate</i>	<i>Net External Migration</i>
	<i>1,000s</i>			<i>%</i>	<i>1,000s</i>
1983	1,144	181	1,325	13.6	-14
1984	1,122	204	1,326	15.4	-9
1985	1,099	222	1,321	16.8	-20
1986	1,095	226	1,321	17.1	-28
1987	1,108	225	1,333	16.9	-23
1988	1,111	217	1,328	16.4	-42
1989	1,111	197	1,308	15.1	-44
1990	1,158	172	1,332	12.9	-23
1991	1,156	198	1,354	14.7	-2
1992	1,165	207	1,372	15.1	7
1993	1,183	220	1,403	15.7	0
1994	1,221	211	1,432	14.7	-5
1995	1,282	177	1,459	12.2	-2
1996	1,329	179	1,508	11.9	8
1997	1,380	159	1,539	10.3	19
1998	1,506	128	1,633	7.82	17
1999	1,606	101	1,707	5.92	17
2000	1,684	80	1,764	4.5	26
2001	1,738	69	1,807	3.8	33
2002	1,769	82	1,851	4.5	41
2003	1,800	87	1,887	4.6	31
2004	1,852	88	1,940	4.5	32
2005	1,945	96	2,040	4.7	55
2006	2,035	98	2,133	4.6	72
2007	2,114	103	2,217	4.7	105
2008	2,113	127	2,240	5.7	64
2009	1,939	265	2,203	12	2
2010	1,859	294	2,153	13.6	-28
2011	1,821	305	2,126	14.3	-27
2012	1,788	309	2,096	14.7	-34

Notes: (a) The data from 1983 to 1987 are taken from earlier editions of this report.
 (b) The Labour Force data are defined according to ILO concepts.
 (c) Labour Force data refer to April, immigration data to the year ending April.

Sources:

(a) Central Statistics Office (various releases). *Labour Force Survey*. Available at www.cso.ie.

(b) Central Statistics Office (various releases). *Quarterly National Household Survey*. Available at www.cso.ie.

(c) Central Statistics Office (various years). *Population and Migration Estimates*. Available at www.cso.ie.

(d) Employment and Unemployment, 1998-2012: Central Statistics Office (various years). *Quarterly National Household Survey: Revised Series Calendar Quarters*. Available at http://www.cso.ie/qnhs/calendar_quarters_qnhs.htm.

This unprecedented employment growth eventually gave rise to significant labour shortages across many areas of economic activity, both skilled and unskilled. One consequence of this was a rapid increase in the influx of foreign workers. As the population figures have already indicated, these came not only from the EU15 (the citizens of which enjoy freedom of movement within Member States under EU law) but also from a wide range of other countries, mainly under the terms of the existing work permit system.

After 2004 there was a very substantial influx of nationals of the New Member States (NMS) of the EU. The rapid boom in the Irish economy ended around the turn of the century, although growth rates of around 5% per annum, well in excess of the EU average, were achieved in most years between 2000 and 2006. The pace of employment expansion fluctuated between 3 and 5% between 2000 and 2006 and fell to less than 3% in 2007. During this period most of the employment creation was in construction and the public sector, not sustainable in the long run. There was also strong employment growth in the services sector, particularly in the financial and other business services sector.

The Irish economy moved into recession in the first half of 2008.¹⁰⁴ The slowdown was initially apparent in the construction sector, which had expanded disproportionately in recent years: in 2007 over 20% of male workers were in the construction sector. The international credit crisis undermined house prices, which had inflated very rapidly in recent years. Government revenues have been sharply reduced by rapid decline in stamp duty taxes on the sale of houses, as well as declining income tax revenue with falling employment, leading to a fiscal crisis of the State. The recession has led to a dramatic and very rapid deterioration in labour market conditions. Total employment fell by almost 15.5% between mid-2008 and mid-2012. Employment losses have been concentrated in construction and related sectors, but are nevertheless widespread across the private sector. Unemployment increased from less than 5% at the beginning of 2008 to 14.7% in the second quarter of 2012. In response to this, emigration has

¹⁰⁴Barrett, A., Kearney, I. and O'Brien, M. (2008). *Quarterly Economic Commentary, Summer 2008*. Available at www.esri.ie.

increased, immigration declined, and Ireland returned to net emigration in 2009 for the first time since the mid-1990s.

Table 23 tracks the trends in employment by nationality since 2004. Given that supply and demand in the labour market are influenced by seasonality, we focus on the fourth quarter of each year so as to compare like with like.¹⁰⁵

The role of immigrants in meeting the demand for labour in the booming Irish economy between 2004 and 2007 is clearly evident. The number of non-Irish nationals in employment increased from 164,400 at the end of 2004 to 341,500 at the end of 2007, at the peak of employment and immigration. This represented a very rapid increase, from less than 9 per cent to almost 16 per cent of total employment, between 2004 and 2007. Over that three-year period the total number of non-Irish nationals in employment more than doubled. The growth in numbers from the EU NMS was particularly strong: over 300 per cent.

After 2007, however, immigrants began to lose ground in the Irish labour market. Total employment fell by over 14 per cent between the end of 2007 and the end of 2011. While employment among Irish nationals fell by 13 per cent, it fell by 21 per cent among non-Irish nationals. Non-Irish nationals accounted for over 16 per cent of total employment in 2007; this share had fallen below 15 per cent by the end of 2011. Employment among UK nationals contracted by over 21 per cent between 2007 and 2011. The biggest employment losses occurred in construction, in the wholesale and retail trade, and in accommodation and food services; these sectors had expanded substantially, and with large increases in migrant labour, during the boom years.

Table 23: Employment by Nationality, 2004–2011

	2004 Q4	2007 Q4	2010 Q4	2011 Q4	2004–2007	2007–2011
	1,000s				% change	
Irish	1,735.1	1,814.5	1,586.0	1,577.9	4.6	-13.0
Non-Irish	164.4	341.5	271.3	269.7	107.7	-21.0
<i>of which:</i>						
UK	43.6	56.8	48.3	44.6	30.3	-21.5
EU-13	27.3	32.4	30.6	29.6	18.7	-8.6
EU NMS	40.9	171.3	124.2	124.3	318.8	-27.4
Other	52.6	81.0	68.2	71.3	54.0	-12.0

¹⁰⁵ Revised estimates of population and migration by nationality for 2007 to 2011 were published (CSO, 2012a) in line with the results of the 2011 Census. The population estimate for 2011 was revised upwards by 90,600, with smaller adjustments for 2007 to 2010. Immigration estimates were also revised upwards. Revised estimates of labour force data for the adult population (over 15 years) were published in late 2012 (CSO, 2012b).

Total Persons	1,899.5	2,156.0	1,857.3	1,847.7	13.5	-14.3
	%					
Non-Irish	8.7	15.8	14.6	14.6		

Source: Central Statistics Office (various years). *Quarterly National Household Survey*. Available at www.cso.ie.

The national unemployment rate increased from 4% of the labour force in the first quarter of 2007 to 15% in the third quarter of 2012 (see Table 1.4). Unemployment increased by 220,000 people overall, and by 185,000 among Irish nationals and 36,000 among non-Irish nationals. As the recession deepened, the gap in unemployment rates grew wider between Irish and non-Irish nationals (see Figure 1.2). At the end of 2007 the unemployment rate among Irish nationals was 4.4% , compared with 5.8% among non-Irish nationals: a gap of less than 1.5% . Following substantial job losses in late 2008 and early 2009, the unemployment rate among non-Irish nationals was 15% in the first quarter of 2009, 5% higher than the unemployment rate among Irish nationals. Unemployment continued to grow through 2012, although the gap between Irish and non-Irish nationals declined somewhat, and in the third quarter of 2012, the unemployment rate was 17.7% among non-Irish nationals and 14.5% among Irish nationals.

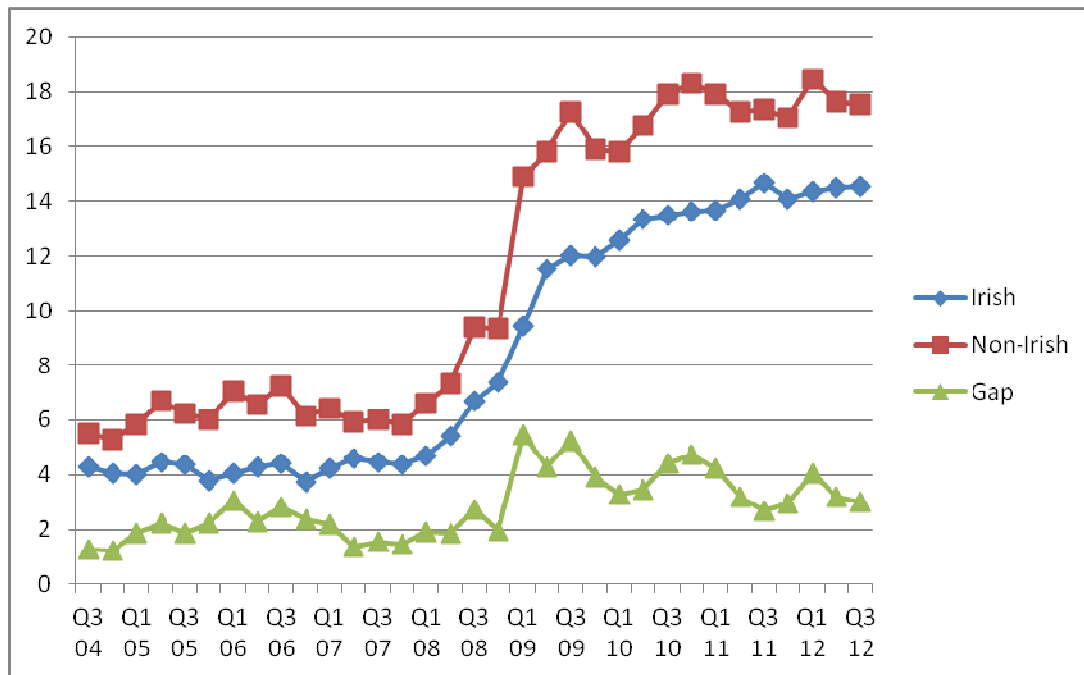
Table 22: Unemployment Numbers and Rates by Nationality, 2007 and 2012

	2007		2012	
	Q1		Q3	
	1,000s	% Rate	1,000s	% Rate
Irish Nationals	79.3	4.2	265.1	14.5
Non-Irish Nationals	21.5	6.4	57.9	17.7
<i>of which:</i>				
UK	3.3*	5.4	11.7	20.6
EU-13	2.6*	7.6	3.2*	9.8
EU NMS	9.3	5.8	29.1	19.0
Other	6.2	7.6	13.7	16.3
Total Persons	100.7	4.6	323.0	15.0

Source: Central Statistics Office (2012). *Quarterly National Household Survey Release: Time Series Tables, Quarter 3, 2012*. Available at www.cso.ie.

Note: * estimated.

Figure 1: Unemployment Rates, Irish and Non-Irish Nationality, 2004–2012



Source: Central Statistics Office (various years). *Quarterly National Household Survey*. Available at www.cso.ie.

In late 2012 UK nationals had the highest unemployment rate at over 20 per cent, followed closely by nationals of the EU NMS at 19%. The unemployment rate among nationals of the EU-13 was below 10% (4.5% lower than among Irish nationals and 8% lower than other non-Irish nationals).

Previous accounts of the impact of the recession, based on then-available QNHS data, suggested that substantial job losses among non-Irish nationals were followed by a marked contraction in the immigrant population, indicating that much of the reaction to job losses by immigrants was to emigrate (Barrett and Kelly, 2012; McGinnity et al., 2012). Following Census 2011, the revised QNHS data suggest a very different interpretation in which more modest job losses were followed by higher unemployment and economic inactivity, and limited out-migration. Thus, for example, over the four-year period between the second quarters of 2008 and 2012, the revised QNHS data show that for non-Irish nationals, employment fell by 75,000, unemployment increased by 31,000, inactivity rose by 18,000 and the population contracted by 26,000. The recession appears to have resulted in markedly higher rates of unemployment among non-Irish nationals than among Irish nationals, as noted in previous accounts of the impact of the recession, and an increase in inactivity, but not a significant surge in outward migration.

6. 2012 Special Focus: Discrimination

There is a growing body of research on the experience of discrimination among migrants in Ireland. Ireland is a relatively new country of inward migration, having previously experienced a period of strong outward migration. A large group of immigrants rapidly entered a relatively small labour market that was previously almost exclusively White and Irish. Census 2011 showed us that the overall percentage of people living in Ireland with a nationality other than Irish is now 12%, compared to just over 10% in 2006. The largest increases in group size were among EU12 national groups (i.e. New Member States - NMS): Poles, Lithuanians, and Romanians. There were also large percentage increases among Hungarian, Indian and Brazilian national groups. Migration in Ireland, although still a relatively new phenomenon, has already become a stable and enduring feature of society and there is now an extensive body of quantitative research on migration, and migrants and the Irish labour market. The integration of immigrants has emerged as a policy issue and a number of monitoring reports on integration have been published in recent years (see, for example, McGinnity, Quinn, Kingston, O'Connell, 2012).

McGinnity, O'Connell, Quinn and Williams (2006) conducted the first representative survey to focus exclusively on the experience of racism and discrimination among immigrants in Ireland. The survey, conducted in 2005, measured perceived discrimination among recent migrants in a range of different situations – in the workplace; in public places; in shops/restaurants; in commercial transactions and in contact with institutions. The survey was a wider project funded by the then European Union Monitoring Centre on Racism and Xenophobia (EUMC), now the European Agency for Fundamental Rights (FRA), to assess discrimination in a number of EU countries, and followed a broadly similar methodology to these studies. The survey sampled over 1,100 non-EU adult migrants who were either employment permit holders or asylum seekers. Respondents were classified into groups according to broad regional and ethnic groups. This resulted in five regional groups: Black South/Central Africans; White South/Central Africans; North Africans; Asians; and non-EU East Europeans, with each group containing nationals from a number of different countries. The most common form of discrimination took the form of harassment on the street, on public transport or in public places: 35% of the entire sample, and over half of Black South/Central Africans, experienced this form of discrimination. Insults or other forms of harassment at work, among those entitled to work, was the second most common form of discrimination, with 32% of work permit holders experiencing this. Moreover, 21% of those entitled to work reported discrimination in access to employment. This was most common among Black South/Central Africans (34.5%) and White South/Central Africans (37.1%). 17.6% of those with contact with the immigration services reported that they were badly

treated/received poor services. This was the highest reported incidence of institutional discrimination in Ireland. Around 15% of those participating in the market for private housing reported being denied access to it because of their national/ethnic origin, with a similar percentage reported being denied credit/a loan and being harassed by neighbours. Between 10-15% of the sample reported being badly treated by healthcare or social services and being refused entry into a restaurant because of their ethnic/national origin. 10% or less of the sample reported being a victim of violence or crime, refused entry to a shop, badly treated by the employment service or badly treated by the police.

In general, the report found marked differences between ethnic and regional groups in the experience of discrimination, with Black South/Central Africans experiencing the most discrimination of all the groups studied. Multivariate analysis reveals that this is true of racism/discrimination in the work domain, in public places, in pubs/restaurants and institutional racism, even after controlling for other factors like education, age and length of stay. Asians are more likely than East Europeans to experience discrimination in public places, and less likely to experience discrimination in commercial transactions, and from institutions.

Russell, Quinn, King-O'Riain and McGinnity (2008) examined the subjective experience of discrimination across a range of domains and grounds, in their analysis of the first special module of the Quarterly National Household Survey (QNHS) on equality, conducted by the Central Statistics Office (2004). The authors found that both ethnicity and nationality were linked to reports of experience of discrimination in any domain in the two years prior to the survey. Some 24% of non-Irish nationals felt that they had been discriminated against over the two years preceding the survey, just over twice the rate for Irish nationals. Respondents of Black ethnicity had the highest "raw" risk of discrimination among the four ethnic categories identified in the survey, with 40% of those surveyed reporting experience of discrimination. This is compared to 12% of the White respondents and 25% of the Asian group. The authors found that the higher likelihood of reported discrimination among non-Irish nationals persisted in both looking for work and in the workplace, and in four of the service domains (housing, shops/pubs/restaurants, financial services and transport), but was particularly pronounced in relation to job search. It was also found that Black respondents were more likely to report discrimination than White respondents.

In a further analysis of the first QNHS special module on equality (2004), O'Connell and McGinnity (2008) focused on 'Immigrants at Work', analysing ethnicity and nationality in the Irish labour market. This survey was the first representative data source to include information on ethnicity; therefore the study was the first systematic baseline study

that examined labour market experiences by migrants distinguished by ethnicity. The report also examined whether immigrants from English speaking countries differ from immigrants from non-English speaking countries, using data from the Survey of Migrant Experiences of Racism and Discrimination in Ireland (SMERDI). The report investigated objective labour market outcomes such as occupational status and wages, and respondents' own subjective assessment of their experiences.

The research found that non-Irish nationals are three times more likely to report having experienced discrimination while looking for work than Irish nationals, even after controlling for differences in gender, age and education between the groups. When distinguishing between immigrants, McGinnity and O'Connell (2008) found that all groups differ significantly from Irish nationals, though the effect is smaller for Asian respondents and White respondents from English speaking countries. It was found that compared to Irish nationals, Black respondents were seven times more likely to report experiencing discrimination when looking for work. In the workplace, non-Irish nationals were twice as likely to report experiencing discrimination as Irish nationals. Distinguishing between groups, the authors found that language of country of origin plays a clear role. White respondents from English speaking countries were no more likely to report discrimination at work than Irish nationals. However, immigrants from non-English speaking countries were more likely to report discrimination.

In 2009 the Fundamental Rights Agency (FRA) conducted the European Union Minorities and Discrimination Survey (EU-MIDIS). The EU-MIDIS is an EU-wide survey of immigrant and ethnic minority groups' experiences of discrimination and victimisation in everyday life. The survey examined experiences of discriminatory treatment, racist crime victimisation, migrant's awareness of rights, and reporting of complaints in Ireland and other Member States (Fundamental Rights Agency, 2009).

McGinnity, Nelson, Lunn and Quinn (2009) conducted the first field experiment measuring discrimination in job recruitment in Ireland. The methodology of the experiment entailed matched individuals, identical on all relevant characteristics, other than their name, applying for the same jobs. Discrimination, or the lack thereof, was measured as the extent to which one applicant was invited to interview relative to the other applicant. The experiment tested for any differences in responses to the minority candidates and the Irish candidates, and for any variation in the extent of discrimination between the minority groups. Discrimination against three minority groups was measured: Africans, Asians and Europeans (Germans), the research also tested whether discrimination varied across the labour market. Occupations were chosen that required written applications (sending CVs) and that had many vacancies, in order to generate enough responses to ensure that all observations were systematic. In order to avoid

detection, the CVs that were issued were not identical, however all relevant personal and employment characteristics other than national or ethnic origin were matched: age (young adults), education (in Ireland), gender (male for accountancy jobs, female for lower administration and retail sales), previous labour market experience (in Ireland) and additional skills. The experiment found that candidates with Irish names were over twice as likely to be invited to interview for advertised jobs as candidates with identifiably non-Irish names, even when both had submitted similar and comparable CVs. The authors did not find significant differences in the degree of discrimination faced by candidates with Asian, African or German names; all three groups were around half as likely to be invited to interview as Irish candidates. The results for this sample of jobs indicated strong discrimination against minority candidates, and this applied broadly across all sectors and occupations tested. In addition the authors found no evidence that the discrimination rate varied within the period of testing.

McGinnity, Watson and Kingston (2012) examine self-reported experiences of discrimination among the general population using a large, representative sample of the population in Ireland in the Equality module of the Quarterly National Household Survey carried out by the Central Statistics Office (CSO) in 2010. As in the 2004 Equality module, the 2010 Survey asked individuals whether they had experienced discrimination in a number of social situations over the previous two years. Overall just under 12% of the population in Ireland aged 18 years and over said that they had been discriminated against in the preceding two years. Of those potentially exposed to discrimination, 7% reported discrimination while accessing services and 8% reported work-related discrimination.

People of Black ethnicity reported much higher rates of discrimination at work, in seeking work, and in five of the seven service domains, even controlling for other characteristics. They were also much more likely to report discrimination that has a serious impact on their lives, both work-related discrimination and in service domains. Asians and Other ethnic groups reported higher discrimination in some work and service domains, though to a lesser extent than the Black group. Those of non-Irish nationality were more likely to experience discrimination in the workplace. They were also more likely to experience discrimination in seeking work, though this was accounted for by ethnicity and other factors. Non-Irish nationals were more likely to experience discrimination in shops, pubs and restaurants. They were somewhat more likely to experience discrimination in transport and other services, though this difference is not maintained when ethnicity was controlled for.

In a further analysis of the 2010 QNHS equality module, Kingston, O'Connell and Kelly (2013) focused on ethnicity and nationality in the Irish labour market. This study reveals

important differences in the labour market experiences of different national-ethnic groups. Black Africans, Asians, Minority EU (mainly comprising non-white EU nationals), White UK and White non-EU individuals all had lower chances of employment compared to White Irish nationals, after controlling for a range of potentially influential socio-demographic characteristics. Black Africans had much higher rates of unemployment, and White people from the UK and from the EU New Member States (NMS) had somewhat higher rates of unemployment, than White natives. Despite the significant increase in unemployment that has taken place since the 2004 Equality module was conducted, they found that no change over time in relative risks of unemployment between different national-ethnic groups. They did, however, find some changes over time in relation to employment, particularly in relation to Black Africans, who were less likely to be employed compared to White Irish in both 2004 and 2010, although the size of the negative effect was not as large in 2010.

In relation to subjective reports of discrimination they found that members of the Black African group were seven times more likely to report discrimination when looking for work compared to white Irish nationals. The Minority EU group also reported a higher rate of discrimination when looking for employment. This was the case even after controlling for differences in gender, age and education between the groups. This demonstrated that the differences in reported discrimination were not fully explained by differences in human capital endowments and personal characteristics. Migrants who arrived during the recession (since 2008) were more likely to report discrimination when looking for work. They found little evidence in change over time between 2004 and 2010 in reports of discrimination when looking for work. The White non-EU group were less likely to report discrimination in 2010 compared with 2004, but this could be due to changes in the composition of the non-EU group following EU enlargement in 2004.

The analysis of differential treatment at work focussed on two labour market outcomes: 1) working in managerial and professional occupations, and 2) membership of a high earnings group – earning in excess of €732 per week, net of taxes and social insurance contributions. Black Africans, White EU New Member State (NMS) individuals, Asians and Minority EU citizens were less likely to be in the most privileged occupational category compared to White Irish individuals. They also found that Black Africans and White EU NMS citizens were less likely to be high earners compared to White Irish individuals. In the absence of earnings information in the 2004 survey, it was not possible to investigate whether earnings patterns have changed over time. The analysis of discrimination in the workplace showed large differences between national-ethnic groups in reported rates of discrimination. All national-ethnic groups apart from the White UK and White Old EU-13 group reported significant rates of discrimination in the

workplace. Black African respondents were more than six times more likely than white Irish respondents to report discrimination in the workplace.

In addition to these studies of the experience of discrimination, there is a further growing body of research on objective disadvantages suffered by immigrants, particularly in the labour market, showing that immigrants, particularly from the EU New Member States suffer occupational gaps (Barrett, Bergin and Duffy, 2006; O'Connell and McGinnity, 2008; and Turner, 2010), wage penalties (Barrett, 2008; O'Connell and McGinnity, 2008)) and from the effects of the recession (Barrett and Kelly, 2012).

References

Barrett, A., Bergin, A., and Duffy, D. (2006). "The Labour Market Characteristics and Labour Market Impacts of Immigrants in Ireland". *The Economic and Social Review*, Vol 37, No 1.

Barrett, A. and Duffy, D. (2008), "Are Ireland's Immigrants Integrating into its Labour Market?". *International Migration Review*, Vol 42, No.3, pp 597-615.

Barrett, A. and Kelly, E. (2012), "The Impact of Ireland's Recession on the Labour Market Outcomes of its Immigrants" *European Journal of Population*, Vol. 28, No. 1, pp 99-111.

Central Statistics Office, (2012a), "Population and Migration Estimates, April 2012." Dublin and Cork: CSO.

Central Statistics Office, (2012b), "Quarterly National Household Survey, Quarter 3 2012." Dublin and Cork: CSO.

Kingston, G., O'Connell, P.J., and Kelly, E. (2013). *Ethnicity and Nationality in the Irish Labour Market: Evidence from the 2010 QNHS Equality Module*. Dublin: The Equality Authority and the ESRI.

McGinnity, F., O'Connell, P.J., Quinn, E., and Williams, J. (2006). *Migrants' Experience of Racism and Discrimination in Ireland: Survey Report*. Dublin: ESRI.

McGinnity, F., Nelson, J., Lunn, P. and Quinn, E.(2009). *Discrimination in Recruitment- Evidence From a Field Experiment*. Dublin: Equality Authority.

McGinnity, F., Quinn, E., O'Connell, P.J. and Donnelly, N. (2011). *The Annual Monitoring Report on Integration 2010*. Dublin: ESRI and the Integration Centre.

McGinnity, F. and Lunn, P. (2011). "Measuring Discrimination Facing Ethnic Minority Candidates- An Irish Experiment". *Work, Employment and Society*, Vol.25, No.4, pp 693-708.

McGinnity, F., Quinn, E., Kingston, G. and O'Connell, P.J. (2012). *The Annual Monitoring Report on Integration 2011*. Dublin: ESRI and the Integration Centre.

McGinnity, F., Watson, D. and Kingston, G. (2012). *The Experience of Discrimination in Ireland 2010. Analysis of the QNHS Equality Module*. Dublin: Equality Authority.

McGinnity, F., Watson, D., and Kingston, G. (2012). *The Experience of Discrimination in Ireland: Evidence from the 2010 QNHS Equality Module*. Dublin: The Equality Authority and the ESRI.

O'Connell, P.J. and McGinnity, F.(2008). *Immigrants at Work - Ethnicity and Nationality in the Irish Labour Market*. Dublin: Equality Authority.

Russell, H., Quinn E., King O'Riain, R. and McGinnity, F.(2008). *The Experience of Discrimination in Ireland- Analysis of the QNHS Equality Module*. Dublin: Equality Authority.